

## GUIDANCE BY AND FOR JOURNALISTS



# REPORTING ON REFUGEES

Asylum and immigration remain controversial, newsworthy topics about which people have strong opinions.

Our Code of Conduct commits us to providing coverage that is non-racist. As in many other countries, there are manifestations of racism in Ireland and that makes our job all the harder. This leaflet is designed to assist working journalists. The NUJ (UK and Ireland) has also published Guidelines on Race Reporting which are available on our website [www.nuj.org.uk](http://www.nuj.org.uk). In covering asylum and immigration related issues journalists must also remember their obligations under the Press Council of Ireland Code of Practice for Newspapers and Periodicals and under Irish broadcasting legislation.

It's important for editors, reporters, sub-editors and photographers to realise that, when we get it wrong, people suffer directly. Immigrant communities (which now include some of our own journalistic colleagues) have told us how inaccurate press articles or broadcasts have even led to violence against them, in some cases. Sloppy, unprofessional work on these subjects always hurts the vulnerable in some way. That means always: checking and cross-checking information, being aware of the veracity of sources, being mindful of the language we use and the context in which information is presented.

In seeking to improve standards we are not trying to stifle debate. Rather we are seeking to ensure that all of us meet our obligations through fair and honest journalism. While there is a widespread awareness of the importance of accurate reporting some of our colleagues continue to print or broadcast myths and misinformation about refugees and asylum-seekers. Inaccurate terminology and commentary has increased confusion and that breeds prejudice.



**It's important for editors, reporters, sub-editors and photographers to realise that, when we get it wrong, people suffer directly**



Greece. Young refugees in Lesbos take part in sporting events inspired by the Refugee Olympic Team





Uganda. UN High Commissioner for Refugees Filippo Grandi visits refugees in Adjumani



Greece. Kurdish refugee creates garden in Cherso camp

**As the number of refugees coming to Ireland and Europe grows, so too does interest in the effect these new arrivals will have on Irish life**

Frequently the words ‘refugee’ and ‘asylum-seeker’ are used interchangeably, without distinction. In some quarters these words are used as a lazy shorthand for ‘foreign’ or ‘non-EU’.

The NUJ is committed to quality journalism for its own sake and also because journalists can only expect proper salaries and working conditions if they provide professional work. That is why we have co-operated with UNHCR in republishing these guidelines.

## NUJ

The United Nations Refugee Agency is mandated to lead and co-ordinate international action to protect refugees and resolve refugee problems worldwide. This includes ensuring that an accurate picture of refugees and related issues is portrayed in the public eye and media.

As the number of refugees coming to Ireland and Europe grows, so too does interest in the effect these new arrivals will have on Irish life. Ireland is set to play a heightened role in the coming years in the response to the current refugee crisis and as we do, it is vital that facts, figures and definitions are accurate.

## UNHCR Ireland

**“Refugees do not travel in search of economic opportunity but to escape war, persecution, death, torture and rape. They are entitled to the protection and assistance of other states under international law, and under shared principles of human decency.”**

### Filippo Grandi

UN High Commissioner for Refugees

# REPORTING ON REFUGEES

It's vital that we use the correct terms and the appropriate language when dealing with sensitive subjects.

## Who is a refugee?

International law defines refugees as people;

- who are outside their country of origin and
- whose life and, or human rights are seriously at risk because of their race, nationality, social group, their religious beliefs or political opinion; and their governments will not or cannot protect them.

Refugees are legally entitled to certain rights and to be protected against forcible return to their countries of origin. Every asylum seeker is entitled to an individual assessment of their claim and anyone found to meet this definition will be declared to be a refugee. Refugees in many cases are fleeing war but equally they may be fleeing authoritarian governments or persecution from private actors where the government is unable or unwilling to give them protection.

## Who is an asylum-seeker/ international protection applicant?

Asylum-seekers or international protection applicants are people seeking protection as refugees, who are waiting for the government to decide on their applications. These people are entitled to stay in the state unless their application to be considered as a refugee is rejected. They also have a right to a fair hearing of that application and to an appeal if necessary. There is no such thing as a bogus asylum-seeker or an illegal asylum-seeker. Everybody has a right to seek asylum in another country. People who don't qualify for protection as refugees will not receive refugee status and may be deported. But calling someone a bogus asylum-seeker is the same as calling a defendant a 'bogus defendant'. It is nonsensical.



Uganda. South Sudanese refugees await the arrival of UN High Commissioner for Refugees, Filippo Grandi

## What is the Temporary Protection Directive (TPD)?

The Temporary Protection Directive (TPD) is a European law that has been incorporated into Irish law via the International Protection Act 2015. The European Council decided on the 4 March 2022 to activate the Temporary Protection Directive for persons fleeing the war in Ukraine. Not all temporary protection beneficiaries (TPBs) are nationals of Ukraine as family members and long-term residents are also eligible. The TPD aims to offer immediate help to large groups of people by granting a form of collective protection status. TPBs have a different legal status to people seeking asylum or people with refugee status. More information on Temporary Protection is available [here](#).

TPBs are entitled to apply for international protection if they wish but the vast majority have not to date. If they do apply, they lose the benefit of the Directive and instead receive the same levels of support as other international protection applicants while in the process. The European Commission has said that temporary protection will be granted to beneficiaries until at least March 2024.



Former UN Secretary General Ban Ki moon with resettled refugees in Dublin

**An unaccompanied child may have an asylum claim. They have unique challenges, including the need for safe accommodation and assistance with presenting their asylum claims, if they need asylum.**

## **What about people fleeing civil wars and other conflicts?**

People who flee civil wars and other conflicts may be refugees. If they don't cross an international border, they are referred to as 'internally displaced people'.

Those who do not qualify for refugee status may alternatively be granted subsidiary protection or a humanitarian status allowing them 'permission to remain' in Ireland for a defined period if they cannot safely return to their home country. Temporary leave to remain is usually granted initially for one year.

## **What is subsidiary protection?**

Subsidiary protection can be given to a person who does not meet the legal definition of a refugee. Three grounds exist for giving subsidiary protection. They include when a person faces:

1. the death penalty or execution in their country;
2. torture, inhumane or degrading treatment or punishment; and
3. indiscriminate violence from an international or internal armed conflict.

This status was created across the EU by a Directive.

## **Who are unaccompanied/separated children?**

Separated or unaccompanied children (UASC) are persons under 18 who are outside their country of origin and separated from both parents or their primary care givers. In the case of unaccompanied children, they are not cared for by any adult. They are under the care of the Child and Family Agency (Tusla) who may make a claim for asylum on their behalf. They have unique challenges, including the need for safe accommodation and assistance with presenting their asylum claims.



## Are asylum-seekers or TPBs illegally in the country?

**NO.** Asylum-seekers have registered with the International Protection Office (IPO) and are allowed to remain in Ireland legally while their asylum claims are being considered. Asylum-seekers may enter the country in secret or be smuggled in. But such means of entry doesn't make them illegal — if they register with the IPO after their arrival. Refugees often have to flee in great haste and in secret, leaving passports and other travel documents behind. Registered asylum seekers are not obliged, as other non-EEA citizens are, to present such documents on demand by a member of the gardai, provided they present their registration card instead. Some of the people smuggled into Ireland (such as those hidden in lorries) will be seeking asylum. But it is inaccurate to categorise them all as 'asylum-seekers' since some may have no intention or valid reason to seek asylum.

Asylum-seekers and temporary protection beneficiaries are housed in accommodation centres (Direct Provision) across the country, as well as in a number of short-term accommodation centres which are often hotels or bed and breakfasts, repurposed buildings or temporary centres called rest centres or transit centres. Asylum-seekers receive food and other essential items as well as a small cash payment of €38.80 per adult and €29.80 per child per week. Asylum-seekers can apply for permission to work six months after they have applied for asylum if they have yet to receive a decision on their application. Temporary protection beneficiaries are entitled to access the same social welfare benefits as Irish citizens and are entitled to work.



President Higgins at the 2016 Fair Play Football Cup

## What is Resettlement?

Refugee resettlement is the selection and transfer of refugees from a state in which they have sought protection to a third country that admits them — as refugees — with a permanent residence status. Resettlement is a protection tool for refugees whose lives and liberty are at risk. It is a 'durable solution' for refugees alongside local integration and voluntary repatriation and an expression of solidarity with those developing countries that host the majority of the world's refugees.



Island of Lesbos.



Uganda. South Sudanese refugees at the Imvepi reception centre

**A clear distinction between fact and conjecture is essential. A blurring of this line can have alarming consequences.**



In the EU, resettlement means the movement of refugees from a country outside of the EU to an EU Member State. Resettlement forms a core part of the external dimension of European Union asylum policy, and a way of demonstrating EU solidarity with third countries.

### **What is Relocation?**

Relocation refers to the movement of asylum seekers or refugees from one EU Member State to another. It is an intra-EU process, in which Member States help another Member State to cope with the pressure of hosting a relatively large asylum seeker or refugee population by agreeing to receive a number of them. Relocation is an expression of internal EU solidarity and burden-sharing, particularly with those countries at the borders of Europe that receive a high number of refugees.

### **What is the difference between community sponsorship and pledging accommodation?**

Community Sponsorship allows ordinary people and communities in Ireland to directly welcome refugees into their communities who arrive through Ireland's refugee resettlement programme. A group of people from a community work together to raise money and secure accommodation for refugees before they arrive. More information is available [here](#). The large pledging process which was run by the Irish Red Cross and the Irish Government in response to the Ukraine crisis allows the public to pledge their properties or rooms in their homes for those who are already in Ireland and need accommodation. Find more

[information here.](#)

### **Getting facts and figures right**

A clear distinction between fact and conjecture is essential. A blurring of this line can have alarming consequences. It is always worth checking and challenging figures quoted by politicians or others with an interest. To enhance credibility indicate the provenance of statistics.



## What is Human Smuggling?

Human smuggling is the facilitation, transportation, attempted transportation or illegal entry of people across an international border, in violation of one or more countries laws, either clandestinely or through deception, such as the use of fraudulent documents. Often, human smuggling is conducted in order to obtain a financial or other material benefit for the smuggler, although financial gain or material benefit are not necessarily elements of the crime. For instance, sometimes people engage with smugglers to reunite their families. Human smuggling is generally with the consent of the person(s) being smuggled, who often pay large sums of money.

## What is Human Trafficking?

Conversely, trafficking of human beings is rarely with the consent of the trafficked individual. Trafficking specifically targets the trafficked person as an object of criminal exploitation. The purpose from the beginning of the trafficking enterprise is to profit from the exploitation of the victim. It follows that fraud, force or coercion all plays a major role in trafficking. It is often the case that trafficked individuals will be exploited at the destination as part of some form of forced labour exploitation.



Uganda. Fleeing conflict, South Sudanese seek refuge in Uganda



Iraq. Internally displaced Iraqis flee fighting in Mosul



Iraq. Internally displaced persons flee to Debaga as Mosul assault begins



# INTERVIEWING

## REFUGEES AND ASYLUM-SEEKERS



Iraq. Internally displaced Iraqis flee fighting in Mosul

**People fleeing persecution leave families behind who may face retribution from repressive regimes as a result of the identification of relatives in Ireland**



Asylum-seekers and refugees have a right to be heard and many have amazing stories to tell. However fear of reprisals 'back home', stereotyping, negative coverage and public hostility make many reluctant to talk to journalists. When seeking interviews:

- be clear about your purpose;
- be sensitive to requests for anonymity;
- inform yourself about countries of origin.

According to S.26 of the International Protection Act 2015 it is an offence to identify an asylum-seeker without their consent. The obligation to protect the identity of an asylum-seeker continues indefinitely regardless of the current status of the individual concerned, whether a refugee, naturalized Irish citizen or someone whose claim has been rejected (see the Supreme Court case of M.A.R.A (Nigeria) (infant) v Minister for Justice and Equality).

It is important to note that these restrictions continue to apply when reporting on court cases. While an individual's status as an asylum seeker may be disclosed during the proceedings it remains an offence to identify them as such without their consent. This is the case in both civil and criminal proceedings.

If information is published without consent, likely to lead members of the public to identify a person as a asylum-seeker, the following people could face conviction and sentence to a fine or a term of imprisonment of up to 12 months or both:

1. Newspaper or periodical: the owner, editor and the publisher
2. Other types of publication: the person who publishes it
3. A program that has been broadcast or any other form of general broadcast: any person who transmits, provides or otherwise communicates that broadcast, and any person responsible for its creation or editing

### Photography and filming

Take care when publishing images that may identify individuals. Talk to the people being portrayed making sure you have obtained their permission for use of their image.

People fleeing persecution leave families behind who may face retribution from repressive regimes as a result of the identification of relatives in Ireland. Exiles who have been political activists in other countries may risk death threats or attacks by agents of a regime or by regime loyalists in Ireland. Asylum-seekers and refugees are entitled to have their privacy respected. Special care should be taken when identifying children. Giving prominence simply because of their asylum or refugee status could lead to unwarranted discrimination and hostility.

## Targeting asylum seekers

UNHCR is increasingly concerned by the direct targeting of refugees and migrants by groups who seek to spread fear and pit vulnerable communities against each other. It is important to remember that elevating these messages have a real negative effect on the lives of those who come to Ireland to find safety.

Ongoing knowledge about these groups is needed in the newsroom. Fairness and credibility are the backbone of journalism. When reporting loses credibility, the trust in journalism can be lost. Regardless of any political opinion, those who arrive in Ireland deserve to be treated with respect and dignity, and their privacy upheld.

## Reporting the cause of asylum-seeking

Relatively little coverage is given to the human rights abuses and conflicts that force people to flee their homes, yet providing this global context would improve the quality of debate around asylum issues. There has been an abundance of reporting on so-called 'pull' factors which attract people to Ireland. But for an asylum-seeker, cultural and family links and a desire for safety may be more significant than access to benefits.



Scarred but not broken by six years of conflict in Syria, young Wafaa embodies the best and worst of her war-torn country

A wealth of background information is available on the Internet, and balance can be achieved by referring to a variety of sources (see Contacts panel).

## Know your experts

When relying on experts and specialist organisations, it helps to check their details to provide context for the public - most will have websites that provide some background. Avoid relying on one source, especially when issues are contentious. There is a great variety to choose from.

## Reporting third party comment

To avoid misleading or distorted reporting, care should be taken when quoting third party comments — and the prominence given to them. Publishing unsubstantiated claims or comments is poor journalistic practice. In the case of asylum issues, publishing hostile allegations can generate fear and hostility that is not borne out by the facts. When citing official or government sources include quotes from organisations representing refugees and asylum-seekers for fair and balanced coverage.



# USEFUL RESOURCES

## Code of Conduct

### National Union of Journalists

<https://www.nuj.org.uk/about-us/rules-and-guidance/code-of-conduct.html>

## Press

### National Union of Journalists in Ireland

Tel: 01-817 0340

[www.nuj.ie](http://www.nuj.ie)

### Office of the Press Ombudsman

Tel: 1890 208 080

[www.pressombudsman.ie](http://www.pressombudsman.ie)

## Government and Statutory Sector

### Office of the Minister for Justice

Tel: 1890 221 227

[www.justice.ie](http://www.justice.ie)

### International Protection Office (IPO)

Tel: 01-602 8000

[www.ipo.gov.ie](http://www.ipo.gov.ie)

### Office of the Minister for Children, Equality, Disability, Integration and Youth

Tel: 01-647 3000

[www.gov.ie/dcenediy](http://www.gov.ie/dcenediy)

### Immigration Service Delivery (ISD)

Tel: 1890 551 500

[www.irishimmigration.ie](http://www.irishimmigration.ie)

### The International Protection Appeals Tribunal (IPAT)

Tel: 01-474 8400

[www.protectionappeals.ie](http://www.protectionappeals.ie)

### International Protection Accommodation Services (IPAS)

Tel: 01-418 3200

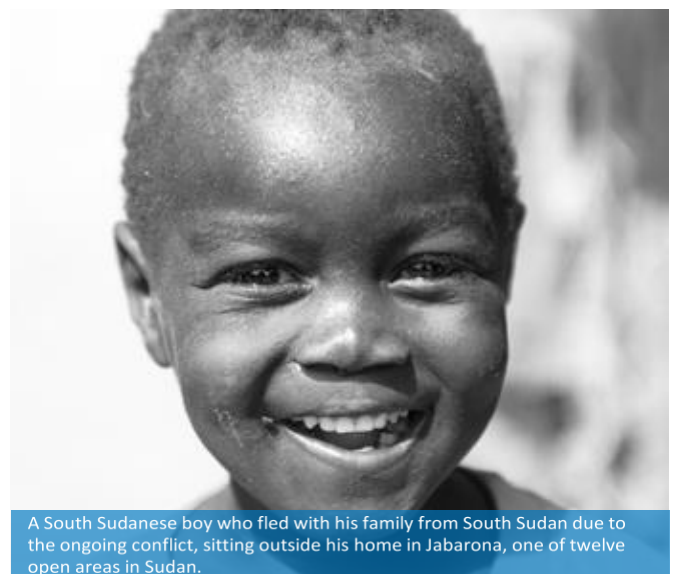
<https://www.gov.ie/en/campaigns/d9f43-international-protection-accommodation-services-ipas/>

### Legal Aid Board

Tel: 01-646 9600



Omar, 5 years and his sister Hadil, 4 years, play in government-run camp Kara Tepe on Greek island of Lesbos. He is from Hamas, Syria.



A South Sudanese boy who fled with his family from South Sudan due to the ongoing conflict, sitting outside his home in Jabarona, one of twelve open areas in Sudan.



Democratic Republic of the Congo. Burundians seek refuge in neighbouring country

# USEFUL RESOURCES

## Voluntary Sector

**Akidwa**– National network of migrant women in Ireland working on issues of isolation, racism and Gender Based Violence

**Tel: 01-814 8582**

**[www.akidwa.ie](http://www.akidwa.ie)**

**Doras**– Migrant/Refugee support group-promotes the rights of all migrants living in Limerick and the wider Mid-West region.

**Tel: 061-310 328**

**[www.doras.org](http://www.doras.org)**

**ICCL**– Irish Council for Civil Liberties independent human rights watchdog, which monitors, educates and campaigns in order to secure full enjoyment of human rights for everyone

**Tel: 01-799 4504**

**[www.iccl.ie](http://www.iccl.ie)**

### **The Irish Human Rights and Equality**

**Commission (IHREC)** – Independent national human rights body focused on promoting human rights and equality

**Tel: 01-858 9601**

**[www.ihrec.ie](http://www.ihrec.ie)**

**Irish Red Cross** – Works to strengthen vulnerable communities in Ireland and overseas.

**Tel: 01-642 4600**

**[www.redcross.ie](http://www.redcross.ie)**

**Irish Refugee Council** – Dublin based refugee/asylum-seeker support group providing legal and social assistance

**Tel: 01-764 5854**

**[www.irishrefugeecouncil.ie](http://www.irishrefugeecouncil.ie)**

**Nasc** – Cork based Nasc works to link migrants and ethnic minorities to their rights through protecting human rights, promoting integration and campaigning for change.

**Tel: 021-431 7411**

**[www.nascireland.org](http://www.nascireland.org)**

**SPIRASI** – Works with asylum-seekers, refugees and other disadvantaged migrant groups, with special concern for survivors of torture.

**Tel: 01-838 9664**

**[www.spirasi.ie](http://www.spirasi.ie)**

## International Organisations

### **UN High Commissioner for Refugees (UNHCR)**

Works to safeguard rights and well being of refugees & asylum-seekers through provision of guidance, training and support to authorities and the promotion of best standards in legislation, policy and procedures.

**Tel: 01-631 4614**

**[www.unhcr.ie](http://www.unhcr.ie)**

### **International Organisation for Migration (IOM)**

Works to help ensure the orderly and humane management of migration and to provide humanitarian assistance to migrants in need, including refugees.

**Tel: 01-878 7900**

**[www.iomdublin.org](http://www.iomdublin.org)**

### **Amnesty International/Irish Section**

Ireland's largest human rights organisation working to protect all human rights and equality.

**Tel: 01-863 8300**

**[www.amnesty.ie](http://www.amnesty.ie)**



**UNHCR**  
The UN Refugee Agency

