



## Guidance note — Research on refugees, asylum seekers & migrants

Research on refugees, asylum seekers and migrants concerns a **particularly vulnerable group** which needs **particular safeguards** in terms of research ethics.

This note provides some guidelines to help you make your research ethics compliant.

### General principles

To account for their particular vulnerability, you should apply the following principles whenever your research involves such participants:

- treat them with **care** and **sensitivity**
- be **objective** and **transparent**
- avoid **ethnocentricity**: show respect for their ethnicity, language, religion, gender and sexual orientation
- rigorously safeguard the dignity, wellbeing, autonomy, safety and security of their **family & friends**
- respect their **values** and right to **make their own decisions**
- give special protection to participants with diminished autonomy, such as **unaccompanied minors** — for example, by involving NGOs or national authorities (*e.g. National Refugee Councils*) with relevant experience, to provide legal advice, psychological support, language interpreting and/or legally appointed supervision.

#### **What to include in your ethics self-assessment**

Information on the participants' **legal status** and any details regarding their specific **vulnerability** due to their status.

Confirmation that your research:

- is **relevant to the communities involved** (both source and host)
- has objectives that are **not harmful or prejudicial** to participants

A detailed **strategy document** describing:

- the procedures you will implement to protect participants' best interests and ensure their involvement will not jeopardise safety or increase vulnerability
- how the criterion of relevancy will be satisfied (*e.g.* by prior consultation with the community itself or a cultural insider)

## Specific concerns

### Recruitment of researchers

Consider including researchers with a **refugee or migrant background**, or from the same culture. This may mitigate potential risks of coercion or power differentials between researchers and participants.

 Be aware that such people could also act as gatekeepers or could even amplify power differentials.

#### *What to include in your ethics self-assessment*

Details on recruitment, inclusion and exclusion criteria for researchers:

- **justify your interactions with vulnerable groups**  
The reasons may vary but there are common principles: give a rationale for your methodology, including the research subject, choice of research sites, participants and researchers; how you plan to establish a trust relationship with participants; how you will be transparent about future use of findings and their potential harm/benefit for vulnerable groups.
- do **not create unjustified expectations** in participants about:
  - future residence in the EU or the determination of their refugee status by any national authorities
  - how the research will help to improve the situation of their group and how participants will be recognized or rewarded (make sure to avoid undue inducement)
- justify why **certain volunteers cannot be recruited**, to avoid concerns about favouritism and unfair exclusion.

## Informed consent

Demonstrate appropriate efforts to **ensure participants fully understand** the implications of being involved in your research.

### *Issues*

Informed consent procedures may **discourage participants** from participating in research projects:

- signing consent forms may **jeopardise their anonymity** — important to people fearing persecution in their home country or capture by host country law enforcement agencies
- complex and legalistic consent **forms can be difficult to translate** into multiple languages in a comprehensible style, particularly where participants have low levels of literacy

### *Alternatives to consent forms*

You may use less formalised procedures for giving information and obtaining consent, such as:

- including a **cultural insider** in the process

- working with a recognised **NGO**
- using **oral consent** (only with the knowledge and approval of a competent Research Ethics Committee).

 For particularly vulnerable groups (participants in refugee **camps** (closed, waiting or detention camps) and unaccompanied **minors** consider having in all cases an experienced NGO member (with relevant and acknowledged credentials) or a cultural insider present during informed consent procedures.

Participation by such groups might be less genuinely voluntary, especially in research sponsored by powerful organisations.

#### ***What to include in your ethics self-assessment***

Details on any less formalised procedures for giving information and obtaining consent (alternatives to consent forms).

### **Incidental findings**

You must handle appropriately any information you **discover unintentionally** that is not related to your research aims, such as:

- human rights violations (on or by the participants)
- human and sexual trafficking
- domestic violence
- forced marriage
- female genital mutilation
- trading in human organs
- child pornography.

#### ***What to include in your ethics self-assessment***

A **strategic plan** for helping participants in these situations, *e.g. by informing the responsible national authorities, NGOs or other agencies with relevant expertise*. This plan must be **approved** by a competent national research ethics committee.

### **Rehousing, relocation & safe passage**

Research on participants should not influence housing, resettlement, relocation or status determination procedures.

### **Protection of personal data**

To protect participants' safety (as stated above) and prevent possible stigmatisation, social exclusion or racism.

Act as follows:

- Be extremely careful about which **type of information** you collect. Only gather data that is essential for your specific research aims. Do not collect names, addresses or specific locations and exact dates unless absolutely essential.
- **Store all data safely:** password-protected where appropriate and separate from any other personal or communication data, such as meeting points or mobile numbers (*pseudonymisation*).
- Keep **completely anonymous** any information that participants wish to hide for reasons of personal safety or privacy.

### **What to include in your ethics self-assessment**

A **detailed strategy** to ensure all personal data collected will be kept confidential and anonymous. Explain this thoroughly to the participants in the Information Sheets or orally (if approved by a competent national research ethics committee).

Your **procedures** for data collection, storage, protection, retention, transfer, destruction or re-use (including: collection methodology, digital recording, picture, etc.), exchange (LAN, cloud, etc.), data structure and preservation (encryption, anonymisation, etc.), data merging or exchange plan, commercial exploitation of data sets etc.

Your **data safety procedures** (protective measures to avoid unforeseen usage or disclosure, including mosaic effect, i.e. enabling identification by merging multiple sources).

The specific procedures that you will implement to ensure the confidentiality and **anonymisation/pseudonymisation** of personal data about the relocation of participants (especially for participants defecting or leaving their country for political reasons).

Explicit confirmation of **compliance** with national and EU legislation, (in particular, EU Directive [95/46/EC](#)).

 The Directive is currently under revision. The new General Data Protection Regulation No [2016/679](#) will apply from 25 May 2018.

Measures to ensure that responsible adults or legally appointed supervisors provide consent for any collection of data or material (e.g. genetic material) involving **minors**.

Details of any information on participants processed by NGOs or other organisations involved in **programmes to relocate refugees**.

Observing, researching or interviewing refugees in such programmes should only take place if:

- authorised by the national or EU authorities responsible
- the use of the information is limited in scope, so guaranteeing effective data protection.

Protocols describing **confidentiality** and **limitations on use** of personal data that you have obtained from the NGOs, if information collected by them can be used in your research.

Details of how **health data** gathered during participants' entry into the EU will be handled with special care.

Confirmation that any **publication** of participants' data (e.g. social networking, webpages) will always comply fully with EU data protection rules.

Confirmation that any **audio and visual material** will have the full informed consent of the participants involved.

Justification for using audio and visual material from **minors** or **deceased participants**.

Details of the strategy you will implement if you observe any **adverse incidents** (e.g. racist or sexual abuse, human trafficking, terrorism).

## Misuse

This means **disclosing data** that may **endanger the safety** of participants, family, friends or associates.

Act as follows:

- when publishing or disseminating findings, **take into account possible negative consequences** for participants (stigmatisation, discrimination, intimidation, xenophobic practices)
- do not disclose information that may lead to **criminalisation**, incite **racism** or jeopardise participants' **social assimilation**
- your research should not influence **resettlement and relocation** procedures or **status determination** procedures
- since your findings on participants could impact their wellbeing and be misused in public or political dialogue, **be sensitive to wording**. Use terms and apply methods accurately and precisely, to avoid misuse or intentional misinterpretation of your findings
- pay particular attention to the **use of official statistics** (approximate numbers) and how they are interpreted
- formulate a specific policy on publishing **incidental findings**

### *What to include in your ethics self-assessment*

A detailed description of the **precautions** you will take **to prevent disclosure** of such information.

Confirm you will report to the authorities any **emerging information** in your research that might lead to threats or endanger the safety and wellbeing of others.