



the ETHICS issue

This **Editors' briefing** provides an overview of the content of the feature theme articles published in **FMR issue 61 on Ethics**, with links to the relevant articles.

We each live according to our own personal code of ethics but what moral principles guide our work? The feature theme articles in this issue of FMR debate many of the ethical questions that confront us in programming, research, safeguarding and volunteering, and in our use of data, new technologies, messaging and images.

Ethical standpoints that may appear clearly defined in theory can require compromise in practice. Tensions and paradoxes are an inherent part of meeting multiple, often urgent competing needs when providing protection and assistance, when conducting research in contexts of displacement, and when making decisions around use of data, social media and other tools and resources. It is around such ethical complexities that this issue of FMR seeks to provide insights, ask questions and share good practice.

Visit www.fmreview.org/ethics to access this Editors' briefing, the full magazine and individual articles in English and Arabic. (We have sadly not secured sufficient funding to publish this issue in Spanish or French.) You are welcome to print any of these for your use.

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Data and new technologies

The authors of the opening article ([Behnam-Crabtree](#)) examine how donors' thirst for data is undermining security and confidentiality, and is putting people at risk. Gathering 'big data' – large volumes of over-arching, aggregated data – can be a valuable exercise when such data are shared in standardised formats that are underpinned by secure information-sharing protocols. A group of service providers has established inter-agency systems and processes to ensure data are managed safely and ethically. Increasingly, however, donors are requesting sensitive information about individuals while displaying worryingly broad interpretations of **confidentiality and consent**, and this is diluting standards of care around storage and use of such data. The consequences can be harmful at many levels, not least in compromising programmes for vulnerable people, discouraging people from seeking safety, and undermining client safety. Developments such as the European Union's General Data Protection Regulation are positive, and can be built on, but as yet have done little to hold the major humanitarian donors accountable or to standardise a globally applicable ethical approach. What is needed are clear standards for safe and ethical data management, international accountability mechanisms, better regulation of data-sharing protocols, advocacy around definitions of consent and confidentiality, and concerted rejection of irresponsible data practices.

Concerns about consent are echoed in an examination of the use of **new technologies**, including AI – **artificial intelligence** ([Molnar](#)). Data collection is not an apolitical exercise, and the increasing collection of data on migrant populations can also result in privacy breaches and raise human rights concerns. **Iris scanning** of refugees in receipt of food assistance is now common in some places – but are they able to opt out without risking losing the assistance? When does persuasion tip over into coercion? (In a later article – [Nayton-Baker](#) – the same question is asked about the use of **consent forms** and focus groups by service delivery organisations in Australia.) Meanwhile, what are the implications of the growing role of the private sector in the collection, use and storage of data? And what concerns are raised by the use of AI in **border control**? In some airports passengers now face an AI-powered lie detector but it is unclear whether automated systems can account for the effect of trauma on an asylum seeker's memory, or for cultural differences in communication. Furthermore, facial recognition technologies continue to struggle when analysing women and people with darker skin tones.

Immigration authorities are also increasingly investigating asylum seekers' **social media** profiles to support and provide 'evidence' in case processing ([Brekke-BalkeStaver](#)). In Norway, asylum seekers are asked to provide login details for their phones and Facebook accounts; some government agents even use constructed persona to gain greater information through social media platforms. Apart from the direct ethical questions raised by such practices, and the value of the evidence derived from them, there may be other serious

consequences; asylum authorities who take steps to conceal their activities may still be traceable and may inadvertently become a new source of risk to asylum seekers trying to escape persecution. Furthermore, if migrants and asylum seekers become aware of such investigations into their social media use, they may withdraw from using it, which in turn may hamper their integration efforts.

Academic research ethics

Despite the depth and breadth of the field of forced migration studies, until recently there were no specific **ethical guidelines for research** with displaced people. Canadian-based researchers identified a gap in understanding around the application of general ethical principles of voluntary informed consent, respect for privacy and 'do no harm' in forced migration contexts, and of the specific ethical challenges posed by non-citizens' precarious legal status and their dependence on private sponsors, governments and service providers. They developed ethical considerations specifically for research with refugees and in 2018 the International Association for the Study of Forced Migration (IASFM) used these as the basis for a broader, principles-based **Code of Ethics** ([ClarkKazak](#)). The Code is reproduced in full in this issue.

Three articles look at questions of '**over-research**' and '**research fatigue**'. After years of being the subject of academic research and media interest, many refugees in Kenya, Uganda and Ethiopia and potential 'climate change refugees' in the Carteret Islands express scepticism, suspicion, weariness and reluctance (or refusal) to continue to be research subjects ([Omata](#); [Karoooma](#); [Luetz](#)). Much of this stems from disappointment; refugees in camps had expected to see improvements in their living conditions and their prospects but few had. Some had felt obliged to repeatedly relive traumatic experiences, without any follow-up support, while others felt deceived by individual researchers promising not just long-term benefits but more immediate recognition such as feedback and scholarships ([Karoooma](#)). Some groups of refugees feel aggrieved because of the lack of attention paid to them, because they do not fit usual or desirable research criteria.

Meanwhile the Carteret Islanders, at imminent risk of displacement, attract huge amounts of **media interest**; frequent media interviewing can lead to research fatigue – which may contribute to skewed research results over time. Do frequent research and media visits help protect vulnerable people or add to their vulnerability? Access to some locations could be regulated but this regulation might be patronising and prevent knowledge creation, thus itself becoming unethical ([Luetz](#)).

Over-research requires better **coordination** and **data-sharing** between academics, humanitarian agencies and the media. (See also [Benelli-Low](#) re data-sharing.) And research with displaced people always requires honesty and realism in communications with them. Providing material compensation or gifts to participants (beyond actual costs in terms of time or travel) is controversial – but might have merits and some justification. Meanwhile, researchers could look again at conducting qualitative research with '**under-researched**' groups in light of their particular vulnerabilities in order to expand studies beyond current policy focuses ([Omata](#)).

The **administrative requirements** of research ethics as demanded by universities' research ethics advisory panels can be culturally unsuitable for some contexts, and may hamper researcher–participant interactions. Compliance can appear to be more in the interests of protecting the research institution than the research participants ([Luetz](#)).

Research by humanitarian agencies

Other challenges and ethical questions arise from research conducted by humanitarian agencies, that is, outside the strictly academic sphere ([Chynoweth-Martin](#); [Nayton-Baker](#); [Benelli-Low](#)). Humanitarian agencies are increasingly looking to the example of academia to guide their ethical approaches. Some, such as the Women's Refugee Commission (WRC), have secured ethics approval from academic bodies prior to investigating sexual violence against displaced men and boys, though such bodies may be unfamiliar with the requirements of research in **humanitarian settings** ([Chynoweth-Martin](#)). Meanwhile, agencies' lack of familiarity with formal research ethics procedures and their own internal timing restraints, plus the logistics of multi-site research and participant vulnerabilities, may also pose challenges.

In research carried out as part of its Sexual Violence Project, WRC avoided seeking first-hand accounts (in compliance with WHO guidelines) and responded to specific **practical ethical concerns** in their research by developing participant information sheets providing referral information and a distress protocol; using adolescent-appropriate language; and translating research findings summaries for local dissemination. The project's ethical approach to research could benefit from more inclusion of local, diverse representatives on the ethics committees; wider local dissemination of research findings; more consideration of the potential emotional or social impacts of the research on participants; and prioritising **self-care** practices for those conducting the research ([Chynoweth-Martin](#)).

Service providers working with resettled refugees in Australia require their clients to sign a Consent to Share Information form (translated into appropriate languages) so that the agency can collect and use their **personal data** in service delivery ([Nayton-Baker](#)). However, agency staff question whether consent granted through the charter can really be considered as informed and freely provided, given the agency–client relationship and the refugees' over-riding need for services. Continual reflection is essential to avoid a perception of **obligation** or even quasi-coercion when clients are 'asked' to participate in focus groups. Staff need to be culturally aware and trauma-informed; use plain English, and interpreters where necessary; and reiterate participants' choice and agency.

Humanitarian agencies are increasingly setting up systems and processes to guide their research, following to some extent the routes taken by academia and influenced to some degree by growing **donor requirements** that those agencies whom they fund should meet formal ethical requirements ([Benelli-Low](#)). Save the Children UK has launched an internal policy on research ethics and has established an independent ethics review committee. Primary data collection should be minimised and data sharing maximised; this could

be encouraged by work under the Grand Bargain, while conducting initial secondary reviews could be a requirement of all ethical procedures. Although less familiar within a humanitarian setting (and potentially time-consuming), following formalised ethical procedures can be a useful process for staff to ensure all questions are considered well in advance.

Compromises, challenges and responsibilities in migration management

EU migration policies are undermining the basic **humanitarian principles** and making it more difficult for humanitarian actors to uphold their ethical commitments ([FaureAtger](#)). Across Europe, and especially at borders, increasing numbers of administrative decisions and rules are narrowing the scope of humanitarian acts, from individuals wishing to assist migrants in Hungary to the restrictions on search and rescue operations in the Mediterranean. When the legitimacy of protecting life and health and ensuring respect for human dignity is questioned, the principle of **humanity** is jeopardised; as EU international aid increasingly moves towards migration management objectives, and targets would-be migrants at the expense of other groups, the principle of **impartiality** is threatened; when organisations wishing to access EU funding are required to work with law enforcement actors, their **neutrality** is jeopardised; and as EU aid becomes more conditional on cooperation on migration management priorities, humanitarian **independence** is compromised. As the space for humanitarian actors to operate independently and in accordance with their mandate is reduced, so too is their capacity to meet the needs of migrants. Dialogue between authorities and humanitarian actors needs to be restored, focusing on the humanitarian consequences of current EU migration policy choices and on the best way to address these. States need to respect and reaffirm humanitarian organisations' ability to act in accordance with their principles in all contexts, and to have access to vulnerable people in need of assistance.

Travel medicine – dilemmas in provision

Médecins Sans Frontières (MSF) has recently piloted a formalised travel medicine service to provide **continuity of care** along migration routes in Greece ([Balinska](#)). This has raised many ethical challenges and moral dilemmas such as how to raise awareness of the importance of monitoring potential disease spread and health promotion for groups at risk while avoiding scapegoating; whether it is morally acceptable to screen population groups for infectious diseases if appropriate follow-up cannot be provided; and whether diagnosis of a contagious disease might be used as a reason to refuse entry into a given country, lead to *refoulement* or justify containment policies. MSF has investigated the possibility of providing a '**health passport**' and is also exploring technological solutions to ensure confidentiality of data. Questions arise around transparency – whether all information should be shared, irrespective of possible consequences for or distress caused to patients – and around equity in access.

Non-State armed groups

Humanitarian agencies may also find their principles challenged when trying to provide assistance in areas controlled by proscribed groups – non-State armed groups (NSAGs) such as Islamic State, Al Qaeda and Al Shabaab ([Nimkar-Falcao-Tebbutt-Savage](#)). Gaining access safely often requires **compromises** such as negotiating with NSAGs and paying checkpoint fees. Some of the primary risks include reputational risks (appearing biased in favour of an NSAG, leading to reprisals, distrust by communities, and challenges in relations with other actors), financial risks (where audits result in a refusal to cover costs) and physical risks to staff. With the introduction of tighter restrictions relating to counter-terrorism legislation, financial regulations and aid monitoring, agencies have to build a consensus about acceptable **levels of risk**. The authors propose more research into questions of access and dissemination of best practice; agreeing common standard operating procedures among agencies; adopting common positioning; and, possibly, a global compact for principled delivery of aid in NSAG-controlled areas.

Fraudulent behaviour

Fraudulent behaviour by persons of concern – by refugees – poses a range of ethical challenges for humanitarian agencies ([Turus](#)). What **corrective actions** are appropriate? Is it sufficient to put right the result of the fraud, whether it be fraudulent documentation, misrepresentation of family composition, or theft? Should the person who commits the fraud lose eligibility for services? What impact might this have on that person's family and dependents? UNHCR, the UN Refugee Agency, has developed guidelines to help staff manage situations where a person may have fraudulently attempted or managed to obtain assistance and/or protection, recognising firstly that a refugee's circumstances may themselves be a factor in unethical behaviour. Fraudulent behaviour has an impact on individuals, communities and the agencies trying to serve them. The author discusses the different **judgement criteria** at play and proposes engaging refugee community structures in any attempts to hold their members accountable and to deter future fraud.

Volunteering

Volunteers in humanitarian settings may be insufficiently trained and supported to enable them to cope with the complex ethical situations they may encounter ([Witcher](#)). An author's personal experience of volunteering in Athens and Lesvos, supported by interviews with aid workers, government employees and other volunteers, highlights some of the **dilemmas and burdens** placed on volunteers. Gaps in service provision put great pressure on volunteers who feel responsible and impelled to act despite their lack of training; the consequences can be detrimental both for the volunteers and those being assisted. Agencies using volunteers must take more responsibility for providing adequate, appropriate training, and even informal associations should develop and adhere to codes of conduct.

Imagery and messaging

NGOs, international organisations and donors alike must consider the ethics behind the images and messaging they use in seeking to raise funds for humanitarian assistance ([Roughneen](#)). **Raising funds** should not be at the expense of people's dignity. In Ireland, as elsewhere, debates over these tensions are decades old. In 2007, the Irish network of development and humanitarian organisations, Dóchas, agreed a voluntary **Code of Conduct on Images and Messaging**. The Code's primary principle is that choice of images and messages should be based on respect for the dignity of the people concerned, belief in the equality of all people, and acceptance of the need to promote fairness, solidarity and justice. As a signatory, Plan International Ireland uses the Code to guide its images and messaging, while recognising the complexities involved and the tensions inherent in the **dual imperatives** of raising funds and protecting dignity.

Meanwhile another article focusing on public messaging looks at the need to work in **partnership** with those whose stories are being told or represented ([Slade](#)). (This is echoed in [Nayton-Baker](#) who comment on the use of refugees' stories without their informed consent.) Simplistic media coverage may depict people from the Global South as dependent on a Global North response, while ignoring the wider structural inequalities and injustices involved. Furthermore, the **depiction of people** as passive victims rather than as individuals who have agency can not only be disempowering for those depicted but can also have negative repercussions for successful resettlement outcomes, as it influences host communities' perceptions of refugees. Experience from New Zealand suggests that those working in this field should firstly undertake self-awareness training and secondly make sure there is an opportunity for refugees to be involved.

Safeguarding

After the 2002 report on the abuse of children in refugee camps in West Africa by aid workers, the UN Secretary-General set out standards for the

better protection of vulnerable people from **sexual exploitation and abuse** (SEA) and many actors developed guidelines, tools and policies to prevent and address SEA ([Olusesse-Hingley](#)). However, following continuing reports in 2018 of SEA within the aid system, the UK's Department of International Development convened an international **Safeguarding Summit** advocating for a comprehensive approach to address the underlying causes and symptoms of SEA – and of **sexual harassment and abuse** (SHA).

The **root causes** of both centre on power dynamics and gender inequality, and these are issues that agencies need to address, including through recruitment practices and organisational culture. In South Sudan, IOM has been responding to the need to listen better and to remove barriers to reporting, including by investing in educating affected communities on the dynamics of SEA, and empowering them to determine the most meaningful response. Barriers to reporting also relate to agencies' fear of reputational damage, and the international community needs to avoid triggering a culture of cover-up. Information sharing is important (including through a proposed inter-agency database to share names of offenders), as are transparency and accountability.

With regard to **child safeguarding**, the Keeping Children Safe (KCS) network has developed International Child Safeguarding Standards (and a supporting toolkit) to address sexual exploitation and abuse of children ([Blakemore-Freedman](#)). These standards can be adapted and implemented for all organisations working with children. The approach is rooted in understanding the risks to children from the organisation, including its staff, programmes, operations and partners.

While there are areas of good practice across the sector, significant attention and improvement are required in a number of key areas, most notably: a victim-centred approach; leadership and organisational culture; child safeguarding; accessibility and inclusion; strengthening accountability to communities; and ensuring partners have safeguarding measures in place.

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