Recommendation 1768 (2006)[1]

The image of asylum-seekers, migrants and refugees in the media

Parliamentary Assembly

1. European history is strongly characterised by both emigration and immigration within and outside Europe. According to the International Organization for Migration, there are approximately 33 million migrants in Europe. This figure will continue to rise as Europe remains a destination of choice for migrants, asylum seekers and refugees; furthermore, Europe will need greater numbers of migrants to fill empty jobs and counterbalance declining fertility rates.

2. Many of these migrants, asylum seekers and refugees, from within and outside of Europe, will remain in Europe, thus contributing to cultural diversity whilst also making an important economic contribution to European society.

3. Their integration poses a challenge, both for the individuals concerned and for society as a whole. One of the obstacles to this integration is the hostility and xenophobia prevalent in certain parts of society, arising from fears fed by populist beliefs that Europe is being overwhelmed by migrants, asylum seekers and refugees. Other common fears are that they take jobs away from nationals, contribute to rising criminality and pose a terrorist threat. Another obstacle to integration is the lack of information on the integration process for migrants, asylum seekers and refugees, as well as a misreading or misunderstanding of the process and what it entails.

4. The Parliamentary Assembly recognises the essential role of freedom of expression in a democratic society and reaffirms its profound commitment to this right outlined in Article 10 of the European Convention on Human Rights (ETS No. 5). In its Resolution 1510 (2006) on freedom of expression and respect for religious beliefs, the Assembly confirmed that "freedom of expression should not be further restricted to meet increasing sensitivities of certain religious groups".

5. The media plays an essential role in ensuring that issues linked to migration, refugees and asylum are portrayed in a fair and balanced way. It is therefore the media's responsibility to also reflect the positive contribution to society made by these persons, and to protect them from negative stereotyping. It is also important that media professionals among the migrants and asylum seekers represent their communities in the media, and that their views, and issues of interest to them and concerning them, be reflected in the media.

6. The Assembly has already expressed concern about the portrayal of migrants and ethnic minorities in the media in its Recommendation 1277 (1995) on migrants, ethnic minorities and media. Since this recommendation was adopted, the Council of Europe has taken major steps to tackle issues of racism and intolerance, including in the media. Noteworthy in this respect has been the ongoing work of the European Commission against Racism and Intolerance (ECRI) and the adoption of two important recommendations of the Committee of Ministers, namely Recommendation No. R (97) 20 on "hate speech" and Recommendation No. R (97) 21 on the media and the promotion of a culture of tolerance.

1. Assembly debate on 5 October 2006 (30th Sitting) (see Doc. 11011Doc. 11011, report of the Committee on Migration, Refugees and Population, rapporteur: Mrs de Zulueta). Text adopted by the Assembly on 5 October 2006 (30th Sitting).

7. The Assembly considers that the fight against racism, discrimination and every form of intolerance requires the constant vigilance of the Council of Europe and that the media, supported by member states, plays an essential role in this fight.

8. The Assembly therefore recommends that the Committee of Ministers:

8.1. invite the Steering Committee on the Media and New Communication Services (CDMC) to examine and make recommendations on the operation and functioning of media complaints procedures and media complaints bodies established in member states, taking into account any difficulties faced by individuals and groups affected by statements in the media to obtain redress through these mechanisms;

8.2. provide full support and adequate resources for ECRI to carry out its important monitoring work on racism and intolerance, and invites it to:

8.2.1. pay particular attention to the legislation and policy in member states impacting on racism and intolerance in the media;

8.2.2. carry out a media watch study, reporting on xenophobia, racism and intolerance in the media;

8.2.3. prepare a report on the effectiveness of legislation prohibiting incitement to hatred;

8.3. promote, through the Eurimages Fund and the European Convention on Cinematographic Co-Production (ETS No. 147), the production of films dealing with issues relevant to migrants, refugees and asylum seekers and produced by persons coming from these groups;

8.4. invite the member states of the Council of Europe to:

8.4.1. ensure the protection of freedom of expression in conformity with Article 10 of the European Convention on Human Rights;

8.4.2. adopt and implement legislation prohibiting incitement to hatred, violence or discrimination where this is lacking, and enforce such legislation where it exists;

8.4.3. adopt and implement penal legislation against, inter alia, the public dissemination or public distribution, or the production or storage of material with a racist content or purpose, and also to adopt and implement legislation penalising leaders of groups promoting racism, and suppress public financing of organisations carrying out or supporting such activities;

8.4.4. ensure that legislation is adopted and implemented in member states to prevent excessive media concentrations, which pose a threat to quality, pluralism and diversity in the media;

8.4.5. sign and ratify, where this has not already been done, the European Convention on Transfrontier Television (ETS No. 132);

8.4.6. sign and ratify, where this has not already been done, the Convention on Cybercrime (ETS No. 185) and the Additional Protocol to the Convention on Cybercrime concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems (ETS No. 189);

8.4.7. urge all democratic political parties to adopt or reaffirm the Charter of European Political Parties for a Non-Racist Society;

8.5. invite the media to:

8.5.1. adopt, in so far as they have not already done so, codes of conduct laying down the ethical principles that should guide the work of their professionals;

8.5.2. supplement media codes of conduct, by drawing up guidelines to tackle particular challenges for the media, such as avoiding the stereotyping of migrants, asylum seekers and refugees, and avoiding anti-Semitism, anti-Christianism, Islamophobia, anti-Gypsyism and other forms of intolerance;

8.5.3. negotiate conscience clauses in contracts for media professionals, allowing reporters and journalists to refuse to produce reports on materials that they feel would be in breach of ethical commitments;

8.5.4. establish national complaints procedures to investigate, inter alia, complaints about media materials that foster intolerant, racist or xenophobic attitudes towards migrants, asylum seekers or refugees, and provide effective remedies where complaints are upheld; 8.5.5.

8.5.5. obtain consent from refugees or asylum seekers prior to using information or images which may identify their status as refugees or asylum seekers;

8.5.6. refrain from revealing the ethnic origin or nationality of migrants, asylum seekers or refugees when arrested or convicted of crimes where such information is irrelevant;

8.6. invite member states of the Council of Europe and the media to:

8.6.1. encourage the employment of migrants and refugees in the media, including through the provision of specialised training programmes for persons belonging to these groups;

8.6.2. facilitate, fund and encourage the training and sensitisation of media professionals to issues linked with multiculturalism, pluralism and the importance of tolerance, integration and equality for all;

8.6.3. provide backing and support, including financial support, for national and European competitions and prizes for media professionals who contribute to the fight against racism and intolerance and promote a fair and balanced portrayal of migrants, asylum seekers and refugees in the media;

8.6.4. promote and subsidise the production and broadcasting of programmes for and by migrants and refugees, including in their own languages, as well as promote the visibility of migrants and refugees in society by their inclusion in mainstream television programmes and at peak viewing times;

8.6.5. enhance the role of local media as a means of promoting the integration and acceptance of migrants, refugees and asylum seekers in the communities in which they live;

8.6.6. encourage youth and media to work together to promote awareness of the multicultural and pluralistic dimension of European societies, as well as the importance of tolerance, integration and equality for all.