



YOUR

RIGHTS:

PRIVACY & ENGAGING WITH THE MEDIA

CONSIDERING REQUESTS FOR AN INTERVIEW

Refugees and asylum-seekers have the right to be heard and tell their stories. You may wish to engage with journalists as this can assist in informing the public about the issues you face. It's not unusual for host communities to feel some anxiety towards newcomers to their area. Personal stories can often help to build a better understanding of your culture and values.

Equally you also have the right to have your identity protected. You may have good reasons not to attract the attention of people you have fled from at home or of the diplomatic or security services of the country of your nationality.

If you do not want your identity revealed in newspapers, radio, TV or other print and broadcast media, you should not be pressurized into doing so. If you still want to speak to a journalist but prefer not to be identified then you should make it very clear when speaking to him or her that you will only speak on condition that your anonymity will be protected.

PUBLIC EVENTS

If you are participating in a public event involving refugees or asylum-seekers where there are photographers present, do not assume that the photographers will be aware of your right to anonymity, particularly where they are from small or local organisations. You should tell the organisers or the photographers directly if you do not wish to be photographed.

YOUR RIGHTS:

- To have your identity as an asylum-seeker or former asylum-seeker kept confidential.
- Only you can consent to waive your right to confidentiality.
- It is a criminal offense to publish information that could lead to you being identified as an asylum-seeker or former asylum-seeker without your consent.
- If you are being photographed at an event relating to refugees or asylum-seekers you should be asked for your consent prior to any image being published in the media, including social media.
- Programme refugees do not enjoy the same protections under the law. When dealing with the media it's important to be more careful about what information you share and to agree in advance with them what information you are happy to be published about yourself.

YOUR RIGHT TO CONFIDENTIALITY

Your right to confidentiality as an asylum-seeker is protected under Irish law; only you can consent to be so identified. Journalists must ask for your consent to publish information that might identify you as an asylum-seeker or refugee (Section 26 of the International Protection Act 2015). It is a criminal offense for them to publish such information without your consent.

The highest Court in Ireland, the Supreme Court, has also considered this right. In the case of *M.A.R.A (Nigeria) (infant) v Minister for Justice and Equality*, it found that where someone has applied for refugee status they remain entitled to anonymity under the law indefinitely, regardless of the current status of the individual concerned, whether a refugee, naturalized Irish citizen or someone whose claim has been rejected.

This right to anonymity applies also to any subsequent court case or trial, whether connected to an application for asylum or not. Unrelated court proceedings may be reported upon in the normal manner provided they do not reveal that the person concerned had previously applied for asylum.

Journalists must ask for your consent to publish information that might identify you as an asylum-seeker or refugee

Before you consider waiving your right to anonymity, you should think about such a request carefully and assess whether such exposure could potentially impact on you or your family either now, or sometime in the future. If you wish to comment on some aspect of the asylum or immigration system in Ireland or your access to a state service, you may also wish to consult your lawyer or an NGO or other qualified persons assisting you before you make public comments in relation to any ongoing procedures.

PEOPLE RELOCATED TO IRELAND

Relocation refers to the transfer of asylum-seekers from one EU Member State to another which assumes responsibility for processing their applications. People who arrive on relocation are afforded the same protections as any other asylum-seeker under the law.

PUBLISHERS OF INFORMATION THAT MIGHT IDENTIFY YOU AS A REFUGEE OR ASYLUM-SEEKER WITHOUT CONSENT MAY FACE CRIMINAL CHARGES:

The following people could face conviction to a class A fine or a term of imprisonment for 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: any person who transmits or provides that program, and any person involved in its creation
4. A general broadcast: the person responsible for broadcasting the matter

PEOPLE RESETTLED TO IRELAND

Resettlement involves the selection and transfer of refugees from a State in which they have sought protection to a third State that has agreed to admit them – as refugees – with permanent residence status. Refugees who come to Ireland in this way are usually referred to as resettled or programme refugees.

The International Protection Act 2015 does not specifically protect the anonymity of resettled refugees. As a result, when dealing with the media or when attending public events relating to your status as a refugee, if you do not wish to be identified, you should be very careful to agree this in advance with the persons concerned before participating. If you are not provided with clear assurances in advance then you should not participate. You should also consider the credentials of the person requesting your participation and whether you can trust them or not.