



GUIDELINES FOR THE APPLICATION OF THE CHARTER OF ROME

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INTRODUCTION

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To quote the philosopher and linguist John L. Austin, “[you] do things with words”. Words become things when they are uttered, whether spoken or written. It is never just a description, or mere reporting. The words we choose give form to the story, they make it visible, they become content.

Words are never wrong; the way we use them can be. It can distort the fact being told. In the storytelling of migrations, words have always ended up drawing a different picture than the actual phenomenon. For instance, at the beginning, in Italy immigrants were all Moroccans, regardless of their color or country of origin. So much so that a newspaper reported a car accident with the headline “Man and Moroccan die”. When used incorrectly, words can depersonalize facts, they can erase identities and instill fear.

The word “clandestine” is a glaring example of how news can be transformed, attaching a negative connotation to an individual, to a group of people by implying, a priori, that they are lurking in the dark, a constant threat to our security.

This would seem to be obvious. Yet the fact that the improper use of the term “clandestine” has returned with a vengeance in institutional discourse proves that it is not.

If we repeat the word “invasion” enough, the word will eventually turn migration into a

frightening phenomenon, irrespective of actual data, statistics, and number of arrivals. “Invasion” will no longer be a fact but rather a state of mind, and every time the word is used it will trigger a conditioned reaction in readers and listeners: fear.

This is known as the “perception” of reality, which, when talking about migrations, almost never matches actual reality. A writer’s responsibility lies here: by choosing frightening words, he or she will trigger a frightened reaction.

The principles of the Charter of Rome provide measures and shared rules that no one would ever dream of disputing or violating when writing about politics, minors, or organized crime: checking facts, consulting experts, using correct and legally accurate terms. This is journalism 101, and these rules always apply, whatever the circumstances. In the narration of migrations, they have the added value of providing us with the tools to build a collective embankment against the overflow of hate speech and hate acts.

There is an urgent need to bring back to the fore key words like respect, truth and justice to stop the flood of hatred which feeds on fake news fed by hatred, in a perverse and devastating vicious cycle.

THE FIRST PRINCIPLE CHARTER OF ROME

Adopt an appropriate terminology which reflects national and international law so as to provide readers and viewers with the greatest adherence to the truth as regards all events which are the subject of media coverage, avoiding the use of inappropriate terms

Use appropriate legally appropriate definitions to provide readers with a snapshot of reality and avoid using improper vocabulary.

Over the last years, generalization has characterised much of the information about immigration and the status of foreign citizens in Italy has often received little attention. The legal status of foreign persons sojourning in Italy is a basic piece of information that every journalist covering or wanting to cover these issues should know well.

Words such as irregular immigrant, asylum seeker, refugee, victim of human trafficking cannot be used as synonyms since they

indicate different legal and administrative statuses. Also, people entering our country irregularly should not be simply labelled as “irregular immigrants”, for this expression does not exist from a legal standpoint and carries very negative connotation.

THE SECOND PRINCIPLE CHARTER OF ROME

Safeguard those asylum seekers, refugees, victims of trafficking and migrants who choose to speak with the media by adopting solutions as regards their identity and image so as to ensure that they are not identifiable.

Asylum seekers, victims of human trafficking and, of course, individuals who have already been granted the refugee status deserve to

As of 2017 the term clandestine has made its way back in public debate and news language. Charter of Rome discourages the use of this term which should be replaced by “irregular”, “without regular permit”, “illegal or staying in the country illegally”. Why should the term “clandestine” not be used? Because it contains, a priori, a negative judgment, it implies that migrants lurk in the dark, covertly, like malefactors. The term clandestine is legally inaccurate, improperly used to identify:

- anyone trying to reach Europe who

has not yet had the chance to apply for international protection;

- anyone whose application for asylum or international protection is pending (migrants / asylum seekers).

- anyone whose application for asylum or any other form of protection has been denied (irregular migrants).

But, most importantly, the term clandestine is one of the cornerstones of discriminatory discourse, a term to name an “enemy” that can instill rejection and fear.

be given special attention by journalists and the press. The reasons behind their decision to flee their country may be such that careless media exposure may result in retaliation against them and their families, whether by the authorities of their country of origin or by non-governmental entities or criminal organizations.

Third-country nationals also risk reprisals against themselves or members of their families who stayed in their home country. When you do not have detailed information about the situation in the country of origin of the interviewees, it is good practice to consult international organizations before possibly risking disclosing their identity. France 24 was recently accused of “recklessness” for showing - and making recognizable - the face of a farmer, Sadou Yehia, interviewed in Léléhoy, a small village in the Gourma region in Mali. During the interview, the man spoke of jihadist racketeering against the civilian population, concurrently with the arrival of the French military within the framework of

Operation Barkhane. Two weeks later, the man was abducted from his home by armed jihadist groups and killed a few days later.

THE THIRD PRINCIPLE CHARTER OF ROME

Avoid spreading inaccurate, simplified or distorted information as regards asylum seekers, refugees, victims of trafficking and migrants. CNoG and fNSI call all their colleagues’ – and those responsible for editorial content in particular – attention to the negative effects of superficial or unprofessional behaviour on those who are the object of news coverage, on readers/viewers and, as a consequence, on media professionals’ credibility.

Our recommendations are as follows:

1. A free and informed consent of the interviewed persons is always required before any picture or video is published that can lead to their identification. Should be impossible to receive their consent due to lack of time or other reasons, see point 3 below.
2. Before publishing images or broadcasting videos of people that may lead to their identification, the possible downsides resulting from the political and social conditions in the country of origin should be assessed. During the post-production phase of audiovisual material, all elements leading to identification should be removed, even if consent has been given.
3. Verifying the country of origin of all migrants aboard rescue ships before landing may not be possible due to lack of time, or because early information is unclear or partial, or if consent for an interview cannot be asked. In these and other similar cases, use wide image fields or out of focus images, or camera takes from behind, or frame non-easily recognizable body parts. For example, close-ups can be out of focus or against the light, so that only the silhouette is visible.
4. In case of audio or video interviews, the voice of the interviewed person can be altered to protect his/her identity. Depending on the publishing policy and desired perspective, altering or dubbing the voice are among the options.
5. To avoid “reducing” the faces and stories of migrants and refugees to numbers, their stories can be told using voice masking for audio interviews; voice masking and face blurring for video interviews.

Superficial behaviour may include associating different news items in an inappropriate manner and may engender unwarranted apprehension among the public.

People and migrations in the news

In recent years, mainstream media news has been characterized by the extensive coverage of crime news, which often links nationality, and the status of “migrant” or “refugee” with deviance. Recommendations:

1. Give the same space to and treat in the same way news where the perpetrators and victims of crime are of foreign origin and those where they are national.
2. Use nationality in a responsible way to describe the protagonist of a story. Information on the country of origin, religion, ethnicity, migrant or refugee status should be used only where relevant to the understanding of the story. For instance, writing “North African arrested for theft” implies that belonging to a geographical area plays a role in understanding the news. Using relevance as a criterion to select categories of information useful to the understanding of the news does not mean always leaving out of the news information on the country of origin or religious affiliation or legal status, but rather adding such information when it helps to comprehend or explain the event.
3. Do not give in to sensationalist reporting and storytelling that instills “feelings of terror, fear or chaos among people”, as stated in the recommendations of the Council of Europe. Reports in which terrorism, crime, and deviance are associated with migratory flows should be the focus of special attention because of the impact they can have on peaceful and democratic coexistence.

4. Use data, statistics and surveys that can contextualize the news. Prioritize, where possible, the use of infographics.

People and migration in public and political discourse

Recommendations:

1. Stigmatize political or public discourse that fuels or foments discrimination and xenophobic acts and their propagation.
2. Be aware of the definition of “incitement to hatred,” which includes all forms of expression that propagate, incite, promote or justify racial hatred, xenophobia, anti-Semitism or other forms of hatred based on intolerance.

THE FOURTH PRINCIPLE CHARTER OF ROME

Whenever possible, consult experts and organizations with a specific expertise on the subject so as to provide the public with information which is clear, comprehensive and also analyses the underlying roots of phenomena

For associations and organization here the useful link <https://www.cartadiroma.org/cosa-e-la-carta-di-roma/linee-guida/>



DIVERSITY CHECK LIST

- 1 Am I aware of my personal beliefs about the issues, stories and people I have chosen to cover?
 - 2 Am I aware of the power of images, words, sounds and music?
 - 3 Do I mention ethnicity when it is not relevant to the story?
 - 4 Do I spend enough time checking the facts? Am I sure I am using the right words?
 - 5 If necessary, do I consult with colleagues who are more experienced and/or have different origins?
 - 6 Do I seek a variety of opinions among the minority spokespersons and witnesses I interview?
 - 7 Is the presence of people belonging to minorities in my stories justified?
 - 8 Am I looking for new points of view and perspectives to further develop my story?
 - 9 Do I consider that my articles may perpetuate stereotypes?
 - 10 Do I take into account the impact that my reporting may have not only on the opinion of the audience but also on the lives of the people I am talking about?
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GLOSSARY ANNEX TO THE CHARTER OF ROME: THE PEOPLE

ASYLUM SEEKER Is a person who is outside the country of his/her nationality and submits an application to be granted refugee status, or other forms of international protection, in a different country on the basis of the 1951 Geneva Convention on refugees. He/she is an asylum seeker and has the right to re-side in the host country as a legal alien until a final decision has been reached by the competent authorities. Asylum seekers are thus not irregular migrants, though they may enter the host country without identity papers or in an irregular manner, e.g. through so-called 'mixed migration flows', which are made up of both irregular migrants and potential refugees.

REFUGEE Is a person who has been granted refugee status on the basis of the 1951 Geneva Convention on refugees, which Italy is a member to along with 143 other countries. Article 1 of the Convention defines a refugee as a person having a 'well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, [who] is outside the country of his nationality and is unable, or owing to such fear, is unwilling to avail himself of the protection of that country'. A person is granted refugee status if he/she can demonstrate that he/she is the victim of an individual persecution..

BENEFICIARY OF SUBSIDIARY PROTECTION Is a person who cannot be strictly defined as a 'refugee' under the 1951 Convention because he/she is not persecuted as an individual, but who is nevertheless in need of protection as, were she to be repatriated to his/her home country, he/she would be in grave danger due to armed conflict, generalised violence and/or widespread violations of human rights.

BENEFICIARY OF HUMANITARIAN PROTECTION Belongs to the third category of protection. Until 2008 in Italy, as well as in other countries of the European Union, humanitarian protection was granted instead of subsidiary protection. Humanitarian protection has remained within the Italian regulation although it grants less rights than the subsidiary protection and the refugee status.

VICTIM OF TRAFFICKING Is a person who - unlike irregular migrants, who decide to entrust their fate to people smugglers - has not given his/her consent to be transferred to another country or, if he/she has given his/her consent, the latter has been rendered void by the coercive and/or deceitful actions of the traffickers or by the abuse which he/she has been the victim of or has been threatened with. Traffickers aim to achieve control over another person for the purpose of exploitation. 'Exploitation' includes the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour, slavery or practices similar to slavery, servitude or the removal of organs.

MIGRANT/IMMIGRANT Is a person who chooses of his/her own accord to leave his/her home country in search of work and of better economic conditions elsewhere. Unlike refugees, migrants may return home without prejudice to their safety.

A STATELESS PERSON Is not considered as a national by any state, or a person whose citizenship is not or cannot be ascertained. The condition of statelessness was recognised for the first time in 1954 within the UN Convention relating to the Status of Stateless persons signed in New York. Statelessness can be primary or consequential, the latter because of a change in the political situation of the state someone was a citizen of. The status of stateless person can be decided in court or by a government and gives the right to a residence permit (de jure statelessness). The Italian Law also includes statutory provisions to overcome statelessness and issue Italian citizenship, e.g., the son of stateless parents who was born in Italy is an Italian citizen; people can apply for citizenship by naturalization after 5 years of continued residence, instead of 10.

UNACCOMPANIED FOREIGN CHILD Is a child who is not an Italian citizen or of any other EU State and reaches the territory of an EU State without being accompanied by an adult who is legally or customary responsible for him/her. He/She maintains the same status until an adult takes custody of him/her. The same status applies to a child who is a citizen of a non-EU country and is no longer accompanied after he/she enters a EU State. A child can be a foreign child because he/she is the offspring of immigrant parents and - besides being born in Italy or arrived in Italy in his infancy - he/she has not become an Italian citizen, yet. Children born in Italy by immigrant parents cannot be called 'immigrants' and even less 'foreign children'. Should this piece of information be significant to the news event, the expression 'son/daughter of immigrants' can be used. If this sociological characteristic is absolutely fundamental to the news, you can use the words "second generation", "Afro-descendant" or "of African descent", or specify the origins, for example Italo-Somali, Italo-Pakistani, etc.

CITIZENSHIP It is the legal status - acquired through birth, naturalization or descent - bin-

ding an individual to the country to which he or she belongs. Citizenship guarantees full civil and political rights to the individual, in accordance with the laws in force in that country. Citizenship status may be lost through renunciation, acquisition of another nationality (in accordance with the laws of other countries) or denaturalization by a public authority as a result of serious violations. At present, individuals born from parents legally resident in Italy and who have always resided in the national territory can acquire Italian citizenship when they turn 18 (Law No. 91 of 5 February 1992).

A MIGRATORY FLOW is defined as the overall number of migrants who transfer their residence to a country within two specific points in time. A mixed migratory flow is composed of economic migrants, asylum seekers and refugees who travel irregularly, often using routes and means of transportation managed by criminal groups that make huge profits from these activities.

The International Organization for Migration (IOM) produces documents and updates on migratory flows including:
- a (daily) update of arrivals by sea and missing persons <http://missingmigrants.iom.int/> and the diachronic trend of migratory flows;

- a monthly briefing that collects and analyzes data on migration from and to Italy taking into account the transnational dimension of the migration phenomenon. <https://italy.iom.int/it/documenti-e-pubblicazioni>.



GLOSSARY ANNEX TO THE CHARTER OF ROME: STATUS AND RECEPTION

PUSH FACTOR It is the condition or circumstance that pushes a person or group of people to leave a country. Some of the most common push factors are: severe economic hardship (hunger, poverty); political or religious persecution; economic difficulties and impediments to self-fulfillment. The combination of pull and push factors determines the migration phenomenon.

IUS SANGUINIS It is a principle by which the acquisition of citizenship is determined by “right of blood”, that is by the citizenship of one’s parents and not by the state of birth or residence. It is in contrast with the principle of jus soli, whereby citizenship of a state is acquired by “right of the soil”, based on the country where one is born and regardless of the nationality of one’s parents.

RESIDENCE PERMIT Is an administrative regulation issued by the provincial police Headquarters (Italian: Questura) to allow foreign citizens the right to stay in Italy with different prerogatives depending on the type of permit. Working Residence permit is issued based on a regular immigration process within what is known as the immigration Flows Decree for Seasonal or non-Seasonal Work. it can also be issued to beyond-quota workers who belong to special categories, such as nurses, sport athletes, show business performers, etc. an eu residence permit for long-term residents can be requested after 5 years of residence, which grants a wider span of prerogatives. Those who enter Italy for family reunification purposes are issued a Residence permit for family reasons.

RECEPTION Is the set of measures adopted by a sovereign state in favor of asylum seekers, which may include accommodation, food and clothing, and may be provided in the form of financial allowance or vouchers. These are currently regulated by Directive 2003/9/Ce and by the later Directive 2013/33/Ce. reception is offered in dedicated centres such as the national asylum Support Service (naSS), the protection System for asylum Seekers and refugees, and more (see “reception Centres”). Under the Security Decree of 5 October 2018, currently in force, the Sprar (the Italian System for the Protection of Asylum Seekers and Refugees) has become the Siproimi (Protection System for beneficiaries of international protection and

unaccompanied foreign minors). Under the new “Security Decree 2018”, the “new Sprar” will be accessible to: beneficiaries of international protection, unaccompanied foreign minors, holders of a residence permit for medical reasons, natural disasters, acts of civic virtue, holders of a residence permit for special reasons issued for social protection, victims of domestic violence, labor exploitation. This does not include asylum seekers and holders of residence permits for special protection.

RECEPTION CENTRE Is a place for reception, treatment, and fulfilment of asylum seekers' immediate needs upon their arrival in a country where they applied for asylum and until a decision is made on such application by the Commission for asylum. A difference should be drawn among: (i) reception Centres, i.e., the centres providing relief to immigrants as they land, irrespective of their legal status; (ii) the National asylum Support Service (NaSS) (italian: Centri di accoglienza per richiedenti asilo, Cara), which hosts migrants who apply for asylum in Italy; and the protection System for asylum Seekers and Refugees (Italian: Sistema di protezione per richiedenti asilo e rifugiati, SIPROIMI), which provides reception services for people under or applying for international protection. The latter is a network of local authorities managed by the national association of Italian municipalities and the ministry of interior. Other reception centres, such as the Special reception Centres, are established based on necessity by means of special legal provisions.

RESETTLEMENT Is a process through which refugees who have fled their countries of origin and found temporary shelter in another country are transferred to a third country where they receive permanent protection. Resettlement is a vital provision for those refugees who cannot be properly protected in the country they have temporarily reached since they will not return to their country of origin to avoid the risk of persecution.

REFOULEMENT È il ritorno di un individuo in uno stato in cui questi possa essere perseguitato per motivi di razza, religione, nazionalità, appartenenza a un determinato gruppo sociale o opinione politica, oppure dove sarebbe esposto a un rischio di tortura. Il suo opposto (non-refoulement) è il principio fondamentale del diritto internazionale dei rifugiati, che vieta agli Stati di far tornare in qualsiasi modo i rifugiati nei paesi o nei territori in cui la loro vita o la loro libertà possano essere messe in pericolo.

REGULARIZATION (OR AMNESTY OR LEGALIZATION) This is an exceptional procedure adopted by a state with which foreign citizens irregularly present in the territory are issued a residence permit for reasons of employment (or prospective employment), provided that the specific requirements set out in the regulatory measure are met. The prerequisite is that the irregular foreign national must be employed (“under the table”) so that, through this proce-

dure, the undeclared work will be regularized (this measure is also known as “undeclared work regularization procedure”). In Italy, “amnesties” were adopted in 1986, 1990, 1995, 1998, 2002, 2009, 2012.

PUSH-BACK It is defined as the denial of access at the external border to non-EU citizens because they do not fulfill the conditions for entry established by the immigration laws. This measure does not apply to non-EU citizens who have accessed the country seeking for asylum or to unexpellable migrants (pregnant women, minors, victims of persecution).

RETURN means abandoning the country where someone has spent a significant amount of time toward his/her own country of origin or arrival. return can be voluntary or forced. the latter case is referred to as removal. Assisted Voluntary Return (aVR) is financed by the Ministry of the Interior to cover travel costs and reintegration of repatriated persons in their countries. Forced Removal is the consequence of a removal order and sometimes follows custody at a removal Centre.

REFUSAL OF ENTRY means entry at the outer border for a non-eu citizen has been denied because he/she does not meet all requirements for entry envisaged by the legislation on immigration. entry cannot be refused to non-eu citizens who cross the border to apply for asylum, nor to people whom removal is not permit-ted – e.g., pregnant women, under-age persons, victims of persecution.

REMOVAL by order of the ministry of interior is administered when public order or national security are at risk. removal by order of the prefect is ordered in case of: illegal entry without a refusal to entry; regular entry not followed by an application for residence permit; expiration of the residence permit not preceded by application for renewal (also called ‘overstay’); inclusion in the list of socially dangerous people. removal is carried out by the provincial police Headquarters in several ways: immediate escort to the border after the decision has been upheld by a Justice of the peace; custody at a removal Centre for identification of subjects and until a transportation vector is available; order to leave the country within 7 days, with failure to comply being a criminal offence; voluntary departure within an established deadline. in case of danger to society, the judge can decide for removal as a preventative security measure. alternate removal or imprisonment-surrogate removal do also exist.