



PERCEPTIONS



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Supporting ethical migration research

Practical recommendations for funding bodies

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Executive Summary

This policy brief aims to provide funding bodies with practical tools to anticipate and mitigate the risks associated with international migration research projects that combine traditional social research methods with social media analytics.

Since 2015, migration has become an increasingly popular topic of research, with many funding programmes aiming at increasing our understanding of migration phenomena to inform policymaking in this area. Funding programmes often build on international and multidisciplinary consortia and use mixed-methods approaches to better grasp this complex phenomenon. However, migration research is a highly political and sensitive area, which carries multiple ethical challenges that are not always fully anticipated when designing and monitoring funding programmes.

Building on the European Commission-funded project PERCEPTIONS, this policy brief highlights key points of vigilance when it comes to funding such types of migration research programmes. Ethical challenges are first outlined in relation to incidental findings, informed consent, profiling, bias, data sharing, and ethical approval procedures. Concrete recommendations are then provided for establishing processes that ensure that ethical issues are addressed and mitigated in a way that does not limit the development of research projects.



Introduction

As migration became central in political debates across Europe over the past decades, it also became a central focus of research under EU-funded research and innovation programmes.ⁱ Mixed methods are often used to better grasp the complexity of migration-related phenomena: in particular, the combination of traditional social science methods with social media analytics and other modes of passive data collection. However, looking at social groups such as migrants, who are often stigmatised and criminalised, and at a politically sensitive topic such as migration entails ethical challenges that are further complicated by the processing of social media data and the associated risks to data privacy.

As high-profile cases in the media (such as the Cambridge Analytica ‘scandal’ in early 2018) have drawn public attention to a number of ethical issues around the areas of informed consent, privacy, and profiling of individuals, publicly-funded studies that use social media data in a sensitive research context like migration require particular ethical scrutiny. Research projects funded under the European Commission’s framework programmes, therefore, must follow high ethical standards, which are particularly crucial due to the international and multi-disciplinary nature of such projects. However, ethical guidance evolves quickly and is often scattered across various fields and domains, making it difficult for researchers and funding bodies to navigate. This can lead to tensions and contradictions between research aims, methods, and ethical requirements that can restrain both the swift development of research programmes and the effective collection of significant results. Structural changes and additional guidance are, therefore, needed for these ethical challenges to be mitigated and for research programmes to develop in the most efficient way possible.

Ethical challenges in the H2020 PERCEPTIONS project

To explore these ethical challenges and put forward possible mitigation strategies, we draw together the lessons learned from **PERCEPTIONS**, a three-and-a-half-year project funded as part of the EU Horizon 2020 Programme. This project aims to investigate the impact of perceptions and narratives about Europe on migration behaviours and associated risks to migrants, as well as to host countries. This project builds on empirical research with migrants, practitioners working with migrants, law enforcement agencies, and policymakers, as well as data retrieved from Twitter and mass media.

As the project developed, various **tensions** arose between its **initial aims**, the **intended use of the data**, and the **ethical requirements of H2020 projects**. Each research partner being based in a different country, these ethical challenges were further complicated by the **heterogeneity between the different national regulations and organisational ethical processes** with which each had to comply. Navigating these multiple ethical requirements and designing adequate mitigation strategies was a particularly complex process that caused several delays. We first outline these challenges before highlighting some recommendations and mitigation strategies.



Key issues:

- **Lack of transparency in the definition of research programmes**
 - Concerns regarding the use of research data
 - Tensions between the interests of different stakeholders
- **Contradictions between research objectives and ethical requirements of EU-funded project**
 - Limitations to the results of research programmes
- **Changing experts and guidance**
 - Gaps in overview of the project activities and contradictory recommendations
- **Lack of ethical guidance for multi-partner international projects**
 - Challenges for non-academic research partners who do not have an internal ethics board
 - Concerns regarding data sharing
- **Lack of guidance on incidental findings policies for international social science research**
 - Dilemmas and risks for researchers and participants where disclosing incidental findings to third parties could lead participants to be criminalised rather than protected

● **Lack of transparency in the definition of research programmes**

There is a **lack of transparency** regarding the data and literature on which research programmes and topics are grounded, as well as the institutions and experts responsible in defining these programmes and topics. This is connected to an **uncertainty about how results will be used**, which may lead to **concerns due to a sense of responsibility towards the research subjects**. In PERCEPTIONS, this lack of transparency, coupled with the project's focus on security and the involvement of law enforcement agencies, created ethical concerns regarding the involvement of **vulnerable individuals** as research participants (e.g., undocumented persons, victims of trafficking). Concerns were related to the risk of **disclosing participants' experiences to authorities and/or NGOs**, and the repercussions this may have for the parties involved, as well as to the risk of contravening the European Commission's guidance on research on refugees, asylum seekers & migrants, which states that such research must have 'objectives that are **not harmful or prejudicial to participants**'.ⁱⁱ It also complicated recruitment as several organisations contacted for interviews shared concerns over the securitisation framing of the project.

● **Lack of consideration of ethical complexities in calls for projects**

Calls for projects can include research questions that – albeit highly interesting – cannot be answered without raising ethical concerns. In PERCEPTIONS, this led to **tensions between the initial aims of the use of social media data and issues regarding informed consent and profiling**.

Based on the wording of the European Commission's funding call, aspects of PERCEPTIONS initially involved investigating how migrants perceived Europe, and analyses of large amounts of social media data was considered to be one potential way of achieving this. However, **big data research** means that there are no direct interactions between researchers and social media users, making gaining their



informed consent problematic. Legally, this can be acceptable when data is collected for scientific purposes and obtaining informed consent would involve a disproportionate effort.ⁱⁱⁱ However, when working with social media data sources, researchers must attempt to assess whether the data subjects actually **intended to make their information public** (e.g., in the light of the privacy settings or limited audience to which the data were made available). In particular when researching populations that are already marginalised, such as migrants, within a politically sensitive context, conducting research without asking for consent could **aggravate the vulnerability** of these populations.

Furthermore, identifying migrants' perceptions on social media would have required **profiling**, a technique that consists in using automated means to categorise individuals according to their personal characteristics.^{iv} Given the sensitive context of the project, profiling was a major concern for the members of the PERCEPTIONS consortium and the European Commission's expert review panel. The profiling of individuals as 'migrants' could **potentially expose them to harm**, including hate speech, detention, removal, and for people fleeing persecution, potential pressures from homeland authorities on family members who remained there.^v Moreover, PERCEPTIONS is funded under the Horizon 2020's security strand, and the consortium includes security agencies. Yet, the profiling of migrants on social media used by European law enforcement agencies to detect and prevent migration arrivals could have resulted in adverse effects, pushing individuals into new and more dangerous migration routes.^{vi} These unwanted consequences would have **contradicted the principle of non-maleficence** that the project adheres to.

In light of these points, it was decided that social media data would **only be retrieved from Twitter**, as this platform's Application Programming Interface (API) only enables access to data that is deemed as public, making private data inaccessible to researchers. It was also decided to **avoid attempting to identify migrants entirely**. While these decisions were necessary to comply with ethical principles and with the European Commission's ethical requirements, they meant **changing the purpose of the research**, as it was then not possible to investigate what people who have immigrated to Europe communicate on social media and what (mis)information they may access (except via traditional, active data collection methods such as interviews). Consideration of these ethical issues prior to the publication of the call could have streamlined the research process and avoided frictions into the review processes, as researchers attempted to **balance meeting the research requirements of the topic, the ethical requirements and constraints of the funding programme, and the production of original results**.

● Changing experts & guidance

As is the case with most longer research projects, the **experts reviewing the progress changed throughout the project's lifetime**. While this meant that the partners received relevant feedback from multiple experts, it also led to some challenges: due to the project's size and number of outputs, experts were only able to review a selection of deliverables. This inevitably led to **gaps in their overview of the project activities**. Due to this gap, the consortium received **recommendations and guidance that, at times, were contradicting**.

● Lack of ethical guidance for international projects

Funding bodies encourage the creation of **international and multidisciplinary consortia**. However, these can be particularly complex to manage when it comes to **ethical approval procedures and data sharing**.



Projects involving multiple partners, such as PERCEPTIONS, include multiple ethical approval processes, with **each organisation having their own requirements**. Some partners, such as universities, have their own departmental and organisation-wide ethical review boards, with other organisations having no equivalent process. This situation was complicated by the fact that the national research ethics committees in most partner countries are oriented almost exclusively toward biomedical research, and are not empowered to review or approve non-biomedical social scientific research projects. As the PERCEPTIONS project required confirmation of ethical approval from each project partner, it was necessary to implement a system whereby individual partners lacking independent internal ethical review boards could agree – formally – to abide by the ethical principles and constraints included in various project documentation. **Structural guidance and processes would have helped the consortium anticipate these issues** and address them in the early stages of the research.

Having an international consortium also introduces **complexities regarding data storage and sharing between partners**, as the adequacy of the national legislations with regards to EU GDPR had to be determined. This led to the decision that only EU project partners, and partners within the UK, which the European Commission recognised as providing an adequate level of data protection equivalent to EU GDPR, would be responsible for the social media data processing, and to the creation of a **joint controller agreement** outlining the responsibilities and liabilities of each partner in the event of a data breach or similar situation. Second, it was decided to **restrict access to raw data**, and the accompanying results, to only those directly involved in the analysis of the social media data and interview transcripts. This ensured that partners such as law enforcement agencies had no access to the data being collected, nor the interim results of the analyses. It furthermore served to protect the anonymity of any individuals included in the data collection and to prevent situations where, for example, it may have been possible to infer the migration status of individuals based on their social media or interview data. Finally, this protected project partners from being obliged to take ethically questionable action based on sensitive data, insofar as the means to do so were restricted (see the section on incidental findings below).

- **Lack of guidance on incidental findings**

Social science research relies on methods that may unintentionally produce findings outside the scope of the original research questions: i.e. **incidental findings**. While in principle, researchers must **protect the confidentiality of research participants**, they may be obliged, under specific national legislations, to **disclose certain kinds of research findings to responsible authorities** without the participants' prior consent. In certain circumstances, such as disclosure of past or planned crimes, the ethical and legal obligations linked to incidental findings entail **dilemmas** that can put both participants and researchers at risk. As the PERCEPTIONS project was funded under a security-focused funding strand, included law enforcement agencies as partners, and investigated potentially sensitive contexts such as irregular border crossings or other actions perpetuated by migrants, smugglers, or law enforcement agents that could be link to security issues, the project's expert reviewers stressed that having an incidental findings policy in place was particularly important. Indeed, **in the absence of clear legal safeguards, disclosing incidental findings to third parties could lead participants to be criminalised rather than assisted** and protected. Yet, the majority of scholarly and practitioner literature on incidental findings focuses on biomedical research. Accordingly, **limited guidance** was available for researchers to create incidental findings policies, especially within in the context of an international project within which each research partner may have to comply with different national legislations. For instance, in Tunisia, which was one of the PERCEPTIONS research sites, Article 45 of the organic law on passports and travel



documents states failure to report knowledge on the whereabouts of irregular migrants, even for professionals bound by professional secrecy, is punishable.^{vii} Prior to being able to start the empirical data collection, the research team therefore had to **design an incidental findings policy** that was specific to social science research in the context of migration that also took national specificities into account.

Recommendations

Based on the previously highlighted ethical and structural issues and to ensure that migration research programmes develop in the most ethically sensitive way possible, we address the following recommendations to funding bodies:

- **Implement more in-depth ethics review of calls for projects** to ensure that the research questions and methods required or suggested under each research topic does not contradict the ethics requirements and processes of their programme (such as Horizon 2020).
- **Increase transparency in the definition of research programmes**, including with regard to the institutions responsible for drafting the calls, the rationale behind specific calls, and the criteria by which experts are chosen, to avoid concerns regarding the use of research data and tensions between the interests of different stakeholders.
- **Keep the same experts, or experts with comparable backgrounds**, throughout research programmes. This will help consortia avoid gaps in the project activities and minimise contradictory recommendations, which slow down research progress.
- **Update ethical and legal oversight processes as the research areas develop**. In areas of research that evolve quickly, such as social media research, those responsible for ensuring ethical and legal compliance, as well as those responsible for defining calls, should seek to keep their understanding of the key elements and principles of the research area up to date.
- **Ensure that critical ethical requirements are made clear within research topic announcements and specific calls**. This would ensure a minimum standard of ethical awareness from the proposal stage onward. For funded proposals, it would allow the project partners to better anticipate the specific ethics requirements determined by the project officer and reviewers, and to meet these requirements in a timely manner. As some partners will have to undergo lengthy internal ethics or data management review processes before data collection can begin, introducing new requirements while a project is already underway or delaying feedback until a particular pre-determined date can introduce unnecessary delays into the project timeline.
- **Develop a greater understanding of the differences between the various partners involved in funding programmes in general and in funded projects in particular**, particularly with regard to their ethical approval processes. In doing so, this will allow funding bodies to aid the project researchers in successfully meeting the various requirements, and in a timely manner.
- **Provide guidance on incidental findings policies** adapted to social science research with vulnerable participants and take into account the multiple national legislations of research partners.



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For more information

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