# 2020

## Country of Origin Information (COI): Evidencing asylum claims in the UK

**Asylos and ARC Foundation
10 Year Anniversary
Training Series**

# Acknowledgements and feedback

## Acknowledgements

We are extremely grateful to the Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD) and Lucy Grant for their peer review.

This handbook was produced with the kind support of the Paul Hamlyn Foundation and the A B Charitable Trust.

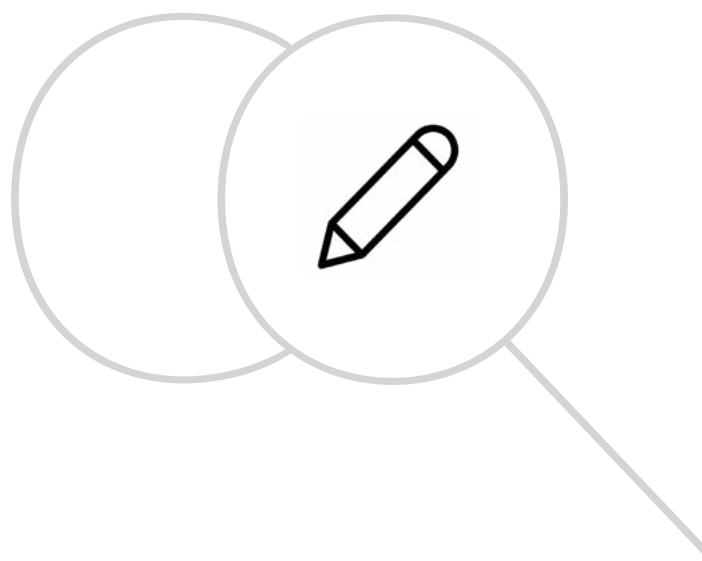phf Paul Hamlyn Foundation

AB CHARITABLE TRUST

ARC Foundation and Asylos publications are covered by the Create Commons License allowing for limited use of ARC Foundation and Asylos publications provided the work is properly credited to ARC Foundation and Asylos and it is for non-commercial use.

cc BY NC

## Feedback and comments

Should you have comments or questions about this handbook please direct them to **info@asylos.eu** and **info@asylumresearchcentre.org**



Design: Iris Teichmann

Icons (pencil, paper, browser, scale of justice, gear, identity card, magnifying glass, lock, mobile phone, document) by Deemak Daksina from the Noun Project.

Original map illustration:
© Julien Eichinger/Adobe Stock.

# Contents

# Who we are and what we do

## Asylos

**Asylos** is a civil society network comprised of more than 100 volunteers working all around the world (including in such countries of origin as Jordan, Ethiopia, Djibouti, Afghanistan) and speaking more than 25 languages. We have 5 regional teams which provide free of charge, on-demand and case-specific, Country of Origin Information (COI) research to support persons claiming their right for international protection on a fair and just basis.

In the last five years, we have produced nearly 500 bespoke research reports. Our reports are regularly used in asylum procedures, have been used by UNHCR to inform UN eligibility guidelines, cited in EASO COI reports and used as evidence in the UK's country guidance case on Afghanistan. Should you be interested in commissioning a research report or accessing available research, visit our research database at **resources.asylos.eu** and **subscribe to our research updates** for more information.
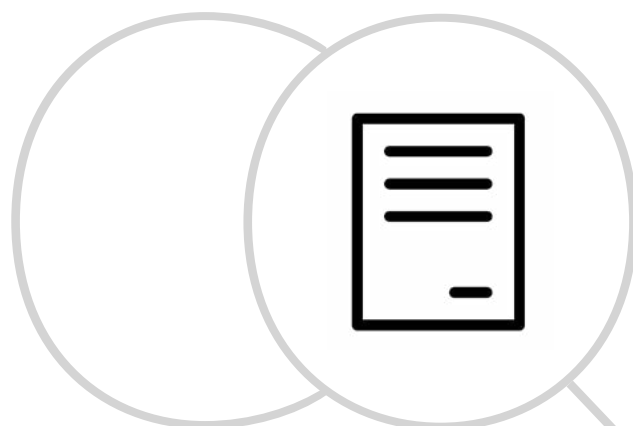
## Joint reports

Asylos and ARC Foundation are working together to produce a series of strategic COI reports:

- Rather than individual situations, they address pertinent information gaps and misconceptions

- In 2017, Asylos published '**Afghanistan: Young Male 'Westernised' Returnees to Kabul**' (which was peer reviewed by ARC)

- In 2019 we jointly published '**Albania: Trafficked Boys and Young Men**'

- In 2020 we jointly published "**Vietnam: Returned victims of trafficking**".

## ARC Foundation

**Asylum Research Centre** (ARC) Foundation is a UK charity which specialises in the production and use of Country of Origin Information (COI) in refugee status determination. We review Home Office country specific asylum policy, currently known as Country Policy and Information Notes (CPINs) as well as COI produced by the European Asylum Support Office (EASO). We also offer a case-specific COI research service and have been instructed in a number of UK Country Guidance cases, and are regularly commissioned by UNHCR to produce reports to fill gaps in COI identified by their decision-makers. We provide a free COI Update which you can subscribe to, and moderate an international COI Forum of which you can become a member.

More information on how to commission us for a case-specific COI report, subscribe to our bi-monthly newsletter or become a member of the COI Forum is available on our website at **asylumresearchcentre.org**.

# What is Country of Origin Information (COI)?

▶▶ In order to assess the validity of an asylum claimant's application, we need evidence

- The 1951 Geneva Convention is the key legal document defining who is a refugee[1]

▶▶ Broadly speaking, to be granted refugee status a person has to show:

- A well-founded fear of persecution

- That this is for a 'Convention Reason' (i.e. race, religion, nationality, membership of a particular social group or political opinion)

- That they cannot get protection from the state (e.g. police, courts, etc.)

- Or relocate within their country of origin to escape persecution

▶▶ **Country of Origin Information (COI)** is an important element in the **Refugee Status Determination (RSD)** procedure, as it helps to **evaluate whether there is a risk of persecution or serious harm** if the person would be returned.

▶▶ COI is information on the **country of origin**, or in some cases information on the country of **former habitual residence or transit**. COI might include information on:

- the human rights, humanitarian and security situation

- ethnicity and religion

- legal, political or economic contexts

- cultural and societal attitudes

- availability of state protection and internal flight

- specific events and incidents that have occurred in that country

▶▶ COI is not only needed in an assessment of whether someone qualifies as a refugee. It is also **used in other circumstances**, for example:

- When decision-makers consider exclusion or cessation of refugee status (in such cases the "burden rests on the country of asylum to demonstrate that there has been a fundamental, stable and durable change in the country of origin")

- Human rights claims, for example medical cases, Article 3 or Article 8, etc. of the European Convention on Human Rights (ECHR)

- Claims for complementary forms of protection, such as humanitarian protection or discretionary leave or indiscriminate violence under Article 15(c) of the Qualification Directive

- To convince legal representatives of the merits of a claimant's case before they take the case on

▶▶ COI can also be useful for generally preparing or familiarising oneself with country conditions, e.g. before talking to an applicant in order to better follow or understand their account, and thus be able to ask useful questions at an early stage.

▶▶ COI is particularly useful in establishing issues such as a well-founded fear of persecution and in claims under Article 3 of the ECHR ("No one shall be subjected to torture or to inhuman or degrading treatment or punishment").

▶▶ COI can also assist with **credibility assessments**, for example evidencing the occurrence of an event (e.g. a particular demonstration), or location of a prison. At times this might mean using more investigative journalism skills in order to fact check [we'll expand on this below].

▶▶ COI is based on past events, but may include forecasts by reputable organisations about such things as the likelihood of regime change, level of expected famine, etc.

---

[1] The Convention states "owing to well founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, 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; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it" (Article I (A) (2)). **See 1951 Convention and Protocol relating to the Status of Refugees**)

# Limits of COI

▶▶**COI does not provide a risk assessment**. While COI should form part of the evidence submitted, it is up to the decision-maker to undertake a risk assessment and eligibility of international protection.

▶▶COI **informs about facts related to the general (human rights) situation in a country**. It does not usually cross-check personal details of an applicant's account or verify documents but can corroborate some aspect of a case. Exceptions to this general rule may be:

- A person who has a high public profile and may be named in news reports or on social media

- An event which features in the applicant's account, that may also have been reported in the news (e.g. a demonstration)

- Specific details (e.g. uniforms of police, military)

- To substantiate an applicant's account

▶▶However, **there is a low standard of proof** in asylum claims and an applicant does not need to 'prove' every aspect of their case.

▶▶Accepted guidance states **that a lack of information on a human rights issue does not mean that it does not exist[2]**. However, it can still be very difficult in practice to obtain sufficient evidence to satisfy the Home Office decision maker.

▶▶COI is by no means the only indicator to assess someone's case. There are many more indicators that are used to assess the validity of a case: Sufficient detail and specificity in the story of the applicant, the internal consistency of statements, their consistency with family members during the interview, other material submitted as part of the claim (such as political party membership cards) will also contribute to credibility and thereby success of their claim.

▶▶To count as COI, it must be evidence that originates from a source that is not involved in the asylum claim. For example, a video taken by a person claiming asylum or their family members themselves is not COI when used in their asylum claim.

▶▶It is important to note that **COI is information, NOT guidance for decision-making**. Country Guideline Determinations of the Upper Tribunal (Immigration and Asylum Chamber) and Country Policy and Information Notes (CPINs) of the Home Office do contain COI. However, the distinct 'guidance' sections which direct decision makers on how to assess cases are not COI.

▶▶COI **cannot replace an expert** who can provide analysis of available information where they have the relevant qualifications to do so.

▶▶The Austrian Centre for Country of Origin & Asylum Research and Documentation (ACCORD), expert in the field of COI, identifies the following **additional limits of COI** in their reputed COI training manual:

- COI evidence is commonly inconclusive

- COI is often too generic

- Sometimes COI is not available at all

- Language constraints and English as the dominant language in human rights/humanitarian reporting[3]

---

[2] See for example: European Union, **Common EU Guidelines for Processing Country of Origin Information**, April 2008, 3.2.2 If no information can be found, p.13; Austrian Red Cross/ACCORD, **Researching COI Training Manual 2013 Edition**, 1.5.2 Limits of COI, p.27; European Asylum Support Office (EASO), **Country of Origin Information (COI) Report Methodology**, June 2019, 3.1.4 Specific issues, p.16

---

[3] Austrian Red Cross/ACCORD, **Researching COI Training Manual 2013 Edition**, 1.5.2. Limits of COI, p.28

▼

# Limits of COI

## What is a Country Guidance Determination?

These are asylum appeals chosen (before a decision is made) by the immigration tribunal to give legal guidance for a particular country, or a particular group of people in a particular country. The decisions in these cases are assumed to be based on the best possible evidence about that country at that time. Until there are significant changes in that country, a country guidance decision sets out the law for other asylum seekers from that country (**righttoremain.org.uk**).

Country Guidance determinations are available at:

**www.judiciary.uk/about-the-judiciary/who-are-the-judiciary/judicial-roles/tribunals/tribunal-decisions/immigration-asylum-chamber**

## What is a Country Policy and Information Note (CPIN)?

Each CPIN sets out the following purpose of the documents:

**Purpose**

"This note provides country of origin information (COI) and analysis of COI for use by Home Office decision makers handling particular types of protection and human rights claims (as set out in the basis of claim section). It is not intended to be an exhaustive survey of a particular subject or theme."

"It is split into two main sections: (1) analysis and assessment of COI and other evidence; and (2) COI."

As of April 2020, 182 CPINs were available on 42 countries covering a range of profiles (e.g. political opponents, religious minorities) and themes (e.g. FGM, trafficking).

You can view them at:

**www.gov.uk/government/collections/country-policy-and-information-notes**

# Using COI in the different stages of the UK refugee status determination procedure

There are three main stages at which COI can be submitted in support of an asylum claim:

**1. In the initial application, i.e. at the substantive interview or the subsequent five days;**
**2. In the appeal to the Immigration Tribunal;**
**3. When making a 'fresh claim' or further submissions.**

Each stage will require different considerations and will have different needs, and so in this section we will give you some basic points to remember.

## Prior to initial decision

▶▶ Legal representatives should obtain a basic understanding of the situation in a country of origin before interviewing a person claiming asylum, in order to be able to identify key aspects of a claim and to ask appropriate questions.

▶▶ We are aware that it can be difficult to get the Legal Aid Agency to grant funding for a 'country expert report' at this stage, therefore submitting quality and up to date COI is crucial. Don't be afraid to 'front load'! However, it is very important to do a thorough check for consistency of all evidence provided.

▶▶ At this stage, pre-decision, the COI evidence is likely to be broader in scope than at appeal stage as there should not have been any adverse credibility findings so far. However, any pertinent issues / specificities within the applicant's account (and witness statement) should be adequately addressed in the COI evidence collected. If there is a change in country circumstances while the asylum claim is outstanding it may be worth considering if updated evidence is also required to be submitted.

▶▶ Legal practitioners should be aware of the relevant country guidance case, and be thinking about how long ago it was and if there have been any significant changes to the country situation. It's important here to think about the situation since the hearing date, not the promulgation date which might be six months or more after that. Any COI that suggests that the characteristics of the applicant's case is markedly different from those of the country guidance case should also be included.

▶▶ The Home Office caseworker will be relying on their internally produced Country Policy and Information Notes (CPINs). These documents include a **distinct 'Country Information'** section, which consists of direct quotes and summaries from referenced sources of COI. They **often also include a 'Guidance' section**, i.e. the Home Office's interpretation and evaluation of the situation in a given country regarding a particular profile based on the 'Country Information' section. **It is important to be aware of the different purposes and scope of these two sections**.

▶▶ It is good practice to check how accurately the CPIN cites sources of COI (which can be time-consuming though!) and whether key information may have been omitted, or whether information has been superseded by more recent events.

▶▶ You should also compare the COI in the CPINs with the assessment/policy that is derived from this information and critically assess these conclusions. It's also important to ensure that if you are citing a CPIN, you make clear whether the excerpt you have provided is from the 'Guidance' section, or if it's from the 'Country Information' section.

▶▶ You should also **scrutinise the relevant CPIN** in order to identify any issues in how the case law has been interpreted (or whether it has been departed from) and if there are any COI gaps / issues that relate to the case before conducting your own review of relevant COI. CPINs are available on the **gov.uk website**. **The Independent Advisory Group on Country Information (IAGCI)** reviews COI material produced by the Home Office, often instructing country experts. These should also be consulted before conducting your own COI research. ARC Foundation publishes commentaries on certain Home Office CPINs **available on its website**.

# Using COI in the different stages of the UK refugee status determination procedure

ARC Foundation issued a **commentary in July 2017** following the Home Office's publication of a new CPIN on Female Genital Mutilation (FGM) in The Gambia. The CPIN argues for a departure from the case law **K and others (FGM) Gambia CG [2013] UKUT 62 (IAC)** to assert protection is now likely to be available for persons fearing FGM, based on a change to The Gambian criminal law specifically banning the practice and there being evidence of it being implemented:

> **Home Office CPIN, The Gambia: FGM, December 2016**
>
> 2.4.1 In December, 2015 the Women's (Amendment) Act was enacted making it an offence for any person to engage in FGM, or to be an accomplice of those engaging in FGM, punishable by a fine or imprisonment for 3 years or both.
>
> The Act also makes it an offence to fail to report that FGM is happening or about to happen. If the act results in death the person can face life imprisonment. **There are reports that the authorities have brought charges under the new legislation against at least two people**. FGM remains a deeply entrenched practice and concerns have been expressed that the criminalisation of FGM may force the practice underground, or into neighbouring countries where it is not criminalised (see Legal position).
>
> **2.4.2 The Home Office's view is that this change to the Gambian criminal law specifically banning FGM, and the evidence of it being implemented amounts to strong grounds supported by cogent evidence to depart from the finding in K and others that there is no effective state protection for those at risk of FGM (para 127).**
>
> 2.4.3 In general effective state protection is likely to be available. Decision makers need to consider each case on its facts. The onus is on the person to show why they would not be able to seek and obtain effective state protection.

We were concerned that this departure from the case law was based on limited examples of charges (not convictions) brought against two individuals. This is a miniscule number in the context of a country with a total prevalence rate of 75% of girls and women aged 15 to 49 years who have undergone FGM/C, which rises to over 90% in some regions and amongst certain ethnicities.

Further, no mention was made in the CPIN of any action plan in existence or any resources allocated to support the legislation needed to challenge long held cultural perceptions of FGM. It was therefore quite surprising to us that whilst the policy guidance above at paragraph 2.4.1 recognises that FGM is an "entrenched practice" and that its criminalisation may force the practice underground or abroad, it views the evidence of charges brought against two individuals as a sufficient basis to assert that effective protection for women fearing FGM was available throughout The Gambia.

Our approach was to undertake our own COI research to investigate whether there was any further evidence of prosecutions. We didn't find any such evidence, and on the contrary our research found several sources indicating that there was a lack of consistent enforcement of the law banning FGM.

We also decided to interview professionals with a specific expertise in this field to see if the legislation had indeed had any practical effect on access to protection for FGM given that from a COI perspective sources don't tend to report on what is not happening and often when a law has been enacted that attempts to protect, it is generally widely welcomed.

We reached out to a number of experts and two academics and one specialised Gambian NGO responded. These experts were of the view that there was no evidence that the legislation had brought an end to the practice, rather they expressed concerns that it would drive the practice underground and highlighted the need for a cultural shift to accompany the legislation for its full implementation to be realised.

# Using COI in the different stages of the UK refugee status determination procedure

## Appeal to the First Tier Tribunal (or the Upper Tribunal in instances the case has not been remitted back to the First Tier Tribunal)

▶▶ It is a widely decried fact by **sector stakeholders** that immigration statistics consistently show alarming levels of **poor Home Office decision-making**. The proportion of asylum appeals allowed in 2019 was 44%. This means a person claiming asylum may have a reasonable chance of overturning a negative Home Office decision with the help of good evidence.

▶▶ In order to understand the COI evidence (often referred to as objective material) which will be needed to overturn the Home Office's decision, it will be necessary to have a detailed review of the 'reasons for **refusal letter' (RFRL)** to identify any COI the Home Office relies upon, and to do your own research on the issues highlighted in the letter, or not addressed in the letter but of importance to your client's claim.

▶▶ The First Tier Tribunal will be bound by the findings of the **relevant country guidance (CG) case** unless there are 'clear and cogent reasons' to depart from them. This will mean that it is crucial to read the relevant CG case and present any COI published since the hearing took place which demonstrates that there has been a significant change in the country situation, or any COI that suggests that the characteristics of the applicant's case is markedly different from those of the CG case.
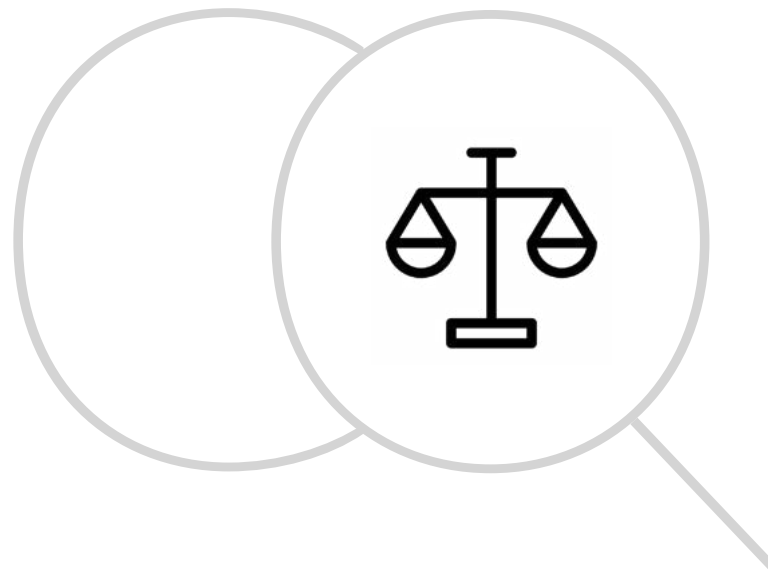
▶▶ The Tribunal follows strict **practice directions** which outline the most favourable method of preparing and submitting evidence. The most relevant points in terms of COI are:

- "all documents must be relevant, be presented in logical order and be legible";

- "where the document is not in the English language, a typed translation of the document signed by the translator, and certifying that the translation is accurate, must be inserted in the bundle next to the copy of the original document, together with details of the identity and qualifications of the translator;"

- if it is necessary to include a lengthy document, that part of the document on which reliance is placed should, unless the passages are outlined in any skeleton argument, be highlighted or clearly identified by reference to page and/or paragraph number;"

## Appeals to the Court of Appeal or Supreme Court

▶▶ Any appeal at this stage will be **on a point of law** and so the applicant will not be able to submit any further evidence.

# Using COI in the different stages of the UK refugee status determination procedure

## 'Fresh claims' / further submissions

▶▶ Due to their extremely low success rates (and amount of work required!) it can be very challenging for a person claiming asylum to secure a good solicitor for a fresh claim.

▶▶ You need to be OISC Level 2/3 to help someone identify what kind of evidence they need, assess merits and give advice about fresh claims. However, as a successful fresh claim will usually also need the kind of additional evidence (e.g. medical reports, or country expert reports) that not for profit advisers will not have the funds for, it will usually be advisable to refer to a solicitor to do this work under legal aid.
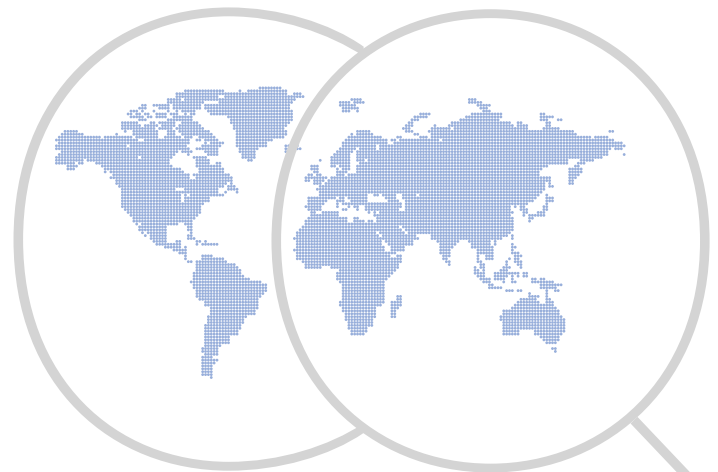
▶▶ However, often a solicitor will not agree to look at a case unless a person claiming asylum can show they have new evidence. For many people this will mean **obtaining evidence about any changes in circumstances in their home countries or evidence which counteracts any previous negative credibility findings.**

▶▶ This may mean conducting some initial research without an instructed solicitor. Before doing so it will still be important to request and review any previous decisions the individual has received in respect of their asylum claim.

▶▶ Case law[4] has established the principle that a judge's starting point when considering an appeal should always be any previous judge's determination. **This means that if a person has already had an appeal, and been refused, then that judge's determination should be the starting point in order to understand what are the key issues in the case which any new evidence will need to address**.

The main issues are likely to be any changes in the circumstances in the appellant's home country, or obtaining evidence which counteracts any previous negative credibility findings.

▶▶ **If supporting an individual to gather COI evidence for their own case, make sure that you stress that they will need to get legal advice before submitting it as further submissions to the Home Office**. It should be stated that COI does not amount to or replace the need for legal advice. Submitting any evidence without a solicitor or OISC level 2/3 advisor having assessed its merits first could damage their credibility and prospects of any future applications. If a fresh claim is meritorious, legal aid should be available (depending on their means) and so they should contact local refugee charities for support in finding a good solicitor.

---

[4] **Devaseelan (Second Appeals  - ECHR - Extra-Territorial Effect) Sri Lanka * [2002] UKIAT 00702**

# Quality criteria for COI research

There are **five main quality criteria** for **researching COI and presenting the research results** which also apply to the assessment of COI by a decision-maker:

1. **Relevance**
2. **Reliability & Balance**
3. **Accuracy & Currency**
4. **Transparency & Traceability**
5. **Neutrality**

Relevance, accuracy and currency have been enshrined in EU legislation[5]. Accepted guidance, as developed by the European Union, the Austrian Centre for Country of Origin & Asylum Research and Documentation (ACCORD), and the European Asylum Support Office (EASO), also emphasise these quality standards.[6]

## Why are these criteria so important?

▶▶ There are several risks to so-called 'bad' COI, but most importantly if flawed COI is submitted to a decision maker any **inaccurate and unbalanced content may provide a misleading summary of the situation in a country of origin and do irreparable damage to the asylum case**.

Damage may also occur when flawed COI is used to negatively assess the merits of a case you are considering to take on.

To help you understand how these are interconnected, the standards are presented in the order in which they would appear in a COI research cycle along with tips to promote good practice:

• Beginning with the formulation of relevant research questions (**1. Relevance**),

• continuing with finding reliable sources and balancing them (**2. Reliability & Balance**),

• as well as accurate and current information (**3. Accuracy & Currency**),

• and concluding with the presentation of research results in a transparent and traceable manner (**4. Transparency & traceability**).

• There is also the overarching research principle of (**5. Neutrality**).

## 1. Relevance

▶▶ The COI needs to be **relevant to the individual circumstances of the applicant** and to the issues raised by the case. The information should help assess if the applicant meets the criteria for the respective form of protection (e.g. has a well-founded fear of persecution; risk of serious harm, absence of effective protection or internal relocation alternative)

▶▶ **Contextual** information helps, but should not be too generic:

• For example, to assess whether a lesbian may have a well-founded fear of persecution in her country of origin, information about the treatment of gay men may be of limited relevance. On the other hand, information on the situation and treatment of women who do not conform to (cis)gendered-stereotypes may be useful, as might be information on single women living on their own, with no male partner.

---

[5] See **EU DIRECTIVE 2011/95/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (recast),** 13 December 2011, Article 4 (3) (b) and Article 8 (2); **EU DIRECTIVE 2013/32/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 26 June 2013 on common procedures for granting and withdrawing international protection (recast),** 26 June 2013, (39) and Article 10 (3) (b)

[6] See for example: European Union, **Common EU Guidelines for Processing Country of Origin Information**, April 2008, 3.2.2 If no information can be found, p.13; Austrian Red Cross/ACCORD, **Researching COI Training Manual 2013** Edition, 1.5.2 Limits of COI, p.27; European Asylum Support Office (EASO), **Country of Origin Information (COI) Report Methodology**, June 2019, 3.1.4 Specific issues, p.16

# Quality criteria for COI research

## 2. Reliability and balance

▶▶ The source needs to be reliable and balanced.

▶▶ Every source has a political and ideological context as well as its specific mandate, reporting methodology and motivation. It is therefore useful to undertake a source assessment, by having a careful and critical approach towards sources and by consulting the 'About us' section on its  website which often includes the relevant information you need.

▶▶ To balance out any biases, a range of sources should be included.

▶▶ It is important to be able to recognise dubious and biased sources, and know how to deal with them [we will return to this later].

## 3. Accuracy and timeliness

▶▶ The COI has to be **correct and valid at the time** the asylum claim is being decided.

▶▶ Cross-checking a range of sources is required to assess accuracy and currency of information. The ACCORD Manual suggests "corroborating all information which is central to the question or which has an impact on a decision by using three different sources and different types of sources [...] that independently provide information on the research issue at hand." [7]

▶▶ Different issues will require different degrees of timeliness.

- For example, cultural and religious practices are less subject to change than information on the security or humanitarian situation, so a report that is several years old may still be accurate, while in other cases yesterday's newspaper article may have been rendered obsolete by more recent events (e.g. in the case of political turmoil).

▶▶ Usually, **information that is more than two years old won't suffice to prove a profile is still at risk**. However, if only older sources can be found then it is still worth including these along with a note that more recent information cannot be found. In certain country situations this may be due to a lack of UN or NGO access or restrictions so it is worth documenting this to show why more recent information might not be available.

## 4. Transparency and traceability

▶▶ The information you collect needs to be traceable back to its source (preferably primary/original source) so that it can be independently verified and assessed by any reader.

- For example, the European Asylum Support Office's Country Reports compile and "synthesise" COI and reference several sources in one footnote. Time permitting you would want to go to each source listed in the footnote to include relevant information from the original source. Should that not be feasible, then we would recommend including the relevant excerpt from the Country Report, along with the content of the footnotes so it is clear what sources have been relied upon.

▶▶ This means referencing all your sources and providing a direct, active hyperlink.

▶▶ If the name of a source has to be protected (e.g. a local activist you managed to speak to), a description of the source should be provided [We'll get back to this point and when and how to involve other professionals' expertise in your COI research further below].

---

[7] Austrian Red Cross/ACCORD, **Researching COI Training Manual 2013 Edition**, 2013, p.134

# Quality criteria for COI research

## 5. Neutrality

▶▶ **COI research is intended to be neutral and impartial.**

▶▶ It is not the role of COI researchers to provide any opinions or analysis of the situation in the country of origin.

▶▶ The aim of COI research is not necessarily to support an account, but to provide as much information as possible to allow lawyers, decision-makers and judges to make informed decisions.

▶▶ Legal practitioners should bear this in mind — the COI may not always support the applicants claim. However, it may be helpful to a comprehensive understanding of the situation in the country of origin in order to (i) be able to ask the right questions to elicit more accurate answers from the applicant and (ii) be able to argue your client's case to its fullest.

▶▶ Neutrality also applies to consulting a well-balanced range of sources and using a neutral tone in language when presenting information and describing sources.

## Protecting personal data and security breaches

One key principle of COI research is the need to protect the personal data of the applicant. That is, not contacting organisations or individuals in the country of origin, transit or asylum that have the potential to harm the applicant or their family.

▶▶ In your COI research, it is vital that you take great care to avoid any security breaches. This is extremely important and, if violated, can be of grave potential risk.

▶▶ Most major COI providers have internal security guidelines; in any case you are bound by national legislation on data protection etc.

▶▶ There are three stakeholders that need to be protected in the process.

**1. First of all,** you need to **protect the person claiming asylum** whose case you are conducting research on.

- **Don't put the applicant at risk**: Special care should be taken if contacting persons or organisations on the ground; information requests might indirectly point to the applicant or his or her associates or relatives.

**2. Second of all**, you need to **protect your informants**. Should you be requesting information from contacts in the country of origin, this might put those persons at risk (this might relate to the personal safety, or the ability of an organisation to conduct its activities on the ground).

- **Guarantee the desired level of confidentiality and anonymity to your sources** If sources wish to remain anonymous, you need to respect this. In such case, you also need to involve them in the discussion of how they wish to be referred to instead in your final report.

- **Secure and accurate storage of information** The personal data of informants and information that potentially may make them identifiable must be protected according to all legal standards.

**3. Thirdly** you need to protect yourself, the researcher.

- **Research safely (online)**. Don't create unnecessary suspicions (e.g. avoid going back and forth to 'suspicious' websites or those belonging to terrorist organisations, be aware of possible security limitations in the country you are conducting research in); you can use special browsers or **incognito modes** if you are uncertain.

# Developing a COI research strategy

▶▶ Embarking on COI research can be overwhelming, especially given the proliferation of available sources. It is therefore essential to have a **structured approach to COI**:

1. Formulate appropriate COI questions

2. Identify relevant sources of COI

3. Use advanced research techniques to locate relevant, accurate and current information

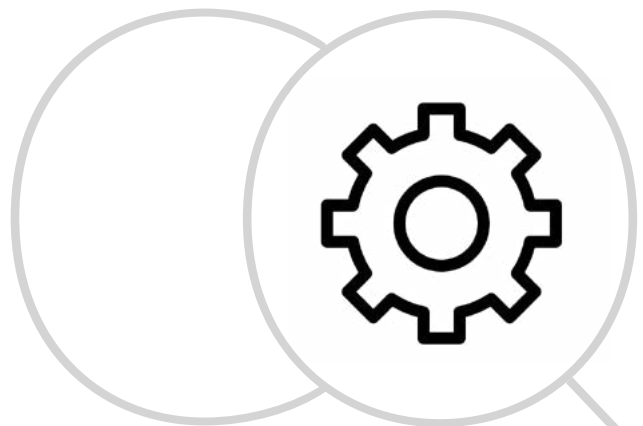4. Present the information in a user-friendly way for the decision-maker

▶▶ Know when **to instruct a country expert or a professional with relevant expertise**:

- COI is rarely published with the asylum protection context in mind and therefore might not be specific enough for an individual claim.

- There are numerous barriers to conducting primary human rights research (security, access, language, funding, etc.) which leads to serious information gaps.

- Some human rights abuses, such as domestic violence, are more likely to take place in the private sphere and thus less likely to be reported on.

In such instances COI may be insufficient to support the proper assessment of a case and you should consider instructing a country expert or a professional with relevant expertise.

▶▶ There are **resources** out there to assist you!

- Asylos offers a free case-specific COI service and ARC Foundation's COI service is fundable via legal aid.

- Registered users can also access Asylos' **database of research reports** for previous case-specific requests and **subscribe to monthly research updates** to receive updates about new publications.

- ARC Foundation provides a free bi-monthly *COI Update* which provides an update of UK Country Guidance case law, UK Home Office publications as well as recent publications and developments in refugee producing countries (focusing on those which generate the most asylum seeking applicants in the UK).

- ARC Foundation has a free **'thematic sources database'** which identifies useful sources by theme.

- ARC Foundation also moderates the international **COI Forum** – an online platform that provides a safe space for relevant stakeholders in the RSD process to exchange research tips, point to relevant sources, and share publications.

# Useful sources for COI research

## COI databases

▶▶ There are five main databases for COI research which all contain advanced search functions:

- ACCORD's **ecoi.net** [the primary COI repository in the world which covers more than 160 sources on a regular basis]

- UNHCR's **Refworld** [now subsumed into ecoi.net, but remains useful for national legislation and UN publications]

- **Electronic Immigration Network (EIN)** [Subscription only, but some of your organisations might be already signed up to it]

- **ReliefWeb** [Administered by UNOCHA, mainly includes humanitarian information, including maps]

- **EASO's COI Portal**, which provides a common entry point to EU-produced COI and that published by other EU Member State's COI units

▶▶ As these are the places a decision-maker would go to first to look for relevant information, it is important that you always do that too. They focus primarily on governmental and major NGO sources, and do not necessarily include lesser known regional or national NGOs, think tanks or academic writing, that you might also need for your research. Note that the majority of the sources included in these databases will be in English, but you can also find sources in other European languages, and Arabic.

## Governmental sources

Individual reports by the following government agencies producing COI products i.e. for the refugee status determination procedure in mind, can usually be found on ecoi.net and EASO's COI Portal:

- **Australian Department of Foreign Affairs and Trade Country Information reports** [N.B. the reports also include assessments]

- **Danish Immigration Service's Country of Origin Information Division**

- **Dutch Ministry of Foreign Affairs Ambtsbericht**

- **Germany's Information for voluntary returnees**

- **Immigration and Refugee Board of Canada's Responses to Information Requests**

- **The Norwegian Country of Origin Information Centre Landinfo**

- **Swedish Migration Agency – Lifos database**

- **UK Home Office's Fact Finding Mission reports** [Note that these are listed on the relevant country page with CPINs]

Governments may also publish products which are useful for the refugee status determination process, but are not designed for this purpose, such as statistical authorities, legal databases or parliament and ministry websites. For example:

- **UK Foreign and Commonwealth Human Rights and Democracy reports**

- **UK Foreign and Commonwealth Office Foreign Travel advice**

- **UK House of Commons Library**

- **U.S. Central Intelligence Agency (CIA), The World Factbook country profiles**

- **U.S. Congressional Research Service**

- **U.S. Congressional Executive Commission on China annual reports**

- **U.S. Department of State's Country reports on Human Rights Practices**; **Trafficking in Persons reports**, **International Religious Freedom reports**, and the U.S. Department of Labor's **International Child Labor** and Forced Labor reports

# Useful sources for COI research

## Intergovernmental sources

The following intergovernmental sources are also useful for researching specific themes:

- International Organization for Migration (IOM) - **iom.int**

- Organization for Security and Co-operation in Europe (OSCE) - **osce.org**

- OSCE's Office for Democratic Institutions and Human Rights (ODIHR) - **osce.org/odihr**

- World Bank - **worldbank.org**

- Various UN Agencies, Committees and Special Representatives. Consult a country's **OHCHR page** for concluding observations of UN Treaty Bodies and country visits by special procedures. Also see UNHCR's **country pages** and **data** and the UN Office for the Coordination of Humanitarian Affairs' (UNOCHA) '**Humanitarian Response**' information.

Many more can be found in ARC Foundation's 'thematic sources database':

**https://asylumresearchcentre.org/wp-content/uploads/2020/09/Thematic-COI-sources_August-2020-DS-Update.xlsx**

## Major international non-government organisations

The following international human rights organisations or NGOs document human rights situations with a broad geographical and thematic focus, which are a useful first port of call to familiarise yourself with a particular country:

- Amnesty International - **amnesty.org**

- Freedom House - **freedomhouse.org**

- Human Rights Watch - **hrw.org**

- International Crisis Group - **crisisgroup.org**

- International Federation for Human Rights - **fidh.org**

- Transparency International - **transparency.org**

## Media sources

The main newspapers of a specific country or territory can usually be found in **BBC's Country Profiles**.

The following well-known international newspapers and news agencies might also be a good starting point:

- Agence France Presse (AFP) - **afp.com**

- All Africa - **allafrica.com**

- Al Jazeera - **aljazeera.com**

- BBC - **bbc.co.uk**

- Deutsche Welle - **dw.com/en/top-stories/s-9097**

- The Financial Times - **ft.com**

- The Guardian - **guardian.co.uk**

- The New Humanitarian - **thenewhumanitarian.org**

- The New York Times - **nytimes.com**

- Radio Free Europe/Radio Liberty - **rferl.org**

- Der Spiegel – International - **spiegel.de/international**

- Thomson Reuters Foundation - **trust.org/under-reported-stories**

# Useful sources for COI research

## Other sources

Organisations that specialise on specific themes can be found in ARC Foundation's 'thematic sources database'. This presents over 350 sources organised across ten themes in addition to a repository of other NGOs working on COI and links where to locate country experts. The document lists a range of publicly available sources: government, UN agencies, international and domestic NGOs, think tanks, research institutes, international media outlets and academic sources, organised on the following themes:

- Children's rights

- Gender & LGBTI

- IDPs & Humanitarian issues

- Maps & Locations

- Media

- Medical

- Minorities

- Miscellaneous (e.g. alphabets of the world, date converters, world airports and languages)

- Political

- Security

It also lists repositories for locating country experts and NGOs producing COI.

The sources on the preceding pages are some of the more general resources that exist and which should always be the starting point of your research. As you want to find more detailed and relevant information on the specific issues raised through your client's case, the investigative part of your research begins. You can for instance look at:

- Reports from specialised thematic international or local NGOs (e.g. The International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA) has many sources on LGBTI rights, whilst the European Asylum Support Office's Researching the situation of lesbian, gay, and bisexual persons (LGB) in countries of origin has useful tips for research and a long list of useful sources to consult).

- The search engine from the Organized Crime and Corruption Reporting Project (OCCRP), which searches across documents used by journalists in investigations as well as other sources such as court archives and leaks.

- Academic articles should you possess access permission to large online libraries such as Picarta, JSTOR, HeinOnline to name a few. If you don't, Google Scholar is a good place to look as well.

- Think Tanks working on the region you are conducting your research on e.g. international such Carnegie Endowment for International Peace or national e.g. the Afghanistan Analysts Network for Afghanistan.

- Blogs and personal websites you might find through search engines or cross references, but ensure to make a proper source assessment before referring to them in your submissions or in court.

- Twitter and Facebook groups (Social Searcher or Icerocket are tools you can use to search multiple social media sites at once). Again ensure to make a thorough source assessment and be aware of their limitations

- Become a member of the free COI Forum and submit a query.

- Consult the following toolkit compiled by the European Asylum Support Office for further assistance when searching for and referring to social media sources: Tools and tips for online COI research.

- If a situation is rapidly developing or frequently changing then news alerts may assist in ensuring the application is fully up to date.

# Practical COI research tips

▶▶Remember: Absence of evidence is not evidence of absence!

▶▶Use advanced search functions. A range of advanced search commands can really help you focus your research. The search operators differ somewhat in between search engines. If in doubt, you can refer to their respective user manual. The following most common and useful search commands work with the database **ecoi.net** or **Google**:

### Quotes ("word") or "search term"

Force an exact-match search. You can search for a phrase in a specific order by putting the words in quotation marks. For example, "human rights" finds documents containing the phrase human rights, while human rights without the quotation marks would find documents containing the word human and the word rights in different places. N.B. Google's search operator is 'fuzzy' by default so if you want to search for an exact spelling, you will need to use "quotation marks".
**Example: "human rights"**

### OR

Search for X or Y. This will return results related to X or Y, or both. Note: The pipe (|) operator can also be used in place of "OR."
**Examples: prison OR detention / prison | detention**

### AND

Search for X and Y. This will return only results related to both X and Y. Note: It doesn't really make much difference for regular searches, as Google defaults to "AND" anyway. But it's very useful when paired with other operators.
**Example: prison AND India**

### Exclude Words: (-)

Exclude a term or phrase. In our example, any pages returned will be related to Guinea (the country) but not Guineapig (the animal).
**Example: Guinea -pig**

### Add words: (+)

You can use a plus sign to add words that you want to be included in the search results.
**Example: prison + torture**

**Wildcards are symbols** that can be used to replace one or several characters within a word, or one or several words within a phrase. Wildcards can be used for words with spelling variations by using for example the asterisk (*) within a phrase search as a placeholder for any word [N.B. operates on ecoi.net but not on google]
**Example: wh* finds what, white, and why, but not awhile or watch**

### ( )

Group multiple terms or search operators to control how the search is executed.
**Example: (prison OR detention) India**

### site:

Limit results to those from a specific website.
**Example: site:amnesty.org**

### Fuzzy search: ~

This feature is useful if you do not know the exact spelling of a word, or if there are too many spelling variations to capture by using wildcards. A fuzzy search will return terms that are written similarly to the search term entered. You use fuzzy search by entering a tilde (~) at the end of your term [N.B. operates on ecoi.net but not on google. Google's search operator is 'fuzzy' by default so if you want to search for an exact spelling, you will need to use "quotation marks"]
**Example: Ghadafi~**

# Practical COI research tips

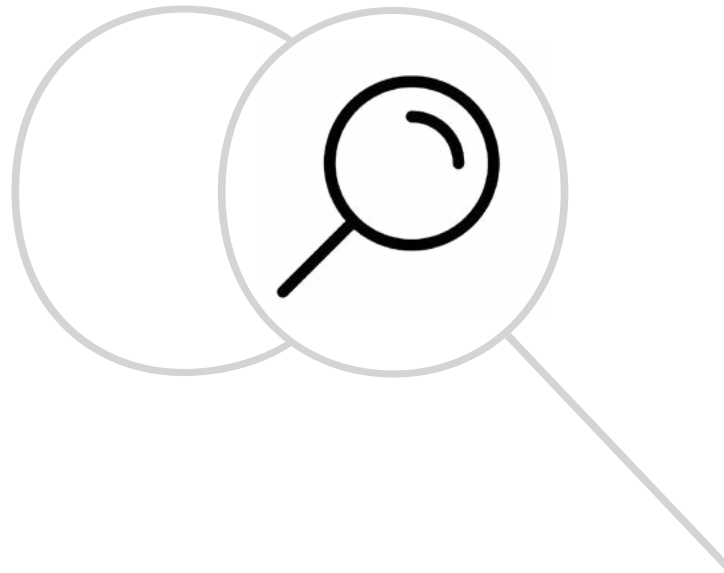▶▶ Look for a variety of keywords and consider technical, language and cultural differences. For example:

- Search for 'gay', 'lesbian' 'cisgender', 'queer', 'intersex', 'trans*' [to yield transgender, transsexual, transvestite], homo* [to yield homosexual or homophobia etc.] 'heterosexual' [to document heterosexual norms] when researching the treatment and situation of LGBTI individuals

- Remember that words deemed as insensitive or inappropriate in the UK might not be perceived as such in other countries or settings

▶▶ Use your language skills and search in the languages that you understand. Google Translate can be helpful in identifying whether a source is worth translating — noting that non-English language sources would need to be officially translated

▶▶ Use other search engines, e.g. **DuckDuckGo**[7], or clear your browser cache

▶▶ Sometimes you will encounter broken web links. You can try to find a working copy of the document through the following ways:

- **The Coral Content Distribution Network (CORAL)**

- **The Internet Archive's Wayback Machine**

- Google Cache [Google Cache is a copy of the full-text saved by Google on its own servers while browsing the Internet. If you cannot retrieve an original document by clicking on a hyperlink, you can click on "cached" to see this archived version. You can also search directly for the cached copy of a document by entering cache: in Google's search field, directly followed by the address you are looking for]

---

[8] DuckDuckGo crawls other search engines, such as Yahoo and Bing, but not Google, which means that it might bring up different search results than Google for example. More information on DuckDuckGo can be found here amongst others: MakeUseOf (MUO), **DuckDuckGo vs. Google: The Best Search Engine for You**, Updated 3 July 2019 and Life Wire, **10 Things DuckDuckGo can do for you**, Undated [Last accessed: 9 September 2019]

# Lack of COI: Reaching out to professionals on the ground / with expertise on the subject

When the information Asylos and ARC Foundation are looking for is lacking or only partially available in publicly available online sources, the only means to get the information may be to reach out to professionals and organisations on the ground or to those who have expertise on the subject. Very often, those will be academics, local journalists and NGO workers, book authors or bloggers, as they have a lot of experience with the region or topic we are researching. They can also point to other sources and documents, as well as other people to contact.

**This is different to obtaining a 'country expert report'!** Often when you hear reference to 'country experts' within the UK asylum process we are referring to individuals who have sufficient experience on a particular country of origin to be able to give evidence in the RSD process (and have usually already been recognised as such by the Tribunals), to comment on the plausibility and consistency of an applicant's account, or provide their opinion on future risk. This type of 'country expert' report must comply with the strict guidelines[9] set by the Immigration Tribunal for the provision of such evidence.

However, Asylos and ARC Foundation regularly obtain evidence from professionals and organisations working on the ground, or with particular expertise on a topic, for the purposes of their reports.

In order to assess the validity of individuals and organisations as a potential source, we always consider the following questions:

- Who is the source and do they have specific knowledge/ experience which makes them have expertise on the topic?

- What context do they work in and to what extent might this context influence them or create any bias?

- How does the source obtain and formulate any information they present? Is it presented in an objective, neutral and transparent way?

Whilst we do not present this as 'country expert' evidence, we have developed guidelines (with reference to the Practice Directions set by the UK Immigration and Asylum Tribunals, relevant UK case law[10] and other good practice guidelines[11] for the provision of expert evidence) in the hope that this evidence will be seen as objective, independent and unbiased, and as such will be given its due weight by decision makers in the RSD process. These recommendations include:

- Sources should not attempt to answer any questions which fall outside of their expertise or about which they have insufficient information.

- Sources should make clear if the information they are providing is based on direct experience or other evidence throughout the interview or through their submitted written contribution.

- Sources should give examples whenever they can.

- If the sources have obtained the information from other sources they should make sure they confirm where they obtained that information and if relevant include references with direct hyperlinks.

---

[9] Immigration and Asylum Chambers of the First-Tier Tribunal and the Upper Tribunal, **Practice Directions for the Immigration and Asylum Chamber of the Upper Tribunal**, Amended 13 November 2014

---

[10] **AAW (expert evidence – weight) Somalia v. Secretary of State for the Home Department, [2015] UKUT 00673 (IAC), United Kingdom: Upper Tribunal (Immigration and Asylum Chamber), 5 November 2015**

---

[11] Anthony Good and Tobias Kelly, **Expert country evidence in asylum and immigration cases in the United Kingdom: Best Practice Guide**, July 2013
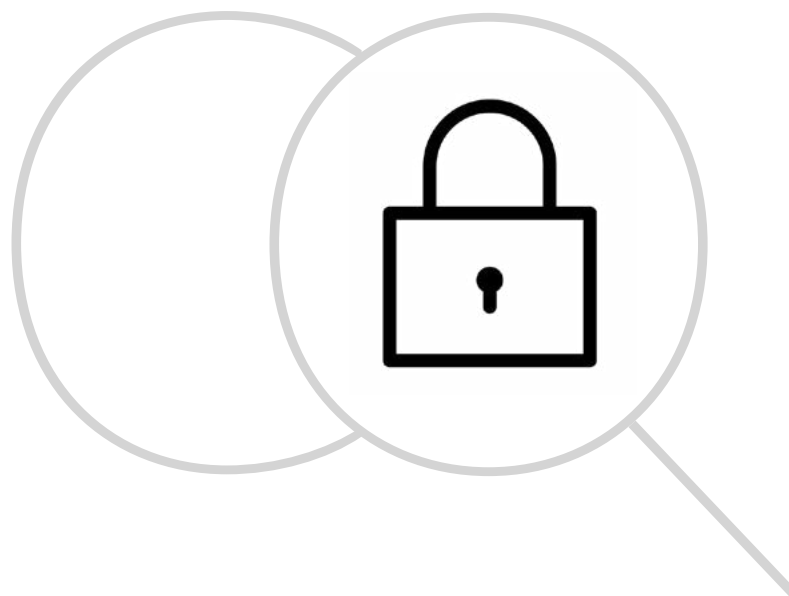
# Lack of COI: Reaching out to professionals on the ground / with expertise on the subject

**When contacting such people we take every precaution not to disclose any personal information which may identify the applicant.**

**It is critical to note that there might be cases in which such inquiries could be potentially dangerous both for the person providing the information and for the applicant and so should be avoided at all cost.**

**We always inform interlocutors about the purpose we are seeking information for, how it might be used by decision-makers and the risks associated with that**. If sources wish to remain anonymous, this is always respected and their desired level of confidentiality and anonymity guaranteed. In such cases, they are involved in the discussion of how they wish to be referred to in a report.

**Secure storage of their information. Ensure that the personal data of informants and information** that potentially may make them identifiable is always protected according to all legal standards.

# Addressing COI challenges

In the course of our work we have identified the following five main COI challenges, which are addressed in the order you are most likely to encounter them in the COI research process, along with tips on how to avoid them:

1. **Asking the right questions**

2. **Knowing where to look**

3. **Absence of information**

4. **Abundance of information**

5. **Source assessment and 'unreliable' sources**

6. **Presentation of source material**

## Challenge #1
## Asking the right questions

▶▶ It is important to understand how research questions will influence the quality and impact of the evidence gathered – this is whether you are doing the COI yourself or instructing a COI researcher such as ARC Foundation or Asylos, or your volunteers.

▶▶ It is crucial to be able to formulate research questions which will address the relevant legal tests/issues at the heart of the case.

▶▶ Common problems with research questions that we see as COI researchers include:

**1.** Query asks for an assessment of risk or persecution e.g. what is the risk on return for journalists in Bangladesh;

- **Needs to be reformulated into a COI question. This is part because COI researchers are not qualified to provide a legal assessment [although country experts may be able qualified to respond to such a question], but also in order to really understand what is meant by 'risk on return'.**

**2.** Research question too general e.g. 'ability to internally relocate';

- **This legal test needs breaking down into sub-questions.**

**3.** Query does not take into account specific profile of the applicant;

- **If the applicant is a woman, child, disabled, etc. this specific vulnerability will add a specific dimension to many research questions e.g. a female human rights activist may be perceived to contravene social norms as well as be perceived to oppose the state**

**4.** Research question is irrelevant to the case or an issue which COI is unable or unlikely to be able to corroborate e.g. whether X person worked at Y prison;

- **Need to identify relevant aspects of a case and come up with new questions!**

**As legal practitioners you will need to be able to translate your legal questions into a set of relevant and specific COI questions in order to support your arguments.**

For example, you are representing a client who fears a non-state agent of persecution and you want to identify relevant information to assist the assessment of;

- Is there effective protection in their home area?

- Can they reasonably be expected to relocate to another area?

Let's assume for the purposes of this example that no country guidance or Home Office policy exists for the country in question. How would we go about structuring relevant research questions? To start structuring our COI research, we need to think of the constituent parts of the legal issues;

# Addressing COI challenges

## Risk

- At the hands of non-state actors

- E.g. Are non-state actors acting in complicity with or tolerated by actors of protection? Are they supported by traditional norms and customs embraced by large segments of the society?

## Effective protection

Where someone fears persecution by 'non-State agents', he or she will need to demonstrate that they are not able to avail themselves of the protection of the authorities in their 'home area'.

In the UK, the leading case on the 'sufficiency of protection' test is Horvath v SSHD [2000] Imm AR 552 in the House of Lords. The main point from the judgments in Horvath is that the duty of a State to protect its citizens is not absolute, in the sense that no State can absolutely protect all of its citizens all of the time.

Essentially, a victim of non-State persecution must demonstrate that there is no adequate system of protection in his or her country of origin. If there is a functioning and generally effective system of protection in place, the claimant will not be entitled to refugee status. In cases involving non-state persecution it is therefore very important to consult country information to assess whether the system of protection is effective and also to look at the personal history of the claimant, which may indicate that in practice it is not effective.

There are three parts to this assessment that can frame your COI research questions:

### Ability to protect:

Are there resources to protect:

- infrastructure and training of judicial system and law enforcement;

- presence of security forces and the police throughout the country;

- existence of shelters;

- welfare institutions;

### Access to law enforcement:

- Do individuals have effective access to law enforcement and judicial authorities?

- Is there access to statutory or customary law?

- Are there reports about discrimination of certain individuals or groups such as religious or ethnic groups, persons of a particular gender or persons belonging to a specific political group?

### Willingness to protect

- Are there reports suggesting that state authorities did or did not intervene to prevent a serious harm against particular persons or groups?

- Do authorities protect against acts by some groups, but not by others?

- Are there reports about organised crime? Are there reports about collusion between organised crime and government authorities? Or infiltration of armed groups in the security forces

- Police/judicial corruption

- Bribery within the police force e.g. to take up a case, to drop cases

# Addressing COI challenges

## Internal Relocation

The principle of internal relocation is that a refugee must show that he or she will not only be at risk in his or her home area but is also unable to escape the persecution or the threat of it by relocating elsewhere in his or her country of origin.

The question of whether the asylum seeker has a well-founded fear of persecution in his 'home area' should be assessed first. Only once this has been decided should the question of internal relocation be considered.

The possibility of Internal Relocation is set out in the United Nations Handbook, the EU Qualification Directive and the implementing immigration rule 339O. **Paragraph 339O of the Immigration Rules** set out the two limbs to the assessment of internal relocation: the 'safety' test and the 'reasonableness' test;

> 339O (i) The Secretary of State will not make:
>
> (a) a grant of refugee status if in part of the country of origin a person would not have a well founded fear of being persecuted, and the person can reasonably be expected to stay in that part of the country; or
>
> (b) a grant of humanitarian protection if in part of the country of return a person would not face a real risk of suffering serious harm, and the person can reasonably be expected to stay in that part of the country.
>
> (ii) In examining whether a part of the country of origin or country of return meets the requirements in (i) the Secretary of State, when making a decision on whether to grant asylum or humanitarian protection, will have regard to the general circumstances prevailing in that part of the country and to the personal circumstances of the person.
>
> (iii) (i) applies notwithstanding technical obstacles to return to the country of origin or country of return

## Safety test

For internal relocation to be possible there must be a 'safe area' to which the claimant can return without a well-founded fear of persecution.

If it is established that there is a safe area, a claimant cannot be returned to his own country if he cannot reach the safe area, or if he cannot do so without being at risk of persecution on the way there, either immediately on arrival or on his subsequent journey within the country.

The **UNHCR Guidelines on 'Internal Flight or Relocation Alternative'** breaks down the relevance (or safety) test in a way which it is usually helpful to frame your COI questions around;

> "I. The Relevance Analysis
>
> a) Is the area of relocation practically, safely, and legally accessible to the individual? If any of these conditions is not met, consideration of an alternative location within the country would not be relevant.

So we might ask;

Accessibility; Are there any legal or natural restrictions on entering the proposed site of internal relocation and settling there e.g. the existence of checkpoints and legal access to governorates?

Safe travel on route to the proposed site of internal relocation?

> b) Is the agent of persecution the State? National authorities are presumed to act throughout the country. If they are the feared persecutors, there is a presumption in principle that an internal flight or relocation alternative is not available.
>
> c) Is the agent of persecution a non-State agent? Where there is a risk that the non-State actor will persecute the claimant in the proposed area, then the area will not be an internal flight or relocation alternative. This finding will depend on a determination of whether the persecutor is likely to pursue the claimant to the area and whether State protection from the harm feared is available there.

# Addressing COI challenges

So firstly we would want to think about the non state-actor. If the actor is an armed group then the following considerations are relevant:

- Origins and ideology
- Affiliates
- Infiltration into Security Forces
- Strength and regions of operation
- Recent activities and targets of attacks

What is the motivation of the non-state actor to pursue the applicant?

If a societal actor then it will be relevant to show evidence of social networks/ how easy it is to move to a new area clandestinely.

Also need to think about protection in the new area as we examined above for the home area (this may not differ)

- Ability to protect:
- Access to law enforcement:
- Willingness to protect

d) Would the claimant be exposed to a risk of being persecuted or other serious harm upon relocation? This would include the original or any new form of persecution or other serious harm in the area of relocation" **12**

In addition to researching the risk of harm arising from a claimant's particular profile (e.g. ability to practice religion in proposed site of relocation), the applicant might be relocating to a situation where IDPs are vulnerable to abuse on the basis of being an IDP.

## Reasonableness test

The test is essentially whether the claimant, in the context of the country concerned, can lead a relatively normal life without facing undue hardship. If not, it would not be reasonable to expect the person to move there.

In Januzi it was found that the 2003 UNHCR Guidelines on International Protection "Internal Flight or Relocation Alternative" provided valuable guidance on the approach to reasonableness and undue harshness.

The UNHCR Guidelines refer to this test as the 'reasonableness analysis.'

"II. The Reasonableness Analysis

a) Can the claimant, in the context of the country concerned, lead a relatively normal life without facing undue hardship? If not, it would not be reasonable to expect the person to move there.

The applicant's personal circumstances, age, sex, health, disability, family situation and relationships, social or other vulnerabilities, ethnic, cultural or religious considerations, political and social links and and compatibility, language abilities, educational, professional and work background and opportunities, presence of family members or other kinship links

Factors which may not on their own preclude relocation may do so when their cumulative effect is taken into account.

- The existence of past persecution (Psychological trauma arising out of past persecution may be relevant in determining whether it is reasonable to expect the claimant to relocate in the proposed area, including access to mental health treatment and support

- Safety and security, respect for human rights

- Possibility for economic survival (If a claimant will be unable to earn a living or to access accommodation, or where medical care cannot be provided or is clearly inadequate, the area may not be a reasonable alternative. It would be unreasonable, to expect a person to relocate to face economic destitution or existence below at least an adequate level of subsistence)" **13**

The above guidance should assist in breaking down big legal questions (such as risk, effective protection and ability to internally relocate) into a list of specific and relevant COI questions.

---

**12** and **13** UNHCR, **Guidelines on International Protection: "Internal Flight or Relocation Alternative" within the Context of Article 1A(2) of the 1951 Convention and/or 1967 Protocol relating to the Status of Refugees**, 23 July 2003

# Addressing COI challenges

## Challenge #2
## Knowing where to look

This depends on the question!

▶▶ For most research tasks**, the recommended starting point is to first look at sources which will provide you with an overview of the topic and/or country you research**. So, if you have to research on female genital mutilation (FGM) in a specific region of Cameroon for a particular ethnic group, it is good to first know what the status of woman more generally and the overall FGM practices in Cameroon are. For this, consulting country reports by international NGOs and existing COI databases is a good starting point, as well as UNICEF FGM Country Profiles and domestic demographic health surveys.

▶▶ See section **Useful sources for COI research**.

▶▶ **If you need detailed information about a certain issue (e.g. about China's one-child-policy) then more academic research techniques might be appropriate**. You can usually start by using specific search terms in the existing COI databases, to find reports from international NGOs, governments or other major organisations. You can then continue using such search terms in a more generic search engine such as Google limiting it for example by timeframe.

▶▶ **More journalistic, investigative research is required for very specific and individual questions**. For example, in order to find out whether there is a bus stop in Pul e Khumri in Afghanistan called 'Ade Kabul', you might need to contact people who live or have been there. For instance, you can try to use Twitter or Facebook to reach out to people living there.

## Challenge #3
## Lack of available Information

▶▶ Another challenge that is very common in COI research. Just consider that plenty of things happen but do not make it into the world of information that is accessible to you

- In order for you to find information on a certain event, the event a) needs to have occurred, b) needs to have been documented and c) the documentation needs to be available to you — a lot of reasons that could make finding evidence challenging.

▶▶ Here are some tips on what to do if you cannot find any information relating to a particular aspect of an applicant's case:

- Consult our list of **practical COI research tips** (e.g. different keywords, language skills, advanced search terms)

- Reach out to professionals / organisations on the ground

- Consider instructing a country expert

# Addressing
# COI challenges

## Challenge #4
## Abundance of available information

▶▶ If there is an information overload, here are some tips on choosing which sources to include:

- Information should be as recent as possible — in the last six months ideally although this depends on the issue. When researching the security situation it is more important to include current information, but for other issues such as cultural practices like blood feuds, which are less subject to change, it is likely to be more relevant to include information that is much older. Remember we discussed timeliness earlier in the presentation? Timeliness is about knowing how old your sources should be, and understanding the lifespan of source material.

- Focus on a good balance of different types of sources and knowing when to stop! [we will come back to this point later]

- Governmental sources, international organisations reports, newspapers, blog posts (as long as can trace back their author), etc.

- Better to quote primary sources:

    - Newspapers cite government documents
    - Newspapers cite the same news agencies

▶▶ Stronger reports corroborate the same information across different types of sources (e.g. news articles and government reports), although this can be difficult.

- Focus attention on the core questions and don't get lost researching side issues

- E.g. One reputable news source documenting a particular bombing might be enough, whilst 2-3 sources might be required to inform about prison conditions or that opposition members are regularly detained

## Challenge #5
## Assessing 'unreliable' sources

▶▶ Not every source you come across will be equally reliable.

▶▶ Every source has its own mandate and might be driven by a political, religious and/or cultural agenda or will have very specific objectives. It is important that you think about overt biases e.g. a government source talking up its progress, or an insurgent group overestimating security force casualties it has inflicted but also less obvious biases e.g. an international NGO over stating its impact in order to attract funding.

▶▶ Dubious or biased sources can either be those that are poorly researched, based on the personal opinion of the author, or clearly biased by a political agenda.

- Although most of the time these sources are easily recognizable because they offer very little or no information about the author and how the information was gathered, this is not always the case! So, it is up to you to be careful when selecting and assessing sources.

▶▶ That's why it is important to undertake a source assessment especially of those lesser-known sources to establish whether a source is reliable or dubious.

▶▶ Not engaging in a source assessment means you might be jeopardising all of the COI evidence you'll put forward.

# Addressing COI challenges

## So what is 'source assessment'?

It is the process of thoroughly and critically evaluating a source against the **quality criteria** mentioned earlier. In practice, to evaluate a source, you should always ask yourself the following questions:

- **WHO** provides the information? What is their mandate? What is their reputation? Where does their funding come from? What is their expertise on the topic?

- **WHAT** information is provided and what shape does it come in (media article, eyewitness account, press release, opinion pieces or position paper)?

- **WHY** is the source providing this information? What is the motivation of the author (e.g. to inform, advocate, fundraise etc.)?

- **HOW** is the information generated? What is their research methodology? Is the language and style of writing neutral or biased? How is the information presented? Is is traceable? Is the source of information transparent?

- **WHEN** was the information gathered and when was it provided or published?

▶▶ Doubts about reliability may emerge if one or more of these questions cannot be answered satisfactorily.

As ACCORD explains, "sources which do not provide sufficient information about their identity, their background, their motives or their methodology can be can considered 'dubious'". [14]

▶▶ On the other hand, you might be able to answer off these questions for a particular source, but still have doubts given their mandate e.g. if they support the violation of human rights, or because they demonstrate a strong bias.

Biased sources are those which provide a selective point of view and "do not intend to report neutrally, they integrate or omit information selectively in order to misrepresent or distort facts." [15]

▶▶ However, it is important to remember that a biased approach (or negative source assessment) need not be a ground for disqualification of the source. Information from sources with a certain bias can be of value as long as you make efforts to mitigate, such as by:

- Corroborating information with that of other sources. Ideally your argument should be supported by three sources that are independent of each other

- Balancing sources by using a diverse range of source types (government, NGO, international organisations, etc).

- Complementing general information with specific details

- All of these processes are important in a COI report, not only when you include dubious sources

---

**14** and **15** Austrian Red Cross/ACCORD, **Researching COI Training Manual 2013 Edition, 2013**, p.99
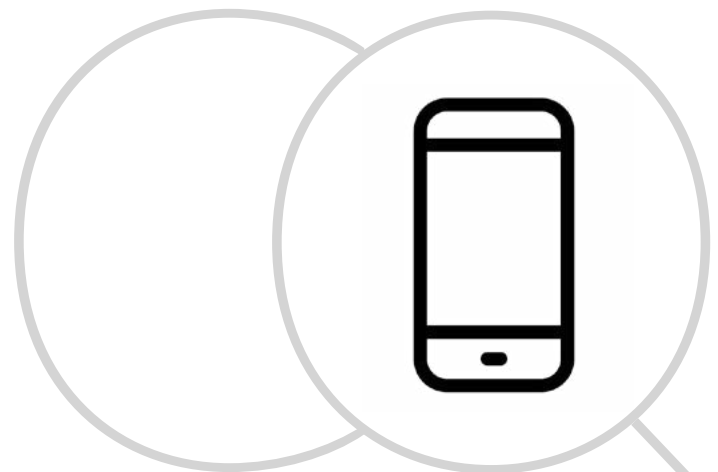
# Addressing COI challenges

## Social media

With regards to **social media posts**, such as those posted on or shared on Facebook, Twitter, You Tube etc. caution should be used when referring to them. Yes, you can use them for your COI research, but only with special scrutiny.

- It's important to note that social media are not considered sources in the traditional way. **They merely provide access to publications, articles, comments or visual material produced by a variety of people and institutions**.

- It's also very difficult to make a thorough in-depth source assessment as **roundtripping** is a serious issue with social media [we'll get to that in a moment] as is the subjectivity of the information posted

- Yet, social media may be useful when, for example, **looking for corroborative information** of where and when a demonstration took place or when following developments on a certain country in a state of upheaval (e.g. recent demonstrations in Sudan, Lebanon or Iraq). Social media posts may also be the only information you may find in countries where freedom of expression has been curtailed.

- So always check the information you would like to use against what else you've already found on that issue

▸▸ When using information found on a **blog** try and locate the author of it — Google them, if not clear who they are as often journalists from reputable news entities maintain personal blogs or write on newspapers' own blogs, which may complement their regular reporting. These authors may have a useful knowledge base which you would like to tap into by interviewing them where limited COI exists.

▸▸ It is good practice when including posts from Facebook, Twitter and other platforms to **describe the content, cite the primary source** (e.g. the Facebook user who posted the information) as well as the platform publishing it (e.g. Facebook), and provide context in which the piece of information was found and why you did not find other more reliable sources. Background can also add credibility to the author e.g. a blog from a journalist from a prominent newspaper is more credible and this additional qualification should be included in the report to add weight. Similarly if they are academic etc, (and this information is easily publicly identifiable) it is helpful to include background biographic details.

# Addressing COI challenges

## Checking dates

It is important to recognise that the date that information is published by a source **might not correspond** to the date that the information is collected, which is relevant to the assessment of whether the information is 'current' and 'accurate'.

- For example the database ecoi.net cites the following source as:

**Danish Immigration Service (Author), DRC – Danish Refugee Council (Author): Syria, Security Situation in Damascus Province and Issues Regarding Return to Syria, 21 February 2019**

▶▶ The report relies in part upon interviews conducted between 16 to 27 November 2018 in Beirut and Damascus, so around 3 months earlier than the publication date of 21 February 2019, during which a fluid security situation can be highly subjected to change. This means that you might need further COI research from the date of the FFM and not the publication date.

▶▶ It is also worth becoming familiar with the **reporting cycles of key reports**. E.g. the UN Assistance Mission of Afghanistan (UNAMA) releases annual reports around January/February of the following year and mid-year reports in July; or how often a UN Special Procedure might report e.g. the Independent Expert on the Situation of Human Rights in Sudan.

▶▶ If you come across a source via Google search then you should go **back to the original source's website** to check it is the most recent report from that organisation.

## False corraboration

▶▶ **'Round-tripping'** can be seen when a source refers to a secondary source but presents it as primary information, so the sources appear to corroborate each other but are actually relying on the same original piece of information.

▶▶ The 2008 EU Guidelines on how to process COI gave the following example of round-tripping:

An April 2004 UK Home Office report quotes a section of a report produced by the Danish Immigration Service, which was itself based on some information obtained from a report by the Canadian IRB, which in turn referred to information provided by an earlier (October 2003) UK Home Office Report. **(Common EU Guidelines for processing Country of Origin Information, April 2008, p. 8)**

▶▶ Another example of false corroboration is relying on two different newspaper articles to corroborate an incident when they both refer to content from the same media agency e.g. AFP [Agence France Press] or Reuters.

▶▶ To avoid this, consult a variety of sources that have access to first-hand information.

▶▶ It is an issue if we do not include as part of our research a **balanced selection of sources** as it will create a misleading summary of a certain situation in the country of origin.

# Addressing COI challenges

## Challenge #6
## Presenting your COI research results

▶▶ Whilst the way in which COI researchers and legal professionals present country of origin information might differ, we all know that how you present your evidence is key: always applying the five main quality criteria for COI research

▶▶ Going into an appeal with a gigantic bundle with pages and pages of irrelevant, generic or outdated COI reports will weaken your case.

▶▶ On this point the Chief Adjudicator has issued guidance notes for good practice on the preparation of appeal bundles (February 2000). Among other things the guidance notes that "You should not submit 'standard country bundles'" and "Each appeal addresses particular issues and your bundle of indexed documents should reflect this."

▶▶ **COI researchers need to demonstrate that they are neutral and impartial**. Whilst this might not be the case for legal professionals, it is still a helpful lens through which to carry out your research so that you build a comprehensive understanding of the situation in the country of origin.

▶▶ **The information you are relying on needs to be traceable back to its source**. Some source databases such as **ecoi.net** provide a suggested full citation for you. At the very least this means referencing all your sources, but as legal professionals it will usually mean providing the publication in full as well. This should also mean including the original footnotes from a source.

This is important in order to assess reliability so that you know what literature is informing the report as well as currency — it may well be the case that it cites sources that are many years older than the report itself.

▶▶ It should be made clear what is a direct quote, and what is a summary. If presenting excerpts, the section heading title should be included or the page number and ellipses used to indicate the omitted text e.g.:

> EASO, Country of Origin Information Report: Nigeria: Targeting of individuals (November 2018)
>
> [...] 3.12 Lesbian, Gay, Bisexual, and Transgender persons (LGBT)
>
> [...] 3.12.2 Human rights violations and/or discrimination
>
> [...] 3.12.2.2 Treatment in prison
>
> Imprisoned gay persons reportedly are confronted with rape in prison [...] 1037 [...] (p. 124)
>
> 1037 ABCNews, 'I didn't want my mum to know': The men and boys arrested for being gay in Nigeria, updated 22 October 2017, https://www.abc.net.au/news/2017-10-22/arrested-for-being-gay-in-nigeria/9069350;
>
> Erasing 76 crimes, New initiative works to free suspected gay Nigerian prisoners, 18 October 2017, https://76crimes.com/2017/10/18/new-initiative-works-to-free-suspected-gay-nigerian-prisoners/;
>
> Erasing 76 crimes, Nigeria: Man facing homosexuality charges languishes in prison, 10 May 2018, https://76crimes.com/2018/05/10/nigeria-man-facing-homosexuality-charges-languishes-in-prison/

▶▶ **To promote traceability and transparency, all COI should be accurately referenced, including a direct, active hyperlink** (i.e. not a link to a location on your computer), and when sources are undated, this should be made clear, along with the date accessed. Generally speaking for dated sources it is not essential to indicate when it was last accessed. When referencing blogs or social media, mention the site where the information was found and make sure the reader is able to understand where the information came from.

# Addressing COI challenges

▶▶ It's also important to ensure that if you are citing a Home Office Country Information and Policy Note, to make clear whether the excerpt you have provided is from the 'Guidance' section, which is effectively policy, or if it's from the 'Country Information' section. Be aware that the Home Office might have summarised a source or even selectively cited it, so you should always go back to the original source that it references to check.

▶▶ When presenting COI it is a good rule of thumb to guide the reader, without undertaking any assessment of the COI itself, which is the domain of the decision maker. Therefore:

- Explain how COI has been presented: for example is it in chronological order (if yes, most recent first, or oldest first?) or does general information precede more specific information?

- If you have used older sources, you should include a note to explain why (e.g. the most recently available source on the topic, provided for background information or to show a change in circumstance etc).

- Consider explaining which sources you have consulted and in which timeframe.

- If a country has severe access restrictions or restrictions on human rights documentation, absence of free press then this will affect the available COI so it's worth including some illustrative sources documenting this.

- If you/others draft summaries of COI then it's important to make clear what is a direct quote, by use of quotation marks, what has been omitted by use of ellipses and what is a summary/ your own words.

- When using 'dubious' or lesser known sources, include a source description but stay neutral and check your own language for potential bias! Quote directly from the 'About Us' section of the source's website and methodology, if available.

- Make clear when information has been cross-checked.

- In case no information or only information from dubious sources was found, make visible which sources were consulted unsuccessfully.

▶▶ If including screenshots of images, maps, tables or figures included from a source, make sure that you have obtained relevant copyright permissions [only relevant if publishing your report].

▶▶ If including non-English language sources, they need to be officially translated.

▶▶ On presenting your sources, ACCORD recommends in their **COI training manual:**

- Include different kinds of sources that provide information on a given research issue.

- State clearly which source provided what kind of information.

- Explicitly point out where sources corroborate or contradict each other.

- Explicitly point out where corroboration was not possible.

- Explicitly point out where no information was found and let the reader know about your efforts. Do not imply that, for instance, the person, place or group in question does not exist or that an event did not happen.[16]

---

[16] Austrian Red Cross/ACCORD, **Researching COI Training Manual 2013 Edition, 2013**, 7.1.2. Style and Language, p.165

# Further reading

## COI Standards and Principles

- International Association for Refugee Law Judges (IARLJ), **Judicial Criteria for Assessing Country of Origin Information**, November 2006

- European Union, **Common EU Guidelines for Processing Country of Origin Information**, April 2008 April 2008

- Austrian Red Cross/ACCORD, **Researching COI Training Manual 2013 Edition**, 2013

- European Asylum Support Office (EASO), **Country of Origin Information (COI) Report Methodology**, June 2019

## Tools

- Ecoi.net, **COI Quality Standards according to the ACCORD training manual**, undated

- European Asylum Support Office (EASO), **Tools and Tips for Online COI Research,** June 2014

- European Asylum Support Office (EASO), **Researching the situation of lesbian, gay, and bisexual persons (LGB) in countries of origin**, April 2015

- ARC Foundation, **Thematic COI sources**, September 2020

# Notes