



Immigration Advisory Service

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# **The APCI Legacy: A Critical Assessment**

**Monitoring Home Office Country of Origin Information Products**



**The Immigration Advisory Service (IAS)**  
**The Country Information Centre (CIC)**  
**The Research Information and Policy Unit (RIPU)**

The Immigration Advisory Service (IAS) is the UK's largest charity providing representation and advice in immigration and asylum law. It was created in 1993 out of the former United Kingdom Immigrants Advisory Service (UKIAS) as an independent organisation publicly funded under the 1971 Immigration Act to provide free legal advice and representation to persons with rights of appeal against refusal of their applications.

The IAS Research and Information Unit (RIU) was re-constituted as the Country Information Centre (CIC) and Research Information and Policy Unit (RIPU) on 2<sup>nd</sup> November 2009.

CIC is now an independent Country of Origin information (COI) research service operating under the aegis of the Immigration Advisory Service Additional Services (IASAS), an independent company limited by guarantee, while RIPU continues to operate as part of the IAS by conducting applied research projects and related policy work funded by charitable trusts.

COI research for asylum cases has been undertaken since 1997 by the then RIU, now CIC. The CIC carries out research in accordance with standards and principles as laid down by the *Common EU Guidelines for Processing Country of Origin Information*<sup>1</sup>, the *ACCORD COI Network Manual*<sup>2</sup>, and the International Association for Refugee Law Judges *Judicial Criteria*<sup>3</sup>.

The CIC is represented in the following fora, where it actively participates in COI related discussions: Country of Origin Information Practitioners Forum (COIPF), Refugee and Asylum Forum (RAF), and the former Advisory APCI on Country Information (APCI). It further has close working relationships with the newly established Office of the Chief Inspector of the UKBA and its body the Independent Advisory Group on Country Information (IAGCI).

The CIC/ RIPU specialist COI researchers are also engaged in specific strategic research projects relating to the current debates on COI production and usage. For a list of publications and research projects please visit <http://www.iasuk.org/research.aspx>

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<sup>1</sup> European Union, Common EU Guidelines for Processing Country of Origin Information (COI), April 2008, <http://www.unhcr.org/refworld/docid/48493f72.html>

<sup>2</sup> ACCORD COI Network & Training, Researching Country of Origin Information: A Training Manual, September 2004, <http://www.unhcr.org/refworld/docid/42ad40184.html>

<sup>3</sup> IARLJ, Judicial Criteria for Assessing Country of Origin Information (COI): A Checklist, November 2006, <http://www.iarjl.org/conferences/mexico/images/stories/forms/WPPapers/Hugo%20StoreyCountryofOriginInformationAndCountryGuidanceWP.pdf>

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Any errors or omissions remain those of CIC/ RPU alone.

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## **(I) Explanatory Notes**

1. In this study, unless stated otherwise, all information concerning the Advisory Panel on Country Information (APCI) has been taken from APCI meeting minutes which are publicly available on the APCI website. A full list of all APCI meetings held with a link to the minutes of the meetings is provided in Appendix 2. Where an APCI meeting is referenced, the direct URL to the minutes is thus not provided in each footnote.
2. Twenty-one interviews with former members and observers of the APCI, country reviewers, Country of Origin Information Service (COIS) staff and COIS researchers were conducted. All individuals have been anonymised and interviewees are referred to only as 'members' or 'observers' or as representatives of their organisation as was agreed by the participants.
3. Due to numerous name changes, the 'Home Office' will be used to refer to the former Immigration and Nationality Directorate (IND), the Border and Immigration Agency (BIA) and the current UK Border Agency (UKBA) unless otherwise stated.
4. The IAS Research and Information Unit (RIU) was re-constituted as the Country Information Centre (CIC) and Research Information and Policy Unit (RIPU) on 2/11/2009. CIC is an independent COI research service operating under the aegis of the Immigration Advisory Service Additional Services (IASAS), an independent company limited by guarantee, while RIPU continues to operate as part of the Immigration Advisory Service (IAS) by conducting applied research projects. For more information on IAS, CIC or RIPU please see the 'Who we are' section.

## **(II) List of acronyms**

APCI	Advisory Panel on Country Information
ARK	Analysis, Research and Knowledge Management
BIA	Border and Immigration Agency
CIPU	Country Information and Policy Unit
COI	Country of Origin Information
COIS	(Home Office) Country of Origin Information Service
FCO	Foreign and Commonwealth Office
IFA	Internal Flight Alternative
ILPA	Immigration Law Practitioners' Association
IAGCI	Independent Advisory Group on Country Information
IND	Immigration and Nationality Directorate
IRSS	Immigration Research and Statistics Service
LGBT	Lesbian, Gay, Bisexual and Transgender
NDPB	Non Departmental Public Body
NSA	Non-Suspensive Appeals
OCPA	Office for the Commissioner of Public Appointments
OGN	Operational Guidance Note
RAF	Refugee and Asylum Forum
RDS	Research, Development and Statistics Directorate
RLC	Refugee Legal Centre
ToR	Terms of Reference
UKBA	United Kingdom Border Agency
UKLGIG	UK Lesbian and Gay Immigration Group

### **(III) Methodology**

The following study is a qualitative investigation into the monitoring work of the former Advisory Panel on Country Information (APCI) on raising the standards and quality of the Country of Origin Information Service (COIS) reports. The study consists of two parts:

1. An in-depth analysis of the workings of the APCI and
2. A detailed examination of the most recent COIS reports on Afghanistan, Iran, Iraq and Zimbabwe.

#### **Part 1: APCI Analysis**

A textual study was conducted of all the minutes of the APCI meetings which are publicly available on the APCI website.<sup>4</sup> Whilst the limitations of analysing minutes is acknowledged<sup>5</sup>, this provided a historical account of the establishment, formal function and working methods of the APCI over the course of its existence. This study also enabled a critical analysis of APCI's composition, working methods, internal discussions and external interactions, as well as of its intended monitoring and advisory role.

In addition to this textual study, twenty-one interviews with former members and observers of the APCI, country reviewers, COIS staff and COIS researchers were conducted with the aim of providing information about the discussions and monitoring work undertaken by the Panel and to explore the different perceptions on the success and limitations of the APCI.

Due to the fluid membership of the APCI, only those former members of the APCI, as currently listed on the APCI website, were invited to be interviewed.<sup>6</sup> Eight of the twelve former members agreed to be interviewed. In addition, Stephen Castles, former chair to the APCI was also interviewed. Similarly, due to the irregular attendance of observers at APCI meetings, observers who had consistently attended the most recent APCI meetings were selected for interview.<sup>7</sup>

Country reviewers who had, at some point, been commissioned by the APCI to review the Afghanistan, Iran and Iraq COIS reports were invited to interview, in order to correspond to the specific COIS reports selected for scrutiny for the second part of this report (see below).

Two senior COIS representatives were interviewed for the project, as were three COIS researchers, who were selected by the head of the COIS and interviewed collectively.

All individuals have been anonymised and interviewees are referred to only as 'members' or 'observers' or as representatives of their organisation as was agreed by the participants.

The following table shows the number of members, observers, country reviewers and COIS staff interviewed for this study:

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<sup>4</sup> See Annex A for a list of all APCI meetings held together with a link to the minutes.

<sup>5</sup> In particular, it is acknowledged that minutes, although detailed in the case of the APCI, are a partial record of the proceedings of any meeting and their accuracy is dependent on the skill of the minute taker and vigilance of the meeting attendees in scrutinising minutes and proposing amendments.

<sup>6</sup> See the following APCI webpage for a list of members: <http://apci.homeoffice.gov.uk/APCIMembers.html>

<sup>7</sup> See Annex B for APCI meeting attendance by institution and status.

	Members	Observers	Country reviewers	COIS staff	COIS Country Researchers
<b>No. contacted</b>	12	5	5	2	1***
<b>No. declined</b>	4*	1	1**	/	/
<b>No. interviewed</b>	8	4	4	2	3
<b>TOTAL interviewees</b>	21				

\* One person failed to reschedule an interview.

\*\* One person didn't reply to the request for interview.

\*\*\* Only the Head of the COIS was contacted to organise and coordinate interviews.

## Part 2: Analysis of the Afghanistan, Iran, Iraq and Zimbabwe COIS reports

Due to concerns about the quality of the country information produced by the Home Office, and given their importance in determining asylum decisions in the UK, in 2003 the IAS undertook a close-text analysis of 17 CIPU<sup>8</sup> country reports published in April 2003. The researchers examined the source material that was available to the Home Office and considered whether the information used and relied upon was portrayed accurately, without bias, and whether or not vital information had been left out. The researchers also considered whether the Home Office had consulted all of the relevant sources that were available in the public domain at the time of publication.

The findings of the study were categorised as follows:

- Basic inaccuracies
- Use of out-of-date material
- Omission of detail potentially relevant to an asylum claim
- Misleading presentation of material
- Lack of analysis leading to a falsely positive outlook
- Plagiarism
- Inappropriate use of source material

Given ongoing concerns about the quality of the country reports, follow-up studies on Home Office country reports were undertaken in 2004 and 2005. The findings of these reports were submitted to the APCI, and were described as "a very useful contribution to improving the quality of country reports."<sup>9</sup> Whilst the follow-up reports noted improvements in the quality of the selected countries reports, similar quality concerns to those as identified above were observed.

Part 2 of this report intends to investigate the extent to which these concerns persist. The quality criteria against which the COI contained within the country reports were assessed were drawn from the work undertaken by the Austrian Red Cross/ ACCORD, UNHCR, and the European Union.<sup>10</sup> The

<sup>8</sup> CIPU is the Country Information Policy Unit, which was formerly responsible for the production of country reports and other COI documents.

<sup>9</sup> APCI, Minutes of 4th Meeting held on 8 March 2005, para 3.15

<sup>10</sup> See Explanatory Note at the end of this section.



following criteria were identified with regards to the quality of the excerpted information presented in the country report:

### **1. Transparency and Retrievability**

- *The degree to which the primary and/or original source of a piece of information can be identified.*

*Each paragraph was examined for:*

- *Correct referencing:*
  - *Within each paragraph: accurate author, title, date of report cited (undated websites should cite the date accessed)*
  - *Within sources list: accurate author, title, date, date accessed cited*
- *Active and correct hyperlinks to original sources*
- *Clear distinction in use of direct quotation and paraphrasing.*

*Each type of inaccuracy was recorded and a tally given for the number of inaccuracies in each reference in the sources list and in each paragraph (some paragraphs therefore contained more than one type of inaccuracy). Where paragraphs were paraphrased, it was considered whether the paraphrasing was accurate, inaccurate, or whether unattributed comments were made.*

### **2. Currency**

- *Up to date or the most recent report available at time of publication.*

*Each paragraph was examined for the number of out-dated reports it contained. Out-dated was defined as a report over two years old at the date of publication of the relevant COIS report, in line with COIS's own guidelines to its research staff, or where more recent annual, periodic or thematic reports from the same source had been omitted.*

### **3. Accuracy**

- *Excerpts are an accurate representation of the source.*

*Each paragraph was examined for the number of instances where the excerpt had been taken out of context or where the excerpt did not reflect the general picture of the material contained in the original source.*

### **4. Range and Reliability of Sources**

- *More than one source and different kinds of sources used.*

*The selected sections of the report were examined for the range of sources they contained. The number of each type of source i.e. UN, governmental, Human Rights NGO [international and local/national], media [international and local/national], other sources [e.g. think tanks] were counted by particular research heading, and across the selected sections as a whole. It was also considered whether there was an over-reliance on particular sources or whether certain sources available in the public domain at the time of publication had been left out.*

### **5. Relevance of Information**

- *Information is pertinent to the matter, fact, event, or situation in question.*

*Relevant issues for research were identified for each country-specific case type example (see below). The issues for research were then compared to the relevant subject headings of the COIS report in question. The information contained under each subject heading of the COIS report was then examined as to how well it addressed the issues for research. In particular, the information was*

*examined as to whether it was up-to-date and whether the events or situation in question had changed prior to the publication of the COIS report. It was also considered whether a balanced picture of the issues had been presented in relation to the material available in the public domain at the time of publication, or whether particular information had been left out. Research gaps and useful sources were identified from the CIC/RIPU's own case-specific research.*

In order to provide a detailed analysis, it was decided to focus on four country reports produced by the Home Office. These were the most recent country reports as of October 2009 for Afghanistan, Iran, Iraq and Zimbabwe. This sample was selected based on the national number of asylum applications received for these countries, the number of times the reports had been subject to scrutiny by the APCI and by the proportionate number of cases the CIC/RIPU conducts research for.

In 2007 the 'Top 8' asylum seeking nationalities were (in descending order): Afghanistan, Iran, China, Iraq, Eritrea, Zimbabwe, Somalia and Pakistan.<sup>11</sup> A COI product produced for these countries has at some point been scrutinised by the APCI.<sup>12</sup> Of the eight countries in the sample, Afghanistan had been considered five times by the APCI, Iran four times (one of these was a Bulletin), Somalia three times, China, Zimbabwe and Pakistan were looked at twice, and Iraq and Eritrea were only looked at once.

Afghanistan and Iran were selected due to the fact that the highest number of asylum applicants originate from these countries and the fact that the APCI had most frequently (and recently) scrutinised the reports from these countries. Zimbabwe was selected in order to provide contrast since the APCI had only reviewed two Zimbabwe CIPU reports and none of the Zimbabwe country documents produced under COIS, for which there have been [three Bulletins, one FGM report and thirteen COIS country reports].

The fourth country selected for the sample was Iraq on the basis that, after China, it produced the next highest number of asylum applicants. It was decided not to focus on the China country report since the IAS represents a disproportionately small amount of Chinese clients, and therefore the CIC/RIPU does not undertake research for Chinese asylum applicants on a regular basis.

Due to resource constraints, it was not possible to conduct a close-text analysis of the entire Afghanistan, Iran, Iraq and Zimbabwe COIS reports. Instead, COIS report sections were selected by the following method:

- Research reports completed by the CIC/RIPU's for the relevant countries from July to December 2008 were examined with regards to the incidence of particular case-type profiles.
- A typical and commonly occurring case type example was selected and the main issues for research were identified.
- The sections of the COIS reports which addressed the issues relevant to these case types were selected for close-text analysis.

The following details the case type selection process by country:

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<sup>11</sup> These were the most recent annual statistics available in January 2009, the time at which the methodology was devised.

<sup>12</sup> For a list of documents reviewed by the APCI as of 8<sup>th</sup> October 2008 view: <http://apci.homeoffice.gov.uk/reviewed-documents.html>

## **Afghanistan**

### Afghanistan Profile of Research Reports Undertaken July-December 2008

[Numbers in brackets refer to occurrences]

1. Internal Flight Alternative (IFA), including security situation in Kabul and humanitarian situation in general [63]
2. Taliban resurgence and state protection [22]
3. Religious and ethnic treatment [20]
4. Perceived collaborator in general and specific [26]
5. Situation for minors [12]
6. Medical facilities in general and specific [10]
7. Situation for women [5]

The case type chosen was the situation for minors in Afghanistan. It was decided not to focus on IFA, perceived collaborators or on feared persecution by a non-state actor as this was to be covered in the Iraqi profile, while issues covering the treatment of ethnic minorities was to be covered in the Iran profile (see below).

The first three criteria ('Transparency and Retrievability', 'Currency' and 'Accuracy') were applied to the section of the COIS report considered relevant for this profile, which was Chapter 24 'Children.'

The fourth and fifth criteria concerning the issues of 'Range and Reliability of Sources' and 'Relevance of Information' were also applied to those sections of the report cross-referred to in Chapter 24. This was in order to provide a more holistic assessment of the range of sources and relevance of information included in the COIS report for the particular case type.

## **Iran**

### Iran Profile of Research Reports Undertaken July-December 2008

[Numbers in brackets refer to occurrences]

1. Political dissent; opposition organisations, supporters/ activists, family members [48]
2. Fair trial, detention, death penalty [26]
3. Apostasy, religious minorities, religious dissenters [19]
4. Return issues [18]
5. Treatment of ethnic minorities [15]
6. State security forces [15]
7. Freedom of expression [10]
8. Women, adultery, honour crimes [8]
9. Freedom of movement, entry/exit [5]
10. Medical [4]

The case type chosen was a male of Kurdish ethnicity from the Iranian Kurdish region who is a supporter of the Kurdish Democratic Party of Iran (KDPI) and fears the authorities on account of his political activities.

The first three criteria ('Transparency and Retrievability', 'Currency' and 'Accuracy') were applied to selected sections of the report that contained information about Kurds as an Ethnic Group (Chapter 20, paragraphs 20.02-20.10) and about Freedom of Political Expression and Opposition Groups in Iran, specifically the Kurdistan Democratic Party of Iran (KDPI) (Chapter 15, paragraphs 15.01-15.06 and 15.18-15.21). Also included in the analysis were sections dealing with the general Human Rights

Context (Chapter 7 paragraphs 7.01-7.09), Security Forces (Chapter 9, paragraphs 9.01-9.30) and Fair Trial in Iran (Chapter 11 paragraphs 11.16-11.18).

The fourth and fifth criteria concerning the 'Range and Reliability of Sources' and 'Relevance of Information' was examined in relation to the same sections of the report, with the addition of the entire section on the Judiciary (Chapter 11) and further sections dealing with other Opposition Groups in the Kurdish regions (Chapter 15, paragraph 15.04<sup>13</sup>-15.28). These additional sections were considered in order to provide a more holistic assessment of the range of sources and relevance of information included in the COIS report for the particular case type.

## Iraq

### Iraq Profile of Research Reports Undertaken July-December 2008

[Numbers in brackets refer to occurrences]

1. IFA within South and Central Iraq [69]
2. Security Situation in a specific area [60]
3. Sufficiency of Protection in South and Central Iraq [49]
4. Treatment of former Ba'ath Party members [31]
5. Treatment of perceived collaborators [19]
6. Treatment of Kurds [15]
7. Sufficiency of Protection in the Kurdistan Region of Iraq [10]
8. Treatment of Refused Asylum Seekers [10]
9. Patriotic Union of Kurdistan (PUK)/ Kurdistan Democratic Party of Iraq (KDP) Political Opponent [10]
10. Blood Feud in the Kurdistan Region of Iraq [7]

The case type chosen was a male Shi'a Muslim from South and Central Iraq that feared Ansar al Sunnah on account of his perceived collaboration with the Multi-National Forces. This was chosen in order to address the security situation in a particular area, sufficiency of protection and IFA within South and Central Iraq.

The first three criteria (Transparency and Retrievability, Currency and Accuracy) were applied to those sections of the COIS report considered relevant to this case-type: 8.93 'Perceived Collaborators and 'Soft Targets''. With regards to the agent of persecution, three sections were chosen: 12.09 'Sunni Arab Insurgents,' and two sections of 'Annex D Current Insurgent/ militia groups': 'Ansar al-Islam' and 'Ansar-al Sunnah.' With regards to internal relocation within South and Central Iraq, 30 'Freedom of Movement', 30.22 'Documentation for Travel Within Iraq', and 31 'Internally Displaced People' were selected. As it was to be assumed that the designated place of relocation is Baghdad, section 8.21 'Baghdad' was also examined.

In addition to these sections, the final criteria 'Range and Reliability of Sources', and 'Relevance of Information' were also applied to those further parts of the COIS report cross-referred to that were also considered relevant to the profile in question.

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<sup>13</sup> Please note an error in the COIS report paragraph numbering: Chapter 15, Freedom of Political Expression contains paragraphs numbered 15.01-15.06; the subsequent section Opposition Groups and Political Activists commences with paragraph 15.04.

## Zimbabwe

### Zimbabwe Profile of Research Reports Undertaken July-December 2008

[Numbers in brackets refer to occurrences]

1. Treatment of MDC Members/Political Opponents [57]
2. Treatment of Refused Asylum Seekers [25]
3. Humanitarian Situation [18]
4. Security/ Political situation in a specific area [13]
5. Situation for a single lone woman [15]
6. Treatment for Persons with HIV/AIDS [12]
7. Treatment of Zimbabweans in South Africa
8. Treatment of Movement for Democratic Change (MDC) UK Members [8]
9. Treatment of Minors [5]
10. Treatment of NGO Workers [4]
11. Treatment of Whites [3]
12. Treatment of Homosexuals [2]]

The case type chosen for this country was a HIV positive man, requiring Anti Retro-Viral treatment. It was decided not to focus on the political situation in Zimbabwe due to the (then recently) promulgated November 2008 *RN* Country Guidance case which set out the risks for those persons unable to show loyalty to the ZANU-PF regime.

The first three criteria ('Transparency and Retrievability', 'Currency' and 'Accuracy') were applied to those sections of the COIS report considered relevant to this case-type: Chapter 27 'Medical Issues.'

In addition to these sections, the final criteria 'Range and Reliability of Sources', and 'Relevance of Information' were also applied to those further parts of the COIS report cross-referred to that were also considered relevant to the profile in question.

## EXPLANATORY NOTE

The Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD) <sup>14</sup> identifies the following main substantive criteria for high quality COI:

- Relevance
- Reliability and Balance
- Accuracy and Currency
- Transparency and Retrievability

ACCORD further identifies the main procedural criteria for high quality COI research as:

- Equality of arms
- Using and producing public domain material
- Impartiality and neutrality of research
- Protection of personal data of the applicant

The EU Guidelines for Processing Country of Origin Information<sup>15</sup> identify the following quality criteria for evaluating and validating information:

- **Relevance:** pertinent to the matter, fact, event, or situation in question.
- **Reliability:** trustworthy to the matter, fact, event, or situation in question.☒
- **Currency:** up-to-date or the most recent information available AND where the events in question have not changed since the release of the information.
- **Objectivity:** not influenced by emotions, personal prejudices, interests or bias.
- **Accuracy:** conformity of a statement, or opinion, or information to the factual reality or truth.
- **Traceability:** the degree to which the primary and/or original source of a piece of information can be identified.
- **Transparency:** the quality of the information is clear, non equivocal and intelligible.

The same guidelines identify the following general principles for the selection and validation of sources:

- Any source may provide information that can be relevant to RSD (no source should be excluded without further consideration)
- COI researchers should always try to find more than one source and different kinds of sources (e.g. governmental, media, international organizations, NGO's etc.)
- Researchers should always consult a variety of source and check the adequacy of the source
- Validation of sources implies:
  - assessing the context of the source in which it operates (to what extent is the source influenced by its context?)
  - assessing the objectivity and reliability of the source.

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<sup>14</sup> Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD) & Austrian Red Cross, Researching Country of Origin Information: A Training Manual 2004 & 2006, <http://www.coi-training.net/content/doc/en-COI%20Manual%20Part%20I%20plus%20Annex%2020060426.pdf>

<sup>15</sup> Common EU Guidelines for Processing Country of Origin Information (COI), April 2008, <http://www.unhcr.org/refworld/docid/48493f72.html>

UNHCR's report *Country of Origin Information: Towards Enhanced International Cooperation*, February 2004<sup>16</sup> identifies that in general, to evaluate any particular source it is important to ascertain:

- (i) Who produced the information and for what purposes (taking into account such considerations as the mandate and the philosophy of the information producer);
- (ii) Whether the information producer is independent and impartial;
- (iii) Whether the information producer has established knowledge;
- (iv) Whether the information produced is couched in a suitable tone (objective rather than subjective perspective, no overstatements, etc.);
- (v) Whether a scientific methodology has been applied and whether the process has been transparent, or whether the source is overtly judgmental.

Finally, information sources should be regularly re-evaluated as changing circumstances can affect the accuracy and reliability of information.

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<sup>16</sup> UNHCR, *Country of Origin Information: Towards Enhanced International Cooperation*, February 2004, <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?docid=403b2522a&page=search>

## **(IV) Executive Summary**

This report is a study of the impact of the independent monitoring of the Advisory Panel on Country Information (APCI) on raising the standards and quality of UKBA Country of Origin Service (COIS) reports. The assessment consists of two distinct parts: an analysis of the work of the APCI and an analysis of limited sections of four COIS reports from a list of 'Top 10' refugee producing countries of origin.

It is envisaged that findings and recommendations of this report will inform best practice of the new Independent Advisory Group on Country Information (IAGCI) and of COIS. It is also intended that this project will inform all stakeholders within the refugee status determination process about the quality and limitations of COIS reports.

This report was motivated by the following factors:

- COIS reports are extensively, often exclusively relied upon in refugee status determination by Home Office decision makers, and are put before the Tribunal by Home Office Presenting Officers and legal representatives
- COIS reports are also relied upon in EU jurisdictions and COIS is regarded as the leading governmental body in the EU producing country of origin information (COI) reports
- The APCI is heralded as the leading EU independent monitoring body of government produced COI reports
- The APCI is credited with separating the country information and policy functions of the Home Office, and with improving the standards and quality of COIS reports
- No assessment has been made of the effectiveness of the APCI in raising the standards and quality of COIS reports
- The Country Information Centre/ Research Policy and Information Unit (CIC/ RPU) of the IAS remains concerned with the quality of COIS reports given their importance in determining asylum decisions in the UK and beyond
- In July 2008 the APCI was subsumed under the Office of the Chief Inspector of the UKBA, and a new group, the Independent Advisory Group on Country Information was created in March 2009

### **Part 1: The APCI – a critical reflection on its monitoring and advisory role**

#### **Part 1A**

Part 1 of this study is an examination of the work of the APCI. It is based on an analysis of the minutes of all Panel meetings held and on interviews conducted with former Panel members, observers, COIS representatives, COIS country researchers and experts commissioned to review country reports by the Panel.

Part 1A provides an in-depth critical assessment of the establishment, function, structure and formal working methods of the APCI. It details the political context in which the APCI was set up, and establishes that the Home Office was able to dictate the Terms of Reference of the APCI. It is argued that the transparency of the APCI was compromised by the membership selection process and reporting procedure.

Part 1A argues that the independence of the Panel was also compromised by the way that COI material produced by the Home Office was selected for review. It demonstrates that the Panel



lacked any formal criteria for country report selection, and that in practice selection was determined by the Home Office in liaison with the Chair, often outside of the APCI meetings and thus with little input from Panel members or observers. Reviews of country reports were typically determined by Home Office policy considerations relating to proposed Non-Suspensive Appeal (NSA) designation: 34 out of 58 country reports reviewed by the Panel were selected for this reason.

Part 1A identifies a worrying lack of transparency in the appointment of country experts commissioned by the Panel to undertake reviews of COIS reports. It explores the possible negative impact this had on how APCI members and observers and COIS staff viewed the credibility of the reports. The lack of detailed instructions given to experts is discussed with regard to the impact this had on the quality of the reviews undertaken and on the tensions between the Panel and COIS concerning whether the COIS reports were intended to meet academic or 'user-led' standards. It is argued that whilst the production and format of the expert reviews and Home Office response facilitated discussion at APCI meetings, it was compromised by the fact that the experts and COIS researchers were rarely in attendance.

The conduct of the APCI meetings is discussed with reference to the member/ observer distinction, engagement between members/ observers and experts, and the chairing of the meetings. The controversial issues of the Panel's role in reviewing country reports for countries proposed for Non-Suspensive Appeals status and the ongoing debate over whether information contained in Operational Guidance Notes should have fallen within the remit of the Panel are discussed.

Part 1A concludes by arguing that despite the widespread praise for the APCI, the lack of a robust monitoring mechanism for the implementation of the expert recommendations seriously compromised the effectiveness of the Panel. This is demonstrated by the APCI failing in its target of undertaking follow-up reviews on the country reports in five of the ten meetings, failing to commission follow-up reviews for those countries up for NSA designation, and failing to commission follow-up for any of the thematic reviews. In addition to a lack of follow-up reviews, it is argued that the APCI was further compromised by the fact that Panel recommendations were not binding on the Home Office and that the process by which the expert recommendations became Panel recommendations was unclear. Whilst the Home Office did state their intention to accept many of the suggestions made by the experts, the Panel itself did not investigate whether the changes had actually been made in practice. Given the heavy reliance on COIS reports in refugee status decision-making it is also a matter of concern that COIS reports were not immediately amended following the expert review being presented at the relevant APCI meeting, but that there was often a time lag of several months.

Detailed recommendations are made to the IAGCI regarding its Terms of Reference, membership, reporting procedure, country report selection; expert selection and instructions; expert report production and monitoring process. It is recommended that the Chief Inspector of the UKBA takes on the task to review the country information content of OGNs as a matter of urgency.

## **Part 1B**

Part 1B provides an overview and critical assessment of the substantive issues discussed during APCI meetings by members/ observers and experts on the content of specific country reports and on the production process of COIS material. These issues have been grouped and discussed as follows: the use of sources in COIS reports - including selectivity and perceived Home Office bias, accuracy of referencing and citation, range of sources, currency of sources, treatment of contradictory information; the format and structure of COIS reports; the inclusion of analysis or commentary; the scope and focus of reports – including choice of issues and omissions and the focus of reports as

operational tools. Detailed observations and recommendations have been made in relation to each of these issues.

Part 1B found that tangible improvements in the basic accuracy and quality control of COIS reports was achieved during the period of monitoring by the APCI Panel, in part through the separation of COI production from the policy unit within the Home Office and in part through the revision of methodology and quality control procedures and the introduction of training for staff. However, it is also evident from the deliberations of the Panel and the expert reports submitted to it, that concerns about the quality and adequacy of Home Office COI products remain and that continuing scrutiny and monitoring is required. This is acknowledged by the Chief Inspector of the UKBA in the establishment of the IAGCI.

Concerns remain about the current positioning of COIS within the Home Office, its independence and the level of involvement of in-house research professionals, since COIS has moved from Research Design Statistics (RDS) to the Operational and Performance Directorate. The tension between the perception and treatment of COIS reports as research documents or as 'user-led' operational tools in the discussions is described. This tension, which remains unresolved and problematic, is seen to affect the methodology of production of the reports, the way in which they are scrutinised and monitored and indeed the way in which they are used. Recommendations have been made which seek to achieve some clarification and agreement on this issue between those who produce the reports, those who review them and those who ultimately use them.

Part 1B considers the use of sources in some detail, including the importance of vigilance in accurate referencing and citation and the importance of using the most current and wide ranging sources to address issues of relevance to asylum claims for each country. In this context the serious limitation of periodic generic reports, such as the COIS reports, is discussed and the observation is made that they cannot succeed in providing the most up-to date and complete information on all potentially relevant aspects of the situation in the countries of origin of asylum seekers. Such situations may be subject to rapid and significant change, and individuals' claims may be highly idiosyncratic.

It is noted that while Home Office case owners can make use of case specific information requests, this is currently a restricted service and the extent to which it is used is unknown. Moreover, since these reports are not made public they are not open to scrutiny and are not available to all parties in asylum proceedings. Furthermore, it is noted that decisions about the range of sources used and issues covered in COIS reports are made by COIS in consultation with Home Office case owners through user group meetings, all parties on one side of an adversarial asylum process. This is considered to be problematic, particularly given serious concerns that have been reported about the 'culture of disbelief' in the Home Office in relation to asylum claimants, and about inadequate and inconsistent use of COI in first instance decision-making. It is recommended that the best way for the Home Office to address these issues would be to both enhance the COIS information request service and encourage the routine use of it by case owners with all the resource implications that this implies, and to involve external interested parties in user group meetings in order to expand the feedback loop on relevant COI issues for asylum claims.

## **Part 2: COIS Reports – a snapshot analysis**

Part 2 is a close-text analysis of limited sections of the Afghanistan June 2009, Iran August 2009, Iraq September 2009 and Zimbabwe July 2009 COIS reports. This sample was selected based on the national number of asylum applications received for this country, the number of times the reports

had been subject to scrutiny by the APCI and by the proportionate number of cases the CIC/ RPU conducts research for.

Research reports completed by the CIC/RPU for the relevant countries from July to December 2008 were examined with regards to the incidence of particular case-type profiles. A typical and commonly occurring case type example was selected:

- Afghanistan: Situation of minors
- Iran: Male Kurd from the Iranian Kurdish region who is a supporter of the Kurdish Democratic Party of Iran (KDPI) and fears the authorities on account of his political activities
- Iraq: Male Shi'a Muslim from South and Central Iraq that fears Ansar al Sunnah on account of his perceived collaboration with the Multi-National Forces
- Zimbabwe: HIV positive man, requiring Anti Retro-Viral treatment

The main issues for research for these case types were identified and the sections of the COIS reports which addressed these issues were selected for close-text analysis. The relevant sections of the report were then analysed against the following five quality criteria and the following trends were observed:

#### 1. Transparency and Retrievability

The most serious inaccuracies concerned referencing, including indirect, broken, incorrect or no hyperlinks to source documents being provided. This lack of transparency made it extremely time consuming to locate the original documents cited in order to assess the accuracy of the excerpt and the reliability and relevance of the information contained in the COIS report. Incomplete referencing is likely to discourage or even prevent caseowners from accessing the original documents. This is of great concern given that COIS reports are not intended to be comprehensive country reports but rather, as detailed in the introduction to each report, to provide caseowners with "general background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom." Thus, at the very least, caseowners should have unimpeded access to all documents contained within the COIS reports.

A variation in the quality of referencing was also observed across the different country reports, suggesting the need for more prescriptive standard instructions to COIS researchers in compiling the country reports, or a variance in skill across the COIS researchers, demonstrating the need for further training on the standards of COI referencing.

Inaccurate or incomplete information was also observed in the sources list with regard to the author, title, date of report and date of access. It was also not always clear whether the original source had been directly quoted or paraphrased. However, no particular pattern to these errors was observed, suggesting that many of the inaccuracies are due to carelessness and lack of subsequent editing and auditing.

Good practice was noted in that each quote was referenced (even if not always correctly) and where a longer report had been sourced, the relevant section number or page number was indicated. This approach is welcomed and encouraged.

#### 2. Currency

Few 'outdated' reports (over two years old) or annual/ thematic reports that had been superseded by more recent ones were included in the examined sections of the COIS reports. Whilst in some of

these instances the new report contained very similar information, in other cases the new report contained less detailed information. It is therefore recommended that where older sources are included, an explanation for the decision not to include the updated information should be given.

### 3. Accuracy

Very few occasions were noted where the COIS report excerpt misrepresented the original source. No instances were recorded in the examination of the Zimbabwe report, and only one example was observed in the Iran and Afghanistan reports. However, five instances were recorded in the Iraq report, and in two of these the excerpts in the COIS report portrayed the situation in Iraq in a more positive light than as documented in the original source.

### 4. Range and Reliability of Sources

Across the sections of the four COIS reports analysed an overreliance on one particular type of source was observed, and in some sections, an overreliance on one particular named source. Sources were also cited that are not available in the public domain. It is vital for a generic country report, such as COIS reports, to include as varied sources as possible in order to verify and corroborate the information cited. Moreover all information contained in a COIS report should be publically available in order to be transparent and retrievable.

### 5. Relevance of Information

(i) *Research and information gaps, both in terms of detail and depth, on the issues relevant for a claimant of the particular profiles selected*

Section headings of the reports analysed were overly simplistic and failed to address the relevant issues for research required for the case type profiles examined.

In some cases information gaps could be filled with a more complete use of sources already cited in the COIS reports. In other cases, further sources readily available in the public domain could have usefully been included. It is recommended that further efforts are made by COIS to find reliable sources of information, for example, from recognised country specialists and local sources, such as representatives of political organisations, human rights organisations and professionals such as lawyers or academics.

(ii) *Minimalistic use of section headings*

In addition to signifying insufficient information on the particular case types selected, a lack of detailed subsections results in information relating to distinct case type profiles being conflated and difficult to identify. This was particularly noted for profiles fearing non-state agents of persecution, where country information to address the possibility of internal relocation is required.

A lack of subsections also affects the user-friendliness of generic COIS reports as it makes information relevant to asylum claims difficult to find, which might lead to it being overlooked. Consequently, the case owner might assume that such information does not exist, leading to a decision on refugee status being made with inadequate COI.

(iii) *A lack of commentary on access to sources in the reports*

When inadequate information was included in a report on a particular issue, it was not clear if this was due to a lack of information being found, or if a decision was made not to include information.

Given the concern that COIS reports might be seen as determinative on the issue in question, such commentary is required to ensure that relevant information and sources are not overlooked.

Where an issue has been identified as of relevance to asylum claims and there is an evident lack of information available on the subject in public domain materials, at the very least this should be explicitly noted in the relevant section of the COIS report and decision makers (case owners and legal representatives) should be cautioned against drawing dangerously unsubstantiated and speculative conclusions based on an absence of information.

*(iv) Insufficient use of cross-referencing to other relevant and specific sections*

Insufficient use of cross-referencing affects the user-friendliness of generic COIS reports and the efficient use of time.

*(v) Random agglomeration of quotes*

When quotes are presented in no particular order it makes it very difficult and time consuming for the user to read through the section. A random agglomeration of quotes does not guide the user through the information contained in the relevant section nor might it alert the user to any discrepancies/ difference in information from the selected sources.

*(vi) Omission of up-to-date information from a varied selection of sources*

A lack of current information relevant to particular claimant profiles was observed across the four COIS reports, with a delay of up to two months existing between the cut off date for the inclusion of sources in the country reports and the actual publication. This highlights a serious shortcoming in relying upon generic country reports in the refugee status determination process, especially for countries where situational changes are fast-paced.

## **(V) Summary of Recommendations**

### **Recommendations to the Office of the Chief Inspector of the UKBA**

- Conduct an inspection as a matter of urgency into the COI content of OGNs and the way OGNs are being used in decision-making.
- The liaison and communication channels between the Chief Inspector, the Home Office, the IAGCI and the RAF should be laid out in a more transparent manner and any correspondence be made public.
- Encourage COIS to make Case-Specific Research Service memos available in the public domain.

### **Recommendations to the IAGCI**

#### **Terms of Reference of the IAGCI**

- Increase the number of times the IAGCI meet per year in order to review a greater number of COIS reports produced by the UK Border Agency, given the accepted importance of continuous scrutiny.
- Clarify the membership and chair selection procedure of the IAGCI.
- Provide all new members with a briefing that includes background information on the UK asylum process, and on the COIS service, and the IAGCI's mandate, structure and working methods, to ensure that everyone is fully informed as to the scope and purpose of the IAGCI monitoring of COIS reports.
- The IAGCI should reintroduce the former APCI disclaimer on every Home Office COI document stating that the existence and review process of the new body, the IAGCI, does not mean endorsement of the material or the asylum process, specifically the NSA process.
- The IAGCI should press the Chief Inspector to conduct an inspection as soon as possible into the COI content in OGNs and the way OGNs are being used in decision-making.

#### **Country Report Selection**

- Ensure that every effort is made to achieve the new IAGCI target of reviewing 3 'Top 20' country reports per meeting, according to the agreed selection criteria.
- Improve transparency of country selection by recording any discussions between UKBA and the IAGCI Chair outside of the IAGCI meetings.
- Accurately minute the discussions between the Group over the country report selection, including the reasons given for the selection, and whom the selection was made by.
- Ensure that if a country is being proposed for NSA designation, an *additional* IAGCI meeting is called.
- Continue to commission thematic reviews of COIS products.

#### **Expert Selection and Instructions**

- Improve transparency of expert selection by making the criteria against which experts will be selected available in the public domain.
- Provide experts with a briefing of the UK asylum process and of COIS prior to their undertaking the country review.

- Revise instructions to experts to clarify the purpose and scope of the COIS reports from a user-led perspective; these instructions should be informed by all parties to the refugee status determination process.
- Consider COIS's recommendation that reviewers should be informed of the main types of asylum claims of the country up for review; involve other parties to the refugee status determination process and other users of country information in addition to the Home Office in suggesting what the main types of claims are, and what the main issues for research are for these particular claims.
- Consider the COIS researchers' recommendation that different country experts be commissioned where a country is up for review more than once.
- Make instructions to experts undertaking country reviews and thematic reviews publically available on the new IAGCI website.

### IAGCI Meetings

- Invite the country expert and relevant COIS country researcher to attend the IAGCI meeting at which their country report is up for review.
- Encourage COIS to always detail the reasons for not accepting particular recommendations made by the country expert and ask for a projected timeline when recommendations will be implemented.
- Send the relevant materials to the IAGCI well in advance of the meetings (at least 3 weeks).

### IAGCI Monitoring Process

- Ensure that Home Office annotated expert reports are available in the public domain.
- The IAGCI report submitted after each meeting to the Chief Inspector containing recommendations for changes in COIS products should be made public, as should the annual IAGCI report.
- Clarify the extent to which COIS must comply with IAGCI recommendations and a suggested time frame within which this should happen.
- Commission follow-up reviews for all COIS reports, including reports for countries proposed for NSA designation and for thematic reviews. These reviews should include an analysis of the implementation of expert suggestions recommended by the IAGCI.
- Ensure that following the expert review and IAGCI recommendations, every effort is made by COIS to publish an amended report as soon as practically possible.
- A formal avenue should be set up for COIS report users other than UKBA caseowners such as experts, legal representatives and Immigration Judges, to either Refugee and Asylum Forum (RAF) or the IAGCI to facilitate and encourage these users to submit concerns or complaints about the quality of the reports. This should be fed into the IAGCI review process.

### Future Directions of the IAGCI

- Commission research on the methodology of reviews of UKBA COIS reports, with reference to the 'usability' and efficacy of the reports as operational tools for decision makers and other users.
- Undertake a linked investigation into the 'usability' of COIS reports with an investigation into the use of COI by first instance decision makers (ie. UKBA case owners).
- Invite COIS to report to the IAGCI/ RAF on the current position of their department within UKBA and specifically to clarify their relationship with the respective operational and research arms of UKBA and the implications that these relationships have for the production of COI reports.

- Consider the scrutiny of the Home Office COI information request service as part of the remit of an expert review of a country report.
- Monitor on a regular basis the COIS training programme, including auditing specific courses, as suggested by the COIS representative..

## **Recommendations to COIS**

### **With regards to the Case-Specific Research Service**

- COIS should make available information about the use of the information request service and the resourcing of the service in order to gauge the existing use and potential under-use of the system.
- COIS should make information request reports available in the public domain.
- COIS should consider an expansion of the COI information request service in order to provide a more comprehensive and case specific resource to case owners.

### **With regards to the IAGCI**

- Where possible, COIS researchers should attend the IAGCI meeting at which their country report is up for review.
- COIS should always detail the reasons for not accepting particular recommendations made by the country expert.
- COIS should consider involving external parties in its user group meetings in order to expand the feedback loop to other parties who use COIS products, for example members of the IAGCI and the RAF, and feedback regularly the outcome of these meetings to the IAGCI.
- COIS should report to the IAGCI on the current policy with regard to the inclusion of analysis/ commentary in COIS country reports, including plans for training and monitoring.

### **With regards to the production of COI material**

#### **Transparency and Retrievability**

- Only original sources should be cited as source documents, and not compiled sources or databases.
- In each paragraph of the COIS report, the source, title of the report and publication date should be cited, as well as paragraph/ section or page number where appropriate.
- In the sources list each source, title, publication date, URL and date accessed should be cited.
- References to source material should be listed in alphabetical order.
- Direct and 'live' URLs should be provided to the original source cited.
- When COIS reports are updated every URL should be checked for accuracy and the 'access date' updated.
- Direct quotes should clearly be indicated as such.
- For ease of reference and navigation, the *References to Source Material* section should list the sources in alphabetical order and provide URLs that directly link to the relevant report, article or webpage.



### Currency

- Sources that are over two years old at the date of publication of the relevant COIS report should be removed unless they contain information necessary to provide a historical account or their use is otherwise explicitly justified.
- The most recent annual/ thematic reports for a particular country should be included.
- In cases where older information is included, an explanation should be given as to why it has been included.
- The cut-off time for research and the time of publication should be shortened in order to ensure the currency of the information.

### Accuracy

- All excerpted information should accurately portray the general picture of the original source.

### Range and Reliability of Sources

- Where possible varied types of sources should be relied upon, including governmental, UN, national and international human rights NGOs, national and international media reports and articles. Reports by think tanks, research organisations, intergovernmental organisations and others, can usefully supplement such information to achieve a balance of sources.

### Relevance of Information

- The use of section and subsection headings should be expanded.
- Quotes should be rearranged under section headings by date of publication or topic streams.
- More gender-specific and gender-sensitive information should be included.
- Consider the inclusion of suggested sources as provided in the Annexes.
- Duplication of information under different research headings should be encouraged, if it assists in closing information gaps.
- Consider using 'cautionary notes' to signpost the user to other relevant sections within the COIS report and to inform about lack of available information contained in the COIS report
- Where a lack of information in the COIS report is indicative of a lack of information in the public domain, this should be explicitly stated.
- Commission specific research from expert sources on the issues for which there is a lack of relevant information in the public domain.
- Where non-public domain sources have been used, make the materials available in full to users on request in order to ensure transparency and facilitate 'equality of arms'.

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## 1) Background to the APCI

With the introduction of the White Paper *Firmer Faster Fairer*<sup>17</sup> in 1998, the then Home Office Immigration and Nationality Directorate (IND) began an era of multi-stakeholder engagement and consultation with NGOs and other statutory agencies, avowedly to end the lack of accountability and transparency in the Home Office asylum decision making policies and procedures that had prevailed until then. One of the issues which the stakeholder discussions flagged up was Country of Origin Information (COI) provision in the Refugee Status Determination (RSD) process.

The adversarial asylum system had come under heavy criticism, and various changes to ameliorate it were being explored, amongst others the establishment of an Independent Documentation Centre for the provision of COI to all actors involved in the RSD process. At that point the Home Office's Country Information Policy Unit (CIPU) was producing COI reports, which were being relied upon at both first instance decision making as well as at appeals and were under no independent scrutiny.

A Consultative Group comprising of members from the different stakeholder groups was set up to explore the idea of an Independent Documentation Centre. This Consultative Group made recommendations in December 1998 that common, agreed country bundles be relied upon at appeals and that the feasibility of setting up an Independent Documentation Centre should be considered given that CIPU was part of the IND, which was responsible for making first instance asylum decisions.<sup>18</sup> It was felt that at least in the sphere of COI, asylum decision making could be taken out of the adversarial system.

The NGO 'Justice', prominently involved in campaigning for a fairer asylum system, stated in its briefings on the 1999 Asylum and Immigration Bill that setting up an Independent Documentation Centre was unanimously supported by all the NGOs and Home Office Officials present at these consultations and regretted that the Bill made no provision to support the establishment of an Independent Documentation Centre.<sup>19</sup> The matter, it seems, was laid to rest since no further discussion or amendments to any follow-up Acts were made.

In place of an Independent Documentation Centre, in 2002 the Advisory Panel on Country Information (APCI) was set up by statute to consider and make recommendations to the Secretary of State about the content of country information.

It was not until September 2003 that the matter of an Independent Documentation Centre was raised again when the then Minister for Immigration, Beverley Hughes, had to respond to a written question in Parliament about setting up an Independent Documentation Centre.<sup>20</sup> The Minister admitted that the Consultative Group had made its recommendations, but on the basis of independent research commissioned by CIPU<sup>21</sup> and on other considerations, the IND felt that they had to focus their resources on "recovering initial decision making" and making further

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<sup>17</sup> The Secretary of State for the Home Department, *Firmer Faster Fairer*, July 1998, <http://www.archive.official-documents.co.uk/document/cm40/4018/contents.htm>

<sup>18</sup> Beverley Morgan, Verity Gelsthorpe, Heaven Crawley and Gareth A. Jones, *Country of Origin Information: A User and Content Evaluation*, September 2003, <http://www.homeoffice.gov.uk/rds/pdfs2/hors271.pdf>

<sup>19</sup> Justice, *Asylum and Immigration Bill: Effective Determination Procedures*, March 1999, <http://www.justice.org.uk/images/pdfs/proce.PDF>

<sup>20</sup> Beverley Hughes, Parliamentary written response to Lynn Jones MP, 18 September 2003 <http://www.parliament.the-stationery-office.co.uk/pa/cm200203/cmhansrd/vo030918/text/30918w19.htm>

<sup>21</sup> *ibid.*

improvements to CIPU products, which were now “considered reliable” and used in jurisdictions outside of the UK.<sup>22</sup>

However, the only doubt expressed by the independent researchers about establishing an Independent Documentation Centre was around the question of how it would be funded.<sup>23</sup> It was felt that inadequate governmental funding could give rise to practical problems of quality control and dissemination, similar to the ones faced by CIPU.<sup>24</sup>

The matter of the Independent Documentation Centre was raised yet again in Parliament, this time in the House of Lords in October 2003, and during the time when the Advisory Panel on Country Information (APCI) was already functioning. The government’s position was that they had set up the APCI, which was independent and with its help CIPU products would improve, and therefore the question of an Independent Documentation Centre became superfluous.<sup>25</sup> Whatever the merits or not of an Independent Documentation Centre, the government was not able to countenance the possibility of relinquishing control over the production of COI.

## 2) Establishment and Function of the APCI<sup>26</sup>

The APCI was established through the 2002 Nationality, Immigration and Asylum Act.<sup>27</sup> Section 142 of the legislation laid out the following points with regards to the membership and function of the APCI:

- (1) The Secretary of State shall appoint a group of not fewer than 10 nor more than 20 individuals (to be known as the Advisory Panel on Country Information).*
- (2) The Secretary of State shall appoint one member of the Advisory Panel as its Chairman.*
- (3) The function of the Advisory Panel shall be to consider and make recommendations to the Secretary of State about the content of country information.*
- (4) In this section “country information” means information about conditions in countries outside the United Kingdom which the Secretary of State compiles and makes available, for purposes connected with immigration, to—*
  - (a) immigration officers, and*
  - (b) other officers of the Secretary of State.*
- (5) The function of the Advisory Panel shall be shared among its members in accordance with arrangements made by the Chairman.*
- (6) A member of the Advisory Panel shall hold and vacate office in accordance with the terms of his appointment (which may include provision about retirement, resignation or dismissal).*
- (7) The Secretary of State may—*
  - (a) pay fees and allowances to members of the Advisory Panel;*
  - (b) defray expenses of members of the Advisory Panel;*
  - (c) make staff and other facilities available to the Advisory Panel.<sup>28</sup>*

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<sup>22</sup> Ibid.

<sup>23</sup> Ibid.

<sup>24</sup> Ibid.

<sup>25</sup> Lord Bassam of Brighton, Response to Lord Hylton 30 October 2002

<http://www.publications.parliament.uk/pa/ld200203/ldhansrd/vo031030/text/31030-16.htm>

<sup>26</sup> The first APCI meeting took place in September 2003, followed by 10 additional meetings held approximately every 6 months, except when an Extraordinary meeting was called. This occurred twice. For a list of all meetings held see Appendix 2.

<sup>27</sup> Nationality, Immigration and Asylum Act, Part 6, Article 142,

[http://www.opsi.gov.uk/acts/acts2002/ukpga\\_20020041\\_en\\_11#pt6-pb10](http://www.opsi.gov.uk/acts/acts2002/ukpga_20020041_en_11#pt6-pb10)

<sup>28</sup> Ibid.

In short, the APCI was given the mandate to analyse, evaluate and make recommendations on the content of all country of origin products compiled and produced by the Home Office. As the Chair of the APCI made clear at the start of almost each meeting, the “APCI’s remit was very specific and quite narrow – to consider and provide advice on the Home Office’s Country of Origin Information (COI) material. Although COI played a crucial role in the asylum process, it was not part of the Panel’s function to discuss wider asylum related issues.”<sup>29</sup>

The Terms of Reference (ToR) for the APCI, as stated on its website and amended in April 2006<sup>30</sup>, details the Panel’s function, namely

*To review and provide advice about:*

- *the content of country of origin information (COI) material produced by the Home Office, to help ensure that this is as accurate, balanced, impartial and up to date as possible;*
- *the sources, methods of research and quality control used by COI Service, to help ensure that these support the production of COI material which is as accurate, balanced, impartial and up to date as possible;*
- *the relevance, format and "user-friendliness" of COI Service’s COI material.*<sup>31</sup>

These ToR were based on a document that CIPU had prepared for the first APCI outlining its views on what the ToR should include.<sup>32</sup> It is not mentioned in the Minutes of that meeting why CIPU had produced such a document, whether it had been instructed to do so in its capacity to act as the Secretariat of the APCI<sup>33</sup>, or whether the Chair or other members had also been instructed but had declined.<sup>34</sup> Nor is it mentioned anywhere in the Minutes or elsewhere that a discussion over the ToR took place. From the start, this raises a question over the independence of the APCI since the Home Office had the sole responsibility of constructing and determining the ToR.<sup>35</sup>

Although the ToR were broad, in practice the review of country information produced by the Home Office was limited to COI Reports (both in published and draft form), COI Key Documents (both in published and draft form), Fact Finding Mission reports, and Thematic Reviews (on Women, Children and LGBT). These products were all produced by the Country of Origin Information Service (COIS), formerly known as the Country Information and Policy Unit (CIPU) in order to assist Home Office officials in the refugee status determination process. Despite being a hotly contested issue, the

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<sup>29</sup> As an example see APCI, Minutes of 7<sup>th</sup> Meeting held on 31 October 2006, para. 1.4.

<sup>30</sup> See APCI, Minutes of 6<sup>th</sup> Meeting held on 8 March 2006, para. 1.18, and APCI, Minutes of 7<sup>th</sup> Meeting held on 31 October 2006, para. 1.11.

<sup>31</sup> See the APCI webpage: <http://www.apci.org.uk/APCITermsOfReference.html>

<sup>32</sup> APCI, Terms of reference, August 2003, [http://www.apci.org.uk/PDF/APCI\\_1\\_2.pdf](http://www.apci.org.uk/PDF/APCI_1_2.pdf)

<sup>33</sup> APCI, Minutes of 1<sup>st</sup> Meeting held on 2 September 2003, para. 1.2.

<sup>34</sup> Ibid, para. 1.2.

<sup>35</sup> At the fourth meeting the Chair announced that the Panel had been classified as an “Advisory Non Departmental Public Body (NDPB).”<sup>35</sup> According to the website of Communities and Local Government “NDPBs [Non-Departmental Public Bodies] are public organisations that assist Government Departments in making decisions on policy and practice, especially in areas where specialist knowledge might be needed. As NDPBs are not part of the Government, the day-to-day decisions they make are independent. But Ministers are ultimately responsible to Parliament for the effectiveness of decisions made by NDPBs”.

See <http://www.communities.gov.uk/corporate/about/who/publicbodies/>

It is unclear from published material who made such a decision, when such a decision was made and what the implications were. A representative from COIS confirmed that the decision was made by the Home Office Unit dealing with NDPBs on the basis of Cabinet Office guidance. See APCI, Minutes of 4<sup>th</sup> Meeting held on 8 March 2005, para. 1.4.

country content of Operational Guidance Notes (OGNs) was never considered by the Panel.<sup>36</sup> The Panel members and observers typically did not conduct the reviews of the COI products themselves, preferring instead to commission academic country experts.

Table 1<sup>37</sup>, which details the number and type of country information product reviewed by the Panel in the 13 meetings held, demonstrates that the APCI focused its attention on the COI Reports produced by the Home Office (hereafter COIS reports); these accounted for 45/63 COI products reviewed. COIS describe these reports which are prepared for the 'top 20' refugee producing countries as providing "a general background information about the issues most commonly raised in asylum/human rights claims made in the UK." COIS reports are compilations of excerpts of external sources of information. For those countries which generate fewer asylum applications, COIS produces 'COI Key Documents.' These are essentially a list of main source documents, rather than an actual report of compiled information. COI Key Documents were reviewed by the Panel on 13 occasions.

### **3) The Structure of the APCI<sup>38</sup>**

To inform discussions at the first APCI meeting, CIPU proposed a structure for and working methods of the APCI that would assist the Panel work "smoothly with existing ... (CIPU) timetables and procedures."<sup>39</sup> These were discussed and agreed mainly at the first meeting but also reviewed at subsequent meetings.

#### **a) The Secretariat**

The Secretariat of the APCI was originally provided by CIPU, which later became the Country of Origin Information Service (COIS).<sup>40</sup> Correspondence with the Panel was directed via the Secretariat but members were able to correspond directly with the Chair if they wished to do so. Suggestions for agenda items were to be submitted via the Secretariat at least four weeks before meetings. The CIPU document also mentioned that the Chair would agree to the agenda items and papers to be tabled no less than four weeks in advance of the meeting concerned. However, discussion on this matter was not minuted and therefore it remained unclear whether it was simply accepted or not.

#### **b) The Chair**

According to the 2002 Nationality, Immigration and Asylum Act, the Secretary of State was to appoint "one member of the Advisory Panel as its Chairman."<sup>41</sup> The first Chair of the APCI was Professor Castles from the Refugee Studies Centre of the University of Oxford who had been asked

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<sup>36</sup> See section 5e of this report. For a critique on the use of country information in Operational Guidance Notes, please see IAS, The Use of Country of Origin Information in Refugee Status Determination: Critical Perspectives, May 2009, [http://www.iasuk.org/media/16851/use\\_of\\_coi\\_in\\_uk\\_rsd\\_final\\_may%202009.pdf](http://www.iasuk.org/media/16851/use_of_coi_in_uk_rsd_final_may%202009.pdf)

<sup>37</sup> See Appendix 1 for list of Tables.

<sup>38</sup> Most of the analysis in this section relies on the following two documents: CIPU, Proposed working methods, August 2003, [http://www.apci.org.uk/PDF/APCI\\_1\\_3.pdf](http://www.apci.org.uk/PDF/APCI_1_3.pdf) and APCI, Minutes of 1<sup>st</sup> Meeting held on 2 September 2003. Additional discussions on the structure of the APCI in subsequent meetings are separately referenced.

<sup>39</sup> CIPU, Proposed working methods, August 2003, [http://www.apci.org.uk/PDF/APCI\\_1\\_3.pdf](http://www.apci.org.uk/PDF/APCI_1_3.pdf)

<sup>40</sup> The interview with COIS representatives revealed that this involved providing the necessary administrative support for the smooth running of the APCI such as organising the venue, distributing the papers, dealing with members' expenses, and writing the initial draft of minutes.

<sup>41</sup> Nationality, Immigration and Asylum Act, Part 6, Article 142 (2), [http://www.opsi.gov.uk/acts/acts2002/ukpga\\_20020041\\_en\\_11#pt6-pb10](http://www.opsi.gov.uk/acts/acts2002/ukpga_20020041_en_11#pt6-pb10)

by the then Home Office Minister to chair the APCI.<sup>42</sup> At the fourth meeting Professor Castles announced his resignation, citing other workload pressures.<sup>43</sup> Since the Panel had been classified as an “Advisory Non Departmental Public Body (NDPB)”, he assumed that a more formal selection process would follow for the appointment of both Chair and Members.<sup>44</sup> Six months following this announcement no new appointment had been made and the then Home Office Minister appointed Khalid Koser, then from the Migration Research Unit of the University College London, as Deputy Chair and asked him to chair the fifth meeting.<sup>45</sup> A representative of the Home Office explained that this delay occurred since the Panel was classified as an advisory NDPB and its appointments were subject to guidelines laid down by the Office for the Commissioner of Public Appointments (OCPA). For this round of calls, existing independent members of the APCI had been invited to submit expressions of interest for the position, but the OCPA felt that ministers should be provided with a broader choice of candidates. This would entail targeted advertising and the involvement of an independent assessor, amongst others.<sup>46</sup> This external appointment exercise was undertaken and at the sixth meeting it was announced that Khalid Koser was appointed Chair for an initial period of two years.<sup>47</sup>

### c) Membership

The 2002 Nationality, Immigration and Asylum Act provided for the APCI to have a membership of between ten and twenty members.<sup>48</sup> However, it did not specify how the membership would be decided.

At the first meeting the Home Office stated that

*Ministers had wanted the Panel to provide a broad range of expertise and experience, with membership made up of individual academics and organisations bringing different perspectives from the country information and refugee fields [...] various organisations had been invited to take part in the Panel, but had declined because of concerns about being perceived as compromising their independence or creating a conflict of interest.<sup>49</sup>*

In ensuing discussions members thought it important that the “users” of then CIPU materials, such as those acting on behalf of asylum applicants, should be represented on the Panel, as well as human rights organisations.<sup>50</sup> However, they acknowledged that some organisations may have felt unable to accept the invitation to join the APCI due to those reasons detailed by the Home Office above.<sup>51</sup> It appeared from the minutes of the first meeting that the Panel would recommend potential members to the Home Office Minister who would then extend the invitation to these organisations or individuals.<sup>52</sup> However, it seemed that the Home Office Minister did not have to follow these recommendations. Whilst she was asked to invite “some or all of the following organisations [...] Amnesty International, Human Rights Watch, IAS, Refugee Legal Centre (RLC) and ILPA [...]” she only agreed to invite the human rights organisations and not the “refugee legal organisations [...] because they participate directly in the asylum process and [...] felt that their

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<sup>42</sup> APCI, Minutes of 1<sup>st</sup> Meeting held on 2 September 2003, para. 1.1.

<sup>43</sup> APCI, Minutes of 4<sup>th</sup> Meeting held on 8 March 2005, para. 1.3

<sup>44</sup> Ibid, para. 1.4. Please refer to footnote 32 for more information on the role and function of NDPB.

<sup>45</sup> APCI, Minutes of 5<sup>th</sup> Meeting held on 8 September 2005, para. 1.1.

<sup>46</sup> Ibid, para. 1.9 and APCI, Minutes of 6<sup>th</sup> Meeting held on 8 March 2006, paras. 1.7 – 1.10.

<sup>47</sup> APCI, Minutes of 6<sup>th</sup> Meeting held on 8 March 2006, para. 1.1.

<sup>48</sup> Nationality, Immigration and Asylum Act, Part 6, Article 142,

[http://www.opsi.gov.uk/acts/acts2002/ukpga\\_20020041\\_en\\_11#pt6-pb10](http://www.opsi.gov.uk/acts/acts2002/ukpga_20020041_en_11#pt6-pb10)

<sup>49</sup> APCI, Minutes of 1<sup>st</sup> Meeting held on 2 September 2003, para. 3.12.

<sup>50</sup> Ibid, para. 3.13.

<sup>51</sup> Ibid, para. 3.13.

<sup>52</sup> Ibid, para. 3.13.



presence on the Panel might create a conflict of interest.”<sup>53</sup> It was the Minister’s preference that such organisations would only submit comments on Home Office country reports to the APCI but not be involved in further discussions or the formulation of recommendations.<sup>54</sup> Despite this, members questioned how the Home Office could be represented at the APCI, even if just as observers, but other “users” of country information, such as the IAS, could not.<sup>55</sup>

Amnesty International, Human Rights Watch and the Refugee Council all declined the invitation of membership, but did not rule out future participation.<sup>56</sup> Other representatives from organisations suggested by the Home Office Minister and agreed by the Chair accepted the invitation to become members.<sup>57</sup> Following Stephen Castle’s resignation as Chair and the Panel’s reclassification as an “advisory Non Departmental Public Body (NDPB)”<sup>58</sup>, it was clarified with regard to membership that:

*Legislation specified that there should be between 10 and 20 members of the Panel; and OCPA [Office of the Commissioner for Public Appointments] guidance recommended that there should be a 50/50 balance between organisational members and “independent individuals”.*<sup>59</sup>

Since at that time not enough independent members were part of the APCI, it was necessary to recruit five more and existing members were asked to suggest suitable candidates, while their own tenure was renewed for an additional two years.<sup>60</sup> At the seventh meeting the Chair welcomed the appointment of three additional members, who had been selected from nine interviewed candidates and recommended to the Home Office Minister for appointment.<sup>61</sup>

At the first meeting of the APCI it was also agreed that a quorum of “two-thirds of the membership” would be required for future meetings.<sup>62</sup> At the APCI’s first exceptional meeting this issue came up again though it seemed that the Chair did not remember the previous agreement on this issue since it was minuted that “the Panel had never formally determined the level of attendance for a quorum [...]”<sup>63</sup> It seems that this quorum might have been reached each time, but it is difficult to assess since it is unclear who was part of the membership at any one time. Organisations, individuals representing them, and individual members fluctuated over time and no list in the public domain was found that clearly laid out membership over the years.

Having set out the formal requirements for the number of members, the number for a quorum and the selection process of becoming a member, the following observations were made from analysing the list of attendees at each meeting:<sup>64</sup>

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<sup>53</sup> APCI, Minutes of 2<sup>nd</sup> Meeting held on 2 March 2004, para. 1.4.

<sup>54</sup> Ibid, para. 1.10.

<sup>55</sup> Ibid, para. 1.13.

<sup>56</sup> Ibid, para. 1.6.

<sup>57</sup> These included: Dr Khalid Koser, Senior Research Fellow at the Dept. of Geography, University College London and Professor Lord Bhikhu Parekh, Centennial Professor, London School of Economics and Political Science. See APCI, Minutes of 2<sup>nd</sup> Meeting held on 2 March 2004, para. 1.5.

<sup>58</sup> APCI, Minutes of 4<sup>th</sup> Meeting held on 8 March 2005, para. 1.4. Please refer to footnote 32 for more information on the role and function of a Non Departmental Public Body (NDPB).

<sup>59</sup> APCI, Minutes of 6<sup>th</sup> Meeting held on 8 March 2006, para. 1.11.

<sup>60</sup> These included: Prof. Roger Zetter (Refugee Studies Centre, University of Oxford), Dr. Chris McDowell (then Information Centre on Asylum and Refugees (ICAR)) and Dr. Laura Hammond (then University of Reading). See APCI, Minutes of 5<sup>th</sup> Meeting held on 8 September 2005, para. 1.11 and APCI, Minutes of 6<sup>th</sup> Meeting held on 8 March 2006, para. 1.11 & 1.12.

<sup>61</sup> APCI, Minutes of 7<sup>th</sup> Meeting held on 31 October 2006, paras. 1.1 & 1.5.

<sup>62</sup> APCI, Minutes of 1<sup>st</sup> Meeting held on 2 September 2003, para. 3.15.

<sup>63</sup> APCI, Minutes of Extraordinary Meeting held on 7 December 2004, para. 4.1.

<sup>64</sup> See Appendix 3 which lists the attendees for all APCI meetings

- i) Number of members and quorum reached: Since it was never completely clear who was a member at any one time, this conclusion is only speculative. According to the current website there appear to have been 11 members towards the end of the APCI. It further shows that the number of members who attended APCI meetings ranged from 6 to 10 members compared to between 4 to 8 observers.<sup>65</sup> Governmental officials, including Home Office (mainly from CIPU/COIS) and FCO civil servants, comprised between 2 to 11 attendees at any one meeting.
- ii) Diversity of membership: The membership, as requested by Ministers during discussions on the establishment of the APCI, comprised of a variety of academic institutions, think tanks, international organisations, the Asylum and Immigration Tribunal, and one refugee organisation. Members continuously called for the invitation of refugee legal organisations to join the APCI first as members and later as observers. From the fifth meeting onwards several such organisations attended as observers (see below for further information) though it was not minuted how they were selected and who made the final decision to invite them.
- iii) Organisations versus individuals: It is not entirely clear how many of the members attended in an individual capacity. It appears from the minutes of the seventh meeting and from the website of the APCI that three such academic individuals existed towards the end of the APCI. Consequently, the composition of the APCI does not fulfil the criteria as set by the OCPA guidance.

#### **i) APCI Observers**

It was detailed in the first meeting that Home Office officials were not members of the Panel but that its representatives attended as observers only.<sup>66</sup> It was also agreed that the Foreign and Commonwealth Office, the then Lord Chancellors Department and the Department for International Development might be invited to attend the APCI meetings as observers.<sup>67</sup> However, it was not until the December 2004 meeting that it was clarified what this status exactly entailed following a question from a new member: “observers were welcome to participate fully in the Panel’s discussions, but they would not contribute to any formal decisions or recommendations, which could only be made by members.”<sup>68</sup> According to a COIS representative interviewed for this project, COIS was there as an observer, not a member, but “somewhat different to the normal observer because we were required to respond to issues raised in connection with our COI material”. However, this was never mentioned in any published material and certainly not in the Minutes of the APCI. Given this uncertainty it is interesting to note the amount of times the Home Office has prepared documents for APCI meetings, including the Terms of Reference and proposed working methods, and its overall role in the running of the APCI.

Since certain organisations had shown a reluctance to become APCI members due to concerns that they could be perceived as colluding with the Home Office, the Chair suggested at the third meeting to invite them as observers to the Panel instead.<sup>69</sup> This suggestion was welcomed.<sup>70</sup> However, initially this invitation was only to be extended to the organisations the Home Office Minister had

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<sup>65</sup> Please note that the term observer was sometimes used to describe particular government officials that attended meetings once (Home Office, specifically CIPU/COIS and FCO). These persons were previously described as “Also Present” in meetings 1-4.

<sup>66</sup> APCI, Minutes of 1<sup>st</sup> Meeting held on 2 September 2003, para. 1.2

<sup>67</sup> Ibid, para. 3.14.

<sup>68</sup> APCI, Minutes of Extraordinary Meeting held on 7 December 20004, para. 1.7.

<sup>69</sup> APCI, Minutes of 3<sup>rd</sup> Meeting held on 7 September 2004, para. 1.4.

<sup>70</sup> Ibid, para. 1.5.

already agreed to and not to the refugee legal organisations, which the Home Office Minister saw as contributing to a “possible conflict of interest.”<sup>71</sup> Observers were officially registered on the minutes of the fifth meeting and included representatives of human rights organisations, refugee legal organisations and academic institutions.<sup>72</sup>

Two members who were interviewed for this project highlighted the importance of Refugee Community Organisations (RCOs) and their involvement in such fora and in a way regretted the absence of such in the APCI. One of the interviewee suggested that RCOs should be considered as future members for such committees.

It was confirmed at the January 2007 meeting that observers were not subject to the same rigorous selection process members had to undergo.<sup>73</sup> Until that meeting no rules nor procedures existed regarding observers except that they were not allowed to contribute to decisions or make recommendations. At this meeting, however, the Chair introduced the following rule: observers were requested to seek permission from the Chair before speaking, since priority would be given to members who wished to speak.<sup>74</sup>

From further analysis (see analysis in Section 5) it becomes clear that observers contributed a substantial amount in the discussions and as the Chair observed in the second Extraordinary meeting, there were “now quite a large number of observers present at APCI meetings – almost as many as members.”<sup>75</sup> In fact, since observers were invited to attend the APCI meetings, they frequently comprised half of the attendees.

#### **d) Reporting Procedure of the APCI**

It was agreed during the first meeting that minutes would be published on the APCI website which would be a dedicated area within the Home Office IND website. The website would make clear that the Panel was independent and would list the names of its members. By the third meeting a new website for the APCI had been launched<sup>76</sup>, thus separating it from the IND website as initially envisaged.

Most of the former APCI members and observers that were interviewed for this project, felt that the minuting was “accurate”, “thorough”, “transparent” (since available online) and “detailed”. Only two respondents recalled that some issues raised were left out in the minutes. A COIS respondent who had been Secretary of the APCI commented that draft minutes were sent to all members and observers prior to finalisation and that he could not recall any suggested amendments ever being rejected by the Chair.

The first meeting also established that additional reporting to Ministers would be undertaken by the Chair where appropriate. Most of these took the form of meetings between the Chair and the Home Office Minister. According to all the minutes consulted the following discussions were recorded:

- 2004
  - The Chair wrote to the Home Office Minister requesting resources to enable the APCI to engage research support and asking for an expansion of the Panel’s membership.<sup>77</sup> The

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<sup>71</sup> Ibid, paras. 1.6 & 1.7.

<sup>72</sup> APCI, Minutes of 5<sup>th</sup> Meeting held on 8 September 2005.

<sup>73</sup> APCI, Minutes of Extraordinary Meeting held on 9 January 2007, para. 1.5.

<sup>74</sup> Ibid, para. 1.6.

<sup>75</sup> Ibid, para. 1.5.

<sup>76</sup> APCI, Minutes of 3<sup>rd</sup> Meeting held on 7 September 2004, para. 1.3.

<sup>77</sup> APCI, Minutes of 2<sup>nd</sup> Meeting held on 2 March 2004, para. 1.3.

resources were granted and the Chair then met the Home Office Minister to discuss whether certain organisations would be allowed to attend the APCI meetings.<sup>78</sup> This request was declined with regard to refugee legal organisations as detailed above.<sup>79</sup>

- The Chair met the newly appointed Home Office Minister and received assurance that the Minister shared the commitment of his predecessor on the work of the APCI. The Minister further indicated that the Home Office would respond at the next APCI meeting to concerns raised in the previous meeting regarding the production of country information.<sup>80</sup>

#### ▪ 2005

- The Chair met the Home Office Minister to discuss a renewed APCI request to invite certain refugee legal organisations to attend the meetings as observers. This request was granted.<sup>81</sup> As demanded by some members during the previous meeting, the issue over whether the APCI's remit should be broadened to include consideration of OGNs was also raised and both agreed that it would not be appropriate.<sup>82</sup> A further analysis on the discussions and decisions surrounding this issue is provided below.

#### ▪ 2006

- The Chair met with the Home Office Minister to discuss a letter that was circulated by an observer of the APCI, ILPA, suggesting that the Panel should review OGNs, contrary to earlier discussions held on this issue.<sup>83</sup> The IND review process was also discussed, especially the idea of the establishment of an independent Inspectorate.<sup>84</sup>

#### ▪ 2007

- The Chair met with the Chief Executive of the then Border and Immigration Agency (BIA) and with BIA's Senior Director responsible for taking forward arrangements for the new independent Inspectorate. These developments formed the basis of the discussion.<sup>85</sup>

#### ▪ 2008

- The Chair met with the Chief Inspector of the UKBA and provided him with a briefing paper setting out the APCI Members' views on the future direction of the Panel.<sup>86</sup>

No additional meetings and/ or discussions that took place between the Chair and Ministers have been recorded in the Minutes. However, according to an APCI member and a COIS representative interviewed for this project, such meetings did take place. This clearly compromises the transparency and independence of the APCI and will be discussed further below.

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<sup>78</sup> APCI, Minutes of 2<sup>nd</sup> Meeting held on 2 March 2004, para. 1.3 – 1.5.

<sup>79</sup> APCI, Minutes of 2<sup>nd</sup> Meeting held on 2 March 2004, para. 1.4.

<sup>80</sup> APCI, Minutes of 3<sup>rd</sup> Meeting held on 7 September 2004, para. 1.3.

<sup>81</sup> APCI, Minutes of 5<sup>th</sup> Meeting held on 8 September 2005, para. 1.12.

<sup>82</sup> APCI, Minutes of 5<sup>th</sup> Meeting held on 8 September 2005, para. 1.3.

<sup>83</sup> APCI, Minutes of 7<sup>th</sup> Meeting held on 31 October 2006, para. 1.9. Before the following APCI meeting, the Chair had received a letter by the Home Office Minister outlining his decision on whether OGNs should be reviewed. See APCI, Minutes of Extraordinary Meeting held on 9<sup>th</sup> January 2007, para. 1.7 – 1.9.

<sup>84</sup> APCI, Minutes of 7<sup>th</sup> Meeting held on 31 October 2006, para. 1.10.

<sup>85</sup> APCI, Minutes of 9<sup>th</sup> Meeting held on 2<sup>nd</sup> October 2007, para. 1.8.

<sup>86</sup> APCI, Minutes of 10<sup>th</sup> Meeting held on 1<sup>st</sup> May 2008, paras. 1.5 – 1.7.

#### **4) The Working Methods of the APCI**

##### **a) Setting the Agenda**

According to the proposed working methods of the APCI, suggestions for agenda items were to be submitted via the Secretariat at least four weeks before meetings.<sup>87</sup> In practice, the former members and observers interviewed for this project reported that they were invited in meetings to suggest agenda items for the subsequent meeting. There was a feeling from observers that whilst they were able to propose agenda items, it would be up to members and the Chair to prioritise the issues. One member specifically commented on their ability to influence the agenda, whilst two others referred to the agenda being driven by the Home Office in conjunction with the chair. According to another member, "I took it for granted that there was a whole backcloth behind meetings that members were unaware of; discussions with the Ministers and the Home Office for example." Stephen Castles, former chair of the APCI commented that he would have liked to have had more control over setting the agenda which he felt was primarily set by the Home Office representative on the Panel. One observer commented that in meetings when matters were raised that the Chair didn't want discussed, such as whether the Panel should consider the COI content of OGNs, then the issue would be moved to the agenda for the following meeting.

##### **i) Country Report Selection**

In the first meeting of the APCI, it was agreed that the Panel would scrutinise two Home Office country reports at each meeting, which were to be held twice a year. It was stated that the countries concerned would be selected at the previous meeting to allow time for members to consider the material and any comments received by the then CIPU, and to seek the views of others as required.<sup>88</sup>

The precise method by which the panel would make a country selection was not made explicit in the terms of reference, nor recorded elsewhere in the minutes of the meetings. An analysis of the minutes of the 13 APCI meetings held indicates both a lack of transparency in country selection for APCI review and a random approach to country selection. Indeed, this was recognised by Panel members with one describing the country selection as having been done on a "fairly arbitrary basis" and as having used "random sampling."<sup>89</sup>

Table 2<sup>90</sup> details the minuted reason for the selection of country reports actually reviewed by the APCI. It demonstrates that of the 58 COI reports and Key Documents reviewed by the Panel, only three reports were selected for reasons to do with the situation in that country. Selections were made with no discussion in four instances, and in a further four instances were 'agreed by the panel' without any reasons being given (or minuted). In a further two instances the selection appears to have been made on the basis that it would be possible to find a reviewer for that country report, and not for a reason to do with the situation in that country. In ten instances, the report was selected in order to provide a follow-up review.

It is also not always clear from the APCI minutes who made the suggestions for country reviews. Due to the way the meetings were minuted, it is not possible to ascertain whether it was members or observers that suggested particular countries for review. In some cases the suggestion was made by someone external to the group; such as an MP or Immigration Minister. In those cases where the country was up for NSA status designation, then the review was called for by the Home Office. In this way, the Home Office selected 34/58 of the country reports reviewed, which suggests that the

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<sup>87</sup> CIPU, Proposed working methods, August 2003, [http://www.apci.org.uk/PDF/APCI\\_1\\_3.pdf](http://www.apci.org.uk/PDF/APCI_1_3.pdf)

<sup>88</sup> APCI, Minutes of 1<sup>st</sup> Meeting held on 2 September 2003, para. 4.20.

<sup>89</sup> APCI, Minutes of 4th Meeting held on 8 March 2005, paras. 4.10 & 4.11.

<sup>90</sup> See Appendix 1 for list of Tables.

independence of the group with regards to selecting the country reports for review was compromised.

There is a noticeable difference in opinion in the way that both members and observers perceived how country reports were selected for review. Some interviewed for this project felt that the selection was driven by the situation in that country; that it was “fast-moving” for example, despite the fact that only 3/58 country reports were reported to have been selected due to the situation in that country. Other respondents felt that they had no involvement in the country selection process. This may be due to the fact that the Home Office selected so many of the country reports for review due to their potential NSA status designation.

One COIS researcher commented that they were not involved in the APCI country selection process, nor were they aware of how the selection process worked. Another COIS researcher explained that they were aware that there was a rough ‘rolling process’ to ensure that countries were regularly reviewed. A third COIS researcher stated that if a country that they were responsible was up for NSA designation, then they would know that the country report would be likely to be reviewed by the Panel. The three researchers interviewed agreed that they were informed as to which country was going to be reviewed for a particular meeting as soon as this had been decided by the APCI.

Whilst the COIS researchers themselves were not involved in the country selection, a COIS representative reported that he had regular contact with the chair of the APCI and would meet with him prior to an APCI meeting to discuss possible countries to be considered. This suggests that the Home Office had a greater input into the country selection than was apparent from discussions in the meetings, although it is unclear whether the members and observers themselves were aware of these additional meetings. The COIS representative explained that countries were chosen based on those of current interest to either the APCI or the Home Office, those which had not previously been looked at by the APCI and those being considered for NSA status designation.<sup>91</sup>

## **ii) Thematic Review Selection**

A representative of the Refugee Council requested that consideration of gender in the COIS reports be included on the agenda of the fifth meeting. She suggested that the Panel commission a thematic review to examine all reports against the Home Office guidelines on gender to ascertain the extent to which the guidelines were being implemented in practice.<sup>92</sup> The value of such an approach was noted, and it was agreed for gender to be revisited in the next meeting to allow for the Home Office to reflect on how the gender guidance should be used.<sup>93</sup> Prior to this meeting the Home Office met with representatives from Asylum Aid, Refugee Council, Refugee Women’s Association, and the Kurdistan Refugee Women’s Organisation to consider the structure of the women’s section of the COIS reports. It was agreed that the issue of gender should be revisited in a year’s time to monitor how it was being addressed.<sup>94</sup> In the eighth meeting, the Chair suggested that a researcher be commissioned to look at how gender issues were dealt with across all current COIS reports.<sup>95</sup> It is not clear from the minutes who recommended Nina Allen, an independent consultant, for this review, nor was the Panel made aware of her expertise in the ninth APCI meeting in which she presented her review.

The Panel agreed on the success of commissioning this ‘thematic review’, and Panel member Roger Zetter suggested a thematic review of the coverage of children’s issues in COIS reports for the tenth

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<sup>91</sup> See Section 5d for discussion on NSA status designation

<sup>92</sup> APCI, Minutes of 5<sup>th</sup> Meeting held on 8 September 2005, para. 5.3.

<sup>93</sup> Ibid, para.5.15.

<sup>94</sup> APCI, Minutes of 6<sup>th</sup> meeting held on 8 March 2006, para. 4.9.

<sup>95</sup> APCI, Minutes of 8<sup>th</sup> Meeting held on 6 March 2007, para. 6.1.

meeting.<sup>96</sup> Again, it was not clear who suggested the two experts for the review, but the Chair did outline their expertise to the Panel when they attended the meeting to present their review.<sup>97</sup> It should be pointed out that at the time of the meeting, the Home Office had not yet responded to the reviewers' comments.<sup>98</sup>

Following on from the agreed success of this thematic review, observer Sebastian Rocca of UKLGIG proposed the next theme of review to be on LGBT issues in COIS reports. Again it is unclear from the minutes who proposed the expert to conduct this review, although her expertise was noted to the Panel.<sup>99</sup>

In the ninth meeting of the APCI, the Chair proposed a number of future directions of the Panel. One of these areas was to evaluate other COI material besides COIS reports, such as Fact Finding Mission (FFM) reports.<sup>100</sup> It was agreed by the Panel that they could evaluate some of the FFMs undertaken by the Home Office, and the guidance given on FFMs to staff. In the tenth meeting, the methodology of the FFMs and an FFM for Turkey was discussed. The chair had asked Dr Alan Ingram, a Panel member, to evaluate the draft guide and also look at the reports of other recent FFMs undertaken by COIS.<sup>101</sup>

It is interesting to note that no follow-up review was commissioned for any of the thematic reviews undertaken on behalf of the Panel. Therefore it is particularly difficult to evaluate the impact that the thematic reviews had on improving the quality of the COIS reports, as without cross-checking the reviewer's recommendations against the subsequent COIS reports it is not possible to ascertain if the Home Office made any changes that were recommended.

### **b) Commissioning Experts for Country Report Reviews**

In the first meeting of the APCI, it was agreed that the Panel members would require research assistance in order to undertake country report reviews given that members had neither the time nor the expertise to review all the CIPU material themselves.<sup>102</sup> In addition to it being suggested that Panel members may be able to get research assistance from within their own organisation, the Home Office proposed that the panel have a "consultation group" of country experts who would be invited to comment on country reports.<sup>103</sup> A consultation exercise was carried out on the Home Office's October 2003 Country Reports with 50 individuals and organisations.<sup>104</sup> Whilst successful, the idea of another public consultation was dropped at the fourth meeting. This was due to limited feedback having been received and respondents noting that they would not be able to contribute to further exercises unless provided with the resources to do so.<sup>105</sup>

By the second meeting, then Immigration Minister Beverly Hughes had acceded to the request of providing resources to engage research support.<sup>106</sup> At the same meeting the Chair reported that whilst he had asked for members of the panel to volunteer to assist in the preparation work for the operations of the Panel, only Richard Black had come forward to take on the task of evaluating the

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<sup>96</sup> APCI, Minutes of 9<sup>th</sup> Meeting held on 2<sup>nd</sup> October 2007, para. 4.4.

<sup>97</sup> APCI, Minutes of 10<sup>th</sup> Meeting held on 1 May 2008, para. 4.1.

<sup>98</sup> *Ibid*, para. 4.1.

<sup>99</sup> APCI, Minutes of 11<sup>th</sup> Meeting held on 7 October 2008, para. 4.1.

<sup>100</sup> APCI, Minutes of 9<sup>th</sup> Meeting held on 2<sup>nd</sup> October 2007, para. 4.3.

<sup>101</sup> APCI, Minutes of 10<sup>th</sup> Meeting held on 1 May 2008, para. 3.2.

<sup>102</sup> APCI, Minutes of 1<sup>st</sup> Meeting held on 2 September 2003, para. 4.4

<sup>103</sup> *Ibid*, paras. 4.3 & 4.4.

<sup>104</sup> APCI, Minutes of 2<sup>nd</sup> Meeting held on 2 March 2004, para. 6.12.

<sup>105</sup> APCI, Minutes of 4<sup>th</sup> Meeting held on 8 March 2005, para. 4.5.

<sup>106</sup> APCI, Minutes of 2<sup>nd</sup> Meeting held on 2 March 2004, para. 1.3.

Somalia Report. The Chair had therefore taken on the evaluation of the other COIS report to be reviewed himself. The Chair however stated that he did not think it would be appropriate for him to take on this task for each meeting.<sup>107</sup> Although this marked the point at which the Panel commissioned external experts to carry out the core function of the Panel, no further details were given of the process by which the Panel would commission the experts to undertake the reviews.<sup>108</sup>

Additional limited details of expert selection can be found in the Chair's introduction to new Panel meeting attendees. In the fifth meeting, the Chair introduced newcomers to the process by which individual COIS reports were examined by the Panel. He said that as most members of the Panel did not have the resources or country expertise to consider the material in detail themselves, the Panel would commission researchers to review the reports.<sup>109</sup> With regard to expert selection the Chair stated that "usually the researchers were chosen for their knowledge of the country concerned."<sup>110</sup> In the sixth meeting, the Chair reported with regards to expert selection that "most researchers are qualified to PhD level and are chosen for their knowledge of the country concerned."<sup>111</sup>

An analysis of the minutes of the 13 APCI meetings held demonstrates a worrying lack of transparency over the way that experts were selected to review COIS reports. Table 4 details all country reports reviewed for the APCI by expert, expert institution, nominee, nominee institution and the reasons given for expert selection.<sup>112</sup> It appears from the minutes that *all* of the experts were selected outside of the meetings, with no publically available record of the process by which experts were selected.

Moreover, excluding the thematic reviews and the follow-up reports reviewed, of the 45 other country reports reviewed by the Panel, it is not clear from the minutes who nominated the expert for review in 26 instances. Of the remaining 19 experts nominated, 10 were organised by member organization ICPMD, 3 by observer organization ACCORD and 6 were nominated by other individual panel members. Of the 3 experts nominated by ACCORD, all were external consultants to ACCORD, and in 7 of 10 cases where the ICPMD nominated an expert, 7 were either ICPMD staff or consultants to the organization. In all but one case, the follow-up review was undertaken by the original reviewer. A COIS representative reported that the Home Office did not have any involvement in the appointment of country experts beyond their administration and procurement. Another COIS representative stated that in most, if not all meetings, members were asked if they could recommend any experts to undertake the reviews. Members sometimes stated that they would come back with suggestions or that they offered their own services, although this was not necessarily minuted.

In addition to a lack of transparency over the nomination and selection of experts, it appears from the minutes that Panel members were also not made aware of the expertise of the reviewers in the meetings themselves in 22 instances. However a COIS representative commented that the Chair almost invariably introduced the item on a particular country report by setting out the credentials of the reviewer; reviewers' credentials were normally also set out at the start of most review papers.

There was general agreement amongst the members and observers interviewed for this project that the transparency of the expert selection process at the APCI could have been improved. One respondent commented that there was no clear vetting process and that expert selection tended to

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<sup>107</sup> Ibid, para. 6.2.

<sup>108</sup> APCI, Minutes of 1<sup>st</sup> Meeting held on 2 September 2003, para. 4.20.

<sup>109</sup> APCI, Minutes of 5<sup>th</sup> Meeting held on 8 September 2005, para. 3.3.

<sup>110</sup> Ibid, para. 3.3.

<sup>111</sup> APCI, Minutes of 6<sup>th</sup> Meeting held on 8 March 2006, para. 2.11.

<sup>112</sup> See Appendix 1 for list of Tables.



be a case of members and observers contacting experts that they knew on an ad hoc basis. Some members reported that they played an active role in the nomination of experts whilst others reported that they had no involvement at all, and no idea about how the selection process worked. One respondent commented that they did “recall that some realisation towards the end of process that the experts had been chosen through a process that wasn’t obviously structured or transparent. I think I recall a suggestion of more transparent competition to hire experts, but I don’t think that happened.”

One COIS researcher commented that they thought it would be useful to know how the APCI appointed the country experts, stating that as COIS researchers, they did not have a chance to comment on who the particular country expert was. The same researcher thought it would have been more useful if different reviewers for the same country had been commissioned, in order to provide a different perspective. Another researcher raised concerns about the selection process of experts. A COIS representative reported that “I remember that on reflection for some of the reports we’d got the wrong people to review them- people who’d got a strong vested interest in the country [...] which clouded some of the reviews.”

This suggests that the lack of transparency in expert selection may have contributed on occasion to how seriously the COIS researchers took on board criticism from the experts. However, this was disputed by a COIS representative who argued that regardless of their feelings about the reviewers, all researchers took the process seriously and made the most of the suggested amendments, with Line Managers ensuring this.

It is hoped that the process by which experts are selected to undertake reviews will be more transparent now that the group is under the Office of the Chief Inspector. Indeed, at the final meeting of the APCI the Chief Inspector noted that there had been a transparency issue with the APCI commissioning researchers and that he would be “looking to formalise the process to ensure accountability.”<sup>113</sup>

### **i) Instructions to Experts**

In practice the reviews of the COI material produced by the Home Office were undertaken by country experts and not by the Panel members and observers themselves. It is a matter of concern that whilst the general Terms of Reference of the APCI were publically available, there are no publicly available instructions to experts on how to undertake the country report reviews.<sup>114</sup> Thus it is not clear the extent to which the work of the experts was intended to complement or replace the workings of the Panel. In fact, it is not clear when the Panel issued a standard instruction to experts, for as late as the fourth meeting, a member asked in light of a lack of consistency in the commentaries, whether reviewers were given guidelines to adhere to.<sup>115</sup> At that point, in March 2005, COIS confirmed that no such instructions existed and that researchers were provided with previous examples of reviews only. However, no details could be found regarding who selected these previous examples nor is there evidence of any discussion over areas of strength or weakness of previous reviews that would inform ‘best practice’.

By the time of the second Extraordinary meeting which took place in January 2007, it appears that standard instructions to the experts did exist as a member of the Panel stated that he would be interested to see the ToR in the brief given to researchers.<sup>116</sup> At that meeting the Chair agreed that it would be useful to look at the brief for researchers and see if this could be improved, confirming

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<sup>113</sup> APCI, Minutes of 11th Meeting held on 7 October 2008, para. 3.22.

<sup>114</sup> APCI, Terms of reference, August 2003, [http://www.apci.org.uk/PDF/APCI\\_1\\_2.pdf](http://www.apci.org.uk/PDF/APCI_1_2.pdf)

<sup>115</sup> APCI, Minutes of 4th Meeting held on 8 March 2005, para. 2.32.

<sup>116</sup> APCI, Minutes of 2<sup>nd</sup> Extraordinary Meeting held on 9<sup>th</sup> January 2007, para. 2.25.

that the instructions did exist at that point.<sup>117</sup> Reportedly a revised brief was sent out with the minutes of the Extraordinary meeting with an invitation to comment. At the ninth meeting, the Chair reported that no comments had been received, and therefore that the revised brief would from then on be used as a basis for future reviews, although it is not clear if this brief was ever made publicly available on the APCI website.<sup>118</sup> However, COIS has since indicated that the brief is available from them on request.

According to the experts commissioned by the APCI that were interviewed for this project, no detailed methodology was provided prior to undertaking the country review. Rather, the instructions were described as a 'brief outline' detailed in the contract letter or ToR. One expert commissioned at an early stage of the APCI commented that they received no official guidance, but rather based their methodology on a previous review.

Similarly the experts interviewed for this project did not receive a briefing on COIS or on the asylum process in the UK prior to undertaking the review. Naturally the experts had varying degrees of familiarity with UK refugee status determination, and with COIS products.

It is interesting that the majority of the members interviewed for this report had seen the instructions sent to experts, whilst the majority of the observers interviewed reported that they had not seen a standard set of instructions. Those who had seen them commented that it was not a detailed instruction, but rather a briefing. Respondents further commented that the instructions were not as clear as they could have been, and that there could have been more standardization in the approach that the experts were expected to take. One respondent who did not see the instructions commented that "if there were guidelines I'm not sure if they were followed [as] the experts presented their reports in such different ways." A COIS representative similarly agreed that the degree of conformity with the instructions varied, commenting that there was some wasted energy due to discussing issues that were of limited relevance. He also noted that due to a "perverse incentive of generous fees" reviewers had to find things to say, with COIS reports becoming longer than they needed to be as a result. Furthermore, whilst in general the COIS researchers found it useful that their reports were reviewed, both with regard to experts highlighting both weak and strong areas of the report, they were keen to emphasise that unconstructive criticism was less welcome and that reviewers should not use emotive language when criticizing a particular report. A COIS representative reiterated this point, stressing the importance of expressing reviewer comments in neutral terms.

The COIS researchers agreed that the experts commissioned tended to review the country reports from an academic viewpoint, which "didn't appreciate the fact that the reports are focused on the needs of particular customers", by which it is assumed to mean Home Office case owners. Members and observers interviewed agreed that there was a diverse approach taken by experts; some were more academic, others more technical and user-oriented, although it was agreed that different review styles were also useful as it gave a broader perspective on the nature and limits of COI. One problem identified by a respondent with regard to the reviews and the way that people were briefed was that there was misunderstanding over what information was relevant to a COIS report and to asylum claims.

## **ii) Instructions to Experts undertaking thematic reviews**

The APCI undertook three thematic reviews: on Gender, Children and on LGBT issues. Beth Collier then of Asylum Aid, an observer to the Panel, offered to prepare a specific research brief for the

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<sup>117</sup> Ibid, para. 2.29.

<sup>118</sup> APCI, Minutes of 9<sup>th</sup> Meeting held on 2<sup>nd</sup> October 2007, para. 1.12.

thematic review on gender.<sup>119</sup> Unfortunately, this research brief is not publically available on the APCI website, although it is reportedly available from COIS on request.

With regard to the guidance for undertaking the thematic review on Children, it is detailed in the meeting at which it was presented, and in more detail in the review itself, that the reviewer had been briefed to comment on the information relevant to children in each of 20 COIS reports examined in terms of its completeness, accuracy and balance. The reviewer explained that rather than use the COIS's standard guide for the inclusion of material in the COIS report as a template for review, he chose to use the framework of the UN Convention on the Rights of the Child (UNCRC) in his analysis.<sup>120</sup>

The reviewer of LGBT issues referred in her report to a briefing received on the review which suggested that "the material should be reviewed in the context of its stated purpose, as set out in the preface of the respective COI publications, and that the review should be carried out with reference to the guidance template for authors of COI reports."<sup>121</sup> In the eleventh meeting in which she presented her findings, it was reported that her template was broadly similar to that provided to COIS report authors, but that she had also detailed what information would be required under each heading for COIS reports to fully meet their purpose.<sup>122</sup>

### **iii) Production of Country Report Review**

All four experts interviewed agreed that they were given sufficient time to conduct their review of the relevant COIS report. However, two of the experts indicated that they spent longer on the report than the official time frame, which in one case was ten and in another case, twelve days. One expert commented that the high fee allowed them to take extra time over the review, whilst another stated that "it's a very difficult report to cost as you have no idea of what the quality the report would be. Certainly initially, one would have to work hard for the fee."

None of the four experts interviewed had any interaction with the Home Office prior to the APCI meeting at which their report was to be presented. One expert expressed dissatisfaction that the Home Office had not responded to their report in advance of the meeting, which meant that they were unable to prepare a response to the Home Office comments. Another expert was similarly unimpressed that they had only been invited to attend the relevant meeting a few days beforehand, and thus were unable to present their comments on the report to the Panel.

None of the three COIS researchers interviewed for this project had direct contact with the country reviewers prior to the preparation of the expert report. One researcher commented that they did not have contact with the relevant expert after the production of the report either, although they did suggest that it might have been useful. The other researchers did have contact with the expert following the review and found the engagement helpful as the experts shared some sources with COIS and advised on some further issues. It was noted by one researcher that meeting the reviewer face-to-face would have been extremely useful in order for them to explain to the reviewer why certain sources had not been used, or to explain why particular information had been included or omitted.

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<sup>119</sup> APCI, Minutes of 8<sup>th</sup> Meeting held on 6 March 2007, para. 6.1.

<sup>120</sup> APCI, Minutes of 10<sup>th</sup> Meeting held on 1 May 2008, para. 4.2.

<sup>121</sup> Anisa de Jong, An analysis of the coverage of LGBT issues in Country of Origin Information Reports produced by the COI Service, UK Border Agency, September 2008,

[http://apci.homeoffice.gov.uk/PDF/eleventh\\_meeting/APCI.11.5%20-%20LGBT.pdf](http://apci.homeoffice.gov.uk/PDF/eleventh_meeting/APCI.11.5%20-%20LGBT.pdf)

<sup>122</sup> APCI, Minutes of 11<sup>th</sup> Meeting held on 7 October 2008, para. 4.2.

In the fourth APCI meeting a CIPU representative said that his organisation was “keen to make and maintain contact with the country experts engaged by the Panel to obtain their input into the Country Reports.”<sup>123</sup> He reported that the CIPU instructions<sup>124</sup> encouraged such contacts but more needed to be done in this area.<sup>124</sup> The idea that COIS would be engaged directly with academic country experts was also raised in the fifth meeting, when the Chair reported that the COIS “will be securing the direct input of academic country experts” although no further details were mentioned.<sup>125</sup> In the fifth meeting of the APCI, country experts were invited to review *draft* COIS reports as a pilot approach. This was despite Panel members raising concerns that this approach would compromise the transparency of the APCI by the Panel being too closely involved in the production of the COI reports.<sup>126</sup> A COIS representative reported that this had been very effective in producing high quality products and that the COIS researchers found the dialogue with the country experts a “useful and stimulating experience.”<sup>127</sup> However, it was noted that this process would not be feasible for Panel evaluations of the ‘top 20’ refugee producing country reports, due to the lack of time within the publication schedules and hence it was discontinued.<sup>128</sup>

A COIS representative reported in the sixth meeting that COIS intended to establish direct contacts with country specialists for each of the ‘top 20’ countries in order to “provide advice to the COIS researchers on the content of their reports, suggest additional sources and give guidance on matters such as when to translate foreign language documents.”<sup>129</sup> In the next meeting, he reported that COIS was (still) looking to establish close contacts with academic country experts for each ‘top 20’ country. Reportedly COIS had “entered initial discussions with suitable organisations to explore options for setting this up.”<sup>130</sup> The same representative also reported that whilst there was no procedure in place for identifying suitable country experts, initial discussions were being held with Chatham House and other organisations may also be approached.<sup>131</sup> Another COIS representative interviewed for this project confirmed that no formal process was set up as funding was never secured for this purpose, although individual researchers established and maintained their own contacts.

### **c) Home Office Response to Expert Comments**

It became established practice that following receipt of an expert country review, the Home Office would annotate its response to each recommendation which was then circulated to all APCI members prior to the meeting. At the meeting, the expert would present their review to the Panel, or in their absence the member that had commissioned the review, or the Chair, would present the key findings of the report. A COIS representative would then deliver a summarised ‘Home Office response’ to the expert comments received on the country reports under review for that meeting.

Typically, the annotated Home Office response would detail their *intended* action to be completed in time for the publication of the subsequent country report. One COIS researcher explained that the decision of whether to accept a recommendation made by the country reviewer was made by themselves in consultation with their line manager. They further explained that COIS senior managers would also have an input into the Home Office response to the expert report.

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<sup>123</sup> APCI, Minutes of 4th Meeting held on 8 March 2005, para. 2.37.

<sup>124</sup> Ibid, para. 2.37.

<sup>125</sup> APCI, Minutes of 5<sup>th</sup> Meeting held on 8 September 2005, para. 5.3.

<sup>126</sup> Ibid, paras. 6.10 - 6.15.

<sup>127</sup> APCI, Minutes of 6th Meeting held on 8 March 2006, para. 2.41.

<sup>128</sup> Ibid, para. 2.41.

<sup>129</sup> Ibid, para. 2.42.

<sup>130</sup> APCI, Minutes of 7<sup>th</sup> Meeting held on 31 October 2006, para. 2.8.

<sup>131</sup> Ibid, para 2.14.

A brief analysis of the Home Office comments annotated on the review of the April 2005 Iran COIS report, the October 2006 Iraq and the October 2006, May 2008 and the August 2008 Afghanistan COIS reports demonstrates that with regard to some of the expert recommendations and suggestions, the Home Office had already made a decision to accept them or not, whilst others remained under consideration.<sup>132</sup> For example, in response to the October 2006 Iraq review, the Home Office agreed to “delete as suggested”; agreed to “use the suggested source”; “amend as suggested”; “provide further information using suggested sources” and to “reshuffle information as suggested.” By comparison, for other recommendations it appears that the Home Office was not yet clear in its intended response, replying that they would “consider” the suggested sources of information, and would “use some of the suggested information” without indicating what that would be. Typically the Home Office comments were repetitive, standardized, and did not always detail the reasons for accepting or rejecting particular expert suggestions.

The majority of members and observers interviewed agreed that the format of the expert reports and the Home Office comments facilitated engagement and discussion at the APCI meetings. One respondent observed that the format forced the Home Office to be open and honest about what they were going to do in response to an expert recommendation. However, other respondents expressed concern that as the format of the Home Office comments was very mechanical and standardized, it was not clear how seriously the recommendations were being taken. Similarly other respondents commented that it was unhelpful that the Home Office response to a recommendation was often ‘we will consider this’ without explaining what their decision not to accept the recommendation was based on.

## **5) Conduct during APCI meetings**

### **a) Chairing of APCI Meetings**

According to the former APCI members and observers that were interviewed for this project, there was a mixed response when asked how they felt about the role of the APCI Chair and the chairing of the APCI meetings. Some respondents (both members and observers) thought that the role was clearly defined and the meetings were well chaired, whilst acknowledging the difficulties of chairing such a group with sometimes competing interests and agendas. One member commented that the Chair “could have done more to foster the atmosphere of openness to make it less aggressive. I always felt he was kind of indulging you by giving you an opportunity [to speak during meetings]”. An observer did not find that the role of the Chair was clearly defined and criticised the Chair for “obviously [having] a direct relationship with the Home Office. He met the Home Office Minister and on occasion seemed to steer the Panel towards non-confrontation with the Home Office.” Similarly, another observer noted that the Chair did not have a lot of powers “to deal with the issues that everyone wanted to talk about”. Yet, overall, most respondents (both members and observers) did not have major issues with how the chairing was conducted.

### **b) Presentation of Country Expert Report**

It is not clear whether the country experts were invited to attend the relevant APCI meetings in order to present their report to the Panel. Table 5 details the attendees of all the meetings by member status including: members, those ‘also present’ (which typically refers to Home Office and Foreign and Commonwealth Office representatives, as well as organisations that later obtained ‘observer’ status), ‘observers’, ‘Secretariat’ and ‘Researchers.’<sup>133</sup> The table demonstrates that the

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<sup>132</sup> Expert reviews for Iraq, Afghanistan and Iran COIS reports were examined in order to correspond with the country selection for Phase 2 of this project.

<sup>133</sup> See Appendix 1 for List of Tables.

only meeting where all researchers that had conducted a country review/ follow-up review for a report to be discussed by the Panel were all in attendance, was at the first Extraordinary meeting. For all the other meetings, less than half of relevant researchers were in attendance, although it is not apparent from the minutes of the meetings whether they were not invited, or not able to attend the meeting. A COIS representative has since reported that apart from the first few meetings, reviewers were always invited to present their findings at the meetings.

It is similarly unclear from the minutes of the meetings whether the relevant COIS country researcher was invited to attend the meeting, or was in fact in attendance. Whilst COIS staff do make up a number of the attendees listed as 'also present' and 'observers' it is not clear what their position in the organization was. It appears from the minutes, that even if the country researchers did attend the meetings, they were not minuted to have made a contribution in any of the meetings.

Of the three COIS researchers interviewed, one was able to attend the APCI meeting at which the review of their report was discussed, although all of them were invited to attend. The researcher that did attend explained that they were there with observer status only, stating that "we were there strictly to observe and not engage in the discussion." A COIS representative explained when interviewed that senior COIS staff would attend APCI meetings to respond to feedback and explain the COIS position. Country Researchers attended the meetings to hear comments of the reviewers and APCI on their work and to understand how APCI worked in general. The same researcher stated that they were happy with this role given that the review of their country report had been favourable, although had the expert criticized their report they felt that they might have wanted the opportunity to respond. Another researcher explained that the reason he did not attend the meeting was because he had received an overly critical review, couched in what he perceived as offensive terms. Although in hindsight he regretted not attending the meeting and taking the opportunity to reply to what he described as "harsh comments." The three researchers interviewed all agreed that the IAGCI should invite the respective COIS researcher whose country report is under review to the meeting, in order to receive constructive feedback.

One member of the APCI commented that on some occasions the APCI was attended by some high-ranking Home Office representative, although their impression of this was that it was a political demonstration to show that the concerns of the APCI were being taken on board at the highest level, as it was not that productive. By contrast, another member was impressed by the commitment at a high level of the Home Office to attend the meetings.

The members were generally in agreement that they had adequate time and opportunity to direct questions to both the experts (if they were in attendance) and to the COIS staff in attendance. In contrast, the observers to the Panel were in general agreement that the time allocated in meetings to address the expert review and Home Office response was relatively short. One observer commented that this part of the meeting ended up as a discussion between the expert and the Home Office as opposed to a discussion between the Panel members about the country report. Some of the members commented that time was lacking to discuss the expert report and Home Office comments due to the heavy agendas of the meeting. A COIS representative also commented that some meetings were dominated by political issues that were not central to COI which reduced the time available to discuss the expert commentary.

The APCI respondents generally agreed that the Home Office was actively engaged with the work of the Panel, both in terms of the responses to the expert reports and in terms of their involvement in discussions at Panel meetings. A COIS representative commented that there was general engagement by the Panel with the expert report and the Home Office response, although it was hard to say whether the Panel members had read each country report too. The same representative

also reported that the forum did not lend itself to detailed discussion, and that discussions tended to be between the expert and the COIS representative, rather than between the Panel members.

One reason for the possible lack of detailed engagement with the expert reports by the Panel could be due to the vast amount of preparation that was required for each meeting. Most of the respondents were in agreement that there was a huge amount of material to read before each APCI meeting. To exemplify, expert reviews were generally between 20 and 30 pages, and COIS reports for the 'Top 10' asylum producing countries could be up to 200 pages long. Some members felt that receiving the materials one week or two weeks before the meeting was adequate, whilst others felt very strongly that this preparation time was too short, and had even raised this as an issue to the Chair both during the meetings and outside of the meetings to the Secretariat. Some respondents commented that the short timescales impacted on their ability to review all the materials in advance of the meeting and others commented that not all Panel members appeared to be well prepared at the meetings. Some respondents stated that they attempted to read all the materials sent, i.e. the COIS report, the reviewer's comments, and the Home Office response, whilst others read the sections of the materials that were specifically relevant to the organisation that they were representing at the meetings. Others read the material to assess whether the general mechanics of the process were being adhered to. One respondent commented that it was not practical for many of the observers to carry out their own academic review of the country report before each meeting, and that they would not have the expertise to do so. This raises the issue of the different roles of the members/ observers compared to the reviewers.

It appears that none of the respondents received assistance within their organisation to prepare for the meetings. This is in stark contrast to our experience at IAS where the work would be shared between the research officers, with typically one country report, review, and Home Office response being reviewed per staff member, which it was felt was required in order to complete the review process accordingly. One Panel member commented "the amount of time we had to read things was ridiculous. I think once we had 18 pieces of information with a two week turnaround and it just wasn't possible. It feeds into the point that the APCI, once they'd reviewed something [they had] been seen to rubber stamp it. [With] that level of work to [do] no-one's reading those reports."

### **c) Impact of members/ observers distinction**

Amongst the members and observers interviewed for this project, there was a mixed response as to whether the division between members and observers should exist and whether the Panel had a good balance of representatives from academic institutions, think tanks, the judiciary, charities, the Home Office and other governmental officials. Some respondents (mainly members) said that in general there was a good balance. Yet, one member reflected that the division between members and observers made it "unbalanced [because] more observers than members were contributing to discussions – long discussions created confusion about priorities." This reportedly "got in the way of the committee's function", since another member added, "some people were there because they wanted to get their specific immigration concern on the table and weren't particularly bothered about COI." This was echoed by a COIS representative who similarly stated:

*I think some observer organisations saw their attendance at the APCI as an opportunity to advance their political position because it was a public forum, an independent body, with very detailed minutes, so the comments would be out there and given a certain amount of weight by the fact that they were made at the APCI.*

*[...] It meant that it often used up most of the time available, so the time was spent discussing what the Panel should be doing, rather than actually doing it.*

Another observer criticised the decision that mainly senior representatives were around the table, who “are [not] the ones with the most objective view of what is happening on the ground, how things are being applied. Sometimes there is an understanding that if you are from an organisation that works with refugees therefore you would have an understanding [of COI].”

Some respondents felt that there was no real distinction between members and observers (one member referred to it as an “arbitrary division”) and thereby questioned its existence, while others (both members and observers) felt that with the increase of observers, the quality of the discussions improved.

One observer voiced their concern that a division between members and observers was formalised by asking observers to only contribute after members had spoken, thereby suggesting that “members take prominence over observers.” Another member commented that “the chair prioritised the members. That was correct.” Other interviewees did not agree and felt that observers were given a chance to speak and had “equal floor time.”

One particular observer suggested that the Panel would have benefited from more time to present enough background information “to help to enable members to understand the overall context [...] for example to explain the significance of OGNs or NSA.” It was further felt by some, particularly observers, that the weighting given to particular comments tended to favour the members over the observers. That being said, none of the respondents felt that individuals were invited to comment according to their expertise.

It was also observed by one observer that “the Home Office found it unsettling that observers had more aggressive questioning than the members [and] probably encouraged the idea that observers shouldn’t be allowed to take over, and that more emphasis [be] given to members’ views.” The same respondent also questioned the selection process of members and the “absence of members with a real understanding of how these reports [COIS reports] were used,” which in their view was “a reason for its [the APCI’s] ineffectiveness”.

Another member felt that the observers, who were all from the Refugee sector, were “just adding some ‘respectability’ to the process, without getting any return” thereby expressing his/her discontent with the impact observers achieved in the APCI.

#### **d) Dealing with contentious issues I: Non-Suspensive Appeals (NSA) Designated Countries<sup>134</sup>**

In the first meeting it was recorded that Ministers had been requested by opposition MPs to invite the Panel to consider countries that had been suggested and designated for the NSA process although it was not made clear whether this would be done *in addition* to focusing on two country reports per meeting.<sup>135</sup> From an analysis of the minutes of APCI meetings it emerges that members were uncomfortable from the start with their proposed role in relation to reviewing countries proposed for the NSA process, especially since any function relating to this had not been included in

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<sup>134</sup> The Nationality, Immigration and Asylum Act 2002 (section 94) created a list of “safe countries”, claims from which would be dealt with in a different way. This list can be expanded or reduced at the discretion of the Secretary of State. Applicants from those countries making an asylum or human rights claim but are rejected do not have a right of appeal in the UK and are consequently subject to removal to their country of origin. In those cases it is only possible to appeal from outside the UK. Such cases are known as ‘non-suspensive appeals’ (NSA) cases.

<sup>135</sup> APCI, Minutes of 1<sup>st</sup> Meeting held on 2 September 2003, para. 3.5. and 4.21.



the original Terms of Reference.<sup>136</sup> This was also reflected in the interviews held with former members and observers. Several respondents expressed their discomfort at the Panel's function to review the country reports for NSA proposed countries, particularly because the Panel might be seen to endorse a Home Office policy position. One respondent stated that "given the composition of the group [...] you have automatically different perspectives and different mandates and of course it was particularly [noticeable] when you come to the NSA list." Another respondent commented that a lot of the members did not have an understanding of the asylum system or its application and thus did not understand what NSA designation was.<sup>137</sup>

At that first meeting APCI members were reassured by the Home Office and the APCI Chair that they were not expected to comment on the policy decisions to include countries on the NSA list, but rather that it was the remit of the APCI to review and provide advice on Home Office country information for all countries, including those included in or proposed for the NSA process.<sup>138</sup> By reviewing the country information this would not mean that the APCI would endorse any Home Office country information material and therefore would not endorse any decision made by the Home Office to designate a country for NSA status. It was decided as late as the sixth meeting of the APCI that a briefing on NSA would be helpful to members, suggesting that the Panel was not completely comfortable with its role in reviewing reports up for NSA designation.<sup>139</sup> Noteworthy is that this suggestion came after the Panel had already reviewed 11 reports on countries considered for NSA designation across the previous meetings.

It appears that indirect endorsement by the APCI was almost inevitable since any comments made about the Home Office country information were assessed in light of whether a country was suitable for designation or not. This became especially clear from discussions held during the fifth meeting where the Home Office proposed that reports for the countries being considered for NSA status should be reviewed by the APCI at *draft* stage. It was suggested that this could "provide a quicker, more streamlined process to producing good quality material" without necessarily meaning endorsement of the produced report.<sup>140</sup> However concerns were raised that this approach would compromise the transparency of the APCI by the Panel being too closely involved in the production of the COI reports and whether enough time could be provided to APCI members and observers to be able to comment on the reports.<sup>141</sup> It appears that this pilot process of reviewing COIS reports at draft stage was dropped since no further information was found in the Minutes.

Originally, when the APCI commissioned experts to review COIS reports for countries that were being proposed for NSA designation, the researchers were not told that the country was being proposed for NSA status. In the fifth meeting the NSA issue was described as "irrelevant to the Panel's task" and the Chair made the somewhat startling comment that the Panel itself would also not have been told about a country's NSA review, had it not been necessary to alert members to a changed agenda.<sup>142</sup> In the sixth meeting, the Chair reported that the Home Office had requested that countries considered for NSA status should be kept confidential, so as to avoid triggering an increase

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<sup>136</sup> On the website of the APCI a 'cautionary note' can be found on the page where it lists its ToR that states that its function was not to "endorse any Home Office material or procedures" nor should it be implied, especially with regards to the "decision or proposal to designate a particular country for NSA [Non-Suspensive Appeals]." It appears that this particular paragraph was added when amendments to the ToR were made in April 2006, since it is not mentioned elsewhere in the minutes of the meetings. See the APCI webpage: <http://www.apci.org.uk/APCITermsOfReference.html>

<sup>137</sup> See section 5d for further information on the Panel's role in NSA status designation.

<sup>138</sup> APCI, Minutes of 1<sup>st</sup> Meeting held on 2 September 2003, paras. 3.6 - 3.9.

<sup>139</sup> Ibid, para 2.10.

<sup>140</sup> APCI, Minutes of 5<sup>th</sup> Meeting held on 8 September 2005, 6.7 & 6.8.

<sup>141</sup> Ibid, paras. 6.10 - 6.14.

<sup>142</sup> Ibid, para. 3.2.

in asylum applications before the NSA designation provision came into effect.<sup>143</sup> However, in the discussions that followed, it was argued by several Panel members that it was appropriate that experts be notified of the NSA context of their review. The attending reviewers of the sixth meeting agreed that they would have liked to have known about the NSA context of their work. It was subsequently agreed by the Panel that in future, researchers commissioned by the Panel would be informed if the country concerned was being considered for NSA status and that the Panel's role in relation to NSA would be reflected in the ToR.<sup>144</sup>

In the seventh meeting members and observers agreed that they were willing to respect confidentiality regarding the list of countries under consideration for NSA designation, but with the following three reservations:

- (a) The Panel questioned the reasons for confidentiality being requested;*
- (b) The Panel reserved the right to revisit the issue of confidentiality in future;*
- (c) One of the great strengths of the APCI was transparency, and confidentiality was contrary to that principle.<sup>145</sup>*

This confidentiality agreement allowed for observers to also be notified of the potential NSA status of the country up for review which previously had only been disclosed to members prior to the APCI meetings, thus enabling them time before the meetings to consider the material.<sup>146</sup>

In the second Extraordinary meeting which was called in order to review reports for a number of countries being considered for partial or full designation for NSA process, the Panel discussed the different COIS products that were up for review. It was argued by some Panel members that the Key Documents produced by the Home Office were not adequate in covering the main relevant issues to asylum and human rights applications.<sup>147</sup> Following a discussion, it was agreed that Key Documents were considered to be adequate for normal asylum decision-making, but insufficient for consideration of NSA designation and the Panel recommended that, in future, countries under consideration for NSA designation should have a full COIS report prepared for them.<sup>148</sup>

Table 2<sup>149</sup> demonstrates that country reports were predominately selected for review due to their proposed NSA status; this accounts for 34/58 of all the country reports scrutinized by the Panel. Whilst 17 of these reports were reviewed in Extraordinary Meetings, called for the specific purpose of reviewing countries up for NSA designation, the other 17 reports on countries being proposed for NSA status were reviewed during the normal APCI meetings. However, as mentioned above, it was agreed in the first meeting of the APCI that it would aim to review two COIS reports at each meeting. If we assume that this target excludes those countries up for NSA designation, then Table 3 demonstrates that only in 4 of the 11 'normal' meetings of the APCI was the target of reviewing 2 COIS reports achieved which were not up for NSA consideration.<sup>150</sup> Prioritising potential NSA status designation COIS reports also impacted on the amount of time given for other agenda items, such as considerations of the future direction of the Panel.<sup>151</sup>

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<sup>143</sup> APCI, Minutes of 6th Meeting held on 8 March 2006, para. 2.3.

<sup>144</sup> Ibid para. 2.10.

<sup>145</sup> APCI, Minutes of 7<sup>th</sup> Meeting held on 31 October 2006, para 3.17.

<sup>146</sup> APCI, Minutes of 7<sup>th</sup> Meeting held on 31 October 2006, para 3.16.

<sup>147</sup> APCI, Minutes of Extraordinary Meeting held on 9 January 2007, paras 5.2-5.23.

<sup>148</sup> APCI, Minutes of Extraordinary Meeting held on 9 January 2007, paras 5.24 & 5.30.

<sup>149</sup> See Appendix 1 for list of Tables

<sup>150</sup> See Appendix 1 for list of Tables

<sup>151</sup> APCI, Minutes of 7<sup>th</sup> Meeting held on 31 October 2006, para. 7.1.

Moreover, the fact that 34/58 of all the country reports scrutinized by the Panel were being considered for NSA status designation suggests that country reports were selected not due to the extent to which they were relied on in the refugee status determination process, but were rather motivated by Home Office policy concerns. One impact of the APCI focusing on those countries that were proposed for NSA designation is that there was less time spent on scrutinising the reports on the 'top 20' refugee producing countries. To exemplify, of the 58 country reports reviewed by the Panel, Zimbabwe and Iraq (which are consistently in the 'top 5' of asylum applications received annually) were reviewed only once, with Turkey, a potential NSA status country being reviewed 4 times. The politicization of country report selection therefore raises questions not just over the independence of the Panel to suggest country reports up for review, but also compromises the Panel in fulfilling its intended function.

It is noteworthy that no follow-up reviews were commissioned for those COIS reports that were up for NSA designation status. This reinforces the idea that the Panel envisaged a separate process for reviewing 'top 20' reports and NSA proposed country reports. The lack of monitoring of reports of NSA proposed countries suggests that the priority was not to improve the relevant COIS report produced for that country, but that the Panel was seen to review the COIS report as part of the consideration of NSA designation status.

#### **e) Dealing with contentious issues II: Operational Guidance Notes (OGNs)<sup>152</sup>**

In addition to discussions over the Panel's role to review COI products for NSA designated countries, the other controversial issue that resulted in lengthy discussions amongst members and observers of the APCI was whether the Panel had the remit to review Operational Guidance Notes (OGNs). It appears from an analysis of the minutes that a consensus on this issue was never reached and that discussions on the issue were often brushed aside or relegated to the following meeting.

From an analysis of all the minutes of the APCI meetings, it emerges that the initial members of the APCI failed to bring this particular issue to the table from the start. At the first meeting of the APCI, CIPU proposed Terms of Reference and working methods for the APCI, which clearly state

*5. CIPU also produces Operational Guidance Notes (OGNs). OGNs provide general guidance for caseworkers on the nature and handling of applications from particular countries. Although OGNs contain some country information, they are policy documents and therefore do not fall within the remit of the Advisory Panel).*<sup>153</sup>

This was not minuted to have been taken up by anyone during discussions on the finalisation of the APCI's Terms of Reference and working methods, leaving it unclear as to whether no discussion tacitly implied endorsement.

The issue of OGNs was first raised during the third meeting when a member asked whether it was within the remit of the APCI to consider OGNs.<sup>154</sup> Rather than allowing a discussion, the representative of the then CIPU responded that "OGNs, and other policy documents, were policy documents and were therefore outside of the Panel's remit."<sup>155</sup>

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<sup>152</sup> For a critical analysis on OGNs please see the relevant study in IAS, The Use of Country of Origin Information in Refugee Status Determination: Critical Perspectives, May 2009, [http://www.iasuk.org/media/16851/use\\_of\\_coi\\_in\\_uk\\_rsd\\_final\\_may%202009.pdf](http://www.iasuk.org/media/16851/use_of_coi_in_uk_rsd_final_may%202009.pdf)

<sup>153</sup> CIPU, Terms of reference, August 2003, [http://www.apci.org.uk/PDF/APCI\\_1\\_2.pdf](http://www.apci.org.uk/PDF/APCI_1_2.pdf) and CIPU, Proposed working methods, August 2003, [http://www.apci.org.uk/PDF/APCI\\_1\\_3.pdf](http://www.apci.org.uk/PDF/APCI_1_3.pdf)

<sup>154</sup> APCI, Minutes of 3<sup>rd</sup> Meeting held on 7 September 2004, para. 2.8.

<sup>155</sup> Ibid, para. 2.8.

This issue came up again in the following meeting where members highlighted the direct link that exists between OGNs and country reports.<sup>156</sup> Following on from this meeting the Chair met with the Home Office Minister (outside of the normal Panel meeting) to raise the issue of whether the APCI's remit should be broadened to include consideration of OGNs. Reportedly "both parties had agreed that it would not be appropriate for the Panel to consider OGNs as they were clearly policy documents and that to do so would distort the Panel's role."<sup>157</sup> Whilst the Chair took a unilateral decision to agree, he did suggest that some form of monitoring OGNs would be useful.<sup>158</sup> The Home Office Minister explained that a formal process had been agreed with UNHCR, which would be kept under review, whereby they would comment on newly published OGNs and the Home Office would publish amended versions in light of this feedback where appropriate.<sup>159</sup> However subsequent minutes documented that firstly, UNHCR was still looking at how the mechanism could operate, "in particular, whether consultation should take place before or after publication"<sup>160</sup> and secondly, a formal channel for UNHCR to comment on OGNs existed, but thus far UNHCR had only reviewed two OGNs [March 2007].<sup>161</sup>

Interestingly, when the Chair wrote a paper outlining his views of the future directions for the APCI in October 2006, he rightly pointed out that the Terms of Reference "do not limit the Panel only to COI reports" and hence should evaluate "other COI material besides COI reports", of which OGNs could "arguably fall within this category" since they contain COI material.<sup>162</sup>

Following a letter from one of the observers of the APCI, arguing strongly that the APCI should review OGNs, the Chair met the Home Office Minister and suggested that the APCI could review the COI element of OGNs without commenting on policy issues.<sup>163</sup> However, when reporting back this suggestion to the APCI, members and observers started a seemingly heated discussion about the impossibility and impracticability of extracting the COI material from OGNs since it would be necessary to evaluate the COI element within the context of the policy guidance.<sup>164</sup> In the end, there was general consensus that the APCI should be able to review the COI material in OGNs.<sup>165</sup>

At the same meeting one observer made the point that "the function of the APCI was to make recommendations to the Secretary of State on the Home Office's COI material. This was determined by primary legislation and it was therefore not for the Minister [Home Office Minister] to decide whether or not the Panel should be evaluating the COI content in OGNs."<sup>166</sup>

Further frustration and concern about this issue was raised by members at the following meeting where they had been asked to review the COI for countries under NSA consideration, but without having access to the COI in OGNs. In the words of one member:

*The sequencing of events had been unfortunate, in that the Panel had been required to review COI documents for proposed NSA countries prior to a decision on whether it could look at OGNs. Any*

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<sup>156</sup> APCI, Minutes of 4<sup>th</sup> Meeting held on 8 March 2005, paras. 1.21 – 1.27.

<sup>157</sup> APCI, Minutes of 5<sup>th</sup> Meeting held on 8 September 2005, para. 1.13.

<sup>158</sup> Ibid, para. 1.13.

<sup>159</sup> Ibid, para. 1.13.

<sup>160</sup> APCI, Minutes of 6<sup>th</sup> meeting held on 8 March 2006, para. 2.59.

<sup>161</sup> APCI, Minutes of 8<sup>th</sup> Meeting held on 6 March 2007, para. 3.4.

<sup>162</sup> Koser, Future Directions for the Advisory Panel on Country Information, 16/10/2006, para. 3, [http://www.apci.org.uk/PDF/APCI\\_7\\_2\\_Future\\_directions.pdf](http://www.apci.org.uk/PDF/APCI_7_2_Future_directions.pdf)

<sup>163</sup> APCI, Minutes of 7<sup>th</sup> Meeting held on 31 October 2006, paras. 4.1-4.3.

<sup>164</sup> Ibid, paras. 4.6-4.12.

<sup>165</sup> Ibid, para. 4.13.

<sup>166</sup> Ibid, para. 4.9.

*decision that the Panel should look at the COI in OGNs would probably come too late for it to look at the OGNs on any of the countries under consideration before a NSA designation Order was made.*<sup>167</sup>

Following the meeting between the Chair and the Home Office Minister regarding whether the APCI should look at the COI element of OGNs, the Minister instructed COIS to consult with policy colleagues on possible options.<sup>168</sup> A letter was circulated amongst the APCI which clearly lays out their position:

*OGNs are policy documents which provide guidance on the treatment of particular categories of asylum and human rights claims. The country information element of these documents is interwoven with wider policy considerations and case law. **For this reason it would be difficult to extract the country information element and retain its sense without the context of the original document.***

*[...] The country material in OGNs could not therefore be evaluated in the same way as COIS COI products.*

*[...] **The APCI's remit is to provide advice on the content of Home Office COI material. OGNs are policy guidance documents rather than COI documents; and the country material within them is specifically selected to support that policy function.** For the reasons given above, it would not be feasible for the APCI to consider the country material in isolation from its policy context. OGNs are published policy documents and any individual or organisation (including members and observers of the APCI) can comment on them. The Home Office has also agreed arrangements for UNHCR to routinely provide feedback on the contents of OGNs. However, **it remains the Home Office position that it would not be possible for the APCI to do so within the terms of its statutory function.***<sup>169</sup>  
*[Emphasis added]*

Despite the fact that in ensuing discussions “it was generally agreed [amongst members and observers of the APCI] that the statutory description of ‘country information’ in the legislation which established the APCI appeared to cover the COI currently included in OGNs”, members and observers of the APCI were not able to reach a clear consensus. Consequently, the Chair concluded that “it was not appropriate for the Panel to make any recommendations concerning OGNs at this time” and that he “would keep the issue of OGNs under review in the light of the proposed changes to the format of OGNs and discussions on APCI’s role within the planned IND inspectorate.”<sup>170</sup>

Surprisingly, the issue of reviewing OGNs was never put to the vote in order to come to a decision once and for all and in order to reinforce the idea that the APCI was a strong and independent body. Instead the Chair allowed uncertainty, frustration and subordination to the Home Office’s view. In fact, in an updated version of the Chair’s paper on the future directions for the APCI he wrote that the Panel had “decided that it is not appropriate for it to consider them [OGNs] at this time.”<sup>171</sup> On the contrary, subsequent discussions showed that some members felt strongly that it was appropriate.

One interviewed member noted that “If we are [to] be truly independent scrutineers of the information used to make fundamental decisions on status, then it seems to me that a way has to [be] found for the Panel to comment on OGNs.”<sup>172</sup> It was further suggested by an observer,

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<sup>167</sup> APCI, Minutes of Extraordinary Meeting held on 9 January 2007, paras. 5.25 & 5.30.

<sup>168</sup> Ibid, paras. 1.7-1.9.

<sup>169</sup> Home Office, Operational Guidance Notes, February 2007,  
<http://www.apci.org.uk/PDF/APCI.8.3%20OGNs.pdf>

<sup>170</sup> APCI, Minutes of 8<sup>th</sup> Meeting held on 6 March 2007, paras. 3.6 & 3.7.

<sup>171</sup> Koser, Future Directions for the Advisory Panel on Country Information, 17/09/2007, para. 3,  
<http://www.apci.org.uk/PDF/APCI.9.5%20Future%20directions%20for%20the%20APCI.pdf>

<sup>172</sup> APCI, Minutes of 9<sup>th</sup> Meeting held on 2<sup>nd</sup> October 2007, para 4.7.

supported by a member, that OGNs should “carry a disclaimer/warranty to the effect that the APCI does not advise on OGNs.”<sup>173</sup>

However, the only conclusion that emerged from the discussions on OGNs throughout the APCI meetings was that the Chair would include the issue of OGNs in his brief to the Chief Inspector of the UKBA, instead of, as demanded for by some participants at the meeting, making a decision there and then.<sup>174</sup>

Clearly, the issue of whether the APCI should have scrutinised OGNs remained contentious until the end. One member referred to the discussion surrounding OGNs as a “dominating issue”, since some members/observers of the Panel wanted to critique the COI elements in OGNs, but were blocked.

Two members particularly stressed their belief that it would have been possible to separate the COI elements from the OGNs in order to scrutinise them, although this never materialised. Along a similar line, another member commented that the suggestion by some to remove all COI elements from OGNs, even if a scrutiny by the APCI was not authorised, “was never taken on board.” A possible reason for that was given by another member who observed that the Panel was talking to the “wrong group of people [at the meetings]” about the issue of OGNs, those whom did not have the power or authority to take it on and “for someone from COIS to go back to the Home Office and to say that we’ve been advised to submit OGNs for review, they would be stepping on the toes of someone else.”

An observer was clearly disappointed that the Home Office refused to send someone with the relevant authority to discuss this issue to the APCI meetings and said that this showed that the Home Office was “positively [...] aggressively disengaged when they [the Home Office] thought the Panel might do something they didn’t want them to.”

Out of the 12 interviewees, one member and one observer strongly voiced their discontent on how the discussions on OGNs were conducted and their disappointment with its outcome. One member noted, when asked whether their position was adequately considered with regard to the scrutiny of OGNs:

*I was listened to in as much as I was in the room and I was speaking and people had their ears open. But I had absolutely no confidence that anything actually happened. I did not see any discernable impact of anything that I said would/had change. I had zero impact on all the things that I raised. Lack of ability to influence agenda items, because things were set already [like] the issue of OGNs.*

*[...] I think that was a real wakening to see how [a] committee work[s] when controversial things come up [...] Are they just pushed to one side or are they kind of confronted even if it did not really fit the confines of the remit. [...] It almost calls into question why there [should] be NGO involvement [...] And I do think NGOs have a perspective to offer [...] for example with regards to the OGN issue. This is not an academic issue. This is a matter of life or death.*

Another member said that the Panel tried to “go further on OGNs” given its limited power, but that the Panel “got as much out of it as possible given the terms of reference.” However, a further observer disagreed:

*We feel quite strongly that the APCI bowed to pressure from the Home Office not to look at OGNs and we were particularly concerned at the time that the view of the APCI seemed to be: “the Home Office has told us we are not allowed to look at OGNs and they won’t give us any OGNs to look at or the*

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<sup>173</sup> Ibid, para 4.7.

<sup>174</sup> Ibid, paras 4.7 – 4.12.

*resources to look at them". Our response was that they are on the internet. You don't need to get them from the Home Office, Your statutory role is to look at COI, and for you to decide what COI is and not simply accept the Home Office line, and if you are saying that the Home Office can prejudice your independence by denying your funds to look at things they don't want you to look at then that's a scandal!*

One observer noted the difficulties the Chair faced in satisfactorily taking this issue forward stating "it was maybe frustrating for him not to be able to engage [with] discussions about OGNs [...] because it wasn't in the panel's remit."

## 6) Looking back at the role of the APCI

Internal praise for the workings of the APCI was first recorded in the minutes of the fourth meeting, with the then chair reporting that "it was widely acknowledged that the Panel had helped to bring about significant improvements in the Home Office's country information."<sup>175</sup> Later during the sixth meeting more praise was given when the incoming Chair, Khalid Koser, reflected on the work of the previous Chair noting that the "Home Office had been very receptive and responsive to the Panel's advice."<sup>176</sup> He also noted that the organisational changes within the Home Office to separate COI from policy and the "continued improvements in the quality of the Home Office's COI material, can be attributed to the effectiveness of the Panel."<sup>177</sup> He further stated that the Panel was a "very good model for how a body of its kind should operate."<sup>178</sup> The Chair summarised what he thought to be APCI's "three significant successes", in a paper he wrote reflecting on his views on the future of the APCI:

*First, largely as a result of the Panel's recommendation, COI research has been separated from policy within the Home Office and transferred to Research, Development and Statistics (RDS). Second, the Panel has overseen a significant improvement in the quality of COI reports. Third, the APCI has developed a strong reputation in the UK and Europe, including among stakeholders who were initially sceptical, for its transparent working method and effectiveness.*<sup>179</sup>

The APCI similarly received external praise at the EU level with the International Centre for Migration Policy Development (ICMPD) heralding the UK as leading the field in terms of the external evaluation of its material through the Advisory Panel.<sup>180</sup> Similarly in the May 2009 meeting of the IAGCI, the Group noted that at a recent meeting of the Intergovernmental Consultations on Migration, Asylum, and Refugees in Geneva that the IAGCI (formerly APCI) was seen as a leader in its field in reviewing selected (UKBA) country of information reports, and making recommendations to help ensure reports were as accurate, balanced, impartial and up to date as they could be.<sup>181</sup>

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<sup>175</sup> APCI, Minutes of 4<sup>th</sup> Meeting held on 8 March 2005, para. 4.1.

<sup>176</sup> APCI, Minutes of 6<sup>th</sup> meeting held on 8 March 2006, para. 1.14.

<sup>177</sup> Ibid, para. 1.15.

<sup>178</sup> Ibid, para. 1.16.

<sup>179</sup> Koser, Future Directions for the Advisory Panel on Country Information, 16/10/2006, para. 2, [http://www.apci.org.uk/PDF/APCI\\_7\\_2\\_Future\\_directions.pdf](http://www.apci.org.uk/PDF/APCI_7_2_Future_directions.pdf)

<sup>180</sup> APCI, Minutes of 3<sup>rd</sup> Meeting held on 7 September 2004 para 3.6 See also ICMPD, APCI.3.1: Comparative study of systems for producing country information in other countries, August 2004

[http://apci.homeoffice.gov.uk/PDF/APCI\\_3\\_1.pdf](http://apci.homeoffice.gov.uk/PDF/APCI_3_1.pdf)

<sup>181</sup> Minutes arising from the Office of the Chief Inspector of the UKBA, Independent Advisory Group on Country Information (IAGCI)– 19 MAY 2009

[http://www.ociukba.homeoffice.gov.uk/files/IAGCI-Minutes/Minutes\\_IAGCI\\_19.05.2009.pdf](http://www.ociukba.homeoffice.gov.uk/files/IAGCI-Minutes/Minutes_IAGCI_19.05.2009.pdf)



With regards to the Panel themselves, one member reflected that the Panel had a “valuable role to play in contributing to the development of common standards for the production of COI material, in the context of EU initiatives flowing from the Hague Process”, since there was no such comparable Panel in any other country.<sup>182</sup>

Regarding the role of the APCI, one observer interviewed for this project noted that it was “prevented [...] from fulfilling its role”, because it failed to analyse the COI elements in OGNs. Another member noted that the APCI never had a “steering or supervisory role, but an advisory role” and was mainly there to make suggestions but not “to impose or to steer”. One member summarised that

*The decision to participate in the APCI was difficult. I shared with some of the stakeholders a concern that the APCI would merely function to legitimate Home Office policy and the research it was based on, but decided to participate because I felt the process of review would be transparent and accountable and was likely to lead to an improved quality of COIS report. In retrospect I feel we achieved that aim, but that the improvement in Home Office research did not translate into better decision making.*

Overall, there is a feeling amongst the respondents that the main achievement of the former APCI was in effecting the separation through of CIPU from COIS, and by contributing to an improvement in the quality of the COIS reports.<sup>183</sup>

### **a) Implementation of Expert Recommendations and Monitoring Mechanism**

An analysis of the working methods of the APCI demonstrates the lack of a robust monitoring mechanism in place for the implementation of the expert recommendations, which seriously compromised the effectiveness of the Panel. Whilst it was intended that a follow-up review be commissioned for each country report, this was not achieved in practice. Table 3 demonstrates that the Panel did not achieve its target of having a follow-up review for each COIS report reviewed in a subsequent meeting.<sup>184</sup> Table 3 shows that this was achieved only in 5 of the 11 ‘normal’ APCI meetings.

As the above analysis demonstrates, follow-up reviews were not commissioned for thematic reviews either. The reason for the lack of follow-up reviews is not clear from an analysis of the minutes of the meetings. One possibility is that they may not have been commissioned in the first place, which would suggest that the expert recommendations were not seen as binding on the Home Office as there was no need to check on their implementation. Alternatively, lack of follow-up reviews may indicate that the Panel was less concerned with the improvement of one individual COIS report, focusing its time and resources on wider quality issues across the COIS instead. For those reports which lacked a follow up review, any monitoring of the implementation of the expert comments would therefore be dependent on individual panel members to check if the Home Office had made the changes it stated that it would, or would consider doing. One member interviewed commented that they did not think that the Panel members and observers ever performed such a role.

In response, a COIS representative stated that the main reason for doing a follow up review was if the initial review had found significant problems, and that it would be a bad use of resources to follow up the ‘better reviews.’ This confirms that there was no mechanism to check if the accepted expert recommendations had actually been incorporated and raises the question over who would decide what constituted a ‘better review.’

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<sup>182</sup> APCI, Minutes of 6<sup>th</sup> meeting held on 8 March 2006, para. 1.19.

<sup>183</sup> See Part 1B of this report for a detailed discussion.

<sup>184</sup> See Appendix 1 for list of Tables.



The observers and members interviewed for this project were in disagreement over whether the APCI met frequently enough to ensure a regular monitoring of COIS reports. Some respondents commented that meeting three times a year was adequate given the ToR to consider a selection of 'top 20' refugee producing country reports. Others, however, thought that meeting infrequently affected the momentum and made it difficult to re-engage with the issues from the previous meetings.

It is not clear from the working methods of the APCI whether the Home Office's responses were open to review in light of discussion at the Panel meetings, or whether the recommendations of the experts or the APCI were binding on COIS.

In fact, a COIS representative commented that there was confusion surrounding the relationship between the Panel members and the expert reviewers. He stated that "a flaw in the old system was that the reviewers were often taken as the voice of the APCI, and that wasn't the case. That wasn't always made clear, and that distinction needs to be made." The same COIS representative explained that COIS would annotate the paper to give their side of the story, then the APCI had its discussion, and whatever came out of that would be taken on board. According to the COIS researchers, Home Office responses to expert recommendations were open to review in light of discussion at the Panel meetings and they would make notes of any relevant comments made by Panel members during the discussion. This suggests that COIS did not regard the expert comments on their reports as binding, but rather they were responsible only to the recommendations of the Panel. However, the process by which the expert recommendation became a Panel recommendation is unclear. Moreover, it appears that the Panel did not typically make observations or recommendations following the expert country review nor did it endorse an expert report, but rather focused their attention on the wider issues relating to good practice of COIS reports in general.<sup>185</sup> Therefore, as the Panel themselves did not assume any monitoring role of the implementation of expert recommendations and instead commissioned experts to undertake follow-up reviews, any monitoring mechanism in place was rendered circular and ineffective.

The members and observers interviewed were generally in agreement that in practice the Home Office did regularly accept the suggestions and recommendations of the experts or would give adequate explanation for not accepting a suggestion. However, one observer commented that the Home Office was only willing to include recommendations that were not 'controversial', whilst replying to 'controversial' suggestions with the phrase that it would be 'considered.' A member commented that usually where the Home Office chose not to accept a suggestion it was because they did not think it was generally relevant to asylum and human rights claims. They further noted that there was disagreement in some of the meetings about the relevance of certain expert recommendations, observing that one difficulty of the APCI was that a country expert is often not a refugee law expert, so there was an issue regarding what might be relevant to an asylum claim. One observer stated that the Home Office would often neglect to include an expert recommendation on the basis that it was not relevant to Home Office caseworkers and that was whom the reports were prepared for, despite the fact that the reports had other users outside of the Home Office, and are put before the Asylum and Immigration Tribunal. This frustration with the Home Office response to reviews indicates the limited scope of the APCI in holding the Home Office accountable to expert suggestions and recommendations.

It is interesting to compare the Home Office responses to the expert comments made on the three Afghanistan COIS reports; October 2006, May 2008 and the August 2008 report. All three reviews

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<sup>185</sup> See Part 1B of this report for a detailed analysis on the critical issues raised by Panel members/observers and experts on Country Reports and Home Office responses.

were undertaken by the same expert, thus providing a level of consistency and familiarity with the reporting process. It also provided the researcher with an opportunity to ascertain whether the Home Office had made those changes it had agreed to do following the previous review. The Home Office comments to the first review follow a similar pattern as those to the October 2006 Iraq report described previously, that is detailing the intended action of the Home Office for the production of the next report. By contrast, the Home Office comments to the follow-up reviews of the May and August 2008 Afghanistan reports whilst continuing to note their intended action, also included detailed explanations of why particular suggestions and recommendations made by the expert had not been taken on in the report. Whilst the increased level of detail in the Home Office comments to the Afghanistan reviews compared to the October 2006 Iraq review may be due to the approach of the individual COIS researcher, this (limited) analysis suggests that follow-up reviews offer a higher level of engagement by COIS with the expert review.

The COIS researchers interviewed explained that the expert recommendations and suggestions, if agreed to, would be incorporated into the subsequent country report. Depending on the country, COIS might update a report as regularly as three times a year or as infrequently as once a year. Clearly this time delay is problematic as any errors highlighted in the report would not be corrected and sources of information suggested by the expert may have become out of date. Worryingly, errors would therefore continue to exist in a report that was being relied upon in asylum and human rights claims.

It is noteworthy that all the members and observers were in agreement that the monitoring mechanism of the APCI was inadequate. One member reported simply that “there wasn’t a system of monitoring” whilst another respondent asked the IAS interviewer whether any monitoring process existed as they were not aware of one. A further member described the APCI as operating a “sampling process” rather than a systematic and complete surveillance of the production of COI. It was raised with concern that suggested changes to COIS reports were often made with great delay, whilst the old COIS report continued to be used as evidence in asylum claims. According to another member, expert comments went into a ‘black hole’ and that despite the potential of the APCI, it was not realized in practice. Concern was also raised by an observer over the lack of monitoring regarding the information available for those countries that were up for NSA status designation.

## **7) The Independent Advisory Group on Country Information (IAGCI)**

In March 2007 the government announced new proposals for an independent body to monitor the UKBA and its services, including incorporating responsibilities thus far held by the APCI.<sup>186</sup> The Office of the Chief Inspector of the UKBA was thus created by the UK Borders Act 2007.<sup>187</sup> The same Act also abolished the statutory roles of a number of bodies, which monitored, inspected or advised on specific aspects of the immigration service, including the APCI.<sup>188</sup>

According to a public consultation undertaken by the Home Office, there was broad support for such a body to replace the existing APCI.<sup>189</sup> However, the collective response at that time by leading refugee organisations paints a different picture:

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<sup>186</sup> See the website of The Office of the Chief Inspector of the UK Border Agency:

<http://www.ociukba.homeoffice.gov.uk/about-us/index.asp>

<sup>187</sup> UK Borders Act 2007, Chapter 30, sections 48-56,

[http://www.opsi.gov.uk/acts/acts2007/pdf/ukpga\\_20070030\\_en.pdf](http://www.opsi.gov.uk/acts/acts2007/pdf/ukpga_20070030_en.pdf)

<sup>188</sup> Ibid.

<sup>189</sup> APCI, Minutes of 8<sup>th</sup> Meeting held on 6 March 2007, para. 1.10.

*We believe that APCI should remain a separate independent body, reporting as present, with appropriate links to the new body designed to facilitate a co-ordinated approach to quality. In particular, we feel that in order to best support the work of the new body, APCI should develop its work on country information to include Operational Guidance Notes and other documentation comprising country information.*<sup>190</sup>

The wider remit of the newly created Office of the Chief Inspector of the UKBA is to “assess efficiency and effectiveness” of the UKBA, with the “main areas for inspection” including:

- Overall performance
- Practice and procedure in making decisions
- The treatment of claimants and applicants
- Consistency of approach
- Discrimination in the exercise of functions
- Enforcement powers
- The handling of complaints
- Country information.<sup>191</sup>

In the *Inspection Plan 2009 / 2010* the Chief Inspector of the UKBA set out what he intended to achieve in the coming year, detailing that the work of the APCI “will form a discrete area of the organisation”, since it is one of advisory not inspection.<sup>192</sup> In the same document the Chief Inspector announced that the work of the APCI will be taken forward by a:

*Small group of country, legal and refugee experts to review the factual accuracy of country information produced by the UK Border Agency. We will then report to the Home Secretary on the outcome of these reviews. The countries reviewed will be considered on the basis of the risk posed to the UK. We have also invited all the previous members and observers of the APCI to form a consultancy forum on refugee issues, to help inform our inspection programme.*

While the wording of “the countries reviewed [...] on the basis of the risk posed to the UK” of the Chief Inspector is unfortunate, it was positive that the Chief Inspector envisaged continuing the work of the former APCI.

The Independent Advisory Group on Country Information (IAGCI) was established in March 2009 by the Chief Inspector of the UKBA to “make recommendations to him about the content of material produced by the UK Border Agency’s Country of Origin Information Service as well as recommendations of a more general nature.”<sup>193</sup> Similar to the former APCI, the IAGCI has a disclaimer on its website that clearly states that its function is not to endorse any UKBA material or procedures, including the NSA process or NSA country designation.<sup>194</sup> At the same time, the Refugee and Asylum Forum (RAF) was established by the Chief Inspector with the purpose of “developing

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<sup>190</sup> See British Refugee Council, Migrant Helpline, Refugee Action, Refugee Arrivals Project, Scottish Refugee Council, Welsh Refugee Council, Response to: Fair, effective, transparent and trusted – Rebuilding confidence in our immigration system An independent and transparent assessment of immigration, February 2007, <http://www.refugeecouncil.org.uk/OneStopCMS/Core/CrawlerResourceServer.aspx?resource=DB71B7E4-FCC5-4858-BA30-6B903F2FCE91&mode=link&guid=a4eb995035dd44f9ac23af787513539f>

<sup>191</sup> See the website of The Office of the Chief Inspector of the UK Border Agency: <http://www.ociukba.homeoffice.gov.uk/about-us/index.asp>

<sup>192</sup> The Office of the Chief Inspector of the UK Border Agency, *Inspection Plan 2009/2010*, 02/04/2009, para. 2.3, [http://www.ociukba.homeoffice.gov.uk/files/ociukba\\_inspection\\_plan09-10.pdf](http://www.ociukba.homeoffice.gov.uk/files/ociukba_inspection_plan09-10.pdf)

<sup>193</sup> The Office of the Chief Inspector of the UK Border Agency, *Independent Advisory Group on Country Information*, <http://www.ociukba.homeoffice.gov.uk/independent-advisory-group/>

<sup>194</sup> *Ibid.*

opportunities for stakeholders to engage with his office and help drive forward his inspection programme.”<sup>195</sup>

According to the former APCI members and observers that were interviewed for this project, when asked whether the IAGCI under the Chief Inspectorate is better placed to carry out the work of the former APCI, respondents agreed that it was too early to tell, but that the new group appeared more independent, more “distant” from the Secretary of State and thus clearer in its “monitoring role”. One member suggested that the Chief Inspector could ascertain whether the “country reports are the right products” and “useful” to decision-makers. A COIS representative suggested that the new group is in a better position and “breaks some of the tensions that existed [in the APCI].” Yet, one observer noted that the mandate of the Chief Inspector is limited in that he can only make “strong recommendations” coming out of the IAGCI, which are not necessarily binding to the Home Office.

### **a) Terms of Reference**

The Terms of Reference (ToR) of the IAGCI are clearly set out on the website of the Chief Inspector and include the following:

- *To review the content of all Country of Origin Information (COI) produced by the UK Border Agency (including reports, key documents, and other products) to help ensure that this is as accurate, balanced, impartial and up to date as possible. [...]*
- *To review the relevance, format and “user-friendliness” of COI material produced by the UK Border Agency*
- *To review the sources, methods of research, and quality control used by the UK Border Agency to help ensure that these support the production of COI material which is as accurate, balanced, impartial and up to date as possible*
- *To review the content of all UK Border Agency Country of Origin Information (COI) material relating to countries designated or proposed for designation for the Non-Suspensive Appeals (NSA) list*<sup>196</sup>

Whilst it is welcomed that the IAGCI is increasing the number of meetings from two to three times per year compared to the APCI, except when requested by the Chief Inspector of the UKBA to hold an additional meeting, for example, in case COI material needs to be considered for countries proposed for designation for the NSA list, the ToR are very ambitious.<sup>197</sup> Given the limited amount of meetings and the aim of reviewing three COIS reports at each meeting,<sup>198</sup> it will be interesting to observe how the IAGCI will be able to fulfil its mandate and still be open to other issues and discussions that might emerge over the course of its work that requires the advice of the group.

Despite its ToR to review the content of all COI produced by the Home Office, the IAGCI decided that the review of the COI content in OGNs does not fall within its remit; but rather that it falls within the wider remit of the Office of the Chief Inspector.<sup>199</sup> This is a matter of great concern to the IAS who has consistently been lobbying for an independent scrutiny of the COI content of OGNs.

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<sup>195</sup> See the Refugee and Asylum Forum (RAF) webpage on the website of the Chief Inspector of the UKBA: <http://www.ociukba.homeoffice.gov.uk/refugee-and-asylum-forum/>

<sup>196</sup> The Office of the Chief Inspector of the UK Border Agency, Independent Advisory Group on Country Information: Terms of Reference, <http://www.ociukba.homeoffice.gov.uk/independent-advisory-group/Terms-of-Reference.asp>

<sup>197</sup> Ibid

<sup>198</sup> The Office of the Chief Inspector of the UK Border Agency, Minutes arising from the Office of the Chief Inspector of the UKBA, Independent Advisory Group on Country Information, 19/05/2009, [http://www.ociukba.homeoffice.gov.uk/files/IAGCI-Minutes/Minutes\\_IAGCI\\_19.05.2009.pdf](http://www.ociukba.homeoffice.gov.uk/files/IAGCI-Minutes/Minutes_IAGCI_19.05.2009.pdf)

<sup>199</sup> Ibid.

In May 2009, the IAS wrote to the Chair of the IAGCI calling for the review of COI contained within OGNs to be undertaken by the IAGCI. However, the Chair responded that “while there is an element of country information contained in OGNs, they are explicitly written to serve a policy purpose. In this respect OGNs do not fall within the remit of IAGCI, although clearly they fall within the Chief Inspector’s remit.”<sup>200</sup>

In the most recent (September 2009) meeting of the RAF, members were invited to make any proposals for inspection activity that were supported by evidence. The IAS proposed that the Office of the Chief Inspector should commence a review of OGNs following findings of the IAS publication of *The Use of Country of Origin Information in Refugee Status Determination: Critical Perspectives*, in May 2009 and the roundtable discussion *The Culture of Denial and its Impact on the Use of COI in Operational Guidance Notes* held in July 2009, which a representative from the Office of the Chief Inspector had attended. In the RAF meeting the Chief Inspector acknowledged members’ support for the recommendation that OGNs should be considered as a matter for inspection and stated that an inspection of OGNs would be considered alongside other areas for inspection.<sup>201</sup>

#### **i) Recommendations to the IAGCI regarding its Terms of Reference**

- Given the ambitious ToR we recommend increasing the number of times the IAGCI meet per year. This is also to ensure a greater number of COIS reports produced by the COI Service are reviewed, given the accepted importance of continuous scrutiny
- The IAGCI should press the Chief Inspector to conduct an inspection as soon as possible into the COI content in OGNs and the way OGNs are being used in decision-making

#### **b) The Membership**

From the information available on the website of the Office of the Chief Inspector, it appears that there are 9 permanent members, appointed for a two year term, of which 2 are academics, 2 from UNHCR, 1 from an Intergovernmental Organisation, 1 from the Judiciary and 1 from the Home Office.<sup>202</sup> Whilst these permanent members were all former members of the APCI, the selection process for the IAGCI membership has not been made public.

Interestingly no former observers to the APCI are members of the IAGCI. As a former observer to the APCI, the IAS was invited to attend a meeting with the Office of the Chief Inspector at which he outlined his inspection plans. At that meeting, it was explained that he was to set up a Refugee and Asylum Forum (RAF) in addition to the IAGCI.

RAF has a broader remit to assist the Office of the Chief Inspector by:

- *Providing regular opportunities for key asylum groups to have an input into the Chief Inspector’s wider inspection programme*
- *Ensuring key asylum groups who have strong interests in the UK Border Agency working to the highest standards can use their knowledge and experience to suggest possible areas/themes for inspection*

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<sup>200</sup> Khalid Koser, Letter to Immigration Advisory Service, 11/06/2009

<sup>201</sup> Internal note on 2nd Meeting of the Refugee and Asylum Stakeholder Forum on 24/09/2009

<sup>202</sup> The Office of the Chief Inspector of the UK Border Agency, Independent Advisory Group on Country Information: Terms of Reference, <http://www.ociukba.homeoffice.gov.uk/independent-advisory-group/Terms-of-Reference.asp>

- *Bringing their expertise and evidence about the performance of the UK Border Agency to the group so that key asylum issues are brought to the attention of Chief Inspector's Office.*<sup>203</sup>

In practice, former APCI observers were invited to join RAF and certain former APCI members were invited to the IAGCI. Of the 8 former members and 4 former observers that were interviewed for this project, 4 members had been approached for membership of the new body, while no observers were invited. A COIS representative explained that "COIS is technically a member of the IAGCI, though the relationship with the groups is the same as it was with APCI – that is, COIS 'appears before' the IAGCI and is called upon to explain and justify what it is doing."

One APCI member interviewed commented that "the Inspector is now in a much stronger position, [as he] can use expert knowledge. The APCI could only comment and authenticate evidence, had no power. The change is logical and beneficial – to have a smaller group of experts and for observers to be in a different body." Similarly, a COIS representative commented that the IAGCI will be in a better position to carry out the work of the APCI due its size (smaller), its members who have a "very good understanding of COI and how COIS products work, as well as the absence of observer organisation, which will enable "the group to focus solely on COI matters rather than taking time with lengthy discussion on points of principle/ political concern." The same representative suggested that moving the observers to the RAF instead of the IAGCI may have been intended by the Chief Inspector to help ensure that the group could concentrate solely on COI matters and not be distracted by wider issues.

In comparison, some members noted their dissatisfaction with the new make-up of the body due to it being too "academic", that it goes "against the grain of a lot of stakeholder involvement" not to include any NGOs, and that "there are still people in the IAGCI that aren't specialists on COI." One observer noted that the former APCI was "for many people the only chance to have a chat to the Home Office to tell them our concerns [...] if there is no line of communication between COIS and NGOs then there is a danger because the experts, [the] academics will tell them [the Home Office] what's on the paper but they need to know what happens in reality." As one respondent commented "it makes one suspicious why none [NGOs] are on the new group." Another observer commented that overall there seems to be not only a lack of COI researchers in the new group but also a lack of specialists on key issues such as gender, children, LGBT and so forth, despite the need for such knowledge having been clearly demonstrated from the thematic reports commissioned by the Panel. The same respondent expressed concern over the ability for the former observers to the APCI to influence discussions on the production of COI at the RAF meetings where the agenda will be so full with other areas of concern in UKBA.

### **i) Recommendations for IAGCI membership**

- The membership and chair selection procedure of the IAGCI is not transparent and leaves questions open as to whom was selected, why they were selected, what expertise they bring, whether new members can join the process at any one time, and whether there is a cap on the number of members allowed to join the IAGCI. It is noteworthy that no refugee organisation (legal, RCO or otherwise) is represented in this group, despite the UKBA being represented. The IAGCI should address these membership and chair selection procedure issues on their website for transparency and clarification purposes
- All new members should receive a briefing that includes background information on the UK asylum process, and on the COIS service, and the IAGCI's mandate, structure and working

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<sup>203</sup> See the Refugee and Asylum Forum (RAF) webpage on the website of the Chief Inspector of the UKBA: <http://www.ociukba.homeoffice.gov.uk/refugee-and-asylum-forum/>

methods, to ensure that everyone is fully informed as to the scope and purpose of the IAGCI monitoring of Home Office COI material

### **c) Reporting Procedure of the IAGCI**

A report will be submitted to the Chief Inspector of the UKBA after each meeting of the IAGCI “containing recommendations for changes to the COI material reviewed during the meeting, along with any recommendations on wider issues.”<sup>204</sup> How far these will be taken up by the Chief Inspector of the UKBA with the COIS Service or other relevant departments of the Home Office and whether there will be a continuous monitoring system in place has not been specified, at least not publicly.

An annual report will also be prepared for the Chief Inspector of the UKBA as an addition to his annual report to Parliament.

#### **i) Recommendations to the IAGCI Reporting Procedure**

- The power and influence of the IAGCI should be more clearly defined. Currently, it is not apparent whether the recommendations forwarded to the Chief Inspector will be taken up with the relevant Home Office departments (and how often) and whether they are binding on the Home Office
- The IAGCI report submitted after each meeting to the Chief Inspector containing recommendations for changes in COIS products should be made public, as should the annual IAGCI report

### **d) The Meeting Structure**

As mentioned above, the IAGCI will meet three times a year and might meet additionally at the request of the Chief Inspector of the UKBA. It is unclear how much influence UKBA will continue to have in setting the agenda for meetings as this will be determined in consultation with them and the IAGCI Chair and the Office of the Chief Inspector of the UKBA.<sup>205</sup> No mention is made about the input IAGCI members can have in setting items on the agenda or how RAF members can feed into the group. The latter point is of particular relevance since most former APCI observers are only represented in RAF and have otherwise no direct link to the IAGCI. It appears that the only possible input is through commenting on which COIS reports to review (see below).

Some of the former APCI members and observers that were interviewed for this project specifically expressed concern over the fact that there now are two groups; the IAGCI and the RAF. The former is considered as the “expert” group on COI related matters, while the latter is mainly composed of all the former APCI observers and can discuss broader issues related to asylum and immigration. According to one respondent “the two groups could be good if used effectively” if members of the RAF can suggest countries that should be up for review and if some members of the RAF are invited to the IAGCI meetings as previously discussed with the Office of the Chief Inspector: “If the members of [the] broader group actually [are] invited to [the] core group. There was supposed to be a rotating place or as I suggested, two places where anyone from the broader group on the basis of the agenda of the smaller group could say that they would like to attend- that was verbally agreed [...] it should work as a bridge between the two groups and increase transparency.” In reality, this does not seem

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<sup>204</sup> The Office of the Chief Inspector of the UK Border Agency, Independent Advisory Group on Country Information: Terms of Reference, <http://www.ociukba.homeoffice.gov.uk/independent-advisory-group/Terms-of-Reference.asp>

<sup>205</sup> Ibid.



to have become the practice as can be seen from the current ToR of the IAGCI. It rather appears that one member, usually the Chair, will attend the RAF meetings to report back on the workings and findings of the IAGCI and vice versa.

### **i) Recommendations for IAGCI Meetings**

- The liaison and communication channels between the Chief Inspector, the Home Office, the IAGCI and the RAF should be laid out more transparently and any correspondence be made public
- Invite the country expert and relevant COIS county researcher to attend the IAGCI meeting at which their country report is up for review

### **e) Country Report Selection**

It is hoped that the process by which country reports will now be selected by the IAGCI will be more transparent and not dominated by proposals for NSA status designation. The ToR of the new group sets out that countries and topics for review will be agreed in consultation with UKBA, with approval by the Chief Inspector of the UKBA<sup>206</sup>. It was agreed in the May 2009 IAGCI meeting that the group would aim to review three COIS reports at each meeting.<sup>207</sup> The main criteria agreed for selecting reports for review are:

- (1) number of asylum applications and
- (2) how recently COI on the country in question has been reviewed by IAGCI.<sup>208</sup>

It appears from the ToR that if countries are proposed for NSA designation then an additional meeting of the IAGCI will be held.<sup>209</sup> This is a welcome development which should ensure that the new group achieves its target of reviewing three 'Top 20' refugee producing country COIS reports at each meeting.

However, in the May 2009 IAGCI meeting, the countries intended for review were Turkey and Iraq KRG due to their being proposed for NSA status designation.<sup>210</sup> In fact, the Turkey report was not commissioned following the UKBA decision not to designate it as NSA. This demonstrates a worryingly familiar pattern that country report selection is dominated by NSA proposals, and not driven by concerns to improve the quality of COIS reports.

The countries selected for review for the second IAGCI meeting were Pakistan, Zimbabwe and India. It is not clear who proposed these countries, or for what reasons as the minutes detail only that these were agreed on "following further discussion" between the group members, which further compromises the transparency of the new Group.

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<sup>206</sup> IAGCI, Terms of Reference, undated (accessed 08/10/2009), <http://www.ociukba.homeoffice.gov.uk/independent-advisory-group/Terms-of-reference.asp>

<sup>207</sup> Minutes arising from the Office of the Chief Inspector of the UKBA, Independent Advisory Group on Country Information (IAGCI), 19/05/2009, [http://www.ociukba.homeoffice.gov.uk/files/IAGCI-Minutes/Minutes\\_IAGCI\\_19.05.2009.pdf](http://www.ociukba.homeoffice.gov.uk/files/IAGCI-Minutes/Minutes_IAGCI_19.05.2009.pdf)

<sup>208</sup> Ibid.

<sup>209</sup> IAGCI, Terms of Reference, undated (accessed 08/10/2009), <http://www.ociukba.homeoffice.gov.uk/independent-advisory-group/Terms-of-reference.asp>

<sup>210</sup> Minutes arising from the Office of the Chief Inspector of the UKBA, Independent Advisory Group on Country Information (IAGCI), 19/05/2009, [http://www.ociukba.homeoffice.gov.uk/files/IAGCI-Minutes/Minutes\\_IAGCI\\_19.05.2009.pdf](http://www.ociukba.homeoffice.gov.uk/files/IAGCI-Minutes/Minutes_IAGCI_19.05.2009.pdf)



### **i) Recommendations to the IAGCI regarding country report selection**

- Ensure that every effort is made to achieve the new IAGCI target of reviewing three 'Top 20' country reports per meeting, according to the agreed selection criteria
- Improve transparency of country selection by recording any discussions between UKBA and the IAGCI Chair outside of the IAGCI meetings
- Accurately minute the discussions between the Group over the country report selection, including the reasons given for the selection, and whom the selection was made by
- Ensure that if a country is being proposed for NSA designation, an *additional* IAGCI meeting is called
- Continue to commission thematic reviews of COIS products

### **f) Commissioning Experts for Country Report Reviews**

It is hoped that the process by which experts are selected to undertake reviews will be more transparent now that the group is under the Office of the Chief Inspector. Indeed, at the final meeting of the APCI the Chief Inspector noted that there had been a transparency issue with the APCI commissioning researchers and that he would be "looking to formalise the process to ensure accountability."<sup>211</sup>

In the May 2009 meeting of the IAGCI, a document outlining the procedures and criteria for selecting reviewers was discussed.<sup>212</sup> An improved level of transparency than the APCI should be offered by the IAGCI, as it is stated in the ToR of the new IAGCI that members will not undertake reviews.<sup>213</sup> It was agreed that tenders would be first sent to the Chair, who would then advise the Chief Inspector in making the final selection of the reviewer to be commissioned.<sup>214</sup> It was also stated that these procedures would be published on the IAGCI website. However, the section of the website that details the procedures for commissioning reviews does not include any information as to the criteria against which experts will be selected.<sup>215</sup>

One COIS researcher interviewed for this project commented that the new IAGCI would benefit from clear ToR that would reduce confusion over whom the country reports were intended for use by. By way of example, the researcher explained that the academic review of their country report had suggested the inclusion of reports that were over two years old, which is past the COIS 'cut-off' point. A COIS representative explained that due to these concerns, COIS is planning to feed into the Terms of Reference for the IAGCI, in order to make it as prescriptive as possible. They also suggested

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<sup>211</sup> APCI, Minutes of 11th Meeting held on 7 October 2008, para. 3.22.

<sup>212</sup> Minutes arising from the Office of the Chief Inspector of the UKBA, Independent Advisory Group on Country Information (IAGCI), 19/05/2009,

[http://www.ociukba.homeoffice.gov.uk/files/IAGCI-Minutes/Minutes\\_IAGCI\\_19.05.2009.pdf](http://www.ociukba.homeoffice.gov.uk/files/IAGCI-Minutes/Minutes_IAGCI_19.05.2009.pdf)

<sup>213</sup> IAGCI, Terms of Reference, undated (accessed: 08/10/2009),

<http://www.ociukba.homeoffice.gov.uk/independent-advisory-group/Terms-of-reference.asp>

<sup>214</sup> Minutes arising from the Office of the Chief Inspector of the UKBA, Independent Advisory Group on Country Information (IAGCI), 19/05/2009,

[http://www.ociukba.homeoffice.gov.uk/files/IAGCI-Minutes/Minutes\\_IAGCI\\_19.05.2009.pdf](http://www.ociukba.homeoffice.gov.uk/files/IAGCI-Minutes/Minutes_IAGCI_19.05.2009.pdf)

<sup>215</sup> IAGCI, Procedures for commissioning reviews, undated (accessed: 08/10/2009),

<http://www.ociukba.homeoffice.gov.uk/independent-advisory-group/Procedures-for-commissioning-reviews.asp>

that reviewers should be informed of what COIS considers the main categories of claims, so that it is understood why certain issues are focused on in the COIS reports.

Whilst it is important that reviewers are informed as to the scope and purpose of the COIS reports, the reliance on COIS reports must be situated within the context of an adversarial refugee status determination process. According to the COIS website the country reports are “information for UK Border Agency officials involved in the asylum determination process.”<sup>216</sup> Whilst the COIS staff interviewed for this project emphasized that their reports are intended for use by Home Office decision makers COIS reports are also often the only source of information put before the Asylum and Immigration Tribunal by Home Office Presenting Officers. Where clients are unrepresented, COIS reports may thus be the only source of country information considered by Judges. COIS reports thus have a narrow user-led perspective that is informed by one side of the adversarial decision making process. There is a danger that having a more prescriptive terms of reference for expert reviews written by the Home Office will allow them to dictate what they perceive to be the main types of asylum claims, and the main issues for research for a particular country. In order not to compromise the objectivity of the COIS reports therefore, any attempt to identify the main types of asylum claims for a particular country should be informed not just by the Home Office, but by other parties to the refugee status determination process.

It has been further agreed that the Invitation to Tender for potential reviews will make reference to the fact that any commissioned reviews might subsequently be used for NSA designation.<sup>217</sup> It was also agreed that following a successful receipt of tender for the work, the researcher would be told of the NSA component of that work. As with the APCI, commissioned reviewers would be bound by confidentiality when writing their report.<sup>218</sup>

With regard to the new IAGCI, whilst it is assumed that a research brief was given to the expert reviewers prior to them evaluating the COIS reports, it is not available in the public domain. In the September 2009 IAGCI meeting, one of the reviewers made the recommendation that “the Group may want to address the terms of reference it provides to reviewers so it is clear what is expected from them”, suggesting that the current instructions are unclear.<sup>219</sup> Moreover, a COIS representative reported in the same meeting that a prescriptive commissioning note should be provided to the expert reviewer which should include a checklist of items to be covered in the review.<sup>220</sup> The same representative went on to suggest that the criteria for reviewing reports should reflect the specific needs of the “UKBA customers”, as opposed to a general academic perspective, suggesting that the reviewer instructions are still under discussion.<sup>221</sup>

According to a COIS representative, COIS country researchers have not been allowed to attend IAGCI meetings because “it is evolving and is being kept small”. Provisions in the Terms of Reference do mention that at the discretion of the Chair, reviewers “may be invited to attend meetings of the

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<sup>216</sup> See COIS website [http://www.homeoffice.gov.uk/rds/country\\_reports.html](http://www.homeoffice.gov.uk/rds/country_reports.html)

<sup>217</sup> Minutes arising from the Office of the Chief Inspector of the UKBA, Independent Advisory Group on Country Information (IAGCI), 19/05/2009, [http://www.ociukba.homeoffice.gov.uk/files/IAGCI-Minutes/Minutes\\_IAGCI\\_19.05.2009.pdf](http://www.ociukba.homeoffice.gov.uk/files/IAGCI-Minutes/Minutes_IAGCI_19.05.2009.pdf)

<sup>218</sup> Ibid.

<sup>219</sup> Minutes arising from the Office of the Chief Inspector of the UKBA, Independent Advisory Group on Country Information (IAGCI), 08/09/2009, [http://www.ociukba.homeoffice.gov.uk/files/IAGCI-Minutes/Minutes\\_IAGCI\\_08.09.2009.pdf](http://www.ociukba.homeoffice.gov.uk/files/IAGCI-Minutes/Minutes_IAGCI_08.09.2009.pdf)

<sup>220</sup> Ibid.

<sup>221</sup> Ibid.

IAGCI to present their reviews<sup>222</sup> and at the second meeting the country reviewer for the Pakistan COIS report was present.

#### **i) Recommendations for IAGCI Expert Selection and Instructions**

- Improve transparency of expert selection by making the criteria against which experts will be selected available in the public domain
- Provide experts with a briefing of the UK asylum process and of COIS prior to them undertaking the country review
- Revise instructions to experts to clarify the purpose and scope of the COIS reports from a user-led perspective informed by all parties to the refugee status determination process
- Consider COIS's recommendation that reviewers should be informed of the main types of asylum claims of the country up for review. Whilst we acknowledge the potential benefits of such an approach, we would propose that other parties to the RSD and other users of country information in addition to the Home Office be involved in suggesting what the main types of claims are, and secondly, what the main issues for research are for these particular claims
- Consider the COIS researchers' recommendation that different country experts be commissioned where a country is up for review more than once
- Make instructions to experts undertaking country reviews and thematic reviews publically available on the new IAGCI website
- Invite the country expert and relevant COIS country researcher to attend the IAGCI meeting at which their country report is up for review
- Send the relevant materials to the IAGCI well in advance of the meetings (at least three weeks)

#### **g) Monitoring Process of the IAGCI**

In response to an IAS letter, Khalid Koser as Chair of IAGCI clarified the IAGCI procedure for circulating commissioned reviews in May 2009. He reported that the expert review will be passed on to the Home Office to provide responses to the review, which are normally inserted within the text of the review.<sup>223</sup> The 'marked up' version will then be sent to the IAGCI members, thus following the practice of the APCI. However, if they exist, the Home Office annotated expert reviews do not appear on the IAGCI website for all of the country report reviews. For example, no Home Office responses are annotated to the country report review for the July 2009 Zimbabwe COIS report, thus it is not clear what, if any, recommendations COIS were prepared to take on board for the next report. Indeed, an analysis of the minutes of the meeting at which the report was presented reveals no intended action by COIS. Rather, they were reported to have already "accepted comments from the reviewers about annexes"<sup>224</sup> although it is not clear what this means in practice since no new Zimbabwe COIS report had been published at the time of the September 2009 IAGCI Meeting.

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<sup>222</sup> The Office of the Chief Inspector of the UK Border Agency, Independent Advisory Group on Country Information: Terms of Reference, <http://www.ociukba.homeoffice.gov.uk/independent-advisory-group/Terms-of-Reference.asp>

<sup>223</sup> Khalid Koser, Letter to IAS dated 14/05/2009.

<sup>224</sup> Minutes arising from the Office of the Chief Inspector of the UKBA, Independent Advisory Group on Country Information (IAGCI), 08/09/2009,

This seriously compromises the transparency of the IAGCI as it is no longer possible to monitor whether UKBA has agreed to an expert suggestion, or what reasons were given by the Home Office in rejecting particular recommendations. Transparency is further compromised by the fact that one of the expert reviews still does not appear on the IAGCI website (Pakistan COIS report review). According to a COIS representative, this is because the reviewer made his comments by means of tracked changes on the original report, which will be made clear on the IAGCI website.

Indeed, it is not clear how the monitoring process of the new IAGCI is envisaged. It is surprising that neither the ToR nor the minutes of the IAGCI meetings to date indicate that follow-up reviews of COIS reports will be commissioned. This is a worrying trend which compromises the ongoing monitoring function of the group. To date, having already reviewed four country reports, only one follow-up review has been commissioned. The follow-up report will review the new India COIS report, following a critical evaluation of the May 2009 India COIS report.<sup>225</sup>

In place of commissioning a follow-up review, it appears from the ToR that a report will be submitted after each meeting of the IAGCI to the Chief Inspector of the UKBA, “containing recommendations for changes to the COI material reviewed during the meeting, along with any recommendations on wider issues.”<sup>226</sup> However, to date this report is not publicly available. It also remains unclear the degree to which the UK Border Agency is required to take these recommendations on board and comply with them. This is of great concern, and suggests that the same failings of the APCI with regard to ongoing monitoring of COIS reports are going to be repeated by the IAGCI.

Moreover it appears that there will be a long delay between expert suggestions being received, agreed by the Panel and then implemented by COIS. For example, the review of the May 2009 India report was prepared in time for the September 2009 IAGCI meeting. Despite its critical review, it has been indicated that the next India COIS report will only be ready in time for the January IAGCI meeting. In the meantime, the May 2009 India report has not been amended or removed from the Home Office website, meaning that a problematic report is still being used in asylum and human rights claims. Similarly, following the IAGCI review of the July 2009 Zimbabwe report, an updated report was not published until the 23 December 2009, a delay of six months which is not acceptable for such a fast-moving country that generates the ‘top 5’ number of asylum applicants in the UK.

### **i) Recommendations for the IAGCI Monitoring Process**

- As a matter of urgency, the IAGCI should establish a robust monitoring mechanism. The IAGCI should:
  - Encourage COIS to detail the reasons for not accepting any recommendations made by the country expert and ask for a projected timeline when recommendations will be implemented
  - Ensure that Home Office annotated expert reports are available in the public domain
  - Make the report of IAGCI recommendations to COIS publically available

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[http://www.ociukba.homeoffice.gov.uk/files/IAGCI-Minutes/Minutes\\_IAGCI\\_08.09.2009.pdf](http://www.ociukba.homeoffice.gov.uk/files/IAGCI-Minutes/Minutes_IAGCI_08.09.2009.pdf)

<sup>225</sup> Minutes arising from the Office of the Chief Inspector of the UKBA, Independent Advisory Group on Country Information (IAGCI), 08/09/2009,

[http://www.ociukba.homeoffice.gov.uk/files/IAGCI-Minutes/Minutes\\_IAGCI\\_08.09.2009.pdf](http://www.ociukba.homeoffice.gov.uk/files/IAGCI-Minutes/Minutes_IAGCI_08.09.2009.pdf)

<sup>226</sup> IAGCI, Terms of Reference, undated (accessed: 08/10/2009),

<http://www.ociukba.homeoffice.gov.uk/independent-advisory-group/Terms-of-reference.asp>

- Clarify the extent to which COIS must comply with IAGCI recommendations and a suggested time frame within when this should happen
- Commission follow-up reviews for all COIS reports, including reports for countries proposed for NSA designation and for thematic reviews. These reviews should include an analysis of the implementation of expert suggestions recommended by the IAGCI
- Ensure that following the expert review and IAGCI recommendations, every effort is made by COIS to publish an amended report as soon as practically possible

## Appendix 1 List of Tables

**Table 1: The number and type of country information product reviewed by the Panel in the 13 meetings held:**

COIS Reports	39
Draft COIS Reports	6
COIS Key Documents	12
Draft Key Documents	1
Fact Finding Mission Reports	2
Thematic reviews	3
<b>Total</b>	<b>63</b>

**Table 2: Country reports actually reviewed by APCI, stated reason for that review (excludes Fact Finding Missions (FFMs) or thematic reviews)**

\* Signifies those reports that have multiple reasons for selection. The number in brackets is to be counted

Reason	No.	Incidence (by country report nominated)
MP letter to Immigration Minister	2	Somalia Oct 03 (unnamed to Beverly Hughes) (also recognised as a high volume intake country); Jamaica Nov 06 (Lord Avebury to Liam Byrne) (and NSA)
High volume intake country	3 (2)*	Somalia Oct 03; Afghan April 04 (and fast moving situation and returns commencing); Eritrea Dec 06 (and relatively little information available)
NSA designation – normal meetings	17	Albania April 04; Kosovo- Serbia and Montenegro April 04; Pakistan April 05; Ghana April 05; Mongolia April 05; Turkey Dec 05; Gambia draft; Malawi draft; Lebanon draft; Sierra Leone draft; Liberia April 06; South Korea draft key doc March 07; Turkey Dec 07; Turkey August 08; Afghanistan May 08 and Aug 08; Kosovo key doc Aug 08;
NSA designation (Extraordinary meetings)	18 (17)*	India October 04; Afghanistan Oct 06; Iraq Oct 06; Somalia Oct 06; Sri Lanka Oct 06; Turkey Nov 06; Benin key doc; Bosnia key doc; Georgia key doc; Indonesia key doc; Kenya key doc; Malaysia key doc; Mali key doc; Mauritius key doc; Peru key doc; Russia key doc; Uganda key doc; Jamaica Nov 06
Country discussed, agreed by Panel (no details of discussion minuted)	4	Sri Lanka Oct 03; DRC April 05; Iran April 05; Turkey April 05;
Continued monitoring/ update	9	Sri Lanka April 04; Somalia Oct 04; Afghan Oct 04; Kosovo Oct 04; Nigeria April 05; Zimbabwe April 05; DRC April 06; Iran April 06; Pakistan April 06
Possibility that review could be organised by a Panel member	2	Zimbabwe Oct 04; Nigeria Oct 04
No discussion	4	Bangladesh June 07; China April and August 07; Ethiopia April 07; Sudan Feb 08;
Parliament and Media Attention (suggested by COIS)	1	Iran August 08;
<b>Total</b>	<b>58</b>	

**Table 3: COIS Reports reviewed and follow-up reviewers completed per meeting**

Meeting	Target achieved of examining 2 COIS reports?	Target achieved of continued monitoring/update of previous review?
1	N/A	N/A
2	Yes: Oct 03 Sri Lanka CIPU; Oct 03 Somalia CIPU	N/A
3	No: Afghan April 04 CIPU – April 04 S&M Kosovo section ; Albania April 04 CIPU (both NSA)	Partial: Sri Lanka April 04 reviewed (Somalia April 04 not done until 5 <sup>th</sup> Meeting)
Ex 1	N/A	N/A
4	Yes: Zimbabwe Oct 04 CIPU; Nigeria Oct 04 CIPU	Partial: Afghan Oct 04; Kosovo Oct 04; Somalia Oct 04 reviewed (Albania not done)
5	Yes: DRC April 05 CIPU; Iran April 05 CIPU; Turkey April 05 CIPU; Also Ghana draft CIPU; Mongolia draft CIPU; Pakistan April 05 CIPU (all NSA)	Yes: Zimbabwe April 05; Nigeria April 05
6	No: Gambia draft; Lebanon draft; Malawi draft; Sierra Leone draft; Turkey Dec 05 (all NSA designation)	No: Review postponed until 7 <sup>th</sup> meeting in order that April 06 reports evaluated which would reflect changes recommended
7	No: Liberia April 06 (possible NSA)	Yes: Pakistan April 06; DRC April 06; Iran April 06; (Turkey reviewed in previous meeting)
Ex 2	N/A	N/A (previous reports all NSA designation)
8	No: Eritrea Dec 06 and Jamaica Nov 06 (possible NSA)	N/A (previous reports were all NSA designation)
9	Yes: China April and Aug 07; Bangladesh June and August 07; Ethiopia April 07	Not full review, although follow up response
10	No Sudan Feb 08; but South Korea draft key doc; Turkey Dec 07 (NSA)	Yes: Eritrea not full review but follow up response;
11	No Iran Aug 08 done but Afghan May and Aug 08; Kosovo Key Doc (NSA)	No; Turkey Aug 08 done but not Sudan;



**Table 4: Country reports reviewed by expert, expert institution, nominee, nominee institution and reasons given for expert selection.**

Meeting reviewed	Country report	Expert	Expert Institution	Nominee	Nominee Institution	Reason for selection?
2	Somalia Oct 03;	Ms. Awa Abdi and Professor Richard Black		Richard Black (commissioned)	Royal Geographical Society	Prof Black believed her "local knowledge" helped her undertake the task effectively
2	Sri Lanka Oct 03; Sri Lanka April 04;	Christian Wolf and Nicholas Van Hear	Independent Consultant and Oxford University (COMPASS)	Chair: Stephen Castles (commissioned)	Refugee Studies Centre, Oxford	None
3	Afghanistan April 04	Khalid Koser and Ceri Oeppen	PhD Student at Sussex University	Khalid Koser (volunteered to organise)	Migration Research Unit, UCL	None
3	Albania April 04 and Kosovo section April 04 (Serbia & Montenegro)	Miranda Vickers	International Crisis Group	Charles Racliffe (volunteered to be responsible)	International Crisis Group	Radcliffe: She had spent much time in Albania and Kosovo and written seminal books on the subject.
3	Sri Lanka April '04 (follow-up)	Christian Wolf and Nicholas Van Hear (As before)				
Ex1	India Oct 04 and India FFM	Gareth Price	Chatham House	Chatham House Nominee	Unknown	None
4	Zimbabwe Oct 04	Joann McGregor	University of Reading	Richard Black (might be able to arrange)	Royal Geographical Society	None
4	Nigeria Oct 04	Dr. Abdul Raufa Mustapha and Ukohoa O. Ukiwo	Mustapha: Oxford University Ukiwo: CRISE	Khalid Koser (offered to help)	Migration Research Unit, UCL	Chair Stephen Castles: Both researchers were from Nigeria, bringing local expertise to the task
4	Afghan Oct 04 (follow-up)	Ceri Oeppen (as before)				
4	Somalia Oct 04 (follow-up)	Ms. Awa Abdi and Professor Richard Black (as before)				
4	Kosovo Oct	Miranda				

	04 (follow-up)	Vickers (as before)				
5	Nigeria April 05 (follow-up)	Dr. Abdul Raufa Mustapha and Ukohea O. Ukiwo (as before)				
5	Zimbabwe April 05 (follow-up)	JoAnn McGregor (as before)				
5	DRC April 05	Albert Kraler	IDMC	? no suggestions in meeting-suggestions to Nick Swift by email (appears to be IDMC)	Presumably IDMC	None
5	Iran April 05	IDMC: Haleh Charokh	IDMC	no suggestions in meeting-suggestions to NS by email - - IDMC (arranging evaluation)	IDMC	None
5	Pakistan April 05	Gareth Price (and Charu Hogg)	Chatham House	None (NSA?)	Unknown	Khalid Koser: Dr Price had done the India evaluation the previous year
5	Ghana (draft)	Richard Jeffries	SOAS	None (NSA?)	Unknown	None
5	Mongolia (draft)	Roy Behnke	Independent Consultant	None (NSA?)	Unknown	None
5	Turkey April 05	Kemal Kirisci and Canan Karaosmanoglu	Bogazici University	no suggestions in meeting-suggestions to NS by email None (NSA?)	Unknown	
6	Gambia - draft	Arnold Hughes	Birmingham University	None-suggestions to be emailed to chair and COIS	Unknown	None
6	Lebanon - draft	Nadim Shehadi	Chatham House	None-suggestions to be emailed to chair and COIS	Unknown	None
6	Malawi - draft	Gudrun Haraldsdottir	Independent Consultant	None-suggestions to be emailed to chair and COIS	Unknown	Khalid Koser: an independent consultant who had conducted a year long research project in Malawi and had lived there

						for several years
6	Sierra Leone-draft	Martha Walsh and Richard Fanthorpe	Independent Consultant, SOAS	None-suggestions to be emailed to chair and COIS	Unknown	None
6	Turkey Dec 05 (follow-up)	Haleh Chahrokh	ICMPD	Appears to be ICMPD	Appears to be ICMPD	
7	DRC April 06 (follow-up)	Albert Kraller (as before)				
7	Pakistan April 06 (follow-up)	Gareth Price (as before)				
7	Iran April 06 (follow-up)	Haleh Charokh (as before)				
7	Liberia April 06	David Harris	SOAS	none	Unknown	None
Ex 2	Afghan Oct 06	Ceri Oeppen (as before)				
Ex 2	Iraq Oct 06	Nadje Al-Ali	University of Exeter	None	Unknown	None
Ex 2	Somalia Oct 06	Laura Hammond, Assisted by Laura Miller	Reading University	None (presumably Laura Hammond herself)	Unknown	None
Ex 2	Sri Lanka Oct 06	Dave Rampton	SOAS	None	Unknown	None
Ex 2	Turkey Oct 06	Ilker Atac	University of Vienna	(commissioned by) IDMC	IDMC	None
Ex 2	Benin; Bosnia; Georgia; Indonesia; Kenya; Malaysia; Mali; Mauritius; Peru; Russia; Uganda (all key docs)	Various	ICPMD consultants (Kenya, Malaysia, Mauritius, Russia) ACCORD staff (Georgia, Peru, Uganda) Benin, Bosnia, Mali – Independents	IDMC arranged Indonesia, Kenya, Malaysia, Mauritius, Russia, ACCORD arranged Georgia, Peru, Uganda. (Benin, Bosnia, Mali- unclear)	IDMC, ACCORD	None
8	Eritrea Dec 06	Laura Hammond	University of Reading	None, presumably herself	University of Reading	None
8	Jamaica Nov 06	Hilaire Sobers	Legal Practitioner	ICMPD (helped out by arranging)	ICMPD	Mr Sobers was not an academic, but a legal practitioner and human rights

						consultant based in Jamaica. Interestingly, Mr Sobers was actually mentioned in the COIS Report as a human rights activist in the list of Prominent Persons in Jamaica. This was the first time that the APCI had commissioned someone based in the country concerned to carry out a review of a COIS Report.
9	Bangladesh June 07	Gareth Price	Chatham House	None	Unknown	None
9	China April and Aug 07	Frank Pieke	China Centre, University of Oxford	None	Unknown	None
9	Ethiopia April 07	Laura Hammond	Now SOAS	None, presumably herself	SOAS	None
9	Gender	Nina Allen	Independent Consultant	Not clear (Issue suggested by Anna Reisenberger)		None
10	Sudan Feb 08	Anita Fabos		None	Unknown	Khalid Koser: The Chair welcomed Dr Anita Fábos, an expert on Sudanese migration issues
10	South Korea draft key doc	Tony Fielding	Sussex University	None	Unknown	None
10	Turkey Dec 07	Fiona Adamson, Basak Cali	SOAS and UCL	None	Unknown	Khalid Koser: Both with extensive relevant expertise
10	Children	Ravi Kohli and Fiona Mitchell	University of Bedfordshire	Not clear (Issue suggested by Professor	Unknown	Chair; Ravi Kohli and Fiona Michell [...] were experts in

				Zetter)		the field of child migration, and, in particular, unaccompanied asylum seeking minors
11	Turkey Aug 08 (follow-up) and Turkey FFM	Fiona Adamson, Basak Cali (as before)				
11	Iran Aug 08	Reza Molavi and Mohammed Hedayati-Kakhki	Durham University	None	Unknown	Chair: The Panel had selected the Centre for Iranian Studies at Durham University to review the COIS Report of August 2008
11	Kosovo key doc	Bekim Ajdini		ICPMD	ICPMD	Zurcher: Bekim Ajdini was a well-qualified researcher and journalist based in Kosovo. He was also familiar with asylum related issues, having been involved with the Kosovo Information Project
11	Afghan May and Aug 08	Ceri Oeppen (as before)				
11	LGBT	Anisa de Jong	University of Kent	Not clear (Issue suggested by Sebastian Rocca)	Unknown	None
11	FFM	Alan Ingram	Royal Geographical Society	Khalid Koser (issue discussed and agreed by Panel)	Geneva Centre for Security Policy	None

**Table 5: Attendance at APCI Meetings by Member Status**

Meeting No.	Members in Attendance	Also Present	Observers in Attendance	Secretariat	No. of experts in attendance	Total in attendance
1	10	1		2	N/A	13
2	9	4		1	1/4	14
3	10	2		2	1/5	14
Ex 1	7	4		2	1/1	12
4	10	6		2	1/8	19
5	9		10	2	3/11	21
6	8		10	2	3/6	20
7	10		9	2	2/4	21
Ex. 2	11		10	2	3/6 and 0/11 key docs.	25
8	12		15	2	1/3	29
9	11		10	2	1/3 and 0/1 gender	23
10	9		18	1	04 and 0/2 children	28
11	8		7	8 [H.O/ C.I.]	3/6 and 1/1 LGBT	27

## Appendix 2 List of All Meetings Held and Links to Minutes

### Advisory Panel on Country Information (APCI) Meetings and Minutes

Number of Meeting	Date	Link to Minutes
First Meeting	2 September 2003	<a href="http://apci.homeoffice.gov.uk/PDF/APCI1_minutes.pdf">http://apci.homeoffice.gov.uk/PDF/APCI1_minutes.pdf</a>
Second Meeting	2 March 2005	<a href="http://apci.homeoffice.gov.uk/PDF/APCI_2_Minutes.pdf">http://apci.homeoffice.gov.uk/PDF/APCI_2_Minutes.pdf</a>
Third Meeting	7 September	<a href="http://apci.homeoffice.gov.uk/PDF/APCI_3_Minutes.pdf">http://apci.homeoffice.gov.uk/PDF/APCI_3_Minutes.pdf</a>
E1. Extraordinary Meeting	7 December 2004	<a href="http://apci.homeoffice.gov.uk/PDF/APCI.E1.M%20-%20minutes.pdf">http://apci.homeoffice.gov.uk/PDF/APCI.E1.M%20-%20minutes.pdf</a>
Fourth Meeting	8 March 2005	<a href="http://apci.homeoffice.gov.uk/PDF/APCI.4.M%20minutes.pdf">http://apci.homeoffice.gov.uk/PDF/APCI.4.M%20minutes.pdf</a>
Fifth Meeting	8 September 2005	<a href="http://apci.homeoffice.gov.uk/PDF/apci5m.pdf">http://apci.homeoffice.gov.uk/PDF/apci5m.pdf</a>
Sixth Meeting	8 March 2006	<a href="http://apci.homeoffice.gov.uk/pdf/sixth_meeting/apci6_m_minutes.pdf">http://apci.homeoffice.gov.uk/pdf/sixth_meeting/apci6_m_minutes.pdf</a>
Seventh Meeting	31 October 2006	<a href="http://apci.homeoffice.gov.uk/PDF/APCI_7_minutes.pdf">http://apci.homeoffice.gov.uk/PDF/APCI_7_minutes.pdf</a>
E2. Extraordinary Meeting	9 January 2007	<a href="http://apci.homeoffice.gov.uk/PDF/Extraordinary/APCI.E.M%20minutes.pdf">http://apci.homeoffice.gov.uk/PDF/Extraordinary/APCI.E.M%20minutes.pdf</a>
Eight Meeting	6 March 2007	<a href="http://apci.homeoffice.gov.uk/PDF/APCI.8.M%20Minutes.pdf">http://apci.homeoffice.gov.uk/PDF/APCI.8.M%20Minutes.pdf</a>
Ninth Meeting	2 October 2007	<a href="http://apci.homeoffice.gov.uk/PDF/APCI.9.M%20minutes.pdf">http://apci.homeoffice.gov.uk/PDF/APCI.9.M%20minutes.pdf</a>
Tenth Meeting	1 May 2008	<a href="http://apci.homeoffice.gov.uk/PDF/tenth_meeting/APCI%2010%20M%20%20minutes.pdf">http://apci.homeoffice.gov.uk/PDF/tenth_meeting/APCI%2010%20M%20%20minutes.pdf</a>
Eleventh Meeting	7 October 2008	<a href="http://apci.homeoffice.gov.uk/PDF/eleventh_meeting/APCI.11.M%20%20Minutes.pdf">http://apci.homeoffice.gov.uk/PDF/eleventh_meeting/APCI.11.M%20%20Minutes.pdf</a>

### Independent Advisory Group on Country Information (IAGCI) Meetings and Minutes (as of November 2009)

Number of Meeting	Date	Link to Minutes
First Meeting	19 May 2009	<a href="http://www.ociukba.homeoffice.gov.uk/files/IAGCI-Minutes/Minutes_IAGCI_19.05.2009.pdf">http://www.ociukba.homeoffice.gov.uk/files/IAGCI-Minutes/Minutes_IAGCI_19.05.2009.pdf</a>
Second Meeting	8 September 2009	<a href="http://www.ociukba.homeoffice.gov.uk/files/IAGCI-Minutes/Minutes_IAGCI_08.09.2009.pdf">http://www.ociukba.homeoffice.gov.uk/files/IAGCI-Minutes/Minutes_IAGCI_08.09.2009.pdf</a>

### Refugee and Asylum Forum (RAF) Meetings and Minutes (as of November 2009)

Number of Meeting	Date	Link to Minutes
First Meeting	7 May 2009	<a href="http://www.ociukba.homeoffice.gov.uk/files/refugee-forum-minutes/raf-070509.pdf">http://www.ociukba.homeoffice.gov.uk/files/refugee-forum-minutes/raf-070509.pdf</a>
Second Meeting	23 September 2009	<a href="http://www.ociukba.homeoffice.gov.uk/files/refugee-forum-minutes/raf-230909.pdf">http://www.ociukba.homeoffice.gov.uk/files/refugee-forum-minutes/raf-230909.pdf</a>

### Appendix 3 List of all Members/Observers in Attendance

Member and Organisation	1st	2nd	3rd	Ex 1	4th	5th	6th	7th	Ext 2	8th	9th	10th	11th
Steven Castles, Refugee Studies Centre Oxford	Chair	Chair	Chair	Chair	Chair								
Roger Zetter, Refugee Studies Centre Oxford								Member	Member	Member	Apologies	Member	Apologies
Vaughan Robinson, Dept Geography, University of Swansea	Member	Apologies	Apologies	Apologies	Apologies								
Chris Mather, AIT	Member												
Andrew Jordan, AIT		Member	Member	Apologies	Member	Member	Apologies		Member		Member	Member	Member
Katy Cronin, ICG	Member												
Charles Radcliffe, ICG		Member	Member	Member	Apologies	Apologies	Apologies						
Romit Jain, ICG								Apologies	Apologies		Apologies	Apologies	
Gottfried Zuercher, International Centre for Migration Policy Development	Member	Member	Member	Apologies	Member	Member	Member	Member	Member	Member	Member	Apologies	Member
Diane Grammer, IOM	Member												
Jan de Wilde, IOM			Apologies		Member	Member		Member	Apologies	Apologies	Apologies		
Sacha Chan Kam, IOM				Member									
Ana Fonseca, IOM							Member			Member			Apologies
Besim Ajeti, IOM				Also present							Member	Member	Apologies
Richard Black, The Royal Geographical Society	Member	Member	Apologies	Apologies	Apologies								
Alan Ingram, Royal Geographical Society							Member	Member	Member	Member	Member	Member	Member
Oldrich Andrysek, UNHCR protection	Member	Member	Member	Member	Member		Member						
Jerome Sabety, UNHCR Protection						Member		Member	Member	Member	Member	Member	Apologies
Christian Mahr, UNHCR London	Member		Member	Apologies	Member								
Michael Kingsley Nyinah, UNHCR London		Member											
Jacqueline Parlevliet, UNHCR London											Member		
Alexandra McDowall, UNHCR London												Member	Member
Alia Al Khatar, UNHCR London						Member	Member	Apologies	Member	Member			
Gil Loescher, International Institute for Strategic Studies		Member	Member	Apologies	Member	Member	Apologies	Member	Apologies	Member			



Member and Organisation	1st	2nd	3rd	Ex 1	4th	5th	6th	7th	Ext 2	8th	9th	10th	11th
Khalid Koser, Migration Research Unit, University College London, Brookings		Member	Member	Apologies	Apologies	Chair	Chair	Chair now of Brookings	Chair	Chair	Chair	Chair	Chair
Lavinia Allison, Institute of International Affairs	Member	Apologies	Member										
Charu Hogg, Royal Institute for International Affairs						Observer							
Tom Cargill, Royal Institute International Affairs					Member								
Rosemary Hollis, Royal Institute for International Affairs						Member	Member	Member	Member	Member	Member		
Nadim Shehadi, Royal Institute for Internaitonal Affairs							Observer						
Gareth Price, Royal Institute for International Affairs, Chatham House				Member				Researcher				Apologies	
Chris McDowell, ICAR								Member	Member	Member	Member	Member	Member
Anna Reisenberger, Refugee Council			Member	Member	Member	Member	Member						
Nancy Kelly, Refugee Council								Member	Member	Member			
Jonathan Ellis, Refugee Council											Member	Member	Apologies
Helen Muggerridge, Refugee Council													Member
Bhiku Parekh, LSE, later of University of Westminster			Apologies	Member	Member, changed organisation	Apologies	Apologies						
Laura Hammond, University of Reading, later of SOAS								Apologies	Member	Member	Member now of SOAS	Apologies	Member
Joann McGregor, University of Reading					Also present								
Jane Shenton, MSF					Also present	Observer	Observer	Apologies	Observer	Observer	Observer	Observer	Observer
Nouria Brikci, MSF				Also present	Apologies								
Jan Shaw, Amnesty International					Apologies	Apologies	Observer	Apologies	Observer	Observer	Apologies	Apologies	Observer

Member and Organisation	1st	2nd	3rd	Ex 1	4th	5th	6th	7th	Ext 2	8th	9th	10th	11th	
Amanda Shah, IAS						Observer								
Jonathan Ensor, IAS							Observer	Observer	Observer	Observer				
Stephanie Huber, IAS											Observer	Observer		
Nirmala Rajasingam, IAS												Observer		
Jo Pettitt, IAS													Observer	
Mark Henderson, ILPA						Observer		Observer	Observer	Observer		Observer		
Alison Harvey, ILPA											Observer			
Anne Singh, ILPA													Observer	
Barry Stoye, RLC						Apologies								
Nick Oakeshott, RLC							Observer	Apologies	Apologies		Apologies			
Vanessa Davies, RLC													Apologies	
Shaji Revindran, RLC									Observer	Observer				
Reinhold Jawhari, ACCORD								Observer	Apologies		Observer	Observer	Apologies	
Andrea Jakober, ACCORD										Observer				
Beth Collier, Asylum Aid								Observer	Observer	Observer	Apologies			
Debroah Singer, Asylum Aid												Observer		
Shirin Sethna, Asylum Aid													Observer	
Barry O'Leary, UKLGIG										Observer				
Sebastian Rocca, UKLGIG											Observer	Observer	Observer	
Nick Swift, CIPU	Secretariat	Secretariat	Secretariat	Secretariat	Secretariat	Secretariat	Secretariat	Secretariat	Secretariat	Secretariat	Secretariat	Secretariat	Observer	Home Office
Sabina Shahaney, Home Office			Secretariat	Secretariat	Secretariat									
Andy Saunders, CIPU	Also present	Also present	Also present	Also present	Also present									
Adam Levine, COIS								Secretariat	Secretariat	Secretariat	Secretariat	Secretariat	Secretariat	
Sarah Asker, COIS	Also present					Secretariat								
James Bennet, CIPU		Also present												
Nic Carlyle, CIPU					Also present									
Chris Attwood, COIS, then IRS						Observer	Observer	Observer	Observer	Observer	Observer, now of RDS	Observer		
Eugenio Bosco, COIS							Secretariat							
Elaine Dainty, COIS								Observer	Observer	Observer				
Vicky Keron, COIS											Observer			
Robin Titchener, COIS												Observer		
Kavita Khanna, COIS												Observer	Home Office	
Sally Palmer, COIS													Home Office	

Member and Organisation	1st	2nd	3rd	Ex 1	4th	5th	6th	7th	Ext 2	8th	9th	10th	11th
Iain Walsh, Home Office, Asylum and Appeals Directorate		Also present											
Lin Homer, Home Office IND Director General										Observer			
Alexander Fraser, Home Office Change and Reform Directorate										Observer	Observer	Observer	Apologies
Damon Jackman, Home Office IND Director General's Office										Observer			
Andrew Zurawan, RDS											Observer	Observer	
Justin Russell, Performance Director, UKBA												Observer	Observer
Rosemary Murray, IRS												Observer	Home Office
Andrew Elliot, Central Operations and Performance, UKBA													Home Office
Gary Raw, RDS-IND Home Office						Observer		Observer		Observer			
John Edwards, FCO		Also present											
Mara Goldstein, FCO			Also present		Also present								
Johathan Wolstenholme, FCO					Also present	Observer	Observer						
James Paver, FCO				Also present									
Shahida Khan, FCO						Observer	Observer		Observer				
Stuart Adam, FCO								Observer					
Neil Bradley, FCO								Observer					
Philippa Leslie-Jones, FCO									Observer				
Angela Solomon, FCO										Observer			
James Bennet, FCO											Observer	Observer	
Jacky Devis, FCO												Observer	Observer
Caron Rohsler, FCO													Apologies
John Vine, Chief Inspector UKBA												Observer	Chief Inspector
Alex Cheatle, Chief Inspector's Office													Chief Inspector
Miranda Vickers, Independent Consultant					Apologies								
Roy Behnke, Independent						Observer							
Richard Jeffries, SOAS						Observer							
Arnold Hughes, Independent							Observer						
Martha Walsh, Independent							Observer						
David Harris, SOAS								Researcher					
Ceri Oeppen									Researcher				Researcher
Dave Rampton									Researcher				
Fiona Adamason, SOAS													Researcher
Reza Molavi, University of Durham													Researcher
Anisa de Jong, University of Kent													Researcher

**Part 1B: Critical Analysis of the APCI Consideration of Country Reports and the production of COI products**

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## 1) Introduction

This section of the report provides an overview and critical assessment of the issues discussed during APCI meetings by members/ observers and experts on specific country reports and on the production process of COIS material.<sup>227</sup> These issues have been grouped and discussed as follows: the use of sources in COIS reports - including selectivity and perceived Home Office bias, accuracy of referencing and citation, range of sources, currency of sources, treatment of contradictory information; the format and structure of COIS reports; the inclusion of analysis or commentary; the scope and focus of reports – including choice of issues and omissions and the focus of reports as operational tools. Detailed observations and recommendations have been made in relation to each of these issues.

As discussed in previous sections, the APCI was given the mandate under the 2002 Nationality, Immigration and Asylum Act to analyse, evaluate and make recommendations on the content of all Country of Origin Information (COI) products compiled and produced by the Home Office. This meant primarily the consideration of country reports for the ‘top 20’ asylum producing countries. However, due to subsequent ministerial requests the panel also considered COI products (Country of Origin Information Reports and Country of Origin Information Key Documents<sup>228</sup>) for a number of countries being considered for Non-Suspensive Appeals (NSA) designation. In addition, the APCI considered two Home Office Fact-Finding Mission Reports (India and Turkey), a report prepared by the Home Office on the Methodology of Fact-Finding Missions, as well as three cross-cutting thematic reports commissioned by the APCI on children, gender, and LGBT.<sup>229</sup> It was also decided that the APCI would provide strategic advice to the Home Office on the ‘practices and systems’ for the production of COI products – specifically on research methodologies, and that this would be tabled into the agenda of the meetings.<sup>230</sup>

According to the minutes of the meetings, members and observers on the APCI made regular interventions and comments about specific country reports, the expert reviews commissioned by the APCI and the Home Office comments to the reviews. Indeed UNHCR and the IAS submitted supplementary reports to the APCI on a number of occasions.<sup>231</sup> However, in the main, the contributions of APCI members/observers and discussion during the meetings focused on overarching quality issues and on issues to do with the production of country reports and methodology by the Home Office Country of Origin Information Service (from now on COIS). It appears that the APCI preferred to defer to the commissioned expert on issues relating to specific country expertise. In reality therefore, the bulk of the scrutiny work of COIS reports and other COI products took place primarily outside the APCI meetings, with the APCI providing an opportunity for the relevant expert, when in attendance, to present and ‘defend’ their review and recommendations. Likewise the

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<sup>227</sup> Minutes of all meetings of the APCI and IAGCI were scrutinised for the purpose of this study although the main substance of the report is drawn from proceedings of the APCI.

<sup>228</sup> Country of Origin Information Reports are provided on the 20 countries which generate the most asylum applications in the UK; Country of Origin Information Key Documents are produced for countries that generate fewer asylum applications and bring together all the main source documents that would be provided with a Country of Origin Report, but with a brief country profile and index rather than an actual report.

<sup>229</sup> See section B’s Appendix for a Table of all documents reviewed by the APCI or APCI’s website:

<http://apci.homeoffice.gov.uk/reviewed-documents.html>

<sup>230</sup> APCI, Minutes of 1<sup>st</sup> Meeting held on 2 September 2003, para. 4.24.

<sup>231</sup> For example: Extraordinary Meeting held on 7 December 2004 UNHCR & Refugee Council supplementary reports on the India Report; 4th Meeting held on 8th March 2005, IAS supplementary report on April 2004 reports, UNHCR comments; 5th Meeting held on 8<sup>th</sup> September 2005, IAS supplementary report on China, DRC, Turkey, Zimbabwe reports, UNHCR comments.

opportunity was also there for the expert and APCI to engage in direct dialogue with representatives of the COIS, who were in attendance, to present and ‘defend’ their response to the review in question.

## 2) Critical issues raised by APCI members/ observers and experts on specific country reports and Home Office responses

Critical issues raised during APCI meetings by members/ observers and experts in relation to specific country reports and in general discussion on COIS products, can be grouped and summarised as follows, and will be discussed in turn below:

- Use of sources - including selectivity and perceived Home Office bias, accuracy of referencing and citation, range of sources, currency of sources, treatment of contradictory information
- Format and structure
- Inclusion of analysis or commentary
- Scope and focus of reports – including choice of issues and omissions and the focus of reports as operational tools

Tables 1 and 2 summarise the frequency with which these issues were discussed throughout the existence of the APCI and by meeting, and demonstrate both the level of concern of the APCI and experts with the respective issues and the extent to which issues remained problematic over the course of the life of the APCI.

**Table 1 Country reports: critical issues raised by APCI members/country experts, by frequency across 13 meetings<sup>232</sup>**

Critical Issues raised by APCI members/ country experts	Frequency
<b><i>Use of sources</i></b>	
Omission of relevant material/ inadequate range of sources	25
Bias in selection of sources/ selectivity	9
Misrepresentation of the information/ information source	7
Inaccuracies/ factual errors	4
Accuracy of referencing/ citation	7
Currency of the material	7
Treatment of contradictory sources/ inconsistency	7
Over-reliance on certain sources	6
Timeliness of revisions/ updating	10
<b><i>Inclusion of analysis</i></b>	
Need for inclusion of analysis/ commentary	17
<b><i>Format and structure</i></b>	
Format, structure of the report	9
<b><i>Scope and focus of report</i></b>	
Focus of report/ choice of issues/ neglected issues	10
Choice of COI/ issues in relation to asylum claims	7

<sup>232</sup> Figures are based on a simple tally of the number of times a specific issue is mentioned critically by experts in the presentation of their country reports to the APCI, as recorded by the minutes. For example, ‘the omission of relevant material’ was mentioned in 25 separate expert reports to the APCI. Data from the IAGCI is not included in Tables 1&2.

**Table 2 Country reports: critical issues raised by meeting<sup>233</sup>**

<b>Country reports: critical Issues</b>	<b>1st</b>	<b>2nd</b>	<b>3rd</b>	<b>Ext 1</b>	<b>4th</b>	<b>5th</b>	<b>6th</b>	<b>7th</b>	<b>Ext 2</b>	<b>8th</b>	<b>9th</b>	<b>10th</b>	<b>11th</b>
<b><i>Use of sources</i></b>													
Omission of relevant material/ inadequate range of sources		x	x	x	x	x	x	x	x		x	x	x
Bias in selection of sources/ selectivity	x	x	x	x	x	x							
Misrepresentation of the information/ information source			x		x	x							
Inaccuracies/ factual errors			x		x						x		
Accuracy of referencing/ citation		x	x		x	x			x				x
Currency of the material					x	x		x	x				x
Treatment of contradictory sources/ inconsistency			x	x	x				x				
Over-reliance on certain sources						x			x		x		x
Timeliness of revisions/ updating				x	x	x		x					
<b><i>Inclusion of analysis</i></b>													
Need for inclusion of analysis/ commentary		x	x	x	x	x	x	x	x			x	x
<b><i>Format and structure</i></b>													
Format, structure of the report				x	x	x	x		x		x	x	x
<b><i>Scope and focus of report</i></b>													
Focus of report/ choice of issues/ neglected issues				x	x	x	x		x		x	x	x
Choice of COI/ issues in relation to asylum claims					x	x			x		x	x	

### **a) Use of Sources**

As tables 1 and 2 demonstrate, concerns regarding the selection and citation of COI sources are the ones most frequently raised overall in APCI meetings. These include critical concerns about the selection of sources and bias; the accurate citation of sources; the range of sources; the currency of sources and the treatment of contradictory source material – all of which will be discussed in more detail below. Of these, the issue raised most frequently and in almost every meeting of the APCI, concerns the adequacy of the range of sources used in COIS reports and the omission of relevant material to address specific issues. In earlier meetings of the APCI (meetings 1 - 5 in particular, held between September 2003 and September 2005) these issues were often discussed in the context of the question of bias in the selection of source material and misrepresentation or selective citation of source material.

<sup>233</sup> 'X' denotes that the issue was raised at least once during the meeting and was the subject of comment and/or discussion.

### i) Selectivity and perceived Home Office bias

Concern about Home Office bias and the leakage of a policy agenda into the production of COIS materials in the then Country Information and Policy Unit (CIPU) came across strongly in the APCI Consultation Exercise<sup>234</sup> and in country expert reports in the first four meetings. In the report from the Consultation Exercise, presented at the second meeting of the APCI, it was stated that

*The main, overarching concern was about apparent bias in the selection and presentation of information, tending towards an overly positive view of the country situation.*<sup>235</sup>

The consultation report noted that most of the respondents<sup>236</sup> expressed concern that “CIPU’s Country Reports were not always impartial”<sup>237</sup> and that the presentation of the material “tended to favour the positive aspects, reflecting a political bias and encouraging the decision maker to conclude that the country of origin was safe.”<sup>238</sup> The Home Office asserted in its response that whilst the quality issues raised were a matter of serious concern, none of the examples raised in the consultation would have affected the decision in an asylum claim<sup>239</sup>; “Rather, they were due to errors of judgement or simple oversight, highlighting the need for improvements in training, guidance and quality control.”<sup>240</sup> While the Home Office accepted that the quality of country reports needed to be improved, any suggestion of deliberate misrepresentation of country information was rejected.<sup>241</sup>

The consultation report further noted that instructions for CIPU country researchers had already been revised by the time of the second APCI meeting, with changes being implemented as far as possible in time for the April 2004 Country Reports, and including the following requirements:

- to emphasise the need for the Country Reports to be a balanced and objective summary of the source material; and the need for Country Officers to ensure that when quoting or paraphrasing passages of text from source documents, no relevant information is overlooked.
- to specify that where Country Officers intend to include most of any given passage of text, this should be quoted directly without any alterations to the wording; that quotation marks should be used; and that where irrelevant material is omitted, this should be indicated by dots[...].<sup>242</sup>

In the third meeting of the APCI, the CIPU representative acknowledged that one of the APCI’s three main concerns arising from the consultation exercise, and in particular arising from the perception of

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<sup>234</sup> On 31 October 2003, Professor Castles, Chair of the Advisory Panel on Country Information, wrote to 50 individuals and organisations inviting their comments on the Home Office’s Country Reports published in October 2003. The consultation exercise ran from 1 November to 31 December 2003, <http://apci.homeoffice.gov.uk/ConsultationExercise.html>

<sup>235</sup> APCI, Report of Advisory Panel on Country Information Consultation Exercise on CIPU Country Reports October 2003, Part 1, para. 1.

<sup>236</sup> 50 individuals and organisations were consulted, including the IAS, whose report ‘Home Office Country Assessments: An Analysis’, published in September 2003, was considered along with other consultation responses.

<sup>237</sup> APCI, Report of Advisory Panel on Country Information consultation exercise on CIPU Country Reports October 2003, Part 2, Section 1, para. 1.1.

<sup>238</sup> Ibid.

<sup>239</sup> In response to this observation, the IAS observer noted that this was not an assertion the Home Office could make without conducting specific research on the issue. See APCI, Minutes of the 5<sup>th</sup> Meeting held on 8 September 2005, para. 4.11.

<sup>240</sup> APCI, Report of Advisory Panel on Country Information consultation exercise on CIPU Country Reports October 2003, Part 1, Section 1, para. 7.

<sup>241</sup> APCI, Minutes of 2<sup>nd</sup> Meeting held on 2 March 2004, para. 2.4.

<sup>242</sup> APCI, Report of Advisory Panel on Country Information consultation exercise on CIPU Country Reports October 2003, Part 1, Summary of actions by CIPU.



bias in country reports, was “the independence of the production of country information material from the policy function within CIPU.”<sup>243</sup> Noting that it was the expressed view of the APCI that the functions should be separated, he announced that this had been agreed by the Home Office, particularly in light of “public perceptions and the need for country information to be seen to be objective.”<sup>244</sup> He stated that CIPU would be divided into two distinct units, one dedicated solely to the production of country information and the other a policy unit, which would have no role in the production of country information.<sup>245</sup>

The separation of the two roles within CIPU took place in a phased manner between December 2004 and June 2005, when COIS moved to the Research, Development and Statistics Department (RDS) within the Home Office. The minutes of the APCI record that

*The move to RDS had the twin objectives of removing COI from the policy area and placing it in an environment where it would benefit from the input of professional research expertise.*<sup>246</sup>

In addition to the consultation exercise, expert reviews of country reports presented to the APCI and APCI discussions in the first four meetings all raised concerns about the issue of bias in the selection of COI material, which tended to emphasise the more ‘positive’ aspects of the situation in the countries concerned: Serbia and Montenegro (APCI:1); Somalia (APCI:2), Sri Lanka (APCI:2); Afghanistan (APCI:3); Albania (APCI:3); Afghanistan (APCI:4); Nigeria (APCI:4); and Somalia (APCI:4).

By the fifth meeting of the APCI, expert reviews and the comments of the APCI indicated in general that a significant change had taken place in respect of the selection and inclusion of COI and while quality issues continued to be raised (see the sections below), it was stated in the case of the Zimbabwe review, for example, that there was no indication of systematic bias.<sup>247</sup> The RDS representative confirmed in his report to the APCI that none of the country reviews prepared for the fifth APCI had found evidence of selectivity or bias “in the way the source material was presented”<sup>248</sup>, although a report submitted from us, the Immigration Advisory Service (IAS), noted a “few but obvious” cases where the selection of material created a distorted picture of the information from the original source (notably in the China, Turkey, and DRC country reports).<sup>249</sup> According to the IAS representative:

*The examples found where the Country Report did not accurately reflect the source, were not random but had all been ‘in one direction’ tending to put a ‘positive spin’ on the material.*<sup>250</sup>

However, none of the reviews submitted between the fifth and the eleventh meeting of the APCI found evidence of bias or selectivity of source material and this issue was no longer a focus for discussion among the APCI members and observers.

#### Observations

The allegation of bias and policy influence in the production of Country of Origin Information (COI) was clearly of sufficient concern to the Home Office, given the consistency with which it was raised and the evidence presented to the APCI and in published reports, for decisive action to be taken. The

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<sup>243</sup> APCI, Minutes of 3rd Meeting held on 7 September 2004, para. 2.2.

<sup>244</sup> Ibid, para. 2.3.

<sup>245</sup> Ibid.

<sup>246</sup> APCI, Minutes of 5th Meeting held on 8 September 2005, para. 2.2.

<sup>247</sup> Ibid, para. 3.35.

<sup>248</sup> Ibid, para. 3.61.

<sup>249</sup> Ibid, para. 4.9.

<sup>250</sup> Ibid, para. 4.10.

separation of the COI research team from the Asylum Policy Unit was presented as a clear statement of the intent by the COI team to provide an independent and objective service to Home Office decision makers. Moreover, changes in instructions to staff and in the methodology of the production of COIS reports as well as the introduction of training and other quality control measures led to tangible improvements in the basic accuracy and transparency of COIS reports.

However, although these measures allayed concerns about deliberate or policy led bias in the production of COI for use in decision making on asylum claims, concerns about the quality and adequacy of individual Home Office COI products to properly inform decisions on asylum claims persisted (see discussion below). The need for continuous scrutiny and monitoring was acknowledged by the APCI and more recently by the Chief Inspector of the UKBA, who decided to retain a monitoring process in the form of the new Independent Advisory Group on Country Information (IAGCI), when the APCI was disbanded.<sup>251</sup>

As described above, moving the COI research team to the Research Development Statistics (RDS) department (from now on referred to as COIS) had the explicit intention of both removing COI from the policy area and placing it “in an environment where it would benefit from the input of professional research expertise.”<sup>252</sup> Many of the improvements in quality observed in the COIS reports took place subsequent to this move. However, the position of COIS within the Home Office has been subject to ongoing change, alongside more general re-structuring of departments. In particular, COIS is no longer in RDS, now known as Analysis, Research and Knowledge Management (ARK), but is situated within the Central Operations and Performance Directorate. According to information from COIS/ ARK representatives, ARK retains an ‘oversight’ over COIS in terms of quality and objectivity, and COIS is part of the ‘Knowledge Management Network’ run by ARK, which was set up to bring together and manage all the ‘knowledge functions’ of the UKBA. However, although we are informed that ARK has an on-going input to the COIS, particularly on issues of methodology, it is not clear precisely what the nature of the input is; whether for example ARK is consulted on matters of methodology at the discretion of the COIS or whether a more formal quality assurance mechanism is in place.

The shift of COIS away from the research arm of the Home Office towards an operational one is significant and potentially of concern. It is perhaps indicative of the fact that COIS reports are not essentially seen as research documents by their producers and users, but as operational tools.<sup>253</sup> Whilst this position is understood, it is precisely because of the operational context in which COI reports are used and produced, that it is important for the regular input of ‘professional research expertise’ on questions of research methodology and research standards to be retained. This is not only a means of checking that the level of objectivity required of COIS is sustained, but also a means of maintaining quality standards and, furthermore, of developing and evolving the product as necessary in response to the needs of its users and in line with its stated function.

Moreover, if it is accepted that COI reports are essentially operational tools, then it also follows that they should be explicitly scrutinised and monitored as such, with a proper regard to their potential impact on decision-making and to the context of the RSD process in the UK. This has implications for the instructions to, and methodology used by those commissioned by the IAGCI to review specific country reports and for the selection of expert reviewers.

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<sup>251</sup> See section A for a detailed discussion on the creation of the IAGCI.

<sup>252</sup> APCI, Minutes of 5th Meeting held on 8 September 2005, para. 2.2.

<sup>253</sup> This concurs with the understanding that Country of Origin Information is not a discrete academic discipline but an area of research and information gathering which is essentially defined by the context within which it is used, namely the RSD process.

The minutes of the second IAGCI meeting held in September 2009 record that this issue was discussed by the Group in the context of a review of procedures.<sup>254</sup> The COIS representative suggested that a "prescriptive commissioning note" should be provided to reviewers and that the criteria for reviewing reports should "reflect the specific needs of the UKBA customers, as opposed to a general academic perspective."<sup>255</sup> He furthermore suggested that the Chief Inspector of the UKBA instigate research to investigate this. However, the representative of the Chief Inspectorate Office proposed that such a review should be undertaken internally within UKBA and presented to the IAGCI on the basis that end users are UKBA case owners. Whilst it is clearly the case that the primary users of COIS reports are UKBA case owners, it is also the case that these reports are widely used and relied on by asylum seekers, legal representatives and the judiciary in the UK and beyond in Europe. Since the reports are used by all parties to refugee status determination procedures, the views of those outside of UKBA (such as asylum seekers, legal representatives and members of the Refugee and Asylum Forum<sup>256</sup>) about the 'usability' of COIS reports and the efficacy of the review process would clearly be informative and should be included in any research on this issue, which would preferably be undertaken by an appointed independent researcher, for subsequent consideration by the IAGCI.<sup>257</sup> This might be linked to an investigation, suggested by the Chair at the eleventh meeting of the APCI, into the use of COI by first instance decision makers.<sup>258</sup>

#### Recommendations

- COIS should be invited to report to the IAGCI/ RAF on the current position of their department within the Home Office and specifically to clarify their relationship with the respective operational and research arms of the Home Office and the implications that these relationships have for the production of COI reports.
- The IAGCI should commission research on the methodology of reviews of COIS reports, with reference to the 'usability' and efficacy of the reports as operational tools for decision makers, other parties to refugee status determination, and other users.
- The IACGI should review and if necessary revise the selection process for the appointment of experts and revise the instructions to experts.
- The IAGCI should undertake a linked investigation into the 'usability' of COIS reports with an investigation into the use of COI by first instance decision makers (ie. UKBA case owners).

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<sup>254</sup> Minutes from the Independent Advisory Group on Country Information, 8 September 2009, Review of IAGCI Procedures

<sup>255</sup> Ibid. This point was also raised by the senior COIS representative in the course of interviews with IAS researchers. In the course of discussing instructions to experts he commented that they "didn't always fully understand the task sometimes or the exact purpose of what our documents were for— a general concern about APCI. Sometimes their comments were irrelevant, which meant unnecessary work done by them, and unnecessary work done by us."

<sup>256</sup> See section A for an explanation on the set-up of the Refugee and Asylum Forum (RAF) by the Chief Inspector of the UKBA.

<sup>257</sup> See section B for a detailed discussion on the instructions given to experts commissioned by the APCI and IAGCI.

<sup>258</sup> APCI, Minutes of the 11<sup>th</sup> meeting held on 7 October 2008, para. 6.2

## ii) Accuracy of referencing and citation

The report from the Consultation Exercise noted that respondents had found “inaccuracies, incorrect references to source material and other quality control issues.”<sup>259</sup> The report goes on to state:

*6. [...] It is inevitable that some errors of this kind will be made when producing documents of the size and nature of Country Reports. But the scale of the problem found was unacceptable and highlighted the need for improvements in quality control.*

*Although errors of this kind do not, in our view, compromise the fundamental integrity of the Reports, they may undermine confidence in them and must be eradicated as far as possible.*<sup>260</sup>

The Home Office confirmed in their report to the second meeting of the APCI that CIPU recognised the urgent need to address the areas of training and systems of quality control, which were seen to be the source of the perceived problem of both bias and inaccuracy. In the meantime, it was reported to the APCI that concerns in relation to methodology had already been addressed in new instructions to CIPU country officers, which included the following:

*- To address concerns about plagiarism, misquoting and quoting “out of context”, CIPU had adopted specific suggestions made by RLC and others. Accordingly, where appropriate, direct quotes would be used in future, using quotation marks. Also the names and dates of source documents would be identified within the body of the text.*

*- To facilitate accurate referencing to sources, and easy access to the relevant passages, page or paragraph numbers would also be quoted. IT limitations of the Home Office internal “knowledge base” currently precluded the use of footnotes....*<sup>261</sup>

The October 2005 Somalia report presented to the second APCI meeting noted examples of poor quoting and referencing while the Chair of the APCI, in summarising the findings of the October 2003 Sri Lanka report, included citation issues in his list of the “many points of concern” contained in the report.<sup>262</sup> The issue of referencing was further discussed in the third APCI meeting where the review of the April 2004 Afghanistan report noted problems including “inaccuracy and inconsistency and plagiarism and referencing.”<sup>263</sup> Independent member (and second Chair) Dr Khoser further commented that it was important that all information in country reports was correctly referenced, while the Asylum and Immigration Tribunal (AIT) representative (Mr Jordan) stated:

*[...] a Country Report was simply a collection of the views of others; it had no views of its own. As such, references to sources were essential to enable the reader to decide whether the information had come from a reliable source.*<sup>264</sup>

Reviews of country reports presented to the fourth APCI noted improvements in referencing, plagiarism and accuracy, though inaccuracies continued to be reported in the Afghanistan and Somalia reviews. In the fifth meeting, it was only the IAS ‘shadow’ report (on the China, DRC, Turkey, and Zimbabwe reports) which continued to raise concern about errors in relation to citation of sources, particularly in the April 2004 Zimbabwe report.<sup>265</sup>

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<sup>259</sup> APCI, Report of Advisory Panel on Country Information consultation exercise on CIPU Country Reports October 2003, Part 1, Section 1, para. 1.

<sup>260</sup> Ibid, para. 6.

<sup>261</sup> APCI, Minutes of 2<sup>nd</sup> Meeting held on 2 March 2004, para. 2.7.

<sup>262</sup> Ibid, para. 4.6.

<sup>263</sup> APCI, Minutes of 3<sup>rd</sup> Meeting held on 7 September 2004, para. 5.5.

<sup>264</sup> Ibid, para. 5.18.

<sup>265</sup> APCI, Minutes of 5<sup>th</sup> Meeting held on 8<sup>th</sup> September 2005, para. 4.10.

Accuracy of referencing and citation was not raised in expert reviews presented to the APCI or by APCI members again until the eleventh meeting when the review of the May 2008 Afghanistan Report noted a “backwards step” in terms of quality, including referencing errors.<sup>266</sup>

### Observations

Although it has been the tendency of the Home Office to state that inaccuracies of this type do not compromise the integrity of COIS reports, accuracy in referencing and citation are crucial elements of good practice for producing high quality COI materials. As stated in the 2004 ACCORD training manual on COI research, it is essential that all information on which a refugee status determination is based, is equally available to all those involved in asylum decision making, including applicants and legal advisors (‘equality of arms’).<sup>267</sup> COI sources should be in the public domain wherever possible and open to the scrutiny of all actors, in order to ‘promote quality standards and accountability’ (‘transparency’). This means that all sources should be fully and accurately referenced, including source, date of information and live web links.

The minutes of the APCI show that following criticism, citation and referencing problems were addressed by the Home Office and systems of training and quality control implemented, which is to be welcomed. Marked improvements were evidently achieved, although it is noted with concern that the reviewer of the May 2008 Afghanistan report for the eleventh meeting of the APCI recorded a “backwards step” with regard to quality and referencing errors. Clearly ongoing vigilance and editorial input is required to maintain the necessary high standards in this respect, as with other ‘quality’ issues.

### iii) Currency of sources

Concerns about the use of out-dated source material were raised in the consultation exercise and subsequently in a number of expert reviews of country reports in APCI meetings, up to and including the final meeting. In the report of the consultation exercise it was stated that CIPU had already implemented revised instructions to their country researchers as follows:

*[...] Summary of actions by CIPU:*

*[...]*

- *to state that Country Officers should always include the latest reports from each organisation listed as a standard source.*
- *to instruct Country Officers to look carefully at any sources over two years old and confirm for themselves that their inclusion can be justified.*<sup>268</sup>

However, the currency of COI material continued to be an issue of concern; for example the Zimbabwe report presented to the fourth meeting of the APCI stated that one of the three required areas for improvement was for more frequent updating of the report since the information contained in this particular report had been superseded by events on the ground in Zimbabwe.<sup>269</sup> In the fifth meeting of the APCI, there was some discussion about the cut off date for inclusion of new material in country reports, particularly in relation to submissions from the APCI. The RDS representative stated that although country reports are issued on a six month cycle, more up to date information is given to case workers in the interim “so that decisions were always made on the most

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<sup>266</sup> APCI, Minutes of 11th Meeting held on 7<sup>th</sup> September 2008, para. 3.28.

<sup>267</sup> Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD), ACCORD COI Network & Training. Researching Country of Origin Information: A Training Manual, September 2004, p. 25 & 29, <http://www.unhcr.org/refworld/docid/42ad40184.html>

<sup>268</sup> APCI, Report of Advisory Panel on Country Information consultation exercise on CIPU Country Reports October 2003, Summary of actions by CIPU.

<sup>269</sup> APCI, Minutes of 4th Meeting held on 8<sup>th</sup> March 2005, para. 2.42.

up to date information.”<sup>270</sup> The COIS representative indicated on the same occasion that COIS was considering revising the six month publication cycle in the future to enable the inclusion of more up to date material.<sup>271</sup>

In the seventh meeting of the APCI, the RDS representative presented a report detailing developments within COIS since the move to RDS. The following was stated in relation to the issue of updating COIS reports:

*2.3 [...] When RDS took over COI, most of the APCI’s concerns regarding the content of the Reports had already been addressed. However, there was scope for improving the way that reports were updated and some outstanding issues regarding the way material was presented. The following improvements were being introduced from the October 2006 editions of the reports:*

- *More frequent updates*  
*COI Reports would be updated more frequently, as required, eliminating the need for bulletins to be issued if significant political or other changes took place in the country concerned [...].*<sup>272</sup>

At the same meeting the expert’s review of the April 2006 Liberia Report presented to the APCI noted concerns about the fact that in a war-torn country, a continuously updated report would be more useful to decision makers as the political and human rights situation was subject to rapid change.<sup>273</sup> APCI members re-iterated this point in discussion of the April 2006 DRC report, where the issue of currency of information was also raised, and in this context the commitment of COIS to more frequent updating was welcomed.<sup>274</sup>

However, at the following meeting, concerns with the currency of information persisted to the extent that the representative from the Refugee Council stated that the information in the October 2006 Iraq report was “not sufficiently up to date for NSA consideration.”<sup>275</sup> A similar point was raised in relation to the Somalia report, where the expert commented that much of the information in the October 2006 report was out-dated given the rapidly changing country situation and that the report was of limited value for the purpose of NSA consideration.<sup>276</sup> The APCI discussed the question of whether caseworkers should be alerted to situations of rapid change in a country; the RDS representative stated that daily alerts were issued to caseworkers in such situations (as had been the case with Zimbabwe in the previous year), and that the respective COIS report would be updated more frequently.<sup>277</sup> The COIS representative further commented that senior caseworkers were given frequent updates by email when, for example the situation in Nepal was changing rapidly.<sup>278</sup>

At the final meeting of the APCI, the expert review for two consecutive Afghanistan Country Reports (May 2008 and August 2008) raised concern about the currency of sources, particularly in the May report.<sup>279</sup> The expert noted that in this report there was evidence that some of the recommendations of an earlier review (October 2006) had not been implemented. The COIS representative acknowledged in response that the “COI Service fully accepted the need to include all relevant up to date material in the report” and said that almost all the recommended sources were

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<sup>270</sup> APCI, Minutes of 5th Meeting held on 8<sup>th</sup> September 2005, para. 3.29.

<sup>271</sup> Ibid, para. 3.31.

<sup>272</sup> APCI, Minutes of 7th Meeting held on 9<sup>th</sup> September 2006, para. 2.3.

<sup>273</sup> Ibid, para. 5.6.

<sup>274</sup> Ibid, para. 5.1.6

<sup>275</sup> APCI Minutes of the Extraordinary Meeting held on 9<sup>th</sup> January 2009, para. 2.24.

<sup>276</sup> Ibid, para. 2.33.

<sup>277</sup> Ibid, para. 2.37.

<sup>278</sup> Ibid, para. 2.38.

<sup>279</sup> APCI, Minutes of 11th Meeting held on 7<sup>th</sup> September 2008, para. 3.24.

included in the updated report.<sup>280</sup> It was accepted by COIS that the May report had contained “a significant proportion of information from older sources”, but the COIS representative nonetheless asserted that the overall currency of the report was not compromised, provided that the latest information was also provided.<sup>281</sup> He said that it was an “ongoing housekeeping task” to “weed out” the older material.<sup>282</sup> In response to a question from the APCI about the provision of current material in countries where the situation was very fluid and subject to rapid change, the COIS representative stated that COIS reports for such countries were updated more frequently and that case owners also had access to a “rapid information request service”.<sup>283</sup>

### Observations

Fairly persistent concerns about the currency of the information in COIS reports were raised by experts and APCI members, including at the final meeting of the APCI. To address these concerns, COIS introduced more frequent up-dating of reports (between three and six months); guidance to their staff about the inclusion of only the most current material (less than two years old unless the issue requires a more historic perspective) and Bulletins to address specific developments in a country. Despite these measures, it is evident that periodic generic reports will not succeed in providing the most up-to date information on the situation in the countries of origin of many asylum seekers, which may be subject to rapid and significant change. In many cases such information is crucial, not only to corroborate a claimant’s account of what has happened to them, but crucially, to assess their potential ‘risk on return’.

COIS has an established information request service that responds to case owners’ need for the most recent information and for information that is not included in the generic and respective COIS country report. This is to be welcomed and provides a useful complement to the COIS reports. However, it is not clear how available this resource is to case owners and how much use they make of it in practice. Neither is the quality of the research requests understood given that they are not readily available in the public domain and have never been reviewed by the APCI. The concern is that if a case owner assumes the COIS report to be comprehensive and does not find information about a specific issue or event in the report, (s)he may further assume that such information does not exist, which in turn may contribute to a negative decision on a claim. Similarly if there are time and resource constraints around the request service, case owners may be discouraged from seeking potentially relevant information. Moreover, since the COIS reports are available in the public domain and are widely used by all parties in the asylum process, gaps in information will have an impact beyond the initial decision on a claim. A legal representative, for example, may decide a claim does not have merit on the basis of outdated information or a lack of information in the respective COIS country report, which might have been addressed in a case specific request.

Although Home Office case owners can make case specific requests for information and do have access to other reports from the information request service on an internal intranet, since they are not made public they cannot be held to account as to whether they have considered all available and relevant information when reaching a decision on a claim. Moreover, this information is not available for others to make use of in their submissions in support of an asylum claim or in submissions to the court for second instance decisions. The court, moreover, will rely on the submission of all relevant reports by the case owner, since they cannot be accessed independently. According to a COIS representative interviewed for this project, although COIS has not yet found a way to publish reports from the information request service, they have stated that they would be in favour of doing so.

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<sup>280</sup> Ibid, para. 3.27.

<sup>281</sup> Ibid.

<sup>282</sup> Ibid.

<sup>283</sup> Ibid, para. 3.28.

#### Recommendations

- COIS should make information about the use of the information request service and the resourcing of the service available, in order to gauge the existing use and potential under-use of the system.
- COIS should make information request reports available in the public domain.
- The IAGCI should consider the scrutiny of COI requests as part of the remit of an expert review of a country report.

#### **iv) Range of sources, omission of relevant material**

The adequacy of the range of sources used in country reports and the omission of relevant COI source material was raised as a concern in expert reports and in APCI meetings more frequently than any other (see Tables 1 and 2). In the consultation exercise report, CIPU stated the following in response to criticism from respondents on this issue:

##### *Selectivity in choice of source material*

*[...]1.26 The instructions to Country Officers include a list of key sources which should usually be included in Country Reports. However, to some extent these will vary from country to country. We cannot guarantee that useful material will never be overlooked, but we aim to make use of any relevant information from reliable sources [...].*<sup>284</sup>

In the third meeting of the APCI the CIPU representative noted that most of the expert reviews prepared for that meeting had referred to additional sources of information that could be included in the Country Reports and invited further suggestions for “disclosable source documents.”<sup>285</sup> There was some discussion with the UNHCR representative about the use of material from UNHCR field officers and it was agreed that this could be used if presented in a suitable format, although some concern was expressed about the use of material whose source was not fully disclosable.<sup>286</sup>

In the fifth meeting, APCI members observers and experts noted with concern the over-reliance on the US Department of State (USSD) Human Rights Reports in COIS reports, given the nature of the source (governmental; political agenda) and the methodology of the reports (sources undisclosed, no referencing).<sup>287</sup> This concern was raised again in subsequent meetings, for example in the ninth meeting, in the expert review of the April and August 2007 China reports<sup>288</sup> and in the second IAGCI meeting review of the April 2009 India report.<sup>289</sup>

At the fifth APCI the COIS representative stated:

*1.14 [...] instructions issued to Country Officers made clear that they should always seek to include a range of sources. There was no intention to rely extensively upon on USSD reports but often it was difficult to find alternative sources of information. He said that COI Service was always very*

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<sup>284</sup> APCI, Report of Advisory Panel on Country Information consultation exercise on CIPU Country Reports October 2003, Part 2, Section 1, para. 1.26.

<sup>285</sup> APCI, Minutes of 3rd Meeting held on 7 September 2004, para. 5.14.

<sup>286</sup> Ibid, para. 5.18. In the fifth meeting of the Panel, Mr Swift stated that UNHCR was now providing feedback in a form that enabled COIS to use it directly as source material. Whether this is still the practice is unknown. APCI, Minutes of 5th Meeting held on 8<sup>th</sup> September 2005, para. 4.6.

<sup>287</sup> APCI, Minutes of 5th Meeting held on 8<sup>th</sup> September 2005, para. 3.10.

<sup>288</sup> APCI, Minutes of 9th Meeting held on 2 September 2007, para. 2.7.

<sup>289</sup> IAGCI, Minutes of the 2<sup>nd</sup> Meeting held on 8 September 2009: Evaluation of the Country of Origin Information Report on India, 20 August 2009.



*keen to receive suggestions for additional sources from the panel. Such suggestions were seen as one of the most important benefits of the process of working with the Panel.*<sup>290</sup>

Expert reviews prepared for this meeting, while acknowledging overall improvements in the quality of the COIS reports, all drew attention to significant gaps in the COI sources. The UNHCR representative noted in his report to the APCI, for example, that 90% of UNHCR's comments concerned suggestions for additional material - most of which was not in the public domain but supplied directly by UNHCR field officers and subsequently incorporated into COIS material.<sup>291</sup>

In discussion of the Zimbabwe review, the Refugee Council representative asked whether material from NGOs could be considered for inclusion in COIS reports. She commented that at a recent Home Office Ministerial meeting, the Minister had invited NGOs to submit material for the Zimbabwe report, given concerns expressed about lack of up to date, relevant material in the COIS report.<sup>292</sup> The RDS representative responded that COIS "very much welcomed any suggestions for additional sources of information on Zimbabwe and any other country."<sup>293</sup>

In his summary response to all the reviews presented at the fifth meeting, the RDS representative stated that omitted material was one of the six main outstanding quality issues for the COIS reports and that "all papers had suggested the inclusion of some additional material."<sup>294</sup> However, he said

*[...] there would always be comments on this aspect and that there had to be a limit to how much could be included. COI Service would continue to review the suggestions made and include additional information where it considered this appropriate.*<sup>295</sup>

The use of academic sources and 'foreign language' sources was raised in the sixth APCI meeting, as a means of addressing some of the inadequacies and omissions that continued to be found in the COIS reports under review e.g. Gambia, Lebanon, and Turkey. The RDS representative commented in the Home Office response that it was the intention of COIS to 'build up links' with academic experts for the 'top 20' asylum intake countries, who would "provide advice to the COI researchers on the content of their reports, suggest additional sources and give guidance on matters such as when to translate foreign language documents."<sup>296</sup> This point was re-iterated in the seventh APCI meeting, when the RDS representative stated that COIS could benefit from further input from the APCI on this matter.<sup>297</sup> In the same meeting he also said that COIS was in the process of developing links with particular interest groups such as the Refugee Women's Resource Project and the UK Lesbian and Gay Immigration Group, whose input on the APCI as observers would also be welcomed.<sup>298</sup>

The RDS representative further stated that the possibility of extending the range of academic sources was being explored with the Home Office Library Service.<sup>299</sup> In relation to the question of inclusion of new and new types of sources, he commented that COIS was considering different methodologies for the evaluation of data sources, including the possibility of adapting established

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<sup>290</sup> APCI, Minutes of 5th Meeting held on 8<sup>th</sup> September 2005, para. 3.14.

<sup>291</sup> Ibid, para. 4.1.

<sup>292</sup> Ibid, para. 3.28.

<sup>293</sup> Ibid, para. 3.29.

<sup>294</sup> Ibid, para. 3.61, point 4.

<sup>295</sup> Ibid. In response to a question from the Chair about how Panel members/ observers should submit their suggestions for additional sources to the COIS, Mr Attwood (RDS) said that they should send them by email to him or to Mr Swift (COIS). Ibid, para. 3.63.

<sup>296</sup> APCI, Minutes of 6th Meeting held on 8<sup>th</sup> March 2006, para. 2.42.

<sup>297</sup> APCI, Minutes of 7th Meeting held on 31<sup>st</sup> October 2006, para. 5.20.

<sup>298</sup> Ibid. For a critical analysis on the APCI membership see section A.

<sup>299</sup> Ibid.

social science research techniques.<sup>300</sup> In an interview for this project however, a COIS representative said that despite investing quite a lot of time and thought into consideration of this issue, it had been concluded that standard methodological frameworks for the evaluation of data sources would not work for COI, much of which would be excluded by such an approach. On the issue of making increased use of academic resources, another COIS representative interviewed reported that funding was not made available to develop formal links with academics and researchers and that it fell to individual researchers to make their own links or follow up with academics who had reviewed their reports.

Following the discussions in the seventh APCI meeting, expert reviews, while commending the improvements in COIS reports, continued to point out gaps and omissions in COI sources on particular issues and to call for the use of a broader range of sources.<sup>301</sup> Many of the suggestions for new material were accepted by the Home Office in their responses to the reviews, although the point was made on more than one occasion that COIS reports did not attempt to provide comprehensive information on a particular country, given their primary function as a “focused operational tool” for decision making in asylum cases.<sup>302</sup> At the eighth meeting of the APCI, the RDS representative stated that additional material suggested by experts would be added to subsequent COIS reports “[...] where this was considered to be sufficiently relevant to asylum and human rights claims [...]”.<sup>303</sup>

In the eleventh and final meeting of the APCI, the expert review for the Iran COIS report provided substantial recommendations for additional COI material, however this was not from public domain sources, but rather sourced from the academic’s own (unpublished) research and that of his academic colleagues. The question was raised from the APCI about the inclusion of this material and the COIS representative stated that the information was relevant and useful and if submitted under the authorship of the relevant academic institution it could be incorporated into subsequent COIS reports.<sup>304</sup>

#### Observations

The assessment on the adequacy of the range of sources and concerns about the omission of relevant material are at the core of expert reviews of COIS reports and, as has been noted, the most frequent point of criticism and comment from experts and the APCI. The COIS response has been, in general terms, to accept many of the recommendations made by reviewers for additional material and to invite the further submission of specific material to be considered for inclusion in future reports. At the same time COIS has retained ‘ownership’ of its products and has frequently re-stated that it is for COIS staff (country researchers in the first instance in consultation with senior staff where necessary) to decide whether or not proposed material should be included in every instance. In general, where material is not accepted, the reason given has related to the perceived relevance of the material to potential asylum claims. Concerns have been expressed by COIS country researchers and COIS senior staff during interviews for this project, as well as by COIS representatives in APCI meetings, that academic reviewers and even APCI members at times showed a lack of awareness of the nature and scope of COIS reports (especially as operational tools, see section above ‘Selectivity and Home Office bias’). Some additional material has therefore been rejected on the basis that it would not be useful to inform decisions on potential asylum claims, but would merely be of ‘academic’ interest or provide more background context. As stated by COIS

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<sup>300</sup> Ibid, para. 2.45.

<sup>301</sup> See for example the Second Extraordinary meeting - Iran, Iraq, Somalia, Sri Lanka reports; APCI: 8 - China, Ethiopia reports; APCI: 10 - Sudan, Turkey reports; APCI: 11 - Iran, Afghanistan reports; IAGCI: 2 India report).

<sup>302</sup> For example: APCI, Minutes of 10<sup>th</sup> Meeting held on 1 May 2008, para. 2.5.

<sup>303</sup> APCI, Minutes of Extraordinary Meeting held on 9<sup>th</sup> January 2007, para. 2.54.

<sup>304</sup> APCI, Minutes of 11th Meeting held on 7<sup>th</sup> September 2008, para. 3.21.

representatives and others, since many of the reports are already very lengthy, the necessity to be selective about the inclusion of material and the coverage of topics/ issues is inevitable and unavoidable.

APCI members/ observers however, have pointed out that the issue of deciding what information is relevant to asylum claims is not unproblematic or neutral in the context of an adversarial (as opposed to investigatory) RSD process.<sup>305</sup> COIS representatives have stated that they are informed via internal feedback mechanisms (e.g. COIS 'users group' meetings with case owners and senior case owners) on what COI material is needed by decision makers according to the type of claims received for a particular country.<sup>306</sup> Given serious concerns that have been reported about the 'culture of disbelief' in the Home Office<sup>307</sup> and in particular about poor and inconsistent use of COI in first instance decision-making<sup>308</sup>, it is at least worth questioning whether case owners views on relevant COI issues are definitive and are to be relied on without further scrutiny or monitoring. To put it bluntly, Home Office case owners, who may operate in an environment in which they are under pressure to refuse claims where possible, may not be active in pursuit of information that would make it difficult for them to do so. This may be reflected in the type of requests that are made to the COIS information request service and the feedback given in COIS user group meetings.

Putting this issue to one side and assuming that case owners have the best intent to reach impartial and properly substantiated decisions, the difficulty remains for COIS to produce reports that are at the same time generic and wide ranging enough to be useful to asylum case owners in deciding, under time constraints, any claim that may come before them, and specific enough to provide answers to questions that may be highly individual and idiosyncratic according to the particular case and claimant's profile. Based on the experience of IAS research staff who routinely prepare case specific COI reports for asylum claimants, it is rarely possible to adequately address the specific COI issues in a particular case with generic or compiled reports, such as COIS reports, alone. Problems relating to the currency of information sources, the potential implications of information gaps, assumptions about the comprehensiveness of COIS reports and the use of the COIS information request service have been discussed above (see observations section 'Currency of sources') and need not be repeated here. Suffice to say that while there may be many common elements to the claims of individual asylum seekers from the same country, there are also, necessarily, many individuating factors for which specific research will be required. For the Home Office the best way to address this might be to enhance the COIS information request service and encourage the routine use of it by case owners, with all the resource implications that this implies. It has after all been frequently argued that 'front-loading' the asylum system, which involves allowing properly-resourced and properly-evidenced initial claims, is not only fairer to asylum seekers but also potentially saves public money which would otherwise be spent on appeals against poor initial decisions.<sup>309</sup>

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<sup>305</sup> APCI, Minutes of 5<sup>th</sup> Meeting held on 8 September 2005, paras. 3.36 - 3.41.

<sup>306</sup> Ibid, para. 3.41.

<sup>307</sup> See for example: Independent Asylum Commission, Fit for Purpose Yet? The Independent Asylum Commission's Interim Findings, 27 March 2008, <http://www.independentasylumcommission.org.uk/>; Medical Foundation for the Care of Victims of Torture, Culture of disbelief: 'Building a Safe, Just and Tolerant Society', 18th September 2009, <http://www.torturecare.org.uk/news/features/2676>.

<sup>308</sup> See for example IAS, 'The Use of Country of Origin Information in Refugee Status Determination: Critical Perspectives', May 2009.

<sup>309</sup> For example, see Amnesty International, Get It Right: How Home Office Decision Making Fails Refugees, February 2004, <http://www.amnesty.org.uk/content.asp?CategoryID=838>; UNHCR, Publicly funded Immigration and asylum work: UNHCR comments on the consultation paper by the Lord Chancellor's Department on the proposed changes to publicly funded immigration and asylum work of June 2003, [http://www.unhcr.org.uk/legal/positions/UNHCR%20Comments/comments\\_public\\_funding.htm](http://www.unhcr.org.uk/legal/positions/UNHCR%20Comments/comments_public_funding.htm); Justice, House of Lords Select Committee on the European Union Sub-Committee F (Social Affairs, Education and

#### Recommendations

- COIS should consider involving external parties in its user group meetings in order to expand the feedback loop to other parties who use COIS products, for example members of the IAGCI and the RAF, and feedback regularly the outcome of these meetings to the IAGCI.
- COIS should consider an expansion of the COI information request service in order to provide a more comprehensive and case specific resource to case owners.

#### **b) Scope of reports – issues covered, purpose of report ('academic' report vs. operational tool)**

The CIPU representative noted in his report to the second meeting of the APCI regarding the findings of the consultation exercise, that some respondents had suggested that COIS are “insufficiently comprehensive in their scope.”<sup>310</sup> He responded by stating that country reports do not seek to be comprehensive but instead to focus on the main issues that arise in asylum claims.<sup>311</sup> This was a matter that was returned to regularly in APCI discussions of specific COIS reports, where expert reviews drew attention to issues for which no or insufficient COI was included. Whilst it was understood by the APCI and experts that COIS reports are essentially an operational tool, the fact that expert reports commented on “neglected issues” in 7 of the 13 APCI meetings, including the last three, indicates that the question of deciding on the relevance of a particular issue was persistently problematic.

For example, in the first Extraordinary meeting of the APCI the appropriate focus of COIS reports was discussed in relation to the October 2004 India report, where the expert queried whether the focus should be on “areas where the human rights situation was worst or on areas which generated the highest number of asylum applications.”<sup>312</sup> The representative from the London School of Economics stated that if the primary purpose of the report was for use in consideration of asylum claims then it should focus “solely on the main profiles of asylum seekers and the key issues they raise.”<sup>313</sup> In this context he said that detailed material on history and geography for example would be “probably superfluous.”<sup>314</sup> In response, the COIS representative noted that history and geography could be relevant for some claimants from certain countries, to provide context or to verify where the client is from. He said that “consistency had to be maintained in the format and style of reports, while allowing for variations on account of particular issues.”<sup>315</sup>

In the fourth meeting of the APCI the expert reviews of the October 2004 Afghanistan and Zimbabwe reports drew attention to the exclusion of relevant material, and the Nigeria review in the same meeting noted that there were “neglected issues”, in particular the omission of important material in relation to the human rights situation in the country and in relation to corruption, impunity of politicians and witness protection.<sup>316</sup> The COIS representative acknowledged the omissions in these

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Home Affairs), Inquiry on new approaches to the asylum process, JUSTICE’s response, September 2003, <http://www.justice.org.uk/images/pdfs/asylumnewapp.pdf>.

<sup>310</sup> APCI, Minutes of 2<sup>nd</sup> Meeting held on 2 March 2004, para. 2.8.

<sup>311</sup> Ibid, para. 2.8.

<sup>312</sup> APCI, Minutes of Extraordinary Meeting held on 7<sup>th</sup> December 2004, para. 2.1.

<sup>313</sup> Ibid, para.2.3

<sup>314</sup> Ibid.

<sup>315</sup> Ibid, para. 2.4.

<sup>316</sup> APCI, Minutes of 4<sup>th</sup> Meeting held on 8<sup>th</sup> March 2005, para. 2.18.

areas and in response to a question from the Refugee Council representative about the intended scope of coverage of human rights issues, said that the scope was regularly reviewed by “users”<sup>317</sup>:

*This entailed identifying issues that commonly arose in asylum claims and developing a standard format to be applied to all the reports for consistency. Within the standard structure, particular subjects were addressed in varying levels of detail in different Country Reports, according to their relevance to the profile of applicants from the country concerned.*<sup>318</sup>

The COIS representative added that if repeated requests for information were received on a particular subject, then the information provided would be integrated into the next country report.<sup>319</sup>

Expert reviews presented to the fifth APCI (Nigeria, Zimbabwe follow-up reports) while commenting on significant improvement in the reports, continued to report on gaps in the coverage of particular issues. These were, in the case of Nigeria for example –, intra-religious conflicts, militant religious groups in Northern Nigeria and internal displacement – and in the case of Zimbabwe – up to date developments in the political situation.<sup>320</sup>

The expert review for the DRC presented to the same meeting drew attention to the lack of information about the situation in the east of the country.<sup>321</sup> The representative from ICMPD noted that according to the Home Office the profile of the asylum caseload for the country did not feature applicants from the east, but stated that in this case it should be explicitly mentioned in the report that information was not included for this reason and not because there were no significant developments or human rights issues in this part of the country.<sup>322</sup> The representative from ILPA, on the other hand, commented that “it should not be assumed that the Home Office’s view of the types of claims featured in asylum applications was accurate”; he said that it was important to know how the Home Office decided what constituted an “asylum issue” and consider whether this might be influenced by policies regarding return for instance.<sup>323</sup> He further said that based on the experience of his organisation “the position of Tutsis in the East of the country was a relevant issue to asylum claims.”<sup>324</sup>

In response, the ICMPD representative commented that there had to be some process of selection to focus on certain issues in compiling COIS reports, and that “it had to be accepted that the main customers were the [Home Office] caseworkers”. He also suggested, however, that it might be useful to conduct a study of “how the process of selection operated, as this might explain why certain areas were concentrated on and not others.”<sup>325</sup> In response to a question from the APCI about how the content of the COIS reports was determined, the COIS representative said the following:

*3.40...the emphasis of the content of individual Reports was on the issues more frequently encountered in asylum applications from each particular country. For example, the issue of Child Soldiers in DRC would feature strongly in the key source documents but would only be covered briefly in the Country Report because the issue was never raised in asylum applications.*

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<sup>317</sup> Ibid, paras. 2.20-2.22.

<sup>318</sup> Ibid.

<sup>319</sup> Ibid.

<sup>320</sup> APCI, Minutes of 5th Meeting held on 8<sup>th</sup> September 2005, paras. 3.23 & 3.27-8.

<sup>321</sup> Ibid, para. 3.34.

<sup>322</sup> Ibid.

<sup>323</sup> Ibid, paras. 3.36-7.

<sup>324</sup> Ibid.

<sup>325</sup> Ibid, para. 3.38.

3.41 Mr Swift said that feedback about the profile of applications and the issues raised came directly from [the] caseworking group, either through the COI Service Users Group which met regularly and via individual contacts with senior caseworkers. Also, caseworkers had access to an information request service which they used to obtain information on issues not covered in sufficient detail for their needs in existing COI products. Material provided in response to individual requests was then incorporated into the next edition of the COI Report.

3.42 Mr Swift reiterated that while COI Service very much valued the feedback received from the APCI, stakeholder organisations and other commentators, its principal clients were Home Office caseworkers and the COI products would remain geared to their needs.<sup>326</sup>

The issue was discussed further in the ninth meeting of the APCI where expert reports again drew attention to gaps in the treatment of significant issues (China – perceived duty of the state to intervene in private lives of citizens, state land acquisition and displacement of communities; Ethiopia – situation for returned asylum seekers).<sup>327</sup> Independent member Dr Hammond put forward the recommendation that “COI Reports include information on all current human rights issues, even if some of these had not yet produced asylum claims in the UK.”<sup>328</sup> This was re-iterated by the ILPA representative, who expressed the concern that if an issue was not mentioned in a COIS report then case workers might assume that it was of no importance in the country.<sup>329</sup> The COIS representative said in response that the content of COIS reports was driven by events as well as applications.<sup>330</sup> There was some discussion in the same meeting about the difficulty in addressing the issue of return of refused asylum seekers and of obtaining objective evidence on this matter, although the recommendation was made from the APCI and reiterated by the Chair, that a standard section on returnees should be included in all COIS reports, since it was clearly important.<sup>331</sup>

Expert reviews for the tenth and final meetings of the APCI again drew attention to perceived gaps in the coverage of relevant subjects. For example, in the review of the Sudan report the expert and APCI members mentioned the following omissions: NGOs, returnees, the economy, Sudanese refugees in neighbouring countries and LGBT issues.<sup>332</sup> In the review of the Iran report the expert drew attention to the absence of information about “the transformed legal and human rights situation” since the change of Presidency in 2006 and in particular the changes in juridical application that had not yet been formalised in law.<sup>333</sup> Finally, in the case of the Afghanistan report, key issues such as the deteriorating security situation and the growing reach of the Taliban had not been addressed.<sup>334</sup>

#### Observations

See above Observations and Recommendations under ‘Currency of sources’ and ‘Range of sources’ for discussion of the issues raised in this section. For example: COIS reports as operational tools not academic research documents; responsibility for the determination of relevant ‘asylum issues’; information gaps and the consequences for decision making.

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<sup>326</sup> Ibid, para. 3.40-42.

<sup>327</sup> APCI, Minutes of 9th Meeting held on 2nd September 2007, paras .2.7 & 2.11.

<sup>328</sup> Ibid, para. 2.12.

<sup>329</sup> Ibid, para. 2.12.

<sup>330</sup> Ibid, para. 2.13.

<sup>331</sup> Ibid, paras. 2.13-16.

<sup>332</sup> APCI, Minutes of 7th Meeting held on 9<sup>th</sup> September 2006, paras. 2.4, 2.8 & 2.9.

<sup>333</sup> Ibid, para. 3.1.

<sup>334</sup> Ibid, para. 3.25.

### c) Inclusion of analysis/ commentary

The question of whether COIS reports should contain some kind of commentary or analysis in order to assist the user in making sense of the COI source material and information contained in them, was one that persisted and was consistently raised in 10 of the 13 APCI meetings (see Tables 1 and 2).

In the report from the consultation exercise, the Home Office stated that the reason for not including analysis was in order to “avoid offering an opinion or giving a judgement.” In addition it was acknowledged that COIS researchers did not have training and research expertise to equip them to carry out this task.<sup>335</sup> However, in the third meeting of the APCI, the COIS representative noted that a recurring theme from the APCI’s and others’ comments was the suggestion that there should be more analysis in COIS reports. He stated that whilst he was opposed to including any analysis that would entail interpretation of information, he thought that the inclusion of “some contextual material, perhaps in the form of a brief introduction to each section” could be helpful.<sup>336</sup> This point was re-iterated in the fourth APCI meeting when concerns about the lack of analysis and commentary were again raised, particularly in the Somalia review; the COIS representative noted that “the Somalia researchers were of the view that if this issue could be resolved, most of the other outstanding issues would fall into place.”<sup>337</sup> He conceded that, despite Home Office reservations, the inclusion of “a short introductory paragraph in each section which summarised the various viewpoints presented in the material and drew attention to any contradictions” could help provide context and make the material more accessible.<sup>338</sup> He stated that addressing the “analysis issue” was likely to be a top priority for RDS when they took responsibility for COI.<sup>339</sup>

In his report to the fifth meeting of the APCI, following the move of COIS to RDS, the RDS representative stated that one of the six areas for development and improvement, and “perhaps the main outstanding issue”, was the need for “what has been referred to as analysis.”<sup>340</sup> He clarified that this meant “the inclusion of some brief commentaries and summaries to help make information in the Reports clearer and more accessible.”<sup>341</sup>

In the sixth APCI meeting the review of the March 2006 Gambia report stated that the lack of commentary on the source excerpts made it difficult to get the “narrative flow” of the report and to make sense of the contradictory material, whereas the author of the March 2006 Sierra Leone report stated that they would not want to see commentary in the report in order to avoid the possibility of Home Office bias.<sup>342</sup> COIS representative Mr Attwood stated the following on the matter:

*This issue [analysis] needs to be addressed in a way that ensures the reports remain free of subjectivity and interpretation. Indeed, part of the reason for the COI function being transferred to RDS was to ensure the accuracy and objectivity of the material. One of the key ways of doing so is by training.*<sup>343</sup>

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<sup>335</sup> APCI, Report of Advisory Panel on Country Information consultation exercise on CIPU Country Reports October 2003, Part 2, Section 1, iii) Lack of analysis, leading to a falsely positive portrayal of Information, CIPU response, 1.21.

<sup>336</sup> APCI, Minutes of 3rd Meeting held on 7 September 2004, para. 5.13.

<sup>337</sup> APCI, Minutes of 4th Meeting held on 8<sup>th</sup> March 2005, para. 2.38.

<sup>338</sup> APCI, Minutes of 4th Meeting held on 8<sup>th</sup> March 2005, para. 2.39.

<sup>339</sup> Ibid.

<sup>340</sup> APCI, Minutes of 5th Meeting held on 8<sup>th</sup> September 2005, para. 3.61.

<sup>341</sup> Ibid.

<sup>342</sup> APCI, Minutes of 6th Meeting held on 8<sup>th</sup> March 2006, paras. 2.17 & 2.30.

<sup>343</sup> Ibid, para. 2.47.

The 'analysis issue' was further discussed during the second Extraordinary meeting of the APCI, in the context of the October 2006 Somalia and Sri Lanka reviews, both of which called for some form of "editorial analysis"<sup>344</sup>:

2.42 Mr Sabety [UNHCR] said that 'narrative' was a 'double-edged' sword. UNHCR policy documents generally followed a narrative approach as suggested by Mr Rampton, but this often invited subjective, interpretive content, whereas COI Reports were meant to be factual only. UNHCR invested considerable resources in 'cleaning' their material of subjective comment before publication.

2.43 Mr Ingram [RGS] agreed that it was difficult for analysis to be neutral. But as a process of analysis was also applied to the selection of source material, the breadth of sourcing was most important...

2.44 Dr Hammond [SOAS] agreed that the use of a broad range of sources helped to provide 'balance'... She felt that some analytical comment could be useful to 'redress the bias' of any source heavily relied upon. She also thought that it might be useful to make clear where no reliable information could be found.

2.45 Dr Koser [Chair] commented that it would not be practical or useful for COI Reports to be 'full of academic analysis'. But there was a balance to be struck on this issue, with the need for some contextual comment to make the information accessible to the reader. Mr Attwood acknowledged the need for this, particularly in order to highlight contradictions. But he reminded members that COI Service had deliberately avoided including 'analysis' in reports because of the danger of inadvertently introducing subjective opinion...

[... 2.47 Mr Jordan [AIT] advised members that Immigration Judges were well aware of bias in information sources and were not confused by the presence of conflicting information ... It was for the decision maker to provide the analysis of the different extracts of COI compiled. Judges reviewed the information provided in UNHCR advice papers and other source material directly and would probably disregard any 'analytical' content that might be provided in COI Reports.

2.48 Ms Kelley [Refugee Council] asked if the issue of analysis could be re-visited at the March meeting. Dr Koser thought this would be useful. Also, it would be worth looking at the possibility of Panel members contributing towards the training of country officers with regard to analysis.<sup>345</sup>

Despite the agreement for this issue to be discussed again at the following meeting it did not come up again until the tenth meeting, where it was suggested by the author of the review of the December 2007 Turkey report that the addition of "overview discussion in various sections to contextualise subsequent content" would be helpful.<sup>346</sup> Likewise in the eleventh and final meeting of the APCI, the author of the May 2008 Afghanistan review, in making general comments about the COIS reports and the COI process, noted that the "current structure of COI Reports, and their more limited use of narrative commentary, made them unsuited to describing gradual and qualitative changes in a country situation."<sup>347</sup> In response, the COIS representative commented that although the COIS reports had limitations in terms of "narrative to describe a gradual process", "the reports provided a significantly more user-friendly COI resource than the databases of source documents that most countries relied upon."<sup>348</sup> The matter was not discussed further by the APCI.

#### Observations

As indicated above, the issue of inclusion of commentary or analysis in COIS reports in order to make the information contained in them more accessible was regularly discussed in APCI meetings and also regularly raised in expert reviews. The COIS position of caution about this is understood and shared, given that COIS reports are produced within the Home Office, which is one party within an adversarial RSD process in the UK, and given the previous criticism of Home Office COI products as

<sup>344</sup> APCI, Minutes of Extraordinary Meeting held on 9 January 2007, paras. 2.33 & 2.41.

<sup>345</sup> Ibid, paras. 2.42 - 2.45.

<sup>346</sup> APCI, Minutes of 10th Meeting held on 1 May 2008, para. 2.23.

<sup>347</sup> APCI, Minutes of 11th Meeting held on 7 October 2008, para. 3.26.

<sup>348</sup> Ibid, para 3.27.



having an institutional bias (see section above, 'Selectivity and Perceived Home Office Bias'). COIS representatives, as well as members/ observers of the APCI, expressed concern that the inclusion of commentary or explanatory notes might, however unintentionally, introduce a subjective element to COI reports. It was also conceded that a significant training issue would arise should commentary be routinely included, given that COIS staff are not academically trained researchers. Despite these reservations, given the persistence with which this issue was raised by experts in particular, it was agreed that COIS would explore the possibility and seek to develop a means of including such material, particularly where COI sources selected for inclusion in the report presented a contradictory picture. It is not clear by the end of the APCI, however, whether any progress was achieved on this matter. Having been discussed at length in the seventh meeting, the issue was not again formally reviewed, despite the APCI Chair agreeing to do so, and experts continuing to raise the issue up to the final meeting of the APCI. The issue does not appear to have been taken up by the IAGCI.

It should be noted on the one hand that the selection of sources and relevant excerpts to include in COIS reports in itself raises the possibility of subjective bias, particularly given the position of the COIS unit within the Home Office and the operational imperative underlying the production of COI material by COIS, as has been discussed elsewhere. On the other hand, depending on how people use the reports, the inclusion of commentary or explanatory material does not necessarily increase the level of subjectivity of the report, or conversely, detract from the objectivity of the report if it has been compiled on an objective basis and is fundamentally sound. This would, however, clearly be a matter for explicit training for COIS research staff and for careful monitoring via an internal editorial process and externally via the IAGCI. Should the appropriate level of resources and commitment to support such an initiative not be available to COIS, it would seem to be better not to include analysis/ commentary and to rely on the user of the report to access the material directly in order to make sense of it.

#### Recommendations

- COIS should report to the IAGCI on the current policy with regard to the inclusion of analysis/ commentary in COIS country reports, including plans for training and monitoring.

#### **d) Format and structure of the report**

Concerns and comments about the structure and format of COIS reports were raised fairly consistently in APCI meetings. For example in the review of the October 2004 Zimbabwe report for the fourth meeting, three areas for improvement in relation to the format were suggested:

- *the manner in which quotations had been extracted and incorporated into the CIPU report;*
- *the structure and internal coherence of the report - topics had been split and there was a lack of internal cross referencing;*
- *the absence of commentary or analysis.*<sup>349</sup>

In his report to the fifth meeting of the APCI, the RDS representative noted the feedback from the APCI and country experts about problems with overlap and repetition arising from the standard structure of reports and stated that a review of COIS products was being undertaken in consultation with users.<sup>350</sup> In the sixth meeting, the author of the Lebanon review drew particular attention to the "standard structure" of the COIS report, which he felt made it difficult to access key information on asylum issues<sup>351</sup>:

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<sup>349</sup> APCI, Minutes of 4th Meeting held on 8<sup>th</sup> March 2005, para. 2.42.

<sup>350</sup> APCI, Minutes of 5th Meeting held on 8<sup>th</sup> September 2005, para. 3.61.

<sup>351</sup> APCI, Minutes of 6th Meeting held on 8<sup>th</sup> September 2005, para. 2.23.

*In order to evaluate the report he had made a list of what he knew to be the main issues arising in asylum applications and then looked for them in the report. As asylum issues were very specific to each country, he thought the reports should be structured around these rather than using general categories.*<sup>352</sup>

In response, the RDS representative noted that the structure of the reports was currently being reviewed and would be revised after the April 2006 reports:

*He thought that there will probably still be a need for a standard structure to provide consistency for the main headings, but with flexibility for individual variations as appropriate.*<sup>353</sup>

The review of the China report for the ninth APCI meeting noted that “the report showed signs of a document that had been freely added to for many years and had become rather unwieldy and the formatting a bit sloppy.”<sup>354</sup> Some suggestions for structural changes were made in the review of the Turkey paper in the tenth meeting and similarly for the Afghanistan review in the eleventh meeting. The issue was not commented on further by the APCI members or by COIS.

### **e) Staff expertise/ training of COI researchers**

Among the critical responses that came out of the APCI Consultation Exercise discussed at the second meeting, were those concerning basic errors in the reports such as accuracy of quoting sources, referencing and spelling mistakes and it was acknowledged that there were problems in the training of CIPU staff and in quality control procedures.<sup>355</sup> The Chair, in summing up a lengthy discussion in the same meeting on improving the process of producing country reports, said that the APCI had identified two main concerns in relation to “CIPU’s ability to produce objective country information”; its independence from its policy function and “the expertise of its staff (in terms of country knowledge and research skill) and the level of staff resources.”<sup>356</sup> The Home Office was invited to put forward proposals to address these issues.

Minutes of the third meeting record the Home Office response and proposed course of action. On the matter of staff training, it was noted that “detailed work had been taken forward on developing tailored training for CIPU staff” and that UNHCR had offered to assist in this area. It was also noted that work on developing the training had been deferred pending proposed organisational changes, in particular the transfer of COIS to RDS, where “it would have direct access to their research skills and resources and training needs would need to be assessed accordingly.”<sup>357</sup>

The Home Office reported at the fifth meeting, that following the organisational changes within CIPU and the move of COI to RDS, the COIS was now headed by a social researcher. The importance of ensuring that staff received proper training “to meet any new demands” was acknowledged and it was stated that “an appropriate training package would be provided.” However, it was also stated that a period of adjustment would be necessary before introducing “significant new requirements” of staff.<sup>358</sup> During discussion, the RDS representative stated that training to date had been conducted on a mentoring basis but that “job-specific training” would be helpful, which took

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<sup>352</sup> Ibid.

<sup>353</sup> Ibid, para. 2.43.

<sup>354</sup> APCI, Minutes of 6th Meeting held on 8<sup>th</sup> September 2005, para. 2.7.

<sup>355</sup> APCI, Minutes of 2<sup>nd</sup> Meeting held on 2 March 2004, para. 2.7.

<sup>356</sup> Ibid, para. 5.26.

<sup>357</sup> APCI, Minutes of 3<sup>rd</sup> Meeting held on 7 September 2004, para. 2.5.

<sup>358</sup> APCI, Minutes of 5<sup>th</sup> meeting held on 8 September 2005, para. 2.7.

account of core skills and requirements of the job. He stated that he was in the process of developing a package for the COIS staff.<sup>359</sup> It was also confirmed in response to questions from the APCI that COIS staff were "generalists" in the Home Office with no specific training in research and that in light of this COIS/ RDS would be looking at ways of utilising professional social researchers as well as building on the skills of existing staff.<sup>360</sup>

At the sixth meeting of the APCI, the RDS representative reported that progress had been made in developing a training package tailored to the needs of COIS researchers during the previous year. However, he stated that the current preferred approach was to adapt the Austrian Centre for Country of Origin and Asylum Research (ACCORD) training course, with the aim of delivering training in the summer (of 2006). The RDS representative commented that one of the difficulties in developing a suitable training package had been to find examples of best practice, since "the UK is generally considered to be one of the leaders in the field."<sup>361</sup>

It was subsequently reported at the seventh meeting of the APCI that all COIS staff had attended a formal training course, delivered by ACCORD in May 2006. It should be noted, that this was more than two years after serious concerns were raised about staff training during the initial consultation exercise.<sup>362</sup> The issue of COIS staff training was briefly re-visited in the ninth meeting of the APCI during discussion of the potential future directions for the APCI. The Chair proposed that capacity building, including advising on training and developing guidelines on COI research methods and best practice, might be an area of on-going work of the APCI. No response to this suggestion was recorded from the Home Office.<sup>363</sup>

The issue of staff training was further raised at the tenth meeting of the APCI in May 2008, in the context of a discussion about Fact-Finding Missions. In response to a question about the training of staff to conduct these missions, it was reported by Mr Swift of COIS that the current method of training was via mentoring while a training methodology was being developed.<sup>364</sup> This was reiterated in the eleventh and final meeting, when Mr Swift invited suggestions for a more systematic approach to training of staff for fact-finding missions.<sup>365</sup>

The minutes of the second meeting of the IAGCI record that

*[...] all new COI researchers to UKBA would undergo a four week e-based training course and that members of the Group were welcome to view parts of training on-line and / or attend the final wrap up session at the end of the month.*<sup>366</sup>

#### Observations

Given the very serious quality issues that were raised in the earliest meetings of the APCI and the concerns about the level of research experience and expertise of CIPU/ COIS staff, it is regrettable that it took over two years for a training programme to be implemented. While it is noted that significant organisational changes were taking place during this time, nonetheless COI products continued to be produced by the Home Office and extensively, often exclusively, relied on by decision makers both within and outside the UK jurisdiction.

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<sup>359</sup> Ibid, para. 2.10.

<sup>360</sup> Ibid, para. 2.13.

<sup>361</sup> APCI, Minutes of 6<sup>th</sup> meeting held on 8 March 2006, para. 2.48.

<sup>362</sup> APCI, Minutes of 7<sup>th</sup> meeting held on 31 October 2006, para. 2.5.

<sup>363</sup> APCI, Minutes of 9<sup>th</sup> meeting held on 2 October 2007, para. 4.13.

<sup>364</sup> APCI, Minutes of 10<sup>th</sup> Meeting, held on 1 May 2008, para. 3.3.

<sup>365</sup> APCI, Minutes of 11<sup>th</sup> Meeting, held on 7 October 2008, para. 5.6.

<sup>366</sup> Minutes Arising from the Independent Chief Inspector of the UKBA, Independent Advisory Group on Country Information (IAGCI), 08 September 2009, Chair's report.

It is noted that the training programme for COIS staff, when implemented, was provided by ACCORD, who are leaders in the field of training on COI research and this is most welcome. It is also welcome that the training programme for new COIS staff is ongoing and that existing staff have the opportunity for 'refresher training' as needed.

#### Recommendations

- IAGCI should monitor on a regular basis the COIS training programme, including auditing specific courses, as suggested by the COIS representative.

### 3) Full list of recommendations

- COIS should be invited to report to the IAGCI/ RAF on the current position of their department within the Home Office and specifically to clarify their relationship with the respective operational and research arms of the Home Office and the implications that these relationships have for the production of COI reports.
- The IAGCI should commission research on the methodology of reviews of COIS reports, with reference to the 'usability' and efficacy of the reports as operational tools for decision makers, other parties to refugee status determination, and other users.
- The IAGCI should review and if necessary revise the selection process for the appointment of experts and revise the instructions to experts.
- The IAGCI should undertake a linked investigation into the 'usability' of COIS reports with an investigation into the use of COI by first instance decision makers (i.e. UKBA case owners).
- COIS should make information about the use of the information request service and the resourcing of the service available in order to gauge the existing use and potential under-use of the system.
- COIS should make information request reports available in the public domain.
- The IAGCI should consider the scrutiny of COI requests as part of the remit of an expert review of a country report.
- COIS should consider involving external parties in its user group meetings in order to expand the feedback loop to other parties who use COIS products, for example members of the IAGCI and the RAF, and feedback regularly the outcome of these meetings to the IAGCI.
- COIS should consider an expansion of the COI information request service in order to provide a more comprehensive and case specific resource to case owners.
- COIS should report to the IAGCI on the current policy with regard to the inclusion of analysis/ commentary in COIS country reports, including plans for training and monitoring.
- IAGCI should monitor on a regular basis the COIS training programme, including auditing specific courses, as suggested by the COIS representative.

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## (1) Afghanistan June 2009 COIS Report<sup>367</sup> – Analysis

### Methodology

As part of this project, the most recent Home Office Country of Origin Report on Afghanistan, dated 26 June 2009<sup>368</sup>, was selected for a close textual analysis.<sup>369</sup> One specific section was selected for analysis that related to one particular Afghan case type example.

The case type chosen was an Afghan minor. This case type example was chosen by the following method: research reports completed in the CIC/ RPU on Afghanistan between July 2008 and December 2008 were examined, the main issues for research were identified, and the incidence of the occurrence of each of these issues was recorded.

The relevant section of the Afghanistan June 2009 COIS report, *Chapter 24 Children*, was then analysed against the following five criteria<sup>370</sup>:

Transparency & Retrievability (incidence of inaccurate referencing, inactive, indirect & incorrect hyperlinks to original sources; unclear distinction in use of direct quotation and paraphrasing)

Currency (incidence of outdated sources)

Accuracy (incidence of inaccurate representation of the original source)

Range & Reliability of Sources (incidence of citation of particular sources)

Relevance of Information (qualitative assessment of how well the excerpted information addressed the issues for research for the particular case type)

The first three criteria were applied solely to the paragraphs contained under *Chapter 24 Children* (in total 48 paragraphs). In addition to this section, the 'Range & Reliability of Sources' and the 'Relevance of Information' criteria were also applied to those further parts of the June 2009 Afghanistan COIS report that *Chapter 24 Children* cross-referred to. This was in order to provide a more holistic assessment of the range of sources and relevance of information included in the COIS report for the particular case type.

The particular sections of the COIS report were analysed as to whether they presented a balanced picture of the situation in Afghanistan in relation to the material available in the public domain at the time of publication. Research gaps and useful sources have been identified from the CIC/RPU's own case-specific research. Suggested sources for each research issue have been listed in Appendix 8 for consideration by the COIS department. Some of these sources might already be cited in the COIS report, but have been included in the analysis and appendices if it is suggested that additional information from them should be extracted. However, in recognition of the fact that COI must be

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<sup>367</sup> A new Afghanistan COIS report was published on 16/11/2009. It was not possible to update the data set before going to print. However, a brief analysis comparing the information contained in the two reports under the Children's section has been added at the end of this study.

<sup>368</sup> From now on referred to as 'Afghanistan June 2009 COIS report'.

<sup>369</sup> For further details, please see the 'Methodology' section of this report.

<sup>370</sup> These quality criteria against which the country reports were assessed were drawn from the work undertaken by the Austrian Red Cross/ ACCORD, UNHCR, and the European Union. See the general 'Methodology' section of this report for a detailed explanation.

tailored to the specifics of any individual case, particular excerpts of information have not been suggested, except where it is deemed that the information currently presented in the report is not representative of the current situation, or is contradicted by information from other sources.

#### Explanation of tables<sup>371</sup>

TABLE 1 demonstrates the frequency of inaccuracies by section analysed against the criteria of transparency & retrievability, currency and accuracy, while TABLE 2, TABLE 3 and TABLE 4 highlight the errors in transparency & retrievability, currency and accuracy separately.

TABLE 5, TABLE 6 and TABLE 7 detail the type of sources used throughout the Children's section (and beyond where applicable), the type & name of sources referred to throughout the Children's section and the type & name of sources contained under each particular subsection of the Children's section.

TABLE 8 compares the subsections of the Children's section (Chapter 24) of the Afghanistan June 2009 COIS report with research headings as would be compiled by CIC/ RPU, to illustrate research and information gaps.

#### Summary of findings

##### Transparency & Retrievability

The most serious inaccuracies concerned source referencing, as these lead to difficulties and delays in examining the source documents to provide context or for verification. Out of 48 paragraphs that contained references to 53 sources, 13 inaccuracies (either wrong references, broken and/or indirect links) were then found in *Annex G: References to Source Material* whilst trying to locate the exact source document.

Only 1 instance of an unattributed assertion was found in the *Overview* section. The sentence reads "Like many other Non-Governmental Organisations (NGOs) addressing the children's needs in Afghanistan, Save the Children, are addressing the problem [...]"<sup>372</sup> It is notable that in the general absence of paraphrasing throughout the report (which contributes to the overall impression of objectivity) this comment, preceding a quote from an NGO report, offers no reference or statement backing up its claim.

There is no particular pattern to the mistakes in the section, suggesting that many of the inaccuracies are due to lack of care and lack of subsequent editing and auditing (e.g. broken or indirect hyperlinks, referencing the wrong footnote). It is striking how many typographic errors appear and inaccurate links are provided given the relatively small section of the Afghanistan June 2009 COIS report that was examined.

For ease of reference, in the section *Annex G: References to Source Material*, it is highly recommended that the sources here be listed in alphabetical order and that every URL be checked for accuracy (e.g. providing a direct link to the relevant report, article or webpage) and whether it is still 'live' at time of publication (e.g. broken links should not be accepted).

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<sup>371</sup> See Appendix 4 for all the tables.

<sup>372</sup> UKBA, Country of Origin Information Report Afghanistan, 26/06/2009, para. 24.02, <http://www.homeoffice.gov.uk/rds/pdfs09/afghanistan-260609.doc> (last accessed: 19/10/2009).

Lack of transparency makes it difficult for the user to locate the original source and to assess whether the information is accurately presented. At the same time, additional information in that particular source that might be of relevance for that specific asylum claim, might get lost if direct access is not guaranteed.

Good practice was noted in that each quote was referenced (even if not always correctly) and where a longer report had been sourced, the relevant section number or page number was indicated. This approach is welcomed and encouraged.

### Currency

Only 2 examples of the use of outdated sources were found; however, both provided the most current published statistics available at the time of publication of the COIS report.

Of the 4 unique instances where sources have been superseded (e.g. by more recent annual reports), one is referenced erroneously as the most recent, two contain information not available in the subsequent reports, and the final source was recorded as having been accessed after the most recent version of the report was published.

Good practice was observed at the bottom of each page of the Afghanistan June 2009 COIS report, which clarify the cut-off date for the author to include information.

### Accuracy

Errors in the accuracy of the sources were very rare. Only one instance was found in the section examined, where the report quoted a news article without attributing a particular statement to the person who made it: in this instance, the Afghan Education Ministry spokesman.<sup>373</sup> Whilst it was a direct quote from the news report, it should have been made clear as to who the author was to indicate any possible bias.

While no other inaccuracies were recorded, quotes could have been expanded to make the context clearer. For example, the quote from the UNHCR *Eligibility Guidelines for Assessing the International Protection Needs of Afghan Asylum-Seekers* in paragraph 24.44<sup>374</sup> could have been preceded with the quote heading 'Unaccompanied children' to clarify the information contained in the quote.

### Range & Reliability of Sources

The overall conclusion with regards to the type of sources used to portray the situation for minors in Afghanistan is an over-reliance on one particular type of source, namely government sources. Specifically the 2008 USSD Annual Report on Human Rights (and also in some instances on trafficking) was relied upon overwhelmingly.

Whilst government sources might contain important information, it is vital for a generic country report, such as the COIS report, to include sources that are as varied as possible in order to verify and corroborate the information cited. To exemplify, the USSD Annual Report on Human Rights is published once a year, usually in spring, covering events of the previous year with the purpose of informing U.S. citizens travelling and living abroad as well as potential U.S. business investors about

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<sup>373</sup> Ibid, para. 24.41.

<sup>374</sup> Ibid, para. 24.44.



the situation in a given country.<sup>375</sup> The information is not sourced at all although occasional reference is made to some NGO reports. It is thus impossible to trace the information for its accuracy and currency, nor is it possible to locate the original source in order to make an informed judgement of the facts presented.

On a positive note, it was welcome to note that some UN and diverse NGO sources were relied upon. From a total of 118 instances where sources were quoted<sup>376</sup>, 43 were governmental sources, 26 UN sources, 19 were international human rights NGOs, 16 were from the international media, and 14 were sources such as independent statutory bodies, international research organisations and think tanks, as well as an intergovernmental organisation.

However, a comparison between the sources cited in this section and those sources that the CIC/ RPU typically provides for this profile demonstrates that more news sources and NGO reports could have been included in this section.<sup>377</sup>

### Relevance of Information

A comparison between the research headings in the Afghanistan COIS report and the issues for research identified by the CIC/ RPU highlights a different approach to documenting the situation of minors in Afghanistan.

The headings in the Afghanistan June 2009 COIS report (these include 'Overview', 'Child Labour', 'Violence against Children', 'Child Kidnappings', 'Child Marriage', 'Child Soldiers', 'Judicial and Penal Rights', 'Education', 'Childcare', and 'Health issues') are overly minimalistic and leave out potentially important issues such as risk of 'honour crimes', prevalence of child trafficking, situation in orphanages and the situation of street children. These are all relevant and important issues when considering claims from Afghan minors and are covered in sources available in the public domain (see Appendix 8 for a list of sources).

Since the Afghanistan June 2009 COIS report fails to refer to these issues adequately in the Children's section, a case owner would either: (a) have to read through the whole of the Children's section to see whether these issues are covered somewhere else; (b) assume that such information does not exist since no research headings are provided covering these issues; (c) instruct the COIS case-specific research service. All these avenues are problematic. Option a) could prove very time-consuming and might mean that the case owner fails to locate the relevant information. If (b) the case owner assumes that no information exists then a decision on refugee status might be made with inadequate COI. Even if (c) the case specific research service is instructed, this might not result in relevant COI, as currently there is a lack of information about the capacity and turnaround time of this service, as well as lack of scrutiny and monitoring of the quality of the case-specific research requests completed by COIS, as they are not available in the public domain.

Close textual analysis reveals that most paragraphs are under the correct research heading, yet still a few important ones are not. Additionally, the Children's section could be improved substantially by including more, and more detailed, research headings.

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<sup>375</sup> See the website of the U.S. Department of State for its latest annual human rights reports (<http://www.state.gov/g/drl/rls/hrrpt/>) and the ACCORD, Manual: Researching Country of Origin Information, Annex, Updated April 2006 (<http://www.coi-training.net/content/doc/en-COI%20Manual%20Part%20I%20plus%20Annex%2020060426.pdf>) for a list of source descriptions.

<sup>376</sup> This number includes instances where the same source was quoted more than once.

<sup>377</sup> See Appendix 8 for a list of suggested research headings and additional sources.

For example, under the *Overview* heading, information pertaining to the Afghan government and NGOs' commitment to improving children's rights in Afghanistan is coupled with information on child abuse, particularly sexual violence, and education. The information on sexual violence is not reproduced in the section *Violence against Children* nor is there a subsequent section on 'Sexual Violence' or any cross-posting to its original reference under the *Overview* section. Consequently, a case owner might not have all the relevant information easily at hand when reading the section *Violence against Children* and would potentially run the risk of missing substantial information included in the *Overview* section.

A second example illustrates that some research headings are too general and do not adequately reflect the information contained in them. The section *Violence against Children* could be separated into further headings such as 'Corporal Punishment' and 'Sexual Violence' in order to better reflect the information currently included under the more general heading. Similarly, the information under *Childcare* goes into much more detail than its heading suggests and refers to living conditions in orphanages and "child correctional centres", the situation of street children, as well as the risk children face without family support. Given the importance of these issues, whilst some information on them has been included, more could be sought (see Appendix 8 for a list of sources) and better subdivided into additional research headings.

In general, an increase in the use of sub-headings and cross-referencing would result in the Children's section becoming more user-friendly, easier to navigate and ultimately less time-consuming for the case owner to search for relevant information. Additionally, information presented under a specific research heading could be presented in a more ordered manner (e.g. by date of publication or topic streams) instead of what currently appears to be a random agglomeration of quotes.

Another problem that was identified by analysing the Children's section was the issue of cross-referencing to other chapters and sections within the Afghanistan June 2009 COIS report.

Out of 10 research headings in the Children's section, half of them made references to other chapters (5) or specific sections (4) within the report. The difference between referring to chapters (e.g. *Section 27: Abuses by non-government armed forces*) or specific sections (e.g. *Section 23: Women – Marriage and Divorce*) is important since it relates to the accurate presentation of information in and user-friendliness of the report, especially if the section in question is a larger one with many sub-headings. For example, in the children's section under the heading *Education*, reference was made to *Section 23: Women*, without specifying its relevance. Browsing through the latter, it became evident that the only relevant section adding to the understanding of children's access to education in Afghanistan, would have been the section entitled *Access to Education*. Consequently, if the COIS researcher refers the COIS report user to another section it would be useful to indicate the reason by stating, for example 'for further information on the general situation of women in Afghanistan please see chapter X' or in this particular case, 'for further information on the implication for girls accessing educational establishments please refer to X'.

In the Afghanistan June 2009 COIS report out of the 9 references to other sections and sub-sections within the COIS report, 6 were not relevant or specific enough for enhancing the understanding of the situation of children in Afghanistan. Often they referred the user to sections which spoke only in general terms about the respective issue and did not add much more, whilst others referred to the Children's chapter – unnecessary given that the cross-reference was made in that same chapter.

The few paragraphs that did provide some context could easily have been reproduced under the relevant Children's sub-sections. This was particularly the case with the section *Child Marriage*,

where reference was made to the section *Violence against women*, which contains 10 paragraphs. Out of these, only 3 paragraphs were of real interest to understanding the phenomenon of 'child marriages' in Afghanistan and could have easily been duplicated/ imported over to the *Child Marriage* section. Moreover, it is noted that the Children's section does not contain a specific heading on 'Prevalence of Child of Trafficking'. Instead, the COIS report user is referred to *Section 25: Trafficking*, which, however, had no information on the prevalence and risk of trafficking of minors. Yet, such information does exist in the public domain (see Appendix 8 for such sources) and given the importance of the issue, would deserve a separate research heading in the Children's section.

In general the Children's section should be more gender-specific by using sub-headings with special reference to the experiences and issues particularly relevant to girls, such as 'Access to Education for Girls', 'Acid Attacks on School Children, particularly Girls', or 'Prevalence of 'Honour Crimes''.

The Children's Chapter was organised into the following subsections: *Overview, Child Labour, Violence against Children, Child Kidnappings, Child Marriage, Child Soldiers, Judicial and Penal Rights, Education, Childcare, and Health Issues*. Analysing the actual content of the Children's chapter under each of these 10 research headings suggests that more sources should have been included in order to portray a more accurate and nuanced picture of the situation of minors in Afghanistan, especially on issues not covered in this section or in the whole of the Afghanistan report (these include 'honour crimes', trafficking, sexual violence against girls, and acid attacks against girls).<sup>378</sup>

Each subsection will be analysed in turn with regards to the relevance of information contained:

➤ *Overview*

This section consists of 10 paragraphs of which only 2 describe the more general situation of children. The remaining paragraphs refer to the prevalence of sexual violence and child abuse (5 paragraphs), NGO and the Afghan government attempt to improve the situation (3 paragraphs), difficulties in accessing educational facilities (1), and Afghanistan's ratification of the Convention on the Rights of the Child (1).

A section entitled *Overview* should ideally include more general information on the treatment of children/ minors. This is not the case here and the COIS report user is left slightly confused as to what the real purpose of this section is.

A way to improve this section would be to include more commentaries about the general situation facing children throughout Afghanistan and maybe even provide some background on the cultural norms and attitudes towards children. If this is not possible then this section should include an overview of the main types of claims and the main issues/ human rights violations facing children in Afghanistan.

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<sup>378</sup> Example of suggested sources, which are available in the public domain that address the key research issues but which are not included in the June 2009 Afghanistan COIS report are provided in Appendix 8. Please note that some of these sources contain information that is cross-cutting and should be included under several research headings even if duplicating the information. Alternatively, though less preferred, cross-referencing to the relevant section(s) could be made.

Sources published after the cut-off date of the COIS Afghanistan researcher (28 May 2009) have also been included in Appendix 8 as suggested sources when updating for the next Afghanistan COIS report. Using this information, a brief comparison of the Children's section between the June 2009 and the November 2009 Afghanistan COIS report is made further below.

Such information can be found in sources similar to the Afghanistan Independent Human Rights Commission report *The General Situation of Children in Afghanistan* of April 2008 and the Women and Children Legal Research Foundation report *Impact of traditional practices on women* of 2004 (as listed in Appendix 8). For example the following excerpt from the Afghanistan Independent Human Rights Commission report provides a good introduction on the current situation children in Afghanistan are facing and is similar to information that should be included in the 'Overview' section of the Children's Chapter. The report specifically states:

*Various released reports indicate that the situation of children in Afghanistan is apprehensible. Children constitute a vulnerable and risk-prone category in Afghanistan. The place of residence, the existing cultural sensitivity, gender-based discrimination, and economic status are among the factors that give rise to, and exacerbate the vulnerability of children in the country.*

*In the aftermath of the protracted conflict in Afghanistan, the past half a decade has witnessed certain improvements in the lives of children, including the formulation of specific laws like the Law on Juvenile Delinquency, the development of the National Strategy for the Protection of Risk-prone Children, the creation of child rights advocacy organisations, the building of schools, the launch of vaccination campaigns, and so forth.*

*But, firstly, these improvements have not been all-encompassing, and, secondly, they cannot be tangible and measurable, given the diverse problems and needs of children.*

*The belief of people in various traditions and cultures, which are in contravention of Islam and human rights values, has subjected children to a wider range of hazards. The problems of children differ in urban and rural settings. In rural areas, the lives of children are largely determined by the customs governing the local territory.*

*[...] In urban areas, overpopulation, unemployment, lack of social security and continual shifting from the country to the city have made children far more vulnerable than adults, though urban children enjoy greater opportunities with regard to access to education and health than do rural children, and urban families give priority to the education of their children.*

*The number of schools and educational facilities is not proportionate to the existing needs. The number of child labourers and beggars is considerably rising. Children do not enjoy their right to recreation and leisure.*

*The high rate of illiteracy, especially among mothers, has caused parents not to have a clear picture on how to bring up their children. To deteriorate, domestic violence against women is increasing. These two factors have contributed to increasing violence against children, and as a consequence, children are subjected to violence in the household, school, and community.*

*[...] Children in need of special care, like children with disability, have not received due attention. National and local programmes have ignored the especial needs of this category of children.*

*In the meantime, Afghanistan has been a state party to the Convention on the Rights of the Child (CRC) since 1994, and has made, under its constitutional law, a series of commitments to promote and protect the rights of children.<sup>379</sup>*

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<sup>379</sup> Afghanistan Independent Human Rights Commission (AIHRC), *The General Situation of Children in Afghanistan*, 09/04/2008, pages 3 & 4, [http://www.aihrc.org.af/2008/April/Rep\\_eng\\_Chi\\_Nov\\_2007\\_U\\_Apr\\_2008.pdf](http://www.aihrc.org.af/2008/April/Rep_eng_Chi_Nov_2007_U_Apr_2008.pdf)

➤ *Child Labour*

This section consists of 3 paragraphs based on 2 types of sources: Government (USSD) and a News article (IRIN). Whilst the information does cover some of the issues regarding child labour, additional sources by International Organisations, Inter-governmental organizations and NGOs should be added to supplement the existing information, since they go into far greater detail on this particular issue.

In particular the RAWA article on the prevalence of child labour (07/06/2009), the IRIN article on child servitude (04/02/2009), the IOM report on trafficking (12/09/2008), the Afghanistan Independent Human Rights Commission report on the general situation of children (09/04/2008) and the ILO-IPED report (January 2008), which all contain useful sections on child labour, should be considered for inclusion in future (as listed in Appendix 8). For example, the IOM report links child labour with the risk of being targeted for human trafficking, an aspect that is completely missing in the COIS report:

*Afghanistan has one of the highest proportions of school-age (7-12 years) children in the world; about 1 in 5 Afghans is a school-age child.*

*[...] Child labourers are thus more prone to danger than any other segment of the child community, serving as a large pool of potential targets for human trafficking in Afghanistan.<sup>380</sup>*

➤ *Violence against children*

This section contains 6 paragraphs of which 4 inform about the prevalence of corporal punishment, one mentions the practice of 'bacha baazi' (boys being kept by warlords for sexual entertainment), while the last paragraph mentions the recruitment practice by the Taliban of using boys for their suicide missions.

Whilst all these do fall within the broader subject of 'Violence against children', it would be preferable to break down this information into more sections. For example, instead of having a general *Violence against Children* section, the Children's section would benefit from being subdivided into 'Prevalence of Corporal Punishment', 'Prevalence of Sexual Violence', 'Prevalence of Trafficking', etc. Moreover, the paragraph on the recruitment practice by the Taliban should be moved to the section *Child Soldiers* or at least a cross-reference to it should be made.

Of great concern is the fact that not enough or no information has been included on the prevalence of 'honour crimes', of sexual violence and of trafficking of both boys and girls, despite the existence of such reports in the public domain. By not having a section devoted to either of these issues nor enough information on them contained in other sections, crucial violations of children's rights is likely to be overlooked.

The prevalence of 'honour killings' in Afghanistan seems to be underreported or statistics about it incorporated into other data categories. However, the little information that seems to be available (for example the IRIN article of January 2009 as listed in Appendix 8) needs to be included under a suitable heading. Otherwise the COIS reports risks to overlooking this particular human rights abuse, mainly affecting girls and women.

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<sup>380</sup> International Organization for Migration (IOM), Trafficking in Persons in Afghanistan: Field Survey Report, 12/09/2008, pages 22 & 23, [http://www.iom.int/jahia/webdav/shared/shared/mainsite/activities/countries/docs/afghanistan/iom\\_report\\_trafficking\\_afghanistan.pdf](http://www.iom.int/jahia/webdav/shared/shared/mainsite/activities/countries/docs/afghanistan/iom_report_trafficking_afghanistan.pdf)

Examples of sources that should be in the COIS report and are reporting on the cultural practice of 'bacha baazi' are the IOM report of September 2008 and the Institute for War and Peace Reporting article of October 2007 (as listed in Appendix 8) and should be added to the existing paragraph in this section. Including information by RFE/RL (08/01/2009), IRIN (03/12/2008), and the Afghanistan Independent Human Rights Commission (09/04/2008) which report on sexual violence perpetuated against girls would enhance this section hugely.

The USSD and IOM, as listed in Appendix 8, are a useful place to locate information on the prevalence of trafficking of children within and from Afghanistan, information which is currently completely absent from the Children's section.

➤ *Child kidnappings*

This section only contains 1 paragraph although it cross-refers to 2 other sections within the Afghanistan June 2009 COIS report. One of the sections links to the kidnapping section under *Abuses by Non-Government Armed Forces*, which is of relevance here since it further highlights the prevalence and rise in criminal activity, including kidnapping. The other section is less relevant since it refers to *Trafficking*, particularly trafficking laws and protection offered by the Afghan authorities. Whilst overall the issue of trafficking might be linked to kidnapping activities, the Children's Chapter would benefit hugely from a separate research heading looking at the risk of being trafficked as a minor – on which there is information in the public domain (see above).

This paragraph also needs cross-referencing to the *Child Soldiers* section since non-state agents forcing children to become involved in their armed struggle could be classified as a form of kidnapping.

➤ *Child Marriage*

This section covers the issue well though additional sources have been identified that could be included to provide further information on the criminalisation of fleeing forced marriages, on the number of forced marriages, and the cultural norms that allow forced/ early marriages to occur in the first place (see Appendix 8 for suggested sources).

It is recommended that the cross-referencing to the *Violence against women* and *Child marriage* section be removed, since the first one does not add anything to the understanding of child marriages and the second cross-reference refers to the actual section the COIS report user is currently in.

It would also be useful to link this section with a new research heading on prevalence of child trafficking, with specific reference to an IOM report of December 2008 that links child marriage with drug trafficking and forced prostitution (see Appendix 8).

➤ *Child soldiers*

This section would benefit from the inclusion of additional sources available in the public domain (see Appendix 8 for suggested sources) to provide some further information about the prevalence of child soldiers, some of which originate from IDP or returnee families, within the armed forces and armed non-state actors. Specifically see the UN report of November 2008 that says:

*Under-age recruitment is also reported to be prevalent in some areas, with high concentrations of returnees or internally displaced persons, including in areas around internally displaced persons' camps in Helmand and Kandahar provinces and in Wardak and Ghazni provinces, both of which received a high number of returnees during 2007. Recruitment of internally displaced and returnee children has not, however, been specifically documented.*

[...] *Child recruitment, or the threat thereof, has been reported as one of the causes for their displacement, for example by 10 families displaced from the Muqur district of Baghdis province to the Shaidaiee internally displaced persons' settlement in Herat province.*<sup>381</sup>

The cross-reference to the *Military Service* section should include an explanatory note indicating that these two sections should be read together for context purposes.

As mentioned above, a cross-reference should be made to the *Child kidnappings* section since non-state agents forcing children to become involved in their armed struggle could be defined as kidnapping since it is done against the child's or family's will.

Additionally, a cross-reference to the following headings on *Judicial and Penal Rights* of minors and *Prison Conditions* in general should be made, since it has been reported that children, accused of collaborating with non-state actors, have been arrested, tried and detained by government and Coalition forces (see for example the 2008 annual report of the Coalition to Stop the Use of Child Soldiers and UNICEF's report of June 2008 as listed in Appendix 8).

➤ *Judicial and Penal Rights*

This section contains relevant information on the Juvenile Justice System in Afghanistan, but could benefit from additional sources and cross-referencing to the *Prison Conditions* section of the report.

Similar to the suggested sources mentioned above for the *Child soldiers* section, including further information by the USSD and UNICEF would enhance the overall picture on the treatment of children who come in conflict with the law and in contact with law enforcers (particularly the USSD of 25/02/2009 and the two UNICEF reports of October and June 2008 respectively).

➤ *Education*

This section contains relevant information on the education system and the difficulties children face accessing education in Afghanistan. However, it falls short in that it fails to include sufficient information on recent and past acid attacks perpetuated against girls attending schools, the burning down of girls schools, and *fatwas* issued against girls attending school. Incidences of such have been reported on widely and descriptions feature in many reports and news articles (see for example Amnesty International 2008 annual report, IRIN article of April 2009, IWPR article of December 2008 and RFE/RL article of November 2008 as listed in Appendix 8). A separate sub-heading should be included in this section, namely 'Access to Education for girls', which deals with the above mentioned issues affecting girls in particular.

Moreover, it is recommended that the cross-referencing to the *Women and Children* section is removed. Instead, it would be more appropriate to cross-reference to the *Women: Access to education and employment* section of the report directly.

A second recommendation would be to structure and order the information contained in this section according to issue since it jumps amongst factors affecting children's access to education facilities in Afghanistan.

➤ *Childcare*

This section contains 3 paragraphs with information on living conditions in orphanages, the situation of street children, conditions in Child Correctional Centres, and the availability of state protection/family support for children. This section definitely requires more information on all of the above

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<sup>381</sup> United Nations, Report of the Secretary-general on children and armed conflict in Afghanistan, 10/11/2008, para. 22, <http://www.un.org/Docs/sc/sgrep08.htm>

issues, and sources in the public domain do exist that can be included (see Appendix 8 for suggested sources).

Given the importance of these issues with regards to the high level of unaccompanied minors that arrive in the UK, it is highly recommended that more information is included and divided up preferably under separate research headings such as 'Situation in Orphanages', 'Situation of Street Children', 'Importance of Family Support' etc.

Given the high level of poverty throughout Afghanistan, instances of the sale of children have been reported, notably by IOM (12/09/2008) and by the Jewish World Review (February 2005) as listed in Appendix 8. Such information necessitates inclusion in the Children's section since it might impact on an initial decision to return minors.

#### ➤ *Health Issues*

While it appears that only very limited information is available in the public domain on children's access to medical care in Afghanistan, this section would benefit from additional sources. Examples of such is the Afghanistan Independent Human Rights Commission report of April 2008 as listed in Appendix 8, which interviewed Afghan families and children on the provision of health services, the use of such services, and the reasons behind not making use of such services, which includes lack of medication and staff, as well as high costs of treatment.

Out of three paragraphs included in this section, having only 1 paragraph documenting the immunization efforts by the Afghan Ministry of Public Health and one paragraph referring to a "UNICEF country page on Afghanistan" is not sufficient at all. Statistics from the UNICEF document should have been included, as well as a commentary highlighting the difficulties of accessing COI on this particular issue.

### **Comparison between the Children's section of the Afghanistan June 2009 and November 2009 COIS reports**

A new Afghanistan COIS report was published on 16/11/2009. Unfortunately, it was not possible to update the data set before going to print. However, a brief comparison of the Children's section in the two reports using the criterion 'Relevance of Information', suggests that not much information was added or removed.

All research headings remained the same, while out of 50 paragraphs in the November 2009 report, 39 paragraphs were identical to the June 2009 report. It would be expected that the reason for this would be that not many reports/ news articles on the situation of children in Afghanistan were published between the two cut-off dates for the COIS researcher (respectively 28<sup>th</sup> May and 20<sup>th</sup> September 2009).

However, as can be seen in Appendix 8, several sources in the public domain at the time of publication of the November report relevant to children's issues in Afghanistan have not been included. Particularly, additional information contained in the July 2009 UNHCR *Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Afghanistan* could have been extracted covering issues such as sexual violence, child soldiers, child trafficking and UNHCR's position with regards to returning unaccompanied minors to Afghanistan. With regards to UNHCR's concern, the relevant paragraph taken from the 'Children' section of the guidelines is:

*[...] In order to assess the gravity of the possible harm, the acute vulnerability of children needs to be taken into account. An act that by its gravity does not necessarily constitute persecution for an adult may well be persecutory when inflicted upon a child. The psychological and physical impact of labour under harsh*



*conditions, forcible recruitment, or trafficking, may be devastating and life-threatening for a child. In most of these cases, as shown above, the State is simply unable or unwilling to prevent these situations. In other situations, criminal groups such as traffickers may have protection from some elements inside the State.*

*Unaccompanied and separated children represent one of the most vulnerable groups in Afghanistan, in terms of the potential risks, and the weakness of social and legal protection networks. Addressing issues such as trafficking has not improved, with UNHCR aware of cases of severe mistreatment and even torture of children being smuggled and subsequently falling into the hands of human traffickers and other criminals. Whatever progress has been achieved towards enforcement of children's rights is threatened by the worsening humanitarian situation, the intensifying armed conflict, and the reduction in access and humanitarian assistance. Vulnerable children, include, but are not limited to, those at risk of forced recruitment (including use as suicide bombers), sexual violence, child labour in exploitative conditions, and trafficking. Such children are at risk of persecution as a particular social group. Forcible recruitment of children for the purposes of sexual exploitation is a form of gender-related violence, which may constitute persecution. Trafficked children can be particularly susceptible to serious reprisals by traffickers after their escape and/or upon return, as well as to a real possibility of being re-trafficked or of being subjected to severe family or community ostracism and/or severe discrimination. In the case of child soldiers, issues such as age, mental and emotional maturity, voluntariness of service, and treatment by other military personnel, all factor heavily in determining whether exclusion from refugee protection is appropriate.<sup>382</sup>*

Other more up-to-date sources have been identified which cover issues important for a proper understanding of violations of children's rights<sup>383</sup>, the non-inclusion of which raises questions over the currency of the report and whether proper research had been conducted for the Children's section before the cut-off date of end of September 2009 for publication in November 2009. The issues are:

- access to health care (please note that several reports have been published on this issue, most of which also address child health care: IRIN 17/09/2009; World Bank 03/09/2009; UNAMA Summer 2009; IPS 05/08/2009);
- child labour (US Department of Labor 10/09/2009; UNICEF 23/06/2009; IRIN 07/06/2009; Afghanistan Research and Evaluation Unit May 2009);
- children in detention (IWPR 02/09/2009);
- sexual violence against children (HRW IPS 28/07/2009);
- trafficking of children (USSD 16/06/2009);

Moreover, the November 2009 report lacks accuracy and currency in updating reports since four paragraphs<sup>384</sup> contained in the June 2009 report and identically replicated in the November 2009 report are websites, which still bear the 'old' access dates. This clearly indicates that these websites have not been revisited and their accuracy of information, currency, and transparency checked in case the URLs have changed.

It also is questionable whether the cut off date for the inclusion of sources in the country reports (in this case 20<sup>th</sup> September 2009) should be two months before the actual publication date (16<sup>th</sup> November 2009) given the highly volatile and changing situation in Afghanistan. The previous delay was just less than a month (cut-off date: 28<sup>th</sup> May 2009; publication date: 26<sup>th</sup> June 2009).

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<sup>382</sup> UNHCR, Eligibility Guidelines for Assessing the International Protection Needs of Asylum-Seekers from Afghanistan, July 2009, p. 38, <http://www.unhcr.org/refworld/docid/4a6477ef2.html>

<sup>383</sup> See Appendix 8 for a list of suggested sources.

<sup>384</sup> UKBA, Country of Origin Information Report Afghanistan, 16/11/2009, paras. 24.02, 24.20, 24.49 & 24.50, <http://www.homeoffice.gov.uk/rds/pdfs09/afghanistan-161109.doc> (last accessed: 31/12/2009).

Consequently, the recommendations that were based on the previous Afghanistan COIS report still remain relevant and are reiterated (see below).

### Concluding Remarks

The close textual analysis of the Afghanistan June 2009 COIS report's *Chapter 24: Children* revealed two positive practices that should be expanded to all COIS reports: Firstly, each quote was referenced (even if not always correctly) and named, and if the source was a longer report then the relevant section number or page number was indicated. Secondly, the cut-off date for the inclusion of source material was mentioned in the footer of each page, which provides the COIS report user with an understanding of the currency of the research conducted.

However, the close textual analysis against the five set criteria of transparency & retrievability, currency, accuracy, range & reliability, and relevance of information, also reveals shortcomings that could impact (a) on the provision of country information and (b) on the quality of decision-making.

Inaccuracies were recorded concerning:

- referencing (both wrong references were used and broken/ indirect URL links provided);
- underuse of additional paragraphs from selected sources;
- a general overreliance on government sources;
- presenting information under research headings in a random, unclear and unstructured way;
- wrong, misleading and unnecessary cross-referencing;
- a minimalistic approach in using research and sub-research headings leading to information 'getting lost' or overlooked;
- underuse of additional COI that exists in the public domain;
- omission/ information gaps on specific aspects relevant to minors.

Whilst the Afghanistan June 2009 COIS report contained information generally relevant to the situation of minors in Afghanistan, there were notable research and information gaps. This resulted in the COIS report portraying only a limited view of the actual problems and rights violations children in Afghanistan are facing. These omissions included serious human rights abuses, such as 'honour crimes', trafficking, and acid attacks. If such information is not available or insufficiently addressed in the COIS report, it raises the question as to whether case owners would make use of the case-specific research service that COIS provides.

In November 2009, the Afghanistan COIS report was updated. The fact that little new information was added to the Children's Section of the report, despite relevant information being available in the public domain at the time of publication; the fact that information from websites was not reviewed adequately; and the fact that the cut-off date between research and publication was two months, points to serious shortcomings in the production of the COIS report with regards to accuracy, currency and relevance of information.

### Recommendations to COIS<sup>385</sup>

- Additional double-checking and cross-editing for transparency and accuracy purposes is needed in order to reduce incorrect referencing and unnecessary cross-referencing;

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<sup>385</sup> For a list of recommendations general to all COIS reports please see the Executive Summary.

- The use of more varied sources should be encouraged and enforced within COIS;
- For ease of navigation the expansion of the use of section headings is needed;
- The Children's section would benefit from the inclusion of more information that is gender-specific and gender-sensitive such as on sexual violence and acid attacks against girls;
- New report headings should be created within the Afghanistan COIS report children's section regarding 'Prevalence of 'Honour Crimes'', 'Prevalence of Corporal Punishment', 'Prevalence of Sexual Violence', 'Situation in Orphanages', 'Situation in Child Correctional Centres', 'Situation of Street Children', 'Importance of Family Support', 'Prevalence of Child Trafficking', 'Access to Education for Girls', and new information pertinent to those issues should be included and information already contained in the section rearranged accordingly;
- Consider the inclusion of suggested sources as provided in Appendix 8;
- The presentation of information under each research heading in a more ordered and structured way should be encouraged;
- Cross-referencing to other sections in the Afghanistan COIS report is encouraged where it is relevant to the specific issue. Adding a comment indicating its relevance could prove useful;
- Duplication of information under different research headings should be encouraged, if it assists in closing the current information gap;
- The use of commentary is welcomed as long as it does not analyse/ summarise the information provided but rather signposts to other relevant sections within the report and informs on lack of available information in the public domain;
- For ease of reference and navigation, the *Annex G: References to Source Material* should list the sources in alphabetical order and provide URLs that directly link to the relevant report, article or webpage;
- The cut-off time for research and the time of publication should be shortened in order to ensure the currency of the information;
- The necessary resources should be provided to enable the Case-Specific Research Service to be instructed for every case where lack of information in the COIS report is observed;
- Make Case-Specific Research Service memos available in the public domain.

### **Recommendations to IAGCI**

- Encourage COIS to make Case-Specific Research Service memos available in the public domain;
- Review Case-Specific Research Service memos in conjunction with reviewing COIS Country Reports.

## (2) Iran COIS Report August 2009 – Analysis

### Methodology

As part of this project, the latest Home Office Country of Origin Report on Iran, dated 6 August 2009, was selected for analysis.<sup>386</sup> Specific sections of the report were selected for review that related to an illustrative type of case from Iran. The case type chosen was a male of Kurdish ethnicity from the Iranian Kurdish region who is a supporter of the Kurdish Democratic Party of Iran (KDPI) and fears the authorities on account of his political activities. This case type was chosen by the following method: research reports completed in CIC/ RPU on Iran - July 2008 - July 2009 - were examined, the main issues for research were identified, and the incidence of the occurrence of each of these issues was recorded. Of these, one of the most frequently occurring case types was selected.<sup>387</sup>

It should be noted that for a case of this type although the main basis of the refugee convention claim might be the political affiliation of the claimant, in the context of Iran, given the government's treatment of its minority ethnic communities, the claimant's ethnicity should also be at the core of the consideration of the claim, whether or not fear of persecution on account of ethnicity is claimed. Furthermore, whatever the specific activities or political affiliations of the individual claimant in the Kurdish region, it is important to research information about the treatment of those who engage in anti-government or dissident activities in Iran in general, whatever the region or particular affiliation or type of activity. In the context of Iran, perceived and actual opposition to the state and ruling authorities can take many diverse forms and can have consequences which need to be understood and taken into consideration.

For a claimant of this particular profile and affiliation, information should be sought which relates to the treatment of activist Kurds in general, particularly since 2005 and the Presidency of Ahmadinejad, as well as those who are supporters or members (imputed or actual) of specific political parties in the region, as appropriate to the claimant's case.

Lastly it will almost certainly also be relevant in specific cases to research and consider more contextual information for Iran, in particular in relation to the security forces, the judicial system, detention conditions and the use of torture, etc.

Please note, although an Internal Flight Alternative (IFA) is sometimes asserted by the Home Office for Iranian claimants of Kurdish origin, it is unlikely to be appropriate since it is treatment by the state and state forces that is at issue and the state and its security forces are undeniably present and in control of the whole of the territory of Iran. IFA will not therefore be considered as a research issue here.

Consequently, the following sections of the COIS report considered to be relevant to this case-type were chosen for analysis: Chapter 7 *Human Rights Introduction* (paras.7.01-7.09); Chapter 9 *Security Forces* (paras.9.01-9.30); Chapter 11 *the Judiciary* (specifically Fair Trial paras.11.16-11.19); Chapter 12 *Arrest and Detention – Legal Rights* (paras.12.01-12.03); Chapter 13 *Prison Conditions* (paras.13.01-13.06); Chapter 14 *Death Penalty* (paras.14.01-14.10); Chapter 15 *Freedom of Political Expression and Opposition Groups* (paras.15.01-15.28) and Chapter 20 *Ethnic Groups and Kurds* (paras.20.01 -20.09).

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<sup>386</sup> For an explanation on the methodology of this particular part of the project please refer to an earlier section in the report entitled 'Methodology'.

<sup>387</sup> Ibid.

These sections of the COIS report were then analysed against the following five criteria:

Transparency & Retrievability (incidence of inaccurate referencing, inactive, indirect & incorrect hyperlinks to original sources; unclear distinction in use of direct quotation and paraphrasing)

Currency (incidence of outdated sources)

Accuracy (incidence of inaccurate representation of the original source)

Range & Reliability of Sources (incidence of citation of particular sources)

Relevance of Information (qualitative assessment of how well the excerpted information addressed the issues for research for the particular case type)<sup>388</sup>

The first four criteria (transparency, currency, accuracy and range and reliability of sources) were applied to all the selected sections of the report that contained information about Kurds as an ethnic group and about freedom of political expression and opposition groups in Iran (specifically KDPI and other Kurdish organisations). Also included in the analysis were sections dealing with the general human rights context, security forces, detention conditions and fair trial in Iran.

The fifth criteria concerning the Relevance of information provided was examined in relation to the sections of the report dealing with Kurds and Kurdish opposition groups. However, it was not within the scope of this report to examine the remaining sections of the report according to the relevance criteria.

The particular sections of the COIS report were analysed as to whether they presented a balanced picture of the situation in Iran in relation to the material available in the public domain at the time of publication. Research gaps and useful sources have been identified from the CIC/RIPU's own case-specific research. Suggested sources for each research issue have been listed in Appendix 9 for consideration by the COIS department. Some of these sources might already be cited in the COIS report, but have been included in the analysis and appendices if it is suggested that additional information from them should be extracted. However, in recognition of the fact that COI must be tailored to the specifics of any individual case, particular excerpts of information have not been suggested, except where it is deemed that the information currently presented in the report is not representative of the current situation, or is contradicted by information from other sources.

#### Explanation of tables<sup>389</sup>

TABLE 1 demonstrates the frequency of inaccuracies by section analysed against the transparency & retrievability, currency and accuracy criteria. TABLE 2, TABLE 3 and TABLE 4 identify the errors in transparency & retrievability, currency and accuracy separately.

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<sup>388</sup> These quality criteria against which the country reports were assessed were drawn from the work undertaken by the Austrian Red Cross/ ACCORD, UNHCR, and the European Union. See the general 'Methodology' section of this report for a detailed explanation.

<sup>389</sup> See Appendix 5 for Tables 1 to 7.

TABLE 5 and TABLE 6 detail the type and name of sources used throughout the relevant sections of the COIS report, and TABLE 7 details the name and type of source under each particular subsection of the report.

## Summary of findings

### Transparency

The most serious inaccuracies concerned the referencing (subscription-only, broken or indirect hyperlinks), as these lead to difficulties and delays in examining the source documents to provide context or for verification. Out of 74 paragraphs that cited 76 sources, 17 references were inaccurate. The most serious inaccuracy in this regard is the use of subscription-only websites, in this case the Jane's portfolio of security publications, which are used extensively, particularly in the 'Security Forces' chapter of the report.<sup>390</sup> The use of non-public sources has an obvious and serious impact on transparency.

Although small, one instance of unattributed assertion was found in the 'Opposition Groups and Political Activists' section. The sentence reads "The Iranian Government has faced armed opposition from a number of groups, including the MEK [cult-like terrorist organisation Mujahedin-e Khalq, People's Mojahedin of Iran] (which the U.S. Government added to its list of Foreign Terrorist Organizations in 1999)..."<sup>391</sup> It is notable that in the general absence of paraphrasing, which contributes to the overall impression of objectivity, the comment in square brackets is unreferenced and unsubstantiated.

There were 10 instances of typographic errors, most of which slightly reduced the clarity of the report, without affecting the overall accuracy. Although most references contained section or paragraph information, some did not, and these were classed as inaccuracies, as they reduce the ease of verification.

There was only one date error, where a footnote had no "Date Accessed".

### Currency

Only one example of an 'outdated' source was identified, a report from the Immigration and Refugee Board of Canada from 2006.<sup>392</sup> Although the information in the report itself may well still be current, there was no explanation of this. The footnote reference stated that this report had last been accessed in 2006, and the given hyperlink was broken, a fact that would have been discovered if the link had been tested whilst compiling the latest report.

### Accuracy

Only 1 instance of a misrepresentative quotation was found in the sections examined, in a quote taken from a report published by the Immigration and Refugee Board of Canada. The quote used is taken from a section preceded by the sentence: "Correspondence with Sabi and Associates, a law firm specializing in Iranian law, located in London, England, yielded the following information".<sup>393</sup>

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<sup>390</sup> See Chapter 9 of the UKBA, Country of Origin Information Report Iran, 06/08/2009, <http://www.homeoffice.gov.uk/rds/pdfs09/iran-070809.doc> (last accessed: 30/10/2009).

<sup>391</sup> See para.15.04, *ibid.*

<sup>392</sup> See para.14.03, *ibid.*

<sup>393</sup> See Information and Refugee Board of Canada, Responses to Information Requests (RIRs), IRN101299.E, 20/06/2006, <http://www2.irb-cisr.gc.ca/en/research/rir/?action=record.viewrec&gotorec=450300> (last accessed 30/10/2009).

The fact that the source of the information was not the IRBC itself was not made clear in the COIS report.

It should also be noted that there were three errors in section and paragraph numbering. Although not crucial to the overall accuracy of the report, these errors create confusion and make the report difficult to reference with absolute accuracy.

### Range & Reliability of Sources and Relevance of Information

An overview and discussion of the range & reliability of sources used in the relevant sections of the COIS report is presented first below. Given the distinct issues for research that a case involving political dissent from an ethnic Kurd entails however, the range and reliability of sources and relevance of information contained in the August 2009 COIS report will also be considered in relation to each aspect of the case as described in the 'Methodology' section of this report and as specified in detail below:

- The treatment of Kurds in Iran – discrimination/persecution; treatment of Kurdish political and civil society activists
- The treatment of members/ supporters of KDPI
- The treatment of anti-government activists and dissidents (perceived or actual) in Iran (range and reliability of sources only)

### Range & Reliability of Sources

For the sections of the Iran COIS report under consideration, Table 5 illustrates that overall a reasonable range of source types has been used, although government sources are clearly used with greater frequency than any other (51 out of 137 instances). This is to an extent balanced by significant use of sources from International Human Rights Organisations and from the UN (34 and 14 out of 137 instances respectively). Media sources and those from Regional and Local Human Rights Organisations are used very little. This may be explained to an extent by the lack of press freedom in Iran and the restricted access for international media as well as the lack of freedom for human rights organisations to operate and report locally. Of note is the extensive use of two non-typical sources, those being Jane's, a research/ analysis organisation that produces 'country risk assessments'<sup>394</sup> and a non-public domain source (subscription access only), and the Centre for Iranian Studies, an academic institution. The use of these sources will be discussed further below.

Table 6 illustrates that the Government source used most frequently was the United States State Department (USSD) Country Report on Human Rights Practices (25 out of 51 instances). Concerns about over-reliance on this particular source were raised on a number of occasions in the APCI<sup>395</sup>, given the nature of the source. The USSD is the Foreign Policy arm of the US State<sup>396</sup> and while the *Country Reports on Human Rights Practices* are described as "a full and complete report regarding the status of internationally recognized human rights..."<sup>397</sup> and as such address issues of relevance to

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<sup>394</sup> See: <http://catalog.janes.com/catalog/public/html/countryrisk.html>

<sup>395</sup> For example in the 5<sup>th</sup>, 9<sup>th</sup>, and 11<sup>th</sup> meetings, as well as in the 2<sup>nd</sup> Extraordinary meeting of the Panel. For more information see Part 1B.

<sup>396</sup> The Mission of the USSD is to "Advance freedom for the benefit of the American people and the international community by helping to build and sustain a more democratic, secure, and prosperous world composed of well-governed states that respond to the needs of their people, reduce widespread poverty, and act responsibly within the international system." See its webpage on:

<http://www.state.gov/s/d/rm/rls/dosstrat/2007/html/82943.htm>

<sup>397</sup> US Department of State, <http://www.state.gov/g/drl/rls/hrrpt/>

asylum claims, they are based on non-disclosed sources and should be seen in light of the policy context in which they are produced.

The human rights reports were introduced in 1976 as a means for Congress to monitor recipients of US aid. Both the number of countries and the scope of reporting have expanded since then, and the country reports aim to provide a basis for promoting human rights issues in U.S. foreign policy as well as to justify U.S. policy with regard to certain countries.<sup>398</sup>

The section in the Iran COIS report for which the relative over-use of the USSD report is most marked is the one on *Security Forces*. In this section, the USSD represents 11 of a total of 30 instances of COI sources cited (see Table 7, Research Heading *Security Forces*). The same section contains 11 citations of Jane's and 6 citations of The Centre for Iranian Studies. Given that Jane's Sentinel is a non-public domain source, that the USSD Human Rights report does not disclose sources and that the information from The Centre for Iranian Studies is also not ascribed to public domain sources, it is not possible to access the information contained in this section from the source material directly.

Regarding Jane's, according to its website<sup>399</sup> it is a private business offering "consultancy", "intelligence" and "advertising" to clients including businesses and governments. Jane's describes its information as "open source intelligence"<sup>400</sup> covering the following specialist subject areas defence, security, transport, public safety and law enforcement.<sup>401</sup> The core values of the organisation as listed on the website are "Accuracy and impartiality, Integrity and trust, Open communication, Learning and Development, Excellence in all that we do".<sup>402</sup>

The selected sections of the Iran COIS report cite Jane's Sentinel *Country Risk Assessments for Iran* on 17 occasions. This product is described by Jane's as follows:

Jane's Sentinel Country Risk Assessments provide you with in-depth, up-to-date and accurate data and analysis on the latest events and trends in political, security and economic affairs. They provide a comprehensive one-stop information source covering 190 states and 30 territories. Jane's worldwide intelligence network of over 120 expert contributors delivers incisive and impartial analysis to help you protect your economic, strategic and political interests.<sup>403</sup>

On the basis of the sum of this information, notably that Jane's provides "open source intelligence", that it is independent of vested interest, and that it is a long standing organisation with an established reputation, it meets most of the necessary criteria for reliable COI sources as identified

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<sup>398</sup> Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD), ACCORD COI Network & Training. Researching Country of Origin Information: A Training Manual, September 2004, Annex – Source descriptions, <http://www.unhcr.org/refworld/docid/42ad40184.html> (accessed 6 November 2009).

<sup>399</sup> See Jane's website: 'About us' and 'frequently asked questions' for example:

<http://www.janes.com/aboutus/faq.html>; <http://www.janes.com/aboutus/> (accessed 6 November 2009).

<sup>400</sup> Ibid.

"Open Source Intelligence (OSINT) involves collecting information from open sources and analysing it to produce usable intelligence. In the Intelligence Community, the term "open" refers to overt, publicly available sources (as opposed to covert or classified sources). OSINT includes a wide variety of information and sources, for example –

Media - newspapers, magazines, radio, television, and computer-based information.

Public data - government reports, official data such as budgets and demographics, hearings, legislative debates, press conferences, speeches, contract awards.

Professional and academic - conferences, symposia, professional associations, academic papers, and subject matter experts."

<sup>401</sup> Ibid.

<sup>402</sup> Ibid, 'About us'.

<sup>403</sup> <http://www.janes.com/articles/Janes-Sentinel-Security-Assessment-North-Africa/Armed-forces-Ethiopia.html> (accessed 6 November 2009)



by UNHCR<sup>404</sup> and ACCORD<sup>405</sup>. However, as it is a subscription only source, reports are not available in the public domain and it is therefore not possible to verify whether the excerpts included in the Iran COIS report are representative of the respective reports and it is also not possible to independently access the reports in full.<sup>406</sup>

UNHCR has emphasised the importance of, and is itself committed to, using publically available material which is open to review and verification and accessible for all to use in order to ensure transparency, equality of arms and procedural fairness.<sup>407</sup> This consideration has to be balanced, however, with the general availability of good quality information from specific countries on relevant issues. As stated above, detailed and specific information on many subjects of relevance to Iranian asylum claims, particularly where the material is highly sensitive and under-reported (such as information about the operations of the intelligence and security forces), may not be available in more typical public domain sources. It is therefore commendable that COIS has sought to fill the information gap from reputable sources.

However, in order for the material from Jane's reports to be included in publically available COIS reports, clearly some form of contractual agreement has already been reached between UKBA and Jane's. Given the context in which this material is used (not for profit and for deciding on asylum claims) and the importance of full transparency, it would be very useful for UKBA to explore with Jane's whether the reports included in COIS reports in excerpt form, could be made available in their entirety on request, to UKBA case owners and to other interested parties.

An additional non-typical source cited in the Iranian COIS report is The Centre for Iranian Studies at Durham University. The use of this source arose from the expert review of the August 2008 Iran report for the 11<sup>th</sup> and final APCI meeting in September 2008, which was prepared by academics from this institution. The review provided additional information on a number of issues including legal and human rights developments since the change of government in 2006 and changes in "judicial application".<sup>408</sup> Much of this information however was not based on either public domain sources or published academic material, which the authors acknowledged is in short supply for certain issues. Instead, according to the authors, it was based on "input from researchers who had made frequent fact finding trips to Iran."<sup>409</sup> The APCI discussed the best use of such material and COIS agreed that it could be included in the COIS report if the source to which it is ascribed is The Centre for Iranian Studies.<sup>410</sup> Excerpts from this material have subsequently been included in the Iran

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<sup>404</sup> UN High Commissioner for Refugees, Country of Origin Information: Towards Enhanced International Cooperation, February 2004, available at: <http://www.unhcr.org/refworld/docid/403b2522a.html> (accessed 6 November 2009).

"[...] B. Selection and evaluation of sources

[...] 26. In general, to evaluate any particular source it is important to ascertain:

(i) Who produced the information and for what purposes (taking into account such considerations as the mandate and the philosophy of the information producer);(ii) Whether the information producer is independent and impartial;(iii) Whether the information producer has established knowledge;(iv) Whether the information produced is couched in a suitable tone (objective rather than subjective perspective, no overstatements, etc.);(v) Whether a scientific methodology has been applied and whether the process has been transparent, or whether the source is overtly judgmental[...]"

<sup>405</sup> Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD), ACCORD COI Network & Training. Researching Country of Origin Information: A Training Manual, September 2004, <http://www.unhcr.org/refworld/docid/42ad40184.html> [accessed 6 November 2009]

<sup>406</sup> URLs are provided in the COIS report which simply connect to a subscriber's log in page on Jane's website.

<sup>407</sup> UN High Commissioner for Refugees, Country of Origin Information: Towards Enhanced International Cooperation, February 2004, C. Accessibility of information and its sources, available at: <http://www.unhcr.org/refworld/docid/403b2522a.html> (accessed 6 November 2009)

<sup>408</sup> APCI, Minutes of 11th Meeting held on 7 October 2008, para. 3.17.

<sup>409</sup> Ibid.

<sup>410</sup> Ibid, para.3.21.

COIS report and cited in this way (see sections below). The use of this material illustrates the potential for sourcing additional material from academics working in specialist and reputable institutions on questions and issues where more 'traditional' COI sources are inadequate. Such information might normally be provided only in the form of an expert report commissioned for an individual case, but would be of significant benefit to decision makers and representatives if made publically available through publication and inclusion in the COIS report.

A number of points of recommendation arise from the lack of availability of good quality sources of information on a particular topic for Iran or any country, which was also raised at various times by members/ observers of the APCI and by expert reviewers. Where such an issue has been identified as of relevance to asylum claims and there is an agreed lack of information available on the subject in public domain materials, at the very least this should be explicitly noted in the relevant section of the COIS report and decision makers (case owners and legal reps) should be cautioned against drawing dangerously unsubstantiated and speculative conclusions based on an absence of information. It should be noted in this connection that it is the documented experience of IAS Research Staff that this happens on a regular basis at present in the cases of Iranian claimants as well as those from other countries.<sup>411</sup>

In addition to, or in the alternative to such a 'cautionary note', it is clearly preferable as discussed above, for further efforts to be made by COIS to find reliable sources of information, for example from academic country experts, from local in-country experts, or from other specialist sources including Jane's and APCI/ IAGCI reviewers. In this case, and when the resulting materials are already not published in the public domain, every effort should then be made, with whatever consequent resource implications, for the materials to be made available in full to all parties to the asylum process. In this way, the source is properly open to public scrutiny and equally importantly potentially useful information is not excluded in the process of selection by a COIS country researcher who may not anticipate its relevance to a particular claim.

➤ **The treatment of Kurds in Iran – discrimination; treatment of Kurdish political and civil society activists**

*Range & Reliability of Sources*

For this issue the following chapter of the COIS report was considered: Chapter 20 *Ethnic Groups and Kurds*, paragraphs 20.01 -20.09.

Five sources are included in this brief section, one governmental and four non- governmental: the Danish Immigration Service, (fact finding mission report); two reports from Amnesty International, (one annual, one thematic); one from Human Rights Watch, (annual) and one from the International Federation for Human Rights, (thematic).

These sources represent a balance of thematic and annual reports and are weighted towards human rights non-government sector organisations. Two further reports that give useful contextual information on the treatment of Kurds in Iran which might have been included and which would complement the existing sources are from the Foreign Policy Centre (UK) and the Kurdish Human Rights Project (UK).<sup>412</sup> In addition, the Danish Immigration Service report, excerpts from which are cited in the COIS report, contains further useful information which should be considered for inclusion.

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<sup>411</sup>See for example IAS, *The Use of Country of Origin Information in Refugee Status Determination: Critical Perspectives*, April 2009.

<sup>412</sup> Foreign Policy Centre (UK), *A revolution without rights? Women, Kurds and Baha'is searching for equality in Iran*, 25/11/2008; Kurdish Human Rights Project (UK), *Impact Report 2008 (Iran excerpt)*, 20/05/2009.

## Relevance of information

### Discrimination

For Kurdish claimants, their ethnic identity, while not usually providing sufficient grounds *per se* for an asylum claim, adds a significant dimension to a claim whatever the individual profile.<sup>413</sup> Two of the sources included in this section of the COIS report provide some limited contextual information about the Kurdish minority and the Kurdish regions of Iran in terms of geography, economy and language (Danish Immigration Service and Amnesty International<sup>414</sup>). However the issue of the discrimination faced by Kurds is *not* covered by the excerpts included. The same Amnesty International report, for example, contains an introductory paragraph on this issue which could have been usefully included:

Kurds in Iran have long suffered deep-rooted discrimination. Their social, political and cultural rights have been repressed, as have their economic aspirations. Kurdish regions have been economically neglected, resulting in entrenched poverty. Forced evictions and destruction of homes have left Kurds with restricted access to adequate housing. [2] Parents are banned from registering their babies with certain Kurdish names. The use of the Kurdish language in education is frequently thwarted. Religious minorities that are mainly or partially Kurdish are targeted by measures designed to stigmatize and isolate them. The discriminatory gozinesh system – a selection procedure that requires prospective state officials and employees to demonstrate allegiance to Islam and the Islamic Republic of Iran – denies Kurds equality in employment and political participation.<sup>415</sup>

#### ➤ Treatment of Kurdish political and civil society activists

While the high level of discrimination towards Kurds including the under-development of their region and the denial of cultural expression is *not* reported by COIS, sources *are* included which provide the information that those who campaign for greater political participation or recognition of minorities' economic, social and cultural rights face threats, arrest, imprisonment and the death penalty (International Federation for Human Rights, Human Rights Watch and Amnesty International<sup>416</sup>). Additional relevant and useful information on this issue is suggested in the text below.

However, the important political dimension of the state's discriminatory treatment of Kurds which gives crucial context to this information is not included in the source excerpts cited by COIS. Available information which is *not* cited indicates that Kurds, especially those who are politically active or active in civil society, are subject to particularly harsh treatment on account of their

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<sup>413</sup> Though of course an individual's profile will always bring additional relevant issues for consideration, for example their gender, age, level of education, socio-economic circumstances as well as the particulars of their claim for asylum etc.

<sup>414</sup> Danish Immigration Service, Human Rights Situation for Minorities, Women and Converts, and Entry and Exit Procedures, ID Cards, Summons and Reporting, etc., 30/04/2009; Amnesty International, Iran: Human rights abuses against the Kurdish minority, 30/07/2008.

<sup>415</sup> Amnesty International, Iran: Human rights abuses against the Kurdish minority, 30/07/2008, para.1, Introduction.

<sup>416</sup> FIDH, Iran/Death Penalty: a State Terror Policy, 28/04/2009; Human Rights Watch World Report 2009, 15/01/2009; Amnesty International Annual Report 2009, May 2009.

ethnicity, their minority status and the official perception of them as a potentially de-stabilising and subversive force within the population.

Sources such as the Foreign Policy Centre (UK) and the Kurdish Human Rights Project (UK) document the fact that Kurds are seen as a minority group whose aspirations for autonomy (Kurdish parties other than PJAK do not advocate for a separatist agenda) are perceived by the government to threaten the national unity and integrity of the Iranian state, particularly since the development of the autonomous Kurdish region within Iraq.<sup>417</sup> Furthermore, given the explicit declaration of the intention of the U.S. government (and the suspicion that other governments such as the UK are doing the same covertly) to fund and support ethnic minority groups within Iran (among other potential dissident groups) with the political objective of achieving regime change, there is heightened suspicion on the part of the Iranian regime towards Kurds in general and activist Kurds of any kind. This may include civil society activists, writers and journalists, teachers, as well as those affiliated with any of the political parties.<sup>418</sup>

Sources which are *not* included by COIS specifically report that, as a consequence of the officially endorsed perception of being anti-Iranian, Kurds are vulnerable to serious and potentially capital charges. For example, according to the 2009 annual report from the International Federation for Human Rights, activists belonging to ethnic and religious minorities (Kurds are predominately Sunni Muslims and therefore may fall into both categories) are sometimes accused of terrorism, attacks against national security and treason, even with no concrete evidence against them. The source states: "The authorities do not seem to make any distinction between peaceful advocacy for the right of minorities and terrorist attacks by armed groups."<sup>419</sup> Similarly a report from the Foreign Policy Centre (UK) states "Although there are no specific anti-Kurdish laws in the constitution, the authorities find pretexts for persecuting Kurds who openly and non-violently profess their group identity. Once arrested many have experienced violations of due process that contravene Iranian law and fall far below international standards."<sup>420</sup>

Amnesty International, cited in the Danish Immigration Service report (although this particular information is not included by COIS), notes that the level of harassment of many Kurds has increased in recent years, since the Presidency of Ahmadinejad, and states that reports appear to suggest that officials from Etela'at (state intelligence agency) harass and intimidate activists in order to gain information which could be used against them or others they may know, at a later date:<sup>421</sup>

[...] 2.3 Punishment for imputed political activity

[...] According to Amnesty International, levels of harassment of many Kurds, notably those active in civil society, has, in recent years, increased. Reports appear to suggest that officials from the Ministry of Intelligence (sometimes called Ministry of Information, in Farsi, Vezeerat-e Ettela'at) may harass and intimidate activists in order simply to gain information which could be used against the individual at a later date, whether in respect to the individual targeted, or others that s/he may know, depending on the nature of their activities. In this respect, authorities appear to seek information on individuals just to be in possession of such information and thereby intimidate people and create a general fear among people [...]<sup>422</sup>

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<sup>417</sup> Foreign Policy Centre (UK), A revolution without rights? Women, Kurds and Baha'is searching for equality in Iran, 25/11/2008; Kurdish Human Rights Project (UK), Impact Report 2008 (Iran excerpt), 20/05/2009.

<sup>418</sup> Ibid.

<sup>419</sup> FIDH, Human rights situation in the Islamic Republic of Iran, 16/03/2009.

<sup>420</sup> Foreign Policy Centre (UK), A revolution without rights? Women, Kurds and Baha'is searching for equality in Iran, 25/11/2008.

<sup>421</sup> Danish Immigration Service, Human Rights Situation for Minorities, Women and Converts, and Entry and Exit Procedures, ID Cards, Summons and Reporting, etc., 30/04/2009, 2.3 Punishment for imputed political activity.

<sup>422</sup> Ibid.

This is particularly relevant information to those very common claims where Kurds fear that their identity and political affiliation has been given up to the authorities by a political comrade or family member who has been detained and subjected to ill-treatment or torture.

Moreover, according to the Kurdish Human Rights Project (UK), cited by the Foreign Policy Centre (UK), there are more than 200 Kurdish prisoners of conscience in Iran many of whom have been charged with unspecified breaches of national security. Others are reported to have been charged under various articles of the Penal Code with such offences as "being a member or supporter of an organisation that has waged armed struggle against the Islamic Republic", or "advertising against the order of the Islamic Republic of Iran", and even "acting against state security" and "enmity with God", which carry a death sentence.<sup>423</sup> The same source also reports that according to the testimony of human rights organisations "arbitrary detention, disappearances, unfair trials and indefinite solitary confinement are routine treatment for Kurdish prisoners. Torture in all its forms, humiliation and other punishments are used against those in custody."<sup>424</sup>

Overall therefore, this section of the COIS report provides an incomplete and fairly incoherent picture of the situation of Kurds in Iran, despite there being further information available from reliable sources. This is regrettable since the contextual information referred to above may have a significant impact on the consideration of an individual claim from the point of view of the credibility of the account or the assessment of potential risk on return of a Kurdish claimant, irrespective of the details of their actual or imputed activities against the state. If an individual is, or is perceived to be politically active moreover, the information indicates that someone of Kurdish ethnicity is more likely to come to the attention of the authorities and that if they do, the consequent treatment is likely to reach the threshold of serious ill-treatment or persecution.

➤ **The treatment of members/ supporters of KDPI/ Komala/ PJAK in Iran**

*Range and Reliability of Sources*

For this issue the following chapter of the COIS report was considered: Chapter 15 *Freedom of Political Expression and Opposition Groups in Iran*, paragraphs 15.18-15.26.

While the KDPI is the main focus for research for this specific case type, Komala, PJAK and KDPI represent the main Kurdish opposition groups operating currently in Iran, and information about any of them may be of potential relevance in terms of shedding light on the treatment by the authorities of supporters of dissident Kurdish groups.

It should be noted that information about KDPI in particular and other Kurdish opposition groups, in general, is very limited in the public domain, particularly about their activities, their organisational structures, their members and supporters, and the treatment of their members and supporters by the government. This should be seen in the context of the well documented human rights situation in Iran which is characterised by the suppression of all forms of political opposition and dissent (and the consequent absence of the leadership and organisational structures of these organisations in Iran and covert nature of their operations), a complete lack of press freedom and lack of transparency in the judicial process.<sup>425</sup>

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<sup>423</sup> Foreign Policy Centre (UK), A revolution without rights? Women, Kurds and Baha'is searching for equality in Iran, 25/11/2008.

<sup>424</sup> Ibid.

<sup>425</sup> For general information about the human rights situation in Iran see for example: UK House of Commons Library, Human rights in Iran: An introduction, 06/07/2009; European Parliament, European Parliament

In this light, the sparse information contained in this section of the COIS report is unsurprising, though problematic given the large numbers of asylum claims from Iran involving Kurds who are affiliated in some way with Kurdish opposition groups. It is also problematic given that it is the experience of CIC/ RPU researchers that many of these claims are still refused on credibility grounds with minimal or absent supportive evidence.

It should be noted that information in this section of the COIS report has been recently revised (since the April 2009 report) and all former sources have been replaced with more up to date and relevant ones. This section was criticised in the APCI review conducted in September 2008<sup>426</sup> on the basis that it provided insufficient evidence “in light of the frequency of its involvement in matters dealt with by users of the Report.”<sup>427</sup> Of note also was the authors’ comment that while one source reported that “leaders and militant supporters” of the KDPI are subject to persecution from the government, it is artificial in the context of Iran to make the distinction between different types of supporters in terms of the treatment they may receive from the government.<sup>428</sup>

This is important since, in the experience of CIC/ RPU researchers, this excerpt was often cited by case owners in Reasons for Refusal Letters as ‘evidence’ for the claim that while ‘high level’ supporters of KDPI might be subject to ill-treatment, the authorities would have no interest in ‘low level’ supporters. This type of false inference and mis-use of COI has potentially dangerous consequences for asylum claimants and it is particularly notable and welcome therefore that this source has been removed from the COI report.

The two main sources currently cited in these sections are a thematic Human Rights Watch Report from January 2009 and Jane’s Sentinel.<sup>429</sup> In addition the section on KDPI includes brief excerpts from the Danish Immigration Service Report noted above and a 2008 annual report from Freedom House.<sup>430</sup> The sources cited can thus be categorised as Human Rights NGOs (International), government organisation and research organisation and the reports are mostly thematic in nature. Jane’s use as a COI source has been discussed in detail above. Excerpts included here provide limited factual information about the respective parties, particularly about PJAK, but no information about the activities of supporters of the parties or their treatment by the authorities.

As detailed in the section below (Relevance of information), further sources which might have usefully been included are a 2008 thematic report from Amnesty International and a number of sources which provide information about the recent treatment of members of the Komala party (Amnesty International, Kurd net and ICFTU) and PJAK (Freedom House, Amnesty International, International Federation of human Rights, OHCHR).<sup>431</sup> In addition, the Danish Immigration Service report which has been cited by COIS, contains further useful information that should be considered for inclusion, as specified below.

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resolution of 22 October 2009 on Iran, 22/10/2009; United Nations, Report of the Secretary-General on the situation of human rights in the Islamic Republic of Iran, 23/09/2009.

<sup>426</sup> The APCI reviewed the August 2008 COIS report.

<sup>427</sup> APCI, Evaluation of the August 2008 Country of Origin Information Report on Iran, 23/09/2008, Kurdish Democratic Party of Iran (KDPI).

<sup>428</sup> Ibid.

<sup>429</sup> Human Rights Watch, Iran: Freedom of Expression and Association in the Kurdish Regions, 09/01/2009; Jane’s Sentinel Country Risk Assessments, Iran Non-state Armed Groups, 23/01/2009.

<sup>430</sup> Danish Immigration Service, Human Rights Situation for Minorities, Women and Converts, and Entry and Exit Procedures, ID Cards, Summons and Reporting, etc., 30/04/2009; Freedom House, Freedom in the World 2008, 02/07/2008.

<sup>431</sup> These sources are all footnoted where referred to in the section below.

More detailed and recent information about the specific treatment of KDPI members or supporters is not contained in the COIS report and has not been found in public domain sources by CIC/ RPU researchers. It is possible that such information is available in the form of expert reports submitted to the AIT for individual cases; however, this material is not available to initial decision makers or other claimants and their representatives. It would be beneficial therefore for COIS to commission research from academic and/ or Iranian (especially Kurdish) community sources, such as representatives of political organisations, human rights professionals, other professionals such as lawyers who may have specialist knowledge or academics. Since the former APCI already commissioned a report from The Centre for Iranian Studies at Durham University, sections of which have been incorporated in the COIS report, perhaps this institution could be approached to supply research on specific areas where there is a notable lack of information in the public domain and in English.<sup>432</sup>

In any event, it is recommended that COIS include a statement at the beginning of this section to the effect that detailed information about these organisations and the treatment of their supporters is not currently available and that users of the COIS report should exercise extreme caution when drawing conclusions particularly about the credibility of an individual case solely on the basis of the information presented in the report.

### *Relevance of information*

Factual information included by COIS in this section covers some basic information about the respective Kurdish organisations, presumably to inform case owners in conducting credibility assessments of those who claim affiliation to one of the organisations. Even for this purpose the information is limited and partial, the concern being that if questions and ‘required’ responses are based on this information alone and claimants are apparently unable to answer them ‘correctly’, negative credibility findings will be made. Such findings would be essentially subjective and would not take into account whether it is realistic for a particular individual to have this knowledge, taking account issues of language, age, level of education, access to information etc, and whether what is generally ‘known’ by people in Iran living in the Kurdish areas accords with the information given here.

Sources included by COIS state that political activity such as that typically undertaken by supporters of the KDPI (sometimes referred to as “low-level” by the UKBA case owners), leafleting and distributing political propaganda materials usually in pairs or small groups, can attract heavy penalties under the Iranian Penal code, and that Kurdish opposition groups are “brutally suppressed” (Danish Immigration Service and Freedom House respectively).<sup>433</sup> Although an excerpt from the Danish Immigration Service Report is cited, a more complete excerpt could be usefully included as below:

[...] 2.3 Punishment for imputed political activity

[...]An international organisation in Turkey explained that politically active groups and individuals are considered a threat to national security by the Iranian government. If the Iranian authorities consider a person to be working against national security, (the person may for example be accused of being a spy or of cooperating with an oppositional religious, ethnic or political group), they may face severe punishment ranging from ten years imprisonment to execution. For instance, *being in possession of a CD, a pamphlet or something similar made by the Kurdish Democratic Party of Iran (KDPI), Komala or*

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<sup>432</sup> Information may be available in public domain sources for example, but which are in Farsi and not currently available in translation.

<sup>433</sup> Danish Immigration Service, Human Rights Situation for Minorities, Women and Converts, and Entry and Exit Procedures, ID Cards, Summons and Reporting, etc., 30/04/2009, cited in para.15.20; Freedom House, Freedom in the World 2008: Iran, 02/07/2008, cited in para.15.21.

*other Kurdish organisations, may be considered as an act against national security. This form of persecution for political activities is a problem all over Iran. However, the authorities are watching Kurdish areas and Tehran more carefully than other areas.*<sup>434</sup>

[...] The organisation explained that laws are applied arbitrarily and often no strong evidence is required in court cases concerning political activities. Sharia Law is pervasive in the Penal Code and will always be considered the superior law. While some judges will apply the Penal Code others may choose to apply Sharia Law and this makes the system of justice unpredictable and arbitrary. Hence, a person accused of having committed a political offence risks arbitrary treatment as one judge may choose to apply Sharia Law, while another judge may apply the Iranian Penal Code. There may be acts for which no punishment has been set in law. In that case, the judge is responsible to search the law and practice for an applicable punishment.

The Attorney at Law also explained that rulings following Sharia are in general stricter. The severity of sentences in general has increased over the past few years. Authorities showed more tolerance during Khatami's presidency than the present government that shows no tolerance for organised activities of any kind that may be seen as oppositional to the system.

It was added that there has been stricter rulings by the judiciary in relation to organised political activities after Ahmadinejad came into power. Before his presidency, carrying a leaflet or just a piece of paper in Kurdish language, which might be seen as an indicative of political activity, would often "only" be punished with up to one year in prison. Under the present government of Ahmadinejad, the practice in punishment has changed and the same offence may now lead to ten years imprisonment.

Amnesty International confirmed that in the current political and human rights climate, accusations leading to trial for what may be seen as political activities have appeared to increase. Carrying, for example, leaflets in Kurdish which contain material that could be seen by state officials as opposing the government or other aspects of state policy could be grounds for being criminally charged under provisions relating to insult, criticism or even national security, depending on the subject matter. Whereas under the government of President Khatami such "offences" may have resulted in a one year prison sentence, depending on the case, such charges often appear now to attract the maximum penalty available to judges.[...]<sup>435</sup>

A further source that might usefully be included is Amnesty International's 2008 report on Human Rights Abuses against the Kurdish minority, which states

## 2. Background,

[...] Kurdish opposition groups

[...] In September 2007, the KDPI reported that more than 300 people were in detention in Iran either accused or convicted of charges rooted in their support of Kurdish political groups. According to the KDPI, at least 200 were serving prison terms of between six months and 20 years, including scores of cases about which Amnesty International had little or no confirmed information. According to the KDPI for example, Jahandar Mohammadi, an NGO activist from Sanandaj was sentenced in January 2007 to 15 years' imprisonment for a 'link to Kurdish political oppositions groups'; Simko Ghaderpour, a 'political detainee' from Bokeran was sentenced in December 2006 to 11 years' imprisonment on similar grounds; and Mikha'il Gholami, an NGO activist from Sanandaj, who was sentenced to three years' imprisonment in February 2007.

Amnesty International believes that scores if not hundreds of political prisoners affiliated to the KDPI and other proscribed political parties are serving prison sentences, convicted after unfair trials. Others face prosecution for membership of or sympathy with the KDPI.

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<sup>434</sup> Section in italics is currently cited by COIS in para.15.20.

<sup>435</sup> Danish Immigration Service, Human Rights Situation for Minorities, Women and Converts, and Entry and Exit Procedures, ID Cards, Summons and Reporting, etc., 30/04/2009, 2.3 Punishment for imputed political activity.



Several Kurdish political parties are based outside Iran because of such persecution. Membership of these banned parties is punishable by imprisonment under security-related laws [...] <sup>436</sup>

The following two sources might be considered for inclusion by COIS since they provide some specific information about the treatment of individuals associated with Komala, which would be useful in informing users about claimants of that specific profile, and by inference, about others affiliated with Kurdish political organisations:

- A 2009 report from Amnesty International gives information about a Kurdish man sentenced to death for “enmity against God” in connection with his alleged membership of Komala. Amnesty International further notes that reports suggest he may have been tortured while in detention.
- A report from Kurd Net in 2008 states that four “militants linked to an outlawed Kurdish rebel Komalah group in the western Kurdish city of Sanandaj” were arrested, while the state news agency IRNA reported a statement from the office of the Iranian Islamic intelligence authorities in Kurdistan province, which claimed that two “terrorist cells” had been identified and dismantled. <sup>437</sup>

The COIS report includes a couple of sources which provide information about PJAK, in particular that it is the only Kurdish organisation engaged in an armed struggle against the Iranian government, with the aim of achieving independence for Kurds in Iran (Human Rights Watch <sup>438</sup>), and that it “appears to have sufficient resources in terms of weapons, popular support and funding to sustain a low level insurgency in the medium-term” (Jane’s Sentinel <sup>439</sup>). Sources are *not* included giving information about the government’s treatment of supporters of this organisation, although, unlike for KDPI, such reports are available in the public domain.

This information will clearly be important for the consideration of claims involving PJAK members or supporters. Moreover, although it may be that the treatment of PJAK supporters and members differs from the treatment of those involved with other parties such as KDPI given the active engagement of PJAK in a violent struggle with state authorities, a number of more broadly relevant things may be inferred from the information below. Firstly, there is a high level of security presence in the Kurdish regions of Iran due in particular to the armed threat from PJAK. Secondly, Kurds in general may be vulnerable to being picked up by the authorities for any kind of ‘suspicious behaviour’, which in itself might lead to ill-treatment, to a potentially false charge of membership of PJAK, or to their connection with any other Kurdish party or organisation being revealed under torture.

The 2008 annual report from Freedom House states that an appeals court upheld the death sentence against Farzad Kamangar for his alleged membership of PJAK, “although the prosecution offered no evidence of this during his five-minute trial.” <sup>440</sup> Amnesty International reports that “at least 14 members of Iran’s Kurdish minority are now said to have been sentenced to death for membership of the Party for a Free Life in Kurdistan (PJAK) or other groups over the last two

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<sup>436</sup> Amnesty International, Iran: Human rights abuses against the Kurdish minority, 30/07/2008, 2. Background, Kurdish opposition groups.

<sup>437</sup> Kurd Net, Iran arrests Kurdish militants from Komalah group, 14/02/2008.

<sup>438</sup> Human Rights Watch, Freedom of Expression and Association in the Kurdish Regions, 09/01/2009 cited in para.15.26.

<sup>439</sup> Jane’s Sentinel Country Risk Assessments, Non-armed Groups, 23/01/2009, (not publically accessible, cited in paras.15.27-15.28.

<sup>440</sup> Freedom House, Freedom in the World 2009: Iran, 16/07/2009.

years.”<sup>441</sup> In its annual report for 2009 Amnesty states that members of PJAK “continued to attack Iranian forces’ and that many Kurds who were detained faced charges of membership or support of PJAK or other groups, some of whom were sentenced to death following unfair trials.<sup>442</sup>

A further report from Amnesty International dealing with the June 2009 election and the unrest and repression that followed, states that following a ‘fierce clash’ between members of PJAK and security forces in which at least 18 police men were killed, dozens of Kurds were reportedly arrested. Others were also reported to have been detained following the eight-day visit of the Supreme Leader, Ali Khamene’i, to Kordestan Province in May 2009.<sup>443</sup> A report from the Office of the United Nations High Commissioner for Human Rights details the case of a women’s rights campaigner who was apparently detained for her involvement in the One Million Signatures Campaign, was held incommunicado and was subsequently charged with membership of PJAK among other things.<sup>444</sup>

Finally, although this section is cross-referenced to the section on *Ethnic Groups and Kurds*, it would also be useful to refer to more general information about the state’s treatment of dissenters, which might be expected to be found in the introductory section of Chapter 15 - *Freedom of Political Expression* (see below).

➤ **The treatment of anti-government activists and dissidents (perceived or actual) in Iran**

As stated in the methodology section of this report, the primary focus for research for a case of this profile will be treatment of Kurds in Iran and the treatment of supporters of the relevant Kurdish political organisation. However, it is critical that the treatment of those who engage in anti-government or dissident activities in Iran in general, whatever the region or particular affiliation or type of activity, is also taken into account.

This means consideration of a range of issues as follows:

- Current human rights context in Iran, including the re-election of President Ahmadinejad and the unrest, repression and security crackdown that has followed the disputed election
- Reach and effectiveness of the state security forces
- Penal code provisions for political/security related offences, including use of death penalty
- Judicial system including fair trial
- Detention conditions and use of torture

For consideration of these issues the following sections of the COIS report should therefore be consulted: Chapter 7 *Human Rights- Introduction* (paras.7.01-7.09); Chapter 9 *Security Forces* (paras.9.01-9.30); Chapter 11 *Judiciary*; Chapter 12 *Arrest and Detention – Legal Rights* (paras.12.01-12.03); Chapter 13 *Prison Conditions* (paras.13.01-13.06); Chapter 14 *Death Penalty* (paras.14.01-14.10); Chapter 15 *Freedom of Political Expression*

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<sup>441</sup> Amnesty International, Iran: Human Rights in the spotlight on the 30th Anniversary of the Islamic Revolution, 05/02/2009, Use of the Death Penalty. See also the International Federation for Human Rights, Human rights situation in the Islamic Republic of Iran, 16/03/2009.

<sup>442</sup> Amnesty International, Amnesty International Report 2009: Iran, 28/05/2009, Kurds.

<sup>443</sup> Amnesty International, Iran: Election amid repression of dissent and unrest, 09/06/2009.

<sup>444</sup> Office of the United Nations High Commissioner for Human Rights (OHCHR), Report of the Special Rapporteur on violence against women, its causes and consequences: Communications to and from Governments (Iran excerpt), 26/05/2009, III. COMMUNICATIONS SENT AND GOVERNMENT REPLIES RECEIVED

While these sections (with the exception of the very lengthy Chapter on the Judiciary) have been analysed against the criteria of transparency, currency, accuracy and range and reliability of sources (see sections above and tables 1-7 for the findings), it is not within the scope of this report to analyse them in detail in terms of the relevance and adequacy of the information contained therein. Suggested additional sources are, however, included in the list of suggested sources in Appendix 9.

## Concluding Remarks

For the sections of the Iran August 2009 COIS report under consideration (primarily Ethnic Groups - Kurds, Political opponents - KDPI) a quantitative analysis indicates that overall, in terms of the currency of sources and the accuracy of citation, there are no significant problems. Furthermore a reasonable range of up-to date sources and source types has been used, though it is notable from the point of view of transparency, that there is fairly significant use of two non-typical and non-public domain sources.<sup>445</sup> This use perhaps reflects the relative lack of information in more typical public domain sources for the issues considered here, but is problematic in that the sources are not properly open to public scrutiny and equally importantly for users of the COIS report, it is not possible to verify whether potentially useful information has been excluded in the process of selection by a COIS country researcher, who may not anticipate its relevance to a particular claim.

In fact the lack of information, both in terms of detail and depth, on the issues relevant for a claimant of the particular profile selected - a KDPI supporter of Kurdish ethnicity- is identified as the main cause for concern in the sections of the Iran COIS report considered, particularly given that a significant number of asylum claims from Iran are of this profile.

It is noted that information in public domain sources about the Kurdish region, about KDPI and other Kurdish opposition groups, and particularly about their activities, their organisational structures and the treatment of their members and supporters by the government, is very limited. This should be seen in the context of the well-documented general human rights situation in Iran, which is characterised by the suppression of all forms of political opposition and dissent, a complete lack of press freedom and lack of transparency in the judicial process. In this light, the sparse information contained in these sections of the COIS report is unsurprising, though very problematic, given the large numbers of asylum claims from Iran involving Kurds who are affiliated in some way with Kurdish opposition groups. It is also problematic given that it is the experience of CIC/ RPU researchers that many of these claims are still refused on credibility grounds with minimal or absent supportive evidence.

It is noted that the sections in the COIS report under primary consideration have been relatively recently reviewed and revised by the former APCI to remove out-dated and problematic sources and to include more recent and reliable sources. Significant gaps nonetheless remain. In some cases these gaps could be filled, as has been identified, with a more complete use of sources already cited. In other cases, further sources readily available in the public domain could have usefully been included. This is important since the information referred to may have a significant impact on the consideration of an individual claim from the point of view of the credibility of the account or the assessment of potential risk on return of a Kurdish claimant, irrespective of the details of their actual or imputed activities against the state.

It is also recommended that further efforts are made by COIS to find reliable sources of information, for example, from recognised country specialists and even Iranian (especially Kurdish) sources, such as representatives of political organisations, human rights organisations, professionals such as lawyers or academics. Where the resulting materials are not already published in the public domain,

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<sup>445</sup> These are Jane's Sentinel and The Centre for Iranian Studies at Durham University.

every effort should then be made, with whatever consequent resource implications, for the materials to be made available in full to all parties to the asylum process.

In any event, where an issue has been identified as of relevance to asylum claims and there is an evident lack of information available on the subject in public domain materials, at the very least this should be explicitly noted in the relevant section of the COIS report and decision makers (case owners and legal representatives) should be cautioned against drawing dangerously unsubstantiated and speculative conclusions based on an absence of information. It should be noted in this connection that it is the documented experience of CIC/ RPU researchers that this happens on a regular basis at present in the cases of Iranian claimants, as well as those from other countries.

### **Recommendations to COIS<sup>446</sup>**

- COIS consider the inclusion of the recommended additional sources and additional sections of sources already cited, as specified in the report.
- COIS commission specific research on the issues identified in order to fill important information gaps in the sections of the Iran report under consideration.
- COIS review the Iran report and other country reports with a view to commissioning bespoke reports where information of sufficient quality and relevance is unavailable in the public domain.
- COIS make every effort, where non-public domain sources have been used, to make the materials available in full to users on request in order to ensure transparency and facilitate 'equality of arms'.
- COIS include a 'cautionary note' in any section of the report, where information is limited or unavailable on a particular issue that draws attention to the lack of information, and cautions users of these reports from drawing unsubstantiated conclusions from limited or absent materials.

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<sup>446</sup> For a list of recommendations general to all COIS reports please see the Executive Summary.

### (3) Iraq COI Report September 2009<sup>447</sup> – Analysis

#### Methodology

As part of this project, the most recent Home Office Country of Origin Report on Iraq, dated 16 September 2009, was selected for a close textual analysis.<sup>448</sup> Specific sections of the COIS report were chosen for analysis that related to one particular Iraqi case type example. The case type chosen was a male Shi'a Muslim from South and Central Iraq that feared Ansar al Sunnah on account of his perceived collaboration with the Multi-National Forces (MNF). This case type example was chosen by the following method: research reports completed in CIC/RIPU on Iraq between July 2008 and December 2009 were examined, the main issues for research were identified, and the incidence of the occurrence of each of these issues was recorded.<sup>449</sup>

The sections of the COIS report relevant to this case-type were then chosen for analysis. The first section selected related to the well-founded fear of the claim: section 8.93 'Perceived Collaborators and 'Soft Targets''. With regards to the agent of persecution, three sections were chosen: 12.09 'Sunni Arab Insurgents,' and two sections of 'Annex D Current Insurgent/ militia groups': 'Ansar al-Islam' and 'Ansar-al Sunnah.'

In case types where the agent of persecution is a non-state actor it is also necessary to research whether there is 'sufficiency of protection' available to the claimant in his home area. However, the current Home Office policy position as set out in the July 2009 Operational Guidance Note is that in South and Central Iraq, whilst the authorities are willing to offer protection, due to the high level of insurgent attacks they are unable to provide sufficiency of protection.<sup>450</sup> Therefore country of origin information was not analysed on this issue.

An assessment of the possibility of 'internal relocation' also needs to be made for case types where the claimant fears a non-state agent of persecution. That is, the claimant needs to show that he will not only be at risk in his home area but is also unable to escape the persecution or the threat of it by relocating elsewhere in his country of origin. In asserting the possibility of internal relocation, two assessments need to be made: the 'safety' or 'relevance test' and the test of 'undue hardship' or 'reasonableness'.<sup>451</sup> The first relates to the ability of the claimant to access and legally reside in a safe area, where there is no risk of persecution. The second relates to the ability of the claimant to lead a relatively normal life in the place of relocation without facing undue hardship.

For Iraqi claimants, there are four possible scenarios of internal relocation given that Iraq is a federal state that consists of two distinct regions: South and Central Iraq and the Kurdistan Region of Iraq (KRI). These are:

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<sup>447</sup> A new Iraq COIS report was published on 11/12/2009. It was not possible to update the data set before going to print. However, see the last section in this report for a brief comparison between the information contained in the relevant sections of the September 2009 and December 2009 reports.

<sup>448</sup> For further details, please see the 'Methodology' section of this report.

<sup>449</sup> Ibid.

<sup>450</sup> UK Home Office Border Agency, Operational Guidance Note: Iraq, 11/06/2009, section 3.7.8

<http://www.ukba.homeoffice.gov.uk>

<sup>451</sup> See UNHCR, Guidelines on International Protection No. 4: "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, 23/07/2003, <http://www.unhcr.org/refworld/docid/3f2791a44.html>

- (a) Relocation from Central and Southern Iraq to the KRI
- (b) Relocation within Central and Southern Iraq (for a person originating from Central and Southern Iraq)
- (c) Relocation from the KRI to Central and Southern Iraq
- (d) Relocation within the KRI (for a person originating from the KRI)

It was assumed for this case profile that the claimant originated from South and Central Iraq, as this is where the majority of Iraqi claimants that CIC/RIPU undertakes research for originate from. Therefore for this case type scenarios (a) and (b) are relevant. Given that the COIS has produced a separate country report for the KRI region, it was decided to focus on scenario (b), and it has been assumed that the designated place of relocation is Baghdad.

The relevant sections of the COIS report that intuitively are most useful in providing information on internal relocation are 30 'Freedom of Movement', 30.22 'Documentation for Travel Within Iraq', and 31 'Internally Displaced People.' As it is assumed that the designated place of relocation is Baghdad, section 8.21 'Baghdad' was also examined.

These sections of the COIS report were then analysed against the following five criteria:

Transparency & Retrievability (incidence of inaccurate referencing, inactive, indirect & incorrect hyperlinks to original sources; unclear distinction in use of direct quotation and paraphrasing)

Currency (incidence of outdated sources)

Accuracy (incidence of inaccurate representation of the original source)

Range & Reliability of Sources (incidence of citation of particular sources)

Relevance of Information (qualitative assessment of how well the excerpted information addressed the issues for research for the particular case type)<sup>452</sup>

The first three criteria were applied solely to the aforementioned sections of the COIS report i.e. paragraphs 8.93, 12.09, 30, 30.22, 31 and two sections of Annex D. In addition to these sections, the 'Range & Reliability of Sources' and 'Relevance of Information' criteria were also applied to those further parts of the COIS report that these sections cross-referred to that were considered relevant to the case type example. This was in order to provide a more holistic assessment of the range of sources and relevance of information included in the COIS report for the particular case type.

The particular sections of the COIS report were analysed as to whether they presented a balanced picture of the situation in Iraq in relation to the material available in the public domain at the time of publication. Research gaps and useful sources have been identified from the CIC/RIPU's own case-specific research. Suggested sources for each research issue have been listed in Appendix 10 for consideration by the COIS department. Some of these sources might already be cited in the COIS report, but have been included in the analysis and appendices if it is suggested that additional information from them should be extracted.

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<sup>452</sup> These quality criteria against which the country reports were assessed were drawn from the work undertaken by the Austrian Red Cross/ ACCORD, UNHCR, and the European Union. See the general 'Methodology' section of this report for a detailed explanation.

However, in recognition of the fact that COI must be tailored to the specifics of any individual case, particular excerpts of information have not been suggested, except where it is deemed that the information currently presented in the report is not representative of the current situation, or is contradicted by information from other sources.

#### Explanation of tables<sup>453</sup>

TABLE 1 demonstrates the frequency of inaccuracies by section analysed against the transparency & retrievability, currency and accuracy criteria. TABLE 2, TABLE 3 and TABLE 4 identify the errors in transparency & retrievability, currency and accuracy separately.

TABLE 5 and TABLE 6 detail the type and name of sources used throughout the relevant sections of the COIS report, and TABLE 7 details the name and type of source under each particular subsection of the report.

### **Summary of findings**

#### Transparency

Most of the inaccuracies in the sections examined involved incorrect referencing. There were 17 referencing inaccuracies across the 76 paragraphs examined, and 14 paragraphs contained inaccuracies. This included incorrect page numbers, not providing section titles for unpaginated documents, and indirect, broken or no hyperlinks to source documents. In 3 instances, completely different documents were cited in the sources section. These mistakes made it difficult and time consuming to locate the original source documents contained in the COIS report and compromises the transparency of the report.

There were a number of instances where sources were cited as being accessed before the source publication date. These types of mistakes indicate a lack of editing and although they do not affect the content of the information being used they reduce the quality and transparency of the document as a whole.

In some paragraphs there was no clear distinction between information that has been paraphrased and information that was directly quoted. For example paragraph 30.03 of the 'Freedom of Movement' section, states "In several cities and towns curfews were in place, restricting people's freedom of movement, mainly during the night." Whilst this is a direct quote from the UNHCR COI October 2005 report it is not cited as such with quotation marks.

An example of inaccurate paraphrasing can be found in paragraph 8.94 in the section on 'Perceived Collaborators and 'Soft Targets.'" It states that "The AI [Amnesty International] annual report 2009, published 28 May 2009, mentioned that women, human rights defenders, judges, medical doctors and other professionals were targeted by armed groups." However the original source states that "Those targeted for kidnapping or killing included members of religious and ethnic minorities, such as Christians and Palestinians; members of professional associations, such as doctors, lawyer and journalists; and women." None of these groups can accurately be described as human rights defenders.

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<sup>453</sup> See Appendix 6 for Tables 1 to 7.

### Currency

Within the sections examined there were 10 instances where sources relied upon were superseded by more recent reports/ updates. In 2 of these paragraphs the older source contained more detailed information relevant to issues being discussed, and in 6 instances the sources contained very similar information. In 1 instance the COIS report referred to the 2007 UNHCR Eligibility Guidelines instead of the April 2009 Eligibility Guidelines which it was superseded by.

There were 5 paragraphs where information from outdated sources (over 2 years old) had been relied upon, which had been superseded by more recent reports. They include instances where old newspaper reports and thematic reports had been cited. For example Annex D contains information cited from an Australian Joint Committee on Intelligence and Security report dated 2007 despite an updated report having been published in 2009. Both versions contained similar summaries about the formation and a brief history of the Ansar al-Sunna group. In none of these instances was an explanation given as to why outdated information had been included.

### Accuracy

Of the sections examined there were 5 instances where the information was cited inaccurately or taken out of context. An example of this was found at paragraph 30.26 under the section 'Documentation for travel within Iraq.' The information details the forms of documentation required for returning refugees. The information is presented as general to Iraq, and cited as UNHCR assessment, August 2006. However it appears that the information is in fact taken from a UNHCR assessment report on the governorate of Basrah, August 2006, suggesting that the information was specific to that governorate.

Another example of source information being used inaccurately was found in paragraph 8.97 under the section 'Perceived Collaborators and 'Soft Targets''. The paragraph quotes the 2008 US Department of State human rights report as follows:

"According to the MOHR [Ministry of Human Rights], 340 university professors and 446 students were killed between 2005 and 2007 by insurgents and militias. In 2007, the Ministry of Displacement and Migration (MODM) reported that at least 30 percent of professors, doctors, pharmacists, and engineers have fled the country since 2003. On August 26, the inspector general's office in the MOH stated that 650 of the 8,000 doctors who fled the country since 2003 returned to their jobs in July and August. On September 1, the minister of higher education reported that he recently received 150 applications from academics who want to return to the country. Following the successful military operations in Basrah, academics have started returning to their positions in the universities. Universities in Baghdad reported that professors have returned to their jobs following the improvement in security."

This paragraph indicates that the security situation is improving and that as a result, academics are choosing to return to Iraq. However, the preceding paragraphs of the original source document contain information indicating that although the government does not impose restrictions on academic freedom

"Social and religious as well as political pressures restricted the exercise of freedom of choice in academic and cultural matters. In all regions, various groups reportedly sought to control the pursuit of formal education and the granting of academic positions. During the year extremists, insurgents and terrorists targeted cultural figures such as doctors, academics, and scientists."



The source document then goes on to describe incidents where such groups have been targeted. In this way the information selected for the COIS report misrepresents the situation as being more 'positive' than that recorded by the original source.

Another example of this can be seen at Paragraph 8.28 under the section on 'Baghdad'. It states:

"The UNSC report, 2 June 2009, commented that "In Baghdad, security restrictions appear to be easing, with many temporary concrete walls being removed from urban areas as part of the broader normalization process."

In the source original document this sentence is followed with;

"However, armed opposition groups, Al-Qaida and other extremist elements continue to demonstrate the intent and capability to conduct major attacks against Government officials, security forces and the local population. Although there has been a demonstrable reduction in insurgent activity across the country in the past 12 months, there are still armed groups determined to incite sectarian violence and undermine public confidence in the Government's capability to provide effective security."

This is another example of the COIS report selecting information that portrays the situation in Iraq in a more positive light than as documented in the original source.

In addition to these misrepresentations there are also instances where additional information from the original source should have been quoted in order to make the context clearer (although these have not been recorded as an inaccuracy in Table 1). An example of this can be found in paragraph 30.24 under the section 'Documentation for Travel within Iraq', which contains information on the different forms of Identity Documents (ID) that are available in Iraq. In the original source this information is followed by a section entitled 'Particular Problems Faced by IDPs and Returnees', which was not included in the COIS report. This section would have provided useful context on the issues facing IDPs without ID cards or identification documents.

#### *Range and Reliability of Sources and Relevance of Information*

Given the distinct issues for research that any case type example fearing a non-state agent of persecution entails, the range and reliability of sources and relevance of information will be considered by each aspect of the case type profile: fear of Ansar al Sunnah owing to a perceived collaboration with the MNF and the possibility of internal relocation.

#### ➤ **Perceived Collaborators and 'Soft Targets'**

##### *Range and Reliability of Sources*

This section of the September 2009 Iraq COIS report 'Perceived Collaborators and 'Soft Targets'' contains 10 paragraphs. This section cross-references to an additional 10 sections: 'Journalists and Other Media Workers', 'Awakening Councils', 'Security Situation in Southern Iraq', 'Security Situation in Kirkuk and Mosul', 'Abuses by Non-Government Armed Forces', 'ISF as Targets for Insurgents', 'Reprisals Against Ba'ath Party Members', 'Human Rights Institutions, Organisations and Activists', 'Judges and Lawyers' and 'Doctors and Other Healthcare Workers'. Of these sections, it was considered that a further 27 paragraphs were directly relevant to the profile of a perceived

collaborator. It is noteworthy that sections on 'Judges and Lawyers' and on 'Security Situation in Kirkuk and Mosul' were not cross-referenced back to 'Perceived Collaborators and 'Soft Targets''. This affects the user-friendliness of the report, and potentially means that readers would not be alerted to relevant information contained elsewhere in the report.

An analysis of the sources cited in the 10 paragraphs of the 'Perceived Collaborators and 'Soft Targets'' section demonstrates a heavy reliance on the April 2009 UNHCR Eligibility Guidelines, which was cited in 6 out of 13 instances.<sup>454</sup> In fact, of the 13 sources cited across these paragraphs, 11 were UN reports. A comparison between the sources cited in this section and those sources that CIC/RIPU typically provides for this profile demonstrates that useful news sources could have been included in this section which detail the treatment of persons perceived to collaborate with the MNF.<sup>455</sup> Whilst UN sources contain reliable information, it is vital for a generic country report, such as the COIS reports, to include as varied sources as possible in order to verify and corroborate the information cited.

As for those 27 paragraphs of relevance from the additional 10 chapters the 'Perceived Collaborator and 'Soft Targets' section referred to, a similar reliance on the April 2009 UNHCR Eligibility Guidelines can be observed. The Guidelines were cited 10 times across these 27 paragraphs. It is noteworthy that in 3 of the 10 additional sections, the UNHCR Guidelines was the only source cited in those paragraphs which were relevant to Perceived Collaborators.

#### *Relevance of Information*

With regards to the relevance and balance of the information contained within this section, it is recommended that a clear distinction be made between two different profiles that this section has conflated: risks to certain professionals; and risks to those persons associated with MNF. Only in the last three paragraphs of this section (8.100, 8.101, 8.102) is the section cited from the 2009 UNHCR Eligibility Guidelines which relates directly to the treatment of perceived collaborators. Moreover, information regarding the treatment of professionals is included without a description or explanation of the motivation for such attacks. It is not made clear whether certain professionals are at risk per se, or are at risk because in their professional capacity they are imputed with political opinion due to their perceived association with the MNF. Moreover, whilst 1 paragraph 8.98 refers to the targeting of family members of perceived collaborators, this key information is lost within the body of the text. Corroborating information on this issue should be provided and it would also be useful to organise this information under a distinct subheading.<sup>456</sup>

#### ➤ **Ansar Al Sunnah**

#### *Range and Reliability of Sources*

With regards to the range and reliability of the sources included in the 'Sunni Arab Insurgents' section and 'Annex D' it is noteworthy that Jane's Sentinel Country Risk Assessment is cited on 4 occasions across the relevant 19 paragraphs. This source is not publically available and therefore it is not possible to comment on whether the information excerpted accurately reflects the original source. It is therefore recommended that the COIS report only includes sources which are available in the public domain, or that COIS is able to provide readers with a copy of the full document on

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<sup>454</sup> See Table 7 in the Appendix 6 to this section.

<sup>455</sup> See Appendix 11 for Useful Sources

<sup>456</sup> See Appendix 11 for Useful Sources

request. Otherwise, the information contained in these sections provides a good balance between Governmental, UN, International Human Rights NGOs, Think-Tanks and International Media sources.

### *Relevance of Information*

In this case type example, the claimant fears Ansar-al-Sunnah, a non-state agent of persecution. Country information is therefore relevant for two aspects of the asylum claim: that relating to the well-foundedness of the fear of persecution, and that regarding the possibility of internal relocation, that is, whether it is likely that the persecutor will pursue the claimant in the designated place of relocation.

In order to assess these aspects of the claim, the following issues regarding Ansar Al Sunnah should be researched (as for any non-state agent of persecution).

- (i) Origins and Ideology
- (ii) Affiliates
- (iii) Collaboration with Iraqi Central Government
- (iv) Strength and Areas of Operation
- (v) Activities and Targets of Attacks
- (vi) Recent Activity

It is unsurprising that these issues are not adequately addressed in the September 2009 Iraq COIS report for a particular Sunni Insurgent Group. The section of the report on 'Sunni Arab Insurgents' and 'Annex D Current insurgent/militia groups/non-state armed groups' in total consist of 19 paragraph. This is clearly inadequate to address the required issues for research for any insurgent group. Whilst it may be unrealistic to be provide detailed information on all insurgent groups included in Appendix 10, it is recommended that the information currently contained within Annex D of the COIS report is subdivided into the issues for research as identified above, for at least the main Sunni Insurgent groups and Shi'a militia and it is recommended that a cautionary note is included in the Annex, clearly stating that it only intends to give a brief overview of the insurgent groups operating in Iraq. Additionally, a list of useful sources on insurgent groups should be provided at the end of the Annex. A suggested list of such sources is provided at the end of Appendix 10 of this report.

### ➤ **Internal Relocation**

#### *Range and Reliability of Sources*

With regards to internal relocation, the sections of the COIS report that were analysed with regards to Range and Reliability of sources were: 30. 'Freedom of Movement', 30.22 'Documentation for Travel Within Iraq', and 31. 'Internally Displaced People.' These sections cross-referred to a further 2 chapters: 'Land and Property Rights' and 'Sectarian Violence'. From these sections, 11 paragraphs were considered directly relevant to internal relocation. As it is to be also assumed that the designated place of relocation is Baghdad, the section that begins at 8.21 'Baghdad' was also examined. The further sections cross-referred to here were 'Awakening Councils', 'Sectarian Violence' and 'Internally Displaced People.' Of these sections, only a further 2 paragraphs that had not already been analysed were considered relevant.

Generally speaking, the information cited in this section provides a good range of sources. It is noteworthy however that no local/national media nor Human Rights NGOs are cited. This is

surprising given that local organisations are often well if not better placed to conduct research on the situation of internally displaced people. Useful local sources as identified by the CIC/RIPU in the course of their case-specific research will be discussed in more detail below.

It was also observed that the sections on 'Land and Property Rights' and 'Sectarian Violence' failed to cross refer to the section on 'Internally Displaced People.' Whilst this does not affect the reliability of the report, such lack of attention to detail affects the user-friendliness of the report.

### *Relevance of Information*

As stated above, research needs to be provided in order to assess the 'safety' or 'relevance' of relocation.<sup>457</sup> The following issues for research required for this assessment can be identified from the UNHCR Guidelines on Internal Relocation:<sup>458</sup>

Is the area of relocation practically, safely and legally accessible to the individual?

Is it likely that the (non-state) persecutor will pursue the claimant?

Would the claimant be exposed to a risk of persecution or serious harm upon relocation; either the original or any new form of persecution.

With regards to point (a) the relevant issues for this profile include: the existence of checkpoints, legal access to and residence requirements in the relevant governorate of relocation, and whether the route to the place of relocation is safe. The relevant sections of the COIS report that relate to this aspect of internal relocation intuitively appear to be 30. 'Freedom of Movement', and 30.22 'Documentation for Travel Within Iraq'. Whilst section 30 does deal with the fact that checkpoints exist throughout Iraq (at 30.03, 30.04 and 30.05), limited information was included in the section on legal access to governorates. Whilst paragraph 30.05, 30.28, 31.07 and 31.15 refer to the issue of restrictions to governorates, little mention was made of those specific entry requirements required for individual governorates. Kirkuk governorate was mentioned at 30.06 as being highly restrictive, but no further details were given, such as those profiles of persons that might be refused entry to particular governorates.

Clearly if a claimant cannot gain access and legally reside in the designated place of relocation, then relocation will not be possible. Thus, information relating to individual governorate access is critical for any assessment of the possibility of internal relocation, and should be made available in the Iraq COIS report. The IOM publishes individual governorate profiles on this issue, which at the very least, should be referred to in the COIS report, if they are not quoted from directly.<sup>459</sup> Moreover, the useful information on this issue that was contained in the COIS report was included across three distinct sections of the COIS report (Freedom of Movement, Documentation for Travel Within Iraq, and Internally Displaced People). For ease of reference it would therefore be useful if a new section 'Entry Requirements to Governorates' was included subdividing information according to relevant governorate and highlighting the constraints for particular profiles.

With regards to safe route to the place of relocation (assumed to be Baghdad), paragraphs 30.04, and 30.09 refer to the dangers of road travel. However, it is recommended that this information would benefit from being included in a further sub-section.

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<sup>457</sup> See UNHCR, Guidelines on International Protection No. 4: "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, 23/07/2003, <http://www.unhcr.org/refworld/docid/3f2791a44.html>

<sup>458</sup> Ibid

<sup>459</sup> See Appendix 11 for list of useful sources

Regarding point (b) information is required which addresses the ability of the Sunni Insurgent Group Ansar al Sunnah to pursue the claimant in Baghdad. Information specific to the particular group in question is therefore required as detailed above in the Ansar al Sunnah analysis section.

For point (c) the possibility that a person of the claimant's profile might be targeted by a different actor owing to his perceived collaboration with the MNF should be considered as should the risk of any new persecution. With regards to the latter, information should be provided which details whether the IDPs in the place of relocation (in this case Baghdad) are per se at risk of serious harm. Also, it should be addressed whether, given the claimant's profile, he be exposed to a new risk to his safety, liberty or health, or one of serious discrimination. Whilst limited information is included in the report on the risk faced by IDPs (at 31.11 and 31.19), the information is essentially lost in a section that predominately deals with the situation for *returning* IDPs. It is recommended that the section of 'Internally Displaced People' be subdivided to include a section on the 'Treatment of IDPs by Host Populations'.

With regards to the test of 'undue hardship' or 'reasonableness test' the following issues for research can be identified from the UNHCR Guidelines on Internal Relocation:<sup>460</sup>

- Personal Circumstances
- Past Persecution
- Safety and Security
- Respect for Human Rights
- Economic Survival

The relevant section of the COIS report that relates to this aspect of internal relocation intuitively appears to be 31 'Internally Displaced People.' Section '8.21 Baghdad' was also examined given that it was assumed for this case-type example that the designated place of relocation is Baghdad.

In the context of Iraq, it is crucial that the ethnic and sectarian dimension of displacement, and the importance of cultural ties is considered in an assessment of the availability of internal relocation. It is also important to note that conditions in displacement are themselves also characterized by religious and ethnic demographics. Notably this affects access to housing, employment, food, water, and healthcare. With regards to the information contained in the 'Freedom of Movement' section, it is notable that 5 of the 16 paragraphs contained information that related to *returning* IDPs. As this does not specifically relate to the conditions in displacement, it would be clearer if this information was contained within a distinct section. The other 11 paragraphs in this section relate to the number of displaced persons in Iraq (31.04 and 31.05), access to governorates (31.06, 31.15), threats to IDPs (31.11), sectarian divisions (31.14) and the humanitarian situation for IDPs (31.08, 31.09, 31.10, 31.16, 3.19).

Following paragraph 31.14 that relates to sectarian divisions, the report cross-refers to the section on 'Sectarian Violence.' Whilst the point is made about ongoing sectarian violence, most of the information relates to the situation pre-2009 and the whole section only comprises 6 paragraphs which is clearly insufficient to address the complexity of the situation. It is unsurprising therefore that the information is not specific to particular profiles or to particular governorates. These sections therefore fail to address the required research issues in asserting the availability of internal relocation.

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<sup>460</sup> See UNHCR, Guidelines on International Protection No. 4: "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, 23/07/2003, <http://www.unhcr.org/refworld/docid/3f2791a44.html>

Similarly, with regards to the humanitarian situation for IDPs, as this is covered in only 5 paragraphs, the section lacks the required level of specific information to assess the reasonableness of relocation for a particular profile to a particular governorate. That being said, it is useful that at both paragraphs 31.16 and 31.19 an IOM report and the UNCHR Eligibility Guidelines are recommended as additional useful sources for governorate statistics. However there are further governorate profiles that provide a greater degree of specific information that could also be included, or at least, referred to. These are detailed in Appendix 10.

The 'Baghdad' section of the COIS report was examined with regards to how useful the information was that related to point (c) 'Safety and Security' of internal relocation. The 'Baghdad' section portrays the situation as having significantly improved, and details the actors and targets of the violence. As the introduction to the Iraq September COIS report explains, it contains the most up to date publicly available information as at 24 June 2009. However, only two reports that were published in June 2009 have been included. Thus, recent individual incidents of violence in Baghdad are not included in this section. Whilst such incidents are reported in the section of the report entitled 'Events in Iraq From 25 June to July 2009,' not only does this section cover a limited reporting period, but the events are not ordered by city or governorate. Moreover, this section is not cross-referred to in the Baghdad section. Furthermore, whilst the publication of the COIS report is dated at 16 September 2009, the 'Latest News' section only covers information up to 9 July 2009. This publication delay further points to the COIS report not being a useful source to consult regarding the current security situation in Baghdad, nor in any other location for that matter. It is recommended that a disclaimer is included in the Baghdad section to emphasise that the information is intended to provide a snapshot of the security situation, and that useful sources on security indicators in Baghdad are included. See Appendix 10 for suggested sources.

### **Comparison between September 2009 and December 2009 COIS reports**

A new Iraq COIS report was published on 10/12/2009. Unfortunately, it was not possible to update the entire data set before going to print. However, a brief comparison of the sections of the COIS report considered directly relevant to this case-type demonstrates that few paragraphs were added or removed.

One additional source is cited in the 'Perceived Collaborators and Soft Targets' section in the December 2009 report compared to the July 2009 report. At paragraph 8.103 the annual U.S. State Department report on International Religious Freedom of October 2009 is cited, which refers to persons being attacked due to their providing goods or services considered to be inconsistent with Islam. The section on 'Freedom of Movement' remains identical and it is therefore recommended that the additional sources identified in Appendix 10 are considered for inclusion for the next Iraq COIS report.

In the 'Internally Displaced People' section, two paragraphs from the July 2009 report have been deleted. These are 31.08 which relates to difficulties IDPs face in accessing rations and 31.15 which relates to entry requirements for particular governorates. As outlined above, given the centrality of governorate entry requirements in assessments of internal relocation, it is recommended that more information is included on this issue, not less, and that it should be organised into a separate subsection.

Also in this section, several additional sources have been included. Paragraph 31.07 replaces 31.05 of the September 2009 COIS report with updated information regarding the total number of internally displaced persons in Iraq. Paragraph 31.11 cites an August 2009 UNHCR Factsheet regarding the Iraqi Government's support package for returnees. Paragraph 31.19 cites a U.S.

Department of State report which in turn cites IOM statistics relating to the Ministerial Order terminating new registration of IDPs. At paragraph 31.20 a September 2009 report from the Minority Rights Group is included which relates to Christians and other minorities gaining access to the Kurdistan Region of Iraq. Whilst welcome additions, these additional paragraphs still fail to address the ethnic and sectarian dimension of displacement by governorate.

With regards to 'Sunni Arab Insurgents', 3 additional sources are cited. Paragraph 12.11 relates to the weakening of Al-Qaida in Iraq. Paragraphs 12.12 and 12.13 contain information concerning the motivation for Sunni Insurgent operations. In Annex D, the information provided on Ansar al Sunnah from the Parliament of Australia Joint Committee has been deleted. It is not clear why this is the case. Given that updated information from this source is available, its omission from the December report cannot be related to the currency of the information. Rather its omission is likely to be related to either the reliability of the source or due to the relevance of the information contained. In cases where a source is omitted from the COIS report for reliability reasons, this should be clearly detailed in the new COIS report.

2 new paragraphs are included in the 'Baghdad' section of the December 2009 report. At 8.28 a July 2009 U.S. Department of Defence report replaces a March 2009 report from the same source relating to the general security situation in the governorate. At 8.29 an October 2009 IOM report is included which reports on the continued violence in October 2009 and the heightened security measures in light of the expected attacks to come. However, there is no cross-reference to the section on 'Latest Events' in Iraq which details the serious insecurity in Baghdad suffered in December and November 2009.

## **Concluding Remarks**

The above analysis demonstrates the inadequacy of the September 2009 Iraq COIS report to address the relevant issues for research for a male Shi'a Muslim from South and Central Iraq who fears Ansar al Sunnah owing to his perceived collaboration with the Multi-National Forces.

The report specifically fails to address the relevant issues required to assess the ability of a claimant of this profile to internally relocate. This relates to information concerning both the ability of the non-state agent of persecution to pursue the claimant, and to the relevance and reasonableness of relocation for this particular profile of claimant. A brief analysis of the December 2009 Iraq COIS report identifies similar limitations.

It is not surprising that the Iraq country report lacks sufficient profile-specific information for as the preface to the report explains, it 'provides general background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom.' However, if required information is not available in the COIS report, this begs the question as to what research strategy is employed by a caseowners in such cases where the COIS report is insufficient. It is hoped that in these cases, the caseowner would make use of the case-specific research service that is offered by COIS. Whilst the CIC/RIPU does not have access to information regarding the capacity, or turnaround time of this service, it hoped that it would be used in the majority of Iraqi cases where a claimant fears a non-state agent of persecution, and where assessments of the possibility of internal relocation are relevant, given that the COIS report inadequately covers these issues.

Whilst it is possible to research the inadequacy of the COIS report in providing the required information for a particular case, it is not possible to research the quality of the case-specific research requests completed by COIS as they are not available in the public domain. It is therefore

recommended that these case-specific research reports be made publically available, and that the IAGCI considers that a review of these reports falls within its remit to review all country information produced by the COIS.

### **Recommendations to COIS<sup>461</sup>**

- Additional double-checking and cross-editing for transparency and accuracy purposes is needed in order to reduce incorrect referencing
- Direct and 'live' URLs should be provided to the original source cited
- A clear distinction should be made if an excerpt is a direct quotation or paraphrased information and information should be selected that is representative of the original source
- Only include sources of information in COIS reports that are available in the public domain, or which can be made available on request
- Sources that are over two years old at the date of publication of the relevant COIS report
- should be removed unless they contain information necessary to provide a historical account or their use is otherwise explicitly justified
- Where possible varied types of sources should be relied upon
- New subsection headings within the Iraq COIS report should be created that relate to 'Family Members of Perceived Collaborators', 'Entry Requirements to Governorates' and 'Treatment of IDPs by Host Populations'
- Where it is not possible to include the necessary level of detail on a particular issue, include a disclaimer to that effect and provide a list of useful sources
- A further disclaimer should be added to the 'Recent News Section' highlighting the period that has not been reported on and a list of useful source on the security situation should be provided
- Consider the inclusion of suggested information/suggested sources as provided in Appendix 10
- Provide the necessary resources to enable the Case-Specific Research Service to be instructed for every case where the claimant fears a non-state agent of persecution
- Make Case-Specific Research Service memos available in the public domain

### **Recommendations to IAGCI**

- Encourage COIS to make Case-Specific Research Service memos available in the public domain
- Review Case-Specific Research Service memos in conjunction with reviewing COIS County Reports

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<sup>461</sup> For a list of recommendations general to all COIS reports please see the Executive Summary.



## (4) Zimbabwe COI Report July 2009<sup>462</sup> – Analysis

### Methodology

As part of this project, the most recent Home Office Country of Origin Report on Zimbabwe, dated 20 July 2009, was selected for a close textual analysis. Specific sections of the COIS report were chosen for analysis that related to one particular Zimbabwe case type example. The case type chosen was a Zimbabwean living with HIV/AIDS, requiring 'Kivexa' a form of Anti-Retro Viral medication.

This case type example was chosen by the following method: research reports completed in the CIC/RIPU on Zimbabwe between July 2008 and December 2008 were examined, the main issues for research were identified, and the incidence of each of these issues was recorded.

The sections of the COIS report relevant to this case-type were then chosen for analysis: chapters 27.01- 27.33. This comprised all of the sections relating to the general situation of medical treatment in addition to all of the subsections on HIV/AIDS including 'Overview', 'Availability of treatment', 'Cost and availability of ARVs' and 'Women and Children.'

These sections of the COIS report were then analysed against the following five criteria:

Transparency & Retrievability (incidence of inaccurate referencing, inactive, indirect & incorrect hyperlinks to original sources; unclear distinction in use of direct quotation and paraphrasing)

Currency (incidence of outdated sources)

Accuracy (incidence of inaccurate representation of the original source)

Range & Reliability of Sources (incidence of citation of particular sources)

Relevance of Information (qualitative assessment of how well the excerpted information addressed the issues for research for the particular case type).<sup>463</sup>

The first three criteria were applied solely to the aforementioned sections of the COIS report i.e. paragraphs 27.01-27.33. In addition to these sections, the 'Range & Reliability of Sources' and 'Relevance of Information' criteria were also applied to paragraphs 2.03 and 2.05 concerning 'average income' in the Economy chapter which the Medical issues section cross-referred to in order to provide a more holistic assessment of the range of sources and relevance of information included in the COIS report for the particular case type.

The particular sections of the COIS report were analysed as to whether they presented a balanced picture of the situation in Zimbabwe in relation to the material available in the public domain at the

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<sup>462</sup> A new Zimbabwe COIS report was published on 23/12/2009. It was not possible to update the data set before going to print. However, see the last section in this report for a brief comparison between the information contained in the relevant sections of the July 2009 and December 2009 reports.

<sup>463</sup> These quality criteria against which the country reports were assessed were drawn from the work undertaken by the Austrian Red Cross/ ACCORD, UNHCR, and the European Union. See the general Methodology section of this report for a detailed explanation

time of publication. Research gaps and useful sources have been identified from the CIC/RIPU's own case-specific research. Suggested sources for each research issue have been listed in Appendix 11 for consideration by the COIS department. Some of these sources might already be cited in the COIS report, but have been included in the analysis and appendices if it is suggested that additional information from them should be extracted.

However, in recognition of the fact that COI must be tailored to the specifics of any individual case, particular excerpts of information have not been suggested, except where it is deemed that the information currently presented in the report is not representative of the current situation, or is contradicted by information from other sources.

#### Explanation of tables<sup>464</sup>

TABLE 1 demonstrates the frequency of inaccuracies by section analysed against the transparency & retrievability, currency and accuracy criteria. TABLE 2, TABLE 3 and TABLE 4 identify the errors in transparency & retrievability, currency and accuracy separately.

TABLE 5 and TABLE 6 detail the type and name of sources used throughout the relevant sections of the COIS report, and TABLE 7 details the name and type of source under each particular research heading.

#### Summary of findings

##### Transparency

Most of the inaccuracies found in the sections examined related to inaccurate referencing. Across the 33 paragraphs examined, 16 errors were found regarding the date the report was published, accessed or updated. Across the paragraphs examined, in total 45 different sources were cited (although some sources were cited more than once), and of these 43 were provided with an indirect hyperlink to the original source.

Not providing the direct link to the sources cited severely compromises the transparency of the report. It made it extremely time consuming to locate the original document, which would certainly discourage caseowners from accessing the original documents. This is of great concern given that COIS reports are not intended to be comprehensive country reports, but rather intend to provide caseowners with "general background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom."<sup>465</sup> Thus, at the very least, caseowners should have unimpeded access to all documents contained within the COIS reports.

Whilst it is recognised that direct links do change or 'break' over time, given the frequency with which the reports are updated, and the fact that the home page address is still available from a broken direct link, the transparency of the COIS report would greatly be improved by the inclusion of direct links. In addition to indirect hyperlinks being cited, in 3 instances the wrong source was cited, and in 1 instance, no hyperlink was provided. This was due to the document not being available in the public domain.

It was also observed elsewhere in the COIS report that references [89h,m,w,y,aa,ab,aj,ao] cite the 'Zimbabwe Situation' as a source. However, this is not an original source, but rather a compiled database of news articles. It is misleading to reference news articles in this way, and makes it very

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<sup>464</sup> See Appendix 7 for Tables 1 to 7

<sup>465</sup> See for example the Preface to the Zimbabwe July 2009 Country Report [http://www.homeoffice.gov.uk/rds/country\\_reports\\_zimbabwe.html](http://www.homeoffice.gov.uk/rds/country_reports_zimbabwe.html)

time consuming to locate the original source in order to make an assessment of the political leaning of the news source and hence the reliability of the information. Therefore the original news source should be cited, and preferably the direct URL provided, or at the very least, the homepage of the source.

### Currency

Within the sections examined there were 9 instances where the sources relied on were 'out dated', that is, published more than 2 years before the COIS publication date. Most of these instances were excerpts from newspaper reports. Whilst these articles had not ostensibly been superseded by more recent reports from the same source, as the subsequent section will demonstrate, more up to date news articles in the public domain had been published on the particular issues in question.

### Accuracy

No examples were found where the excerpt cited was misrepresentative of the original source.

### Range and Reliability of Sources

Generally speaking, there was a good balance between the different types of sources. TABLE 5 demonstrates that across the 56 sources referenced in the 35 paragraphs analysed, UN sources were cited 8 times, governmental sources 10 times, International Media 20 times, International NGOs 6 times, Local/National Media 4 times and 'Other' sources (which were a think tank and a public interest organisation) 7 times. However, it is of note that no Local/National NGO was cited. This is surprising given the case type profile in question, and it suggests that information from NGOs operating locally in Zimbabwe in providing medical services and HIV/AIDS treatment has been overlooked. It is also interesting that International Media sources were cited with much more frequency than Local/National media. This will be addressed in more detail below where the information contained in the COIS report is compared to the information available in the public domain at the time of publication of the COIS report.

### Relevance of Information

Given that the case type profile was of a person living with HIV/AIDS requiring the Anti-Retroviral medication Kivexa, attention was focused on the HIV/AIDS chapter of the COIS report. This chapter was organised into the following subsections: 'Overview', 'Availability of treatment', 'Cost and availability of ARVs' and 'Women and Children.' Each subsection will be analysed in turn with regards to the relevance of information contained.

It was also considered that the general sections on 'Medical Issues' were of relevance to the case type profile. The subsections 'Cholera epidemic' 'Health care facilities' 'Health care professionals' and 'Access to drugs' included were examined in order to provide a holistic consideration of the relevance of the information in the COIS report.

#### ➤ **HIV/AIDS 'Overview'**

A comparison between the information contained in this section and the other publically available information available to CIC/RIPU at the time of publication (12 June 2009) confirms that the COIS report accurately addresses the essential issues with regards to the HIV/AIDS situation in Zimbabwe. That is, that approximately a third of the 340,000 persons requiring ARVs are currently receiving them, and that the HIV/AIDS crisis is exacerbated by food insecurity. Whilst the lack of health care professionals is mentioned in this section, the specific impact that this has on HIV/AIDS patients is

not clarified anywhere in the report, i.e. that there are too few doctors to prescribe drugs which had been reported time of the publication of the report (20 July 2009).<sup>466</sup>

### ➤ **Availability of treatment**

This section of the COIS report focuses on the availability of ARVs and of CD4 Cell Counts. However, it fails to include information on the lack of drugs available to treat opportunistic infections and that the required machinery to monitor HIV/AIDS patients is often unavailable or unaffordable.<sup>467</sup>

The information included in this section also points to an improvement in the availability of ARVs and reports on the number of organisations that provide assistance to people living with HIV/AIDS, including the World Food Programme providing Home Based Care and food assistance. However, this is not necessarily representative of the information available in the public domain as the report neglects to mention that 39 percent of people in Home Based Care died due to lack of drugs.<sup>468</sup>

Whilst this section of the COIS report contains information relating to the difficulties that returnees may face in accessing public ARV treatment, given the relevance of this to asylum applications, further sources should have been cited on this issue. For example, a January 2009 report from Physicians for Human Rights, corroborates the point that HIV programmes are currently capped and that no major program is currently able to enrol new patients, and a July 2009 Plus News article reports that it might take up to a year for a new patient to access ARV therapy.<sup>469</sup>

Information regarding the 'black market' of ARVs, the misappropriation of public ARVs and existence of fake ARVs has not been included at all in the COIS report. See for example, the 13/01/2009 Physicians for Human Rights (USA) report *Health in Ruins: A Man-Made Disaster in Zimbabwe*, and the 15/05/2009 International Treatment Preparedness Coalition report, *Missing the Target No 7 - Women, Failing Children: HIV, Vertical Transmission and Women's Health (Zimbabwe excerpt)*.

### ➤ **Cost and availability of ARVs**

This section only consists of 2 paragraphs, and hence the information included on this issue is extremely limited. The whole paragraph 27.30 relates to the general uneven distribution of ARVs and the pledge of donors to increase access to the medication, and not on the cost or actual availability of ARVs. Whilst the second paragraph 27.31 does explain that the government was only able to make limited amounts of ARVs publically available and that the cost of ARVs at private pharmacies are prohibitively expensive for most Zimbabweans, no indication is given of the numbers of patients able to access free medication. Moreover, limited information is included as to the actual cost incurred by HIV/AIDS patients. One source is included which puts the one month's supply of the common first-line ARV Stalenev 30 at \$48 on the parallel market. However, given the rapidly changing exchange rate, this information is misleading. For example, a May 2009 report estimated a month's supply of drugs for triple-combination therapy costs about \$200 in the private sector.<sup>470</sup>

No further information is included as to the cost or availability of particular named drugs. Given that claimants living with HIV/AIDS are likely to be receiving particular treatment in the UK, it is essential that the availability of that medication in Zimbabwe is thoroughly researched in order that the risk of their return can be properly assessed. The omission of such information therefore compromises the adequacy of the COIS report to address the relevant issues for research required for this case type example. Whilst it may not be practical or possible to include information on the availability of the

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<sup>466</sup> See e.g. PlusNews (IRIN), Zimbabwe: Doctors and ARVs in short supply, 07/07/2009 cited in Appendix 11

<sup>467</sup> See e.g. PlusNews (IRIN), Zimbabwe: The long road to recovery, 11/05/2009 cited in the Appendix 11

<sup>468</sup> See e.g. The Zimbabwe Standard, Aids Activists Bemoan Lack of Resources, 07/03/2009 in the Appendix.

<sup>469</sup> See Appendix 11 for a list of suggested sources

<sup>470</sup> See e.g. International Treatment Preparedness Coalition (ITPC), Missing the Target No 7 - Women, Failing Children: HIV, Vertical Transmission and Women's Health (Zimbabwe excerpt), 15/05/2009 in Appendix.

various ARV medications or combinations, a list of useful sources should at least be included in the COIS report, as should sources that detail both the brand name and generic name of particular drugs.

➤ **Women and Children**

Whilst the information contained in this section does accurately represent the available information in the public domain with regards to the limited provision of prevention of mother-to-child transmission (PMCT) services, more detailed information on this issue should be provided. For example, the International Treatment Preparedness Coalition, *Missing the Target No 7 - Women, Failing Children: HIV, Vertical Transmission and Women's Health*, 15/05/2009, report provides useful information on this subject, detailing that most services are concentrated in urban areas even though 70 percent of the population is rural-based.

➤ **Stigma Against People Living With HIV/AIDS**

It is surprising that no information is included in the HIV/AIDS section of the report on the stigma that people living with HIV/AIDS face, especially given the extent and scale of which it is reported on. A subsection should be included in the next COIS report on Zimbabwe on these issues as a matter of urgency. Suggested sources regarding both state and societal violence have been included in the Appendix 11 for this purpose.

➤ **General Medical Issues**

The information contained within the sections under 27. 'Medical Issues' accurately depicts the collapse of the health service at the time of publication of the COIS report. Relevant information is included on the lack of drugs and medical supplies, poor infrastructure, equipment failures and lack of medical personnel. However, the information is very general and doesn't detail the TB epidemic, for example.<sup>471</sup> Whilst the acute shortage of drugs is reported on, the information contained within the section 'Access to Drugs' suggests that there are many good pharmacies in Zimbabwe, without indicating the prices for particular treatments in the private sector. In fact, little distinction is made between the treatment available in the public compared to the private sector. A useful source identified that covers this issue is the report by Physicians for Human Rights (USA), *Health in Ruins: A Man-Made Disaster in Zimbabwe*, 13/01/2009.

It is widely reported in the literature available in the public domain that access to medical treatment is not only affected by cost, but also by physical access or transportation. However, this point is not clearly made in the COIS report.<sup>472</sup>

In the 'Cholera Epidemic' section of this report, it is surprising that the figure of 60,000 of persons infected was cited from December 2008, despite the report purporting to contain material up to the 12 June 2009. At this time, information was available that put the figure of infected persons at close to 100,000, with over 4,000 deaths.<sup>473</sup>

This section also cross-refers to the 'Economy' section of the report for information about average incomes. Two paragraphs of this chapter were deemed relevant: 2.03 and 2.05. These detail that the average family requires \$386 for an average 'basket' of food and utilities as of April 2009. However,

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<sup>471</sup> See for e.g. Plus News, ZIMBABWE: Health crisis whacks TB efforts, 24/03/2009 in Appendix 11.

<sup>472</sup> See for e.g. Physicians for Human Rights (USA), *Health in Ruins: A Man-Made Disaster in Zimbabwe*, 13/01/2009 in Appendix 11

<sup>473</sup> See Appendix for 11 suggested sources.

more recent statistics were available from local news sources at the time of publication which put the poverty datum line at \$427 in May 2009 and \$437 in June 2009.<sup>474</sup>

### Comparison between July and December COIS reports

A new Zimbabwe COIS report was published on 23/12/2009. Unfortunately, it was not possible to update the entire data set before going to print. However, a brief comparison of the HIV/AIDS section in the two reports against the 'Relevance of Information' criteria, suggests that little new information was added or removed.

Notable omissions are observed at the 'Availability of Treatment' section. The information cited from the Department For International Development (DFID) on the difficulties returnees face in accessing ARVs has been removed. This is a significant omission, particularly in light of the fact that this information has been corroborated by other more recently published sources (see above analysis on 'Availability of Treatment' section). Moreover, the decision to remove this information appears to be motivated by the content of the material, and not by the currency or reliability of the source, given that the same DFID source is cited at paragraph 23.54.

Another notable omission appears in the section 'Cost and Availability of ARVs'. At paragraph 25.34 the December 2009 repeats the information contained at paragraph 27.30 of the July 2009 report which describes the 2007 donor intention to disburse \$47 million in the following three years. The July 2009 report followed this information with "However, ongoing economic problems may result in a lack of fuel to distribute drugs to outlying hospitals and the continuing brain drain from rural centres may also impact upon the numbers treated" but this information is omitted from the December 2009 report.

Moreover, in the subsequent paragraph, a Zimbabwe Standard article *Activists Bemoan Lack of CD4 Machines* dated 18 July 2009 is cited as reporting that "ARVs were easily available through the private health care system." However, the original source does not mention the availability of ARVs but rather details the lack of CD4 Count Machines and the fact that 300,000 people are "in urgent need of ARVs."<sup>475</sup> This is either a serious example of inaccurate referencing, or it is a deliberate misrepresentation of the original source. Either way, it negatively affects the quality of the report and its adequacy to address the relevant issues for a claimant living with HIV/AIDS.

In addition to this *Zimbabwe Standard* article being cited at 25.34, across the whole HIV/AIDS section, only a further 2 new paragraphs were included in the December 2009 COIS report. This was paragraph 25.27 of the 'Overview' section which contains information advising caution about analysing HIV prevalence rates and paragraph 25.36 which contains updated information regarding 'Women and Children' from the same source cited in the July 2009 report, the international NGO Avert.

Furthermore, in the July 2009 report, the section on 'Cost and Availability of ARVs' cross referred to the information contained within the 'Economy' section, but no such reference is contained in the December 2009 report. This is a shortcoming as the 'Economy' section, although could benefit from

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<sup>474</sup> See The Zimbabwean, Consumer prices on the rise, 13/05/2009 and AFP, Zimbabwe stores full again, with food for the rich, 16/06/2009, both in Appendix 11.

<sup>475</sup> See: The Standard, Aids Activists Bemoan Lack of CD4 Machines, 18/07/2009  
<http://allafrica.com/stories/200907201111.html>

more up to date information, does provide useful context to the cost of ARVs by including information on average incomes, average family 'food basket' prices and on inflation.

The content of the December 2009 COIS report was also briefly examined against the information available in the public domain at the time of publication, 20 November 2009. Useful sources have been identified in the Appendix 11 with regards to HIV/AIDS subsections 'Availability of ARVs', 'Women and Children', 'Collapse of the Health Service', 'Cholera' and 'Income.' Moreover, relevant information was sourced that concerned the political distribution of medication. This corroborates the information included at paragraphs 25.24 in the 'Access to Drugs' section and at 25.35 in the 'Cost and Availability of ARVs' section of the December 2009 report. It is therefore suggested that a new subsection is created entitled 'Politicised Access to Medication' or to that effect. Furthermore, new sources of information were identified which related to the stigma against persons living with HIV/AIDS. It is therefore reiterated that a new subsection be created that addresses this issue as previously suggested (see above).

### **The IAGCI review of the July 2009 Zimbabwe COIS report**

The Zimbabwe July 2009 report was selected for review by the IAGCI for its second meeting, held in September 2009. The IAGCI commissioned JoAnn McGregor and Jocelyn Alexander to undertake the review which intended to "assesses the Home Office report in terms of its accuracy and balance, as well as evaluating the comprehensiveness of its coverage of the human rights situation in Zimbabwe."<sup>476</sup>

The expert review identified empirical problems with regards to the tone of the report being overly optimistic in places, misrepresentation of 'recent events' and errors and omissions in the Annexes of the report. Structural problems were also observed with regards to the choices made in the ordering and placement of material, with some section headings not accurately describing the content of the section in question. The review also recommends that the basis on which sources were chosen are made explicit. Specific comments and recommendations are made on particular sections of the report, although none were made on the HIV/AIDS chapter.

The 'Medical Issues' section is commented on, where it is recommended that a Solidarity Peace Trust report of 30 July 2009 entitled *Walking a Thin Line* is included in the 'General', 'Health Care Facilities' and 'Access to Drugs' sections. With regards to the 'Cholera' section the reviewers note that the information contained within the July 2009 report suggests that the epidemic was 'likely coming to an end', whilst other sources detail that a recurrence of cholera when the rains return in September was likely. These suggestions were all incorporated into the December 2009 report, but given the number of asylum applications that Zimbabwe generates, and the weight given to COIS reports in refugee status determination, it is of concern that it took 6 months for the report to be updated. This is an inordinate length of time to revise errors and omissions.

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<sup>476</sup> JoAnn McGregor and Jocelyn Alexander, Commentary on 20 July 2009 Home Office Country of Origin Report on Zimbabwe, 01/08/2009  
<http://www.ociukba.homeoffice.gov.uk/files/IAGCI-reviews/review-zimbabwe-coi-report.pdf>

## Concluding Remarks

Whilst the July 2009 Zimbabwe COIS report contained information generally relevant to the situation for people living with HIV/AIDS, there were notable research and information gaps. This resulted in the COIS report portraying an overly positive situation for people living with HIV/AIDS in Zimbabwe. It is interesting that whilst the IAGCI commissioned review of the July 2009 Zimbabwe report did not address the HIV/AIDS section of the report, the review shared the same conclusions identified here, suggesting that the inadequacy of the COIS report noted here extends to sections beyond 'Medical Issues' and 'HIV/AIDS.'

It is not surprising that the Zimbabwe COIS report lacks sufficient profile-specific information for as the preface to the report explains, it 'provides general background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom.' However, if required information is not available in the COIS report, such as the availability of a particular time of ARV medication, this raises the question as to what research strategy is employed by caseowners in such cases where the COIS report is insufficient. It is hoped that in these cases, the caseowner would make use of the case-specific research service that is offered by COIS.

Whilst it is possible to research the inadequacy of the COIS report in providing the required information for a particular case, it is not possible to research the quality of the case-specific research requests completed by COIS as they are not available in the public domain. It is therefore recommended that these case-specific research reports be made publically available, and that the IAGCI considers that a review of these reports falls within its remit to review all country information produced by COIS.

In December 2009, the Zimbabwe COIS report was updated. The fact that so little new information was added to the HIV/AIDS section of the report, despite relevant information having been available in the public domain at the time of publication points to a shortcoming in the production of the COIS report. Whilst it is not possible to ascertain whether this is due to lack of resources, lack of access to quality information or lack of research skills, it is important to note that these shortcomings were identified through a 'user-led' approach to analysing the adequacy of the COIS report in addressing the relevant issues for research for a particular case profile. It is therefore recommended that the IAGCI consider revising their instructions given to experts conducting COIS report reviews to address the adequacy of the COIS report in providing information relevant to the main case types for that country.

## Recommendations to COIS<sup>477</sup>

- Provide the direct URL to all sources cited. Failing that, the URL to the homepage of the original source should be provided
- Sources that are over two years old at the date of publication of the relevant COIS report
- should be removed unless they contain information necessary to provide a historical account or their use is otherwise explicitly justified
- Where possible varied types of sources should be relied upon

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<sup>477</sup> For a list of recommendations general to all COIS reports please see the Executive Summary.



- Create new report headings within the Zimbabwe COIS report regarding ‘Stigma Against Persons Living With HIV/AIDS’ and ‘Politicised Access to Medication’
- Only include sources of information in COIS reports that are available in the public domain, or which can be made available on request
- Where it is not possible to include the necessary level of detail on a particular issue, include a disclaimer to that effect and provide a list of useful sources
- Consider the inclusion of suggested information/suggested sources as provided in Appendix 11
- Provide the necessary resources to enable the Case-Specific Research Service to be instructed for every case where information on the availability of specific medication is sought
- Make Case-Specific Research Service memos available in the public domain
- Following an IAGCI commissioned country review, the COIS report should be updated as soon as possible. A delay of 6 months is not acceptable
- Where COIS reports are updated, information should be only removed if it is no longer relevant or current

#### **Recommendations to IAGCI**

- Encourage COIS to make Case-Specific Research Service memos available in the public domain
- Review Case-Specific Research Service memos in conjunction with reviewing COIS County Reports
- Consider revising instructions to experts to address the adequacy of the COIS reports in containing information relevant to the main case types for that country

## Appendix 4 Afghanistan Analysis: List of Tables

**TABLE 1: REPORT INACCURACIES BY SECTION**

Section (total paragraphs)	Transparency	Paragraphs with inaccuracies	Currency	Occasions where source more than two years old	Accuracy
	References with inaccuracies		Occasions where most recent report not used		Occasions where excerpt is misrepresentative
Overview (10)	2	2	1	1	
Child Labour (3)	1				
Violence against children (6)	4	2			
Child Kidnappings (1)					
Child Marriage (7)	2	1	2	1	
Child Soldiers (3)	1	3			
Judicial & Penal Rights (3)					
Education (9)	2	4			1
Childcare (3)			1		
Health Issues (3)	1		1		
<b>Total</b>	<b>13</b>	<b>12</b>	<b>5</b>	<b>2</b>	<b>1</b>

*NB. Total paragraphs analysed: 48. Totals do not tally as some paragraphs contain more than one inaccuracy.*

**TABLE 2: REPORT INACCURACIES BY TYPE – TRANSPARENCY CRITERIA**

Type of inaccuracy	Number of instances
Unattributed assertion	1
Wrong reference	4
Broken hyperlink	2
Indirect hyperlink	9
Information misspelt/wrongly attributed/wrong order	12
Date error (accessed/updated)	6
Unclear paraphrasing	1
<b>Total</b>	<b>35</b>

*NB. Total paragraphs analysed: 48. Totals do not tally as some paragraphs contain more than one inaccuracy.*

**Table 3: REPORT INACCURACIES BY TYPE – CURRENCY CRITERIA**

Type of inaccuracy	Number of instances
Most recent report not used	5
Outdated source	2
<b>Total</b>	<b>7</b>

*NB. Total paragraphs analysed: 48. Totals do not tally as some paragraphs contain more than one inaccuracy.*

**Table 4: REPORT INACCURACIES BY TYPE – ACCURACY CRITERIA**

Type of inaccuracy	Number of instances
Excerpt not representative of source	1
<b>Total</b>	<b>1</b>

*NB. Total paragraphs analysed: 48. Totals do not tally as some paragraphs contain more than one inaccuracy.*

**TABLE 5: TYPE OF SOURCES USED – RANGE & RELIABILITY CRITERIA**

Type of source*	Number of instances
UN	26
Government	43
Human Rights NGO (International)	19
Human Rights NGO (Regional/ Local)	/
Media (International)	16
Media (Regional/ Local)	/
Other	14
<i>Independent Statutory Body</i>	5
<i>International Policy Think Tank</i>	3
<i>Research Organisation</i>	4
<i>Intergovernmental Organisation</i>	2
<b>Total</b>	<b>118</b>

*NB. In total 107 paragraphs were analysed. Chapter 24 Children contains 48 paragraphs, while the remaining 59 paragraphs came from other Chapters within the COIS report, as directed to from the Children's section. Please note that these 59 paragraphs were selected with regards to their relevance to the particular issue under the particular heading in the Children's section.*

*\* The list of types of sources was based on ACCORD, Researching Country of Origin information: A training manual, updated April 2006, Module B,*

*<http://www.coi-training.net/content/doc/en-COI%20Manual%20Part%20I%20plus%20Annex%2020060426.pdf>*

**TABLE 6: TYPE & NAME OF SOURCES USED – RANGE & RELIABILITY CRITERIA**

Type of Source	Name of source	Number of instances
UN	UNICEF	6
	UN Security Council	4
	UN Special Rapporteur on Violence Against Women	1
	UNHCR	7
	UNIFEM	4
	UN Secretary General	4
Government	USSD	33
	CIA	1
	Library of Congress	1
	Foreign & Commonwealth Office	7
	Afghanistan Ministry of Public Health	1
Human Rights NGO (International)	Save the Children	2
	HRW	1
	Global Initiative to End All Corporal Punishment Against Children	2
	Freedom House	2
	Womenkind Worldwide	6
	Amnesty International	1
	Child Soldiers	2
	Women for Women International	1
	ICRC	1
	International Medical Corps	1
Human Rights NGO (Regional/ Local)		/
Media (International)	IRIN	11
	BBC News Online	2
	RFE/RL	2
	Reuters	1
Media (Regional/ Local)		/
Other		14
	<i>Independent Statutory Body</i>	Afghanistan Independent Human Rights Commission
<i>International Policy Think Tank</i>	International Council on Security and Development	3
<i>Research Organisation</i>	Afghanistan Research and Evaluation Unit	3
	International Centre for Prison Studies	1
<i>Intergovernmental Organisation</i>	IOM	2
<b>Total</b>	<b>30</b>	<b>118</b>

NB. In total 107 paragraphs were analysed, containing 118 incidences where sources were named out of a total of 30 different sources. Chapter 24 Children contains 48 paragraphs, while the remaining 59 paragraphs came from other Chapters within the COIS report, as directed to from the Children's section. Please note that these 59 paragraphs were selected with regards to their relevance to the particular issue under the particular heading in the Children's section.

**TABLE 7: TYPE & NAME OF SOURCES USED PER RESEARCH HEADING – RANGE & RELIABILITY CRITERIA**

NB. In total 107 paragraphs were analysed, containing 118 incidences where sources were named out of a total of 30 different sources. Chapter 24 Children contains 48 paragraphs, while the remaining 59 paragraphs came from other Chapters within the COIS report, as directed to from the Children's section. Please note that these 59 paragraphs were selected with regards to their relevance to the particular issue under the particular heading in the Children's section.

Research Heading	Type of Source	Name of source	Number of instances
<b>Overview</b>	UN	UNICEF	1
		UN Security Council	2
	Government	USSD	3
		Human Rights NGO (International)	Save the Children
	Other <i>Independent Statutory Body</i>	HRW	1
		Afghanistan Independent Human Rights Commission	1
<b>Total:</b>			<b>10</b>

Research Heading	Type of Source	Name of source	Number of instances
<b>Child Labour</b>	Government	USSD	1
		Media (International)	IRIN
	<b>Total:</b>		

Research Heading	Type of Source	Name of source	Number of instances
<b>Violence against children</b>	UN	UN Security Council	1
		Government	USSD
	Human Rights NGO (International)	Global Initiative to End All Corporal Punishment Against Children	2
		Other <i>Research Organisation</i>	Afghanistan Research and Evaluation



		CIA	1
		Library of Congress	1
	Human Rights NGO (International)		
		Child Soldiers	2
<b>Total:</b>			<b>6</b>

<b>Research Heading</b>	<b>Type of Source</b>	<b>Name of source</b>	<b>Number of instances</b>
<b>Judicial &amp; Penal Rights</b>			
	UN		
		UN Secretary General	1
	Government		
		USSD	1
	Other <i>Research Organisation</i>	International Centre for Prison Studies	1
<b>Total:</b>			<b>3</b>

<b>Research Heading</b>	<b>Type of Source</b>	<b>Name of source</b>	<b>Number of instances</b>
<b>Education</b>			
	UN		
		UNICEF	3
		UNIFEM	2
		UN Secretary General	1
	Government		
		USSD	5
		Foreign & Commonwealth Office	1
	Human Rights NGO (International)		
		Womenkind Worldwide	1
		Women for Women International	1
	Media (International)		
		IRIN	4
		RFE/RL	1
<b>Total:</b>			<b>19</b>

<b>Research Heading</b>	<b>Type of Source</b>	<b>Name of source</b>	<b>Number of instances</b>
<b>Childcare</b>			
	UN		
		UNHCR	1
	Government		
		USSD	1
	Other <i>Independent Statutory Body</i>	Afghanistan Independent Human Rights Commission	1
<b>Total:</b>			<b>3</b>

<b>Research Heading</b>	<b>Type of Source</b>	<b>Name of source</b>	<b>Number of instances</b>
<b>Health Issues (HIV/AIDs, Mental Health and Victim Assistance were not included)</b>			
	UN		

	UNICEF	1
	UNHCR	1
Government		
	USSD	1
	Foreign & Commonwealth Office	6
	Afghanistan Ministry of Public Health	1
	ICRC	1
	International Medical Corps	1
Media (International)		
	IRIN	4
<i>Independent Statutory Body</i>	Afghanistan Independent Human Rights Commission	2
<b>Total:</b>		<b>18</b>

**TABLE 8: A COMPARISON OF RESEARCH HEADINGS FOR MINORS IN AFGHANISTAN – RELEVANCE & BALANCE CRITERIA**

<b>COIS Research Headings for Chapter 24. Children</b>	<b>CIC/ IAS Research Headings</b>
Overview	General information on minors in Afghanistan
Child labour	Risk of (forced) child labour
Violence against children	Sexual violence against minors
Child kidnappings	
➤ Section 27: Kidnappings for further information > Section 8: Security situation in Kabul	
➤ Section 25: Trafficking for more information on Trafficking > Section 23: Women	Risk of trafficking
Child marriage	Risk of forced (under-aged) marriage/ Traditional conflict resolution and the rights of the child
➤ This section should also be read in conjunction with Section 23: Women – Marriage and Divorce > Section 19: Freedom of Religion	
➤ Section 23: Violence against women	
➤ Section 24: Child marriage	
Child soldiers	Forced recruitment by insurgents & Afghan army
➤ Section 10: Military Service > Section 9: Armed Forces	
Judicial and Penal Rights	Children in detention
Education	Access to education
➤ Section 23: Women	
➤ Section 24: Children	
Childcare	Importance of family support
Health issues	Access to health
➤ Section 28: Medical issues	
	Risk of ‘honour crimes’
	Situation in Kabul orphanages
	Situation of street children
	Sale of children
	Domestic violence against children



## Appendix 5 Iran Analysis: List of Tables

TABLE 1: REPORT INACCURACIES BY SECTION

Section (total paragraphs)	Transparency Paragraphs with inaccuracies	References with inaccuracies	Currency Occasions where most recent report not used	Occasions where source more than two years old	Accuracy Occasions where excerpt is misrepresentative
<b>Human Rights</b>					
Introduction (10)	3	2			
<b>SECURITY FORCES</b>					
Overview (5)	2	1			
Police (2)		2			
Iranian Revolutionary Guards Corps or Pasdaran (4)		3			
Qods Force (2)		1			
Basij (2)		1			
Ansar-e Hezbollah (2)		1			
Armed forces (2)		1			
Other organisations (2)		1			
Arbitrary arrest and detention (2)					
Torture (6)	1				
Extra judicial killings (1)					
<b>JUDICIARY</b>					
Fair trial (3)					
<b>ARREST AND DETENTION – LEGAL RIGHTS (3)</b>	1	1			
<b>PRISON CONDITIONS (6)</b>					
<b>DEATH PENALTY (11)</b>		1		1	1
<b>POLITICAL AFFILIATION</b>					
Freedom of political expression (6)		1			
Opposition groups and political activists (1)	1				
Kurdish Democratic Party of Iran (KDPI) aka PDKI (4)	1	1			
<b>Total (74)</b>	<b>9</b>	<b>17</b>	<b>0</b>	<b>1</b>	<b>1</b>

NB. Total paragraphs analysed: 74. Totals do not necessarily tally as some paragraphs may contain more than one inaccuracy.

**TABLE 2: REPORT INACCURACIES BY TYPE – TRANSPARENCY CRITERIA**

<b>Type of inaccuracy</b>	<b>Number of instances</b>
Unattributed assertion	1
Broken hyperlink	1
Indirect hyperlink	2
Subscription-only reference	13*
Information misspelt/wrongly attributed/wrong order	10
Date error (accessed/updated)	1
<b>Total</b>	<b>28</b>

\* Although there were 13 instances of subscription-only references, these were all from the one source only.

**Table 3: REPORT INACCURACIES BY TYPE – CURRENCY CRITERIA**

<b>Type of inaccuracy</b>	<b>Number of instances</b>
Outdated source	1
<b>Total</b>	<b>1</b>

**TABLE 4: REPORT INACCURACIES BY TYPE – ACCURACY CRITERIA**

<b>Type of inaccuracy</b>	<b>Number of instances</b>
Excerpt not representative of source	1
<b>Total</b>	<b>1</b>

**TABLE 5: TYPE OF SOURCES USED – BALANCE & RELIABILITY CRITERIA**

<b>Type of source</b>	<b>Number of instances</b>
UN	14
Government	51
Human Rights NGO (International)	34
Human Rights NGO (Regional/ Local)	0
Media (International)	3
Media (Regional/ Local)	1
Other	
<i>Research Organisation(Jane’s Sentinel – 17, Europa -1)</i>	18
<i>Academic Institution (The Centre for Iranian Studies, Durham University)</i>	12
<i>Independent Tribunal Research Unit (CIRB)</i>	4
	<b>Total 137</b>

## Total

NB. In total 133 paragraphs were analysed. Please note that some paragraphs cite more than one source: hence the total number of instances of sources (137) exceeds the total number of paragraphs (133).

The sections analysed were Chapters: 7 Introduction (9 paragraphs); 9 Security Forces (30 paragraphs); 11 Judiciary (49 paragraphs); 12 Arrest and Detention – legal rights (3 paragraphs); 13 Prison conditions (6 paragraphs); 14 Death Penalty (10 paragraphs); 15 Political Affiliation (17 paragraphs) and 20 Ethnic Groups (9 paragraphs). Chapters 15 & 20 were not included in their entirety; only those paragraphs considered to be relevant to the selected case example were considered (Kurd, member/supporter of the KDPI). All cross-references in the sections considered fell within the sample.

TABLE 6: TYPE & NAME OF SOURCES USED – BALANCE & RELIABILITY CRITERIA

Type of Source	Name of source	Number of instances
UN	UN Secretary General	11
	UN List of Ratifications and Reservations	1
	UN Office on Drugs and Crimes UNODC	2
Government	United States State Department	25
	CIA World Factbook	1
	Library of Congress	1
	US Congress Research Service	3
	Foreign & Commonwealth Office	2
	Danish Immigration Service, FFM	18
	CEDOCA, Centre de documentation des instances d'asile (Belgium), FFM	1
Human Rights NGO (International)	International Federation for Human Rights	11
	Human Rights Watch	9
	Amnesty International	9
	Freedom House	3
	Global Campaign to Stop Killing and Stoning Women	1
	Hands Off Cain	1
Human Rights NGO (Regional/ Local)		/
Media (International)	Compass Direct	1
	New York Times	1
	Radio Free Europe/Radio Liberty	1
Media (Regional/ Local)	Iran Focus	1
Other	<i>Academic Institution</i>	
	Centre for Iranian Studies, Durham University	12
	<i>Independent Tribunal, Research Unit</i>	
	Canadian Immigration and Refugee Board	4
<i>Research/ Analysis Organisation</i>		
Jane's Sentinel	17	
Europa World Online	1	
<b>Total</b>	<b>24</b>	<b>137</b>

NB. In total 133 paragraphs were analysed, containing 137 incidences where sources were named out of a total of 24 different sources.

**TABLE 7: TYPE & NAME OF SOURCES USED PER RESEARCH HEADING – BALANCE & RELIABILITY CRITERIA**

<b>Research Heading</b>	<b>Type of Source</b>	<b>Name of source</b>	<b>Number of instances</b>	
<b>Human Rights Introduction</b> [9 paragraphs]	UN	UN Secretary General	3	
		UN List of Ratifications and Reservations	2	
	Government	United States State Department Foreign and Commonwealth Office US Congressional Research Service	1 1 1	
		Human Rights NGO (International)	International Federation for Human Rights, FIDH	1
			Human Rights Watch	1
	Amnesty International		1	
	<b>Total:</b>		<b>11</b>	

<b>Research Heading</b>	<b>Type of Source</b>	<b>Name of source</b>	<b>Number of instances</b>	
<b>Security Forces</b> [30 paragraphs]	Government	United States State Department CIA World Factbook	11 1	
		Human Rights NGO (International)	Amnesty International	1
	Other <i>Academic Institution</i>		Centre for Iranian Studies	6
			<i>Research/ Analysis Organisation</i>	Jane's Sentinel
	<b>Total:</b>		<b>30</b>	

<b>Research Heading</b>	<b>Type of Source</b>	<b>Name of source</b>	<b>Number of instances</b>
<b>Judiciary</b> [49 paragraphs]	UN	UN Office on Drugs and Crimes UN Secretary General	2 7
		Government	

		United States State Department	4
		US Library of Congress	1
		Danish Immigration Service	16
		CEDOCA, Centre de documentation des instances d'asile (Belgium), FFM	1
	Human Rights NGO (International)	Amnesty International	2
			2
		Human Rights Watch	2
		International Federation for Human Rights, FIDH	1
		Global Campaign to Stop Killing and Stoning of Women	
	Media (International)	New York Times	1
		Radio Free Europe/ Radio Liberty	1
		Compass Direct News	1
	Media (Regional)	Iran Focus	1
	Other		
	<i>Academic Institution</i>	Centre for Iranian Studies	5
	<i>Research/ Analysis</i>	Europa World Online	1
	<i>Organisation</i>		
	<i>Independent tribunal</i>	Canadian Immigration and Refugee Board	3
	<b>Total:</b>		<b>51</b>
<b>Research Heading</b>	<b>Type of Source</b>	<b>Name of source</b>	<b>Number of instances</b>
<b>Arrest and Detention – legal rights</b> [3 paragraphs]	UN	UN Secretary General	1
	Governmental	United States State Department	1
	Human Rights Organisation (International)	Amnesty International	1
	<b>Total:</b>		<b>3</b>
<b>Research Heading</b>	<b>Type of Source</b>	<b>Name of source</b>	<b>Number of instances</b>
<b>Prison Conditions</b> [6 paragraphs]	UN	UN Secretary General	1
	Governmental	United States State Department	2
			169

	Human Rights Organisation (International)	Freedom House	2
		International Federation of Human Rights, FIDH	1
<b>Total:</b>			<b>6</b>

<b>Research Heading</b>	<b>Type of Source</b>	<b>Name of source</b>	<b>Number of instances</b>	
<b>Death Penalty</b> [10 paragraphs]	Government	United States State Department	2	
		Foreign and Commonwealth Office	1	
	Human Rights Organisation (International)	Human Rights Watch	2	
		Amnesty International	1	
		International Federation of Human Rights, FIDH	1	
	Other <i>Independent tribunal</i>	Hands Off Cain	1	
		Canadian Immigration and Refugee Board	1	
	<b>Total:</b>			<b>9</b>

<b>Research Heading</b>	<b>Type of Source</b>	<b>Name of source</b>	<b>Number of instances</b>
<b>Political Freedom</b> <b>Freedom of Political Expression</b> [6 paragraphs]	Governmental	United States State Department	3
		Congressional Research Service	2
	Other <i>Research/ Analysis Organisation</i>	Jane's Sentinel	1
	<b>Total:</b>		

<b>Research Heading</b>	<b>Type of Source</b>	<b>Name of source</b>	<b>Number of instances</b>
<b>Opposition groups and political activists</b> [1 paragraph]	Governmental		
		Unite States State Department	1
<b>Total:</b>			<b>1</b>

<b>Research Heading</b>	<b>Type of Source</b>	<b>Name of source</b>	<b>Number of instances</b>
<b>KDPI</b> [4 paragraphs]	Governmental		
	Human Rights	Danish Immigration Service	1

	Organisation (international) <i>Research/ Analysis Organisation</i>	Human Rights Watch Freedom House Jane's Sentinel	1 1 1
<b>Total:</b>			<b>4</b>

<b>Research Heading</b>	<b>Type of Source</b>	<b>Name of source</b>	<b>Number of instances</b>
<b>Komala</b> [4 paragraphs]	Human Rights Organisations (international)	Human Rights Watch	1
	Other <i>Research/ Analysis Organisation</i>	Jane's Sentinel	3
<b>Total:</b>			<b>4</b>

<b>Research Heading</b>	<b>Type of Source</b>	<b>Name of source</b>	<b>Number of instances</b>
<b>PJAK</b> [2 paragraphs]	Human Rights Organisations (international)	Human Rights Watch	1
	Other <i>Research/ Analysis Organisation</i>	Jane's Sentinel	1

<b>Research Heading</b>	<b>Type of Source</b>	<b>Name of source</b>	<b>Number of instances</b>
<b>Ethnic Groups Overview</b> [1 paragraph]	Human Rights NGO (International)	International Federation of Human Rights, FIDH	1
<b>Total</b>			<b>2</b>

<b>Research Heading</b>	<b>Type of Source</b>	<b>Name of source</b>	<b>Number of instances</b>
<b>Kurds</b> [8 paragraphs]	Governmental	Danish Immigration Service	1
	Human Rights NGO (international)	Amnesty International International Federation of Human	3 3
			<b>171</b>

Rights, FIDH  
Human Rights Watch

1

**Total**

**8**



## Appendix 6 Iraq Analysis: List of Tables

**TABLE 1: REPORT INACCURACIES BY SECTION**

Section (total paragraphs)	Transparency References with inaccuracies	Paragraphs with inaccuracies	Currency Occasions where most recent report not used	Occasions where source more than two years old	Accuracy Occasions where excerpt is misrepresentative
Perceived Collaborators and soft targets (10)	3	3	2		1
Baghdad (8)		2	1		1
Sunni Arab insurgents (5)	3		1		
Annex D: current insurgent groups (14)	4	1	1	3	
Freedom of Movement (10)	3	2	1	1	
Documentation for Travel within Iraq (8)	2	2	1	1	1
Internally Displaced People (16)	1	3	3		2
Map (1)	1	1			
IDP Camps (4)					
<b>Total (76)</b>	<b>17</b>	<b>14</b>	<b>10</b>	<b>5</b>	<b>5</b>

*NB. Total paragraphs analysed: 76. Totals do not tally as some paragraphs contain more than one inaccuracy.*

**TABLE 2: REPORT INACCURACIES BY TYPE – TRANSPARENCY CRITERIA**

Type of inaccuracy	Number of instances
Wrong reference (reference made to completely different source)	3
Date error (accessed/updated/not referenced)	12
Page number incorrectly cited	3
Broken hyperlink	1
No hyperlink	3
Indirect hyperlink	2
Unclear/ inaccurate paraphrasing/ unattributed assertion	4
Subscription only sources	5
<b>Total</b>	<b>33</b>

NB. Total paragraphs analysed: 76. Totals do not tally as some paragraphs contain more than one inaccuracy.

**Table 3: REPORT INACCURACIES BY TYPE – CURRENCY CRITERIA**

Type of inaccuracy	Number of instances
Most recent report not used	10
Outdated source	5
<b>Total</b>	<b>15</b>

NB. Total paragraphs analysed: 76. Totals do not tally as some paragraphs contain more than one inaccuracy.

**Table 4: REPORT INACCURACIES BY TYPE – ACCURACY CRITERIA**

Type of inaccuracy	Number of instances
Excerpt not representative of source	5
<b>Total</b>	<b>5</b>

NB. Total paragraphs analysed: 76. Totals do not tally as some paragraphs contain more than one inaccuracy.

**TABLE 5: TYPE OF SOURCES USED – RANGE & RELIABILITY CRITERIA**

Type of source	Number of instances
UN	64
Government	16
Human Rights NGO (International)	12
Human Rights NGO (Regional/ Local)	2
Media (International)	12
Media (Regional/ Local)	/
Other	
Intergovernmental Organisation	17
International Policy Think Tank	8
Research/Analysis Organisation	8
National Legislative Instrument	1
<b>Total</b>	<b>140</b>

NB. In total 116 paragraphs were analysed. The Chapter on Perceived Collaborators and ‘Soft Targets’ contained 10 paragraphs. This section cross-referred to 10 further chapters, of which a further 27 paragraphs were considered directly relevant to Perceived Collaborators and ‘Soft Targets.’

The Freedom of Movement Section contained 10 paragraphs, Documentation for Travel Within Iraq 8 paragraphs, and Internally Displaced People (those sections relevant to the case example profile) a further 21 paragraphs. This section cross-referred to 2 further chapters, of which a further paragraphs 11 were considered directly relevant to the Internally Displaced People chapter.

The Sunni Arab Insurgents section contained 5 paragraphs. The section cross-referred to Ansar al-Islam and Ansar-al Sunnah which do not contain numbered paragraphs, so for the purposes of this analysis, the paragraphs were counted as 14 in total.

The Baghdad section contained 8 paragraphs. The further sections cross-referred to were Awakening Councils, Sectarian Violence and Internally Displaced People. Of these sections, only a further 2 paragraphs that had not already been analysed above were considered relevant.

Please note that some paragraphs cite more than one source: hence the total number of instances of sources (140) exceeds the total number of paragraphs (116).

**TABLE 6: TYPE & NAME OF SOURCES USED – RANGE & RELIABILITY CRITERIA**

Type of Source	Name of source	Number of instances
UN	UNHCR 2009 Guidelines	30
	UNHCR (other)	12
	UN Security Council	13
	UNAMI	8
	UNOCHA	1
	<b>Total</b>	<b>64</b>
Government		
	USSD	5
	Foreign & Commonwealth Office	2
	US Department of Defence (USDoD)	4
	Parliament of Australia Joint Committee	5
	<b>Total</b>	<b>16</b>
Human Rights NGO (International)		
	Amnesty International	3
	International News Safety Institute	1
	ICRC	3
	IDMC	3
	Medact	1
	Refugees International	1
	<b>Total</b>	<b>12</b>
Human Rights NGO (Regional/ Local)		
	Doctor's for Iraq	1
	Iraq Doctor's Syndicate	1
	<b>Total</b>	<b>2</b>
Media (International)		
	IRIN	2
	BBC	4
	Reuters	1
	Radio Free Europe/Radio Liberty	2
	Institute of War and Peace Reporting	1
	Daily Telegraph	1
	The Independent	1
	<b>Total</b>	<b>12</b>
<b>Other</b>		
<i>Intergovernmental Organisation</i>	IOM	9
	IDP Working Group	5
	IRRICO	3
<i>Think Tank</i>	International Crisis Group	4

	Brookings Institution	2
	Congressional Research Service	2
<i>Research/Analysis Organisation</i>	Economist Intelligence Unit	2
	Jane's Sentinel Country Risk Assessment	5
	Canadian IRB	1
<i>National Legislation</i>	Iraqi Constitution	1
	<b>Total</b>	<b>34</b>
<b>Total</b>		<b>140</b>

NB. In total 104 paragraphs were analysed, containing 140 cited sources where 33 different sources were named.

**TABLE 7: TYPE & NAME OF SOURCES USED PER RESEARCH HEADING – RANGE & RELIABILITY CRITERIA**

Research Heading	Type of Source	Name of source	Number of instances
<b>Perceived Collaborators and 'Soft Targets'</b> [10 paragraphs]	UN	UNCHR 2009 Guidelines	6
		UN Security Council	2
		UNAMI	3
	Government	USSD	1
	Human Rights NGO (International)	Amnesty International	1
		<b>Total:</b>	<b>13</b>

Research Heading	Type of Source	Name of source	Number of instances
<b>Journalists and Other Media Workers</b> [1 paragraph]	UN	UNHCR 2009 Guidelines	1
		<b>Total:</b>	<b>1</b>

Research Heading	Type of Source	Name of source	Number of instances
<b>Awakening Councils [Sons of Iraq]</b> [2 paragraphs]	UN	UNHCR (other)	1
		<i>Other: Think Tank</i>	1
	<b>Total:</b>	<b>2</b>	

Research Heading	Type of Source	Name of source	Number of instances
<b>Security Situation in Southern Iraq</b>			

[4 paragraphs]	UN	UNHCR 2009 Guidelines	2
		UN Security Council	2
<b>Total:</b>			<b>4</b>

Research Heading	Type of Source	Name of source	Number of instances
<b>Security in Kirkuk and Mosul</b> [6 paragraphs]	UN	UNHCR 2009 Guidelines	2
		UNHCR (other)	1
		UN Security Council	1
	Government	USDoD	1
	Other <i>Intergovernmental Organisation</i>	IOM	2
<b>Total:</b>			<b>7</b>

Research Heading	Type of Source	Name of source	Number of instances
<b>Abuses by Non-Government Armed Forces</b> [2 paragraphs]	UNHCR	UNHCR 2009 Guidelines	1
	Human Rights NGO (International)	Amnesty International	1
<b>Total:</b>			<b>2</b>

Research Heading	Type of Source	Name of source	Number of instances
<b>ISF as Targets for Insurgents</b> [3 paragraphs]	UN	UNHCR 2009 Guidelines	1
		UNAMI	1
	Other <i>Think Tank</i>	Brookings Institution	1
<b>Total:</b>			<b>3</b>

Research Heading	Type of Source	Name of source	Number of instances
<b>Reprisals Against Ba'ath Party Members</b> [1 paragraph]	UN		

<b>Total:</b>		UNHCR 2009 Guidelines	1
			<b>1</b>

<b>Research Heading</b>	<b>Type of Source</b>	<b>Name of source</b>	<b>Number of instances</b>
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**Human Rights Institutions, Organisations and Activists**  
[ 2 paragraphs]

UN	UNHCR 2009 Guidelines	1
Media (International)	Daily Telegraph	1
<b>Total:</b>		<b>2</b>

<b>Research Heading</b>	<b>Type of Source</b>	<b>Name of source</b>	<b>Number of instances</b>
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**[Judges and Lawyers]**  
[1 paragraph]

UN	UNHCR 2009 Guidelines	1
<b>Total:</b>		<b>1</b>

<b>Research Heading</b>	<b>Type of Source</b>	<b>Name of source</b>	<b>Number of instances</b>
-------------------------	-----------------------	-----------------------	----------------------------

**Doctors and Other Healthcare Workers**  
[5 paragraph]

UN	UNHCR 2009 Guidelines	1
Governmental	UNAMI	1
Human Rights NGO (International)	USDoD	1
Human Rights NGO (Regional/ Local)	Medact	1
	ICRC	1
Media (International)	Doctors for Iraq	1
	Iraq Doctor's Syndicate	1
	Reuters	1
	BBC	1
	The Independent	1
<b>Total</b>		<b>10</b>

<b>Research Heading</b>	<b>Type of Source</b>	<b>Name of source</b>	<b>Number of instances</b>
-------------------------	-----------------------	-----------------------	----------------------------

**Freedom of Movement**  
[10 paragraphs]

UNHCR	UNHCR 2009 Guidelines	1
	UNHCR (other)	2

178

	Government		
		FCO	1
	Human Rights NGO [international]		
		International News Safety Institute	1
	<i>Other Research/Analysis</i>		
		Economist Intelligence Unit	2
	<i>Other Intergovernmental</i>		
		IRRICO	1
		IDP Working Group	1
		IOM	1
	<i>Other National Legislation</i>		
		Iraqi Constitution	1
<b>Total</b>			<b>11</b>

Research Heading	Type of Source	Name of source	Number of instances
<b>Documentation For Travel Within Iraq</b> [8 paragraphs]			
	UNHCR		
		UNHCR 2009 Guidelines	1
		UNHCR (other)	5
	Governmental		
		FCO	1
	<i>Other: Think Tank</i>		
		Brookings Institution	1
<b>Total</b>			<b>8</b>

Research Heading	Type of Source	Name of source	Number of instances
<b>Internally Displaced People</b> [16 paragraphs]			
	UN		
		UNHCR 2009 Guidelines	4
		UNHCR (other)	1
		UNAMI	3
		UNSC	2
	Human Rights NGO [international]		
		ICRC	2
		IDMC	3
	Media [international]		
		IRIN	1
	<i>Other: Intergovernmental</i>		
		IOM	3
		IDP Working Group	3
<b>Total</b>			<b>22</b>

Research Heading	Type of Source	Name of source	Number of instances
<b>Map</b> [1 paragraph]			

	UN	UNOCHA	1
<b>Total</b>			<b>1</b>

<b>Research Heading</b>	<b>Type of Source</b>	<b>Name of source</b>	<b>Number of instances</b>
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<b>IDP Camps</b> [4 paragraphs]	UN	UNHCR 2009 Guidelines	1
	<i>Other: Intergovernmental</i>	IOM	2
		IDP Working Group	1
	<b>Total</b>		<b>4</b>

<b>Research Heading</b>	<b>Type of Source</b>	<b>Name of source</b>	<b>Number of instances</b>
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<b>Land and Property Rights</b> [5 paragraphs]	UN	UNSC	2
	Human Rights NGO [International]	Refugees International	1
	<i>Other: Intergovernmental</i>	IRRICO	2
	<b>Total</b>		<b>5</b>

<b>Research Heading</b>	<b>Type of Source</b>	<b>Name of source</b>	<b>Number of instances</b>
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<b>Sectarian Violence</b> [4 paragraphs]	UN	UNHCR 2009 Guidelines	2	
	Government	USSD	2	
	<i>Other: Think Tank</i>	Congressional Research Service	1	
		International Crisis Group	2	
	<i>Other: Research/ Analysis</i>	Jane's Sentinel Country Risk Assessment	1	
	<b>Shi'a Muslims</b> [2 paragraphs]	Government	USSD	1
		Media [International]	BBC	2
<b>Total</b>		<b>11</b>		

<b>Research Heading</b>	<b>Type of Source</b>	<b>Name of source</b>	<b>Number of instances</b>
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<b>Sunni Arab Insurgents</b> [5 paragraphs]	UN		



		UNHCR 2009 Guidelines	1
	Government	USDoD	1
	<i>Other: think tank</i>	International Crisis Group	1
	<i>Other: Research/Analysis</i>	Jane's Sentinel Country Risk Assessment	2
<b>Total</b>			<b>5</b>

<b>Research Heading</b>	<b>Type of Source</b>	<b>Name of source</b>	<b>Number of instances</b>
<b>Ansar al-Islam</b> [5 paragraph]	UN	UNHCR (other)	2
	Human Rights NGO [international]	Amnesty International	1
	Media [international]	Radio Free Europe/Radio Liberty	2
<b>Total</b>			<b>5</b>

<b>Research Heading</b>	<b>Type of Source</b>	<b>Name of source</b>	<b>Number of instances</b>
<b>Ansar al-Sunnah</b> [9 paragraph]	UN	UNSC	1
	Governmental	Parliament of Australia Joint Committee	5
	<i>Other: Research/ Analysis</i>	Jane's Sentinel Country Risk Assessment	2
		Canadian IRB	1
<b>Total</b>			<b>9</b>

<b>Research Heading</b>	<b>Type of Source</b>	<b>Name of source</b>	<b>Number of instances</b>
<b>Baghdad</b> [8 paragraphs]	UN	UNHCR 2009 Guidelines	3
		UNSC	2
	Governmental	USDoD	1
	Media [international]	BBC	1
		IWRP	1
		IRIN	1
	<i>Other: think tank</i>	International Crisis Group	1
	<i>Other: intergovernmental</i>	IOM	1
<b>Total</b>			<b>11</b>
<b>Awakening Councils [Sons of Iraq]</b>			

[2 paragraphs]

UN

UNSC

1

Governmental

USSD

1

**Total:**

**2**

## Appendix 7: Zimbabwe Analysis: List of Tables

TABLE 1: REPORT INACCURACIES BY SECTION

Section (total paragraphs)	Transparency	Paragraphs with inaccuracies	Currency	Occasions where source more than two years old	Accuracy
	References with inaccuracies		Occasions where most recent report not used		Occasions where excerpt is misrepresentative
Medical Issues (7)	5	2		1	
Cholera Epidemic (5)	2				
Health Care facilities (4)	0			1	
Health Care Professionals (2)	0				
Access to Drugs	3	1		1	
HIV AIDS Overview (3)	1				
Availability of Treatment (5)	4	1		1	
Cost and Availability of ARVs (2)	1	1		4	
Women and Children (2)	2			1	
<b>Total (33)</b>	<b>18</b>	<b>5</b>		<b>9</b>	<b>1</b>

NB. Total paragraphs analysed: 35. Totals do not tally as some paragraphs contain more than one inaccuracy.

TABLE 2: REPORT INACCURACIES BY TYPE – TRANSPARENCY CRITERIA

Type of inaccuracy	Number of instances
Wrong reference (reference made to completely different source)	3
Date error (accessed/updated/not referenced)	16
Broken hyperlink	1
No hyperlink	1
Indirect hyperlink	43
Unclear/ inaccurate paraphrasing/ unattributed assertion	1
Subscription only sources	1

*NB. Total paragraphs analysed: 35. Totals do not tally as some paragraphs contain more than one inaccuracy, and some reports are cited more than once.*

Table3: REPORT INACCURACIES BY TYPE – CURRENCY CRITERIA

Type of inaccuracy	Number of instances
Source published before December 2007	9
<b>Total</b>	<b>9</b>

*NB. Total paragraphs analysed: 35*

Table4: REPORT INACCURACIES BY TYPE – ACCURACY CRITERIA

Type of inaccuracy	Number of instances
Excerpt not representative of source	1
<b>Total</b>	<b>1</b>

*NB. Total paragraphs analysed: 35*

TABLE 5: TYPE OF SOURCES USED – RANGE & RELIABILITY CRITERIA

Type of source	Number of instances
UN	8
Government	10
Human Rights NGO (International)	6
Human Rights NGO (Regional/ Local)	/
Media (International)	20
Media (Regional/ Local)	4
Other	
<i>Public Interest Organisation</i>	4
<i>International Policy Think Tank</i>	3
Unknown	1
<b>Total</b>	<b>56</b>

*NB. In total 35 paragraphs were analysed which cited 56 sources in total. The sections analysed included 'Medical Issues' (7), Cholera Epidemic (5), Health Care Facilities (4) Health Care Professionals (2), Access to Drugs (3), HIV Aids Overview (3), Availability of Treatment (5), Cost and Availability of ARVs (2) and Women and Children (2). The Chapter on Health Care Facilities referred to the 'Economy' section for information about average incomes, in which 2 further paragraphs were considered relevant. One source was incorrectly referenced and therefore could not be found, hence only 53 cited sources appear in the table above.*

**TABLE 6: TYPE & NAME OF SOURCES USED – RANGE & RELIABILITY CRITERIA**

Type of Source	Name of source	Number of instances
UN		
	WHO	7
	WFP	1
<b>Total</b>		<b>8</b>
Governmental		
	USSD	4
	DFID	6
<b>Total</b>		<b>10</b>
Human Rights NGO (International)		
	Amnesty International	3
	Human Rights Watch	2
	AVERT	1
<b>Total</b>		<b>6</b>
Media (International)		
	The Times	8
	The Telegraph	1
	BBC	3
	Guardian	1
	IRIN	3
	Voice of America News	1
	National Post (Canada)	1
	News 24 (South Africa)	1
	Behind the Mask	1
<b>Total</b>		<b>20</b>
Media (Regional/ Local)		
	Zimbabwe Online	2
	Zimbabwe Standard	2
<b>Total</b>		<b>4</b>
Other (Think Tank)	International Crisis Group	4
Public Interest Organisation	IDASA	3
<b>Total</b>		<b>7</b>
	Unknown	1
<b>Total</b>		<b>56</b>

**TABLE 7: TYPE & NAME OF SOURCES USED PER RESEARCH HEADING – RANGE & RELIABILITY CRITERIA**

Research Heading	Type of Source	Name of source	Number of instances
<b>Medical Issues</b> [7 paragraphs]	UN	WHO	1
		Human Rights NGO (International)	
		Amnesty International	2
		Human Rights Watch	1
			185

Media (International)	The Times	3
	News24	1
Media (local/national)	ZimOnline	1
Other <i>Think Tank</i>	International Crisis Group	1
Public Interest Organisation	Institute for Democratic Alternative for South Africa (Idasa)	2

Research Heading	Type of Source	Name of source	Number of instances
<b>Cholera Epidemic</b> [5 paragraphs]	UN	WHO	2
	Human Rights NGO (International)	Human Rights Watch	1
	Media (International)	The Times	1
	Media (local/national)	ZimOnline	1

Research Heading	Type of Source	Name of source	Number of instances
<b>Health Care Facilities</b> [4 paragraphs]	Government	USSD	1
	Human Rights NGO (International)	Amnesty International	1
	Media (International)	BBC	1
		Telegraph	1
		The Times	1

Research Heading	Type of Source	Name of source	Number of instances
<b>Health Care Professionals</b> [2 paragraphs]	UN	WHO	1
	Media (international)	The Times	2
		The Guardian	1
	Unknown (not referenced)		1

Research Heading	Type of Source	Name of source	Number of instances
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**Access to Drugs**  
[3 paragraphs]

UN	WHO	1
Government	USSD	2
Media (International)	BBC	1
	The Times	1
Other <i>Think Tank</i>	International Crisis Group	1

**Research Heading**      **Type of Source**      **Name of source**      **Number of instances**

**HIV AIDS Overview**  
[3 paragraphs]

UN	WHO	1
Governmental	US President's Emergency Plan For Aids Relief	1
Media (International)	IRIN	1
Media (local/national)	Zimbabwe Standard	1

**Research Heading**      **Type of Source**      **Name of source**      **Number of instances**

**Availability of Treatment**  
[5 paragraphs]

UN	WHO	1
	WFP	1
Governmental	DFID	2
Media (International)	IRIN	1
	Voice of America News	1
Media (local/national)	Zimbabwe Standard	1

**Research Heading**      **Type of Source**      **Name of source**      **Number of instances**

**Cost and Availability of ARVs**  
[2 paragraphs]

Governmental	DFID	4
Media (international)	IRIN	1

<b>Research Heading</b>	<b>Type of Source</b>	<b>Name of source</b>	<b>Number of instances</b>
<b>Women and Children</b> [2 paragraphs]	Human Rights NGO (International)	AVERT	1
	Media (international)	Behind the Mask	1

<b>Research Heading</b>	<b>Type of Source</b>	<b>Name of source</b>	<b>Number of instances</b>
Economy [2 paragraphs]	Media (international)	National Post	1
		BBC	1
	Other <i>Public Interest Body</i>	Institute for Democratic Alternative for South Africa (Idasa)	2
	<i>Think Tank</i>	International Crisis Group	1



## **Appendix 8: Afghanistan List of Suggested Sources**

Issues for research as identified by CIC/ RPU

- a) General information on minors in Afghanistan
- b) Access to education
- c) Access to health
- d) Prevalence of trafficking
- e) Prevalence of (forced) child labour
- f) Domestic violence against children
- g) Sexual violence against minors
- h) Prevalence of 'honour crimes'
- i) Prevalence of forced (under-aged) marriage
- j) Traditional conflict resolution and the rights of the child
- k) Forced recruitment by insurgents & Afghan army
- l) Importance of family support
- m) Situation in Kabul orphanages
- n) Situation of street children
- o) Sale of children
- p) Children in detention
- q) Reports available post-cut-off date (28/05/09) for Afghanistan COIS researcher

## **a) General information on minors in Afghanistan**

UNICEF, A window of hope for girls in Jalalabad, 11/08/2009

[http://www.unicef.org/infobycountry/afghanistan\\_50750.html](http://www.unicef.org/infobycountry/afghanistan_50750.html)

US Department of State, 2008 Human Rights Report: Afghanistan, 25/02/2009

<http://www.state.gov/g/drl/rls/hrrpt/2008/sca/119131.htm>

[...] Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

[...] Children

Human Rights Watch, World Report 2009: Afghanistan, 14/01/2009

<http://www.hrw.org/en/node/79295>

[...] Women and Girls

Integrated Regional Information Networks News (IRIN), Afghanistan: UN calls for more action to protect children, 03/12/2008

<http://www.alertnet.org/thenews/newsdesk/IRIN/5a3439f9a4268632c0ee2fb3ea62414d.htm>

Afghanistan Independent Human Rights Commission (AIHRC), The General Situation of Children in Afghanistan, 09/04/2008

[http://www.aihrc.org.af/2008/April/Rep\\_eng\\_Chi\\_Nov\\_2007\\_U\\_Apr\\_2008.pdf](http://www.aihrc.org.af/2008/April/Rep_eng_Chi_Nov_2007_U_Apr_2008.pdf)

[...] Introduction

[...] 1.13. Conclusions

Women and Children Legal Research Foundation (WCLRF), Impact of traditional practices on women, 2004

[http://www.wclrf.org.af/English/eng\\_pages/Researches/Impact/itpw.htm](http://www.wclrf.org.af/English/eng_pages/Researches/Impact/itpw.htm)

[...] Second Section

Traditional practices in Afghanistan and its impact to the Women Rights

## **b) Access to education**

Amnesty International, Amnesty International Report 2009: Afghanistan, 28/05/2009

<http://thereport.amnesty.org/en/regions/asia-pacific/afghanistan>

[...] Right to health and education

IRIN, Five million children not in school, 21/04/2009

<http://www.irinnews.org/Report.aspx?ReportId=84024>

US Department of State, 2008 Human Rights Report: Afghanistan, 25/02/2009

<http://www.state.gov/g/drl/rls/hrrpt/2008/sca/119131.htm>

[...] Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

[...] Children

Integrated Regional Information Networks News (IRIN), Afghanistan: Taliban forces students out of schools into madrasas, 17/02/2009  
<http://www.irinnews.org/Report.aspx?ReportId=82963>

Human Rights Watch, World Report 2009: Afghanistan, 14/01/2009  
<http://www.hrw.org/en/node/79295>

[...] Women and Girls  
[...] Children

Institute for War and Peace Reporting (UK), Kandahar Schools Empty After Acid Attack on Girls, 12/12/2008  
<http://www.unhcr.org/refworld/country,,IWPR,,AFG,4562d8cf2,494fa57f1a,0.html>

IRIN, Drought, poverty lead children to abandon school, 02/12/2009  
<http://www.irinnews.org/Report.aspx?ReportId=81769>

Radio Free Europe/Radio Liberty, Acid Attack On Afghan Schoolgirls Causes Fear, Anxiety Among Parents, 15/11/2008  
[http://www.rferl.org/content/Acid\\_Attack\\_On\\_Afghan\\_Schoolgirls\\_Causes\\_Fear\\_Anxiety\\_Among\\_Parents/1349538.html](http://www.rferl.org/content/Acid_Attack_On_Afghan_Schoolgirls_Causes_Fear_Anxiety_Among_Parents/1349538.html)

Afghanistan Independent Human Rights Commission (AIHRC), The General Situation of Children in Afghanistan, 09/04/2008  
[http://www.aihrc.org.af/2008/April/Rep\\_eng\\_Chi\\_Nov\\_2007\\_U\\_Apr\\_2008.pdf](http://www.aihrc.org.af/2008/April/Rep_eng_Chi_Nov_2007_U_Apr_2008.pdf)

[...] 1.9. The Right to Education

### **c) Access to health**

Afghanistan Independent Human Rights Commission (AIHRC), The General Situation of Children in Afghanistan, 09/04/2008, [Excerpt]  
[http://www.aihrc.org.af/2008/April/Rep\\_eng\\_Chi\\_Nov\\_2007\\_U\\_Apr\\_2008.pdf](http://www.aihrc.org.af/2008/April/Rep_eng_Chi_Nov_2007_U_Apr_2008.pdf)

[...] 1.7. The Right to Health

### **d) Prevalence of trafficking**

US Department of State, 2008 Human Rights Report: Afghanistan, 25/02/2009  
<http://www.state.gov/g/drl/rls/hrrpt/2008/sca/119131.htm>

[...] Section 5 Discrimination, Societal Abuses, and Trafficking in Persons  
[...] Trafficking in Persons

IOM, Child Marriage, Drug Smuggling and Forced Prostitution – An Afghan Trafficking Experience, 04/12/2008  
<http://www.iom.int/jahia/Jahia/media/feature-stories/featureArticleAS/cache/offonce?entryId=20387>

IOM, Trafficking in Persons in Afghanistan: Field Survey Report, June 2008

[http://www.iom.int/jahia/webdav/shared/shared/mainsite/activities/countries/docs/afghanistan/iom\\_report\\_trafficking\\_afghanistan.pdf](http://www.iom.int/jahia/webdav/shared/shared/mainsite/activities/countries/docs/afghanistan/iom_report_trafficking_afghanistan.pdf)

[...] Chapter II Push Factors of Trafficking in Afghanistan

[...] Chapter III Trafficking Trends in Afghanistan

[...] Chapter IV Combating Trafficking

## **e) Prevalence of (forced) child labour**

RAWA, UNICEF: 24 Percent of Afghan Children Aged 7-14 are in Employment, 07/06/2009

<http://www.rawa.org/temp/runews/2009/06/07/unicef-24-percent-of-afghan-children-aged-7-14-are-in-employment.html>

Afghanistan Research and Evaluation Unit, Confronting Child Labour in Afghanistan, May 2009

[http://www.areu.org.af/index.php?option=com\\_docman&task=doc\\_download&gid=669&Itemid=26](http://www.areu.org.af/index.php?option=com_docman&task=doc_download&gid=669&Itemid=26)

IRIN, Child servitude, marriage resemble modern-day slavery, 04/02/2009

<http://www.irinnews.org/Report.aspx?ReportId=82742>

Human Rights Watch, World Report 2009: Afghanistan, 14/01/2009

Source: <http://www.hrw.org/en/node/79295>

[...] Children

International Organization for Migration (IOM), Trafficking in Persons in Afghanistan: Field Survey Report, 12/09/2008

[http://www.iom.int/jahia/webdav/shared/shared/mainsite/activities/countries/docs/afghanistan/iom\\_report\\_trafficking\\_afghanistan.pdf](http://www.iom.int/jahia/webdav/shared/shared/mainsite/activities/countries/docs/afghanistan/iom_report_trafficking_afghanistan.pdf)

[...] 2.4 Poverty

[...] Child labour

Afghanistan Independent Human Rights Commission (AIHRC), The General Situation of Children in Afghanistan, 09/04/2008

[http://www.aihrc.org.af/2008/April/Rep\\_eng\\_Chi\\_Nov\\_2007\\_U\\_Apr\\_2008.pdf](http://www.aihrc.org.af/2008/April/Rep_eng_Chi_Nov_2007_U_Apr_2008.pdf)

[...] 1.10. The Right to Protection against Labour

ILO-IPEC, A rapid assessment on child labour in Kabul: Draft Document, January 2008

<http://www.alticonsulting.com/docs/social-research/Altai%202008%20Child%20Labour%20-%20Kabul.pdf>

[...] 1. Introduction

[...] 1.3 Child labour in Afghanistan: An Overview

United Nations High Commissioner for Refugees (UNHCR), UNHCR's Eligibility Guidelines for Assessing the International Protection Needs of Afghan Asylum-Seekers, 31/12/2007

<http://www.unhcr.org/477d162b2.html>

[...] 6. Unaccompanied children

Immigration and Refugee Board of Canada, Afghanistan: Recruitment by illegal armed groups and other non-state actors for voluntary or forced service and labour, 23/02/2007  
<http://www2.irb-cisr.gc.ca/en/research/rir/?action=record.viewrec&gotorec=450915>  
[...] Forced labour

#### **f) Domestic violence against children**

AREU, Love, Fear and Discipline: everyday violence toward children in Afghan families, 02/08  
<http://www.unhcr.org/refworld/docid/47c3f3cc1a.html>

Afghanistan Independent Human Rights Commission (AIHRC), The General Situation of Children in Afghanistan, 09/04/2008  
[http://www.aihrc.org.af/2008/April/Rep\\_eng\\_Chi\\_Nov\\_2007\\_U\\_Apr\\_2008.pdf](http://www.aihrc.org.af/2008/April/Rep_eng_Chi_Nov_2007_U_Apr_2008.pdf)

[...] 1.5. Domestic Violence against Children

#### **g) Sexual violence against minors**

US Department of State, 2008 Human Rights Report: Afghanistan, 25/02/2009  
<http://www.state.gov/g/drl/rls/hrrpt/2008/sca/119131.htm>

[...] Section 5 Discrimination, Societal Abuses, and Trafficking in Persons  
[...] Children

Human Rights Watch, World Report 2009: Afghanistan, 14/01/2009  
<http://www.hrw.org/en/node/79295>

[...] Children

Radio Free Europe/Radio Liberty, Breaking Taboo, Afghan Director Tackles Subject Of Rape In New Film, 08/01/2009  
[http://www.rferl.org/content/Breaking\\_Taboo\\_Afghan\\_Director\\_Tackles\\_Subject\\_Of\\_Rape\\_In\\_New\\_Film/1367829.html](http://www.rferl.org/content/Breaking_Taboo_Afghan_Director_Tackles_Subject_Of_Rape_In_New_Film/1367829.html)

Integrated Regional Information Networks News (IRIN), Afghanistan: UN calls for more action to protect children, 03/12/2008  
<http://www.alertnet.org/thenews/newsdesk/IRIN/5a3439f9a4268632c0ee2fb3ea62414d.htm>

United Nations, Report of the Secretary-General on children and armed conflict in Afghanistan, 10/11/2008  
<http://daccessdds.un.org/doc/UNDOC/GEN/N08/534/13/PDF/N0853413.pdf?OpenElement>

[...] G. Sexual violence perpetrated against children

International Organization for Migration (IOM), Trafficking in Persons in Afghanistan: Field Survey Report, 12/09/2008  
[http://www.iom.int/jahia/webdav/shared/shared/mainsite/activities/countries/docs/afghanistan/iom\\_report\\_trafficking\\_afghanistan.pdf](http://www.iom.int/jahia/webdav/shared/shared/mainsite/activities/countries/docs/afghanistan/iom_report_trafficking_afghanistan.pdf)

[...] 2.5 Social Practices

[...] Child abuse

Afghanistan Independent Human Rights Commission (AIHRC), The General Situation of Children in Afghanistan, 09/04/2008

[http://www.aihrc.org.af/2008/April/Rep\\_eng\\_Chi\\_Nov\\_2007\\_U\\_Apr\\_2008.pdf](http://www.aihrc.org.af/2008/April/Rep_eng_Chi_Nov_2007_U_Apr_2008.pdf)

[...] 1.5. Domestic Violence against Children

Institute for War and Peace Reporting (UK), The Dancing Boys of the North, 10/10/2007

[http://www.iwpr.net/?p=arr&s=f&o=339770&apc\\_state=henh](http://www.iwpr.net/?p=arr&s=f&o=339770&apc_state=henh)

## **h) Prevalence of 'honour crimes'**

Integrated Regional Information Networks News (IRIN), Afghanistan: Butchered in the name of honour, 08/01/2009

<http://www.irinnews.org/report.aspx?ReportID=82252>

## **i) Prevalence of forced (under-aged) marriage**

Amnesty International, Amnesty International Report 2009: Afghanistan, 28/05/2009

<http://thereport.amnesty.org/en/regions/asia-pacific/afghanistan>

[...] Discrimination and violence against women and girls

US Department of State, 2008 Human Rights Report: Afghanistan, 25/02/2009

<http://www.state.gov/g/drl/rls/hrrpt/2008/sca/119131.htm>

[...] Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

[...] Children

Afghan Women Leaders Connect/Flora Family Foundation/Women and Children Legal Research Foundation (WCLRF), Early Marriage in Afghanistan, 2008

[http://www.wclrf.org.af/English/eng\\_pages/Researches/Early%20Marrige%20with%20cover.pdf](http://www.wclrf.org.af/English/eng_pages/Researches/Early%20Marrige%20with%20cover.pdf)

Afghanistan Independent Human Rights Commission (AIHRC), The General Situation of Children in Afghanistan, 09/04/2008, [Excerpt]

[http://www.aihrc.org.af/2008/April/Rep\\_eng\\_Chi\\_Nov\\_2007\\_U\\_Apr\\_2008.pdf](http://www.aihrc.org.af/2008/April/Rep_eng_Chi_Nov_2007_U_Apr_2008.pdf)

[...] 1.11. Marriage

The Global Fund for Women/Women and Children Legal Research Foundation (WCLRF), A Glance on Running Away from House in Afghanistan, 2006

[http://www.wclrf.org.af/English/eng\\_pages/Researches/Running%20Away%20From%20house.pdf](http://www.wclrf.org.af/English/eng_pages/Researches/Running%20Away%20From%20house.pdf)

[...] Chapter Two

[...] 4. Main factors of running away

Women and Children Legal Research Foundation (WCLRF), Impact of traditional practices on women, 2004

[http://www.wclrf.org.af/English/eng\\_pages/Researches/Impact/itpw.htm](http://www.wclrf.org.af/English/eng_pages/Researches/Impact/itpw.htm)

[...] Second Section

Traditional practices in Afghanistan and its impact to the Women Rights

#### **j) Traditional conflict resolution and the rights of the child**

Institute for War and Peace Reporting (UK), Afghan Girls Suffer for Sins of Male Relatives, 26/03/2009

<http://www.unhcr.org/refworld/topic,4565c22544,4565c25f551,49dc4b201c,0.html>

Women and Children Legal Research Foundation (WCLRF), Impact of traditional practices on women, 2004

[http://www.wclrf.org.af/English/eng\\_pages/Researches/Impact/itpw.htm](http://www.wclrf.org.af/English/eng_pages/Researches/Impact/itpw.htm)

[...] Second Section

Traditional practices in Afghanistan and its impact to the Women Rights

#### **k) Forced recruitment by insurgents & Afghan army**

US Department of State, 2008 Human Rights Report: Afghanistan, 25/02/2009

<http://www.state.gov/g/drl/rls/hrrpt/2008/sca/119131.htm>

[...] g. Use of Excessive Force and Other Abuses in Internal

[...] Child Soldiers

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## **Appendix 9 Iran List of Suggested Sources**

Issues for research as identified by CIC/ RPU

- a) The treatment of Kurds in Iran – discrimination; treatment of Kurdish political and civil society activists
- b) The treatment of members/ supporters of KDPI/ Komala/ PJAK in Iran
- c) The treatment of anti-government activists and dissidents (perceived or actual) in Iran
  - i) Human Rights context
  - ii) Post Election Unrest
  - iii) Penal code provisions, charges for political offences
  - iv) Punishment including implementation, political detainees
  - v) Judicial system, fair trial etc
  - vi) Security Forces

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[http://kiosko.net/eur/2009-06-26/np/int\\_herald\\_tribune.html](http://kiosko.net/eur/2009-06-26/np/int_herald_tribune.html)

Danish Immigration Service, Human Rights Situation for Minorities, Women and Converts, and Entry and Exit Procedures, ID Cards, Summons and Reporting, etc., 30/04/2009  
<http://www.unhcr.org/refworld/type,FACTFINDING,,,49fff6102,0.html>

Iran Human Rights Documentation Center (USA), Covert Terror: Iran's Parallel Intelligence Apparatus, 19/03/2009  
<http://www.iranhrdc.org/httpdocs/English/pdfs/Reports/Covert%20Terror%20Summary%204.24.09.pdf>

## **Appendix 10 Iraq List of Suggested Sources**

Issues for research as identified by CIC/ RIPU

### **a) Perceived Collaborators**

#### **i) Family Members of Perceived Collaborators**

### **b) Information on Ansar Al Sunna**

#### **i) Origins and Ideology**

#### **ii) Affiliates**

#### **iii) Collaboration with Iraqi Central Government**

#### **iv) Strength and Areas of Operation**

#### **v) Activities and Targets of Attacks**

#### **vi) Recent Activity**

### **c) Sunni Insurgent Groups**

### **d) Internal Relocation**

#### **i) 'Relevance Test'**

#### **ii) 'Reasonableness Test'**

## **a) Perceived Collaborators**

Institute for War and Peace Reporting, Insurgents Distrust Displaced Sunni, 13/04/2007

[http://www.iwpr.net/?o=334842&p=icr&s=f&apc\\_state=henatraitor%20OR%20collaborator%20\\_3\\_i\\_cr\\_\\_\\_\\_\\_publish\\_date\\_1\\_10\\_compact](http://www.iwpr.net/?o=334842&p=icr&s=f&apc_state=henatraitor%20OR%20collaborator%20_3_i_cr_____publish_date_1_10_compact)

United Nations High Commissioner for Refugees (UNHCR), UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Iraqi Asylum-Seekers, 27/04/2009

<http://www.unhcr.org/refworld/docid/49f569cf2.html>

[...] VIII. GROUPS AT RISK

[...] E. Iraqis affiliated with the MNF-I or foreign companies

LA Weekly (California), The Undercover Iraqi Asset, 21/05/2009

<http://www.laweekly.com/2009-05-21/news/the-undercover-iraqi-asset/>

United Nations Assistance Mission for Iraq (UNAMI), Human Rights Report, 1 July – 31 December 2008, 29/04/2009

[http://www.uniraq.org/documents/UNAMI\\_Human\\_Rights\\_Report\\_July\\_December\\_2008\\_EN.pdf](http://www.uniraq.org/documents/UNAMI_Human_Rights_Report_July_December_2008_EN.pdf)

[...] Targeted attacks or killings of Iraqi security forces, Government employees and entities, religious figures, professional groups and other civilians

The Sunday Mirror, Our Iraqi help 'left to death squads', 24/08/2008

[http://findarticles.com/p/articles/mi\\_qn4161/is\\_20080824/ai\\_n28038085/](http://findarticles.com/p/articles/mi_qn4161/is_20080824/ai_n28038085/)

The Virginian-Pilot & The Ledger-Star, U.S., Iraqi forces seek to uproot insurgents, 09/01/2008

[www.lexisnexis.co.uk](http://www.lexisnexis.co.uk) [subscription only]

Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD), Country Report: Iraq, 29/11/2007

<http://www.unhcr.org/refworld/docid/474ed53c2.html>

[...] 4.5. Actual or Perceived Sympathizers of the US-Led Invasion and/or the International Military Presence in Iraq / Government Officials and other Persons Associated with the Current Iraqi Government, Administration and Institutions

The Guardian, When night falls, the assassins gather in Hayaniya Square, 17/11/2007

<http://www.guardian.co.uk/uk/2007/nov/17/iraq-middleeast>

## **i) Family Members of Perceived Collaborators**

US Commission on International Religious Freedom, Iraq Report - 2008, 16/12/2008

<http://www.uscirf.gov/images/iraq%20report%20final.pdf>

[...] The Plight of Iraqi Refugees and Internally Displaced Persons  
The Extent and Causes of the Crisis

Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD), Country Report: Iraq, 29/11/2007

<http://www.unhcr.org/refworld/docid/474ed53c2.html>

[...] 4.5. Actual or Perceived Sympathizers of the US-Led Invasion and/or the International Military Presence in Iraq / Government Officials and other Persons Associated with the Current Iraqi Government, Administration and Institutions

The Brookings Institution—University of Bern, Project on Internal Displacement, Sectarian Violence: Radical Groups Drive Internal Displacement in Iraq, October 2006

[http://www.brookings.edu/fp/projects/idp/20061018\\_DisplacementinIraq\\_Khalidi-Tanner.pdf](http://www.brookings.edu/fp/projects/idp/20061018_DisplacementinIraq_Khalidi-Tanner.pdf)

[...] Targeted threats and intimidation

## **b) Information on Ansar Al Sunna**

### **i) Origins and Ideology**

Australian Government, National Security Website's Listing of Terrorism Organisations, Last Modified on 20/03/2009

[http://www.ag.gov.au/agd/WWW/nationalsecurity.nsf/Page/What\\_Governments\\_are\\_doing\\_Listing\\_of\\_Terrorism\\_Organisations\\_Ansar\\_Al-Islam](http://www.ag.gov.au/agd/WWW/nationalsecurity.nsf/Page/What_Governments_are_doing_Listing_of_Terrorism_Organisations_Ansar_Al-Islam)

Ansar al-Sunna

Current status of Ansar al-Sunna

Objectives

Global Security.Org, Military: Jaish Ansar al-Sunna, undated (accessed 20/07/2009)

<http://www.globalsecurity.org/military/world/para/ansar-al-sunna.htm>

Jaish Ansar al-Sunna

US Department of State, Country Reports on Terrorism 2008: Iraq, 30/04/2009

<http://www.state.gov/s/ct/rls/crt/2008/>

ANSAR AL-ISLAM

Middle East Intelligence Bulletin, Ansar Al-Sunna: Iraq's New Terrorist Threat, 14/06/2004

[http://www.aei.org/publications/pubID.20691,filter.all/pub\\_detail.asp](http://www.aei.org/publications/pubID.20691,filter.all/pub_detail.asp)

Ideology and Structure

### **ii) Affiliates**

Australian Government, National Security Website's Listing of Terrorism Organisations, Last Modified on 20/03/2009

[http://www.ag.gov.au/agd/WWW/nationalsecurity.nsf/Page/What\\_Governments\\_are\\_doing\\_Listing\\_of\\_Terrorism\\_Organisations\\_Ansar\\_Al-Islam](http://www.ag.gov.au/agd/WWW/nationalsecurity.nsf/Page/What_Governments_are_doing_Listing_of_Terrorism_Organisations_Ansar_Al-Islam)

US Department of State, Country Reports on Terrorism 2008: Iraq, 30/04/2009  
<http://www.state.gov/s/ct/rls/crt/2008/>

UPI, Salafists behind assassinations, Iran says, 18/09/2009  
[www.lexisnexis.co.uk](http://www.lexisnexis.co.uk) [subscription only]

Xinhua General News Service, Anti-Qaida leader warns of new Qaida regrouping in Iraq, 25/03/2009  
<http://www.highbeam.com/doc/1P2-20047890.html>

Associated Press Worldstream, Six Iraqi insurgent groups announce formation of a "political council" to liberate Iraq, 11/10/2007  
<http://www.informationclearinghouse.info/article18535.htm>

NPR, Rift Appears Among Iraq Insurgent Groups, 14/05/2007  
<http://www.npr.org/templates/story/story.php?storyId=10165581>

### **iii) Collaboration with Iraq Central Government**

Radio Free Europe, Iraq Seizes Sunni Insurgent Leader, 11/01/2009  
[http://www.rferl.org/content/Iraq\\_Seizes\\_Sunni\\_Insurgent\\_Leader/1368747.html](http://www.rferl.org/content/Iraq_Seizes_Sunni_Insurgent_Leader/1368747.html)

### **iv) Strength and Areas of Operation**

Australian Government, National Security Website's Listing of Terrorism Organisations, Last Modified on 20/03/2009  
[http://www.ag.gov.au/agd/WWW/nationalsecurity.nsf/Page/What\\_Governments\\_are\\_doing\\_Listin\\_g\\_of\\_Terrorism\\_Organisations\\_Ansar\\_Al-Islam](http://www.ag.gov.au/agd/WWW/nationalsecurity.nsf/Page/What_Governments_are_doing_Listin_g_of_Terrorism_Organisations_Ansar_Al-Islam)

US Department of State, Country Reports on Terrorism 2008: Iraq, 30/04/2009  
<http://www.state.gov/s/ct/rls/crt/2008/>

Strength  
Location/Area of Operation

UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Iraqi Asylum-Seekers, April 2009  
<http://www.unhcr.org/refworld/docid/49f569cf2.html>

J. Security in the three Northern Governorates

US Congressional Research Service, Al Qaeda in Iraq: Assessment and Outside Links, 15/08/2008  
<http://fas.org/sgp/crs/terror/RL32217.pdf>

### **v) Activities and Targets of Attacks**

Global Security.Org, Military: Jaish Ansar al-Sunna, undated (accessed 20/07/2009)  
<http://www.globalsecurity.org/military/world/para/ansar-al-sunna.htm>

US Department of State, Country Reports on Terrorism 2008: Iraq, 30/04/2009

<http://www.state.gov/s/ct/rls/crt/2008/>

Australian Government, National Security Website's Listing of Terrorism Organisations, Last Modified on 20/03/2009

[http://www.ag.gov.au/agd/WWW/nationalsecurity.nsf/Page/What\\_Governments\\_are\\_doing\\_Listing\\_of\\_Terrorism\\_Organisations\\_Ansar\\_Al-Islam](http://www.ag.gov.au/agd/WWW/nationalsecurity.nsf/Page/What_Governments_are_doing_Listing_of_Terrorism_Organisations_Ansar_Al-Islam)

Targets, Methodology and Funding

UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Iraqi Asylum-Seekers, April 2009

<http://www.unhcr.org/refworld/docid/49f569cf2.html>

#### **vi) Recent Activity**

BBC Monitoring Middle East – Political Supplied by BBC Worldwide Monitoring, Al-Jazeera TV airs video by group claiming sniper attack on US officer in Iraq, 08/11/2009

[www.lexisnexis.co.uk](http://www.lexisnexis.co.uk) [subscription only]

BBC Monitoring Middle East – Political Supplied by BBC Worldwide Monitoring, Iraqi Kurdish press highlights 27/10/2009

[www.lexisnexis.co.uk](http://www.lexisnexis.co.uk) [subscription only]

BBC Monitoring Middle East – Political Supplied by BBC Worldwide Monitoring, Arms cache seized, two suspects arrested in Iraqi Kurdish Arbil, 17/09/2009

[www.lexisnexis.co.uk](http://www.lexisnexis.co.uk) [subscription only]

Aswat al-Iraq, AQI operative killed, aide wounded in clashes in Kirkuk, 13/09/2009

[www.lexisnexis.co.uk](http://www.lexisnexis.co.uk) [subscription only]

BBC Monitoring Middle East – Political Supplied by BBC Worldwide Monitoring, Ansar al-Sunnah claims attack on US military vehicle in Iraq, 23/08/2009

[www.lexisnexis.co.uk](http://www.lexisnexis.co.uk) [subscription only]

#### **c) Sunni Insurgent Groups**

Australian Government, National Security Website's Listing of Terrorism Organisations

<http://www.ag.gov.au/agd/www/nationalsecurity.nsf/AllDocs/95FB057CA3DECF30CA256FAB001F7FBD?OpenDocument>

Global Security

<http://www.globalsecurity.org/>

This source refers to itself as "like a library or most large databases, this website contains information of variable quality from quite diverse sources." It doesn't make its affiliations clear on its website, so should be used with caution. It is useful in that it references reputable sources and provides useful links.

US Department of State, Country Reports on Terrorism 2008: Iraq, 30/04/2009

<http://www.state.gov/s/ct/rls/crt/2008/>

UNHCR, UNHCR Eligibility Guidelines for Assessing the International Protection Needs of Iraqi Asylum-Seekers, 27/04/2009  
[http://www.unhcr.se/Pdf/Positionpaper\\_2009/Iraq\\_UNHCR\\_eligibility\\_guidelines.pdf](http://www.unhcr.se/Pdf/Positionpaper_2009/Iraq_UNHCR_eligibility_guidelines.pdf)

US Congressional Research Service  
<http://fpc.state.gov/>

The NEFA Foundation, State of the Sunni Insurgency in Iraq: 2008, Undated  
<http://www1.nefafoundation.org/miscellaneous/nefainsurgencychart0308.pdf>

Multi-National Force – Iraq, The Insurgency, 30/04/2009  
[http://www.mnf-iraq.com/index.php?option=com\\_content&task=view&id=729&Itemid=45](http://www.mnf-iraq.com/index.php?option=com_content&task=view&id=729&Itemid=45)

BBC, Guide: Armed groups in Iraq, 15/08/2006  
[http://news.bbc.co.uk/1/hi/world/middle\\_east/4268904.stm](http://news.bbc.co.uk/1/hi/world/middle_east/4268904.stm)

Foreign Policy, The List: The Future of the Insurgency, June 2006  
[http://www.foreignpolicy.com/story/cms.php?story\\_id=3517](http://www.foreignpolicy.com/story/cms.php?story_id=3517)

Radio Free Europe/Radio Liberty, A Survey of Armed Groups in Iraq, 04/06/2004, Volume 7, Number 20  
<http://www.globalsecurity.org/wmd/library/news/iraq/2004/06/20-040604.htm>

#### **d) Internal Relocation**

##### **i) 'Relevance Test'**

##### Useful Sources on Existence of Checkpoints

Refugees International, Iraq: Preventing the Point of No Return, 09/04/2009  
<http://www.refugeesinternational.org/policy/field-report/iraq-preventing-point-no-return>

UNHCR, Eligibility Guidelines for Assessing the International Protection Needs of Iraqi Asylum Seekers, April 2009, para. 98  
<http://www.unhcr.org/refworld/docid/49f569cf2.html>

The New York Times, Checkpoints Through Iraq's Checkerboard, 03/10/2008  
<http://baghdadbureau.blogs.nytimes.com/2008/10/03/driving-through-iraq-to-samarra/>

The New York City Independent Media Centre, Iraq Checkpoint Killings Unchecked, 23/03/2005  
<http://www.commondreams.org/views05/0323-35.htm>

The Christian Science Monitor, What Iraq's checkpoints are like, 07/03/2005  
<http://www.csmonitor.com/2005/0307/p01s04-woiq.html>

##### Useful Sources on Governorate Entry Requirements

UNHCR, Eligibility Guidelines for Assessing the International Protection Needs of Iraqi Asylum Seekers, April 2009



<http://www.unhcr.org/refworld/docid/49f569cf2.html>

These Eligibility Guidelines identify the entry requirements for each governorate and have a non-exhaustive list of those persons who are likely to be denied entry to the KRI.

1. IFA/IRA in the Central and Southern Governorates
  - a. Relevance analysis
2. IFA/IRA in the three Northern Governorates of Dahuk, Erbil and Sulaymaniyah  
Relevance Analysis
3. IFA/IRA within the three Northern Governorates for Iraqis who originate from these Governorates

IOM, Emergency Needs Assessments Three Years of Post-Samarra Displacement in Iraq, 22/02/2009  
[http://www.iom.int/jahia/webdav/shared/shared/mainsite/published\\_docs/studies\\_and\\_reports/iom\\_displacement\\_report\\_post\\_samarra.pdf](http://www.iom.int/jahia/webdav/shared/shared/mainsite/published_docs/studies_and_reports/iom_displacement_report_post_samarra.pdf)

IDP 2008 IOM Iraq Governorate Profiles  
<http://www.iom-iraq.net/library.html>

Danish Immigration Service, Security and Human Rights Issues in Kurdistan Region of Iraq (KRI), and South/Central Iraq (S/C Iraq) - Report from the Danish Immigration Service's (DIS), the Danish Refugee Council's (DRC) and Landinfo's joint fact finding mission to Erbil and Sulaymaniyah, KRI; and Amman, Jordan, 6 to 23 March 2009, 03/07/2009  
<http://www.nyidanmark.dk/NR/rdonlyres/5EAE4A3C-B13E-4D7F-99D6-8F62EA3B2888/0/Iraqreport09FINAL.pdf>

#### Useful Sources on Security Indicators

Brookings Institution  
<http://www.brookings.edu/topics/iraq.aspx>

International Crisis Group:  
<http://www.crisisgroup.org/home/index.cfm?id=2436&l=1>

Institute for War and Peace Reporting, Iraq pages  
[http://www.iwpr.net/?apc\\_state=henh&s=p&p=icr&o=-](http://www.iwpr.net/?apc_state=henh&s=p&p=icr&o=-)

Inter Press Service News, Iraq pages  
[http://ipsnews.net/new\\_focus/iraq/index.asp](http://ipsnews.net/new_focus/iraq/index.asp)

Radio Free Europe/ Radio Liberty  
<http://www.rferl.org/section/Iraq/157.html>

Iraq Daily  
<http://wn.com/Iraq/>

Al Jazeera Middle East  
<http://english.aljazeera.net/news/middleeast/>

Aswat Al-Iraq (has news reports by governorate)  
<http://en.aswataliraq.info/?p=116393>

BBC, Struggle for Iraq

[http://news.bbc.co.uk/1/hi/in\\_depth/middle\\_east/2002/conflict\\_with\\_iraq/default.stm](http://news.bbc.co.uk/1/hi/in_depth/middle_east/2002/conflict_with_iraq/default.stm)

Newsweek, Checkpoint Baghdad

<http://blog.newsweek.com/blogs/checkpointbaghdad/archive/2009/04/24/iraq-bombings-threaten-to-renew-chaos.aspx>

The New York Times, Baghdad Bureau

<http://baghdadbureau.blogs.nytimes.com/>

## ii) 'Reasonableness Test'

Useful source that details trends in the ethnic composition of IDPs on the governorate level:

IOM, Emergency Needs Assessments Three Years of Post-Samarra Displacement in Iraq, 22/02/2009

[http://www.iom.int/jahia/webdav/shared/shared/mainsite/published\\_docs/studies\\_and\\_reports/iom\\_displacement\\_report\\_post\\_samarra.pdf](http://www.iom.int/jahia/webdav/shared/shared/mainsite/published_docs/studies_and_reports/iom_displacement_report_post_samarra.pdf)

For comprehensive sources that address various aspects of economic survival see:

Inter Agency Information and Analysis Unit, Governorate Profiles, April 2009

<http://www.iauiraq.org/reports.asp>

These give an overview of the displacement demographics and number of returns in each governorate, male and female employment participation, and selected indicators on: poverty, education, food, health, water and electricity access.

IDP 2008 IOM Iraq Governorate Profiles

<http://www.iom-iraq.net/library.html>

These profiles include an overview of 'Emergency Assessment and Needs' by governorate which includes: security vulnerabilities; women and children; shelter; evictions; food/ Public Distribution System; water and sanitation; fuel and electricity; healthcare; education; employment; property issues; documentation; humanitarian assistance received and top priority needs.

UNHCR, Eligibility Guidelines for Assessing the International Protection Needs of Iraqi Asylum Seekers, April 2009

<http://www.unhcr.org/refworld/docid/49f569cf2.html>

1. IFA/IRA in the Central and Southern Governorates

b. Reasonableness analysis

Section 2. IFA/IRA in the three Northern Governorates of Dahuk, Erbil and Sulaymaniyah

b. Reasonableness analysis

## Useful Sources on Humanitarian Situation

Relief Web- Iraq pages

<http://www.reliefweb.int/rw/dbc.nsf/doc108?OpenForm&emid=ACOS-635P5D>

IRIN News- Iraq pages

<http://www.irinnews.org/ME-Country.aspx?Country=IQ>

ICRC Iraq

[http://www.icrc.org/Web/Eng/siteeng0.nsf/htmlall/special\\_iraq](http://www.icrc.org/Web/Eng/siteeng0.nsf/htmlall/special_iraq)

IPS News, Still Homeless in Iraq, 19/02/2009

<http://ipsnews.net/news.asp?idnews=45812>

Al Jazeera, Poverty Drives Organ Trade, 20/07/2009

<http://english.aljazeera.net/news/middleeast/2009/07/200972052636416787.html>

IDMC Iraq

[http://www.internal-](http://www.internal-displacement.org/8025708F004CE90B/(httpCountries)/718916EEB6743EEF802570A7004CB9B9?OpenDocument)

[displacement.org/8025708F004CE90B/\(httpCountries\)/718916EEB6743EEF802570A7004CB9B9?OpenDocument](http://www.internal-displacement.org/8025708F004CE90B/(httpCountries)/718916EEB6743EEF802570A7004CB9B9?OpenDocument)

Refugees International- Iraq page

<http://www.refugeesinternational.org/where-we-work/middle-east/iraq>

## **Appendix 11 Zimbabwe List of Useful Sources**

Issues for research as identified by CIC/ RPU

a) Pre July 2009

- i) Availability of ARVs
- ii) Stigma Against PLWHA
- iii) Women and Children
- iv) Collapse of the Health Service
- v) Cholera
- vi) Income

b) Post July 2009- December 2009

- i) Availability of ARVs
- ii) Politicised Access to Medication
- iii) Stigma Against PLWHA
- iv) Women and Children
- v) Collapse of the Health Service
- vi) Cholera
- vii) Income

## **a) Pre July 2009**

### **i) Availability of ARVs**

PlusNews (IRIN), Zimbabwe: Doctors and ARVs in short supply, 07/07/2009  
<http://www.plusnews.org/report.aspx?ReportId=85166>

International Treatment Preparedness Coalition (ITPC), Missing the Target No 7 - Women, Failing Children: HIV, Vertical Transmission and Women's Health (Zimbabwe excerpt), 15/05/2009  
[http://www.aidstreatmentaccess.org/mtt7\\_final.pdf](http://www.aidstreatmentaccess.org/mtt7_final.pdf)

PlusNews (IRIN), Zimbabwe: The long road to recovery, 11/05/2009  
<http://www.plusnews.org/report.aspx?ReportId=84331>

The Zimbabwe Standard, Aids Activists Bemoan Lack of Resources, 07/03/2009  
<http://www.thestandard.co.zw/local/19880-aids-activists-bemoan-lack-of-resources.pdf>

Physicians for Human Rights (USA), Health in Ruins: A Man-Made Disaster in Zimbabwe, 13/01/2009  
<http://physiciansforhumanrights.org/library/documents/reports/2009-health-in-ruins-zim-full.pdf>

>> Current Health Crisis: HIV/AIDS  
> Antiretroviral drug access  
> Impact on HIV/AIDS

International Treatment Preparedness Coalition (ITPC), Missing the Target No 7 - Women, Failing Children: HIV, Vertical Transmission and Women's Health (Zimbabwe excerpt), 15/05/2009  
[http://www.aidstreatmentaccess.org/mtt7\\_final.pdf](http://www.aidstreatmentaccess.org/mtt7_final.pdf)

> Barriers to Comprehensive Service Delivery

### **ii) Stigma Against PLWHA**

International Treatment Preparedness Coalition (ITPC), Missing the Target No 7 - Women, Failing Children: HIV, Vertical Transmission and Women's Health (Zimbabwe excerpt), 15/05/2009  
[http://www.aidstreatmentaccess.org/mtt7\\_final.pdf](http://www.aidstreatmentaccess.org/mtt7_final.pdf)

> 5. IMPACT OF VIOLENCE AND STIGMA

Harare Tribune, Police brutality in Zimbabwe continues unchecked, HIV patients beaten, 02/04/2009  
[http://www.zimbabwesituation.com/apr3\\_2009.html#Z6](http://www.zimbabwesituation.com/apr3_2009.html#Z6)

Médecins Sans Frontières, VOICES FROM THE FIELD: Listening to HIV-positive kids in Zimbabwe, 23/10/2008  
[http://www.msf.org.uk/articledetail.aspx?fld=listening\\_to\\_hiv\\_poitive\\_kids\\_in\\_zimbabwe\\_20081028](http://www.msf.org.uk/articledetail.aspx?fld=listening_to_hiv_poitive_kids_in_zimbabwe_20081028)

### **iii) Women and Children**

International Treatment Preparedness Coalition (ITPC), Missing the Target No 7 - Women, Failing Children: HIV, Vertical Transmission and Women's Health (Zimbabwe excerpt), 15/05/2009

[http://www.aidstreatmentaccess.org/mtt7\\_final.pdf](http://www.aidstreatmentaccess.org/mtt7_final.pdf)

> 2. STATUS OF SERVICE DELIVERY AMONG AND FOR WOMEN  
PREVENTION OF HIV TRANSMISSION FROM MOTHER-TO-CHILD  
CARE AND SUPPORT FOR WOMEN, THEIR CHILDREN AND THEIR PARTNERS

### **iv) Collapse of the Health Service**

Catholic Agency for Overseas Development (CAFOD), Zimbabwe: Be careful of false impressions, 02/07/2009

<http://www.cafod.org.uk/about-us/what-we-do/emergencies/appeals/zimbabwe-crisis/zimbabwe-2009-07-02>

Plus News, ZIMBABWE: Health crisis whacks TB efforts, 24/03/2009

<http://www.plusnews.org/Report.aspx?ReportId=83603>

Physicians for Human Rights (USA), Health in Ruins: A Man-Made Disaster in Zimbabwe, 13/01/2009

<http://physiciansforhumanrights.org/library/documents/reports/2009-health-in-ruins-zim-full.pdf>

» Public health system collapse

› Healthcare and healthcare delivery

As of December 2008, there were no functioning critical care beds in the public sector in Zimbabwe. The

› Limits to access: affordability, transportation, closures

› Essential medicines and supplies

› Health information and suppression

› Health workforce

› Access to medications and medical supplies

» Public versus private healthcare

There are marked urban-rural disparities in healthcare access in Zimbabwe, and these have

› Private-sector user fees

› Ambulance fees

» Role of NGOs in healthcare delivery

Plus News, ZIMBABWE: Health system in crisis, 25/11/2008

<http://www.plusnews.org/Report.aspx?ReportId=81646>

### **v) Cholera**

IRIN, ZIMBABWE: Another round of cholera expected, 08/07/2009

<http://www.irinnews.org/Report.aspx?ReportId=85186>

Voice of America News, Zimbabwe Official Cholera Cases Expected to Reach 100,000, 26/05/2009

<http://www.newspaperstoday.com/health/zimbabwe-official-cholera-cases-expected-to-reach-100000>

## **vi) Income**

Catholic Agency for Overseas Development (CAFOD), Zimbabwe: Be careful of false impressions, 02/07/2009

<http://www.cafod.org.uk/about-us/what-we-do/emergencies/appeals/zimbabwe-crisis/zimbabwe-2009-07-02>

AFP, Zimbabwe stores full again, with food for the rich, 16/06/2009

[http://www.zimbabwesituation.com/jun17\\_2009.html](http://www.zimbabwesituation.com/jun17_2009.html)

The Zimbabwean, Consumer prices on the rise, 13/05/2009

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