



AUSTRIAN RED CROSS

ACCORD

Austrian Center for Country of Origin
and Asylum Research and Documentation

COI Network & Training

in cooperation with

Dutch Refugee Council
Informationsverbund Asyl
Refugee Documentation Centre Ireland
Refugee Legal Centre

RESEARCHING COUNTRY OF ORIGIN INFORMATION A TRAINING MANUAL

in cooperation with
ETC European Training Centre
for Human Rights and Democracy



PART I: TEXTBOOK
ANNEX: SOURCE DESCRIPTIONS – NAVIGATION GUIDES



co-funded by the European Refugee Fund Community Action 2003

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Practical exercises were suggested by COI research staff of all COI Network & Training Project Partners.

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The manual and exercises may be freely used as material in COI training sessions, as long as Austrian Red Cross/ACCORD and COI Network & Training are credited for the content.

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Background on COI Network & Training

The project "COI Network & Training", co-funded by the European Refugee Fund Community Action 2003, was conducted under the lead of the Austrian Red Cross/ACCORD, in cooperation with the Dutch Refugee Council, the Informationsverbund Asyl, the Refugee Documentation Centre Ireland, and the Refugee Legal Centre.

The objectives of the project included:

- Building a transnational network in the field of country of origin information, focusing on activities of refugee counselling NGOs, asylum lawyers and non-governmental COI units;
- Identifying, evaluating and recommending possible fields of cooperation and/or centralization between COI centres;
- Harmonizing COI standards within refugee counselling NGOs and COI units in the EU through the exchange of good practices and the development of a common COI training approach; and
- Publishing a COI training manual.

A summary report on the findings of the exchange visits and consultation meetings was published in June 2004.

The training manual and practical exercises were drafted by ACCORD in cooperation with ETC (European Training Centre on Human Rights and Democracy), affiliated with the University of Graz. Drafts were shared and discussed between project partners and consultants from UNHCR, ECRE and the Hungarian Helsinki Committee.

From 25-26 June 2004, 30 COI researchers and legal advisers from NGOs in EU member states participated in a training test run. The training programme was revised based on the accumulated experiences and recommendations.

ACCORD would like to warmly thank everyone involved in the production of this manual: project partners and consultants as well as friends and colleagues who dedicated their spare time to read and re-read drafts of the manual. Special thanks are due to the team at ETC and the participants in the training test run as well as to the European Commission for funding and supporting the project. We thank Sophie Pedersen for editing and Matthias Köhler for final layout.

The COI Network & Training Project Partners plan a follow-up in 2005, with a number of new partners in the old and new EU member states, in order to further test and fine-tune the training programme. Feedback on your experiences with the textbook and the practical exercises is very welcome.

If you wish to receive further information on COI Network & Training and on how to conduct COI trainings, please contact ACCORD at accord@redcross.at or the COI Network & Training partner in your country.

We look forward to cooperating with COI researchers throughout the European Union and its neighbouring countries in improving the training programme in the years to come!

Bettina Scholdan & Robert Kogler, ACCORD, on behalf of COI Network & Training

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Introduction

INTRODUCTION

INTRODUCTION

The present manual on Country of Origin Information (COI) outlines the role and relevance of COI in the refugee status determination procedure (RSD procedure) and presents quality standards for COI research. It provides information on COI sources and exercises for practical COI research.

What is country of origin information?

Country of origin information (COI) is used in procedures that assess claims of individuals to refugee status or other forms of international protection. It should help to answer questions by decision-makers and legal advisers about the political, social, cultural, economic and human rights situation as well as the humanitarian situation in countries of origin.

The editors of the manual have a broad understanding of country of origin information, both in its scope as well as in possible types of sources. Scope and limits of COI will be discussed in the Basic Module: Role of Country of Origin Information. For the practical part of the training programme, the focus will be on publicly available COI as documentary evidence for RSD procedures. "Publicly available" in this context means information that can be gathered by anyone involved in COI during research – human rights reports, newspapers and media reports, academic books and journals, as well as opinions by country experts. While refugee testimonies also constitute country of origin information, they are subject to very individual assessment, and for reasons of confidentiality, will often not be publicly available.

Objectives

The COI Training programme presents background information and practical exercises enabling persons working with COI to:

- understand basic principles of the refugee status determination (RSD) procedure;
- understand the role of COI in the context of RSD;
- apply quality standards in COI research;
- identify and select relevant and reliable sources and information;
- conduct efficient and creative research; and
- administrate and document research results according to quality control standards.

The manual can be used as training material for COI researchers and users (lawyers as well as decision-makers), partly for self-study, partly in moderated training sessions. The guiding question is: How to conduct research which results in **relevant, reliable and balanced, accurate and up-to-date** information, and how to make the research process **transparent** to the users of the information?

Target Groups

The training programme is aimed at persons involved with research and use of COI in the course of determining refugee status or other forms of international protection. While these persons perform different roles and functions in national asylum procedures, the present manual addresses them all with regard to their role as COI researchers and users.

We distinguish between target groups researching and producing COI on demand and as their primary work output and target groups using COI as an input for further processing in decision-making and legal representation. Depending on the availability of specialized COI units in a national asylum system, the latter may have to conduct COI research in addition to

the work done by professional COI researchers. While the level of knowledge, skills and motivation may vary between these groups, all need an understanding of the role of COI and basic research skills in order to fulfil standard requirements of high quality COI.

For easy reference the following terms will be used to designate the various target groups:

| | |
|-------------------------|--|
| Applicant: | a person having submitted a claim for refugee status or other forms of international protection |
| Legal adviser: | NGO staff or lawyer providing legal assistance to an applicant |
| Decision-makers: | officials at first instance and appeal's instances deciding on applicants' claims (admissibility procedure, merits procedure, review, border police, immigration officers, eligibility officers, magistrates/judges) |
| COI users: | any member of the above groups |
| COI researcher: | staff member of a COI unit explicitly not involved in legal assistance or decision-making |

The present manual is not a legal guideline for decision-makers or legal advisers in the refugee status determination procedure. Where reference to principles of refugee law and jurisprudence is made, it serves to highlight the role and function of the factual evidence of COI in the asylum procedure. COI research needs to be conducted along with questions that are informed by legal issues arising during refugee status determination; it must not replace the function of the decision-making body to weigh the evidence and to draw legal conclusions, nor may it replace the function of the legal adviser of an asylum-seeker to find and present legal arguments supportive of his or her client's claim.

There is thus a clear division of labour between COI researchers and COI users.

| | |
|-------------------------------------|--|
| Finding information: | The function of the COI researcher is to provide relevant, reliable, balanced, accurate and verifiable, as well as transparent, country of origin information. |
| Persuading with information: | The legal adviser uses available country of origin information to secure the best outcome for his or her client. |
| Finding facts: | It is the function of the refugee status determination authority to weigh the evidence, establish facts and draw legal conclusions. |

Issues of refugee law and international human rights law serve as a necessary background to high quality, relevant and case-specific COI. COI researchers will be enabled to identify legally relevant COI. Legal advisers and decision-makers will be enabled to relate country of origin information provided by COI units to the legal assessment before them and formulate questions for further COI research that will produce legally relevant country of origin information.

Where COI users are at the same time COI researchers (e.g. because there is no separate COI Unit in a national asylum system), COI users should be aware that finding information precedes the selection of evidence that is advantageous for a client as well as the weighing of evidence and establishment of facts that is part of the decision-makers' duties.

Therefore all target groups have to acquire skills needed to formulate questions, conduct research, assess sources and identify relevant information under time pressure. COI users

should be aware of the quality standards COI researchers adhere to, in order to understand the scope and limits of their work as well as to assess the quality of their work.

Methodology: the research and training cycle

The training programme provides a systematic approach to COI research and methodology. The chapters of the manual and the modules of the training programme are organized along the lines of COI quality standards derived from literature and a number of consultations within the COI Network & Training project. (See Basic Module.)

The present textbook (Part I) is designed for participants in training sessions to either prepare for training or to review and expand on training content. The training programme is split into 5 clearly specified modules. These modules present the theoretical background necessary to conduct practical research with an understanding of the responsibility of COI research and the need for COI quality standards as well as a methodology and tips & tricks for COI research.

Part II contains trainer instructions, including practical exercises and case studies for different skill levels and training needs, recommended teaching methods and material as well as suggested timetables. The trainer instructions are based on practical experience, which the COI Network & Training partners gained during several years of COI research training, as well as during a test run for the training programme, conducted in June 2004. However, training methodology and style as well as usefulness of the exercises and timetables both depend on the trainer as well as on the needs of the particular group that is to be trained, and should be adapted where needed.

Each exercise corresponds to one or several learning objectives of the 5 modules. The training cycle consists of the following steps:

- understanding the objectives of the training/individual exercise
- involvement with the exercise and brainstorming/discussion
- practical research
- reviewing lessons learnt and relating them to previously defined COI standards

In order to create a hands-on atmosphere closely related to the working practice of COI researchers and users, the training programme is organized along 3 case studies, adaptable for 3 skill levels. These case studies represent a full COI research cycle – from the testimony of the applicant to the presentation of research results. The research cycle moves along the steps of COI research as presented in Modules A-D, and thus also represents a complete training cycle.

Leading up to the case studies, a number of short research exercises and brainstorming or discussion exercises have been developed in order to develop theoretical issues and build practical skills. The combination of thematic modules and practical work for different skill levels enables the content to be adapted and conveys the key messages to all the different target groups, according to their specific knowledge, skills and professional needs.

Structure of the manual

The COI Training Manual is divided into three parts:

Part I follows a textbook approach with reading material for participants in training sessions or, to the extent that the manual covers theoretical ground, self-study. It also provides basic information for COI trainers.

The Annex to Part I offers material in support of COI research: assessment of core sources, navigation guides, Internet search and a list of references for further reading material.

Part II: Trainer instructions will be made available to COI trainers upon request. It offers suggestions for practical exercises corresponding to the learning objectives outlined in the 4 modules, case studies for different skill levels and solution sheets for research exercises. Indication of timeframes and sample agendas are intended to help with the preparation of COI training sessions.

Structure of the training programme

The training programme is structured in a basic module and 3 sequential core modules targeting COI researchers and users as well as 2 optional modules targeting COI researchers.

The **Optional Module Refugee Law and complementary protection** introduces COI researchers to the basic legal instruments governing refugee status determination.

The **Basic Module** introduces the reader to the role of country of origin information within the asylum procedure.

The following **Modules A-D** are built upon the key criteria for high quality COI presented in the Basic Module: Established Standards of COI – Relevance, Reliability and Balance, Accuracy & Currency and Transparency.

Ensuring that COI is relevant will be discussed in

Module A: Identifying legally relevant country of origin information

Ensuring that COI is reliable and balanced will be discussed in

Module B: Knowledge and assessment of sources

Ensuring that COI is accurate (corroborated and objectively researched) and up-to-date will be discussed in

Module C: Research skills & strategies

Ensuring that COI is transparent (verifiable and reusable) will be discussed in

Optional Module D: Presentation and documentation of research results

When used as a sequence of training sessions, Modules A-D represent a complete research and training cycle. In order to successfully conduct research, a number of research skills need to be acquired through practical exercises that form part of the training programme. (See Part II - Trainer instructions.)

Refugee Law and Complementary Protection

OPTIONAL MODULE

OPTIONAL MODULE

REFUGEE LAW AND COMPLEMENTARY PROTECTION

Country of origin information is a very distinct field of human rights research that is inextricably linked to the legal and procedural aspects of refugee status determination. COI researchers, however, often have no or very little training in refugee law and international human rights law. The following introduction intends to give a basic overview of the Geneva Refugee Convention and international human rights instruments related to the protection of individuals from persecution and other forms of serious harm. The optional module can also be used as a reference tool whenever questions of international refugee law arise during the training.

It seemed useful to the editors of this manual to focus on UNHCR guidelines, the jurisprudence of the European Court of Human Rights and the Committee against Torture, as well as the EU Asylum Directives, as these legal instruments constitute a general framework for refugee status determination in the European Union, even if they are not always consistent with each other.

Furthermore, country of origin information research will work within the parameters of national laws and jurisprudence that again may differ from either the EU Directives or UNHCR Guidelines. It is beyond the scope of this manual to give a detailed overview of national jurisprudences. The references for further reading include literature and case law that might be used for a better understanding of the evolution of international and national jurisprudence on refugee and complementary protection. COI researchers are well advised to regularly consult compilations or newsletters of important refugee law jurisprudence in their national jurisdictions in order to understand the legal concepts and requirements guiding some of the research issues submitted to them.

This manual is not, and does not purport to be, a course in international refugee law. There are a number of institutes offering introductions to refugee law and several of them offer online introductions, curricula or distant learning courses.

Those interested in learning more about the development of international refugee and human rights law may refer to the bibliography at the end of this manual or enquire about one of the refugee law courses regularly held in EU member states.

For an overview of refugee law courses see:

LARC – Legal Assistance through Refugee Law Clinics <http://www.larc.info/r1.html>

The Refugee Law Reader (<http://www.refugeelawreader.org>) offers background reading and teaching material for a university curriculum

Human Rights Education Associates (<http://www.hrea.org/learn/tutorials/refugees/index.html>) offer a tutorial on The Rights of Refugees and Displaced Persons

The ELENA Network of ECRE (European Council for Refugees and Exiles) organizes introductory and specialized courses in international refugee law 2–3 times a year.

OBJECTIVES

At the end of this session, participants will be able to:

- Name important legal instruments governing refugee law in the European Union
- Explain the definition of a refugee under the Geneva Refugee Convention
- Explain the different requirements for refugee status and subsidiary protection status
- Explain the prohibition of refoulement

Target group: COI researchers without or very little prior training in refugee law

Basic Legal Instruments

Individuals leave their countries of origin for a number of reasons. Some of these reasons may give rise to protection in their host countries under international refugee law or other forms of international protection. If a person meets the criteria of the Geneva Refugee Convention, he or she is a refugee. If someone is not a refugee, the competent authorities in the host country have to assess whether he or she would qualify for a protected status under other legal instruments, such as the European Convention on Human Rights or national laws providing for protection on humanitarian grounds (e.g. need for medical treatment or a civil war situation). This latter form of protection is commonly referred to as “complementary” or “subsidiary” protection. Usually, the legal status given under complementary protection in the host country is less comprehensive than the rights granted to Convention refugees and often subject to review after a short time period.

There are a number of international legal instruments that deal with the issue of refugee protection or other forms of protection. In the European Union, the general (normative) framework is comprised of the following instruments:

- the 1951 Geneva Refugee Convention (and 1967 Protocol)
- the 1950 European Convention on Human Rights and Fundamental Freedoms (ECHR)
- the 1984 UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)
- EU Directives:
 - EU Asylum Qualification Directive: Council of the European Union: Directive 2004/83/EC of 29 April 2004 on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted, published 30 September 2004;
 - EU Asylum Procedures Directive: EU Commission: Council of the European Union: Directive on minimum standards on procedures in Member States for granting and withdrawing refugee status, published 3 January 2006.

On a national level, these legal instruments are implemented in national laws and jurisprudence. While it is beyond the scope of this manual to take into account national laws and case law as diverse as it is within the European Union, COI research is conducted within the framework of national legislation and jurisprudence. This should be considered by trainers preparing material for training sessions.

The most basic form of protection common to all these legal instruments is the *notion of non-refoulement* that protects an individual considered to be in need of protection against return to the country of origin. (“Refouler” means “forcibly return”).

Protection of refugees

The 1951 Geneva Refugee Convention

Available online at: http://www.unhcr.ch/html/menu3/b/o_c_ref.htm

The 1951 Convention relating to the Status of Refugees is the cornerstone of the international refugee protection regime. It defines who is a refugee and the minimum standards according to which refugees should be treated, including the all important prohibition against *refoulement*.

Article 1.A (2) of the Refugee Convention defines as a refugee a person who

“owing to well founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence [...], is unable or, owing to such fear, is unwilling to return to it.”

This definition comprises a single holistic test but can be broken down into a number of different elements to aid analysis. Thus, in order to be recognized as a refugee, an asylum seeker must demonstrate:

- That he or she is outside the country of his or her nationality (in the case of stateless persons: country of habitual residence)
- That this is owing to a well-founded fear of being persecuted
- That persecution is for reasons of race, religion, nationality, political opinion or membership of a particular social group
- And that he or she is unable, or owing to such fear, unwilling to avail himself or herself of the protection of his or her country of nationality (in the case of stateless persons: unable or unwilling to return to the country of habitual residence)

The test for “well-founded fear” is examined in the Basic Module.

While there is no exhaustive definition of persecution in international refugee law, the refugee definition requires a connection between the human rights violation or other serious harm and one of the grounds mentioned in the Geneva Convention. The abusive behaviour or the lack of protection against human rights violations must be motivated at least partly by one or several Convention grounds. (“nexus”) See Module A.

In the 1998 Note on International Protection, the UN High Commissioner for Refugees stated that persecution always includes a form of discrimination. “Victims of persecution are targeted *because* they have a particular racial or national background, or because they hold certain religious beliefs or political opinions, or because they are members of a particular social group.” (UNHCR A/AC.96/898 3 July 1998, para 5. emphasis added).

Acts of persecution in the meaning of the Geneva Refugee Convention can emanate from state as well as non-state actors. In the case of persecution by non-state actors, the availability of protection by national authorities against these acts is often taken into consideration. See Module A. Research tree “Domestic protection”.

The EU Asylum Qualification Directive follows the refugee definition as set down in the Geneva Refugee Convention, restricting it - in spite of the principle of non-discrimination laid down in Art 3 of the Geneva Refugee Convention - to third country nationals and stateless persons.

The EU Directive elaborates on the reasons for persecution in Article 10:

“The reasons for persecution

1. Member States shall take the following elements into account when assessing the reasons for persecution:
 - (a) the concept of race shall in particular include considerations of colour, descent, or membership of a particular ethnic group;
 - (b) the concept of religion shall in particular include the holding of theistic, non-theistic and atheistic beliefs, the participation in, or abstention from, formal worship in private or in public, either alone or in community with others, other religious acts or expressions of view, or forms of personal or communal conduct based on or mandated by any religious belief;
 - (c) the concept of nationality shall not be confined to citizenship or lack thereof but shall in particular include membership of a group determined by its cultural, ethnic, or linguistic identity, common geographical or political origins or its relationship with the population of another State;
 - (d) a group shall be considered to form a particular social group where in particular:
 - members of that group share an innate characteristic, or a common background that cannot be changed, or share a characteristic or belief that is so fundamental to identity or conscience that a person should not be forced to renounce it; and
 - that group has a distinct identity in the relevant country, because it is perceived as being different by the surrounding society;
 - depending on the circumstances in the country of origin a particular social group might include a group based on a common characteristic of sexual orientation. Sexual orientation cannot be understood to include acts considered to be criminal in accordance with national law of the Member States; gender related aspects might be considered, without by themselves alone creating a presumption for the applicability of this Article;
 - (e) the concept of political opinion shall in particular include the holding of an opinion, thought or belief on a matter related to the potential persecutors mentioned in Article 9 and to their policies or methods, whether or not that opinion, thought or belief has been acted upon by the applicant.
2. When assessing if an applicant has a well-founded fear of being persecuted it is immaterial whether the applicant actually possesses the racial, religious, national, social or political characteristic, which attracts the persecutory action, provided that such a characteristic is attributed to him or her by the actor of persecution.”

It is important to note that any procedure determining refugee status is declaratory. This means that a person fulfilling the criteria outlined in Article 1.A (2) is a refugee and that by granting refugee status state authorities only recognize this fact; they do not make him or her a refugee.

Cessation and exclusion clauses

A person can cease to be a refugee for a number of reasons: if he/she voluntarily avails him/herself of the protection of his/her country of origin, has reacquired his/her or acquired a new nationality, or has voluntarily re-established residence in the country of origin (or habitual residence). Most important in the context of COI research is the reference to “ceased circumstances”:

“Art 1.C (5) He can no longer, because the circumstances in connexion with which he has been recognized as a refugee have ceased to exist, continue to refuse to avail himself of the protection of the country of his nationality; [...]

Art 1.C (6) Being a person who has no nationality he is, because of the circumstances in connexion with which he has been recognized as a refugee have ceased to exist, able to return to the country of his former habitual residence;”

The above does not apply to a refugee who can invoke “compelling reasons arising out of previous persecution for refusing to avail himself of the protection of the country of nationality or refusing to return to the country of his nationality or his former habitual residence.”

The exclusion clause of Art 1.F excludes from refugee status persons

“Art 1.F [...] with respect to whom there are serious reasons for considering that:

- (a) he has committed a crime against peace, a war crime, or a crime against humanity, as defined in the international instruments drawn up to make provision in respect of such crimes;
- (b) he has committed a serious non-political crime outside the country of refuge prior to his admission to that country as a refugee;
- (c) he has been guilty of acts contrary to the purposes and principles of the United Nations.”

We will see that such a person might still be protected by the prohibition of non-refoulement in Article 3 European Convention on Human Rights as interpreted by the European Court of Human Rights and Art 3 of the Convention against Torture.

Non-refoulement under the Geneva Refugee Convention

Article 33 of the Geneva Refugee Convention provides for the principle of *non-refoulement* as being the most fundamental obligation under international refugee law:

- “1. No Contracting State shall expel or return (“refouler”) a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.
2. The benefit of the present provision may not, however, be claimed by a refugee whom there are reasonable grounds for regarding as a danger to the security of the country in which he is, or who, having been convicted by a final judgment of a particularly serious crime, constitutes a danger to the community of that country.”

Non-refoulement applies irrespective of formal recognition of refugee status. As long as a final decision on the refugee status has not been made, the individual has a right to stay in the host country in order not to violate the principle of non-refoulement. The European Union member states make an exception to this right to stay with regard to so-called safe third countries – countries where an individual applicant stayed before arriving in the host country, and where he or she would be able to have access to a fair refugee status determination procedure. When deciding on whether a country is indeed a safe third country, it is of particular importance to establish that this country will not return the individual to the country of origin, before it has determined whether the individual is a refugee. The prohibition of refoulement also implies that a state must not send an individual to a third country, where he or she would be subjected to persecution or certain other forms of serious harm.

Country of origin information will be needed to assess whether a subjective fear of persecution expressed by an individual can be considered to be objectively well-founded, and whether there is evidence that human rights violations are linked to one of the Convention grounds. See Basic Module and Module A.

Interpretation: How do I find out what the Refugee Convention means?

UNHCR, as the guardian of the Geneva Refugee Convention, plays a specific role in providing guidance as to the interpretation of the Refugee Convention. While its guidelines are not legally binding, Article 35 of the Geneva Refugee Convention entrusts UNHCR with the monitoring of the application of the Convention, and therefore places a specific weight on UNHCR's opinion as to the interpretation of the Convention. The **Handbook on Procedures and Criteria for Determining Refugee Status under the 1951 Convention and the 1967 Protocol relating to the Status of Refugees** (UNHCR Handbook 1979, re-edited in 1992), was published upon request by the UNHCR Executive Committee to provide practical guidance on refugee status determination to all state parties to the Convention.

From time to time, UNHCR issues guidelines with regard to issues of specific concern to it or countries responsible for RSD. As a result of the Global Consultation process in 2001 – in commemoration of the 50th Anniversary of the Refugee Convention – a number of guidelines, which highlight the current state of interpretation of refugee law, were produced after consultation with refugee law experts and state parties to the Refugee Convention.

The **UNHCR Executive Committee (ExCom)**, which meets once a year in Geneva, also provides interpretative guidance on the Refugee Convention. Delegates of state parties to the Convention agree on the so-called ExCom Conclusions that help understand certain developments with regard to refugee law doctrine.

Most of these materials are available on the RefWorld CD-ROM as well as on the UNHCR website under Legal Documents. The present manual will refer to them in order to highlight certain criteria for selecting relevant COI.

National asylum laws and jurisprudence has also contributed to – sometimes widely diverse – interpretations of international refugee law.

Complementary or subsidiary protection

Complementary or subsidiary protection may come into play when an individual is not a refugee. It aims at protecting persons against serious human rights violations, including those prohibited under international humanitarian law, even if they do not occur on grounds mentioned in the Geneva Refugee Convention. This section outlines the criteria for complementary protection foreseen under the jurisprudence of the European Court of Human Rights, the UN Committee against Torture and the EU Asylum Qualification Directive. National laws do foresee complementary protection for a number of other situations that are not covered by these instruments. (See Brainteaser N° 3)

Complementary or subsidiary protection should not be confused with temporary protection which is granted in mass influx situations on a prima facie basis, without individual determination whether members of the group of persons affected might be refugees under the Geneva Refugee Convention.

The European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR)

The ECHR constitutes the most significant legal framework for human rights protection within Council of Europe member states. The rights protected under the ECHR apply irrespective of citizenship and thus also to refugees, asylum-seekers and migrants under jurisdiction of the member states of the Council of Europe.

Most important in the context of complementary protection is Article 3 of the ECHR:

“Art 3: No one shall be subjected to torture or to inhuman or degrading treatment or punishment.”

The applicability of Article 3 ECHR in cases of expulsion or extradition was developed in the jurisprudence of the European Court of Human Rights (ECtHR).

In *Soering v. UK* (Judgment of 7 July 1989, Appl. No. 14038/88), the ECtHR established the rule that a state party to the European Convention for Human Rights is prohibited from extraditing a person to a state “where substantial grounds have been shown for believing that the person concerned, if extradited, faces a real risk of being subjected to torture or to inhuman or degrading treatment or punishment in the requesting country.”

This principle was extended to expulsion to such a country from a Council of Europe member state in *Cruz Varas and Others v. Sweden*. (Judgement of 20 March 1991, Appl. No. 15576/89)

In the important decision of *Ahmed v. Austria*, the Court held that in view of the absolute character of Article 3, the prohibition to deport an individual to a state where he or she would face a real risk of being subjected to torture is not “invalidated by the applicant's criminal conviction or the current lack of State authority in Somalia”, thus accepting the applicability of Article 3 to non-state actors and independent of the individual's behaviour. (*Ahmed v. Austria* Judgment of the ECtHR, 17 December 1996 Appl. No. 25964/94)

See UNHCR Manual on Refugee Protection and the ECHR April 2003, Part 4.1 for an overview of the jurisprudence of the European Court of Human Rights on Article 3, or the website of the European Court of Human Rights for in-depth research.

For the use of country of origin information in the jurisprudence of the ECtHR, see Basic Module: Minimum Standards of COI in Jurisprudence.

Convention against Torture (CAT)

Article 3 of the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment and Punishment (CAT) expressly prohibits *refoulement*:

- “1. No State Party shall expel, return (“refouler”) or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture.
2. For the purpose of determining whether there are such grounds, the competent authorities shall take into account all relevant considerations including, where applicable, the existence in the State concerned of a consistent pattern of gross, flagrant or mass violations of human rights.”

Article 1 provides a definition of torture:

- “1. For the purposes of this Convention, the term “torture” means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.
2. This article is without prejudice to any international instrument or national legislation which does or may contain provisions of wider application.”

The prohibition of refoulement in Article 3 CAT is absolute and does not depend on the conduct of the applicant. (See *Tapia Paez v. Sweden*, Communication No 39/1996. Views of 28 April 1997). However, according to the definition of torture in Article 1, the prohibition of refoulement of the UN Convention against Torture applies only in cases where torture is committed “by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity”. The jurisprudence of the Committee against Torture thus makes a distinction between non-state actors, such as rebel groups, and actors fulfilling quasi-governmental functions in failed states.

Hence, the Committee against Torture viewed “pain or suffering inflicted by a non-governmental entity, without the consent or acquiescence of the Government” as outside the scope of Article 3, in relation to actions perpetrated by the Peruvian Sendero Luminoso. (*G.R.B. v. Sweden*, Communication N° 083/1997. Views of 15 May 1998). In *Elmi v. Australia* (Communication N° 120/1998. Views of 15 May 1999), the Committee against Torture accepted the applicability of Article 3 with regard to factions that perform quasi-governmental functions in Mogadishu.

EU Asylum Qualification Directive

The Council of the European Union, in its Qualification Directive, foresees the granting of subsidiary (or complementary) protection in its Article 2 (e):

“Person eligible for subsidiary protection’ means a third country national or a stateless person who does not qualify as a refugee but in respect of whom substantial grounds have been shown for believing that the person concerned, if returned to his or her country of origin, or in the case of a stateless person, to his or her country of former habitual residence, would face a real risk of suffering serious harm as defined in article 15, and to whom Article 17 paragraph 1 and 2 does not apply, and is unable, or owing to such risk, is unwilling to avail himself or herself of the protection of that country;”

Article 15 of the Qualification Directive defines “serious harm”:

“Serious harm consists of:

- (a) death penalty or execution; or
- (b) torture or inhuman or degrading treatment or punishment of an applicant in his or her country of origin, or in the case of a stateless person, his or her country of former habitual residence; or
- (c) serious and individual threat to a civilian's life or person by reason of indiscriminate violence in situations of international or internal armed conflict.

Preamble (26): “Risks to which a population of a country or a section of the population is generally exposed do normally not create in themselves an individual threat which would qualify as serious harm.”

The directive foresees cessation of subsidiary protection in the case of a change in circumstances that gave rise to subsidiary protection. The change shall be “of such a significant and non-temporary nature that the person eligible for subsidiary protection no longer faces a real risk of serious harm. (Art 16 EU Asylum Qualification Directive). Diligent and informed analysis of post-conflict situations plays an important role in assessing whether a change in circumstances might be of a temporary or lasting nature and whether the cessation clause applies.

The EU Qualification Directive also foresees exclusion from subsidiary protection of persons for grounds similar to those mentioned in Art 1F Geneva Refugee Convention. (Art 17 EU Asylum Qualification Directive: persons who have committed, instigated or otherwise participated in crimes against peace, war crimes, or crimes against humanity; in a serious

crime; guilty of acts contrary to the purposes and principles of Art 1 and 2 of the UN Charter). In addition a person can be excluded from subsidiary protection when "he or she constitutes a danger to the community or to the security of the Member State in which he or she is present." (Art 17.1. (d) EU Qualification Directive)

In this context it is important to recall the absolute character of the prohibition of refoulement implied in Article 3 ECHR and contained in CAT and Article 7 ICCPR. This means that a person should under no circumstances be returned to a country or territory where he or she would be subjected to torture or cruel and inhuman or degrading treatment or punishment.

The Role of COI in Refugee Status Determination

BASIC MODULE

THE ROLE OF COI IN REFUGEE STATUS DETERMINATION

The basic module aims at laying the ground for an understanding of the role and practice of country of origin information within the refugee status determination procedure. It presents and explains standards for COI research that were developed during the COI Network & Training project, in consultation with all project partners, as well as UNHCR and ECRE. These standards form the basis for Modules A-D.

OBJECTIVES

At the end of the session, participants will be able to:

- Explain the function and impact of COI in the RSD decision-making process
- Explain the meaning of subjective and objective elements of the refugee definition and its impact on the role of COI
- Explain the scope and limits of COI
- Explain the responsibility of COI practice
- Give reasons for COI standards
- Name COI standards and explain their application in practice

Target group: COI researchers and users

Country of Origin Information as Evidence

From a procedural point of view, country of origin information constitutes evidence in refugee status determination. Reports and expert opinions on the situation in a given country of origin are used in order to assess the legitimacy of a claim for international protection.

Rules on standard of proof are therefore of particular relevance to see how much and which kind of information the decision-maker needs in order to establish a well-founded fear of persecution.

Standard of Proof in Refugee Law

The refugee definition is sometimes said to contain a subjective and an objective element. This refers to the fact that individuals seeking international protection must demonstrate that their subjective fear of persecution is well-founded, i.e. supported by the objective situation in the country and their individual history.

It is important to note that refugee status determination is not a criminal procedure. The facts necessary to recognize someone's refugee status need not be proven "beyond a reasonable doubt". Nor does a refugee have to meet a "balance of probabilities" test common to civil procedure. An applicant's testimony and supporting evidence as to the risk of persecution upon return to the country of origin should satisfy what can be considered "reasonably possible" or plausible.

Common law jurisdictions (Canada, Australia, New Zealand, the UK and the United States) have developed a number of formulas to describe the standard of proof needed for the well-foundedness of a fear of persecution under refugee law. (e.g. a "serious possibility", "good grounds" or a "reasonable degree of likelihood") These formulas are meant to suggest a risk that is neither remote, nor must it meet a probability of 50%.

Civil law jurisdictions have been less formalistic about the standard of proof required. Reference is sometimes made to the “plausibility” of persecution, indicating a combination of a coherent and credible testimony, backed up by what is known about the country of origin. German jurisprudence has developed its own formula, distinguishing between “sufficient probability” of persecution upon return, with regard to applicants who have already suffered from persecution, and “significant probability” of persecution upon return, with regard to applicants who have fled before persecution has occurred.

According to UNHCR, indicators for a well-founded fear of persecution include both the applicant’s personal circumstances, as well as elements relating to the situation in the country of origin:

- “18. While by nature, an evaluation of risk of persecution is forward-looking and therefore inherently somewhat speculative, such an evaluation should be made based on factual considerations which take into account the personal circumstances of the applicant as well as the elements relating to the situation in the country of origin.
19. The applicant’s personal circumstances would include his/her background, experiences, personality and any other personal factors which could expose him/her to persecution. In particular, whether the applicant has previously suffered persecution or other forms of mistreatment and the experiences of relatives and friends of the applicant as well as those persons in the same situation as the applicant are relevant factors to be taken into account. Relevant elements concerning the situation in the country of origin would include general social and political conditions, the country’s human rights situation and record; the country’s legislation; the persecuting agent’s policies or practices, in particular towards persons who are in similar situation as the applicant, etc. While past persecution or mistreatment would weigh heavily in favour of a positive assessment of risk of future persecution, its absence is not a decisive factor. By the same token, the fact of past persecution is not necessarily conclusive of the possibility of renewed persecution, particularly where there has been an important change in the conditions in the country of origin.” (UNHCR 16 Dec 1998)

UNHCR also reminds state parties that the standard of proof shall not be understood as the applicant having to “prove” every part of his case. He or she must make it credible, and once the examiner is satisfied of the overall credibility of the applicant give benefit of the doubt with regard to missing pieces of evidence. (UNHCR Handbook, para 203 f.)

This principle is reflected in Article 4 of the EU Asylum Qualification Directive:

“Assessment of facts and circumstances

3. The assessment of an application for international protection is to be carried out on an individual basis and includes taking into account:
 - (a) all relevant facts as they relate to the country of origin at the time of taking a decision on the application; including laws and regulations of the country of origin and the manner in which they are applied;
 - (b) the relevant statements and documentation presented by the applicant including information on whether the applicant has been or may be subject to persecution or serious harm;
 - (c) the individual position and personal circumstances of the applicant, including factors such as background, gender and age, so as to assess whether, on the basis of the applicants’ personal circumstances, the acts to which he or she has been or could be exposed would amount to persecution or serious harm; [...]
5. Where Member States apply the principle according to which it is the duty of the applicant to substantiate the application for international protection and where aspects of the applicant’s statements are not supported by documentary or other evidence, those aspects shall not need confirmation, when the following conditions are met:

- (a) the applicant has made a genuine effort to substantiate his application;
- (b) all relevant elements, at the applicant's disposal, have been submitted, and a satisfactory explanation regarding any lack of other relevant elements has been given;
- (c) the applicant's statements are found to be coherent and plausible and do not run counter to available specific and general information relevant to the applicant's case;
- (d) the applicant has applied for international protection at the earliest possible time, unless the applicant can demonstrate good reason for not having done so; and
- (e) the general credibility of the applicant has been established."

Burden of proof

The UNHCR Handbook and the Note on Burden and Standard of Proof in Refugee Claims, 16 December 1998 outline important principles for balancing the duty of the asylum applicant to present and substantiate the facts of his/her individual claim and the duty of the examining officer to produce necessary documentation that helps to ascertain the facts.

- "11. In assessing the overall credibility of the applicant's claim, the adjudicator should take into account such factors as the reasonableness of the facts alleged, the overall consistency and coherence of the applicant's story, corroborative evidence adduced by the applicant in support of his/her statements, consistency with common knowledge or generally known facts, and the known situation in the country of origin. Credibility is established where the applicant has presented a claim which is coherent and plausible, not contradicting generally known facts, and therefore is, on balance, capable of being believed." (UNHCR 16 Dec 1998)

Supplementary nature of COI

Case law usually attaches more weight to documents and evidence demonstrating a close connection between the occurrence of particular human rights violations and the personal circumstances and history of the applicant. Courts will generally not recognize a claim for refugee status if there is not sufficient **individualization** of the claim (UNHCR Handbook, paras. 42, 45). Reports on relatives, friends or persons in a similar situation as the applicant finds him- or herself having experienced repression and human rights violations are important indicators to determine whether the applicant's fear is well-founded (UNHCR Handbook, paragraph 43). The UNHCR Handbook takes care to explain that in situations where a large number of persons is affected by targeted human rights violations, individual determination might be unfeasible for practical purposes and members of this group might be recognized as *prima facie* refugees (group determination) (UNHCR Handbook, para 44).

- "42. As regards the objective element, it is necessary to evaluate the statements made by the applicant. The competent authorities that are called upon to determine refugee status are not required to pass judgement on conditions in the applicant's country of origin. The applicant's statements cannot, however, be considered in the abstract, and must be viewed in the context of the relevant background situation. A knowledge of conditions in the applicant's country of origin – while not a primary objective – is an important element in assessing the applicant's credibility. In general, the applicant's fear should be considered well-founded if he can establish, to a reasonable degree, that his continued stay in his country of origin has become intolerable to him for the reasons stated in the definition, or would for the same reasons be intolerable if he returned there." (UNHCR Handbook, para 42)

This relationship between the general situation in the country of origin and personal circumstances of the applicant is also expressed in the jurisprudence of the Committee against Torture that reserves primacy to the specific circumstances of the individual when it states that the mere "existence of a consistent pattern of gross, flagrant or mass violations of human rights in a country does not as such constitute sufficient grounds" to determine the

danger of being subjected to torture, but that “additional grounds must be adduced to show that the individual concerned would be personally at risk” (*Tapia Paez v. Sweden*, Communication No 39/1996 28 April 1997). The “absence of a consistent pattern of gross violations of human rights does not mean that a person cannot be considered to be in danger of being subjected to torture in his or her specific circumstances.” (*V.R. v. Denmark* Communication No. 210/2002. Views of 21 November 2003; see also *Z.T. v. Australia*. Communication No. 153/2000. Views of 19 November 2003.)

UNHCR states “that decision-makers should have access to accurate impartial and up to date country of origin information from a variety of sources.”(UNHCR February 2004, p. 1) Indeed, the need for COI flows directly from the definition of a refugee in the Geneva Refugee Convention. The applicant’s testimony is the primary consideration in an asylum decision, but “cannot be considered in the abstract, and must be viewed in the context of the relevant background situation”. (UNHCR Handbook, para 42) The UNHCR Handbook outlines that “decision makers must assess an applicant’s claim and his/her credibility and place his/her story in its appropriate factual context, that is, the known situation in the country of origin”. (UNHCR February 2004, p. 3)

COI can thus either support the testimony of the applicant and be used to establish that his or her fear is well-founded, or raise doubts as to the credibility of the applicant or the well-foundedness of the fear expressed.

Conclusion

The emphasis on individualization and personal circumstances prevalent both in international and national case law means that the role of country of origin information lies in

1. Providing information that is needed to corroborate statements made by the applicant **and** establishing credibility as to testimony with regard to the situation prior to his or her flight (corroboration).
2. Providing information to establish the facts necessary to assess whether an individual would be subject to persecution or torture, cruel, inhuman and degrading treatment or punishment upon his or her return (prognostic assessment).
3. Providing information to legal advisers and decision-makers as preparation for applicant interviews and hearings.

However, COI can only supplement, not replace, a credible statement of facts by the applicant. There is no obligation to use documentary evidence: where the testimony of an applicant is consistent and credible, this alone can form the basis of a decision on refugee status. (See Symes 2000, para. 1.22)

Scope and sources of COI

While COI is grounded in provisions of refugee and human rights law, its thematic scope goes well beyond the human rights situation in a particular country. An understanding of the political institutions, developments and power relations forms the backdrop to understanding rationales and motives behind persecution. Sources providing a sound assessment of the security situation and conflict analysis are indispensable for the prognostic assessment at the heart of a decision on the need for international protection. National laws and the judicial system, including law enforcement, need to be covered in order to assess whether basic human rights are respected in principle, and whether authorities in the country of origin are able and willing to provide protection against human rights violations.

However, there is a wide range of issues that can become relevant during country of origin research, mostly related to credibility questions. Determining the credibility of an applicant, counsels and decision-makers may require information on cultural and religious practices, ethnicity, language, geography and topography and history of a country. In the course of their work, COI researchers will thus come to acquire a broad knowledge of the countries covered, and yet will always be confronted with new and intriguing questions.

Sources of COI can thus be very diverse. They include, inter alia, political analysis, human rights reports, security assessments, accounts from anthropology and sociology, humanitarian briefings, press reports, maps, travel guides, expert witnesses, videotapes or radio broadcasts, as well as an applicant's testimony.

COI reaches its limits where the information requested is either so specialized or so sensitive that it cannot be gathered with sufficient reliability and accuracy, or only at the risk of endangering the applicant, his or her family or contact persons in the country of origin. Professional COI researchers will not – or only with great difficulty - be able to research information on very personal circumstances of the applicant; nor will they be able to research information that only persons familiar with the area of origin can answer. The work of COI units thus needs to be supplemented by the testimony of reliable expert witnesses and institutions such as UNHCR. Professional COI researchers will not pronounce themselves on the potential risks of return of an individual or a particular caseload. Risk assessments can only be provided where institutions competent to produce such assessments make them available to the public. In this sense, the manual also aims at promoting a better understanding of the needs of COI for organizations and individuals that report on countries of origin.

Standards of COI Research

The standards presented in this section are based on an analysis of the existing literature on country of origin information research, a best practice study on COI conducted by the Refugee Documentation Centre Ireland, as well as on a series of exchange visits and meetings of the COI Network & Training partners, a visit to the Research Directorate of the Immigration and Refugee Board, Canada and consultation with UNHCR and ECRE.

Main procedural criteria for high quality country of origin information research are:

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

Main substantive criteria for high quality country of origin information are:

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

Minimum requirements for the infrastructure of a COI unit need to be fulfilled in order to achieve and maintain the standards of high quality country of origin information.

| | | |
|--|-----------------------------|---------------|
| Recall the division of labour between COI researchers and COI users | | |
| Finding information | Persuading with information | Finding facts |

Equality of arms and the principle of public domain

Country of origin information should be equally available to all instances of asylum decision-making and to legal advisers of asylum-seekers. Applicants and legal advisers must have access to all information in which a refugee status determination is based.

The most effective and most efficient way to achieve equality of arms is the maintenance of a public domain country of origin information system.

Country assessments that are made available in the public domain are open to scrutiny by all actors involved in refugee status determination. Flaws in the assessment will be more quickly and easily detected. Governments who restrict access often cite diplomatic concerns, stating that their policy, especially when produced by the Ministry of Foreign Affairs, allows a more candid presentation of the country situation. The recent debate about the country reports produced by the UK Home Office Country Information and Policy Unit shows that public access is an important prerequisite in order to promote quality standards and accountability. Since mid-2005 the country reports are produced by the Home Office's COI Service, which is part of the Research Development and Statistics Directorate.

A number of jurisdictions (e.g. Ireland, Canada) do not accept information from reports that are not in the public domain, except where the security of the applicant is at risk.

Where publication in the general public domain is considered impossible, for either political reasons or reasons of security of the author, the source or the individual asylum-seeker, care must be taken that all parties to an individual refugee status determination procedure have access to and can comment on the full document, including the reliability and credibility of the source.

Source protection

COI researchers and users should be aware of whether a particular request might put a contact in the country of origin at risk. Such a risk might concern the personal safety of a contact person and his or her family, or the ability of an organization to conduct its activities on the ground. Security concerns and internal guidelines of individuals and organizations must be respected when deciding whether to make a particular piece of information public.

While it is desirable to produce information for the public domain, this principle cannot justify the endangering of persons or organizations. Make sure whether a source agrees going public by actively asking for permission at the time of the request or interview. If a contact person voices security or other concerns about going on the record with information that you consider crucial for the COI users you are servicing, try to reach compromise by withholding the person's name or institutional affiliation or by restricting the publication of your report. Bear in mind that this will, however, make it more difficult or impossible to verify or review the information. If a source insists on the confidentiality of information, you must not use it unless you are able to find another source that is public or willing to go public.

Protection of sources is also a consideration when commissioning COI reports to human rights organizations in the country of origin. Such organizations have access to valuable information, and the privilege of first hand research. Cooperation with organisations in the EU might increase their profile and thus strengthen their reputation and opportunities for funding. At the same time, becoming more conspicuous to perpetrators of human rights violations in their country might put them at risk.

Impartiality and neutrality of research

Country of origin information can only be reliable and accurate if the research is conducted in a manner impartial with regard to the requester and neutral with regard to the outcome of the research. The role of the requesting institution in the asylum procedure must not impact the comprehensiveness of the research or the selection of sources and/or information.

In accordance with their mandate of supporting their client, legal advisers will submit those reports to the authorities that corroborate their client's testimony; they must, however, be aware of information detrimental to their client's case in order to adequately prepare their legal arguments and discuss this information with their client. COI research that only presents information that is supportive of a case does little service to high quality legal representation.

Decision-makers must be aware of as much information from as many sources as possible in order to conduct fair, efficient and well-informed refugee status determination procedure. They must be able to assess the country situation as objectively as possible, with neither positive nor negative information being withheld or ignored.

All COI units that participated in the COI Network & Training project adhere to the principle of neutrality no matter whether they are part of an organization providing legal services to refugees and asylum-seekers or whether they are operating independently.

COI research should not be influenced by policy concerns. The best way to ensure such independence is the creation of a COI unit that is at least administratively independent from the government or the organization it is part of.

Protection of personal data of the applicant

COI researchers, as do legal advisers and decision-making bodies, have a legal obligation to protect the personal data of the applicant. Personal data should not be shared with anyone without explicit and unambiguous consent by the applicant, "unless there is an overriding interest at stake, either of the individual concerned, or of another individual or of society at large. Circumstances in which consent is not required are an exception, in which case disclosure must be necessary, in accordance with law, and proportionate to the legitimate aim pursued." (UNHCR May 2003, para 24)

The decision-maker as well as experts and contact persons used to gather information must be advised on the risk it might pose for the applicant and his or her relatives if a contact person or institution in the country of origin is approached with questions that might infer the identity of the applicant, and take care to avoid such a risk. Personal data should never be shared directly with the alleged persecutor. Furthermore, great care must be taken whether information that seems anonymous might indirectly point to the applicant – even where state authorities have broken down, societies in countries of origin often employ very efficient informal information networks that can be quite far-reaching.

RSD authorities and COI research units should develop clear guidelines as to the forwarding of requests for information that imply the sharing of personal data of the applicant in line with the laws of data protection as well as with avoiding risk for the applicant and his or her relatives.

See list of references for further reading.

COI should be relevant

The question of relevance is related to the *substance* of the information produced by COI research. It determines whether COI provided can be used in the refugee status determination procedure. COI researchers depend on legal advisers and decision-makers – COI users – to submit research questions that will lead to information that is relevant for a particular case. COI researchers need to be able to evaluate whether the information they have found indeed answers these questions – either directly or indirectly.

The division of labour between COI researchers and COI users implies that COI users must not, in their access to and assessment of COI, become entirely dependent on COI researchers. They must be given access to the full text of the sources used, and they should base both weighing of evidence and the subsequent establishment of facts on the entire documentation made available to them.

This being said, there is no doubt that COI researchers represent a crucial filter of information. Given the abundance of available information on and off the Internet, their work of selecting, quoting and paraphrasing is an important mechanism to ensure the use of a wide range of sources in RSD. Information and knowledge management is a key function of COI units. This is particularly valid in countries where English is not widely used or English language documents (which represent about 80-90% of generally available COI) have to be translated into the official language.

Any research requires an understanding of what it is you are looking for. Where COI researchers are in the position to not only select reports, but also point to quotes and excerpts or summarize information, they need to know what kind of information will be relevant. This relevance can be determined by the substance of the question – an event or a persecutor described in the testimony.

The relevance of information can also be determined by certain legal concepts of refugee law through which the information will be filtered in order to make a decision on refugee status or a claim to complementary protection. An assessment of whether there is persecution, for example, will need information on whether a person or a group of persons is targeted on one of the grounds mentioned in the refugee definition. This kind of relevance might be called legal relevance.

COI researchers who are tasked with the writing of country reports or the management of a COI database need to be able to recognize and select relevant information prior to the submission of questions. They need to know the nature of the claims for refugee status or complementary protection prevalent in their national asylum system, in order to collect information that helps to prepare for interviews and further research with regard to individual testimonies. They also need to know which sources and which information are considered to be relevant for the assessment of well-founded fear of persecution in the context of international refugee law as well as their national asylum jurisprudence.

Responding to individual requests, COI researchers will often feel uncomfortable straying beyond the request as such, due to time constraints as well as the division of labour between COI researchers and COI users. It is thus equally important that COI users know how to formulate legally relevant queries.

Use and limits of COI in establishing credibility

COI often is requested to help eligibility officers and legal advisers to properly assess the credibility of an individual asylum-seeker where this is in doubt. Interviewers and legal advisers will look for objective and reliable evidence beyond the human rights issues in which the claim for protection is based. Applicants are expected to provide information on the general conditions in their country and region of origin, such as geography, topography, material culture and history, as well as provide background information on the political, religious or ethnic group they claim adherence to.

Often, confirmation of details contained in the applicant's testimony can only be provided by a reliable and unbiased contact person who has first-hand knowledge of the region in question. Credibility research of this type is particularly time- and resource intensive, often without yielding the results needed, either in the substance of the response, or in the quality and reliability of the response. Thus, it is recommended that COI users need to make sure that the information requested is crucial to the decision in the individual case, and that they are prepared to make a decision even if the research bears no fruit. In this respect, UNHCR and the EU Asylum Qualification Directive encourage decision-makers to apply the benefit of the doubt, if the decision-maker is satisfied of the overall credibility of an individual applicant.

COI cannot replace the decision of the decision-maker in charge whether he or she considers an applicant to be credible, bearing in mind that an asylum-seeker does not need to prove all the facts of his or her case. COI can help to do so, by corroborating statements made by an applicant; but it cannot be a substitute for the overall impression a decision-maker has of an applicant.

Module A will provide background information and methodologies for identifying legally relevant questions and information in COI research.

Module B and C will deal with the question of how to efficiently find reliable and balanced information that responds to COI research questions.

COI should be based on reliable and balanced sources

Knowledge of sources is a key skill of any researcher. It is particularly important in the context of COI research where reliable and accurate information needs to be researched and provided under very tight time constraints. Identifying the best sources is often the fastest way to find the information needed.

COI researchers and users are aware of the bias of sources. No source provides complete and fully objective information as their scope and focus of reporting will be influenced by their mandate or mission. Therefore COI researchers and users should not rely on one single source, but consult many different sources, and different types of sources (i.e. UN; government, human rights NGOs, media) in order to achieve the most complete and balanced picture of a country situation possible. They should be aware of the political and ideological context in which a source operates, their mandate and reporting methodology and the intention behind their publications, and assess the information provided accordingly.

A selection of core sources, criteria for source assessment and exercises on identification and assessment of sources are presented in Module B: Knowledge and assessment of sources.

COI should be accurate and up-to-date

Accuracy of information is closely related to source reliability and balancing of information given by different sources. It goes without saying that the information provided should be accurate. However, COI researchers must be aware of their particular responsibility in providing information that might “make or break” a case. If the information provided is wrong, it is not only the reputation of the researcher which is at stake, but this might lead to the rejection of an otherwise justified claim for protection. This responsibility of the COI researcher is shared by the decision-maker who has to be convinced of the accuracy of the information a decision is based on.

Accuracy is also linked to currency of information. This does not mean that reports older than a certain date should no longer be used. Whether a particular piece of information remains up-to-date depends on the country situation. In some cases a report or assessment three years old might still be accurate. In other cases yesterday’s newspaper article will already be subject to more recent events.

There are several ways to determine accuracy of information. One way – quite resource-intensive – is to verify information found in reports on the ground. While this method may lead to valuable information, it is only feasible to do this in exceptional cases, and even where fact-finding on the ground is possible, it does not guarantee absolute accuracy, and must be weighed against consideration of data protection.

The most common method to ensure accuracy of information is corroboration. Researchers should identify a number of reliable sources of different type that report on a specific issue and compare the information. The less reliable a source is considered to be, the more work needs to be done in terms of corroboration.

Ideally, every piece of information should be corroborated by at least three different types of sources (UN report, international or local human rights organizations, international or local media, expert opinion) that do not quote each other. Where this is not possible – and it often will not be – the researcher should still provide the information that was found and in addition list the sources that were unsuccessfully consulted.

Information that is known to be wrong should not be included in a response. However, awareness of inaccurate information might impact the assessment of a particular source as reliable, and the need for further research might be indicated. Editing errors (e.g. a wrong date in an otherwise carefully researched document) should be pointed out by referring to other sources which give the correct information.

See Module C: Research and Module D: Presentation of results for details and exercises.

COI should be transparent and retrievable

COI researchers should present COI users with information summaries and reports that enable COI users to independently verify and assess the information provided. This includes a transparent method of referencing of information, i.e. source, date of information and Internet address. COI researchers do not “shake and stir” the information found in various sources, but keep statements of fact and opinion by different sources separate. COI users (and future researchers) should be able to understand how the COI researcher found the information, which sources were consulted, which sources produced results, and which sources did not.

COI should be made available in written format in order to avoid misunderstanding, and distortion and promote accountability. Oral sources should be provided with a written summary of their statements which gives them the opportunity to correct mistakes or provide additional information or clarification. Style and format of COI responses and reports should be neutral, and refrain from commentary or prejudicing legal conclusions.

While summaries of research results, often in the national language of the asylum system, correspond to the principle of user-friendly access to country of origin information, care must be taken that the meaning of the original sources is not distorted in the process of paraphrasing or translating. The original sources used to draw up a report or a summary should always be attached, in order to check the accuracy of the summary or to look for more detailed information.

COI is evidence in asylum cases that can take a long time to reach a final conclusion. COI units should keep printed and/or electronic records of responses to individual information requests, including the reference material used. COI units should be able to quickly account for information provided in an individual case for years after the research was done.

See Module D - Presentation of results for details and exercises.

Recommendations for the infrastructure of COI units

High quality country of origin research depends on certain minimum requirements for the infrastructure and staffing of COI units. Many COI units, especially in the new EU member states and in the non-governmental area, have a small budget and may not be able to implement some of the requirements mentioned in this section, which taken together represent an ideal situation rather than the reality of COI practice. They might feel encouraged by recalling that researchers are the most essential asset of a COI unit. Qualified and committed staff, together with an Internet access, can go a long way in producing good COI.

COI staff should have research experience and good computer and Internet research skills. English language skills are absolutely essential, as 80 - 90% of country of origin information is published in English. Other languages such as French and German widen the scope of sources a COI researcher has access to. French and Spanish are helpful to analyze the situation in French-speaking African countries and in Latin America respectively. Where feasible, knowledge of languages spoken in major countries of origin provides access to a wide range of local and regional sources.

COI researchers must be equipped with computers, (where possible: fast) Internet access as well as CD-Rom drives. Most of current COI is available via the Internet, and some information management products are published on CD-Rom. Acrobat Reader, an Image Viewer (e.g. tif), and file compression tool (e.g. Zip) should be installed in order to allow access to a wide range of document formats. DVD might become more important in the near future. Where there is a need for electronic dissemination of offline material, a scanner might be useful.

A library budget should include acquisition of core reference material (encyclopedia, maps) and subscription fees for electronic databases. Small COI units on a low budget might try out cooperation agreements with larger COI units to expand their access to fee-based sources.

COI researchers should attend training courses in basic refugee law and COI research as soon as possible. The budget of the COI unit should allow regular participation of staff in

country of origin seminars or workshops. Bigger COI units may decide on a regional specialization of its staff. Such a specialization increases the efficiency of the research; however, care must be taken to avoid the impression that COI researchers are country experts. They might foresee a budget to participate in fact-finding missions to major countries of origin. Small COI units might have difficulties in maintaining an efficient workflow if researchers specialize on certain countries.

The COI unit should be (and seen to be) as independent from political concerns or legal advocacy. Where the establishment of an independent COI unit is not feasible, COI units should be administratively independent (i.e. have control over its budget and recruitment) in order to conduct research and produce information without being subjected to political concerns or pressures from either refugee advocacy organizations or the government.

While structural independence is important, communication channels between legal advisers and decision-makers should be open, in order to produce information that is useful for the clients of the COI unit. Regular feedback meetings help to improve the quality of COI requests and responses and promote cooperation and acceptance of the work of the COI unit.

Jurisprudence concerning minimum standards of COI

National jurisprudences in the European Union have developed quite distinct uses of country of origin information. A number of countries produce their own assessments which are considered as primary source for eligibility officers, at least in the first instance. While this approach contributes to a harmonization of national asylum jurisprudences, it also may lead to a certain inflexibility with regard to assessment of a country situation in individual cases. Quality criteria for binding assessments (whether they are internal policy guidelines or public country reports) must thus be very high in order to ensure a comprehensive, balanced and accurate understanding of the country situation.

National asylum jurisprudence in a number of EU countries has discussed extensively the need to rely on a number of different sources in order to arrive at a balanced establishment of facts. For references to standards of proof and assessment of COI in national jurisprudence please refer to your COI trainer. See list of references for further reading.

COI in the jurisprudence of the ECtHR

Up until November 1998, the establishment and verification of facts was the task of the European Commission on Human Rights which served as the first stage in a procedure before the ECtHR. In *Cruz v. Varas* the Court referred to this division of labour and stated that

“only in exceptional circumstances [...] the Court will use its powers in this area. The Court is not, however, bound by the Commission's findings of fact and remains free to make its own appreciation in the light of all the material before it.

75. In determining whether substantial grounds have been shown for believing in the existence of a real risk of treatment contrary to Article 3 (art. 3) the Court will assess the issue in the light of all the material placed before it or, if necessary, material obtained proprio motu.” (*Cruz Varas and Others v. Sweden* Judgment of the ECtHR 20 March 1991 Appl. No. 15576/89)

In some of its judgments the ECtHR refers to human rights reports or evidence submitted by either the government or the author of the complaint without discussing the particular source or content in detail. In many cases, the Court uses reports by Amnesty International and the US Department of State for a general overview of the situation in particular with regard to the occurrence of torture, and an assessment of the situation of persons in a similar situation as the complainant. It complements those reports with evidence submitted by the parties to

the case, often affidavits by medical experts, country experts or persons with a personal knowledge of the complainant's circumstances (such as human rights monitoring organizations). The Court does emphasize the need for specific information related to the personal circumstances and corroborating the allegations of the applicant.

Mamatkulov and Abdurasulovic v. Turkey

"The Court noted that the applicants' representatives had cited in support of their allegations the reports of international investigative bodies working in the field of human rights which had condemned an administrative practice of torture and other forms of ill-treatment of opposition-party supporters. However, the Court considered that despite the serious concerns to which those reports gave rise, they only described the general situation in Uzbekistan. They did not confirm the specific allegations made by the applicants, which had to be corroborated by other evidence. It was not possible to make conclusive factual findings in the case, as the applicants had been denied an opportunity to request that certain inquiries be made to obtain evidence supporting their allegations." (*Mamatkulov and Abdurasulovic v. Turkey* Judgment of the ECtHR 6 Feb 2003 Appl. nos. 46827/99 and 46951/99)

H.L.R. v. France is one of the few cases where the ECtHR discusses its weighing of evidence of specific COI reports in more detail. In this case the applicant was a Colombian drug trafficker who feared reprisal from other drug traffickers in Colombia upon return. The Court held that

"owing to the absolute character of the right guaranteed, the Court does not rule out the possibility that Article 3 of the Convention (art. 3) may also apply where the danger emanates from persons or groups of persons who are not public officials. However, it must be shown that the risk is real and that the authorities of the receiving State are not able to obviate the risk by providing appropriate protection. Like the Commission, the Court can but note the general situation of violence existing in the country of destination. It considers, however, that this circumstance would not in itself entail, in the event of deportation, a violation of Article 3."

The majority of the Court relied on written testimony by Rights International as well as Amnesty International Annual Reports that provided "insight into the tense atmosphere" but no specific information on the risk of a person in a similar situation to the applicant (reprisal by drug cartels against informers). One dissenting opinion referred to a 1995 joint report by UN Special Rapporteurs on Colombia for evidence of the ability of drug cartels to persecute and the inability of the state to protect against such acts. (*H.L.R. v. France* Judgement of the ECtHR 29 April 1997, Appl. No. 24573/94)

In *Venkadajalasarma v. The Netherlands* (Judgment of ECtHR 17 February 2004 Appl. No. 58510/00), the ECtHR contrasted the country reports of the Dutch Ministry of Foreign Affairs (see Annex: Source descriptions) on the situation in Sri Lanka, and in particular the risk for Tamils with scars to be subjected to torture because of suspected support for the LTTE, with reports by Amnesty International and the US Department of State, the UK Home Office Guidance Note, the Medical Foundation for the Victims of Torture, UNHCR and an excerpt from the UK Home Office October 2003 Sri Lanka Country Report summarizing information gathered from NGOs and Sri Lankan officials during two visits to Sri Lanka. Furthermore, it mentioned recent developments with regard to the peace process in Sri Lanka.

In its assessment of the facts, the Court did not weigh different opinions as to the significance of scars expressed in the reports mentioned, but referred to the Dutch country reports as well as the UK Home Office in its opinion that such scars now play a less significant role than previously. In light of the improved situation in Sri Lanka – with greater freedoms for Tamils reported by all sources consulted, even if the peace process had not yet come to a positive conclusion – the Court found that substantial grounds for a real risk of torture were not met.

COI in the jurisprudence of the Committee against Torture

Article 3 requires “substantial grounds” for believing that an individual will be subjected to torture upon return. What is the standard applied by the Committee against Torture to establish “substantial grounds”? In *A.L.N. v. Switzerland* it stated:

“for the purposes of article 3 of the Convention, the individual concerned must face a foreseeable, real and personal risk of being tortured in the country to which he is returned.” (A.L.N. v. Switzerland Communication N° 090/1997. Views of 19 May 1998)

“[R]isk of torture must be assessed on grounds that go beyond mere theory and suspicion. Although the risk does not have to meet the test of being highly probable”, the complaint must provide “sufficiently reliable evidence” to “shift of the burden of proof to the State party”. (M.A.K. v Germany Communication N° 214/2002. Views of 17 May 2004)

In its General Comment N° 1, the Committee against Torture explained its position with regard to the application of Art 3 CAT when individual complaints are submitted to the Committee. It outlined that it would consider as pertinent (but not exhaustive) the following information when assessing whether there is a substantial risk of a person being subjected to torture upon return:

- “(a) Is the State concerned one in which there is evidence of a consistent pattern of gross, flagrant or mass violations of human rights (see art. 3, para. 2)?
- (b) Has the author been tortured or maltreated by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity in the past? If so, was this the recent past?
- (c) Is there medical or other independent evidence to support a claim by the author that he/she has been tortured or maltreated in the past? Has the torture had after-effects?
- (d) Has the situation referred to in (a) above changed? Has the internal situation in respect of human rights altered?
- (e) Has the author engaged in political or other activity within or outside the State concerned which would appear to make him/her particularly vulnerable to the risk of being placed in danger of torture were he/she to be expelled, returned or extradited to the State in question?
- (f) Is there any evidence as to the credibility of the author?
- (g) Are there factual inconsistencies in the claim of the author? If so, are they relevant?” (CAT 21 November 1997, para 7)

Applying COI Standards in the Practice of COI Research

The research cycle and workflow

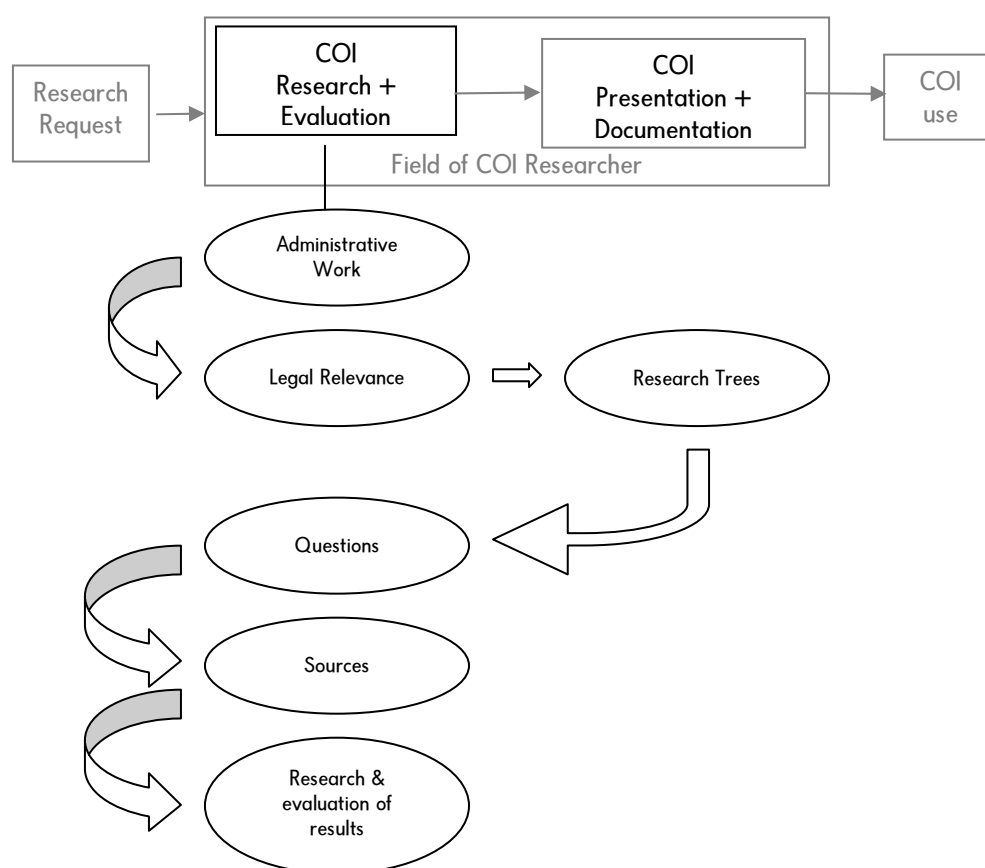
The workflow of a COI researcher comprises certain steps in a routine research cycle:

1. The cycle starts with a research request. The receipt of the request needs some administrative work that will be discussed in Module D. It is important to set a reasonable time frame within which a response is needed.
2. COI researchers usually deal with preformulated questions. In order to conduct their research, they must understand the legal relevance and context of the questions submitted. Sometimes they have to formulate further questions to structure their research or revise questions in the course of their research.

COI users have to formulate questions that will lead to the relevant information they need to assess an applicant’s claim. (Module A)

3. COI researchers have to identify, select and assess sources in order to produce reliable and balanced information. COI users have to weigh the evidence based, among other things, on criteria for source assessment. (Module B)
4. The next step is the proper research. Choosing an adequate research strategy and mastering (Internet) research skills are essential prerequisites for successful research. Research results must be verified and evaluated by the researcher, as well as by the user of COI. (Module C)
5. After the research is done the results will be presented by the COI researcher in a transparent, well-structured and objective manner. Transparent presentation allows COI users to independently verify and evaluate the information provided. (Module D)
6. The last step is the documentation of the results and the administration of the documents produced. The documentation system should satisfy the main principles of quality control. (Module D)

The research cycle



The graphic provides an overview of the research cycle. The box around the COI researcher has an organisational meaning: it symbolizes the communication flow between external and internal partners, i.e. clients, researchers and users. The field of COI use symbolizes the further processing of information provided by the COI researcher.

Evaluation of research continues throughout the research cycle. Therefore, evaluation appears both as a part of COI research, informing each step of the workflow.

The training programme will illustrate and put into practice the research cycle, with the use of case studies developed for, and adaptable to, different needs and skill levels.

Identifying Legally Relevant Country of Origin Information

MODULE A

IDENTIFYING LEGALLY RELEVANT COUNTRY OF ORIGIN INFORMATION

The present module addresses COI researchers and COI users. Understanding which behaviour is considered to constitute persecution is an important element of a COI researcher's training. The present chapter will present basic definitions of "persecution" and link them to international human rights considered fundamental to human dignity. Building on the notion of complementarity of human rights and refugee protection, it gives an overview of the most important human rights instruments and the institutions mandated to monitor human rights violations. It introduces research trees in order to systematically formulate research questions that will lead to legally relevant COI.

Meaning of Persecution in the Context of International Human Rights

OBJECTIVES

At the end of the session, participants will be able to:

- Relate core issues arising within RSD to refugee law and international human rights law
- Explain the meaning of persecution within refugee law
- Explain how international human rights and refugee protection complement each other
- Name key international human rights treaties

Target group: COI researchers and users

COI researchers often will have to draw attention to particular pieces of information, either because it is part of their COI unit's methodology to summarize information, or because their clients are dependent on COI researchers giving them quick access to the most important information by selecting quotes, or marking certain text parts.

In the Basic Module, a distinction was made between relevance in substance – answering a particular question - and legal relevance derived from concepts that have evolved within refugee law. If you have been asked to find information on a particular warlord who is said to persecute a family because he wants to gain possession of their land, any report of adequate reliability, which mentions the warlord and his practice of land-grabbing and thus corroborates the testimony of the applicants, will do.

If you are aware that in the context of non-state agent persecution, RSD authorities are likely to consider whether the applicant family could obtain protection from national authorities, you may decide to highlight a paragraph that mentions that the warlord maintains good relations with the local police, or that the police commander is an uncle of the warlord. You might check whether there are reports about other families who have successfully or unsuccessfully tried to obtain protection from that warlord, or you might include a report that speaks about the absence of governmental authorities in the region where the warlord reigns.

Persecution is a key legal concept contained in the refugee definition. It is an open concept that evolves in correspondence with an understanding of international human rights protection.

In its note on interpreting Article 1 of the Geneva Convention (UNHCR Art. 1 Interpretation), UNHCR emphasizes the complementarity of refugee law and international human rights:

“5. Refugees are owed international protection precisely because their human rights are under threat. [...] Human rights principles, not least because of this background, should inform the interpretation of the definition of who is owed that protection. Indeed, the natural complementarity between refugee protection and the international system for the protection of human rights has been expressed and elaborated in a number of UNHCR documents and Conclusions of the Executive Committee.” (UNHCR April 2001)

A basic knowledge about (evolving) international human rights instruments beyond the laws of refugee status and complementary protection can help COI researchers to identify legally relevant information and reports as well as particularly important sources. (On selection and assessment of sources see Module B.)

What constitutes persecution?

Academic authors have provided very general definitions of the term “persecution”. Guy Goodwin-Gill suggests that “[p]ersecution results where the persecutory measures ... harm [fundamental, protected] interests [of the individual] and the integrity and inherent dignity of the human being to a degree considered unacceptable under prevailing [...] standards.” (Goodwin-Gill 1996, p. 78) James Hathaway defines persecution as “the sustained or systematic failure of state protection in relation to one of the core entitlements which has been recognized by the international community.” (Hathaway 1991, p. 112) This suggests that the meaning of persecution changes over time, together with our understanding of what constitutes an unacceptable restriction of individuals’ rights.

The UNHCR Handbook emphasizes that

- “51. There is no universally accepted definition of “persecution”, and various attempts to formulate such a definition have met with little success. From Article 33 of the 1951 Convention, it may be inferred that a threat to life or freedom on account of race, religion, nationality, political opinion or membership of a particular social group is always persecution. Other serious violations of human rights – for the same reasons – would also constitute persecution.
52. Whether other prejudicial actions or threats would amount to persecution will depend on the circumstances of each case, including the subjective element to which reference has been made in the preceding paragraphs. The subjective character of fear of persecution requires an evaluation of the opinions and feelings of the person concerned. It is also in the light of such opinions and feelings that any actual or anticipated measures against him must necessarily be viewed. Due to variations in the psychological make-up of individuals and in the circumstances of each case, interpretations of what amounts to persecution are bound to vary.
53. In addition, an applicant may have been subjected to various measures not in themselves amounting to persecution (e.g. discrimination in different forms), in some cases combined with other adverse factors (e.g. general atmosphere of insecurity in the country of origin). In such situations, the various elements involved may, if taken together, produce an effect on the mind of the applicant that can reasonably justify a claim to well-founded fear of persecution on “cumulative grounds”. Needless to say, it is not possible to lay down a general rule as to what cumulative reasons can give rise to a valid claim to refugee status. This will necessarily depend on all the circumstances, including the particular geographical, historical and ethnological context.” (UNHCR Handbook, para 51f.)

In its guideline on the interpretation of Article 1.A, UNHCR stressed again that

“the fact that the Convention does not legally define persecution is a strong indication that, on the basis of the experience of the past, the drafters intended that all future types of persecution should be encompassed by the term.

17. The on-going development of international human rights law subsequent to the adoption of the 1951 Convention has helped to advance the understanding, expressed in the UNHCR Handbook, that persecution comprises human rights abuses or other serious harm, often but not always with a systematic or repetitive element. While it is generally agreed that “mere” discrimination may not, in the normal course, amount to persecution in and of itself (though particularly egregious forms undoubtedly will be so considered), a persistent pattern of consistent discrimination will usually, on cumulative grounds, amount to persecution and warrant international protection.” (UNHCR April 2001, para 16-17)

The legal analysis of an applicant’s testimony needs to remain open to all possible forms of harm that might constitute persecution. For the purposes of COI research, it is helpful to have an understanding of human rights violations and other forms of serious harm that have been mentioned as constituting persecution against the background of prevailing human rights standards. It is important to keep in mind the requirement of a *nexus* between human rights violations and a Convention ground.

In the 1998 Note on International Protection, the UN High Commissioner for Refugees elaborated on possible forms of persecution:

“Persecution commonly takes the form of violation of the right to life, to liberty and to security of the person – including through torture or cruel and inhuman treatment or punishment – motivated by race, religion, nationality, membership of a particular social group or political opinion. In addition, individuals who are denied the enjoyment of other civil, political, economic, social and cultural rights may have a valid claim for refugee status where such denial is based on any of the relevant grounds, and its consequences are substantially prejudicial for the person concerned to the point where daily life becomes intolerable. Serious particularly cumulative violations of the rights to freedom of opinion and expression, to peaceful assembly and association, to take part in the government of the country, to respect for family life, to own property, to work and to an education, among others, could provide valid grounds for refugee claims.” (UNHCR A/AC.96/898 3 July 1998, para 6).

The EU, in its Asylum Qualification Directive, takes up the idea that persecution consists either of a serious or repetitive violation of a basic human right, or a combination of human rights violations, which taken together, have a serious effect on the individual. The Directive also mentions a number of acts that would qualify as persecution in accordance with the Directive’s understanding of the term:

“Article 9 Acts of persecution

1. Acts considered as persecution within the meaning of article 1 A of the Geneva Convention must:
 - (a) be sufficiently serious by their nature or repetition as to constitute a severe violation of basic human rights, in particular the rights from which derogation cannot be made under Article 15 (2) of the European Convention for the Protection of Human Rights and Fundamental Freedoms; or
 - (b) be an accumulation of various measures, including violations of human rights which is sufficiently severe as to affect an individual in a similar manner as mentioned in (a).
2. Acts of persecution as qualified in paragraph 1, can, *inter alia*, take the form of:
 - (a) acts of physical or mental violence, including acts of sexual violence;
 - (b) legal, administrative, police, and/or judicial measures which are in themselves discriminatory or which are implemented in a discriminatory manner;

- (c) prosecution or punishment, which is disproportionate or discriminatory;
 - (d) denial of judicial redress resulting in a disproportionate or discriminatory punishment;
 - (e) prosecution or punishment for refusal to perform military service in a conflict, where performing military service would include crimes or acts falling under the exclusion clauses as set out in Article 12 (2);
 - (f) acts of a gender-specific or child-specific nature.
3. In accordance with Article 2 (c), there must be a connection between the reasons mentioned in Article 10 and the acts of persecution as qualified in paragraph 1. (EU Asylum Qualification Directive)

Threats to life, liberty and physical integrity are considered to be so serious under international human rights law that they will always constitute persecution if they are motivated by one of the grounds mentioned in the Geneva Refugee Convention. (See also UNHCR Handbook, para 51.) Infractions of other political and civil rights, as well as economic and social rights, usually must attain a higher degree of intensity – making life intolerable, or fundamentally denying human dignity - to amount to persecution. Reports of discrimination, according to UNHCR, might become relevant once they amount to a “substantially prejudicial nature for the person concerned, e.g. serious restrictions on his right to earn his livelihood, his right to practise his religion, or his access to normally available educational facilities.” (UNHCR Handbook, para. 54) Such information can also demonstrate the reasonableness of individual fear, even where it does not as such amount to persecution. (UNHCR Handbook, para. 55)

The EU Asylum Qualification Directive, in its definition of “serious harm” refers to rights that are “non-derogable” under Article 15.2 of the European Convention on Human Rights.

| | |
|-----------|--|
| Art. 2 | Right to life, except for deaths resulting from lawful acts of war. (6th Additional Protocol: Abolition of the death penalty) |
| Art. 3 | Prohibition of torture, and cruel, degrading and inhuman treatment |
| Art. 4(1) | Prohibition of slavery |
| Art. 7 | No punishment without law |

“Non-derogable” means a state party to a human rights treaty can under no circumstances suspend these rights, either because they are considered to be fundamental to human dignity or because derogation would not help a government in its reaction to a public emergency. Non-derogable rights under the International Covenant of Civil and Political Rights are listed in Art 4.2 ICCPR: the right to life, freedom from torture and slavery, freedom from imprisonment due to one’s inability to fulfil a contractual obligation, as well as freedom of thought, conscience and religion.

Defining non-derogable human rights

The Human Rights Committee, in its General Comments N° 24 (CCCPR/C.21/Rev.1/dd.6 4 November 1994) and N° 29 (CCPR/C/21/Rev.1/Add.11 31 August 2001) has explained the relationship between “peremptory” (i.e. absolutely binding) and non-derogable human rights. It refers in particular to fundamental guarantees of international humanitarian law in order to underline its opinion that no emergency, not even war, can justify the disrespect for certain fundamental human rights. In addition to the rights mentioned in Art 4.2 ICCPR, the Committee considers the following rights and prohibitions as non-derogable:

- Respect for humanity and dignity of persons
- The prohibition against taking of hostages, abductions and unacknowledged detention.
- Certain elements of the rights of minorities: the prohibition against genocide, the rule of non-discrimination in derogating rights, freedom of thought, religion and conscience

- Deportation, forced displacement by expulsion or coercive measures, or forcible transfer without grounds permitted under international law
- The prohibition against propaganda for war, or incitement to national, religious or racial hatred
- The right to a legal remedy against measures of derogation
- The prohibition of arbitrary deprivation of liberty
- The right to a fair trial by a court
- The right to a judicial review without delay of the lawfulness of detention
- The presumption of innocence

The Committee adds that states must respect the principle of proportionality and non-discrimination when suspending derogable rights in a state of emergency. Derogation must be limited "to the extent strictly required by the exigencies of the situation". (Art 4.1 ICCPR)

See also UN Committee on Human Rights: General Comment 24 (52), General comment on issues relating to reservations made upon ratification or accession to the Covenant or the Optional Protocols thereto, or in relation to declarations under article 41 of the Covenant, U.N. Doc. CCPR/C/21/Rev.1/Add.6 (1994), para 8

States have an obligation to respect the human rights protected in the ICCPR and other human rights treaties. While the definition of non-derogable rights and peremptory norms suggest a hierarchy of international human rights, the notion of persecution can encompass a much broader concept, depending on the intensity of the human rights violation and the nexus to a Convention ground. Where socio-economic rights, such as the right to work or the access to healthcare, are systematically withheld on the basis of ethnicity, such treatment may amount to persecution.

Major international human rights treaties include:

Universal Declaration of Human Rights

<http://www.un.org/Overview/rights.html>

International Covenant on Civil and Political Rights (ICCPR)

http://www.unhchr.ch/html/menu3/b/a_ccpr.htm

International Covenant on Economic, Social and Cultural Rights (ICESCR)

<http://www.ohchr.org/english/law/cescr.htm>

International Convention on the Elimination of All Forms of Racial Discrimination (CERD)

http://www.unhchr.ch/html/menu3/b/d_icerd.htm

Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)

<http://www.unhchr.ch/html/menu3/b/e1cedaw.htm>

Convention on the Rights of the Child (CRC)

<http://www.ohchr.org/english/law/crc.htm>

International Convention against Torture (ICAT)

<http://www.ohchr.org/english/law/cat.htm>

International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

<http://www.ohchr.org/english/bodies/cmw/cmw.htm>

European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR)

<http://www.echr.coe.int/ECHR/EN/Header/Basic+Texts/Basic+Texts/The+European+Convention+on+Human+Rights+and+its+Protocols/>

The Guiding Principles on Internal Displacement were adopted by the UN Commission on Human Rights on 11 February 1998. They identify rights and guarantees contained in binding international human rights treaties relevant to the protection of internally displaced persons (IDPS)

http://www.unhcr.ch/html/menu2/7/b/principles_lang.htm

The rights of civilians in armed conflict are especially protected under international humanitarian law.

Geneva Conventions of 12 August 1949 and the Additional Protocols of 1977

www.icrc.org

The four Geneva Conventions of 12 August 1949 regulate means and methods of warfare as well as the protection of the civilian population and members of the armed forces or certain armed groups who no longer take active part in hostilities. Common Art 3 of all 4 Geneva Conventions establishes minimum guarantees for treatment of persons in situations of armed conflict of a non-international character:

“(1) Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed hors de combat by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria.

To this end, the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons:

- (a) violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture
- (b) taking of hostages
- (c) outrages upon personal dignity, in particular humiliating and degrading treatment
- (d) the passing of sentences and the carrying out of executions without previous judgement pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples

(2) The wounded and sick shall be collected and cared for.”

Art 75 of Additional Protocol I enumerates in greater detail fundamental guarantees applicable in international armed conflict, while Additional Protocol II elaborates on the meaning of Common Art 3 in non-international armed conflicts. These provisions provide an understanding of non-derogable rights in times of war and armed conflict.

Rome Statute and the International Criminal Court (ICC)

<http://www.un.org/law/icc/index.html>

Particularly serious crimes are considered to engage individual responsibility under international criminal law. The ad-hoc tribunals on the former Yugoslavia and Rwanda have issued a number of judgments with regard to the conflicts in Bosnia, Kosovo/a and the genocide in Rwanda. In July 1998, the International Criminal Court (ICC) was established. The Rome Statute defines as crimes within the jurisdiction of the ICC genocide (Art 6), crimes against humanity (Art 7) and war crimes (Art 8). The Rome Statute entered into force on 1 July 2002. The ICC has only recently started to conduct investigations.

Art 7 Rome Statute Crimes against humanity

"For the purpose of this Statute, "crime against humanity" means any of the following acts when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack:

- (a) Murder;
- (b) Extermination;
- (c) Enslavement;
- (d) Deportation or forcible transfer of population;
- (e) Imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law;
- (f) Torture;
- (g) Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity;
- (h) Persecution against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender as defined in paragraph 3, or other grounds that are universally recognized as impermissible under international law, in connection with any act referred to in this paragraph or any crime within the jurisdiction of the Court;
- (i) Enforced disappearance of persons;
- (j) The crime of apartheid;
- (k) Other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health."

Art 7 defines persecution for the purposes of the Rome Statute as "the intentional and severe deprivation of fundamental rights contrary to international law by reason of the identity of the group or collectivity".

A complementary or subsidiary protection status is needed to protect those people whose reason for flight are beyond a full and inclusive interpretation of the Refugee Convention, mostly because the risk they are subjected to is not linked to one of the grounds mentioned in the Refugee Convention, but who nevertheless require international protection. This is the case for persons at risk of torture or other forms of cruel or inhuman treatment under the European Convention on Human Rights and the Convention against Torture. (See Optional Module: Refugee law and complementary protection)

States have granted complementary protection (subsidiary protection; humanitarian status) for a number of reasons beyond the risk of torture. Civil war or highly volatile post-conflict security situations, lack of food, shelter, and medical treatment may give rise to complementary protection. Where human rights violations in a civil war are linked to one of the Convention grounds, the victims of these human rights violations can meet the criteria of the refugee definition, no matter the number of the persons affected. War and especially attacks on the civilian population can be an instrument of persecution.

Researching armed conflict requires an understanding of conflict analysis, early warning and security assessments as well as how to evaluate reports on the humanitarian situation. Relevant information will often be accessed while researching background information on a country of origin, or when researching an issue of international flight alternative.

Conclusion

Relevant country of origin research will be informed by an understanding of international human rights law. COI researchers shall be able to relate information found in reports to human rights protected under international law, and understand its relevance in the context of refugee status determination. COI researchers will pay particular attention to reports that provide an understanding of the reasons for human rights violations, and whether individuals or groups are targeted because of their political opinion or religious belief, because of their race, ethnicity or nationality, or because of their membership in a particular social group. A potential risk of persecution can only be properly assessed against the background of political or social context and power relations in a country.

While using a basic understanding of fundamental human rights as a guideline for selecting information, COI researchers and users will keep in mind that persecution may be constituted by a combination of a number of factors that have a negative impact on a person's life. The information provided by COI researchers has to enable COI users to connect the available documentary evidence with the overall circumstances of the individual case in order to make a decision on whether the evidence taken together suggests that an individual applicant satisfies the criteria of the refugee definition and/or would qualify for complementary protection.

COI research trees

OBJECTIVES

At the end of the session, participants will be able to:

- Identify key legal issues presented in testimonies of asylum applicants and relate them to factual research questions
- Independently formulate research questions on the basis of applicants' testimonies or general queries submitted
- Structure and systematize the research on practical cases with the help of research trees
- Identify relevant information in reports used for COI research and explain their relevance for the refugee status determination procedure.

Target group: COI researchers and users

Usually, a COI researcher will be faced with questions formulated by a legal adviser or a decision-maker and will seek to find information to answer those questions. However, COI researchers must be able to understand the rationale behind certain questions within the refugee status determination procedure, as well as communicate with persons in need of COI as to the scope and context of their questions.

COI research trees correspond to clusters of research questions that are related to concepts of refugee law doctrine and jurisprudence. Within these concepts, research questions grow out of each other – as branches grow from the trunk of a tree. This does not imply a hierarchy of questions, but a logical relationship of certain questions within a legal concept.

The training programme uses the concept of research trees to support COI users and researchers to translate questions of refugee law into research questions. The research trees are designed to help with the systematic process of formulating research questions, not to substitute COI research with legal analysis. By building research trees, COI researchers can ensure that the information selected will be relevant for COI users. COI users' awareness of research trees will help them to formulate relevant queries and evaluate the COI material submitted.

The research trees aim at presenting a number of complex research issues on a rather abstract level. In the case studies designed for the training programme, you will practice how to formulate case-specific questions and how to evaluate whether you have sufficiently addressed the research issues presented by the cases. In practice, it will not always be possible, nor will it always be necessary, to answer all the questions listed in the research trees. It is important to keep in mind that refugee status determination is not about "proving" all the facts, but about making a well-informed decision, taking into account available documentary evidence, including COI, as well as the applicant's testimony as a whole.

The text will introduce the reader to the key principles and research questions related to each of the legal issues under discussion. A checklist ("research tree") will guide the work on the case studies and assist practitioners in their daily work. Hand-drawn images of trees should help readers to visualize the concept of a research tree. During the training sessions participants will work together with the trainer to draw case-specific research trees, linking legal concepts to research issues, and eventually to sources that will help to answer research questions.

National laws

OBJECTIVES

At the end of the session, participants are able to:

- explain the structure of the research tree on national laws
- derive the relevant questions concerning national laws from an applicant's testimony or research questions submitted
- explain the difference between prosecution and persecution
- formulate case specific questions on the basis of the research "National laws"

Any assessment of the human rights situation in a country of origin addresses the question whether basic human rights norms and laws are enacted in national legislation and applied in practice or whether national law in itself might infringe fundamental human rights. The national constitution, and national laws regulating citizenship, the rights of women and minorities, judicial guarantees and proceedings, laws regulating the freedom of association and assembly as well as registration and activities of political parties are crucial for an assessment of the human rights situation in a particular country.

Promotion of human rights and access to legal remedies against human rights violations are important aspects of national mechanisms for the protection of human rights. Furthermore, it is not sufficient for human rights laws to be merely adopted; they need to be applied in a non-discriminatory and non-arbitrary manner. Researching legal provisions and studying their implementation in practice is a core task of COI research. The reporting and monitoring mechanisms of the UN human rights treaties and the Council of Europe represent important sources for such information.

Prevention of human rights abuses will be discussed with the research tree on Domestic protection that complements the research tree on national laws.

COI researchers often will have to deal with the question whether national laws can be used as means of persecution. Usually, refugee law distinguishes clearly between prosecution for criminal acts under national laws and persecution. There are, however, some instances in which prosecution for criminal acts can constitute persecution. According to UNHCR, distinguishing the ordinary prosecution of offences from persecution, it is necessary to take into account and analyse at least some of the following factors:

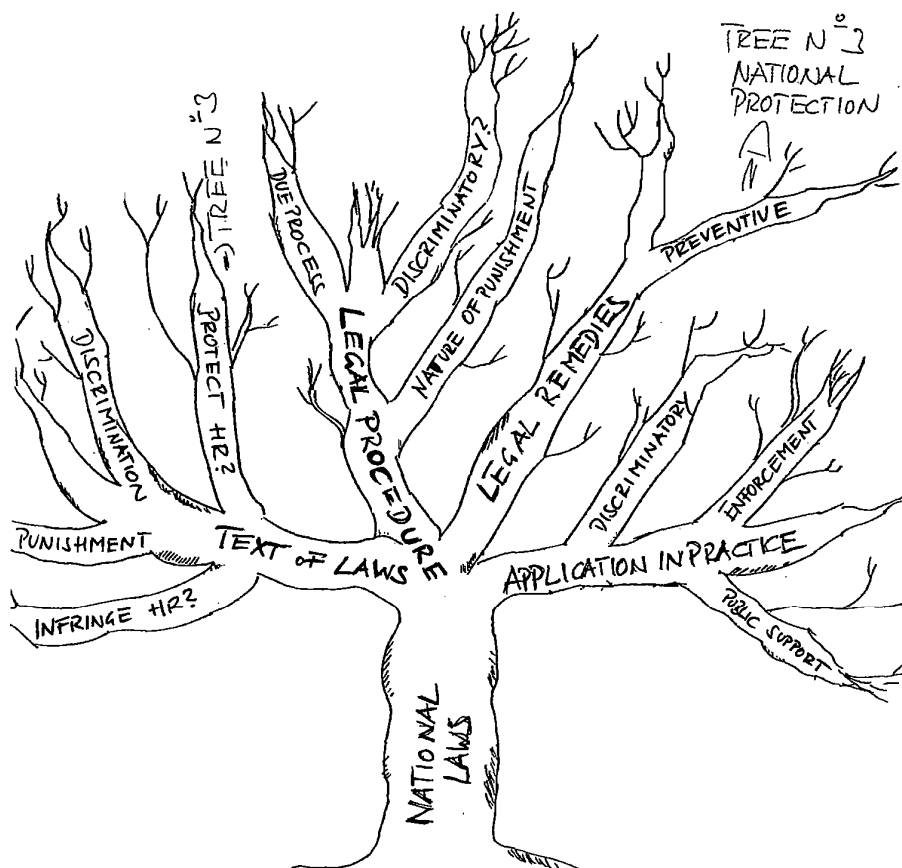
- whether the law is in conformity with human rights standards or is inherently persecutory (for example where it prohibits legitimate religious belief or activity);
- whether implementation of the law is carried out in a manner which amounts to persecution based on a Convention reason. Elements to be considered in this regard include:
 - whether persons charged under the law are denied due process of law for a Convention reason;
 - whether prosecution is discriminatory (for example where only members of certain ethnic groups are prosecuted);
 - whether punishment is meted out on a discriminatory basis, (for example, the usual penalty is a six month prison term but those judged to hold a certain political opinion are routinely sentenced to a 1 year imprisonment);
 - whether punishment under the law amounts to persecution (for example where the punishment amounts to cruel, inhuman or degrading treatment);" (UNHCR Article 1.A April 2001 referring to Handbook)

1. Research tree 1: National Laws

Consider the following questions when conducting COI research on national laws:

- What is the text of relevant legal provisions?
- How are national laws interpreted and applied by law enforcement and the judicial system of the country of origin?
- Do public officials support the implementation of these laws?
- Do international human rights organizations consider certain provisions of national laws to infringe fundamental human rights? If yes, what information is there on enforcement of such laws?
- What do reports say about the fairness of legal procedures? Is there information on
 - Denial of due process of law on Convention grounds?
 - Discriminatory prosecution on Convention grounds?
 - Discriminatory punishment on Convention grounds?
- Is there evidence of disproportionate (excessively harsh) punishment?
 - Existence of cruel, inhuman and degrading punishment, such as corporal punishment or the death penalty
- Are legal remedies against human rights violations available and effective? (for prevention of abuses see COI research tree: Domestic protection)

For an exercise on Research tree: National laws please use 'Brainteaser 2' – Desertion from the Yugoslav Army and Case study N° 2 Women in Afghanistan



Persecution by non-state actors

OBJECTIVES

At the end of the session, participants will be able to:

- Explain the structure of the research tree for non-state agent persecution
- Formulate case-specific questions using the research tree on non-state agents

Refugee status under Art 1.A of the Geneva Convention might not only be granted on grounds of persecution by state actors but also by so-called non-state agents or third parties.

The UNHCR Handbook on Procedures and Criteria for Determining Refugee Status states in Paragraph 65:

“Persecution is normally related to action by the authorities of a country. It may also emanate from sections of the population that do not respect the standards established by the laws of the country concerned.”

The European Court of Human Rights recognized the relevance of non-state actors under Art 3 ECHR in its landmark decision *Ahmed v. Austria*. The UN Committee against Torture has accepted actors performing quasi-governmental functions as falling under the Convention against Torture.

While a number of national jurisdictions have not yet embraced the concept of non-state agent persecution under the Geneva Refugee Convention, the EU Asylum Qualification Directive explicitly mentions non-state actors as possible actors of persecution or serious harm:

Article 6

“Actors of persecution or serious harm include:

- (a) the State;
- (b) parties or organisations controlling the State or a substantial part of the territory of the State;
- (c) non-State actors, if it can be demonstrated that the actors mentioned under subparagraphs (a) and (b), including international organisations, are unable or unwilling to provide protection against persecution or serious harm as defined in Article 7.”

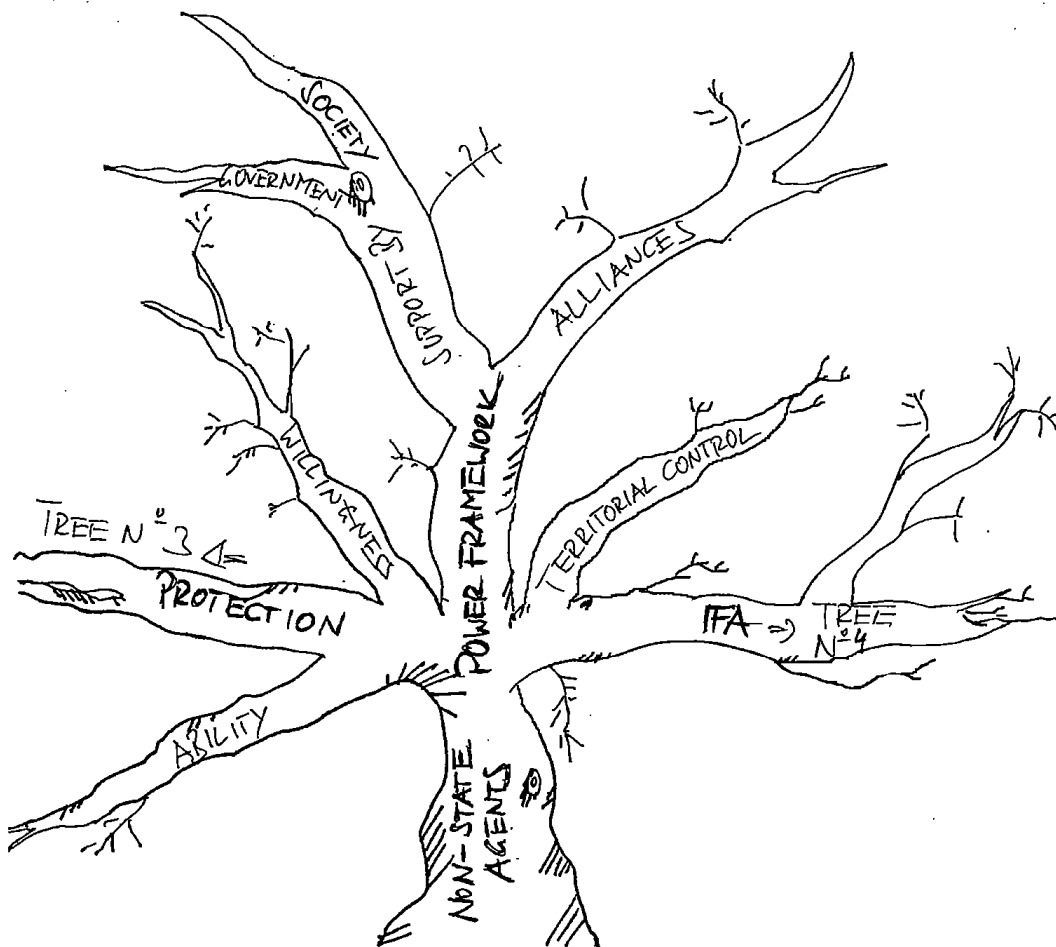
Research on non-state agent persecution will have to look carefully into the power regime in a given country of origin. Who exercises power, and where? Which alliances exist between different actors? Are certain non-state actors supported by certain branches of the government?

National case law will often look at two quite complex legal issues in the context of non-state agent persecution – can an individual expect protection by government authorities against human rights violations committed by non-state actors? And could an individual be safe from persecution when relocating to another area in the country of origin where the non-state agent of persecution is not present? Research tree N° 3 (Domestic protection) and N° 4 (internal flight/protection alternative) provide assistance with these quite complex research issues.

Research tree 2: Non-state agents of persecution

- Position of NSA within the power framework of the country of origin
 - Are they acting in complicity with or tolerated by state actors?
 - Are they in de-facto control of part of the territory?
 - Are they supported by traditional norms and customs embraced by large segments of the society?
 - Effectiveness of domestic protection (see Research tree N° 3)
 - Internal flight or protection alternative (see Research tree N° 4)
- In particular
- Ability of the persecutor to pursue the claimant in the proposed area, and the protection available to the claimant in that area from State authorities.
 - The motivation of the non-state agent to persecute in the area of relocation

For an exercise on Research tree: Non-state agents of persecution please use 'Case study N° 1 Roma in Serbia (Province of Kosovo/a and Belgrade) and Case study N° 2 Women in Afghanistan



Domestic protection

OBJECTIVES

At the end of the session, participants will be able to:

- Name elements and potential actors of protection mentioned in legal instruments and refugee law literature
- Formulate case-specific questions concerning domestic protection

Requests for COI research often include a question on the effectiveness of state protection in the country of origin. UNHCR as well as academic commentators have debated the meaning of “protection” in the Geneva Refugee Convention. UNHCR and some commentators refer to the preparatory work on the Geneva Refugee Convention in order to support their view that “protection” in Article 1.A refers to “diplomatic” protection, i.e. protection that a state owes its citizens when they are outside their country of nationality. Other commentators and a series of case law decisions interpret “protection” as “domestic protection”, i.e. protection that a state owes its citizens (as well as aliens) while they are within its territory, and see “failure of state protection” as a core element of the definition of persecution.

Where COI requests ask for information on “effective protection” or “state protection”, they will regularly refer to this second meaning of protection within the territory of the country of origin, not necessarily embracing either of these two positions. This issue arises particularly in the context of establishing the risk of persecution by non-state agents. Asylum authorities strive to establish whether an individual would be able to get protection from persecution in his or her country of origin, and thus not be in need of protection by the host country.

The degree of protection required is sometimes a matter of debate. The notion of “effective” protection may be misleading as it suggests that state authorities must be able to effectively prevent abuses. No state, however, can prevent all abuses, especially those emanating from non-state actors. Therefore, some authors suggest the notion of a “reasonable expectation of protection” might be more appropriate. Where state authorities are unwilling or unable to protect from feared harm in general, or with regard to certain abuses, or with regard to certain perpetrators or victims, it would not be reasonable for an individual to expect protection in his or her case. (See discussion in: Fortin 2001, p. 574; Hathaway 1991, p. 124 ff.)

UNHCR acknowledges that the existence of domestic protection can play a role in determining whether someone is a refugee. It stresses, however, that effectiveness of national protection is only one of several factors to be considered in refugee status determination.

- “15. Consideration of effective national protection is, in UNHCR’s view, neither a separate nor a seminal issue, but rather one of a number of elements concomitant to determining refugee status in certain cases, particularly those involving a fear of persecution emanating from non-state agents. The question is whether the risk giving rise to the fear is sufficiently mitigated by available and effective national protection from that feared harm. Where such an assessment is necessary, it requires a judicious balancing of a number of factors both general and specific, including the general state of law, order and justice in the country, and its effectiveness, including the resources available and the ability and willingness to use them properly and effectively to protect residents.” (UNHCR April 2001, para 15)

Protection of human rights can take the form of promotion of human rights, of prevention and of legal remedies. (Fortin 2001, p. 552) While promotion of a human right is an indicator that a state is willing to prevent violations of this right, it does not necessarily mean that its

authorities are able to do so (or share the official government's position). The availability of legal remedies is an indicator for a functioning administration and judicial system. Individuals need to demonstrate well-founded fear of persecution; they need not wait for a threat to materialize, and they need not exhaust domestic remedies before being entitled to refugee status. Where state authorities, given the general situation in the country, can reasonably be expected to prevent the feared harm, the decision-maker may conclude that the fear of persecution is not sufficiently well-founded. Where state authorities are either very weak, or where there is a record of lack of protection of a certain group, decision-makers might find the risk of persecution quite high.

The phenomenon of failed states or de-facto regional authorities as well as the increased establishment of international administration has led to the question whether only state actors can offer protection against persecution. The EU Asylum Qualification Directive provides for a number of actors of protection:

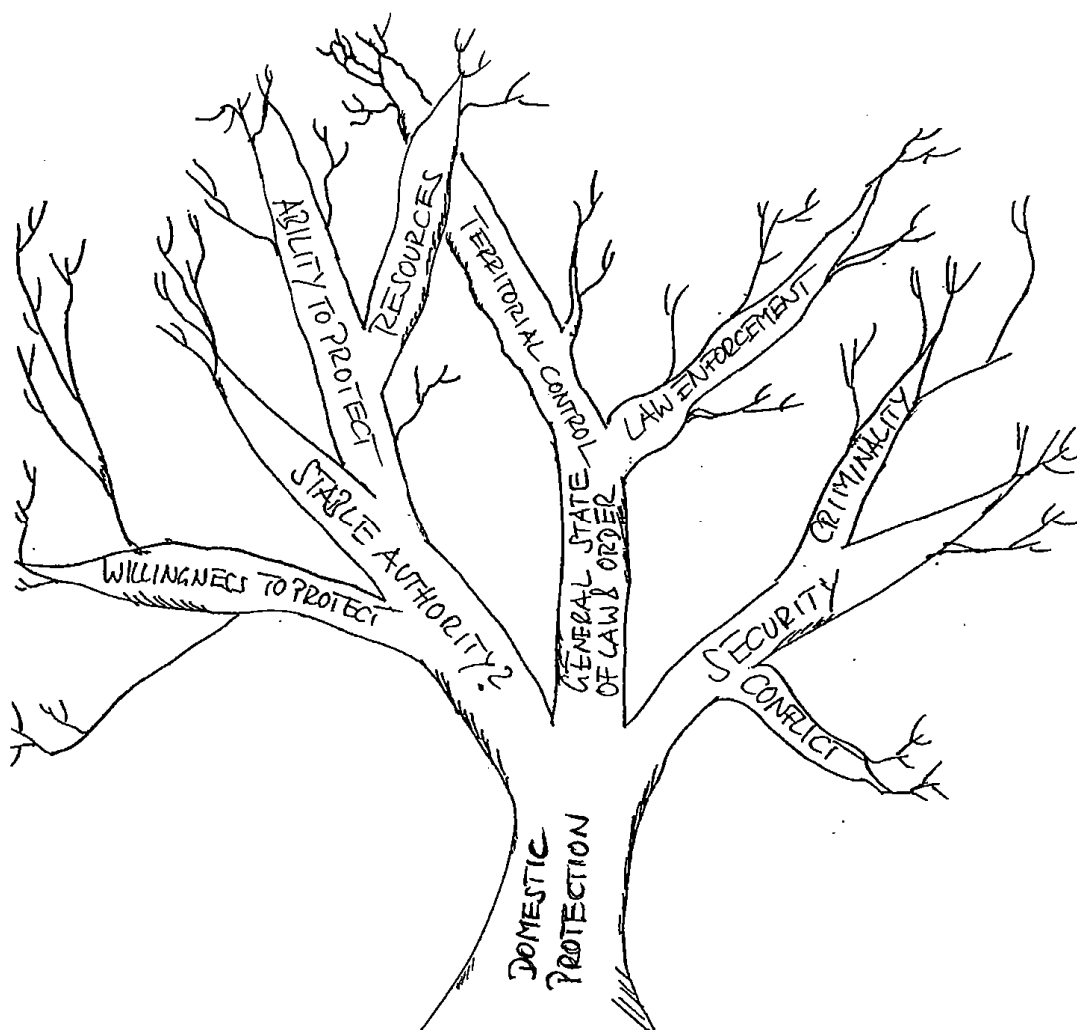
"Article 7 Actors of protection

1. Protection can be provided by:
 - (a) the State; or
 - (b) parties or organisations, including international organisations, controlling the State or a substantial part of the territory of the State.
2. Protection is generally provided when the actors mentioned in paragraph 1 take reasonable steps to prevent the persecution or suffering of serious harm, *inter alia*, by operating an effective legal system for the detection, prosecution and punishment of acts constituting persecution or serious harm, and the applicant has access to such protection.
3. When assessing whether an international organisation controls a State or a substantial part of its territory and provides protection as described in paragraph 2, Member States shall take into account any guidance which may be provided in relevant Council acts.

Research tree 3: Domestic protection

- Is there an organised and stable authority exercising (full) control over the territory and population in question?
 - Are there functioning administrative and judicial structures?
 - Are resources available in principle to protect individuals from serious harm? (e.g. infrastructure and training of judicial system and law enforcement; presence of security forces; women shelters; welfare institutions)
 - Are there reports about police corruption?
 - Are there reports about organized crime? Are there reports about collusion between organized crime and government authorities? How widespread is criminality?
- Do individuals have effective access to law enforcement and judicial authorities?
- Are there any reports on incidents where state authorities did or did not intervene to prevent a serious harm? Do authorities protect against acts by some groups, but not by others?
- Which motivation do reports give for unwillingness of state authorities to intervene on behalf of an individual or a particular group?
- Are there any expert assessments on the ability or willingness of state authorities to prevent human rights violations or other forms of serious harm?

See Case study n°1 Roma in Serbia (province of Kosovo/a and Belgrade) and Case study n° 2 Women in Afghanistan



Internal flight or protection alternative

OBJECTIVES

At the end of the session, participants will be able to:

- Explain the function and application of internal flight or protection alternative in refugee law
- Explain the different tests decision-makers apply when assessing an internal flight or protection alternative
- Explain the structure of the research tree on internal flight or protection alternative
- Derive case-specific research questions regarding the applicability of internal flight or protection alternative from an applicant's testimony with the help of the research tree

Internal flight/protection/relocation alternative

Different terms are used in the literature to designate the concept of internal flight alternative. While the most widely used term is "internal flight alternative", some academics and the EU Asylum Qualification Directive use the expression "internal protection alternative". UNHCR in its 2003 Guideline refers to the "internal flight or relocation alternative".

In assessing whether an asylum seeker's fear of persecution is well-founded under the definition of refugee as contained in Article 1.A (2) of the Geneva Convention, state practice takes into account whether the applicant can expect internal protection in another part in his/her country of origin (area of relocation).

The question of internal flight or protection alternative arises mostly where human rights are violated by non-state actors and where effective protection may not be possible in one part of the country (e.g. because it is under control of a rebel force responsible for the alleged persecution) but may be granted in another part of the country. In rare cases, the question of internal flight alternative may arise with regard to alleged persecution by state actors, e.g. where part of a country is effectively and foreseeably out of reach of the alleged persecutor (e.g. under administration by a de facto government as in Somaliland, or under international administration).

Goodwin-Gill states that an internal flight alternative will be deemed to exist where

- 1) there is factual evidence that protection can be afforded to the asylum seeker in another region of origin **and**
- 2) the asylum seeker has a chance of "maintaining some sort of social and economic existence". (Goodwin-Gill 1996, p. 74-75)

According to Hathaway, in line with his definition of persecution as a failure of state protection, a person is not a refugee, if he/she can "access effective protection" in another part of his or her country of origin. UNHCR considers internal flight alternative not as a principle of refugee law excluding individuals or groups from refugee status, but as a factual situation which needs to be determined on a case-by-case basis.

"The fear of being persecuted need not always extend to the *whole* territory of the refugee's country of nationality [...] persecution may occur in only one part of the country. In such situations, a person will not be excluded from refugee status merely because he could have sought refuge in another part of the same country, if under all circumstances it would not have been reasonable to expect him to do so." (UNHCR Handbook, para 91)

The so-called reasonableness test (can the person live a relatively “normal” life?) has been criticized because of its vagueness and potential arbitrariness. Both the UNHCR most recent guideline on the application of IFA and in the EU Asylum Qualification Directive include the question whether it can be reasonably expected from a particular individual to avail him- or herself of an internal protection alternative. The reasonableness test strikes a balance between objective living conditions in a proposed area of relocation (as such and in comparison to the region of origin) and the subjective circumstances of an individual. In July 2003, UNHCR issued a guideline on internal flight alternative, distinguishing between the relevance analysis – can the application of IFA be relevant in the context of the case? – and the reasonable analysis – is the application of IFA reasonable in light of the personal circumstances of the applicant (subjective) and the general conditions in the area of relocation (objective)?

UNHCR July 2003

I. The Relevance Analysis

- a. Is the area of relocation practically, safely, and legally accessible to the individual? If any of these conditions is not met, consideration of an alternative location within the country would not be relevant.
- b. Is the agent of persecution the State? National authorities are presumed to act throughout the country. If they are the feared persecutors, there is a presumption in principle that an internal flight or relocation alternative is not available.
- c. Is the agent of persecution a non-State agent? Where there is a risk that the non-State actor will persecute the claimant in the proposed area, then the area will not be an internal flight or relocation alternative. This finding will depend on a determination of whether the persecutor is likely to pursue the claimant to the area and whether State protection from the harm feared is available there.
- d. Would the claimant be exposed to a risk of being persecuted or other serious harm upon relocation? This would include the original or any new form of persecution or other serious harm in the area of relocation.

II. The Reasonableness Analysis

22. In addition to there not being a fear of persecution in the internal flight or relocation alternative, it must be reasonable in all the circumstances for the claimant to relocate there.

This test of “reasonableness” has been adopted by many jurisdictions. It is also referred to as a test of “undue hardship” or “meaningful protection”.

[...]

The question is what is reasonable, both subjectively and objectively, given the individual claimant and the conditions in the proposed internal flight or relocation alternative.

Can the claimant, in the context of the country concerned, lead a relatively normal life without facing undue hardship?

24. In answering this question, it is necessary to assess the applicant’s personal circumstances, the existence of past persecution, safety and security, respect for human rights, and possibility for economic survival.” (UNHCR July 2003, para 21-24)

The EU Directive applies the following criteria for the assessment of whether there is no need for international protection because of the availability of internal protection:

- No well-founded fear of persecution
- No risk of suffering serious harm
- Reasonableness of the expectation to stay in that part of the country

This assessment shall be made on the basis of the general circumstances in the area of relocation as well as on the personal circumstances of the applicant.

“Article 8 EU Asylum Qualification Directive : Internal protection

1. As part of the assessment of the application for international protection, Member States may determine that an applicant is not in need of international protection if in a part of the country of origin there is no well-founded fear of being persecuted or no real risk of suffering serious harm and the applicant can reasonably be expected to stay in that part of the country.
2. In examining whether a part of the country of origin is in accordance with paragraph 1, Member States shall at the time of taking the decision on the application have regard to the general circumstances prevailing in that part of the country and to the personal circumstances of the applicant.
3. Paragraph 1 may apply notwithstanding technical obstacles to return to the country of origin.”

Burden of Proof

Reinhard Marx points out that country of origin information gains particular relevance in the assessment of an internal protection alternative because of a shift in the burden of proof: while the applicant is expected to provide factual evidence and testimony as to the facts leading to a well-founded fear of persecution, he or she cannot be expected to have detailed personal knowledge about all parts of the country of origin or as to the motives and intentions of his or her persecutors.

As far as general political, social, and similar aspects are of relevance, the only obligation [for the applicant] is to raise initial indication thus transferring the burden to the determination authority to undertake a thorough research of the facts. (Marx 2002, p. 214)

UNHCR stresses this point in its 2003 guideline on the internal flight or relocation alternative.

“33. The use of the relocation concept should not lead to additional burdens on asylum-seekers. The usual rule must continue to apply, that is, the burden of proving an allegation rests on the one who asserts it. This is consistent with paragraph 196 of the Handbook which states that [...] while the burden of proof in principle rests on the applicant, the duty to ascertain and evaluate all the relevant facts is shared between the applicant and the examiner. Indeed, in some cases, it may be for the examiner to use all the means at his [or her] disposal to produce the necessary evidence in support of the application.

34. On this basis, the decision-maker bears the burden of proof of establishing that an analysis of relocation is relevant to the particular case. If considered relevant, it is up to the party asserting this to identify the proposed area of relocation and provide evidence that it is a reasonable alternative for the individual concerned.” (UNHCR 23 July 2003, para 33-34)

Country of origin research thus plays a particularly important role in providing reliable information that supports an assessment of the applicability of an internal protection

alternative. At the same time, it will be difficult to find country of origin information that is sufficiently specific to assess some of the criteria of the reasonableness test, in particular with regard to the personal circumstances of the applicant. Research on internal flight alternative should always refer to a particular place or region.

Sudden changes

UNHCR also cautions that in countries of origin of volatile situation sudden changes might affect the safety of a particular area of relocation.

37. While examination of the relevance and reasonableness of a potential internal relocation area always requires an assessment of the individual's own particular circumstances, well documented, good quality and current information and research on conditions in the country of origin are important components for the purpose of such examination. The usefulness of such information may, however, be limited in cases where the situation in the country of origin is volatile and sudden changes may occur in areas hitherto considered safe. Such changes may not have been recorded by the time the claim is being heard. (UNHCR 23 July 2003, para 37)

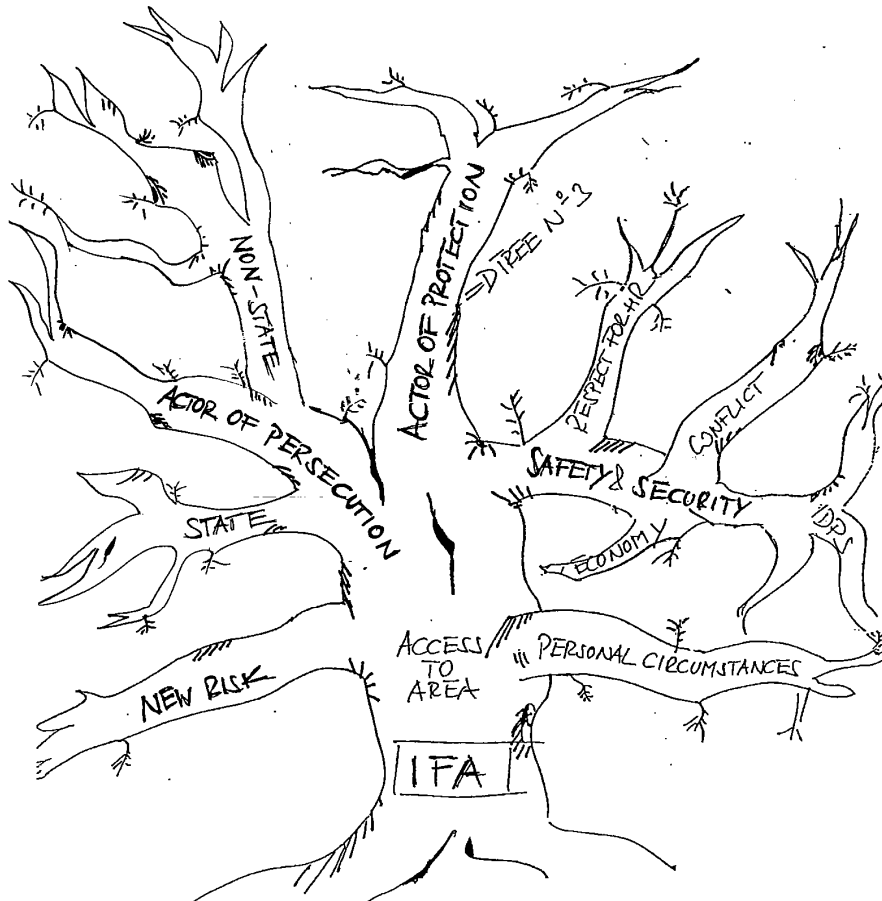
COI researchers are no clairvoyants, and jurisprudence has made itself clear that authorities deciding on international protection cannot be expected to foresee all possible changes in the situation of a country. However, comprehensive and complete COI will pay particular attention to indicators that sudden changes might be likely to occur (e.g. conflict analysis, early-warning reports, evaluation of previous assessments of future developments).

Research tree 4: Internal Flight Alternative

- **Is the area of relocation practically, safely, and legally accessible to the individual?**
 - Natural barriers
 - Areas of grave security concerns
 - Legal entry and/or residence regulation
- **If agent of persecution is the State:**
 - Clear evidence of limited reach of local or regional authorities
 - Are there particular circumstances to explain the national government's failure to counteract the localised harm?
- **Is the agent of persecution a non-State agent?**
 - Information on motivation of the persecutor
 - Ability of the persecutor to pursue the claimant in the proposed area, and the protection available to the claimant in that area from State authorities.
- **Is protection effective and granted by a state entity?**
- **Would the claimant be exposed to a risk of being persecuted or other serious harm upon relocation?**
 - Serious risk to life, safety, liberty or health, or one of serious discrimination
 - Serious harm generally covered under complementary forms of protection.
 - **Reasonableness test:**

- Personal circumstances:
 - Evidence of age, sex, health, disability, family situation and relationships, social or other vulnerabilities, ethnic, cultural or religious considerations, political and social links and compatibility, language abilities, educational, professional and work background and opportunities, and any past persecution and its psychological effects.
- Safety and security
- Respect for human rights
- Economic survival
 - Access to employment, housing, and education
 - Family ties
 - Domestic social or international humanitarian assistance (Attention: presence of INGOs not considered sufficient)
- Presence of IDPs
 - Standard and quality of life of the internally displaced
 - Difference between IDPs and isolated individuals returning to a situation of internal displacement.

See Case N° 1 – Internal Flight Alternative of Roma from the province of Kosovo/a in Serbia or Case N° 3 – Democratic Republic of Congo. Internal Flight Alternative in Kinshasa



Gender-related persecution

“It is an established principle that the refugee definition as a whole should be interpreted with an awareness of possible gender dimensions in order to determine accurately claims to refugee status.” (UNHCR 7 May 2002, para 2)

UNHCR points out that gender-related persecution is a term that is used to encompass the range of different claims in which gender is a relevant consideration in the determination of refugee status. (UNHCR 7 May 2002, para 2) Persecution on grounds of gender is to be distinguished from persecution on other Convention grounds taking a gendered form. Sexual violence against women (or men) thus is no longer necessarily seen as a private act by state officials, but as a form of persecution the reasons for which need to be established (e.g. political activity, imputed political opinion; ethnicity). Gender-related violence can include female genital mutilation, rape, domestic violence, forced and early marriages, abduction, dowry-related violence and trafficking. COI researchers should recognize information on these and similar abuses of women’s rights as legally relevant and include them in general country reports or whenever required by a specific request.

While gender is not specifically mentioned as one of the Convention grounds, it can be the basis for membership in a particular social group. A social group is a group of persons who share a common characteristic other than their risk of being persecuted, or who are perceived as a group by society. (UNHCR 7 May 2002, para 7) Human rights abuses (or lack of protection from these abuses) have to be motivated by this common characteristic in order to provide the nexus required for persecution. (e.g. women refusing to conform to traditional norms; sexual minorities.)

Research in the context of gender-related persecution will most frequently regard the situation of women (although men can be affected by gender-related persecution) and sexual minorities. COI research tree N° 5 combines elements from several research trees and thus demonstrates the interrelatedness of research issues presented so far.

The legal framework – anti-discrimination laws as well as persecutory or discriminatory national laws - relates to the research tree on national laws and domestic protection. Protection from abuses by private actors – which women and sexual minorities are frequently subjected to - relate to the research tree on domestic protection as well as to the research tree on internal flight alternative.

Research tree 5: Situation of women

- What is the legal and social status of women in the country of origin?
 - Do women have civil and political as well as socio-economic rights?
 - Is there anti-discrimination legislation?
 - Is there legislation on certain justifiable policy goals that implies violations of core human rights (e.g. forced sterilization or abortion as a means of demographic control)?
 - Is there evidence of discriminatory prosecution or punishment of women for certain crimes?
 - Is there evidence of patterns of legal or de-facto discrimination against women of a substantially prejudicial nature to the person concerned (e.g.

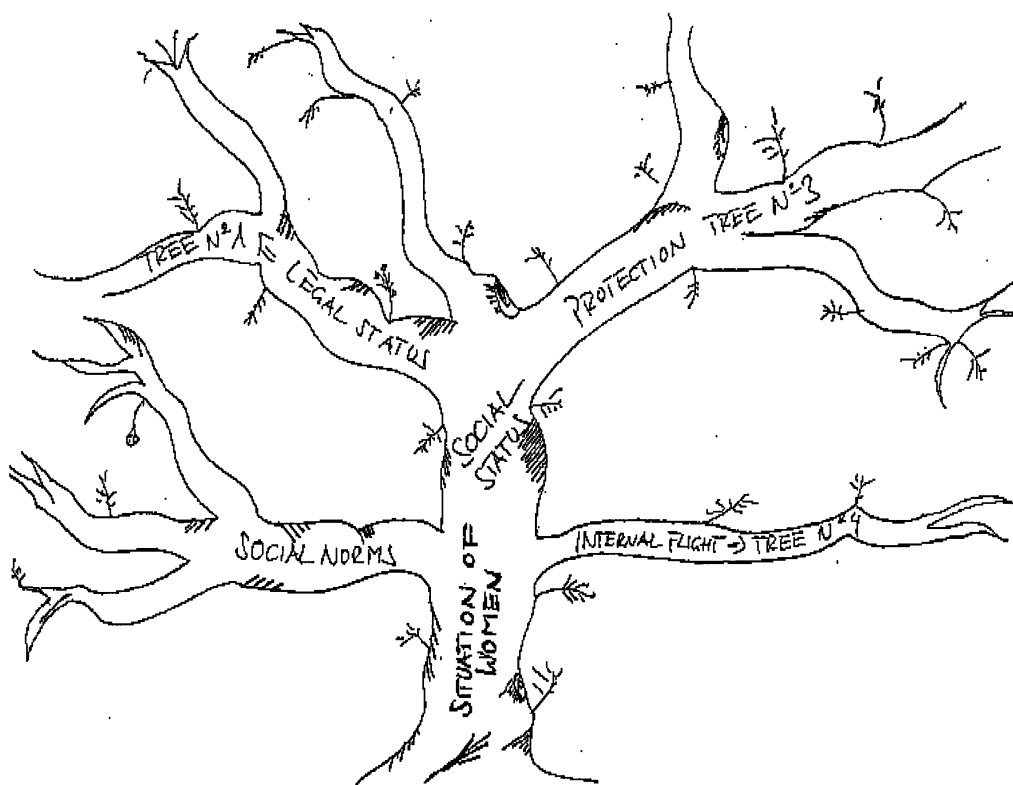
- severe limitations to the right to earn a livelihood; or the right to practice her religion, or the access to education)?
- Which cultural and social traditional norms and practices/policies prevail in the country of origin? Are there reports on traditional harmful practices?
 - Are there laws against women who violate social or cultural norms?
 - Which punishment is foreseen?
 - Are these laws actually enforced?
 - Does the state provide protection from certain types of harm affecting women?
 - Is there a legal prohibition of state and non-state violence, including sexual violence, against women/homosexuals?
 - Are there any reports that police or public authorities refuse to protect women against harmful conduct by private persons? Are there any reports of public authorities remaining inactive faced with harmful conduct directed against women?
 - Are public authorities able to intervene (e.g. is there a lack of personnel)?
 - Are there reports of private actors committing human rights violations against women with either impunity or disproportionately low punishment?
 - Does society/state see women as individuals or only as part of their community or extension of the husband?
 - Is there evidence of harassment, intimidation, detention, threats against women because of her affiliation with relatives/husband that hold a certain political opinion (imputed political opinion; reflex persecution) or because of their membership in a particular group (e.g. ethnic cleansing)?

Research questions on internal flight alternative for female asylum-seekers?

- What are the possibilities regarding transport, are there risks to personal safety (civil war/strife/vulnerability of single women) or do natural barriers (mountains, rivers, floods, etc.) exist to go to another part of the country?
- Are there legal barriers which could hinder the IFA? For example the prohibition of women to travel without permission of male relatives or residential regulations in big cities (impact on women?)
- *Are there personal barriers for the individual applicant?*
- Is the area of relocation free of persecution?
 - Would the persecutor be motivated and able to follow or act through a fellow-agent?
 - Is there a risk of new persecution?
- Is there serious harm in the proposed area (lack of stability and security, lack of human rights protection, lack of nutrition) which would lead to either further displacement or to return to area of persecution?
- Can the person be reasonably expected to relocate to the proposed area?
 - *Personal circumstances: individual qualification and skills; ethnicity, age, care for children etc.*

- Information on the general human rights and security situation
- Economic survival: Accommodation (would landlords rent to single women, discriminatory rents for single women), work (unemployment ratio, employment possibilities for women, are they allowed to work, slavery-like condition, exploitative working condition, prostitution, trafficking) other assistance (women's homes, shelters, family network-probability of being accepted, risk of being found)
- Are there any reports or assessments on the situation of female IDPS?

See Case study N° 2: Afghanistan



Knowledge and Assessment of Sources

MODULE B

KNOWLEDGE AND ASSESSMENT OF SOURCES

OBJECTIVES

At the end of this session, participants will be able to:

- Name different types of sources used for COI research
- Name criteria for source assessment
- Explain mechanisms of human rights monitoring and reporting
- Apply criteria for source assessment to individual sources
- Distinguish secondary sources from original sources
- Identify original sources
- Compare secondary sources with original sources
- Identify sources according to human rights issue and research topic
- Compare the usefulness of different sources and relate them to research issues
- Prioritize and select sources in order to create reliable and balanced research results

Target group: COI researchers and users

Identifying sources

Identifying the right sources is the first step to efficient and effective COI research. Knowledge of sources and the ability to select them according to criteria of relevance, reliability and credibility are important skills to acquire. Identification of sources is a continuous process and often occurs during the course of the research. However, knowledge of core sources gives a starting point for any research, and provides important guidance throughout the research process.

COI researchers use a broad variety of sources, ranging from governmental publications and reports published by international and regional human rights organizations, to the international and local media. Most COI research is conducted with the help of written material, but it will be important for COI researchers to establish contacts with oral sources – country experts working at universities, people working in the field, local human rights defenders and journalists, as well as refugees in the host country – to be able to answer the wide range of issues arising in the refugee status determination procedure.

Researchers select sources according to their information needs. Sources are thus distinguished according to the issues they are known to cover and according to their reputation as reliable sources. It is also important to know which sources enjoy credibility or particular weight with the national decision-making bodies.

Sources can be distinguished by:

- | | |
|--------------------------|-------|
| ▪ publisher | who? |
| ▪ content/topics | what? |
| ▪ purpose of publication | why? |
| ▪ methodology | how? |
| ▪ currency | when? |

Core sources

There are a number of sources that can be considered as core, or standard, sources in COI research. They meet certain methodological requirements and, while some of them have restricted thematic mandates, most of them cover the human rights issues relevant for COI research and provide important and current background information on the country situation. The following (non-exhaustive) list was drawn up following consultations with the COI Network & Training partners, as well as UNHCR and ECRE. They are considered core sources, meaning that COI researchers and users should consult them before completing research or gathering COI evidence.

Governmental and non-governmental human rights and humanitarian reports

- Amnesty International (AI)
- Council of Europe (COE)
 - Secretary General Reports
 - Parliamentary Assembly of the Council of Europe (PACE)
 - European Committee for the Prevention of Torture (CPT)
 - European Commission against Racism and Intolerance (ECRI)
- Human Rights Watch (HRW)
- International Federation for Human Rights (FIDH)
- Freedom House
- International Helsinki Federation (IHF)
- Norwegian Refugee Council: Internal Displacement Monitoring Centre (formerly Global IDP Project)
- World Organisation Against Torture (OMCT)
- Organisation for Security and Cooperation in Europe (OSCE)
- UN
 - United Nations High Commissioner for Refugees (UNHCR)
 - UN High Commissioner for Human Rights (UNHCHR)
 - UN Secretary-General
 - Office for the Coordination of Humanitarian Affairs (UN OCHA)
- US Committee for Refugees (USCR)
- US State Department

Governmental and non-governmental COI units/products

- Amnesty International Germany (asylum section)
- Federal Foreign Office, Germany (Auswärtiges Amt)
- Federal Office for Refugees, Switzerland (Bundesamt für Flüchtlinge BFF)
- Danish Immigration Service (Udlændingestyrelsen)
- Immigration and Refugee Board, Canada (IRB)
- Ministry of Foreign Affairs, Netherlands (Ministerie van Buitenlandse Zaken)
- Swiss Refugee Council (Schweizerische Flüchtlingshilfe) (SFH)
- UK Home Office
- US Bureau of Citizenship and Immigration Services Resource Information Center

Conflict analysis

- International Crisis Group (ICG)
- Forum on Early Warning and Early Response (FEWER)

News sources

BBC, IRIN, IWPR, RFE/RL, news agencies, international/national newspapers

International human rights monitoring mechanisms

The international community has set up various human rights monitoring mechanisms, mandating specific institutions or persons with the task of observing and reporting on human rights violations. The reports submitted to and produced by these bodies represent core sources of COI.

Since the Universal Declaration of Human Rights, the United Nations has codified a number of human rights treaties that govern international human rights law. It has established a treaty monitoring mechanism which obliges State parties to the treaty to submit so-called State Party Reports on the implementation of the UN human rights treaties in their national laws and practice. The UN Committees established to monitor the implementation of the treaties invite State parties to comment and amend the reports, as well as NGOs to submit their own views on the implementation rate in the respective country (shadow reports). The UN has also established charter-based monitoring mechanisms which can set up special procedures to monitor the respect for human rights and investigate alleged human rights violations. (UN Special Rapporteurs, Independent Working Groups)

In addition to UN human rights monitoring mechanisms, a number of regional human rights instruments and compliance monitoring systems have been put into place. In Europe, the most important human rights monitoring mechanism is the one set up by the Council of Europe and the European Convention on Human Rights. The Organization for Security and Cooperation in Europe (OSCE) has increasingly been mandated to monitor and promote human rights as a means for conflict prevention and resolution in the territory of its participating states.

These monitoring mechanisms produce a body of human rights reports representing a variety of viewpoints: the official viewpoint of the state concerned, international and local NGOs, the findings of independent rapporteurs or human rights experts, and the conclusions of legal or political bodies mandated by the international community to monitor the implementation of international human rights.

While UNHCR is not specifically mandated to monitor and report on human rights violations in countries of origin, the provision of country-specific eligibility guidelines and UNHCR position papers on potential groups at risk as well as UNHCR responses to requests by RSD authorities or legal advisers is informed by UNHCR's mandate to supervise the application of the Geneva Refugee Convention.

The International Committee of the Red Cross (ICRC) is mandated to monitor the application of the rules of international humanitarian law. Its findings are confidential. Any concerns with regard to violations of international humanitarian law are raised in direct exchange with the governments and actors concerned. Only in exceptional cases, ICRC would go public.

A number of human rights and humanitarian organizations also monitor violations of international humanitarian law and make their findings public. Testimonies prepared for trials can contain very important country of origin information, where a detailed description of events in a particular place, alleged perpetrators and chain of command in the military or armed groups is needed.

See Annex: Source Descriptions for further details on core sources.

Specialized sources

Consider the usability of core sources with regard to specific queries, and familiarize yourself with specialized sources.

Most COI and human rights websites feature a collection of links to other websites, sorted by region, country, or issue. These directories are regularly updated, and therefore a better starting point for an overview of specialized sources than the obviously limited list of sources given in the training manual. Brief navigation guides to individual websites will also be provided in the source descriptions, as well as on ecoi.net, since a printed source list quickly becomes outdated.

Selected directories of COI and human rights resources:

Amnesty International: > Links: Human rights related sites

<http://web.amnesty.org/links>

Derechos Human Rights: > Human Rights Links <http://www.derechos.net/links/> and
> Human Rights around the World:
<http://www.derechos.org/human-rights/world.html> (by country)
<http://www.derechos.org/human-rights> (by issue)

ecoi.net: > COI Resources <http://www.ecoi.net/doc/en/15/content/>

Forced Migration Online: > Regional Resources
<http://www.forcedmigration.org/browse/regional/>

INCORE Conflict Data Service: provides annotated Internet guides. They have not been updated recently, but still offer a useful overview of sources as introduction to a country or theme.

Internet Country Guides <http://www.incore.ulst.ac.uk/services/cds/countries/>

Internet Thematic Guides <http://www.incore.ulst.ac.uk/services/cds/themes/>

Elisa Mason, (18 March 2002) LLRX 'Update to Guide to Country Research for Refugee Status Determination,' <http://www.llrx.com/features/rsd2.htm>

Elisa Mason, (1 April 2002) LLRX 'Update to Annex: Human Rights, Country and Legal Information Resources on the Internet,' http://www.llrx.com/features/rsd_bib2.htm

UNHCR RefWorld ReLink: <http://www.unhcr.org/cgi-bin/texis/vtx/rsd>

Sources and databases

It is important to distinguish a source from a database. A source presents firsthand information that is collected and written ('produced') by the publishing organization. Information may be researched during a field mission or visit and is mostly presented in a report (AI annual report, UNHCR country reports, etc). A database presents information from different sources applying various selection criteria. The content of databases may provide lists of links and may include the original reports or just summaries. Databases are very useful for research because they provide compilations of different sources and information on countries and/or topics. Keep in mind that for verification, evaluation and corroboration of material you will have to refer to the original source. No database can be complete, and you should not rely exclusively on one database only.

Examples of databases for COI research:

- ecoi.net (navigation guide available in Annex)
- UNHCR RefWorld (Web navigation guide available with source description UNHCR; UNHCR CD-Rom contains detailed instructions for navigation and search engine)
- asylumlaw.org – COI database
- Immigration and Refugee Board Canada – COI database
- ReliefWeb – UN & humanitarian information
- Hurisearch is not a database as such, but a search engine specialized in retrieving human rights information from the Internet.
- allAfrica.com collects African news sources.

Criteria for source assessment

Who, what, why, how and when?

UNHCR summarizes the following principles of sources assessment in its February 2004 paper on country of origin information:

“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.

27. Finally, information sources should be regularly re-evaluated as changing circumstances can affect the accuracy and reliability of information.” (UNHCR February 2004, paragraph 26)

While it is often quite easy to see which organisation or individual has produced a report, some research needs to be done about mission and mandate of a source as well as about reporting methodology to ascertain whether the author can claim established knowledge about a particular situation, and whether he or she uses an appropriate writing style.

Independence and impartiality of a source can only be derived from a combination of several criteria, such as mandate, purpose of reporting, funding, publisher and owner, style, balanced reporting, and even-handed reporting on perpetrators and victims of human rights violations by different actors in a conflict. Focussing on one particular issue, however, need not necessarily mean that a source is not impartial: you will need to consider the mandate of the source in order to determine whether the issues chosen reflect a bias or a limited scope of reporting.

The purpose of reporting (“why?”) plays a particularly important role: most human rights reporting is not done for information purposes alone, but to advocate measures taken to stop the violations and protect the victims. Some advocacy organizations may exaggerate the scope and intensity of the violation. Some use dramatic language to emphasize the need for

action (perhaps more so when they are directly affected by a situation). Most human rights organizations, however, have realized that getting the facts right will enable them to do more effective advocacy work, and will take great pains to avoid errors in fact or judgment that could backfire on their ability to influence the public. It is important to assess whether the information is based on observable facts or whether it derives from opinions and impressions.

Reliability of information will also depend on the research methodology, i.e. how was the information gathered? Did the author get the information firsthand? When was the information researched? Has the institution a permanent presence in the country? Is the report based on secondary sources only? Is it carefully researched and based on a large variety of sources that have firsthand and current information? Or does it engage in “round-tripping” of information (i.e. quotations and references that lead to a secondary source rather than to the original source)? How difficult would it have been to refer to the original source? Where secondary sources are used, you should double-check quotations and summaries in the original source as part of your corroboration and analysis. This will help you to assess a particular source where quotations are incomplete, inaccurate, or taken out of context.

The Annex provides detailed descriptions of selected core sources on the basis of the following criteria:

| | |
|-------------------------------|--|
| Mission/Mandate: | official statement by the organization |
| Target group/audience: | the public, governments, policy makers, donors, human rights activists, UN Committees, courts, decision-makers |
| Objective: | intention of publication – informing the public, policy advocacy, human rights advocacy, lobbying a particular government, release of prisoners, informing asylum decision-makers, informing human rights community, reporting to donors, fundraising etc. |
| Funding: | from individuals, foundations, governments etc. |
| Scope of reporting: | which countries, which themes, which level of detail (broad statements, assessments, particular incidents) |
| Reporting methodology: | which sources are used (missions, interviews, continuous on the ground monitoring, research in secondary sources) How is information selected and cleared? Does source follow principle of confidentiality or transparency? Source-specific style |
| Publication cycle: | annual, quarterly, ad hoc updates. How up-to-date is the information at the time of publication? |

With some sources, you will also find navigation guides for their website.

Navigation of website: Where to find COI relevant information?

Practical considerations

In practice, you will often assess sources intuitively as you proceed with your research. You will primarily note the author and feel comfortable if it is an organization that has a reputation for reporting objectively and extensively on a particular country or human rights situation. Who uses these sources? Is the source part of a reputable network? Are they regularly quoted in other publications?

You will take into account the institutional context: is it a governmental or non-governmental source, or is it part of an official human rights monitoring mechanism?

If it is a governmental source, you will note whether it is the government of the country concerned, or whether it is a foreign government. What are that government's policy interests? What about its human rights record?

Information produced by the government concerned needs to be analysed carefully: on the one hand, self-accusation or admission of past human rights violations by the responsible government (or any other perpetrator) may carry great weight; on the other hand, governments will often try to justify their actions or not mention certain human rights problems at all. Reports have to be seen in the wider political context: governments might admit certain human rights problems in order to avoid too much criticism about another issue. Government statistics need to be used with great caution and, where possible, carefully corroborated.

Be aware of foreign or domestic policy interests of government reports describing the human rights situation in countries of origin: security and trade interests, as well as diplomatic considerations, can play a role as can the awareness of domestic actors of a large caseload of asylum seekers originating from a particular country.

You will note whether you can detect any particular bias in the style of writing. Is it accusatory or judgmental? Does it put the blame on one side rather than on the other? Does this correspond to the way other sources are describing the situation, or are human rights violations by one specific actor not mentioned or downplayed?

Reports by NGOs may be considered reliable, or less reliable, depending on their mandate, reporting methodology and advocacy stance. NGOs representing the interest of a particular group – ethnic or religious – are more difficult to assess than NGOs that report widely and extensively on a number of human rights issues and regions.

Reports by official human rights monitoring bodies have the advantage of an international or regional mandate that creates a basis for expertise and allows them access to information on particular human rights practices. Nevertheless, they will sometimes be prevented from carrying out first-hand investigations immediately, or may not be allowed entry into a country or region at all. Often such bodies gather information on a confidential basis. Be aware of whether a document is produced by a political body (composed of government delegates) or by a monitoring body (composed of experts and independent members).

Media reports are important for building chronologies of events. Media commentaries are difficult to assess and helpful only in very limited cases. In countries of origin the media has the advantage of being close to the source of information, or even being eyewitnesses themselves, but can display a style of writing which is very different from the Western media. It is important to know who the publisher is, and where funding for a newspaper in a country

of origin comes from. If you do not know a newspaper, read through several of its articles and editorials to see which position it takes.

Check media directories to see whether you can find information on the owner and the political background of a newspaper or magazine. The international media may be less subject to local political bias, but are extremely selective in covering events in remote countries. Some media projects, funded by the UN or international organisations, promote independent journalism and report on issues at the sidelines of international politics. These media can be very valuable for country of origin information research.

Position papers and expert opinions are particularly important sources of country of origin information. They have been written precisely because an institution or expert is considered so authoritative as to be able to give an opinion on how a country situation will develop, or whether an individual or particular group of persons will be at risk when returned. Assess whether the opinion and argument given are based on facts that can be verified, either by corroboration of other sources, or by cross-examining the author of the information as to the way he or she gathered his or her knowledge. Public hearings or country of origin information seminars are quite important opportunities for questioning and assessing sources.

Where possible, use experts and contact persons you trust to enquire about sources that you can find little or no background information on.

The language and style of a source can tell you a lot about its bias and standpoint. Careful research is reflected in detailed information that backs up the argument and the conclusions, transparent referencing, and an edited text. Take into account whether the author has written in his or her native language, or whether an English language report has been drafted by a small NGO from a non-English speaking country. Tone and style might be more important than grammar and editing in such cases.

Sources that appear unreliable (e.g. government statistics, unreferenced material - including postings on mailing lists - biased and opinionated material, doubts about the expertise of the author, factual mistakes) should be corroborated as meticulously as possible. Using your knowledge about the country situation can help in assessing whether the information provided by such a source might be accurate, even if the source lacks credibility.

While the rule of corroboration is important, often one will have to use dubious and ill-defined sources or "grey literature" precisely because there are no other sources available. Lack of corroboration of an applicant's testimony can have serious consequences for the case.

Therefore, no source should ever be arbitrarily excluded from the presentation of research results, i.e. information from dubious sources is better than no information at all. Remember that it is up to the decision-maker to weigh the evidence, not up to the COI researcher to preclude information.

Research Skills & Strategy

MODULE C

RESEARCH SKILLS & STRATEGY

Modules A and B dealt with formulating systematic research questions (research trees) respectively identifying and assessing sources that provide us with information answering these questions. We now move to the most practical part of the training programme, in which the knowledge acquired on COI standards, relevance of information and selection criteria for sources will be applied in the COI research process. While some of the following text will help self-learners to improve their research skills, the learning objectives will only be met by working through practical exercises in training sessions.

OBJECTIVES

At the end of this session, participants will be able to:

- Apply and reflect on COI standards in the course of practical research
- Assess information gathered in the course of research and relate it to the research questions formulated at the beginning of the research cycle
- Select the most relevant information from sources identified as most appropriate to answer the research question at hand
- Use the method of corroboration in order to produce accurate and balanced research results
- Review and question information based on country knowledge and other research results
- Evaluate research results and adapt the previous research strategy accordingly
- Explain the basic principles of Internet search
- Formulate search terms and adapt them to different search engines
- Expand and narrow down search concepts and search strings
- Use spelling variations for proper names and place names
- Handle situations with large quantities of information
- Handle situations where only little information can be found

Target group: COI researchers and users

Research Strategies

Developing a systematic research strategy will help in conducting effective and efficient COI research. Firstly, it is important to understand the request. What information is requested and why? What information am I looking for, where will I look for it and how? Am I looking for general or very specific information? How long will it take me to complete the research? Will I need to contact external sources?

If you feel you have not quite understood the question (either at the beginning of the research or once you have acquired some knowledge about the country situation) contact the person who has submitted the request to double-check what is needed.

It is part of your research strategy to decide whether you want to limit your research to a particular database or set of sources, whether you want to search the whole Internet, or whether you will need to consult off-line material or external experts. This will mostly depend on the kind of research issue you are dealing with.

Knowledge of sources will help in choosing the most efficient research strategy.

If the issue at hand pertains to core human rights violations, systematic consultation of reports by the UN and major human rights organizations, or an organization specializing in the issue you are interested in, might be quicker than running search terms through a database or Google.

If you are looking for assessment of the risks for a particular group, you will need to know which organizations, institutions, and individuals provide position papers or expert opinions on particular countries or groups. In such cases you will want to start with a specialized database such as ecoi.net, RefWorld, the IRB, or an in-house database.

If you need to verify whether a demonstration has taken place on a given date and a particular place, you might run a search in an electronic database of media reports (i.e. IRIN, NEXIS, Factiva, allafrika.com, ecoi.net) or Google. Depending on the alleged date of the event and reporting period, it is useful to check the US Department of State's reports in order to corroborate information on demonstrations, or political meetings, and government reaction to it. Amnesty Urgent Actions also provide details – albeit sometimes unconfirmed – about very recent arrests with a suspected political motive.

If you need information on a political party you may either check one of the online directories (e.g. CIA World Factbook, Political Parties of the World) or refer to the annex of country reports (e.g. UK Home Office, Europa Yearbooks). Because of different translations and spelling variations, information on names of political parties, as with any proper name, needs to be very carefully corroborated.

If you are looking for cultural or religious practices of a particular group, you might consult websites of associations, institutes, books, or journals specializing in anthropology. The database of the responses of the Research Directorate of the Immigration and Refugee Board is always a good starting point for expert opinions on cultural or religious practices.

Researching information on geography, language and ethnicity poses particular research problems that will be further discussed below.

Knowing your sources is also an important prerequisite for evaluation of your research. If your search terms have not returned material from a source that regularly reports on the issue you are researching this indicates that you might have missed important information.

Only when you cannot find the information you were looking for in the sources and databases that you regularly use, should you turn to the wider Internet and run a search on Google.

If you expect that your usual sources will not contain the information you need, either because they do not cover it, or because the information is very specific, you might start with a Google search.

However, where to start in practice will depend as much on personal preferences as on the effectiveness of the research strategy suggested here. Once you are familiar with sources and search strategies, you will find a method of searching that suits you best. Professional COI researchers often research several issues at the same time, browsing through sources and databases and collecting information for different queries. Sometimes you will feel the need to break the routine to keep your research creative and interesting. Have a checklist that allows you to evaluate the research process and its results: it will help you systematize your approach and avoid mistakes even when you are under great time pressure.

Very specific information may neither be covered by your core sources, nor by media reports you have access to. Fee-based news archives such as LEXIS-NEXIS, Factiva, and BBC Monitoring might be helpful in locating such information. With increasing experience, you will get a feeling of whether a specific question might be successfully answered or not. The practical exercises in the trainer material, however, do contain some questions that experienced researchers would not expect to find information on, but that turned out to be answerable.

Therefore it is important to keep an open mind and be persistent in your approach. At the same time you need to be able to end your research, if you feel you have checked core sources, as well as other possible ways of answering a request. If you feel that a particular question would need disproportionate time resources, contact the person who has submitted the request and discuss whether the answer is really crucial. More often than not you may find that very detailed requests may also contain some “fishing expeditions” – questions that are only remotely, or not at all, connected to the case at hand.

Whatever you are looking for, and no matter which sources you are using, you will need to corroborate facts and compare and contrast opinions and assessments. Verifying and evaluating your research results are important steps in the process of researching. Whether you are able to contact an expert will depend on your expert pool as well as on your deadline for the response.

Both for research on Google and for research in electronic databases you will need to be familiar with the mechanisms of search engines and proficient in formulating search terms and search strings that will lead to useful results.

The following two sections will deal with the principles of corroboration and evaluation as a method of ensuring accuracy and balancing your research results, as well as with practical tips and tricks on how to conduct a successful Internet search. As you will frequently have to conduct research on geography, languages and ethnicity, with a number of very specific sources and search strategies, this issue will be dealt with in detail in the section on research skills.

Producing reliable & accurate research results

Corroboration

Conscientious corroboration of information is often the only possible way to produce accurate country of origin information. “Compare and contrast” is a research and analysis method appropriate for opinions and assessments that, strictly speaking, cannot be corroborated or verified, but need to be balanced by including a number of viewpoints.

Methods of corroboration include:

- Look for primary sources
- Avoid “round tripping” when citing secondary sources – use the primary source where available
- Look for, and use, different types of sources (international/local, government/non-government, human rights reports/the media, academic research/advocacy organizations)
- Assess the reliability of the source
- Cross-check with different sources

- Apply your knowledge of the country situation when assessing the consistency of a particular piece of information
- Combine general and specific information: evaluate whether they produce a consistent or contradictory picture of the situation

In the case of standard requests and queries there will be a large quantity of information found in all types of sources, especially in the core sources. You may prefer to use as many sources as possible, or to rely only on a few that have been assessed as particularly reliable by your organization or that carry particular weight with authorities. (See Module B: Source assessment.)

The COI Network & Training partners suggest corroborating with three different types of sources that independently provide information on the research issue at hand. If this is not possible, one or two very reliable and reputable sources might be sufficient. If you only find 'grey' sources, use as many of them as possible. Create a balance between information from different sources (e.g. by using general information from a UN report, plus 2 newspaper articles describing details).

How up-to-date is the information? For country of origin information, currency is crucial, and sources that have developed a reliable reporting mechanism for quick information transfer will be particularly useful. Some institutions go through a long clearing process, which improves the quality of their reports, but may lead to substantial delays in publication. In this context, the use of media reports or press releases to update information in such reports is very important.

Where large amounts of information are available, select your information according to the reliability and reputation of the source, keeping in mind that the use of many sources and careful corroboration is a sign of quality of the COI research.

In many cases you will be confronted with a lack of information, information from questionable sources, or unsourced information. Do not use information that is manifestly wrong. However, do not discard information simply because its source is unknown to you or cannot be properly assessed.

Handling contradictory information

Contradictions have to be explicitly pointed out. It is not up to COI researchers to decide which information or source to believe, or to exclude certain sources or types of information. It is up to the decision-makers to weigh the evidence and give reasons for preferring one source to the other, or to attach little weight to a particular piece of information.

Continuous evaluation of research

While doing your research you should continuously evaluate your research results and adapt your research strategy accordingly. Both the research cycle and research trees are designed to support you in systematizing and evaluating your research.

Evaluate research results against the research questions and their underlying context. Does the information provided answer the request? Is the information relevant to the request? Is there sufficient context to understand the response given? Be aware of the requester's pre-existing knowledge – does he or she regularly deal with applicants from a particular country of origin, or is this a new area for him or her? Can basic knowledge of the country situation

be assumed? Does the requester need details, or only a general overview of the most important issues?

Ask yourself the following questions (implicitly, or with a formalized checklist attached to the query):

- Did I understand which information was requested?
- Did I follow a consistent research strategy?
- Does the strategy meet the requirement of quality standards?
- Were all core sources considered?
- Were different types of sources considered?
- Were source assessment criteria applied?
- Were all information sources properly referenced?
- Was the information corroborated properly?
- Were contradictions pointed out?
- Was exact information found, or just general indications?
- Was sufficient information found?
- Was consistency achieved?
- Was the research process documented?
- Did I formulate an objective response?
- Was the deadline met?
- Were the results duly documented and archived?

How do I know when to stop?

- a) Quality criteria for a reliable response: how many different sources should be consulted for corroboration? Have I checked the core sources that monitor and regularly report on the research issue at hand?
- b) Evaluation of research results: have I provided information on the most relevant questions? How long will it take me to research side issues?

Conclusion

1. Any source is better than no source. Do not discard any source that answers your question, unless the information provided is manifestly wrong.
2. If you can choose between reliable and questionable sources, focus on the reliable sources first and make brief reference to less reliable sources.
3. Use all sources (reliable and questionable) if there are contradictions in fact or assessment.

See also Module D: Presentation of results.

Research skills

Perhaps more than in other areas, the Internet is the primary, and sometimes the only working tool of COI researchers. Conducting an effective and efficient Internet search is a key qualification of anyone doing COI research. The present section offers some background on Internet search engines and search operators. The source descriptions in the Annex contain some navigation help – keep in mind that websites change and the information may quickly become outdated.

Researching on the Internet is a very practical skill that you can improve the more you try and reflect on what you are doing while researching. Make notes of your search terms and search results (often a printout of the first Google page will suffice to remind you). Remember successful search strings and think about why they were successful. Take the time to play around with different terms, and browse through websites that you have not seen before.

For readers who want to know more about basics of the Web and search engines see:

<http://www.learnthenet.com/english/web/080www.htm>

<http://www.searchengineguide.com>

<http://www.searchenginewatch.com>

How Do Search Engines Work?

The term "search engine" is often used generically to describe both "crawler-based" search engines and "human-powered" directories. These two types of search engines gather their listings in radically different ways:

- Crawler-based search engines, such as Google, create their listings automatically. They "crawl" or "spider" the web, then people search through what they have found. They find pages by citations even after URLs have been changed.
- A human-powered directory depends on humans for its listings. You submit a short description to the directory for your entire site, or editors write one for sites they review. A search looks for matches only in the descriptions submitted.

Search engines are not truth engines

Some search engines index more web pages than others. Some search engines also index web pages more often than others. The result is that no search engine has the exact same collection of Web pages to search through. Search engines may also penalize pages, or exclude them from the index, if they detect search engine "spamming" or illicit content.

Ranking results

Often, search engines respond with a list of results where the first 3 to 4 documents directly address the research issue. However, ranking of search engines follows its own rules and understanding these rules helps to assess whether a particular search result is representative of the information that can be found, or whether you have to change your search terms.

- Location and frequency of keywords
 "Pages with the search terms appearing in the HTML title tag are often assumed to be more relevant than others to the topic."
 "Search engines will also check to see if the search keywords appear near the top of a web page, such as in the headline or in the first few paragraphs of text."
 "Frequency is the other major factor in how search engines determine relevancy. A search engine will analyze how often keywords appear in relation to other words in a web page." (Searchenginewatch)
- Link analysis
 By analyzing how pages link to each other, a search engine can both determine what a page is about and whether that page is deemed to be "important" and thus deserving of a ranking boost. (Searchenginewatch)

- Clickthrough measurement
Another off the page factor is “clickthrough measurement.” In short, this means that a search engine may watch what results someone selects for a particular search, then eventually drop high-ranking pages that are not attracting clicks, while promoting lower-ranking pages that do pull in visitors. (Searchenginewatch)

Ranking of search results will thus be a combination of where the search term appears in a particular document, how many other websites link to the website where the document is located, and whether other people have clicked on a particular document when running a similar search. If the link analysis of a search engine is good, then you can expect results from relevant and reputable sources to appear near the top of the search results. Whether other people have found your document relevant may or may not be helpful for your own search.

This means that you cannot necessarily rely on the first page of search results containing the most relevant documents for your search. The “words around hits” display, featured by Google, alltheweb and most other search engines, allows you to quickly scan whether the search term appears in a context relevant for your question. Make sure the “words around hits” display is enabled in your preferences for a search engine.

The only factor you can influence is the choice of the most appropriate search term.

Useful search engines

Google <http://www.google.com>
Google offers search of

Websites
News sources
Discussion groups
Images
Directory-based search

Example of Google search result:

[BBC News | SOUTH ASIA | Profile: Afghan leader Ismail Khan](#)

... absent. The former governor of Herat, Ismail Khan, has been silent since his escape from a prison in Kandahar more than a year ago. He ...

news.bbc.co.uk/hi/english/world/south_asia/newsid_1627000/1627699.stm - 40k - [Cached](#) - [Similar pages](#)

Head of document (blue margin on top of screen - not: original title); direct link to full text of document

Words around hits: here you can see where and in which context your search terms appear – attention: not all appearances of a word in the text will be displayed. See below for cache version.

Original url: [Here you can see the original address of the full text document as well as its size](#) - [Cached](#) - [Similar pages](#)

Cached: this is a copy of the full text that Google saved on its own server while browsing through the Internet. If you cannot retrieve the original document by clicking on the blue hyperlink in the first line, you can click on “cached” to see this archived version. This is helpful in several ways:

- It gives you access to information that might no longer be available on the original website;
- For large documents, the cached version loads more quickly and you can have a look at the document to see whether it is relevant before opening a large PDF file;
- The cached version will highlight your search terms with coloured shades, which makes it easier to browse.

On Google's Help page you find continuously updated information as to the most efficient use of Google's features and search engine. <http://www.google.com/help/>

The Google toolbar provides easy access to Google and its features directly from the Internet Explorer browser. <http://toolbar.google.com/>

AllTheWeb.com <http://www.alltheweb.com>

Searches and displays very similarly to Google. Good control search engine.

Amazon A9 <http://www.a9.com>

Amazon.com's subsidiary, A9, launched a Google-powered search engine in April 2004. A9 goes beyond Google, offering a number of additional search features, for which you have to be registered with Amazon.

[A9's interface](#) is sparse, with a large search box. In addition to sponsored links and search results from Google, there are two additional panels to the right: "Book Results" and "Search History." Clicking the "open" link for either opens up the panels.

Book results:

Book results are from Amazon, and include "search inside the book" results allowing you to view scanned pages from within printed books that have agreed to digitalization by Amazon. This is particularly helpful for deciding whether to borrow or purchase a book.

Search History:

Featured prominently below the search box is another feature: Search History. If you are an Amazon customer, you can sign in using your Amazon user name and password, and the search history box tracks all of the searches you perform on A9. To run a search again, simply click its hyperlinked search terms.

Unlike the search history features found in Internet Explorer, Google, and other search engines, the search history on A9 can be edited, allowing you to remove sites you do not want displayed.

Hurisearch <http://www.hurisearch.org/>

Search engine specializing in human rights research

Internet archives

Wayback machine <http://www.archive.org>

Archives Internet pages as long as the website does not block the archiving process (many do). Where the archiving is successful, it allows you to retrieve earlier versions of websites that have changed, websites that no longer exist, and documents that have been removed from a more recent version of a website.

Digital libraries/archives:

A number of institutions, publishers and companies have started to make available digitalized books and journals. Some offer these publications for free (mostly books that were published some years ago, but sometimes you do find a classic); most are subscription-based. If you feel you would like to use more academic material in your work (e.g. because you are producing a report on an ethnic group and its practices), it is worthwhile browsing the Web for such services and check whether publishers allow purchase of single articles online. Some libraries offer electronic mailing services usually for an affordable fee.

The following is a collection of interesting websites linking or offering open access to journals or electronic subscriptions. As digitalization is a trend likely to continue, more and more such services can be expected in the future:

- Directory of Open Access Journals <http://www.doaj.org/>
- Questia – The Online Library of Books and Journals <http://www.questia.com/> (fee-based)
- Project Muse. Scholarly Journals Online. The Johns Hopkins University Press in collaboration with The Milton S. Eisenhower Library <http://muse.jhu.edu/> (fee-based)
- University of California: partnership with the University of California Press and the California Digital Library's eScholarship programme <http://texts.cdlib.org/ucpress/> (free, older publications)
- University of Houston Libraries: Scholarly Journals Distributed via the World Wide Web <http://info.lib.uh.edu/wj/webjour.html>
- JSTOR. The Scholarly Journal Archive <http://www.jstor.org/> (fee-based, try access via a library)
- Looksmart Findarticles <http://www.findarticles.com>

Conducting a successful search

Identify appropriate search terms

Choose specific rather than general search terms. If you are looking for information on torture, enter "torture" rather than "human rights."

Do not ask questions (even if the search engine advertises this): "torture iraq prison" gets better results than "is there torture in iraq's prisons."

Remember that most Internet search engines search full text, not with the help of supported keywords. You will only do a successful search when you choose search terms that are used in documents covering your issue. Familiarize yourself with the terminology, style and frequent expressions used in human rights reports and reputable media.

When deciding on a search term to enter, think about the kind of sources that would usually report on the issue you are researching. You can expect UN sources and international human rights organizations to use UN human rights terminology: using the precise term that characterizes your issue will most likely produce a successful research, and avoid thousands of mailing list entries.

Sources that publish specifically for asylum procedures might use terms that are used in their national asylum system, but note that some sources have guidelines about using terms understood as legal, such as persecution. If you expect a large variety of sources to report on your issue, you might start with a technical term (i.e. persecution) and then broaden the search with terms that circumscribe what you are looking for: what kind of treatment would be expected? Is it harassment, beating, extortion, abuse, torture, looting, displacement?

If you are looking for very recent events that would be covered in media reports only, use verbs rather than nouns. Apply the principles of full-text search: the search engine can only retrieve documents that contain the words that you have entered.

Where the search engine supports truncation, enter word stems only (beat* for beat, beats, beaten, beating).

Where the search engine supports the "OR" operator, enter similar search terms separated by "OR."

Take notes of the search terms you have already used, as well as the databases you have searched.

Be creative: be aware of whether your search terms designate a very specific or a very broad concept. “Beating” is more specific than “ill-treatment.” “Intelligence agent” is more specific than “security forces.” “Police custody” is more specific than “detention.”

Non-specialist sources will not necessarily use the correct terminology. Familiarize yourself with the style of the sources that you use most, and try to think of how they would phrase a report on the issue you are researching.

Consider the issue from various angles: if you are not sure whether there are any reports on, for example, a particular demonstration, circle the issue with related terms, or look for information on the location during the period when the demonstration allegedly took place. Understand what the question is about. Understand the country situation within which a particular research issue might emerge. Try to identify the most correct search term by reading through reports that you retrieve during your research, even if they do not immediately appear of interest.

Keep in mind spelling variations! Often, research requests will provide phonetic spelling only. Many words, especially proper names, are transcribed into English, German and French in a number of variations. Familiarize yourself with spelling patterns in major languages and compare them to the way they may sound. Focus on those parts of a proper name that you know are written correctly. Some geographical research tools consider spelling variations in their search engines (see below).

Read through reports on issues related to the request and check for proper names: when asked to research a particular political party, browse through political directories of that country and check whether any of the listed parties might fit the one you are looking for. Then research those results that come closest until you have identified the right party by process of comparison and elimination. Remember that you cannot solve contradictions: if more than one party might be the one asked for, you need to provide information on all of them.

Understand search operators

Search engines have a variety of ways to refine and control searches, e.g. some offer menu systems and others require you to use special commands, called “operators,” as part of your query.

Match Any “-OR” operator

Sometimes you want pages that contain *any* of your search terms. You may want to find pages that contain either “Zaire” or “Congo.” Or you may want to conduct a cross-lingual search, for example, finding documents that contain either “women” or “Frauen.”

At some search engines, you can do a Match Any search by using a menu next to the search box or on the advanced search page.

Keep in mind with such a search that most search engines will automatically first list pages containing all your terms, followed by pages only containing some of your terms.

Match All “-AND” operator

This is a search for pages containing all of your search terms, rather than any of them. You may want to search for documents that contain information on FGM and Sudan. Or you may want to search for documents that contain information on a demonstration in Tbilisi. Most major search engines support the “+” symbol as a means of doing a Match All search.

Truncation (*)

You can search for plurals or variations of word endings by using truncation. It is also a great way to search if you do not know the spelling of a word.

The * symbol is used as the truncation symbol for several major search engines. The format looks like this:

*Chech** finds *Chechnya, Chechen, Chechens*
*Kosov** finds *Kosovo* and *Kosova*

Truncation only works for variations in word endings. If you search for a word with variations in the middle or the beginning of a search term you must use:

Wildcards ("*" or "~")

Wildcards are used for words with spelling variations, in particular with proper names transcribed from foreign languages such as Russian, or Arabic.

Few search engines allow the use of wildcards. You will rather find it in closed search engines (e.g. subscription-based databases, UNHCR RefWorld CD-Rom).

*wom*n* - finds *woman* and *women*
*San*ak* - finds *Sandzak* and *Sanjak*
**rbil* - finds *Arbil, Erbil* and *Irbil*

Examples of different transcription and spelling of Arabic terms:

| | |
|-------------------------------------|---|
| Hizb Allah ("party of God"): | Hizbollah, Hisbollah, Hezbollah, Hesbollah, Hizballah, Hisballah; Hizbullah or Hisbullah; |
| Mossul (city in Iraq): | Al-Mawsil, Niniweh, Ninawa, Mosul, Musil; |
| Erbil (Northern Iraq): | Irbil, Arbil; |
| Al-Kaida: | Al-Qaida, Al-Qaeda, Al-Kaeda |

Exclude "-NOT" operator

Most major search engines allow you to exclude documents that contain certain words. This allows a search to be narrowed. The best way to do this is by using the "-" command, which is supported by practically all major search engines. Be careful when using the "NOT" operator as you might inadvertently exclude important documents (e.g. many reports on Serbia will also mention "Kosovo" somewhere in the text and would not appear when you tried to narrow down your search on Serbia by excluding "Kosovo").

The better way to narrow down your search is to think about very specific keywords that are contained in the larger concept you are searching for. You can "locate" queries by entering the name of a particular place that is specific to a country or region of interest for your search.

For further details see Google Search Tips and the list of operators supported by search engines in the Annex.

Researching geography, ethnicity and language

This chapter seeks to give an overview of sources and research techniques, in particular with regard to general information on geography, language and ethnicity.

Geographical information

Researching geographical information can be one of the toughest calls in COI research. Place names are often only available phonetically, and spelling varies depending on the transcription from the original language. Where possible, try to ascertain the correct spelling by contacting the person(s) submitting the query or the applicant.

Furthermore, reliable and detailed maps for countries of origin are often difficult to obtain. Digital mapping is underway for many countries, but certainly not for all countries of origin. City maps are notoriously scarce, may provide very general information, display only the city centre and are of dubious accuracy, especially where regime changes might have led to the re-naming of streets and major buildings.

As a rule of thumb, we suggest getting an overview of the country by looking at one of the country maps produced by the UN, identifying names of major cities and provinces, and then moving on to more detailed maps. Humanitarian agencies often produce very detailed maps for regions they work in, as does the military.

Good map portals for countries of origin are:

PCL Perry-Castañeda Library Map Collection <http://www.lib.utexas.edu/maps/index.html>

Reliefweb Map Centre <http://www.reliefweb.int/w/map.nsf/home>

UNHCR Geographic Information and Mapping Unit – click on “Publications” to get maps by country and by region www.unhcr.org

United Nations Cartographic Section (Maps by region, country, theme, peacekeeping mission) <http://www.un.org/Depts/Cartographic/english/htmain.htm>

Statoids: Gwillim Law, *Administrative Divisions of Countries* (North Carolina: McFarland & Company, 1999) manages Statoids: <http://www.statoids.com/statoids.html> as a supplement to his book. Select a country for a list of its administrative divisions (separated by level of division), with information on names and population, as well as links to maps where available.

For major emergencies identify the organization that has been charged with coordinating information on humanitarian action (usually OCHA or UNDP) and look for any special sites.

AIMS - Afghanistan Information Management Service <http://www.aims.org.af>

Collections of city maps can be found at:

"The World of Maps - Die Welt der Karten" by Jürg Bühler, Kartensammlung der ETH-Bibliothek Zürich & Thomas Klöti, Map Curator Group of the Swiss Library Association http://www.maps.ethz.ch/map_catalogue-city_maps.html

Print or digital?

Most print maps will usually have less detail than digital maps. There are of course very detailed road maps and topographical maps, often produced for the military, which will show you every bridge and power station. However they are expensive and looking for places is like looking for a needle in a haystack.

It would be a mistake, however, to discard all print maps. They are easier for initial orientation, and, if they provide an index, easy to navigate. Where spelling is very unreliable, you might more quickly find the place that looks like it sounds by carefully examining a map spread out on your desk rather than by squinting at your computer screen. Try out what works best for you.

Digital maps have the advantage of being searchable. You can search for word variations by using your browser's full text search.

Expedia.com and multimap.com have digitalized world maps. While you will not find a country map on these sites, you can type in a place name and the search engine will come up with a list of all places (available in the database) that are written as the name, or similar to the name, that you have typed in. This feature comes in very handy when you are not sure about the correct spelling of a place name. Once you choose a name from the list, a detailed map of the surroundings of the place will be displayed. You can zoom in and zoom out to get either more details or a better idea of where the place is located within the country. Often, you will have to zoom in and out and move the image until you locate a bigger town or city, which is also displayed on one of the country or province maps, in order to place the village or town within the country.

While you might develop a preference for one of these services, it is advisable to verify the search result by using both [expedia.com](http://www.expedia.com) and [multimap.com](http://www.multimap.com) and to make a printout of each of your results as you go along – display maps change with every search.

Navigation guides:

<http://www.expedia.com> – Click on "Maps" (upper navigation bar), "Find a map." Select "Search for a place," select "World (topographic maps)" from scroll-down menu. Type in a place name, click on "Find a map," select a place name. Click on "Find a map."

The place you are looking for will be highlighted on the map displayed. You can zoom in and zoom out, as well as travel in all directions, with the small navigation bar to the right of the map.

<http://www.multimap.com>

Select "Rest of the World" (left navigation bar). Type in the name of the country and the place you are looking for – click on "Find." A page with a selection of places will appear. Select the place that comes closest to the one you were looking for. A detailed map will be displayed. You can zoom in and zoom out, as well as travel in all directions, with the small navigation bar to the left of the map.

NB Multimap now supports wildcards at the beginning of a word. If there are spelling variations concerning the first letter of a place name, the search engine will only return results if the wildcard is used, not if one of the possible spellings is entered
e.g. search for *Arbil*, *Iraq* returns no results. Search for **rbil*, *Iraq* returns both *Arbil* and *Irabil*.

While [multimap.com](http://www.multimap.com) and [expedia.com](http://www.expedia.com) will often turn up useful results, sometimes they will not display the place name you were looking for, either because it is not yet included in their database, or because it does not recognize the spelling (e.g. [expedia.com](http://www.expedia.com), if the first letter is incorrect).

<http://www.fallingrain.com/world>

The Global Gazetteer's Worldwide Directory of Cities and Towns provides an alphabetical list of places by country, taking into account spelling specificities of non-Latin languages. The Global Gazetteer does not display a detailed map of the surroundings of a place. You will have to search for the location of a place by typing in the place name into Google, or go back to www.expedia.com or www.multimap.com to continue your search.

Below you find an excerpt from the navigation directory for Algeria:

Regions

None Wilaya d' Adrar Wilaya d' Alger Wilaya d' Annaba Wilaya d' El Bayadh Wilaya d' El Oued Wilaya d' El Tarf Wilaya d' Illizi Wilaya d' Oran Wilaya d' Oum el Bouaghi etc.

Click on the first two letters of the town you are looking for.

'A 'O Aa Ab Ac Ad Af Ag Ah Ai Ak Al Am An Ao Ar As At Ay Az Ba Bd Be Bi Bl Bo Br Ca Ch Ci Cl Co Cr D' Da De Dh Di Dj Dm Do Dr Du Eb Ec Ed Eg El Em En Er Es Et Eu Ez F' Fa Fe Fi Fl Fo Fr Ga Gb Gd Gh Go Gr Gu Ha Hb [...]

EKI – Institute of the Estonian Language. Click on “Place names database.”

<http://www.eki.ee/knab/knab.htm>

This database provides you with name and spelling variations of place names. It is not complete, but can be useful if a place is not only spelled differently, but has different names depending on the language used. No maps are displayed.

Oddens

A site designed by Utrecht University

<http://oddens.geog.uu.nl/search.html>

The search engine browses through a number of categories (I. Maps and Atlases; II. Sellers of Cartographic Material; III. Map Collections; IV. Carto- and Geoservers; V. Cartographic and Geographical Societies; VI. Departments of Cartography; VII. Government Cartography; VIII. Libraries; General and Classification Systems; IX. Literature; X. Gazetteers; XII. Search Engines; XIII. Touristic Sites) but will rarely find smaller places. It might be useful in locating offline material.

For more online map collections and geographical search tools, see the continuously updated directory on ecoi.net (click on “Maps on each country” or search in the “Topics & Issues” files), as well as UNHCR RefWorld (click on “Research/evaluation,” “RefWorld” and then “Map.”

Where to order maps?

Travel guides usually have quite good overview maps of the country and regions of interest, as well as city maps (mostly historic centres, tourist areas). Your university's geography department will also have a map collection.

RandMcNally, Freytag & Berndt, as well as Michelin are well-known producers of road maps. Maptown and Omni offer road maps and topographical maps (mostly sheets) for a wide range of countries, as well as cities.

- Maptown
<http://www.maptown.com>
- Omni Resources Map Catalog The world's largest online map catalog
<http://www.omnimap.com/>

World atlases are offered from a variety of publishers, e.g. Oxford University Press, National Geographic, Time. Ensure that an atlas has a detailed index and features a comprehensive list of maps for countries of origin.

Languages/Ethnicity

As with geographical information, information on languages and ethnic background is often sought to establish an applicant's credibility, and/or applicants' nationalities. COI research will usually be conducted by persons with little or no applied linguistic expertise. It can therefore supply information on the general use of particular languages and dialects by country and region, but it cannot provide decisive information on the link between the use of a particular language and nationality. There are a number of institutes that offer linguistic analysis in order to establish whether a particular dialect spoken by an applicant corresponds to the region he or she claims to be originating from. Background about their methodology can be found in the list of references at the end of this chapter.

Language directories are a good source to find out whether a particular language exists, whether there are spelling variations, and where it is known to be spoken. Language directories may be compiled either for the world or specialized in particular regions (see below for examples).

Information on language and ethnicity often overlaps. Using language directories to identify a particular ethnic group and its areas of settlement, or vice versa, can be quite helpful.

NB People migrate. Therefore, details on language usage and settlement areas need to be carefully verified and corroborated. COI users need to be aware of the limits of COI research in establishing reliable information that is also accurate in individual cases.

Ethnologue

This very useful database offers language directories by region and country, with numerous cross-references and an extensive bibliography that may be useful for locating an expert on a particular language. Language maps give an indication of the geographical distribution of languages and dialects.

Ethnologue is published by SIL International (the Summer Institute for Linguistics), a "service organization that works with people who speak the world's lesser known languages." The print and web edition of the Ethnologue are updated every four years.

<http://www.ethnologue.com/>

Linguasphere Observatory (English and French)

"An independent organisation (created in 1983, with no political, religious, institutional or governmental affiliations) devoted to the worldwide study and promotion of multilingualism."

The Linguasphere Table of the World's Major Languages is a summary of the Linguasphere Register. The resource database provides directories of university departments and mailing lists by language family.

The Linguasphere publishes the *Register of the world's languages and speech communities*, featuring classifications and code tables for languages and dialects, as well as a worldwide index of linguistic and ethnic names

The website provides some extracts from the Register.

<http://www.linguasphere.org>

Languages of the World 123world

Offers links to information sites on a large number of better known languages.

<http://www.123world.com/languages/>

yourdictionary.com

Offers Language Dictionaries with links to websites and dictionaries for almost 300 languages, many of them spoken in countries of origin.

<http://www.yourdictionary.com/languages.html>

Yamada Language Guides provide links to language-related sources (by language). Mixed results.

<http://babel.uoregon.edu/yamada/guides.html>

African Studies Center at the Michigan State University

Publishes the Webbook of African Language Resources, an online directory of languages (by language).

<http://www.isp.msu.edu/AfrLang/hiermenu.html>

A. Humphreys and K. Mits (eds.), The Red Book of the Peoples of the Russian Empire, (October 1991) covers peoples, tribes, dialects and languages in roughly the territory of the former Soviet Union. Contains more background information about the various ethnic groups than language information.

<http://www.eki.ee/books/redbook>

Minorities at Risk

The Minorities at Risk Project of the Center for International Development and Conflict Management at the University of Maryland produces minority group assessments based on human rights reports and news articles. The assessments offer historical background to, and chronology of, a conflict relating to a particular ethnic group, as well as suggest future developments according to system of coding conflict and risk. While the information provided in the group assessments can be helpful for a quick overview, reference lists are scant and make it difficult to evaluate the conclusions drawn by the authors.

<http://www.cidcm.umd.edu/inscr/mar/>

A regularly updated and annotated list of websites specializing in languages and ethnicity can be found in the "Directory of Online Sources" at ecoi.net.

It is well worth browsing the following websites of language institutes affiliated with universities and independent research institutes. Many feature background information on selected languages, online publications, bibliographies, and information on language specialists that can be contacted for expert information.

The School of Oriental and African Studies (SOAS) London <http://www.soas.ac.uk>

Institute for Middle Eastern and Islamic Studies at the University of Durham

<http://www.dur.ac.uk/sgia/imeis/>

Faculty of Oriental Studies at the University of Oxford (covers Middle East, East Asia, South Asia) <http://www.orinst.ox.ac.uk/>

University of Pennsylvania African Studies Center

http://www.sas.upenn.edu/African_Studies/K-12/menu_EduLANG.html

Institut für Afrikakunde, Hamburg <http://www.duei.de/iak/show.php>

Universität Bayreuth: Afrikanistik <http://www.uni-bayreuth.de/departments/afrikanistik/>

Deutsches Orientinstitut: <http://www.duei.de/doi/show.php>

LLACAN – Langues, langues et culture d’Afrique noire.

French research institute: online publications, information about ongoing field research. Background information about researchers. Bibliography (in French and English).

<http://llacan.cnrs-belleuve.fr/ENGLISH/sommaire.htm>

The French National Institute for Oriental Languages and Civilisation (INALCO)

(Institut National des Langues et Civilisations Orientales) provides instruction in the languages, geography, history and politics of Eastern and Central Europe, Asia, Oceania/Australasia, Africa and the native Americas. In total over 80 languages and civilisations are covered with additional, professional vocational training also provided.

<http://www.inalco.fr/>

Offline material

Again, travel guides usually feature a section on ethnicity and languages. The following works offer indices and directory entries on ethnic groups and languages. For updates to bibliographical material, please refer to the bibliography section at Ethnologue or Linguasphere.

- Breton, Roland J.L. (1999), *Atlas of the Languages and Ethnic Communities of South Asia* (2nd edn., Delhi: Sage Publications)
- Crozier, D.H. and R.M. Blench (1992, eds.), *An Index of Nigerian languages* (Dallas: Summer Institute of Linguistics)
- Dalby, Andrew (1999), *Dictionary of Languages: The Definitive Guide to More Than 400 Languages* (New York: Columbia University Press)
- Gunnemark, Erik V. (1992), *Countries, Peoples and their Languages: the Geolinguistic Handbook* (Gothenburg: Geolingua)
- Klose, Albrecht (2001), *Sprachen der Welt/Languages of the World: A Multi-Lingual Concordance of Languages, Dialects, and Language Families* 2nd rev.edn (K. G. Saur)
- Levinson, David (1998), *Ethnic Groups Worldwide: A Ready Reference Handbook* (Phoenix: The Oryx Press)
- Minority Rights Group International (1997), *World Directory of Minorities* (London)
- Singh, N.K. and A.M. Kahn (2001, eds.), *Encyclopaedia of the World Muslims. Tribes, Castes and Communities*, 4 vols. (Delhi: Global Vision Publishing House)
- Wente-Lukas, Renate (1985), *Handbook of Ethnic Units in Nigeria* (Wiesbaden: Franz Steiner Verlag)

Linguistic analysis (Sprachanalysen)

A number of EU governments turn to linguistics in order to determine the credibility of an applicant as to his or her area of origin. Linguists listen to anonymous voice recordings for traces of accents or dialects considered characteristic of a particular region of origin or way of socialization. This practice has been intensively debated. Below is a list of articles presenting and discussing the methodology of language tests, as applied by the German, Swiss, and Swedish authorities. Refugee counsels and advocacy organizations frequently point to criticism of the methodology by linguists themselves.

- BAFI (Jan 1999) Schweiz: Sprachanalysen als Beweismittel Einzelentscheiderbrief
http://www.bamf.de/cln_043/nn_566316/SharedDocs/Anlagen/DE/Asyl/Downloads/EEBriefe/1999-2002/ee-brief-jahr-1999,templateId=raw,property=publicationFile.pdf/ee-brief-jahr-1999.pdf
- BAFI (April 1999) Sprach- und Textanalyse. Einzelentscheiderbrief
http://www.bamf.de/cln_043/nn_566316/SharedDocs/Anlagen/DE/Asyl/Downloads/EEBriefe/1999-2002/ee-brief-jahr-1999,templateId=raw,property=publicationFile.pdf/ee-brief-jahr-1999.pdf
- Proasyl (1998) Sprachanalysen zur Feststellung des Herkunftsstaates beim Bundesamt für die Anerkennung ausländischer Flüchtlinge Scharlatanerie oder Wissenschaft? (Frankfurt/Main, <http://www.proasyl.de/lit/spranaly/spr1.htm>)
- Fecl: Fortress Europe Circular Letter 53 (Jan/Feb. 1998): Controversial Language Tests for the Determination of Asylum Seekers' Country Of Origin <http://www.fecl.org/circular/5304.htm>
- The Guardian (22 Oct. 2003) "Accents on trial in asylum seeker tests"
<http://www.guardian.co.uk/guardianpolitics/story/0,3605,1068094,00.html>
- Diana Eades, et al., (Feb 2003, slightly amended 14 Mar 2003) "Linguistic identification in the determination of nationality: A preliminary report,"
<http://www.personal.une.edu.au/~hfraser/forensic/LingID.pdf>
- Language and National Origin Group (June 2004) Guidelines for the Use of Language Analysis in Relation to Questions of National Origin in Refugee Cases

Processing search results in the course of research

OBJECTIVES:

At the end of this session, participants will be able to:

- Organize their work efficiently and in accordance with necessary quality standards
- Create bookmarks or favourites
- Create and manage a file system for bookmarks
- Copy and paste quotations and bibliographical information from electronic formats
- Retrieve previous search strings through their Internet browser

Saving your search results

Most browsers keep a record of your search path and search results, e.g. Internet Explorer's Search History. This will allow you to retrieve previous search results during the number of days you entered into your Internet Options.

You will work more efficiently if you routinely copy and paste bibliographical information, including the Internet address (URL), as well as the most relevant quotes, into a working document. You can always delete what you decide not to use, but will save time when finalizing your response or report. Activate the T-button in order to copy and paste from documents in PDF format.

Some browsers, such as Mozilla Firefox, allow you to save research sessions ("tab sessions") and load them any time later. Also, tab sessions are saved and restored automatically if the browser freezes or closes down. Mozilla Firefox allows you to work on several research sessions at the same time, providing you with a better overview of your different search histories.

Search within your search results

Most browsers allow you to search within the search history, as well as within individual documents (full text search). This way you can quickly jump to any section of a report that contains your search term (see also the section on Google highlights). For documents in PDF or Word format, you need to use their respective search functions i.e. "Binoculars" and "Edit."

Bookmarks/Favorites

You can save the address of a particular website by creating a "Favorite" or "Bookmark," in order to quickly retrieve it in future research. You can organize your source archive with the Favorites/Bookmarks feature in the Internet browser. Structure it in different levels of directories, by country, source or topic. For further discussion on archiving see Module D.

Sometimes the most effective organization of your bookmarks will be the one that corresponds to your personal research strategy. This depends on whether others will need to be able to use your bookmarks as well.

Presentation and Documentation of Research Results

OPTIONAL MODULE D

PRESENTATION AND DOCUMENTATION OF RESEARCH RESULTS

Once the research has been completed, COI researchers have to present their research results in written form to the requesting institution. COI users have to process the information in legal presentations or in written decisions. Some of the standards mentioned in this section apply equally to all COI users, in particular the transparent presentation of all research results and a clear system of referencing. However, weighing of evidence and commenting on the material, in light of the individual testimony and case, forms part of the work of legal advisers and decision-makers. The style of presentation of COI will thus differ from the style COI researchers adhere to.

Therefore, Module D is designed as an optional module, to be used in full training programmes targeted at COI researchers. COI users (legal advisers and decision-makers) should develop institutional guidelines. The style guides provided in the list of references may serve as a starting point to create internal guidelines.

Presentation of research results

OBJECTIVE:

At the end of this session, participants will be able to:

- Present information in a transparent and balanced manner
- Make corroboration of information transparent to users
- Handle information in a transparent and balanced manner

Target group: COI researchers (optional: COI Users)

This section is based on consultations between COI Network & Training partners and consultants, as well as on a March 2004 *Research Analysis and Editing Guide* produced by the Research Directorate of the Canadian Immigration and Refugee Board.

In principle the presentation of COI research results has to be as objective as the research itself. Therefore do not comment on the research results or draw your own conclusions. Do not exclude any information that you have found, even if you (and other sources you have found) do not agree with its content. The style of writing, the emphasis on corroboration, and the structure of the summary or report should express an objective and neutral intention.

In this context, the same criteria of credibility and reliability are valid for your research products as they are for the assessment of the sources you are using. Remember that the use of many sources corresponds to the COI standards of reliability, balance and accuracy and is thus a sign of the good quality of your work. Finding a balance between reflecting that quality, and presenting research results in a digestible, user-friendly form to the COI user, is one of the most difficult tasks of the COI researcher.

In general you should reflect the impartiality and neutrality of your research with a transparent structure of presentation that corresponds to your research methodology and strategy.

Ensure that the corroboration process, which you followed during your research, is visible:

1. Include as many sources as possible that provided information on a given research issue
2. State clearly which source provided which kind of information
3. Explicitly point out contradictions between sources
4. Explicitly point out where corroboration was not possible and which sources you consulted unsuccessfully

Responses to information requests should always answer the question(s) as precisely as possible. They may vary in size, depending on the query triggering them (number of questions, complexity), but also on the amount of information available to the researcher.

It should be confirmed that the subject actually reflects the question(s) asked. Any irrelevant information, which may confuse the reader, should be excluded from query responses (IRB March 2004, p. 8).

In order neither to provide too much information, nor to create an impression of information overload on the end user's side, responses need to be focused, i.e. the COI should relate to the actual query without straying into areas not directly related (IRB March 2004, p. 2).

Style tips:

- Phrase headlines corresponding to the queries: if general queries need additional structuring, create subsections with simple, non-judgmental headings
- Present facts chronologically: depending on the issue and country situation it may make sense to present the most recent information first
- Explain why you include information that does not directly relate to the request (necessary context, indirect corroboration)
- Avoid "hidden comments"

Generally, developing and upholding a common terminology may be important for accurate text retrieval and information sharing, especially when databases are involved.

COI should be grammatically correct, use appropriate vocabulary and an appropriate level of language, and only allow for minimal errors in spelling and punctuation (IRB March 2004, p. 2).

Responses should be clearly formulated, easy to read and understand. As regards answering an individual information request, thoughts should be organized and ideas should be logically developed (IRB March 2004, p. 2).

Thoughts should be expressed in an impartial manner with no appraisal of, or commentary on, the information that could influence the person requesting it (IRB March 2004, 2). You should avoid language that suggests a legal assessment or judgment such as "confirm/deny," "persecution," "extreme", or "atrocious" should be avoided and eliminated during quality control (IRB March 2004, p. 7).

The text of a response should present the information as it was given by the sources, and should refrain from analyzing the issues and/or drawing any conclusions. It is the reader's responsibility to weigh the evidence and draw his/her own conclusions accordingly. This is particularly important where the information provided contains only implicit or circumstantial

reference to the question that was submitted (i.e. you might decide to include information on protest letters published by a political party on a particular issue where the question was about a demonstration organized by that party. It is up to the decision-maker to consider this information to increase the likelihood of such a demonstration having taken place, because of the political activity at this particular point in time, or to decrease the likelihood of such a demonstration having taken place, because the existing information about protest letters would suggest that a (major) demonstration would also have been mentioned in the party's publications.

If you cannot find any information about the research subject, it is important to say so, without implying that a person or political party does not exist, or that an event did not happen. If you find no direct answer to the question, but some circumstantial information that might be of interest in the context of the question, state first that you could find no information on the question submitted, but have included information related to the question. (e.g. you could find no information on the situation of a particular religious group, but you have found a recent decree prohibiting certain religious activities). Do not elaborate on that additional information but offer to conduct further research if this area should be of interest.

Finally, COI products generally include a disclaimer concerning the limits of the information provided. It alerts to the fact that the information provided is subject to time constraints and access to sources.

Usually you will respond to queries in the query's language. In some countries, only the official language may be used for documents used in administrative procedures. Therefore you will often have to summarize, or in some cases even translate, information retrieved from sources. Quote sources properly and mention if the translation is official or unofficial.

Many COI units have developed internal style guidelines in order to ensure uniform quality and presentation of their research products. This is particularly important where COI products are made available to the general public. However, new staff will be grateful for written guidelines as to how to draft a response or a report.

Documentation of research results

OBJECTIVES

At the end of the session, participants will be able to:

- Archive and retrieve research results
- Explain the importance of documentation for quality control
- Name basic criteria for establishing a COI file management system for their COI unit/organization
- Develop a transparent system to document work processes

The research cycle starts with a research request, and ends with the documentation of the final results. It is important to view documentation as a constant process accompanying the whole research cycle. A research response should be a documentation of the sources consulted, the information found, and the process of corroboration. In order to ensure consistency of the documentation and retrievability of the information, documentation should follow formalized rules.

Consistent documentation is important for your own work and for the team members' work. It is a prerequisite for quality control, as well as for retrieving and reusing of information that

was already collected, thus enabling efficient research, proof of performance, and statistics for further planning.

Documentation is also important in your relationship with external clients and donors. Documentation reflects the unit's quality and reliability (your clients perceive your unit as a source of information, subject to the same criteria of assessment that you apply in your research) and will be needed in the case of external revision.

A documentation system should fulfil the following criteria:

- Transparency of the documentation principles
- Consistency in the documentation process
- Retrievability of the data and information
- Reusability of the data and information
- Efficiency

Documentation Concept

- What should be documented?
- Which parameters should be considered?
- Which methods should be applied?
- Which tools meet the requirements?

Documentation requirements and tools depend on the size and focus of the unit, your client structure, the quantity of requests and data, and your personal and financial capacity. Documentation must be standardized in order to fulfil its function of storing data in a transparent and retrievable manner. Write down the objectives, principles, and requirements of your organization's documentation tasks in a small handbook. Choose a documentation method and tools that do not unnecessarily interrupt the workflow. The easier the system of documentation, the more likely it is that your staff will apply it consistently. In a small COI unit, focus on the essential information needs of the organization. Large COI units will consider hiring a documentation specialist who is responsible for information or knowledge management, and uses a professional documentation software. The system of classification should be transparent and understandable, allowing for quick and efficient retrieval of information. For an effective and efficient documentation system, it is important for the entire team to have access to the archive (e.g. via shared network drive, LAN, or via Intranet).

Documentation Tools

- Which archiving possibilities exist?
- Which tools meet the organizational requirements?
- Which information should be stored?

A documentation tool consists of an archive where data is stored and an interface that can be accessed when managing and retrieving the data. How you organize your information archive depends on two factors: internal requirements (what is the most efficient way to retrieve information? What kind of information will I be searching for?), and external requirements (e.g. statistics necessary for your financial reporting or for proof of performance).

Hardcopy and electronic archives should be used in a complementary way. Keep in mind that an increasing number of documentation tools increases the amount of work involved in documentation, as well as the possibility for mistakes. While hardcopy files might be necessary in some contexts, country of origin information should primarily be stored electronically.

Query data, the research process, and research results should be documented in the same work process. They must interrelate and clearly refer to each other. Additionally you may wish to have efficient data access and obtain statistical information on research processes, clients, research staff, etc.

The documentation should include:

- internal organizational information,
- information related to the query, and
- classification related to the content of query and research results.

Organizational:

Date of research
 Name of researcher
 Archive location (hardcopy files, database/document number or path)
Name of controller
Date of control
 Additional statistical information

Query data:

Date of request
 Deadline
 Number of request/case (file number)
 Client
 Client category (Gov/Non Gov., Lawyer, etc.)

Communication related to the query with client or experts:

Checklist for sources, search terms used
 Date of response

Content:

Country/region
 Topic

Some of the information belongs to more than one category. This shows that sometimes information categories cannot be clearly defined. Therefore a documentation system should be able to interrelate data.

Archiving

There are three main rules for archiving:

- a) move from general to specific,
- b) relate information between categories of classification,
- c) ensure that you are able to retrieve all the material pertaining to an application or a COI request, no matter whether you also wish to archive parts of that material according to other criteria, such as topic or type of source.

How you organize your archive depends on your specific needs and the tools you use. Modern archives are quite flexible. If most of the information you have to search for is related to countries of origin, it is obvious to choose the country as a primary category for your archive, in which individual requests and research results are filed together with the related COI material. Where necessary, you can choose to divide the country directory into topical sub-categories. Keep in mind, however, that narrow categories will make it likely that your request will have to be filed into several directories. Information on the researcher, dates of request, and response will be mostly stored in the response and not separately.

Practical exercise

Develop a uniform, accessible, and usable archiving structure for your COI unit. Build a country file using Windows Explorer within the archive structure.

Example:

```
Country A (directory)
  Torture (dir)
    Report 1 (file)
  Religion (dir)
  Rights of the child (dir)
  Internal flight alternative (dir)
    Request 1 (file with information on client)
    Response 1 (file with information on client and researcher)
Country B (dir)
...(dir)
```

File management

Operating systems always provide file management tools, e.g. Windows Explorer for the MS Windows OS, and the Norton Commander that is independent from the operating system.

With these tools you can organize an archive in a simple way, with access for the whole team (if there is a shared network drive), limited searchability function and the possibility to relate to documents stored in one directory in another directory. The above structure can be easily applied with a range of directories.

In many cases this system will be sufficient. If you have huge quantities of data and/or a need for relating data, then consider using a database.

Databases

In a relational database you can store process and organizational information, link them with query requests and responses, and use them for statistical purposes. Usually databases can provide you with the case as an entity, which may be important if you are working in court or in a lawyer's office. Only a few databases provide document text retrieval and are related to the "meta-information" of documents. If you need this, look for file, document or workflow management.

Document management and workflow management

These systems are able to handle large quantities of data, to store indexed texts within the database and make them retrievable, and represent the workflow of your organization. These systems can be very efficient but you have to take into account high investment costs.

Useful Tips

Documentation should be formalized. Agree on a concept when you start your activities.

Organize a standardized documentation system with a set of simple, effective and traceable rules.

Specify the data and parameters to be documented.

Set up a simple classification of contents.

Ensure that all team members can handle the system and easily understand the classification.

Plan the future quantity of data to select the right documentation tools.

Organize the structure of your archive and archiving tools according to your information needs. Start with general reusability criteria (i.e. creating country files) and subordinate other criteria, keeping in mind the requirements of transparency and traceability.

Document your research strategy (e.g. checklist of sources, search terms used).

Always save your research results and related material.

Quality control

Well-defined research standards are implicit methods of quality control that are applied by each individual researcher. Formalized guidelines for the research process, and presentation of results, help to maintain these quality standards even under time pressure or in large teams. In addition, quality control and evaluation by team supervisors or a project team can serve as an important tool for maintaining or improving the quality of COI products. Indicators for evaluation must correspond to internal quality standards in order to fulfil the function of quality management.

Internal evaluation will be part of the management tasks of the COI unit. Whether you opt for external evaluation will depend very much on the organizational structure and principles of your institution. Internal quality control can be organized in the research team, or carried out by a senior researcher or the COI unit's manager, or by a quality control division. It is important to define how often quality control will be carried out and what will be evaluated. Depending on the available resources, quality control can be done randomly, in especially complex cases, or in every case. The frequency and intensity of quality control will also depend on the experience of the research team as a whole as well as of individual researchers (e.g. when there is new staff). It is also possible to only evaluate parts of the process, i.e. checking the sources used, checking the research strategy, checking the style of presentation, etc.

External quality control can be done by professional evaluators and/or by the clients. A mix of informal (meetings) and formal (questionnaires) client evaluations is useful to make sure the work of the COI unit meets the needs of its clients.

References for further reading

SELECTED MATERIAL FOR FURTHER READING

The following bibliography contains references to material used for the COI Training Manual as well as material for further reading and preparation of training sessions. The emphasis has been on literature available online. Trainers interested in case law beyond the ones referred to in the manual will find a guide to databases of asylum jurisprudence on the COI Network & Training CD-Rom.

The following documents are essential background reading:

- Geneva Refugee Convention 1951 and the 1967 Protocol
<http://www.unhcr.org/cgi-bin/texis/vtx/protect/opendoc.pdf?tbl=PROTECTION&id=3b66c2aa10>
- EU Asylum Qualification Directive: Council of the European Union: Directive 2004/83/EC of 29 April 2004 on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted, published 30 September 2004;
http://europa.eu.int/eur-lex/lex/LexUriServ/site/en/oj/2004/l_304/l_30420040930en00120023.pdf
- EU Asylum Procedures Directive: Council of the European Union: Directive 2005/85/EC of 1 December 2005 on minimum standards on procedures in Member States for granting and withdrawing refugee status, published 3 January 2006.
http://europa.eu.int/eur-lex/lex/LexUriServ/site/en/oj/2005/l_326/l_32620051213en00130034.pdf
- UNHCR (1992): Handbook on procedures and criteria for determining refugee status (1979)
<http://www.unhcr.org/cgi-bin/texis/vtx/publ/opendoc.pdf?tbl=PUBL&id=3d58e13b4>
- UNHCR (1 April 2001): Interpreting Article 1 of the 1951 Convention Relating to the Status of Refugees
<http://www.unhcr.org/cgi-bin/texis/vtx/home/opendoc.pdf?tbl=RSDLEGAL&id=3b20a3914>

OPTIONAL MODULE: REFUGEE LAW AND COMPLEMENTARY PROTECTION

- UNHCR (1992): Handbook on procedures and criteria for determining refugee status (1979)
<http://www.unhcr.org/cgi-bin/texis/vtx/home/opendoc.pdf?tbl=RSDLEGAL&id=3ae6b3314>
- UNHCR (1 April 2001): Interpreting Article 1 of the 1951 Convention Relating to the Status of Refugees
<http://www.unhcr.org/cgi-bin/texis/vtx/home/opendoc.pdf?tbl=RSDLEGAL&id=3b20a3914>
- UNHCR (1 March 1995): Information Note on Article 1 of the 1951 Convention
<http://www.unhcr.org/cgi-bin/texis/vtx/excom/opendoc.htm?tbl=EXCOM&page=home&id=3ae68cd34>
- UNHCR (December 2001): Refugee Protection: A Guide to International Refugee Law
<http://www.unhcr.org/cgi-bin/texis/vtx/home/opendoc.pdf?tbl=RSDLEGAL&id=3cd6a8444>

Treatises on international refugee law

- Goodwin-Gill, Guy (1996), *The Refugee in International Law* (Oxford: Clarendon Paperbacks)
- Grahl-Madsen, Atle (1972), *The Status of Refugees in International Law*, 2 vols. (Leiden: A.W. Sijthoff)
- Hathaway, James C. (1991), *The Law of Refugee Status* (Vancouver: Butterworth)
- Kälin, Walter (1982), *Das Prinzip des non-refoulement* (Bern-Frankfurt: Peter Lang)
- Kälin, Walter (1990), *Grundriss des Asylverfahrens* (Basel-Frankfurt/Main: Helbing & Lichtenhahn)
- Kälin, Walter (1 June 2001), Global Consultations on International Protection/Second Track: "Supervising the 1951 Convention on the Status of Refugees: Article 35 and Beyond"
<http://www.unhcr.org/cgi-bin/texis/vtx/home/opendoc.pdf?tbl=RSDLEGAL&id=3b3702384>
- Lauterpacht, Sir Elihu and Daniel Bethlehem (20 June 2001), Global Consultations on International Protection/Second Track: "The Scope and Content of the Principle of Non-Refoulement" (Opinion of Sir Elihu Lauterpacht and Daniel Bethlehem)
<http://www.unhcr.org/cgi-bin/texis/vtx/publ/opendoc.pdf?tbl=PUBL&id=419c75ce4>
- Loescher, Gil and Laila Monahan (1990), *Refugees and International Relations* (Oxford: Clarendon Paperbacks)
- Symes, Mark (2000), *Caselaw on the Refugee Convention - The United Kingdom's Interpretation in the light of the International Authorities* (London: Refugee Legal Center)

Cessation Clauses

- UNHCR (10 February 2003): Guidelines on International Protection No. 3: Cessation of Refugee Status under Article 1C(5) and (6) of the 1951 Convention relating to the Status of Refugees (the "Ceased Circumstances" Clauses)
<http://www.unhcr.org/cgi-bin/texis/vtx/publ/opendoc.pdf?tbl=PUBL&id=3e637a202>
- Bonoan, Rafael (24 April 2001), Global Consultations on International Protection/Second Track: "When Is International Protection No Longer Necessary? The 'Ceased Circumstances' Provisions of the Cessation Clauses: Principles and UNHCR Practice, 1973-1999"
<http://www.unhcr.org/cgi-bin/texis/vtx/protect/opendoc.pdf?tbl=PROTECTION&id=3bfe1cd84>
- Fitzpatrick, Joan, Jeffrey and Susan Brotman (2001): "Current Issues in Cessation of Protection Under Article 1C of the 1951 Refugee Convention and Article 1.4 of the 1969 OAU Convention" (Global Consultations: Expert roundtable discussion on cessation as part of the Global Consultations on International Protection in the context of the 50th anniversary of the 1951 Convention relating to the Status of Refugees)
<http://www.unhcr.org/cgi-bin/texis/vtx/protect/opendoc.pdf?tbl=PROTECTION&id=3b3889c28>

Exclusion clauses

- UNHCR (4 September 2003): Guidelines on International Protection No. 5: Application of the Exclusion Clauses: Article 1F of the 1951 Convention relating to the Status of Refugees
<http://www.unhcr.org/cgi-bin/texis/vtx/publ/opendoc.pdf?tbl=PUBL&id=3f7d48514>
- ECRE (March 2004): Position on exclusion <http://www.ecre.org/positions/exclusion.pdf>
- Gilbert, Geoff (1 January 2001), Global Consultations on International Protection/Second Track: "Current Issues in the Application of the Exclusion Clauses"
<http://www.unhcr.org/cgi-bin/texis/vtx/protect/opendoc.pdf?tbl=PROTECTION&id=3b389354b>

Complementary or subsidiary protection

- UN CAT (21 November 1997): General Comment No. 01, Implementation of article 3 of the Convention in the context of article 22. A/53/44, annex IX
[http://www.unhcr.ch/tbs/doc.nsf/\(Symbol\)/13719f169a8a4ff78025672b0050eba1?Opendocument](http://www.unhcr.ch/tbs/doc.nsf/(Symbol)/13719f169a8a4ff78025672b0050eba1?Opendocument)
- UNHCR (1 April 2001): Complementary Forms of Protection
<http://www.unhcr.org/cgi-bin/texis/vtx/home/opendoc.pdf?tbl=RSDLEGAL&id=3b20a7014>
- UNHCR (August 2004, update): Manual on Refugee Protection and the European Convention on Human Rights (April 2003)
<http://www.unhcr.org/cgi-bin/texis/vtx/home/opendoc.pdf?tbl=RSDLEGAL&id=3f4cd5c74>
- ECRE (September 2000): Position on Complementary Protection
<http://www.ecre.org/positions/cp.pdf>
- ECRE (December 2003, update): Complementary/Subsidiary Forms of Protection in the EU Member States: An Overview
<http://www.ecre.org/research/survcompro.pdf>
- Benbekhit, Nabl (2001), "Introduction to the European Convention on Human Rights as an Instrument for the Protection of refugees and asylum seekers - a UNHCR Perspective", ELENA International Course on the European Convention on Human Rights in relation to Asylum, 26-28th January 2001, Strasbourg, France <http://www.ecre.org/elenahr/unhcr.DOC>
- Ovey, Clare (2001), "The Prohibition of Refoulement: the meaning of article 3 of the ECHR", ELENA International Course on the European Convention on Human Rights in relation to Asylum, 26-28th January 2001, Strasbourg, France <http://www.ecre.org/elenahr/art3.pdf>
- Suntinger, Walter (2001), "The Principle of Non-Refoulement: Art 3 UN Convention against Torture (CAT)", ELENA International Course on the European Convention on Human Rights in relation to Asylum, 26-28th January 2001, Strasbourg, France
<http://www.ecre.org/elenahr/nonref.doc>
- Noll, Gregor (February 2002), "Fixed definitions or framework legislation? The delimitation of subsidiary protection *ratione personae*", New Issues in Refugee Research, Working Paper No. 55
<http://www.unhcr.org/cgi-bin/texis/vtx/research/opendoc.pdf?tbl=RESEARCH&id=3c8397a14>

- Vedsted-Hansen, Jens (February 2002), "Complementary or subsidiary protection? Offering an appropriate status without undermining refugee protection", New Issues in Refugee Research, Working Paper No. 52
<http://www.unhcr.org/cgi-bin/texis/vtx/research/opendoc.pdf?tbl=RESEARCH&id=3c7528894>

Civil war and Refugee Convention Status

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MODULE A

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OPTIONAL MODULE D: PRESENTATION AND DOCUMENTATION OF RESEARCH RESULTS

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Bensaid v. United Kingdom Judgment of 6 February 2001 Appl. No. 44599/98
Chahal v. United Kingdom Judgment of 15 November 1996 Appl. No. 22414/93
Cruz Varas and Others v. Sweden Judgment of 20 March 1991 Appl. No. 15576/89
D. v. United Kingdom Judgment of 2 May 1997 Appl. No. 30240/96
H.L.R. v. France Judgment of 29 April 1997 Appl. No. 24573/94
Hilal v. United Kingdom Judgment of 6 March 2001 Appl. No. 45276/99
Jabari v. Turkey Judgment of 11 July 2000 Appl. No. 40035/98
Mamatkulov and Abdurasulovic v. Turkey Judgment of 6 Feb 2003 Appl. nos. 46827/99 and 46951/99
Soering v UK Judgment of 7 July 1989, Appl. No 14038/88
Venkadajalarma v. The Netherlands Judgment of 17 February 2004 Appl. No. 58510/00
Vilvarajah and Others v. UK Judgment of 30 October 1991 Appl. Nos. 13163/87, 13164/87, 13165/87, 13447/87, 13448/87

Committee against Torture

<http://www.ohchr.org/english/bodies/cat/index.htm>

A.L.N. v. Switzerland Communication N° 090/1997. Views of 19 May 1998
M.A.K. v Germany Communication N° 214/2002. Views of 17 May 2004
G.R.B. v. Sweden, Communication N° 083/1997. Views of 15 May 1998
Elmi v Australia Communication N° 120/1998. Views of 15 May 1999
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SOURCE DESCRIPTIONS

AMNESTY INTERNATIONAL (AI)

<http://www.amnesty.org>

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| Mission/Mandate: | <p>The mission of Amnesty International is to “undertake research and action focused on preventing and ending grave abuses of the rights to physical and mental integrity, freedom of conscience and expression and freedom from discrimination, within the context of its work to promote all human rights”. (AI website)</p> <p>AI was founded in 1961 by a British lawyer, who heard the story of two Portuguese students sentenced to seven years in prison for raising a toast to freedom. He launched a newspaper campaign to bombard authorities around the world with protests about the “forgotten prisoners”. From this individual initiative grew a worldwide movement.</p> |
| Target group/audience: | <p>In its human rights reporting, AI addresses governments and non-state actors found responsible for human rights violations, international policy makers, intergovernmental organizations, companies, and civil society.</p> <p>AI does respond to requests by lawyers and RSD authorities for expert opinion in individual asylum cases.</p> |
| Objective: | <p>AI is an advocacy organization. Its main objective is to free all prisoners of conscience. It seeks to influence policies towards, and by, governments and international organizations to end human rights abuses by mobilizing public opinion as well as by making recommendations for further action.</p> <p>In individual cases, the AI Urgent Action network aims to rouse broad public support by appealing to responsible actors (e.g. government authorities) to free a prisoner of conscience, or to ensure prisoners are not subject to torture or the death penalty.</p> |
| Funding: | <p>According to the AI website, Amnesty International’s funding depends on the contributions of its worldwide membership and fundraising activities. AI does not seek or accept money from governments or political parties.</p> <p>http://web.amnesty.org/pages/aboutai-faq-eng#6</p> |
| Scope of reporting: | <p>Countries included: AI covers most countries of origin. The annual report (AI Report) documents the situation of human rights abuses in more than 150 countries and territories.</p> <p>Thematic priorities: The release of prisoners of conscience, torture, violence against women, arms control, the death penalty, refugee rights, economic globalization and human rights, child soldiers, and human rights education. AI has recently expanded its scope of reporting to include economic, cultural and social rights.</p> |
| In-country presence: | <p>AI has sections and local groups in almost every country worldwide. Researchers in the International Secretariat carry out reporting: local groups do not work on their own country, in order to maintain impartiality and protect AI staff and volunteers in the countries concerned. One exception to the “no-work-on-your-own-country-rule” is support and advice for refugees and asylum-seekers.</p> |
| Reporting methodology: | <p>AI bases most of its reports on fact-finding missions: its experts talk with victims or eyewitnesses of abuse. AI experts reporting from a country observe trials and interview local human rights activists and government officials. It complements fact-finding with reports from the media and other organizations. If access to a country is denied, “the organization also relies on other sources of information: testimonies from refugees or victims who have fled a country; information, such as letters, smuggled out of a country; a government itself; the more than 1,100 newspapers, journals,</p> |

government bulletins and transcripts of radio broadcasts which Amnesty International receives; reports from lawyers and other humanitarian organizations and letters from prisoners and their families.” (Poe 2001, p. 656 quoting from AI website as of March 1998)

Publication cycle:

The annual report (AI Report) is published in April/May for the previous year. Ad hoc reports, briefings and news releases are published on an almost daily basis. AI also publishes ad hoc thematic reports and Urgent Actions.

Language:

The AI Report is published in English, Arabic, French, and Spanish.

Press releases, thematic reports and news are also available in Albanian, Bosnian, Chinese, Kurdish, Russian, and Turkish.

Navigation of website:

Information about COI can be found under:

Home: contains the latest information

Library: contains information arranged by country and region. This is the most comprehensive archive – not all reports published will be displayed on the homepage

News: contains the latest news by region in reverse chronological order

COUNCIL OF EUROPE (CoE)<http://www.coe.int>

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| Mission/Mandate: | <p>The Council of Europe was founded in 1949. It groups together 45 countries, including 21 countries from Central and Eastern Europe. The Council was set up to:</p> <p>“defend human rights, parliamentary democracy and the rule of law; develop continent-wide agreements to standardise member countries’ social and legal practices; promote awareness of a European identity based on shared values and cutting across different cultures.</p> <p>Since 1989, its main job has become: acting as a political anchor and human rights watchdog for Europe’s post-communist democracies; assisting the countries of central and eastern Europe in carrying out and consolidating political, legal and constitutional reform in parallel with economic reform; providing know-how in areas such as human rights, local democracy, education, culture and the environment.” (Council of Europe website).</p> |
| Target group/audience: | Council of Europe member states, accession countries, policy makers, and civil society. |
| Objective: | Report on appliance and promotion of rights protected in the ECHR. |
| Funding: | The CoE is financed by the governments of member states, whose contributions to the organization’s budget are calculated in relation to their population and wealth. In 2004 the ordinary budget of the CoE amounts to € 180.5 million. |
| Language: | The main languages of the website are English, French, German, Russian, and Italian. The website and specific documents are also partly available in the other languages of the Council of Europe member countries. |

The Secretary General<http://www.coe.int/t/e/mandates/mandat.asp>

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| Mandate: | <p>The Secretary General “is entrusted with the responsibility of meeting the aim for which the Council of Europe was set up in London on 5 May 1949, namely to achieve greater unity between its members for the purpose of safeguarding and realizing the ideals and principles which are their common heritage and facilitating their economic and social progress. The Secretary General has the overall responsibility for the strategic management of the Council of Europe’s work programme and budget and oversees the day-to-day running of the Organisation and Secretariat.” (Council of Europe website)</p> |
| Scope of reporting: | <p><u>Countries included:</u> every member state of the Council of Europe (Albania, Andorra, Armenia, Austria, Azerbaijan, Belgium, Bosnia & Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Moldova, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, San Marino, Serbia and Montenegro, Slovakia, Slovenia, Spain, Sweden, Switzerland, “The Former Yugoslav Republic of Macedonia,” Turkey, Ukraine and the United Kingdom).</p> <p><u>Thematic priorities:</u> Rights contained in the ECHR</p> |
| Reporting methodology: | The Secretary General reports are based on fact-finding missions and interviews with NGO representatives, government officials or other political actors. These testimonies are supplemented by media reports and reports by other human rights monitoring organizations. |

Publication cycle: Reports on compliance of post-accession countries with obligations and commitments under the Convention are published quarterly and on an ad hoc basis. Field office reports are published on a monthly basis. Other reports of the Secretary General are not published on a regular basis.

Navigation of website: COI can be found under:
Secretary General > Documents > Field Office Reports > Compliance with Obligations and Commitments *or* Other Reports

Parliamentary Assembly of the Council of Europe (PACE)

<http://assembly.coe.int/>

Mandate: "The Parliamentary Assembly of the Council of Europe, which held its first session on 10 August 1949, can be considered the oldest international parliamentary Assembly with a pluralistic composition of democratically elected members of parliament established on the basis of an intergovernmental treaty. The Assembly is one of the two statutory organs of the Council of Europe, which is composed of a Committee of Ministers (the Ministers of Foreign Affairs, meeting usually at the level of their deputies) and an Assembly representing the political forces in its member states." (PACE website: Framework) "The Assembly can adopt three different types of texts: recommendations, resolutions and opinions.

- Recommendations contain proposals addressed to the Committee of Ministers, the implementation of which is within the competence of governments.
- Resolutions embody decisions by the Assembly on questions, which it is empowered to put into effect or expressions of view for, which it alone is responsible.
- The Assembly mostly expresses opinions on questions put to it by the Committee of Ministers, such as the admission of new member states to the Council of Europe, but also on draft conventions, the budget, the implementation of the Social Charter." (PACE website: Procedure)

Scope of Reporting: Countries included: every member of the Council of Europe, accession countries.

Thematic priorities: rights protected under the ECHR. (e.g. rule of law, minority rights, prevention of torture, gender equality, migration, Roma, social security, media rights)

Reporting methodology: A rapporteur, appointed by one of the Parliamentary Assembly Committees, draws up reports. Rapporteurs engage in fact-finding missions followed by a concluding report that should serve as a basis for recommendations or resolutions. They are normally divided into two parts: the draft resolution, recommendation or opinion, and the explanatory memorandum.

Publication cycle: The reports of the Parliamentary Assembly are published on an irregular basis, depending on the issues discussed by the Assembly.

Navigation of website: Adopted texts, working documents and records can be found under:
Institutions > Parliamentary Assembly > Documents
Enter the name of the country you are researching into the search field, "Words that appear in the title", to get a list of PACE documents on that country.

European Committee for the Prevention of Torture (CPT)<http://www.cpt.coe.int/en/>

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| Mandate: | <p>“The Committee shall, by means of visits, examine the treatment of persons deprived of their liberty with a view to strengthening, if necessary, the protection of such persons from torture and from inhuman or degrading treatment or punishment.” (Article 1 of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment)</p> <p>CPT members are independent and impartial experts, appointed for a period of 4 years (once renewable; one member/Contracting state) by the Committee of Ministers. (Art 4 and 5 ECPT)</p> |
| Scope of Reporting: | <p><u>Countries included:</u> every signatory country of the European Convention for the Prevention of Torture (i.e. every member state of the Council of Europe).</p> <p><u>Thematic priorities:</u> torture and other inhuman or degrading treatment or punishment. The CPT visits places of detention (prisons and juvenile detention centers, police stations, holding centers for immigration detainees and psychiatric hospitals).</p> |
| Reporting methodology: | <p>Periodic “[v]isits are carried out by delegations, usually of two or more CPT members, accompanied by members of the Committee’s Secretariat and, if necessary, by experts and interpreters. The member selected in respect of the country being visited does not join the delegation [...]”</p> <p>The Committee must notify the State concerned but need not specify the period between notification and the actual visit. Governments’ objections to the time or place of a visit can only be justified [on grounds of urgency].” Under the Convention, CPT delegations have unlimited access to places of detention and the right to move inside such places without restriction. They interview persons deprived of their liberty in private and communicate freely with anyone who can provide information.” (CPT website)</p> <p>The recommendations, which the CPT may formulate on the basis of facts found during the visit, are included in a [confidential] report which is sent to the State concerned and used as basis for a dialogue about the findings.</p> |
| Publication cycle: | <p>The CPT delegations visit contracting states periodically (every 3/4 years), but may organise additional “ad hoc” visits if necessary. States generally consent to the publication of the initially confidential reports that sometimes leads to a delay of several years after the visit before a report is published.</p> |
| Navigation of website: | <p>COI can be found under:</p> <p>Documents: contains a list of reports arranged by date or by country</p> |

European Commission against Racism and Intolerance (ECRI)http://www.coe.int/t/E/human_rights/ecri/

| | |
|-----------------|--|
| Mandate: | <p>“ECRI was established by the first Summit of Heads of State and Government of the member States of the Council of Europe, held in Vienna in October 1993.” (ECRI website)</p> <p>On 13 June 2002, the Committee of Ministers adopted a new Statute for ECRI, thereby consolidating its role as an independent human rights monitoring body on issues related to racism and racial discrimination.</p> |
|-----------------|--|

According to the 2002 Statute "ECRI shall ... pursue the following objectives:

- to review member states' legislation, policies and other measures to combat racism, xenophobia, antisemitism and intolerance, and their effectiveness;
- to propose further action at local, national and European level;
- to formulate general policy recommendations to member states;
- to study international legal instruments applicable in the matter with a view to their reinforcement where appropriate." (Art 1 ECRI Statute 2002)

Scope of Reporting:

Countries included: Council of Europe member states.

Thematic priorities: racism, xenophobia, antisemitism and intolerance.

Reporting methodology:

ECRI visits CoE member states periodically. During the 4-day visits ECRI members meet government officials, NGOs, minority groups, scholars and experts and other pertinent individuals. ECRI does not have any contact with the media. Following the visit a draft report is written by the ECRI Secretariat and then filed with the state concerned. A final written report is given to the state via the Council of Ministers. Publication often follows, unless a state expresses its reservation.

Publication cycle:

Reports are published and updated in 4-5 year cycles.

Navigation of website:

COI reports can be found under:

Human Rights > Combating Racism > ECRI > Country-by-Country Approach

HUMAN RIGHTS WATCH (HRW)<http://www.hrw.org>

| | |
|-------------------------------|---|
| Mission/Mandate: | <p>"We stand with victims and activists to prevent discrimination, to uphold political freedom, to protect people from inhumane conduct in wartime, and to bring offenders to justice.</p> <p>We investigate and expose human rights violations and hold abusers accountable.</p> <p>We challenge governments and those who hold power to end abusive practices and respect international human rights law.</p> <p>We enlist the public and the international community to support the cause of human rights for all." (HRW website)</p> <p>Human Rights Watch was founded as "Helsinki Watch" in 1978 to support the citizens' groups that formed, first in Moscow, then throughout the Eastern bloc, to monitor their governments' compliance with the 1975 Helsinki Accords. In the early 1980's, reporting was extended to the Americas (America Watch). Since 1988, Human Rights Watch covers all regions.</p> |
| Target group/audience: | Policy makers in the US government, the UN, and the EU; state and non-state actors held responsible for human rights violations; civil society; local and international media. |
| Objective: | <p>HRW is an advocacy organization. It seeks to influence policies towards, and by governments and international organizations, to end human rights abuses by informing them about the human rights situation as well as by making recommendations for further action to end abuses.</p> <p>"Human Rights Watch's principal advocacy strategy is to shame offenders by generating press attention and to exert diplomatic and economic pressure on them by enlisting influential governments and institutions." (HRW website)</p> |
| Funding: | <p>According to the 2003 financial overview available on the HRW website, the majority of funding comes from private individuals and foundations worldwide, supplemented by endowments, publication sales and investment income. HRW states that it accepts no government funds, neither directly nor indirectly.</p> <p>http://www.hrw.org/donations/finance.htm</p> |
| Scope of reporting: | <p><u>Countries included:</u> most countries of origin.</p> <p>"Human Rights Watch tries to strike a balance in its work between countries with the worst human rights problems and countries where there is a moment of special opportunity for us to propel change. Human Rights Watch considers the severity of abuses, the number of people affected, and the possibility for impact. In making this assessment, we take into account the ability of our researchers to obtain current and accurate information." (HRW website)</p> <p>Africa and the CIS are best represented in terms of in-country presence and funding allocated for regional programmes in 2003.</p> <p><u>Thematic priorities:</u> While HRW reports on emergencies as they arise and will typically report on major human rights issues and abuses in conflicts worldwide, in recent years campaigns and thematic priorities have included women's rights, children's rights, child soldiers, refugees, prisons, racism, caste discrimination, sexual orientation, academic freedom, religious freedom, human rights defenders and HIV/AIDS.</p> |
| In-country presence: | HRW is based in New York with offices in Brussels, Bujumbura, Freetown, Kigali, Geneva, London, Los Angeles, Moscow, San Francisco, Santiago de |

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|-------------------------------|--|-------|---------------------------------|------------------|---|----------------|--|
| Reporting methodology: | <p>Chile, Tashkent, Tbilisi, and Washington. Temporary offices may be set up where in-depth investigations are taking place.</p> <p>According to HRW, most reporting is done on the basis of fact-finding missions. Special emergency researchers are always available for deployment to crisis regions.</p> <p>Reports are based either on fact-finding missions and interviews with victims, witnesses, government officials and NGO representatives, or, where a country mission is not possible, by interviewing refugees, exiles and other sources considered reliable by HRW.</p> <p>These testimonies are supplemented by (local) media reports and reports by other human rights monitoring organizations. Information is regularly footnoted. Source confidentiality is respected for witness protection.</p> | | | | | | |
| Publication cycle: | <p>The annual World Report is published in late December/early January for the previous year. It covers events roughly up to November of the reporting period.</p> <p>Ad hoc reports, briefings and news releases are published on a regular basis (at least 2-3 times per week).</p> | | | | | | |
| Language: | <p>The World Report and longer reports and briefings are published in English, and sometimes French.</p> <p>Press releases are published in: English, French, German, Russian (for CIS region), Spanish (for Spanish-speaking regions), and sometimes Arabic and Chinese.</p> | | | | | | |
| Navigation of website: | <p>Information about COI can be found under:</p> <table border="0" style="margin-left: 40px;"> <tr> <td style="padding-right: 20px;">Home:</td> <td>contains the latest information</td> </tr> <tr> <td>Info by Country:</td> <td>contains information sorted by country in reverse chronological order</td> </tr> <tr> <td>Global Issues:</td> <td>contains information sorted by issues (e.g. arms, children's rights, refugees, etc.)</td> </tr> </table> | Home: | contains the latest information | Info by Country: | contains information sorted by country in reverse chronological order | Global Issues: | contains information sorted by issues (e.g. arms, children's rights, refugees, etc.) |
| Home: | contains the latest information | | | | | | |
| Info by Country: | contains information sorted by country in reverse chronological order | | | | | | |
| Global Issues: | contains information sorted by issues (e.g. arms, children's rights, refugees, etc.) | | | | | | |

INTERNAL DISPLACEMENT MONITORING CENTRE ¹ (formerly GLOBAL IDP PROJECT)

<http://www.internal-displacement.org>

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| Mission/Mandate: | <p>The Geneva-based Global IDP Project was established by the Norwegian Refugee Council in 1996 and was requested by the United Nations Inter-Agency Standing Committee in 1998 to set up an IDP database. The Project has since evolved into the leading international body monitoring internal displacement in over 50 countries worldwide. In December 2005, the Global IDP Project changed its name into "Internal Displacement Monitoring Centre", its mandate remained unchanged.</p> <p>"The Internal Displacement Monitoring Centre is an international non-governmental body working for better protection and assistance of people who have been displaced within their own country by conflict or human rights violations. (IDMC Appeal 2006)</p> |
| Target group/audience: | International organisations, humanitarian practitioners, local and international media, governments and civil society. |
| Objective: | <p>The IDMC "aims to help improve the response to the needs, and increase respect for the rights, of millions of the world's most disadvantaged people, and find solutions that ultimately lead to their safe return or resettlement and integration.</p> <p>In pursuit of this goal, the Centre monitors internal displacement worldwide and makes relevant information and analysis available, as mandated by the United Nations, to decision-makers, humanitarian practitioners and the general public. In doing so, the Centre seeks to enable key actors at the international, national and local levels to make timely and informed decisions on responses to the needs and rights of internally displaced people (IDPs), in line with international standards such as the Guiding Principles on Internal Displacement." (IDMC Appeal 2006)</p> |
| Funding: | The IDMC's funding is composed of contributions by governments and governmental development agencies, NGOs, the UN and the EU, and others (IDMC Appeal 2006). |
| Scope of reporting: | <p><u>Countries included:</u> "Each country affected by conflict-induced displacement is covered by an Internal Displacement Profile". Thus, the IDP database features some 50 country profiles, "each providing a brief overview, as well as more in-depth information and analysis on the respective IDP situation and its background." In addition, the country profiles include maps and links to relevant external sources. The database provides access to 14,000 documents. (IDMC website)</p> <p><u>Thematic priorities:</u> the situation of IDPs and conflict-induced internal displacement worldwide. Topics are structured along the rights of IDPs as outlined in the <i>Guiding Principles on Internal Displacement</i>.</p> |
| In-country presence: | IDMC: none. The Norwegian Refugee Council has field presences in a number of countries with a significant IDP population. |
| Reporting methodology: | <p>The Centre gathers its information through Internet, reference material and contacts in the field. It relies on sources such as the UN, national and international NGOs to corroborate its information.</p> <p>The Centre aims to "present information in an objective, unbiased and fair manner."</p> <p>The summary of each profile is based on analysis by the IDMC's researchers of the sources used to compile the thematic chapters ("Information Envelopes") of the profiles. The thematic chapters consist of</p> |

¹ We would like to thank Mr Jens Eschenbacher, Global IDP Project, for presenting the work of the Global IDP project at the COI Network & Training test run, Vienna 25-27 June 2004.

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| | <p>quotes selected from various sources and summaries of their content in bullet points prepared by the IDMC.</p> |
| Publication cycle: | <p>About 50 country profiles regarding internal displacement are updated every 4-12 months.</p> <p>A global overview of major trends and developments in the field of internal displacement is published annually.</p> <p>IDP News Alerts are published bi-weekly and contain summaries of selected global news on IDPs.</p> |
| Language: | <p>Country profiles are published in English. The Guiding Principles on Internal Displacement are available in a variety of languages.</p> |
| Navigation of website: | <p>Information about COI can be found under:</p> <p>The country profiles can be found by clicking on "Countries" in the top navigation bar and selecting a region/country in the left hand side navigation column.</p> <p>Clicking on a country on the interactive map gives you access to a brief country overview.</p> <p>IDP News Alerts can be accessed by clicking on "News" in the top navigation bar.</p> <p>The Centre offers a user's guide for the IDP database:</p> <p>http://www.internal-displacement.org/8025708F004BD0DA/(httpPages)/CB9E599533BB63318025708F0058D21C?OpenDocument</p> <p>For quick navigation, also see the sitemap:</p> <p>http://www.internal-displacement.org/8025708F004BC2FE/httpSiteMap?ReadForm</p> |

INTERNATIONAL CRISIS GROUP (ICG)<http://www.icg.org>

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|-------------------------------|---|
| Mission/Mandate: | "The International Crisis Group (ICG) is an independent, non-profit, multinational organization, with over 100 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict." (ICG website) |
| Target group/audience: | "ICG works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions." (ICG website). |
| Objective: | ICG works through field-based analysis and high-level advocacy to inform and influence policy makers. |
| Funding: | ICG raises funds from governments, charitable foundations, companies and individual donors whose names are published on the website. |
| Scope of reporting: | <p><u>Countries included:</u> ICG works in countries at risk of outbreak, escalation or recurrence of violent conflict all over the world. Focus regions include Africa, the Balkans, Central Asia, the Middle East, Latin America, and South Asia.</p> <p><u>Thematic priorities:</u> in-depth political and conflict analysis; background and interests of political parties and armed groups; assessment of the security situation; the role and impact of international organizations.</p> |
| In-country presence: | "ICG's international headquarters are in Brussels, with advocacy offices in Washington DC, New York, London and Moscow. The organization currently has seventeen field offices (in Amman, Belgrade, Bogotá, Cairo, Dakar, Dushanbe, Islamabad, Jakarta, Kabul, Nairobi, Osh, Pretoria, Pristina, Quito, Sarajevo, Skopje and Tbilisi) with analysts working in over 40 crisis-affected countries and territories across four continents." (ICG website) |
| Reporting methodology: | <p>"ICG's approach is grounded in field research. Teams of political analysts are located within or close by countries at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, ICG produces regular analytical reports containing practical recommendations targeted at key international decision-takers." (ICG website)</p> <p>ICG reports contain numerous references to interviews with government representatives, political parties, armed groups, the military, international and local human rights organizations, and local media.</p> |
| Publication cycle: | Based on internal and external policy interests. "ICG produces regular analytical reports and also publishes Crisis Watch, a 12-page monthly bulletin, providing a succinct regular update on the state of play in all the most significant situations of conflict or potential conflict around the world." (ICG Website) |
| Language: | The website is available in English, French, Russian, Spanish, Indonesian and Arabic. Certain of the Balkan reports have been translated into Bosnian/Croatian/Serbian, Macedonian and Albanian. The executive summaries and recommendations of the Afghanistan and Nepal reports have been respectively translated into Dari and Nepali. |
| Navigation of website: | <p>Information about COI can be found under:</p> <p>Home > Reports: contains information sorted by date, regions and keywords</p> <p>Home > Media and Speeches: contains the latest news</p> |

INTERNATIONAL FEDERATION FOR HUMAN RIGHTS (FIDH)

<http://www.fidh.org>

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| Mission/Mandate: | <p>"FIDH was set up in 1922. It is now a federation of 116 Human Rights organisations in nearly 100 countries. It co-ordinates and supports their activities and provides them with a voice at the international level...The aim of the FIDH is to obtain effective improvements in the protection of victims, the prevention of Human Rights abuse and the prosecution of those responsible.</p> <p>FIDH's mandate is to act effectively and practically to ensure the respect of all the rights laid down in the Universal Declaration of Human Rights: the civil and political rights, but also the economic, social and cultural rights." (FIDH website)</p> |
| Target group/audience: | State and non-state actors responsible for human rights violations, international organisations, human rights defenders, local and international media, civil society, and business corporations. |
| Objective: | <p>Information of the public, denunciation of human rights violations and lobbying of government and international organizations to protect human rights defenders and other victims of human rights violations.</p> <p>"FIDH gives guidance and support to its 116 member organisations in their dealings with the intergovernmental organisations. By alerting international agencies to abuses of Human Rights, and by referring specific cases to them, FIDH helps to increase the protection of victims ... publicity and information are the main means with which FIDH wages its fight against abuse of Human Rights." (FIDH website)</p> |
| Funding: | The website does not provide information on the funding basis of FIDH. It mentions its independence from political and religious groups as well as from governments and that "experts sent out into the field give their time to FIDH on a voluntary, unpaid basis." (FIDH website) |
| Scope of reporting: | <p><u>Countries included:</u> FIDH covers a large number of countries of origin in its reporting.</p> <p><u>Thematic priorities:</u> rights and protection of human rights defenders as well as violations of civil, political, economic, social and cultural rights.</p> <p>Thematic priorities in recent years have included arbitrary arrests and torture and information on the situation of human rights defenders.</p> |
| In-country presence: | FIDH has an office in Paris, France. It coordinates and supports the activities of 116 human rights organizations in nearly 100 countries. |
| Reporting methodology: | "With activities ranging from sending a judicial observer to a trial to the organisation of an international mission of enquiry, FIDH has developed strict and impartial procedures. The experts sent out into the field give their time to FIDH on a voluntary, unpaid basis. In response to information provided by its member organisations, FIDH has conducted over a thousand missions in a hundred countries over the last 25 years." (FIDH website) FIDH also publishes information produced by its member organizations on its website. |
| Publication cycle: | <p>At the beginning of each year, an annual report (covering the entire previous year) is published on the situation of the human rights defenders worldwide. FIDH also publishes a monthly newsletter, <i>The Observatory</i>, which contains brief information on urgent appeals, interventions, open letters, released reports on the situation of human rights defenders in specific countries, threats, etc.</p> <p>Furthermore, FIDH infrequently publishes alternative reports on countries for the UN Human Rights Committee, the African Commission on Human and Peoples' Rights, etc. FIDH also sends experts on observation missions who monitor the situation before, during and after elections.</p> |

Language: The website is available in French, Spanish, and English. Information is also partly available in Arabic.

Navigation of website: Information about COI can be found under:

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| Home: | contains information under different world regions, international organisations and non-governmental organizations |
| Press Releases: | sorted in reverse chronological order |
| Urgent Appeals: | sorted in reverse chronological order |
| Reports: | sorted in reverse chronological order |

The website is currently undergoing a relaunch.

INTERNATIONAL HELSINKI FEDERATION (IHF)

<http://www.ihf-hr.org>

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| Mission/Mandate: | <p>"In 1975..the Conference on Security and Cooperation in Europe (CSCE)..concluded with the adoption of the Helsinki Final Act..which..attempted to link peace and security with the respect for human rights." (IHF website)</p> <p>As a result Helsinki committees were formed in the Soviet Union and then all over Europe with the aim of monitoring the protection of human rights..In 1982 representatives of different Helsinki committees held an International Citizens Helsinki Watch Conference. This led to the founding of the IHF in order "to provide a structure through which independent Helsinki committees could support one another and strengthen the human rights movement by giving their efforts an international dimension." (IHF website)</p> <p>"Article II...</p> <p>2.1 The purposes of the Federation are:</p> <p>(a) to support and publicize the principles of the Final Act of the Conference on Security and Cooperation in Europe signed in Helsinki, Finland, in August 1975 (the "Helsinki Accords") ;</p> <p>(b) to strengthen, assist and coordinate the efforts of its members to monitor compliance by the Participating States with the principles of the Helsinki Accords and the follow-up documents in the field of human rights and humanitarian concerns;</p> <p>(c) to support the development of democratic institutions, the promotion of the rule of law, human rights and human rights education;</p> <p>2.2 ..the Federation shall:</p> <p>(b) gather and disseminate to the public information concerning the provisions and principles of the Helsinki Accords, the Participating States' compliance with those provisions, and human rights conditions in the Participating States;</p> <p>(c) promote the formation in the Participating States of non-governmental organizations to monitor compliance with the human rights provisions of the Helsinki Accords, and support, assist and coordinate the work of such organizations;</p> <p>(d) assist victims of violations of human rights in the Participating States, whether individuals or groups; ..."</p> <p>(Statutes of the International Helsinki Federation for Human Rights)</p> |
| Target group/audience: | Governments of the OSCE participating states, OSCE institutions, civil society, local and international media. |
| Objective: | "In addition to gathering and analyzing information on human rights conditions in OSCE participating States, the IHF acts as a clearing house for this information, disseminating it to governments, inter-governmental organizations, the press and the public at large." (See also Art 2.2 of the IHF Statutes) |
| Funding: | "The IHF is a non-profit human rights organization and relies on financial contributions from donors to carry out its work. All persons making a contribution to the IHF are recognized in the Annual Report." (IHF website) The Annual Report of 1999 listed contributions from the Council of Europe, the European Commission and a number of Ministries for Foreign Affairs as well as foundations. |
| Scope of reporting: | <u>Countries included:</u> The IHF focuses on the 35 European and North American signatory states of the CSCE and on other OSCE participating states. |

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| | <p><u>Thematic priorities:</u> While the IHF reports on emergencies as they arise, and will typically report on major human rights issues such as freedom of expression and assembly, freedom of the media, right to a fair trial, religious rights, police conduct, and protection of minorities in areas of conflict in OSCE member countries, campaigns and thematic priorities in recent years have included the issue of democracy, NGOs, refugees, violation of political rights, prisoners' rights, etc.</p> |
| In-country presence: | <p>The IHF's secretariat is based in Vienna. There are 42 Helsinki committees in Central, Eastern, and Southeastern Europe and Central Asia.</p> <p>For the full list of IHF members and links to their websites see:</p> <p>http://www.ihf-hr.org/members/?sec_id=2</p> |
| Reporting methodology: | <p>Gathering of information is mostly done by the Federation's national member committees.</p> <p>The IHF website states that:</p> <p>"The IHF is even-handed in its criticism of human rights violations with respect to the political systems of states in which these abuses occur." (IHF website)</p> <p>Information is gathered through interviews and meetings with witnesses and victims, representatives of international organizations and diplomatic missions as well as local NGOs. It also meets with representatives of the participating states (ministers, diplomats). Local enquiry missions are regularly undertaken by a group of IHF staff members. The IHF also refers to information provided by other COI sources (such as AI and HRW) to confirm its researched information and its documents/reports are regularly footnoted.</p> |
| Publication cycle: | <p>The IHF publishes an annual report entitled Human Rights in the OSCE Region: Europe, Central Asia and North America. This report is published between May and June for the previous year.</p> <p>The IHF also produces additional reports submitted to OSCE assemblies (e.g. OSCE Supplementary Human Rights Meeting).</p> <p>Press releases, statements and open letters are published on a regular basis (almost every day).</p> <p>Publication cycle by national committees varies: some national committees publish quarterly and monthly, as well as annual reports; some publish quite infrequently.</p> |
| Language: | <p>The IHF website is in English. Publications and reports are also partly available in Russian and German. Publications by the 42 IHF member committees are more and more available in English, as well as in their national language.</p> |
| Navigation of website: | <p>Information about COI can be found under:</p> <ul style="list-style-type: none"> > Documents and Publications: contains information sorted by country and by issues in reverse chronological order > Chechnya: information in reverse chronological order <ul style="list-style-type: none"> Annual Reports Projects > Member committees: leads to the list of national Helsinki Committees. Click on the name of the Committee to access their website |

WORLD ORGANISATION AGAINST TORTURE (OMCT)

<http://www.omct.org>

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| Mission/Mandate: | “The World Organisation Against Torture’s structure and activities in favour of the victims of human rights violations stem from its working relations with independent grass-roots human rights organisations in the field. Its role has been to support the members of the network with practical and conceptual tools and services that enable them to pursue their work in favour of the prohibition of torture, in fighting against the impunity of perpetrators of grave violations, in providing assistance to actual or potential victims of torture and the rehabilitation of the latter.” (OMCT Report 2003) |
| Target group/audience: | OMCT addresses policy makers, intergovernmental organizations and other non-state actors. |
| Objective: | Human rights advocacy and general dissemination of information to policy makers and civil society. Alternative reports, drafted together with regional or national NGOs, are submitted to the different UN treaty-monitoring bodies in order to offer an alternative to the official reports and attempt to outline a more accurate description of the situation. |
| Funding: | The annual report publishes a list of donors, including governments and non-governmental organizations, the European Commission, United Nations Voluntary Fund for Victims of Torture, Swiss communes and private donors. http://www.omct.org/pdf/omct/omct_rapport_eng03.pdf |
| Scope of reporting: | <u>Countries included:</u> the annual report documents the situation of human rights abuses in more than 150 countries and territories all over the world. <u>Thematic priorities:</u> OMCT focuses particularly on torture, detention, summary executions, forced disappearances, violations of children’s and women’s rights, and the improvement of socio-economic and cultural rights. Reports are written under different OMCT programmes e.g. observatory, special procedures, prevention of torture, children’s rights... |
| In-country presence: | OMCT itself is not present in the countries of origin, but acts through a worldwide network of expert human rights organizations. |
| Reporting methodology: | Mission reports are drafted by delegations that visit a country and contact representatives of local NGOs. Such delegations may be joint delegations, resulting in joint reports. |
| Publication cycle: | Alternative Reports are published on a regular basis when state parties to international covenants (ICCPR, ICESCR, CEDAW, CRC, CAT) submit a report concerning the enforcement of their obligations. News is published on an almost daily basis. Not all publications are available online. A list of publications, which are available upon request, is available from the OMCT website. |
| Language: | The website is available in French, English, and Spanish. |
| Navigation of website: | COI can be found under: > Reports: listed in reverse chronological order |

ORGANISATION FOR SECURITY AND CO-OPERATION IN EUROPE (OSCE)

<http://www.osce.org>

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| Mission/Mandate: | <p>“The OSCE is the largest regional security organization in the world with fifty-five participating States from Europe, Central Asia and North America.</p> <p>It is active in early warning, conflict prevention, crisis management and post-conflict rehabilitation.” (OSCE website)</p> <p>To maintain the peace and stability of its member countries. This is ensured through the protection and promotion of human rights and fundamental freedoms, as well as economic and environmental cooperation among the member states.</p> <p>It was established in 1992, transforming the Conference on Security and Co-operation in Europe (CSCE) into a permanent organisation.</p> <p>Important structures and institutions relevant for COI are the High Commissioner on National Minorities (http://www.osce.org/hcnm), the Office for Democratic Institutions and Human Rights (http://www.osce.org/odhr), the Representative on Freedom of the Media (http://www.osce.org/fom).</p> |
| Target group/audience: | Its fifty-five member states, international and national human rights organizations; actors involved in conflict; civil society, local and international media. |
| Objective: | Gathering of information and monitoring developments for early warning of potential conflict situations in the OSCE area as well as to prevent and resolve conflicts. |
| Funding: | <p>The OSCE 2004 budget amounts to approximately € 185.7 million. Over 80% of the OSCE budget goes towards missions and field activities.</p> <p>“Regular OSCE activities and institutions are financed by contributions made by OSCE participating States, according to a scale of distribution. [...] The scale-determined funding does not include contributions made on a voluntary basis.”</p> <p>http://www.osce.org/general/budget/index.php3</p> |
| Scope of reporting: | <p><u>Countries included:</u> the 55 OSCE member states.</p> <p><u>Thematic priorities:</u> the OSCE deals with a wide range of security-related issues. With regard to human rights, recent priorities have included national minorities (including Roma), the rule of law and judiciary, death penalty, national laws, women’s rights, human trafficking, democratization, election monitoring, and economic and environmental security.</p> |
| In-country presence: | <p>The headquarters are in Vienna, Austria. The OSCE also has offices and institutions in Copenhagen, Geneva, The Hague, Prague and Warsaw.</p> <p>Field Missions and offices are situated in South Eastern Europe, Eastern Europe, Caucasus and Central Asia (http://www.osce.org/field_activities).</p> |
| Reporting methodology: | <p>Missions, or field activities, are the OSCE’s principal instrument for long-term conflict prevention and resolution. Field staff meet with parliamentarians, government representatives, judges, journalists, local and international NGOs. Information is regularly footnoted.</p> <p>Field-based democratization and human rights officers are responsible for monitoring human rights in their respective areas of responsibility. For reporting methodology on individual complaints and allegations of torture see OSCE Individual Human Rights Complaints: A Handbook for OSCE Field Personnel, 2003.</p> <p>http://www.osce.org/documents/odhr/2003/10/1839_en.pdf</p> |

ODIHR also engages in election monitoring, often assisting in organising and supervising elections, and publishes observations on the fairness of the election campaign and voting process.

The High Commissioner on National Minorities may “collect and receive information regarding the situation of national minorities and the role of parties involved therein from any source, including the media and non-governmental organizations” with the exception of persons or organizations practicing or publicly condoning terrorism or violence. (See Helsinki Document 1992, Art 23-25) The High Commissioner has chosen to produce reports on the basis of government responses to surveys, on the basis of visits to countries and national minorities concerned, and written material on national minorities. (See High Commissioner’s reports)

Moscow Mechanism: At the request of OSCE participating states, especially appointed rapporteurs can conduct fact-finding missions to participating states. Those reports will be published after discussion with the state concerned, but may be kept confidential upon request by the state visited.

Publication cycle:

Most important for COI research are reports produced by the human rights monitoring institutions such as ODIHR and reports produced by the OSCE field offices. Publication frequency depends on the mandate and the character of the individual field missions. Check the websites of the field missions for regular updates.

The Moscow Mechanism so far has been invoked 5 times.

News releases, briefings and updated factsheets on OSCE missions are published on a regular basis (around 2-3 times per week). The OSCE Magazine is published bimonthly and carries feature stories and interviews addressing the human, politico-military and economic/environmental aspects of security. It is published in English and Russian.)

<http://www.osce.org/publications/features>

Language:

The main language is English. Information is also partly available in other languages (Russian, Georgian, Croatian etc.)

Navigation of website:

Information about COI can be found under:

Institutions: contains information about the activities and projects of the different institutions

Institutions > High Commissioner on National Minorities > News, Speeches, Statements, Bibliography, Recommendations, Reports

Institutions > Office for Democratic Institutions and Human Rights > Democratisation *or* Human Rights *or* Roma and Sinti > Publications

Institutions > Representative on Freedom of the Media > Projects *or* Documents

Field Activity: contains information sorted by field presence in the various member states

Documents: information is available by date, by OSCE institution or by document (reports, news releases, declarations)

ODIHR offers national jurisprudence and laws sorted by issues on its website at: <http://www.legislationline.org>

UNITED NATIONS (UN)<http://www.un.org>

The following UN bodies and institutions regularly publish reports/recommendations relevant for COI and selected for in-depth analysis.

- United Nations High Commissioner for Refugees (UNHCR)
- United Nations High Commissioner for Human Rights (UNHCHR)
- United Nations Secretary General
- United Nations Office for the Coordination of Humanitarian Affairs (OCHA)
- Integrated Regional Information Network (IRIN):

Other UN agencies offering relevant COI information are the:

- United Nations Development Programme (UNDP) – <http://www.undp.org>
- United Nations Development Fund for Women (UNIFEM) – <http://www.unifem.org>
- United Nations Children’s Fund (UNICEF) – <http://www.unicef.org>
- United Nations Educational, Scientific and Cultural Organization (UNESCO) – <http://www.unesco.org>

For a detailed description of the UN documentation and reference system see the United Nations Documentation Research Guide at: <http://www.un.org/Depts/dhl/resguide/>

Information on the UN human rights bodies: <http://www.un.org/Depts/dhl/resguide/spechr.htm>

UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES<http://www.unhcr.org>**Mission/Mandate:**

“The Office of the United Nations High Commissioner for Refugees was established on December 14, 1950 by the United Nations General Assembly. The agency is mandated to lead and co-ordinate international action to protect refugees and resolve refugee problems worldwide. Its primary purpose is to safeguard the rights and well-being of refugees. It strives to ensure that everyone can exercise the right to seek asylum and find safe refuge in another State, with the option to return home voluntarily, integrate locally or to resettle in a third country.” (UNHCR website; see also Statute of the UNHCR - UN General Assembly resolution 428, 14 December 1950)

In recent years, UNHCR has also been mandated to provide assistance to groups that do not qualify for refugee status under the Convention, but whose circumstances are very similar to Convention refugees: these groups include IDPs and persons granted humanitarian protection. (“People of concern to UNHCR”)

According to Art. 6 UNHCR Statute, the competence of the High Commissioner extends to refugees under the Geneva Refugee Convention (with no reservation as to date of events and region of origin). UNHCR eligibility officers examine whether a person meets the criteria of Art 1.A Geneva Refugee Convention and, in countries that have not signed the Convention, may recognize them as refugees. (“mandate refugees”)

Target group/audience:

Refugees, IDPs, stateless persons, State parties to the Geneva Refugee Convention, policy makers and RSD authorities in host countries of refugees, legal advisers of refugees, civil society, local and international media, and the humanitarian community.

Objective:

UNHCR works to monitor and inform on the situation of asylum seekers & refugees worldwide and to advocate for their rights with governments and civil society. It seeks to inform refugee status determining authorities about

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| | <p>the situation in countries of origin, and ensure the application of the Geneva Refugee Convention.</p> |
| Funding: | <p>Donors and partners of UNHCR "range from governments to non-governmental organisations, the private sector, civil society and refugee communities. UNHCR raises funds through governments, foundations and private donors [...]" (UNHCR website)</p> <p>90% of the budget is used for refugee support programmes; the remainder is used for headquarters, fundraising, raising awareness and advocacy.</p> <p>http://www.unhcr.org/cgi-bin/txis/vtx/partners</p> |
| Scope of reporting: | <p><u>Countries included:</u> UNHCR covers all host countries of refugees and other persons of concern to UNHCR.</p> <p>It is important to understand that UNHCR's primary mandate lies in monitoring and reporting on the protection of refugees in their host countries, not in reporting on human rights violations in countries of origin.</p> <p>However, the provision of country of origin information to UNHCR and government eligibility officers deciding on claims for refugee status is part of UNHCR's mission to ensure that bona fide refugees are recognized as such.</p> <p>Reports on countries of origin are thus produced in accordance with information needs of major host countries and UNHCR eligibility officers.</p> <p><u>Thematic priorities:</u> refugee law and protection. Policy priorities: women, children, the elderly. Human rights issues relevant to determining refugee status. Issues frequently encountered in claims of asylum-seekers.</p> |
| In-country presence: | <p>The headquarters are in Geneva. Country offices are located worldwide.</p> |
| Reporting methodology: | <p>UNHCR country reports are based on publicly available and referenced information. Reports undergo a strict clearing procedure with multiple readings by staff with diverse areas of expertise. Diplomatic considerations and concern for the security of UNHCR staff may play a role in selection of countries publicly reported on.</p> <p>UNHCR also publishes position papers on major countries of origin. Where necessary, it responds to individual queries from governments and lawyers as to the need for protection of particular groups. These papers are based on information made available by UNHCR field offices. Eligibility guidelines are produced for use by UNHCR eligibility officers. They are mostly internal documents.</p> <p>Writenet: UNHCR commissions country reports to the Writenet network of country experts. Reports cover political analysis, the human rights situation and conflict assessment and are referenced with publicly available information.</p> <p>Further reports that sometimes are of interest for COI are produced by the Evaluation and Policy Analysis Unit (EPAU) and under the New Issues in Refugee Research Series.</p> |
| Publication cycle: | <p>UNHCR reports and positions papers as well as Writenet reports are published on an ad hoc basis. Position papers on major countries of origin are updated regularly, depending on changes in the situation or needs expressed by host countries. If you are not sure whether a position paper on a specific country is still valid, ask the UNHCR representation in your country for an update.</p> |
| Language: | <p>Country reports are mostly in English and occasionally translated into regional languages (French, Spanish, Russian, German: go to respective UNHCR country sites). Navigation support is available in the UN languages.</p> |

Navigation of website:

COI can be found under:

Research/Evaluation:

1) > Country of Origin and Legal information: Scroll down to select country via the index at the bottom of the page or select:

> Country of origin information (allows you to access reports by source), or

> Legal information (contains UNHCR country guidelines, national and international legislation)

2) > Evaluation and Policy Analysis > New Issues in Refugee Research

News: gives an overview of the latest events worldwide

Protecting refugees > Global Operations (links to special pages on Afghanistan, the Balkans, Chad and Iraq)

Statistics: covers the latest developments as well as changes over time in more than 150 countries among millions of refugees and other persons of concern to the UNHCR, including asylum-seekers, refugees returning home and IDPs

UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS (UNHCHR)

<http://www.ohchr.org>

Mission/Mandate:

“The mission of the Office of the United Nations High Commissioner for Human Rights (OHCHR) is to protect and promote all human rights for all. OHCHR is guided in its work by the Charter of the United Nations, the Universal Declaration of Human Rights and subsequent human rights instruments, and the 1993 Vienna Declaration and Programme of Action. The promotion of universal ratification and implementation of human rights treaties is at the forefront of OHCHR activities. OHCHR aims to ensure the practical implementation of universally recognized human rights norms. It is committed to strengthening the United Nations human rights programme and providing the United Nations treaty monitoring bodies and special mechanisms established by the Commission on Human Rights with the highest quality support.

The High Commissioner for Human Rights is the official with principal responsibility for United Nations human rights activities. OHCHR is committed to working with other parts of the United Nations to integrate human rights standards throughout the work of the Organization.” (UNHCHR website)

“When researching human rights issues, a distinction has to be made between Charter-based and treaty-based human rights bodies. The former derive their establishment from provisions contained in the Charter of the United Nations, hold broad human rights mandates, address an unlimited audience and take action based on majority voting. The latter derive their existence from provisions contained in a specific legal instrument (i.e., the Covenant on Civil and Political Rights), hold more narrow mandates (i.e., the set of issues codified in the legal instrument involved), address a limited audience (i.e., only those countries that have ratified the legal instrument in question) and base their decision-making on consensus. Reflecting this distinction, the human rights documentation posted on the website of the High Commissioner is organized into two databases.” (UN Documentation Research Guide)

The following UN bodies publish their reports on the website of the UNHCHR:

UN Treaty monitoring bodies

All treaty monitoring committees are composed of independent experts monitoring the implementation of the respective treaty by state parties. Some can receive inter-state or individual complaints. They examine reports submitted by state parties and publish their recommendations and concerns in “Concluding observations”.

The International Covenant on Civil and Political Rights (ICCPR)

http://www.unhcr.ch/html/menu3/b/a_ccpr.htm

State party reports should be submitted to the Human Rights Committee one year after accession and subsequently every four years.

The Human Rights Committee meets in Geneva or New York and normally holds three sessions per year.

The International Covenant on Economic, Social and Cultural Rights (ICESCR)

<http://www.ohchr.org/english/law/cescr.htm>

Initial state party reports are submitted to the Committee on Economic, Social and Cultural Rights one year after ratification of the treaty, subsequent reports should be submitted every five years. The Committee meets in Geneva and normally holds two sessions per year, consisting of a three-week plenary and a one-week pre-sessional working group.

International Convention on the Elimination of All Forms of Racial Discrimination (CERD)

http://www.unhcr.ch/html/menu3/b/d_icerd.htm

The CERD is monitored by the Committee on the Elimination of Racial Discrimination. States must submit the first report one year after accession and then every two years. The Committee meets in Geneva and normally holds two [sessions](#) per year consisting of three weeks each.

Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)

<http://www.unhcr.ch/html/menu3/b/e1cedaw.htm>

CEDAW is monitored by the Committee on the Elimination of Discrimination against Women (CEDAW). It meets twice a year.

State party reports: The initial report is due one year after accession, then every four years.

Shadow reports are published on a number of websites run by women's rights organizations.

The UN Convention on the Rights of the Child (CRC)

Full text: <http://www.ohchr.org/english/law/crc.htm>

The Committee on the Rights of the Child (CRC) monitors implementation of the CRC by its State parties. It meets in Geneva and normally holds three [sessions](#) per year.

State party reports: The initial report is due two years after acceding to the Convention and then every five years.

Additional reports must be submitted by States who have acceded to the two Optional Protocols to the Convention, on involvement of children in armed conflict and on sale of children, child prostitution and child pornography.

Shadow reports: CRIN – Child Rights Information Network publishes shadow reports by NGOs on the status of implementation of the CRC.

International Convention against Torture (CAT)

<http://www.ohchr.org/english/bodies/cat/index.htm>

The implementation of the Convention is monitored by the Committee against Torture. The Committee consists of 10 experts, meeting twice a year for a two/three weeks session. The Committee examines reports which the State Parties have to submit on a four year basis. (First report has to be submitted one year after accession to the treaty). Furthermore the Committee can undertake investigations *ex officio*. The views of the Committee against Torture expressed in the individual complaints procedure under Art. 22 CAT contain statements of facts regarding the existence of torture in countries of origin concerned. (see also Optional Module: Complementary Protection).

International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

<http://www.ohchr.org/english/bodies/cmw/index.htm>

Committee on the Protection of the Rights of All Migrant Workers and Members of their Families (CMW) held its first session in March 2004. It meets once a year.

State parties are obliged to report one year after accession to the treaty and then every five years.

Charter-based monitoring bodies

In addition to the UN treaty-monitoring bodies, the UN Economic and Security Council has set up so-called “Charter-based bodies” (derived from the competence of ECOSOC under Art 68 UN Charter).

The UN Commission on Human Rights has set up *special procedures* to monitor human rights violations. Special rapporteurs, independent experts and independent working groups can be mandated to examine, monitor and publicly report on country situations or human rights issues. The UN Commission on Human Rights is composed of government delegates, and adoption of conclusions as well as of appointment of rapporteurs is not free of political considerations.

The Sub-Commission on the Promotion and Protection of Human Rights is the main subsidiary body of the Commission on Human Rights (established in 1947 as “Sub-Commission on Prevention of Discrimination and Protection of Minorities” renamed in 1999). It consists of regional working groups on issues such as minorities, contemporary forms of slavery, indigenous communities and administration of justice, undertaking studies and making recommendations to the Commission on Human Rights.

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| Target group/audience: | Members of the United Nations, State parties to the UN human rights treaties, perpetrators and victims of human rights violations, NGOs and experts working in the field of human rights, policy-makers, and international media. |
| Objective: | UNHCHR is mandated to ensure, promote and monitor the implementation of human rights norms enshrined in the UN human rights treaties and the Charter of the United Nations. |
| Funding: | The office of the HCHR is funded from the UN regular budget (approximately 33%) and from voluntary contributions (approximately 67%). The Annual Report and the Annual Appeal provide detailed information. http://www.unhchr.ch/pdf/annualrep03.pdf http://www.unhchr.ch/pdf/appeal2004.pdf |
| Scope of reporting: | <u>Countries included:</u> UN member states (resp. State parties to the UN treaties). OHCHR has established an increasing number of field presences where staff focus on monitoring human rights practices and investigating human rights abuses. The representatives have close working relationships with governmental bodies, UN country teams, international and regional organizations, national institutions and non-governmental organizations. Country and thematic mandates are based on a resolution by the UN Commission on Human Rights. <u>Thematic priorities:</u> Human rights enshrined in UN treaties. Priorities are set by Commission on Human Rights, the General Assembly, and the High Commissioner on Human Rights. In recent years, a number of thematic mandates on economic and social rights have been established by the Commission on Human Rights. |
| In-country presence: | The UNHCHR headquarters are in Geneva, Switzerland. It maintains six main field presences (in Bosnia and Herzegovina, Burundi, Cambodia, Columbia, the Democratic Republic of Congo, Serbia and Montenegro); twelve human rights components of mission; eight regional offices and sixteen technical cooperation units. http://www.unhchr.ch/html/menu2/5/field.htm |

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| Reporting methodology: | <p>Reports from the High Commissioner, his/her representatives, rapporteurs, human rights advisers or field presences are based either on fact-finding missions and interviews with victims, witnesses, government and organization officials and NGO representatives, or, where a field mission is not possible, on interviews with refugees, exiles and other reliable sources.</p> <p>Treaty committees regularly draft and publish guidelines on the structure and content of state party reports. State parties should provide background information on the country as well as details on the implementation of the respective UN treaty provisions.</p> <p>Local and international NGOs produce shadow reports, based on their own monitoring work, to complement or contest information provided by state parties.</p> |
| Publication cycle: | <p>Charter-based bodies: Country/thematic rapporteurs submit bi-annual reports to the annual Commission on Human Rights (spring) and General Assembly (autumn). Reports are entered into the database upon release. Press statements are released by officials holding a mandate, usually on the basis of country visits. Rapporteurs also publish reports on ad hoc missions.</p> <p>Treaty-based bodies: States parties' reports to UN treaty monitoring bodies are due every 4 years; usually submission, in particular by countries of origin, is delayed by up to several years.</p> <p>OHCHR field offices submit quarterly reports.</p> <p>Conclusions by the Commission on Human Rights and the Treaty Committees are published during their sessions, after consideration of reports or testimonies.</p> |
| Languages: | Documents are mostly available in English, French, and Spanish and occasionally in Arabic, German, Chinese, and Russian. |
| Navigation of website: | <p>Highlights: contains information on the latest reports and meetings</p> <p>Field activities > Field Presences: contains comprehensive information on these, their work and publications (sorted by region and country – some of them have their own website!)</p> <p>Issues: provides a comprehensive overview of the numerous issues covered by the UNHCHR (in alphabetical order)</p> <p>Documents: links to treaty and charter-based bodies' databases. Navigate by body, year or country</p> <p>The UNHCHR's website is under construction as of August 2004. Please refer to its sitemap for up-to-date navigation guidance.</p> |

UNITED NATIONS SECRETARY-GENERAL

<http://www.un.org/News/ossg/sg/index.shtml>

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| Mission/Mandate: | <p>The Charter describes the Secretary-General as “chief administrative officer” of the Organization, who “shall act in that capacity and perform such other functions as are entrusted to him or her by the Security Council, General Assembly, Economic and Social Council and other United Nations organs.” The Charter also empowers the Secretary-General to “bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security”.</p> <p>“The Secretary-General is appointed by the General Assembly, on the recommendation of the Security Council. The Secretary-General’s selection is therefore subject to the veto of any of the five permanent members of the Security Council.” (UN website)</p> |
| Target group/audience: | UN Security Council, UN General Assembly, other UN agencies, Member States of the UN, policy-makers, international governmental and non-governmental organizations, and international media. |
| Objective: | The Secretary-General publishes a variety of reports and statements to the press on the work of the UN. He/she regularly informs the UN Security Council about UN peacekeeping missions and the situation in countries of concern to the Security Council. Most important for COI research are the reports to the Security Council and the General Assembly. |
| Scope of reporting: | <p><u>Countries included:</u> the Secretary-General reports on issues of pressing concern (trouble spots) to the international community. He/she reports to the Security Council and the General Assembly on the status of UN missions and peacekeeping efforts based on resolutions by these bodies.</p> <p><u>Thematic priorities:</u> political developments, peace negotiations, human rights and humanitarian situations, post-conflict reconstruction, security, disarmament, police and judiciary, women and children, refugees, IDPs.</p> |
| In-country presence: | The Secretary-General is based in the UN headquarters in New York. |
| Reporting methodology: | The reports of the Secretary-General are based on information provided by UN field missions, UN agencies, representatives of the Secretary-General as well as human rights organizations. |
| Publication cycle: | <p>Reports on the status of UN peacekeeping missions are made on the basis of UN Security Council resolutions. The resolution also sets a timeframe for reporting periods (usually 3 months, sometimes 1 report /year).</p> <p>Ad hoc reports, briefings and news released are published on a regular basis (at least 2-3 times per week).</p> |
| Language: | English |
| Navigation of website: | <p>www.un.org > Main Bodies > Security Council > Reports of the Secretary-General (sorted by year)</p> <p>COI can also be found among the Secretary-General’s statements on issues of concern (Home > Statements).</p> |

UNITED NATIONS OFFICE FOR THE COORDINATION OF HUMANITARIAN AFFAIRS (UN OCHA)

<http://ochaonline.un.org> <http://www.reliefweb.int>

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| Mission/Mandate: | <p>OCHA emerged in 1998, after a reorganization of the Department of Humanitarian Affairs (DHA) which had been established in 1991, in response to the UN system's inability to effectively respond to the Kurdish crisis and other disasters at that time.</p> <p>"The Mission of OCHA is to mobilise and to coordinate effective and principled humanitarian action in partnership with national and international actors in order to alleviate human suffering and disasters in emergencies, advocate for the rights of people in need, promote preparedness and prevention, and facilitate sustainable solutions." (OCHA website)</p> |
| Target group/audience: | Humanitarian actors, UN agencies, donors, policy-makers, local and international media, national and international human rights institutions. |
| Objective: | <p>OCHA plays a role in identifying, monitoring and providing technical and policy support both before and after a crisis: to alleviate human suffering and disasters in emergencies; to advocate for the rights of people in need; to promote preparedness and prevention; to facilitate sustainable solutions. OCHA coordinates the so-called annual consolidated appeal by UN agencies to donors and reports to donors on progress made. It also coordinates information needs by humanitarian actors in major emergency situations (often in cooperation with UNDP, e.g. the Afghanistan Information Management Service AIMS; and the Humanitarian Information Centre for Iraq HIC)</p> |
| Funding: | <p>OCHA's budget comes from the regular UN budget and the remainder from extra-budgetary resources donated by member states and donor organizations..</p> <p>"The budget for 2004 is US\$84,793,626, of which ~11 percent or US \$10,118,354, come from the regular UN budget and US\$74 million from extra-budgetary resources donated by member states and donor organizations." (OCHA website)</p> |
| Scope of reporting: | <p><u>Countries included:</u> Focus on humanitarian crisis regions, e.g. Africa, Asia, the Middle East, and the former Yugoslavia.</p> <p><u>Thematic priorities:</u> Crisis situations, natural disasters, as well as complex emergencies (human insecurity). Humanitarian assistance, early-warning, field security, situation of vulnerable populations (women, children, elderly, minorities, IDPs, refugees)</p> |
| In-country presence: | <p>OCHA, which is a department of the UN Secretariat, has two headquarters: one in New York and one in Geneva.</p> <p>Furthermore it has regional offices in Abidjan, Johannesburg and Nairobi, as well as Regional Disaster Response Advisers in Asia, South Asia, Central and Eastern Africa, West Africa, the Pacific, the Caribbean and Latin America. It further operates through 24 field offices that support UN humanitarian coordinators and country teams. (OCHA > Geographic)</p> |
| Reporting methodology: | OCHA reports are based on information provided by its regional offices, its regional disaster advisers, its field offices, country teams, etc. |
| Publication cycle: | <p>The various field and country offices regularly publish newsletters and up-to date reports, information bulletins, etc. (every 2-3 days).</p> <p>OCHA publishes the Consolidated Inter-Agency Appeal, by country or region, each November for the following year; mid-year updates are also available at: http://www.reliefweb.int/appeals/index.html</p> |

- Language:** Information is available mostly in English, sometimes French.
- Navigation of website:** OCHA Online <http://ochaonline.un.org/>
- News: contains information on the latest events and meetings
- > Geographic: contains information sorted by country presence (apart from OCHA reports, it publishes information from other sources such as regional/national NGOs and media).
- Coordination:
- > Coordination: The Consolidated Appeals Process (CAP) "is a mechanism used by aid organizations to plan, implement and monitor their activities. Working together in the world's crisis regions, they produce a Common Humanitarian Action Plan and an appeal, which they present to the international community and donors." (OCHA website)
 - > CAP 2004 leads to appeals by country.
 - > Inter Agency Internal Displacement Division: "Pursuant to a decision of the Secretary General, the Inter-Agency Internal Displacement Division was established in July 2004 and is housed within the Office for Coordination of Humanitarian Affairs (OCHA)."
- <http://www.reliefweb.int/idp>
- Reports on country missions by the former Internal Displacement Unit, however, go back to March 2002 and can be accessed at >Document Library > Mission/training reports
- Reliefweb <http://www.reliefweb.int/>
- ReliefWeb: "plays a key role in OCHA's advocacy efforts by helping raise awareness about countries in crisis. With teams in New York, Geneva and Kobe, Japan, ReliefWeb provides 24-hour coverage of relief, preparedness and prevention activities for both complex emergencies and natural disasters worldwide, and acts as a gateway to documents and other sources of information related to humanitarian relief and assistance." (ReliefWeb website)
- ReliefWeb collects information from a wide range of sources – UN agencies and field presences, human rights, humanitarian and development organizations, policy groups, and media and makes them available in a searchable database. Documentation on major countries of origin can be accessed from the ReliefWeb homepage via > Complex emergencies
- Individual country pages > Background

INTEGRATED REGIONAL INFORMATION NETWORK (IRIN)

<http://www.irinnews.org>

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| Mission/Mandate: | <p>“When crisis or disaster hits a country, communications are often one of the first casualties. Reliable sources dry up, government agencies collapse, media images do not give the full picture. Without constantly updated and accurate information on washed-out roads, bombed airfields, landmines, disease-infested water, epidemics, or civil unrest and outbreaks of violence, it is impossible to respond effectively. People die and money and supplies are wasted. Today, in sub-Saharan Africa and Central Asia the need for an accurate picture of events on the ground is being met by the Integrated Regional Information Networks (IRIN), part of the UN Office for the Coordination of Humanitarian Affairs (OCHA). IRIN, which was born out of the 1994 crisis in the Great Lakes region of central Africa, pioneered the use of e-mail and web technology to deliver and receive information to and from some of the most remote and underdeveloped places in Africa, cheaply and efficiently.” (IRIN website)</p> |
| Target group/audience: | <p>Humanitarian actors, governments, civil society, disaster specialists, and the public.</p> |
| Objective: | <p>“To strengthen universal access to timely, strategic and non-partisan information; to enhance the capacity of the humanitarian community to understand, respond to and avert emergencies; to support efforts at conflict resolution and reconciliation by countering misinformation and propaganda.” (IRIN website)</p> |
| Funding: | <p>“In 2004 IRIN requires some US \$4 million to meet core service needs. The Global [Funding] Document covers financial requirements for IRIN's core services as well the outreach services: PlusNews, IRIN Radio and the French language service. The UN Office for the Coordination of Humanitarian Affairs (OCHA) provides IRIN with considerable institutional support; however, the whole of the IRIN budget must be found from extra-budgetary sources. In this regard, funds need to be clearly earmarked for the IRIN account.” (IRIN website)</p> |
| Scope of reporting: | <p><u>Countries included:</u> IRIN is active in countries affected by crisis or disasters, e.g. Afghanistan and Iraq. Regional priority is given to East Africa, West Africa, Southern Africa and the Horn of Africa, and most recently Central Asia.</p> <p><u>Thematic priorities:</u> “IRIN takes an increasingly broad view of what comprises ‘humanitarianism’ and seeks to cover the full range of humanitarian issues from the abuse of human rights to the environment. IRIN regularly publishes reports on a wide range of political, economic and social issues affecting humanitarian efforts.” (IRIN website)</p> |
| Reporting methodology: | <p>IRIN increasingly works with information officers who directly post the information gathered on the Web. “IRIN information officers are further assisted by a string of specially selected freelance journalists.</p> <p>Governments, aid workers, civil societies, disaster specialists and, members of the public all receive and contribute to regular reports on a wide array of political, economic and social issues affecting humanitarian efforts. Moreover, local communities are a key component in the information exchange process, enriching IRIN reports with grassroots material and creating a platform for debate between humanitarian decision-makers and affected communities.” (IRIN website)</p> |
| Publication cycle: | <p>IRIN reports are published on a daily and weekly basis. Ad-hoc focus on special issues.</p> |
| Language: | <p>Information is available in English and French (Africa only).</p> |

Navigation of website:

IRIN Africa: contains information sorted by the different African regions, by up-to-date information and weekly information bulletins

IRIN Asia: contains information on Central Asia (including Afghanistan), the Iraq crisis and the latest news

Search: archive of reports published since 1998

U.S. COMMITTEE FOR REFUGEES (USCR)<http://www.refugees.org>

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| Mission/Mandate: | <p>USCR was founded in 1958 to coordinate the United States' participation in the United Nations' International Refugee Year (1959). In the forty years since, USCR has worked for refugee protection and assistance in all regions of the world." (U.S. Committee for Refugees website)</p> <p>USCR is a public information and advocacy programme of the Immigration and Refugee Services of America. IRSA develops and manages education and assistance programs that help refugees resettle in the U.S.</p> <p>"USCR defends the rights of all uprooted people regardless of their nationality, race, religion, ideology, or social group. We base our work on the belief that once the consciences of men and women are aroused, great deeds can be accomplished, and we are guided by the following principles:</p> <p>Refugees have basic human rights. Most fundamentally, no persons with a well-founded fear of persecution should be forcibly returned to his or her homeland.</p> <p>Asylum seekers have the right to a fair and impartial hearing to determine their refugee status.</p> <p>All uprooted victims of human conflict, regardless of whether they cross a border, have the right to humane treatment, as well as adequate protection and assistance."</p> |
| Target group/audience: | Policy makers, governments, UNHCR, international organizations, humanitarian actors, the media, and civil society. USCR also testifies before the US Congress. |
| Objective: | Advocacy for the rights of refugees and asylum-seekers, as well as returnees. |
| Funding: | <p>USCR is a non-profit organization under U.S. law. It depends on the contributions of individuals and the support of private foundations. Its financial report is published at:</p> <p>http://www.refugees.org/news/fact_sheets/faq_uscr.htm</p> <p>IRSA is funded through a combination of federal government funds, private foundation grants, and individual contributions.</p> |
| Scope of reporting: | <p><u>Countries included:</u> USCR World Refugee Survey covers all countries.</p> <p><u>Thematic priorities:</u> USCR deals with every aspect of refugee protection, asylum seekers, internally displaced persons. It pays particular attention to detention situations, health and mental care, reception conditions and conditions of return, landmines, refugees in the media, asylum law, peacekeeping, religious persecution, women and children, etc.</p> |
| In-country presence: | USCR is based in Washington. It conducts fact-finding missions to assess the situation of refugees worldwide. |
| Reporting methodology: | The annual World Refugee Survey provides insight into and expert analysis of issues facing refugees and internally displaced persons worldwide. Often the information included in reports contains documentation gathered during country visits. |
| Publication cycle: | While the World Refugee Survey is published annually in May/June, the Refugee Report Bulletin is published every two months. Occasionally thematic reports or press releases are published on the website. |
| Language: | English |
| Navigaton of website: | <p>COI can be found under:</p> <p>Worldwide Refugee Information: contains information sorted by countries</p> <p>News and Resources: contains press releases and news on hot spots</p> |

US DEPARTMENT OF STATE (USDOS)

<http://www.state.gov>

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| Mission/Mandate: | <p>"The principal aims of the Department of State ... are anchored in the President's National Security Strategy and its three underlying and interdependent components – diplomacy, development, and defense." (State Department website)</p> <p>The mission of the State Department is to advance U.S. objectives and interests in the world; provide services to U.S. citizens and to foreigners seeking to visit or immigrate to the U.S.</p> |
| Target group/audience: | U.S. citizens and generally every person who is interested in U.S. policies. |
| Objective: | <p>The US State Department aims to give information on U.S. foreign policies, to protect and assist U.S. citizens living or travelling abroad and to assist U.S. businesses in the international marketplace.</p> <p>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. (see Poe Human Rights Quarterly 2001. p. 654)</p> |
| Funding: | The State Department's budget is part of the US foreign affairs budget. |
| Scope of reporting: | <p><u>Countries included:</u> all countries worldwide.</p> <p><u>Thematic priorities:</u> include civil and political rights, prison conditions and right to a fair trial, religious freedom, women, trafficking, and terrorism.</p> |
| In-country presence: | The State Department acts through the U.S. embassies. |
| Reporting methodology: | <p>Reports are based on information from US representations, regional bureaus, and presences worldwide, as well as international and local human rights organizations. Embassies prepare initial draft reports, which are then reviewed by the Bureau of Democracy, Human Rights, and Labor, using sources including reports provided by U.S. and other human rights groups, foreign government officials, representatives from the United Nations and other international and regional organizations and institutions and academic and media experts. Embassies' sources include government officials, jurists, the military, journalists, human rights monitors, academics and labour activists. (Steven C. Poe, et al. 'How are These Pictures Different? A Quantitative Comparison of the US State Department and Amnesty International Human Rights Reports, 1976–1995,' <i>Human Rights Quarterly</i>, 23 (2001), 650–677).</p> <p>The information provided is rarely sourced.</p> <p>Occasional critiques are published by Human Rights Watch and, up until several years ago, the Lawyers' Committee for Human Rights.</p> |
| Publication cycle: | <p>Human Rights Practices: released each February/March for previous year.</p> <p>International Religious Freedom Report: released every autumn for the current year.</p> <p>Trafficking in Persons Report: released every spring for the previous year.</p> <p>Background Notes: "contain information on all the countries with which the US has relations. They include facts on the country's land, people, history, government, political conditions, economy, and its relations with other countries and the United States." (State Department website)</p> <p>Irregular updates once or twice a year.</p> <p>Ad hoc reports on topics of concern to the US government.</p> <p>Regular browsing of website advisable.</p> |

Language:

English.

Navigation of website:

Information on COI can be found under:

Press and Public Affairs > Major State Department Publications:

> Human Rights Practices

> Religious Freedom Report

> Background Notes

International Issues > Trafficking in Persons > Office to Monitor and Combat Trafficking in Persons (includes report which can be accessed at Undersecretary for Global Affairs)

Countries and Regions: offers information sorted by country.

International Topics and Issues: alphabetical list of issues (e.g. human rights, trafficking, women's issues, etc.)

EUROPEAN ROMA RIGHTS CENTER (ERRC)

<http://www.errc.org>

Example for a specialized source

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| Mission/Mandate: | The European Roma Rights Center (ERRC) is an international public interest law organisation monitoring the situation of Roma in Europe, and engaging in a range of activities aimed at combatting anti-Romani racism and human rights abuse of Roma, in particular strategic litigation, international advocacy, research and policy development, and training of Romani activists. The ERRC is a cooperating member of the International Helsinki Federation for Human Rights and has consultative status with the Council of Europe, as well as with the Economic and Social Council of the United Nations. (ERRC website) |
| Target group/audience: | Roma, policy makers, and civil society. |
| Objective: | ERRC activities include “monitoring the human rights situation of Roma in Europe publishing information on human rights abuse of Roma and news about the Romani civil rights movement; providing and supporting legal services, including litigation, to Romani victims of human rights violations; building strategies, based on analyses of existing law and legal services to empower Roma through law and strengthen the network of legal advocates working on behalf of Roma.” (ERRC website) |
| Funding: | The ERRC is dependent on individual donors. Major sponsors are: the British embassy in Budapest; the Allavida Foundation; the Charles Stewart Mott Foundation; the European Commission; the Ford Foundation; the UK Foreign and Commonwealth Office; the J.M. Kaplan Fund; the Norwegian Ministry of Foreign Affairs; the Open Society Institute; the Rockefeller Brothers Fund and The Sigrid Rausing Trust. |
| Scope of reporting: | <u>Countries included:</u> European countries with Roma populations. Reports have been issued on Bosnia and Herzegovina, Greece, Poland, Romania, the Czech Republic, Macedonia, Bulgaria, Albania, Slovakia, Ukraine and Austria. <u>Thematic priorities:</u> Roma rights. |
| In-country presence: | The ERRC’s office is in Budapest. |
| Reporting methodology: | The basis for all ERRC activities, whether reporting, advocacy, litigation or training, is first-hand research. ERRC methodologies vary depending on the issue being documented and range from missions to interviews, continuous monitoring in the field and research of secondary sources. Particular emphasis is placed on data and other information gathered first-hand. Data and information used for research work are first cross-checked and reviewed. As regards confidentiality, ERRC’s first priorities involve balancing the wishes of the victim/witness, the legal interests of the victim and the safety of the victim/witness. In some cases ERRC has refused to provide names of interlocutors, even where governments complained that this refusal hampered government efforts to investigate alleged human rights violations. Decisions on these matters are taken on a case-by-case basis, evaluating in particular what respondents have specified about the use of their information, as well as other relevant guidelines. (This information was kindly provided upon request by the ERRC.) |
| Publication cycle: | ERRC publications include: The Roma Rights Quarterly which “aims to provide news on developments pertaining to Roma Rights around Europe, as well as discussions on particular themes and information about ERRC activities...” |

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| | <p>Human rights reports, especially country reports, on the situation of Roma ... aim[ing] at providing a comprehensive picture of the situation of Roma in any one country;</p> <p>Thematic reports deal[ing] with a specific Roma rights issue and based on research in multiple countries;</p> <p>ERRC press releases (ERRC website)</p> <p>ERRC prepares shadow reports for the Council of Europe and the UN.</p> |
| Language: | <p>The website is under construction as of August 2004. Reports are only available in English. Romani and Russian shall be included at a later stage. Country reports are summarized in Romani and usually published in the language of the country concerned.</p> |
| Navigation of website: | <p>Information about COI can be found under:</p> <p>Publications > Country Reports</p> |

Governmental and non-governmental COI units/products

The following institutions produce information specifically designed for the needs of legal advisers and decision-makers. They focus on issues that arise in the national context of asylum jurisprudence. They vary in institutional context and research methodology.

ACCORD

(Austrian Centre for Country of Origin and Asylum Research and Documentation)

ACCORD was established in March 1999 in a joint effort by UNHCR and the Austrian Foundation for Development Research. Since January 2002, ACCORD is part of the Headquarters of the Austrian Red Cross. It is co-funded by the European Refugee Fund, UNHCR, the Austrian Ministry of the Interior, Austrian refugee organizations, Informationsverbund Asyl and the Austrian Red Cross.

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| Products and thematic scope: | ACCORD provides information on countries of origin of asylum seekers as well as information on the conditions in countries of reception, using only public domain and publicly citable materials. It contributes to www.ecoi.net (daily updated). ACCORD also offers research on individual information queries to asylum lawyers, professional and volunteer refugee counsellors as well as persons deciding on asylum claims and other forms of international protection. Other COI products include country reports based on fact-finding, secondary sources and COI seminars. |
| Methodology: | In response to information requests as well as on ecoi.net ACCORD does not produce its own statements or expert reports but rather offers a collection of information from publicly available sources. In the case of fact-finding mission reports ACCORD bases its reports on interviews and consultations with representatives of in-country human rights and humanitarian organisations, as well as government officials and journalists. Interviews are quoted without distortion. The annex of mission reports lists interviewees and their institutional affiliation. (Exception: source protection). |
| Publication cycle: | Responses to individual information requests on demand. Country reports published 2-3 times a year. |
| Homepage: | http://www.rotekreuz.at/822.html |

Amnesty International Germany

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| Products and thematic scope | Amnesty International Germany replies to individual information requests by German administrative courts and country reports are available on its asylum database ("Datenbank-Asyl") at: http://www2.amnesty.de/internet/Gutachte.nsf/WStartLaenderindex?OpenView&Start=1&Count=200&Expand=1#1 (Home > Berichte > Asyl) N.B. All documents in German only |
| Methodology | Query replies are based on research and Amnesty International country reports. In some cases news sources are referred to as well. |
| Publication cycle | On demand. |
| Homepage | http://www.amnesty.de |

Danish Immigration Service (Udlændingestyrelsen)

The Danish Immigration Service examines applications from foreigners who wish to enter or reside in Denmark, e.g. applications for asylum or family reunification, residence permits for study or work purposes and visas for short visits to Denmark.

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| Products and thematic scope: | Concerning COI, the Danish Immigration Service regularly publishes fact-finding reports, a list of which can be found at: http://www.udlst.dk/english/publications/Default.htm Fact-finding reports cover general human rights situations as well as issues of particular importance to refugee status determination in Denmark and the wider EU. |
| Methodology: | The Service bases its fact-finding reports on interviews and consultations with in-country representatives of international organisations, diplomatic representations, political parties, local human rights organizations and experts in the country of origin or neighbouring countries. Interviews are quoted or paraphrased, taking care not to distort the original quote. The annex of mission reports lists interviewees. For confidentiality reasons reference may be made to an organisation instead of the name of the interviewee; in exceptional cases the source may remain undisclosed. The Service sometimes conducts fact-finding missions together with the Danish Refugee Council or other EU governments. |
| Publication cycle: | Variable; reports are first published in Danish (1-3 months after completion of the mission) and later translated into English. |
| Homepage: | http://www.udlst.dk/english/default.htm |

Federal Foreign Office, Germany (Auswärtiges Amt)

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| Products and thematic scope: | The Federal Foreign Office produces detailed reports with situation analyses on countries of origin for German federal and regional authorities and courts. Apart from the human rights situation the reports include cover issues of interest in the German refugee status determination process as well as conditions for returnees. They may include information on aspects such as document authenticity, exit routes etc. Their main function is to support the Office for the Recognition of Foreign Refugees and German administrative courts in decisions on refugee status determination. Authorities and courts are also entitled to address the Federal Foreign Office with individual information queries. N.B. Country reports of the Federal Foreign Office are not public and restricted to use only by authorities, courts and the legal counsel of an individual applicant. Less detailed country and travel information on politics, the economy, culture, bilateral relations, travel and health tips for public use (irregularly updated) can be accessed at: http://www.auswaertiges-amt.de/www/en/laenderinfos/index_html |
| Methodology: | Federal Foreign Office reports are based on information from German embassies and consulates abroad as well as information from human rights groups and NGOs, local opposition groups, lawyers, embassies of other Western countries and international organisations. German refugee advocacy organizations sometimes produce critiques of the German Foreign Office reports (recently in an official consultation process). |

Publication cycle: Reports are updated regularly. In case of sudden and dramatic changes of a country situation, ad hoc reports may be produced.

Homepage: <http://www.auswaertiges-amt.de/www/en/index.html>

Federal Office for Refugees, Switzerland (Bundesamt für Flüchtlinge/ Office fédéral des réfugiés/Ufficio federale dei rifugiati)

The Federal Office for Refugees has its own country information service. The Analysis Section consists of the specialized services Country Information and Situation Analysis (CI+AS) and LINGUA.

Products and thematic scope: The main task of CI+AS is to obtain and distribute information on the approximately 120 countries of origin of asylum seekers in Switzerland. CI+AS provides specialized information and regularly produces situation reports and analysis on the current situation in the countries of origin of asylum seekers or on specific subject areas. The majority of these reports are only accessible to the employees of the Federal Office for Refugees, due to the confidentiality of some of their sources. Some reports are accessible to the public.

LINGUA, with the help of external and independent experts, locates the area of socialisation of asylum seekers, but not the nationality. The results of the investigations are written down in an expertise.

Current COI available at: <http://www.asyl.admin.ch/englisch/news4e.htm>

Methodology: CI+AS situation reports and analyses are essentially based on public sources of information.

LINGUA expertises are based on a linguistic analysis and an examination of the cultural and country-specific knowledge of the asylum seeker (for a list of public reports by CI+AS and LINGUA expertises scroll down the homepage).

For a discussion of language tests used in the determination of asylum seekers' country of origin see:

<http://www.fecl.org/circular/5304.htm>

Publication cycle: Variable

Homepage: <http://www.asyl.admin.ch/>

Immigration and Refugee Board, Canada

Products and thematic scope: The Immigration and Refugee Board offers four publicly accessible databases for COI research (Home > Research and Publications > Country of Origin Research).

The Research Database contains a listing of documents published by the Research Directorate since 1989.

http://www.irb-cisr.gc.ca/en/research/origin_e.htm

REFEXTEN holds extended responses to information requests.

REFINFO is a compilation of responses to requests for information submitted to the Research Directorate in the course of the refugee protection determination process.

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| Methodology: | <p>REFQUEST contains research papers in the Question and Answer Series published by the Research Directorate since 1995.</p> <p>http://www.irb-cisr.gc.ca/en/notices/refquest_e.htm</p> <p>The Research Directorate only uses publicly available information. Research is conducted in-house, based on Immigration and Refugee Board responses are often based on oral sources and therefore provide expert information on a range of issues such as cultural, religious or ethnicity. All COI products compare and contrast the information provided and include clear referencing. The Research Directorate's staff refrains from commenting on the information or producing position papers.</p> |
| Publication cycle: | REFINFO is updated every month. Longer reports are published on an ad hoc basis. |
| Homepage: | http://www.irb-cisr.gc.ca/en/index_e.htm |

Ministry of Foreign Affairs, Netherlands (Ministerie van Buitenlandse Zaken)

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| Products and thematic scope: | <p>The Dutch Ministry of Foreign Affairs produces COI in report form, so-called "Ambtsberichten" that are prepared on request for the Minister of Immigration and Integration as support in decisions on refugee status determination. They are published online as soon as the Minister of Foreign Affairs sends them to the Second Chamber of Parliament.</p> <p>"Ambtsberichten" cover issues of interest in the Dutch refugee status determination process and provide a general overview of the political and human rights situation.</p> <p>N.B. "Ambtsberichten" are available in Dutch only at: http://www.minbuza.nl/default.asp?CMS_ITEM=MBZ257248 (on Dutch version of homepage at "actueel" > "Ambtsberichten")</p> |
| Methodology: | "Ambtsberichten" are based on public sources such as UN organisations, NGOs, scientific literature and media coverage. They may also include information from confidential reports by Dutch embassies abroad. |
| Publication cycle: | Produced upon request by Minister of Immigration and Integration. |
| Homepage: | http://www.minbuza.nl |

Swiss Refugee Council (Schweizerische Flüchtlingshilfe/Organisation suisse d'aide aux réfugiés)

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| Products and thematic scope: | <p>All documents published by the Swiss Refugee Council are publicly available. COI is available mainly in German, sometimes in French.</p> <p>Situation analyses, expert opinions, and Swiss Refugee Council positions in PDF format are accessible at:</p> <p>http://www.osar.ch/</p> <p>Home > Asyl > Publikationen or home > asile > publications</p> <p>They can be ordered in print from:</p> <p>http://www.osar.ch/2005/07/12/liste-publication</p> <p>Home > shop > Publikationen or home > shop > publications</p> <p>The documents mainly focus on the political and human rights situation and issues of interest in the Swiss refugee status determination process, including humanitarian situation and situation of returnees.</p> |
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| Methodology: | Situation analyses are based on Internet research, news sources and reports and expert interviews. They may include results from self-conducted fact-finding missions including interviews with representatives from local NGOs and INGOs active in the country. Expert opinions are replies to individual information requests based on similar sources as situation analyses. Positions of the legal department on the need for protection of particular groups of asylum seekers are informed by the findings of the research staff. |
| Publication cycle: | Variable: between 2-5 reports every 4 months. |
| Homepage (also in French): | http://www.osar.ch |

UK Home Office

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| Products and thematic scope: | The Country of Origin Information Service of the Home Office Research Development and Statistics Directorate produces country reports on the 20 countries that generate the largest number of asylum applications in the UK. The reports concentrate on the issues most commonly raised in asylum/human rights claims made in the United Kingdom. Country reports can be downloaded in MS Word (doc) format at: |
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http://www.homeoffice.gov.uk/rds/country_reports.html

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| Methodology: | Country reports are compiled by research staff from mostly publicly available reports. Quotations can be traced by a number in square brackets. A key to the numbers is provided at the end of each report. Most cited source material is publicly available; copies of undisclosed documents (e.g. UK embassy reports) may be provided upon request. |
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Operational Guidance Notes (OGNs) "are produced by Asylum and Appeals Policy Directorate [in consultation with Senior Caseworkers, Appeals Group, Legal Advisors Branch and Foreign and Commonwealth Office]. They provide a brief summary of the general, political and human rights situation in the country and details of common types of claims. They aim to provide clear guidance on whether the main types of claim are likely to justify the grant of asylum, Humanitarian Protection or Discretionary leave. Country information included in OGNs is sourced to the most recent Country Assessments for the country concerned and to other publicly available documents." (UK Home Office website)

Before mid-2005 the UK Home Office country reports were produced by the Asylum and Appeals Policy Directorate's Country Information & Policy Unit (CIPU).

For an analysis of CIPU methodology, refer to a content and user evaluation on country reports by the Home Office Research, Development and Statistics Directorate at:

<http://www.homeoffice.gov.uk/rds/pdfs2/hors271.pdf>

and to the Immigration Advisory Service's (IAS) critique of Home Office country reports at:

<http://www.iasuk.org/C2B/PressOffice/display.asp?ID=194&Type=2&Search=true>

Additionally, the reports are periodically reviewed by an independent Advisory Panel on Country Information (<http://www.apci.org.uk>).

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| Publication cycle: | Country reports are revised twice a year: in April and October. Bulletins aim to update the information between publication of country reports, or to focus on particularly important issues. Operational Guidance Notes are updated infrequently. |
| Homepage: | http://www.homeoffice.gov.uk/ |

US Bureau of Citizenship and Immigration Services Resource Information Center (RIC)

The Resource Information Centre was established to meet the information needs of the US Asylum Officer and Immigration Officer Corps by providing COI. The RIC obtains information from reputable human rights monitors, other government agencies, IGOs, NGOs, academia and the media.

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| Products and thematic scope: | RIC 'query responses' and other sources providing background information that may be useful in evaluating asylum claims (e.g. US and foreign government sources) are accessible at: http://uscis.gov/graphics/services/asylum/ric/REGIONLISTJS.htm |
| Methodology: | RIC query responses include the query itself, the reply (often including background information) and references. Referenced information may also include oral sources. |
| Publication cycle: | Variable |
| Homepage: | http://uscis.gov/graphics/index.htm |

ecoi.net – Navigation guide

Note: as of the publishing of this updated version of the manual, ecoi.net is undergoing a relaunch. Navigation on the website will therefore change.

ecoi.net is a joint initiative of the Austrian Red Cross/ACCORD (Austria), GEA 2000 (Slovenia) and Informationsverbund Asyl (Germany). Its mission is to provide easily retrievable and up to date information on countries of origin relevant for European host countries in refugee status determination processes. Access to ecoi.net is free of charge.

ecoi.net is funded by the European Refugee Fund, UNHCR, the Austrian Ministry of the Interior, the Dutch Refugee Council and the Austrian Red Cross.

The ecoi.net website is divided into three frames (left, central, right), offering links to all relevant search features offered on the website. Use the left frame to select specific countries, types of resources and to define search criteria. The central frame by default lists "what's new" for all countries or a specific country in order of publication date (see below). When a search is conducted, this frame shows the search results in the order of relevance or publication date (see below). The right frame of the first page of documents by country features a selection of important documents.

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| <u>What's new and Topics and Issues</u> | In the left frame, from top to bottom, you can define your navigation criteria by selecting one of the features available on ecoi.net. While "what's new" allows you to retrieve the latest news from all or selected countries, "Topics & Issues" files contain detailed information on currently ten focus countries in thematic and chronological order (see below) |
| <u>Country resources</u> | Staying in the "what's new" search allows selecting the "Country resources" to limit the search to: |
| <u>Periodical reports</u> | Periodical, i.e. annual, monthly, etc. reports from UN, and governmental and non-governmental organisations in alphabetical and reverse chronological order |
| <u>Special reports</u> | Ad hoc reports from UN, and governmental and non-governmental organisations in alphabetical and reverse chronological order |
| <u>Appeals/News releases</u> | NGO and UN organisations' appeals and news releases, e.g. Amnesty International Urgent Actions, UNHCR, Human Rights Watch |
| <u>Media reports</u> | Links to media and news agencies' reports, e.g. AFP, BBC, Guardian, IRIN, IWPR |
| <u>Expert opinions/Positions</u> | Positions of expert individuals and organisations |
| <u>National Laws</u> | Selected national laws |
| <u>ACCORD responses</u> | Selected responses to individual information requests provided by ACCORD |
| <u>Search ecoi.net</u> | The search tool allows for simple and advanced search within ecoi.net documents (see below for a detailed description) |
| <u>Resources on other sites</u> | Links to a sorted and commented list of COI related resources and maps on other Internet sites |
| <u>Language</u> | ecoi.net offers a choice of several languages to surf the website. Most original documents, however, are in English or German; ecoi.net headlines are published in English and translated into German. Choose a language by clicking on English (en), German (de), French (fr), Slovenian (sl), Russian (ru), or Bulgarian (bg) in the left section under the header "languages" |

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| <u>What's new</u> | Latest entries in the ecoi.net database |
| <u>What's new for all countries</u> | ecoi.net by default first displays "what's new for all countries" sorted in reverse chronological order by date of publication. |
| <u>What's new for a specific country</u> | Select the country of interest from the drop down menu in the upper left corner. As a result the latest entries will be limited to the country selected. |
| <u>Printer friendly version</u> | A printer friendly version of every page can be displayed by clicking on the corresponding button in the centre frame of each page |

ecoi.net search

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| <u>All words must be found (AND)</u> | do not use punctuation |
| <u>One of these words must be found (OR)</u> | especially important when searching for different spellings (Arabic, Slavic) e.g. <i>Hizb-</i> or <i>Hezb-</i> |
| <u>This phrase must be found ("...")</u> | "military service" |
| <u>These words must be excluded (NOT)</u> | Restriction of search. Search results will not contain the word excluded. |
| <u>Truncation (*)</u> | Chech* searches for <i>Chechnya, Chechen, Chechens</i> |

Search results can be listed either by:

1) relevance (automatic ranking depending on the number of times the search term is found taking into account whether the word is found in the headline, in the original title as well as the length of the text); or

2) date of publication (reverse chronological order)

Reading search results Results include the source, a headline, the original title and publication date, an ecoi.net document number (e.g. #21345), a link to the original document and a link to the publishing organisation's homepage if available

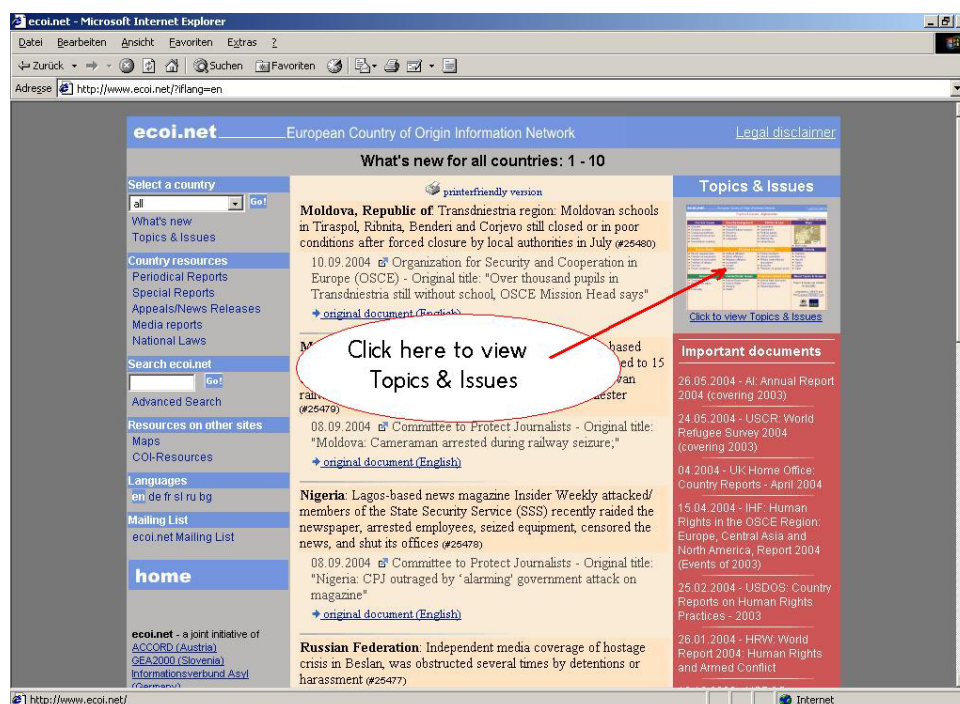
Highlighted search terms To provide a quick overview of the documents found, the first 20 results appear with the search term(s) highlighted This allows to see whether two search terms appear in the same context. This allows for better assessment of relevance of search results

Reading documents in full text Click "original version" to read a selected document in its full text

Topics and Issues

For a list of 10 focus countries, ecoi.net Topics & Issues files offer more content than usually available on ecoi.net. The structure of the files aims at a balance between a standardized table of contents - allowing for easy browsing - and sufficient flexibility to accommodate issues that arise only in one country or are of particular significance with regard to claims from individuals coming from one particular country of origin.

“Topics & Issues” files can be selected by clicking here



Languages:

Choosing between “English” or “German” affects the language in which headlines are formulated.

Front page

Topics & Issues files are structured in chapters leading from general concepts to specific topics. The front page in all cases is divided into eleven sections reflecting the main chapters: Current Issues, Country Background, Politics & Law, Maps, Human Rights, Situation of Specific Groups, a country specific chapter (e.g. Chechnya in Russia), Security, Humanitarian issues, Protection related issues.

N.B. Since documents might adequately fit in more than just one chapter, you may find (parts of) the same documents cited in different areas of a Topics and Issues file.

Colour code

Blue: country background

Yellow: protection-related issues

Red: allows for accommodation of issues that arise only in one country of particular significance with regard to claims from individuals coming from one particular country of origin (e.g. Russian Federation – Chechnya)

Full index

Click on “Full index” in the top right corner of any Topics and Issues front page to retrieve a complete site index of the file.

What’s new

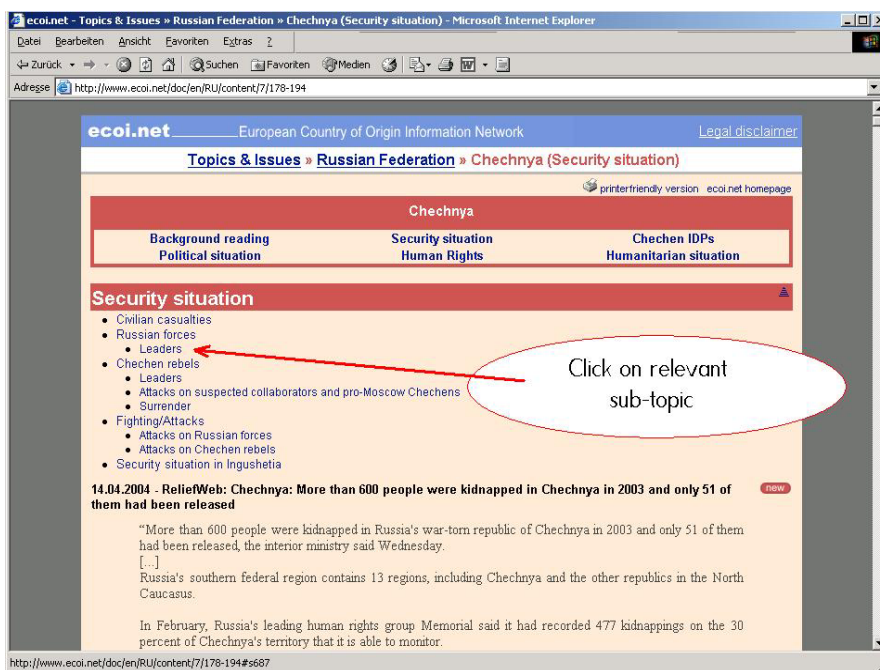
Click on “what’s new” in the top right corner of any “Topics & Issues” front page to get the latest entries into the files in reverse chronological order. Document lists are not sorted by chapter, but by date of entry in the Topics and Issues file.

Chapters

Each of the 10 main chapters consists of several sub-chapters, varying to a certain extent from country to country, e.g. Government, Constitution, Political Parties, etc. in Politics & Law. Click on these headers to find further sub-chapters.

Navigating within chapters

Listed at the beginning of every sub-chapter there is a list of links to all further sub-topics. Use these to navigate within a chapter. Security > Situation by region > Kabul retrieves a collection of documents on the security situation in Kabul in the Afghanistan Topics & Issue file.



Additionally there is a return-to-top arrow to the right of each sub-chapter's heading.

Maps

Find links to maps of different scale accessible via Internet.

Excerpts:

Results may appear with extensive quotes of the part of the document most relevant to the particular chapter. This should allow a quick overview of information on specific issues.

Search operators

| Command | How | Supported By |
|---------------------|---------------------|---|
| Must Include Term | + | All |
| Must Exclude Term | - | All |
| Must Include Phrase | " " | All |
| Match All Terms | Automatic at | All |
| Match Any Terms | Via Advanced Search | AllTheWeb, AltaVista, Google, Lycos, MSN Search, Teoma, Yahoo <i>(HotBot offers but failed to work when tested)</i> |
| | OR | AltaVista, AOL Search, Ask Jeeves, Google, HotBot, MSN Search, Teoma, Yahoo <i>(must be done in ALL CAPS)</i> AllTheWeb, Lycos <i>(only works for two words)</i> |

NOTE: By default, all the major search engines named above will match ALL of the terms you enter into a search box. This means that it is not necessary to use the "+" symbol in front of a particular word, although it is harmless if you do.

| Command | How | Supported By |
|--------------|---------------------|---|
| Title Search | title: | AltaVista, AllTheWeb, Inktomi |
| | intitle: | Google Teoma |
| | allintitle: | Google |
| Site Search | host: | AltaVista |
| | site: | Excite, Google (Netscape, Yahoo) |
| | url.host: | AllTheWeb, Lycos (for AllTheWeb results only) |
| | domain: | Inktomi (HotBot, iWon, LookSmart) |
| | none | AOL, Direct Hit, HotBot, LookSmart, Lycos, MSN, Netscape, Northern Light, Open Directory, Yahoo |
| URL Search | url: | AltaVista, Excite, Northern Light |
| | url.all: | AllTheWeb, Lycos (for AllTheWeb results only) |
| | allinurl: inurl: | Google |
| | originurl: | Inktomi (AOL, GoTo, HotBot) |
| | u: | Yahoo |
| | | |

| | | |
|---------------|-------------|---|
| | none | AOL, Direct Hit, HotBot, LookSmart, MSN Not yet updated, but may be still correct: Open Directory |
| Link Search | link: | AltaVista, Google, Northern Light |
| | linkdomain: | Inktomi (AOL, HotBot, iWon, MSN) (NOTE: measures links to entire domains) |
| | link.all: | AllTheWeb, Lycos (for AllTheWeb results only) |
| | none | AOL, Direct Hit, Excite, HotBot, LookSmart, Northern Light Not yet updated, but may be still correct: Netscape, Yahoo (n/a) |
| Wildcard | * | AltaVista, Inktomi (iWon), Northern Light Not yet updated, but may be still correct: Yahoo |
| | ? | AOL Search, Inktomi (iWon) |
| | % | Northern Light |
| | none | AllTheWeb, Direct Hit, Excite, Google, HotBot, LookSmart, Lycos, MSN (MSN's help says it offers wildcard, but it failed to during testing) |
| Anchor Search | anchor: | AltaVista |
| | None | AllTheWeb, AOL Search, Direct Hit, Excite, Google, Inktomi, HotBot, Lycos |

NOTE: The commands above are primarily useful when dealing with crawler-based search engines. "None" indicates any crawler-based or human-powered search engine that creates its own listings but which does not provide a particular command for searching within those listings.