RESEARCHING
COUNTRY OF ORIGIN
INFORMATION

Training Manual | 2013 edition

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FOREWORD UNHCR

Protection systems for asylum-seekers and refugees are the guarantors of stability in turbulent times. To be effective, protection systems need to encompass a number of building blocks: that individuals can access safety; that international protection needs are properly and efficiently assessed; that they are treated with dignity and humanity, and are able to exercise the widest possible range of human rights; and, more importantly, that opportunities to resume a normal life – even in exile – are available as early as possible.

When it comes to one component of protection systems, the determination process of international protection needs, it is clear that country of origin information (COI) is key to decision-making. All decision-makers, whether state officials, UNHCR staff or judges, need reliable COI to understand the situation in the applicants' country of origin and the circumstances which forced them to flee. Lawyers and legal aid organizations equally need such information to be able to assist applicants in making their claim.

Researching COI may appear easy in today's era of information, with seemingly limitless amounts of information available on the Internet and with social media playing an increasingly important role in the distribution of real-time information. But the wealth of available information also means that techniques for assessing the reliability of sources and for cross-checking information have never been more important. Users all over the world, no matter how developed the legal system, can benefit from training on the research and use of COI.

ACCORD first published its training manual *Researching Country of Origin Information* in 2004. The fully updated 2013 manual, developed by ACCORD with UNHCR support, provides a comprehensive discussion of all aspects of researching and using country information in the context of applications for international protection. It will be freely available on-line, and I recommend it to everyone involved in decision-making as a resource for COI training and as a reference guide. It will be an important tool for UNHCR and ACCORD, who have jointly provided COI training for many years to UNHCR staff, state decision-makers, judges, lawyers and legal aid providers around the world.

I am confident that this new COI training manual will contribute to better research and use of COI, and therefore to better quality of decision-making. Better decisions will contribute to UNHCR's principal objective, namely to ensure that people who are in need of international protection are able to obtain it.

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UNHCR
July 2013

INTRODUCTION

Country of Origin Information (COI) is used in procedures for persons seeking international protection.

This manual on *Researching Country of Origin Information* outlines the role and relevance of COI in refugee status determination (RSD) procedures or in procedures relating to other forms of international protection. It presents quality standards for the research and the use of COI. Today there is widespread consent on the importance of COI and it is considered an integral and indispensable factor in asylum decision-making. COI quality standards are widely recognised and accepted. Expectations concerning depth, detail and timeliness of COI have risen dramatically during recent years. The amount of available information has grown, and the quantity of data needs to be kept manageable and retrievable. Social media foster the illusion of being able to cross time and space and bring 'the truth' to courtrooms and counsellor's offices.

The Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD) is a department of the Austrian Red Cross and has been active in the field of COI since 1999, providing research services, conducting training and running the COI information system www.ecoi.net. In 2004 – together with partner institutions from the COI Network – various approaches to and experiences regarding COI were collected and COI quality standards were formulated in the training manual *Researching Country of Origin Information*. These COI quality standards (relevance, reliability & balance, accuracy & currency and transparency & retrievability) became a point of reference for decision-makers, legal advisors and professional COI researchers and they have been reflected in European Union jurisprudence and legal provisions.

The manual is not a legal guideline for decision-makers or legal advisors in procedures for persons seeking international protection. 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 these procedures. 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 advisor of an asylum-seeker to find and present legal arguments supportive of his or her client's claim.

Aims of the new edition

By publishing a revised edition of the *Researching Country of Origin Information* training manual, ACCORD wants to do justice to new developments. Moreover, ACCORD strives to reflect on its own experiences with COI research and documentation. Nine additional years as an actor in the field of COI in Austria and internationally have deepened our understanding of COI and its contexts, and raised our awareness of potential shortcomings. The standards and principles formulated in 2004 however remain valid and have been changed very little in the new edition.

The 2004 training manual was written for European users, whereas the new edition aims for a wider audience. Even though developments in Europe are strongly represented, we chose many examples from non-European countries and integrated regional legal instruments into Appendix A on the legal background of international protection. This new edition is geared towards an international target group comprising COI service providers, administrative decision-makers, legal advisors, judges and everyone dealing with COI. It aims at strengthening RSD practitioners, i.e. decision-makers (administrative and judicial level) and legal advisors, who are not only using COI, but who in many cases also have to conduct COI research as part of their duties.

Furthermore, changes were made to the format of the manual to improve readability by breaking up the text with examples and thematic boxes.

Overview of the content

| Chapter 1: Role of COI

Chapter 1 gives the reader a sense of the role of COI in procedures for determining international protection needs. It touches on the functions of COI, the actors involved, COI as evidence and the scope and limits of COI.

| Chapter 2: COI quality standards and principles

In order to successfully conduct COI research and to use COI carefully, a number of quality standards should be adhered to. Chapter 2 provides the reader with an overview of the quality standards and ground rules on how to approach COI in order to contribute to fair and efficient procedures.

| Chapter 3: Questions

Chapter 3 explains what relevance means in the context of COI. Based on an understanding of the legal concepts of international protection, the chapter presents the "research tree" method of deriving relevant research questions from key legal issues such as domestic protection or internal flight alternative. Example cases help to derive research questions based on the 1951 Refugee Convention.

| Chapter 4: Knowledge and assessment of sources

Chapter 4 emphasises that knowledge of sources and awareness of the sources' quality constitute key elements when researching COI. It discusses different types of sources and offers criteria for assessing a source's quality and reliability. A list of frequently used sources is described in Appendix B.

| Chapter 5: Research

Chapter 5 focuses on strategies and techniques of COI research and discusses cross-checking of information.

| Chapter 6: Social media

Chapter 6 describes chances and pitfalls of social media sources and offers guidelines for their use.

| Chapter 7: Presentation

Chapter 7 comprises various aspects of ensuring the transparency and traceability of research results. The chapter discusses different forms of presenting information, referencing, documentation, the typical structure of COI products, and quality control.

| Appendix A: Overview of international and legal instruments

An understanding of the 1951 Refugee Convention, and the meaning of persecution and complementary protection is required for COI research. Readers who wish to gain an overview of the main legal concepts of international protection, including international and regional instruments, are encouraged to begin with Appendix A.

| Appendix B: Sources

Appendix B describes frequently used COI sources.

How to use this manual:
We would like to encourage readers to proceed according to their individual needs and points of interest. You can read the manual from front to back but you can also pick and choose what is important in a specific working situation. The COI training manual can be used for both job training and as a reference when feeling insecure about certain issues, or just for consulting the examples of research questions or the list of sources in Appendix B.

We are happy to receive feedback and further input from our readers. Please direct your questions or suggestions, or just your experiences using the manual to accord@redcross.at.

ACKNOWLEDGEMENTS

1 ROLE OF COI

This chapter aims to lay the ground for an understanding of the role of Country of Origin Information (COI) within procedures for determining international protection needs.

It provides a definition of COI, describes how an event or a situation is transformed into information, and presents the functions of COI and the actors involved. The section on COI as evidence touches upon the burden and standard of proof. Finally, the scope and limits of COI are discussed.

Content of chapter 1:

LEARNING OBJECTIVES

Having studied this chapter, readers

» will be able to explain the role of COI in procedures for determining international protection needs
» will be able to define COI and describe its scope
» will have acquired awareness of the limitations of COI

1.1 THE DEFINITION OF COUNTRY OF ORIGIN INFORMATION (COI)

In simple and informal terms, COI could be described as information about the situation in refugees' home countries which is used in procedures for determining international protection needs.

More comprehensively, we define COI as follows:

> Country of Origin Information (COI) is information which is used in procedures that assess claims to refugee status or other forms of international protection.
>
> COI supports legal advisors and persons making decisions on international protection in their evaluation of
>
> – the human rights and security situation
> – the political situation and the legal framework
> – cultural aspects and societal attitudes
> – the humanitarian and economic situation
> – events and incidents
> – as well as the geography
>
> in claimants' countries of origin (or, in the case of stateless people, countries of former habitual residence) or countries of transit.
>
> To qualify as COI it is essential that the source of the information has no vested interest in the outcome of the individual claim for international protection.

To better understand this definition, it is helpful to investigate it more closely. The paragraphs below cite the main elements of the definition and describe their underpinning concepts.

"Country of Origin Information (COI) is information ..."
COI is information; it is not guidance for decision-making.

In contrast, policy advice documents, such as for example the Operational Guidance Notes produced by the United Kingdom Home Office, or UNHCR's Eligibility Guidelines, provide guidance for consistency in asylum decision-making. These documents may contain COI and case law, and present an interpretation and evaluation of the situation in a given country or regarding a specific topic.

"... which is used in procedures that assess claims to refugee status or other forms of international protection."
This phrase specifies the setting in which COI is used. COI can be used in procedures relating to individual claims for international protection, or in group-based procedures. The latter case includes situations of mass influx, which may lead governments to summarily grant protection to a group of refugees without ruling on each individual case.

Furthermore, some governments maintain lists of "safe countries of origin" (and lists of "safe third countries"). Decisions on claims of people originating from such countries often follow specific rules, e.g. they are made in accelerated procedures. COI is needed to decide which countries should be added to or removed from such lists.

In recent years, the term "Country of Return Information" has been used for information that helps potential returnees and their counsellors make informed decisions on returns. It focuses on livelihoods and reintegration possibilities, including access to housing, education, employment, social security and health care.

"COI supports legal advisors and persons making decisions on international protection in their evaluation of ..."
This part of the definition describes the function of COI. By providing background information related to a particular case, COI research helps to shed light on the context of a person's claim for international protection.

It is the decision-maker's job to assess an applicant's claim and his or her credibility by putting the applicant's account in the appropriate factual context. This context includes the situation in the country of origin (UNHCR, February 2004, p. 3). Legal advisors need COI to build their argumentation.

COI can thus either strengthen the testimony of the applicant or it can raise doubts as to the credibility of the applicant or as to how well-founded any fears expressed may be.

However, the word "supports" points to the fact that COI is neither a prerequisite for deciding a case, nor is it sufficient by itself. Relying merely on COI when making decisions is insufficient, because the basis of each claim is a credible statement provided by the asylum-seeker; COI can supplement but never replace this statement. Neither is COI necessary in all cases: Where an asylum-seeker provides a full, detailed and credible account, it may sometimes be possible to reach a decision on the need for international protection even in the absence of supporting COI.

"... the human rights and security situation, the political situation and the legal framework, cultural aspects and societal attitudes, the humanitarian and economic situation, events and incidents, as well as the geography ..."
The next part of the definition lists the thematic fields that COI most commonly deals with. Typical topics of COI research include: the situation and treatment of members of ethnic or religious groups; the existence of certain laws and their application in practice; treatment of perceived government opponents; incidents such as demonstrations, post-election or sectarian violence; cultural practices; the living conditions of specific groups; discrimination against certain groups; geographical details; or information on specific events described in the applicant's statement.

"... in claimants' countries of origin (or in the case of stateless people, countries of former habitual residence), or countries of transit."
In the context of procedures to determine the need for international protection, the term "country of origin" refers to the country to which the person would be expected to return if his or her claim was denied. In most cases this will be the applicant's country of nationality, but for stateless persons this would be the country of his or her former habitual residence.

In addition, it may in some cases be important to gather information on the situation in countries of transit, including third countries in which the applicant may previously have applied for asylum. In the European Union, this relates mainly to cases where the Dublin II regulation determines which EU state is responsible for examining an asylum application.

"To qualify as COI it is essential that the source of the information has no vested interest in the outcome of the individual claim for international protection."
By including the term "vested interest", this last part of the definition helps to delineate between COI and other types of evidence. Having no vested interest in the outcome of a specific claim means that the person producing or authoring information used as COI is not personally involved in the asylum case for which this information is being used. Evidence can also be submitted by the asylum-seeker him- or herself. To qualify as COI, however, information must originate from a source which is not involved in the individual asylum claim. Journalistic articles, human rights reports, or reports on fact-finding missions which are used in asylum procedures are considered to be COI. Whereas, for example, photographs or videos taken by the asylum-seeker, or other documents authored by others having a vested interest in the claim form evidence, but do not fall within the category of COI.

Note that the absence of vested interest does not necessarily imply neutrality or impartiality: The author of a piece of information used as COI may well seek to make a certain point or introduce a particular perspective.

1.2 FROM EVENT TO INFORMATION

To gain a clear understanding of how COI is generated, it is important to consider how an event or a specific situation is transformed into information. This process can be visualised as follows:

EVENT ←	**incident/situation** something happens or is the case
←	**knowledge** somebody experiences, observes or knows about the incident or situation
←	**selection/filtering** somebody considers the incident/situation worth reporting or relaying
←	**reporting** somebody actually reports about the incident/situation
←	**accessibility** the information is made available in written or oral form, as images, or in other forms
←	**language** the information can be understood or is translated
←	**retrieval** the information is found
COI ←	**quality assessment** to be considered and used as COI it is important that the piece of information meets COI quality standards

This graph depicts the steps necessary to bridge the gap between the actual situation or incident and what becomes known to the decision-maker. It also illustrates why not all country information that might be needed can be found in practice. Every step depicted in the graph is a potential filter in the process of transforming an event into COI. It is important to be aware that not every event or situation in the country of origin makes its way to those involved in procedures for persons seeking international protection in the country of reception. The fact that no information on a specific incident or situation can be found does not automatically imply that the event did not happen or that the situation does not exist, nor does it necessarily undermine the truthfulness of the asylum-seeker's claim. This is especially relevant when the country of origin lacks freedom of expression and an independent press. Moreover, some events might be reported in the local language, but not be translated into a language understood by those looking for information in the country of reception.

1.3 FUNCTIONS AND ACTORS

Country of origin information is used at different stages of international protection procedures by all actors involved therein. This section deals with the functions of COI and the roles of the actors. The different phases of COI research are illustrated in the COI research cycle.

1.3.1 FUNCTIONS OF COI

COI first comes into play at the preparation stage for an applicant's asylum interview with a decision-making authority, or for his or her interview with a legal representative. In later stages, COI is needed for checking the facts related to the testimony of the asylum-seeker and to identify other potential risks to the applicant as well as to assess whether the person would be at risk of being subjected to persecution or serious harm in case of return to the country of origin.

Preparation
Both decision-makers and legal advisors should obtain an understanding of the general situation in the country of origin before an interview takes place. Depending on how much information on a case is available before the interview, decision-makers and legal advisors can identify important aspects of the claim beforehand and can thus prepare questions they need to ask.

TIP

For the preparation of interviews, you may refer to documents such as country reports, country profiles or fact sheets, for instance:

COI reports of the COI Service of the UK Home Office
 (see http://www.ukba.homeoffice.gov.uk/policyandlaw/guidance/coi)

The National Documentation Packages of the Immigration and Refugee Board of Canada (see http://www.irb-cisr.gc.ca/Eng/resrec/ndpcnd/Pages/index.aspx)

The country pages of the COI database ecoi.net with the categories "Country Background", "Maps", "National Laws" and "Important Documents" (see e.g. www.ecoi.net/afghanistan)

Checking the facts of a claim
The interview serves to gather the facts of a claim. This is a burden shared by the applicant and the decision-maker. During and after the interview, COI serves to cross-check statements made by the applicant and to establish the credibility of the testimony.

In its *Note on the Burden and Standard of Proof in Refugee Claims,* UNHCR states with regard to credibility assessments:

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 or 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 December 1998, para. 11)

In its manual *Building in Quality*, UNHCR states that doubts arising in relation to the applicant's testimony should be shared with the applicant for his or her comment or explanation. This includes any inconsistencies or contradictions with respect to COI. Applicants should have access to the same information as the decision-maker, so that he or she has the chance to challenge the accuracy or relevance of the information when it might lead to a negative credibility finding (UNHCR, September 2011, p. 26).

Supporting the assessment of future risk of persecution
COI plays an important role in assessing whether an individual would be at risk of being subjected to persecution or serious harm upon his or her return to the country of origin. It serves as a basis for the assessment of future risk which the decision-maker has to make when coming to his or her decision.

Beyond its function in individual decisions, COI can also serve as a basis for creating guidance notes relating to certain countries or profiles.

1.3.2 ACTORS: RSD PRACTITIONERS AND COI SERVICE PROVIDERS

We distinguish two main groups of actors dealing with COI in a professional capacity:

- **Practitioners in procedures for refugee status determination and other forms of international protection (RSD practitioners)**

    This group comprises decision-makers and judges in first and appeal instances as well as legal representatives, counsellors and advisors. The process of examining cases often leads to the identification of information gaps. Depending on their resources and the infrastructure they have at hands, RSD practitioners conduct COI research on their own or avail themselves of the services of COI service providers.

    In practice, most RSD practitioners have to conduct COI research as part of their everyday work. However, it is the *use* of COI for decision-making or for legal advice that is distinctive for this group.

- **COI service providers**

    This group comprises persons who provide COI services to support RSD practitioners. Their main task is *researching* COI. They compile and draft COI reports, query responses, fact sheets, documentation packages or other COI products.

Different approaches with regard to the function of COI service providers
In many European countries, in the United States, Canada, Australia and elsewhere, there are specific facilities providing COI services (COI units). Most of these units are part of either the public administration or the judiciary. Their primary purpose is to serve RSD practitioners working for state institutions. There

are also a few non-governmental organisations that provide COI services to legal advisors. The services of ACCORD, the COI department of the Austrian Red Cross, are open to all parties involved in procedures for determining international protection needs.

Various job titles are used for staff members of COI units. Some are called COI researchers, others COI analysts, COI experts, country experts or country specialists. These different designations may in some cases be mere synonyms for the same function; sometimes, however, they express different professional responsibilities and identities.

Generally, two different approaches can be distinguished:

The first approach understands COI service providers as experts in conducting neutral research and in presenting results in a transparent manner. They use sources without adding their own opinion or assessing the information; they do not draw any conclusions from the information they have found. Amongst others, the COI Service of the UK Home Office, the Research Directorate of the Immigration and Refugee Board of Canada and ACCORD follow this approach (Model 1).

The second approach understands COI service providers as country experts. Contrary to the above, they analyse the situation in a country and draw conclusions based on their own expertise, refraining however from legal assessment. An example of an institution that uses this method is the Norwegian COI Centre Landinfo, which is an independent body within the Norwegian Immigration Authorities. The Country of Origin Information report methodology of the European Asylum Support Office also reflects this approach (Model 2).

The table below contrasts the two above-mentioned models. It builds on and expands a table in the COI module of the European Asylum Curriculum (EAC – Module 5 – Country of Origin Information: Sub-Module 1, Chapter 1.3, Further Reading, Version 2.0, October 2011).

TASKS OF COI SERVICE PROVIDERS	ADVANTAGES	DISADVANTAGES
MODEL 1: Collecting, selecting and analysing information; presenting research results without adding the researcher's opinions or drawing conclusions.	Neutrality during research. Clear division of tasks between collection of information (COI service providers) and assessment of information (RSD practitioners).	RSD practitioners may be influenced by their view of other evidence or emotions towards the applicant when assessing the COI at hand. Refraining from conclusions by COI service providers places a higher burden on the decision-maker.
MODEL 2: Collecting, selecting, analysing *and* assessing the information; presenting research results with the addition of the researcher's opinions or conclusions.	Possibility of using the expertise of a COI service provider with country expertise for the assessment of COI. May contribute to increased consistency in decision-making.	Risk that COI service providers cross the line between assessment of COI and (legal) assessment of the case. Research products may be biased for the sake of consistency. Resource-intensive: requires COI units with many staff members to enable country specialisation; staff members have to be highly skilled academics with country expertise.

The European Asylum Curriculum mentions several organisational requirements for Model 2. In the quote below, the term *COI researcher* is used for the actors called *COI service providers* in this manual:

- The COI researcher must be a 'country expert', meaning that he must have built up considerable knowledge about a specific country or region through his research and possibly through fact-finding missions he has participated in. [...]

- The researcher needs to be provided with adequate training from both his fellow colleagues and from others specialising in the country or region [...].

- Appropriate time must be allocated to the researcher during his routine work for him to regularly keep up with events and developments in the country or region he is specialising in. Ideally, he should also be facilitated to regularly go on fact-finding missions to the country or countries in question.

- Both the researcher and the decision-maker need to be aware of the role of the assessment in this kind of model and the particular distribution of responsibilities. The decision-maker continues to have the overall responsibility for making the decision concerning the applicant's status. The assessment of information made by the COI researcher is only one out of the many tools the decision-maker can utilise and which can help him to gain a useful overview of the country situation and the case. COI and COI assessment should also be kept separate from asylum policy considerations.

- To guarantee the quality of the COI information product, including query responses containing assessment, a specific proof-reading and quality-checking process should be established. This process can be achieved through in-house checks and/or through the input of an external COI quality board.

(EAC, October 2011, Module 5, Sub-Module 1,
Unit 1.3, Limit 4, Further Reading Assessment, pp. 2–3)

The EAC COI module also mentions personal requirements and skills for COI researchers assessing country information:

The COI researcher should have, as a minimum, an academic degree, preferably in politics or history. He should be very competent if not fluent in several languages (at least his mother tongue and English, and ideally also a language spoken in his country or region of specialisation). (EAC, October 2011, Module 5, Sub-Module 1, Unit 1.3, Limit 4, Further Reading Assessment, p. 3)

ACCORD follows Model 1 for practical and methodological reasons. At ACCORD, four staff members are tasked with answering queries, drafting country reports and various duties with regard to quality control and processing information for the COI database, ecoi.net. They deal with queries covering about 60 different countries per year. Even though the work is basically divided along regions, each researcher potentially must be able to work on any country. The division of labour depends on the given workload for specific countries, personal leave, etc. While they fulfil the EAC's requirements for a country expert as regards education, experience and language skills, they cannot concentrate on one country or region in their everyday work. They have to have a sound understanding of the role of COI in procedures for

determining international protection needs, of sources and source assessment and of how to present their research results. Their neutral and impartial approach, language and research skills are their main assets. From a methodological point of view, Model 2 presents a great challenge as regards undue simplification and bias for the sake of consistency. While running text and information that has been summarised, analysed and assessed may be advantageous for some target groups, readers need more effort and time to trace information.

GOOD TO KNOW

The COI Service of the UK Home Office works according to Model 1. To increase consistency in decision-making on the administrative level, a policy unit at the UK Home Office prepares *Operational Guidance Notes* to support the handling of the most common types of claims. They "provide a brief summary of the general, political and human rights situation in the country and describe common types of claim. 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." (UK Home Office, last updated 25 June 2013)

See for example the Operational Guidance Note on Afghanistan from June 2013: http://www.ukba.homeoffice.gov.uk/sitecontent/documents/policyandlaw/countryspecificasylumpolicyogns/afghanistan.pdf?view=Binary

On a judicial level, the UK Asylum and Immigration Tribunal (AIT) has developed the *country guidance concept*. Since 2004, the Tribunal has regularly produced *country guidance determinations*. Robert Thomas from the University of Manchester examined this system in 2008. His findings are published in the International Journal of Refugee Law 20 (2008) under the title *Consistency in Asylum Adjudication: Country Guidance and the Asylum Process in the United Kingdom* (Thomas, 2008).

1.3.3 THE COI RESEARCH CYCLE

The different phases of researching and using COI can be described as a cycle that begins with the formulation of questions related to a specific case and proceeds via the consultation of sources to the research phase. This is followed by the documentation and presentation of research results. The RSD practitioner evaluates and assesses the information against an individual claim and will include these results in a decision or an appeal.

The cycle below shows the division of labour between the COI service provider and the RSD practitioner. The RSD practitioner is in charge of the case and formulates COI questions on the basis of the applicant's statements and other evidence. The questions are the central communication tool for the RSD practitioner with the COI service provider. The COI service provider takes these questions as a starting point for

the research process. In this process, sources are consulted and the results of research are finally documented and presented to the RSD practitioner. Now a decision-maker can make use of this information as a resource for assessing the applicant's credibility and for deciding on an applicant's need of international protection. A legal representative may want to strengthen a client's argumentation by using COI.

It is essential that COI quality standards are adhered to in each phase of the research cycle.

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    RSD PRACTITIONER                              COI SERVICE PROVIDER
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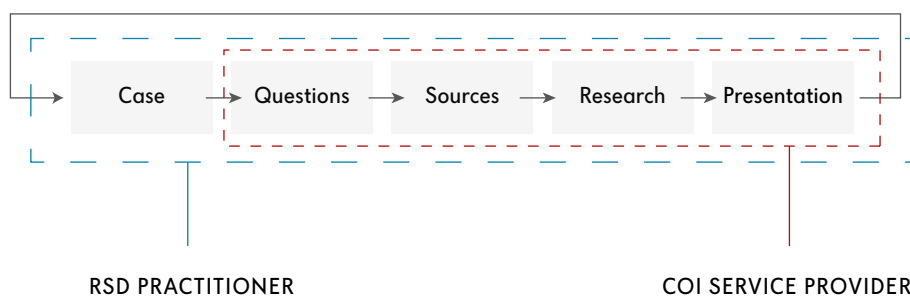
As noted above, many RSD practitioners have to conduct COI research themselves, using the results for their assessment. In this case, they should make a clear distinction between these two tasks. It is important to be aware that researching COI on the one hand and making decisions or constructing legal arguments on the other hand require different mindsets. COI research needs to be performed as neutrally as possible; premature conclusions or assumptions might influence the research process, whether consciously or unconsciously.

1.4 COI AS EVIDENCE

From a legal point of view, COI constitutes evidence in international protection procedures.

This is, for instance, reflected in legislation within the European Union. The 2011 EU Asylum Qualification Directive states that the assessment of an individual case has to take into account

> 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. (EU Asylum Qualification Directive 2011, Article 4 (3) (a))

The 2005 EU Asylum Procedures Directive stipulates in Article 8 (2) that member states shall ensure that

> precise and up-to-date information is obtained from various sources, such as the United Nations High Commissioner for Refugees (UNHCR), as to the general situation prevailing in the countries of origin of applicants for asylum and [...], where necessary, in countries through which they have transited, and that such information is made available to the personnel responsible for examining applications and taking decisions. (EU Asylum Procedures Directive 2005, Article 8 (2) (b))

Based on the function of COI as evidence, it is necessary to briefly reflect on the burden and standard of proof in the context of international protection; this will help us to better understand the implications for COI research.

Burden of proof

UNHCR outlines important principles for balancing the duty of the asylum applicant to present and substantiate the facts of his or her individual claim and the duty of the decision-maker to produce necessary documentation that helps to ascertain the facts.

The UNHCR *Handbook and Guidelines on Procedures and Criteria for Determining Refugee Status* emphasises a shared duty between the applicant and the examiner when it comes to ascertaining and evaluating all the relevant facts:

> It is a general legal principle that the burden of proof lies on the person submitting a claim. Often, however, an applicant may not be able to support his statements by documentary or other proof, and cases in which an applicant can provide evidence of all his statements will be the exception rather than the rule. In most cases a person fleeing from persecution will have arrived with the barest necessities and very frequently even without personal documents. Thus, 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 disposal to produce the necessary evidence in support of the application. Even such independent research may not, however, always be successful and there may also be statements that are not susceptible of proof. In such cases, if the applicant's account appears credible, he should, unless there are good reasons to the contrary, be given the benefit of the doubt. (UNHCR, January 1992, para. 196)

In its *Note on Burden and Standard of Proof*, UNHCR writes:

> [...] In view of the particularities of a refugee's situation, the adjudicator shares the duty to ascertain and evaluate all the relevant facts. This is achieved, to a large extent, by the adjudicator being familiar with the objective situation in the country of origin concerned, being aware of relevant matters of common knowledge, guiding the applicant in providing the relevant information and adequately verifying facts alleged which can be substantiated. (UNHCR, 16 December 1998, para. 6)

For the assessment of refugee claims by vulnerable individuals, children, disabled persons and women, special efforts need to be made to gather relevant COI. Particularly as children may not have sufficient knowledge of conditions in their country of origin. In its *Guidelines on Asylum Claims of Children*, UNHCR posits:

> Although the burden of proof usually is shared between the examiner and the applicant in adult claims, it may be necessary for an examiner to assume a greater burden of proof in children's claims, especially if the child concerned is unaccompanied. If the facts of the case cannot be ascertained and/or the child is incapable of fully articulating his or her claim, the examiner needs to make a decision on the basis of all known circumstances, which may call for a liberal application of the benefit of the doubt. Similarly, the child should be given the benefit of the doubt should there be some concern regarding the credibility of parts of his or her claim. (UNHCR, 22 December 2009, para. 73)

Standard of proof

Rules on standard of proof are of particular relevance to how much and which kind of information the decision-maker needs in order to decide whether an applicant has a well-founded fear of persecution.

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:

> 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. [...] 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. [...] (UNHCR, 16 December 1998, paras. 18–19).

The term standard of proof refers to the "the threshold to be met by the applicant in persuading the adjudicator as to the truth of his/her factual assertions" (UNHCR, 16 December 1998, para. 7). It is important to note that refugee status determination is not a criminal procedure. The facts necessary to recognise someone's refugee status need not be proven, but have to be credible.

Legal systems in countries such as Australia, Canada, New Zealand, the United Kingdom and the United States, have developed a number of formulas to describe the standard of proof needed under refugee law for determining how well-founded the fear of being persecuted is; for example, "good grounds", "reasonable chance" or "serious possibility". These formulas are meant to suggest a risk that is not remote and can nevertheless have a probability of under 50% (Gorlick, 2002, pp. 9–12).

In the leading case of *INS v. Cardoza-Fonseca*, the US Supreme Court assessed "reasonable probability" and stated:

> There is simply no room in the United Nations' definition [of "refugee"] for concluding that because an applicant has a 10% chance of being shot, tortured, or otherwise persecuted, that he or she has no "well-founded fear" of the event happening. [...] [A] moderate interpretation of the "well-founded fear" standard would indicate "that so long as an objective situation is established by the evidence, it need not be shown that the situation will probably result in persecution, but it is enough that persecution is a reasonable possibility". (INS v. Cardoza-Fonseca, 1987, 480 US 421)

Civil law jurisdictions have been less formalistic about the standard of proof required. Reference is sometimes made to the "plausibility" or "considerable likelihood" of persecution, indicating a combination of a coherent and credible testimony, backed up by what is known about the country of origin.

UNHCR reminds state parties to the 1951 Refugee Convention that after "the applicant has made a genuine effort to substantiate his story" (UNHCR, January 1992, para. 203), and once the decision-maker is satisfied with an applicant's overall credibility, he or she should give the benefit of the doubt to an applicant with regard to missing pieces of evidence (UNHCR, January 1992, para. 203f).

The EU Qualification Directive 2011 has specified the principle of the benefit of the doubt in Article 4 (5) for those states that require the applicant to substantiate his or her asylum claim. According to the directive, where aspects of the applicant's account cannot be supported by evidence, the benefit of the doubt has to be given to the applicant if the following cumulative 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 has been given regarding any lack of other relevant elements;

(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.

(EU Asylum Qualification Directive 2011, Article 4 (5))

Burden and standard of proof in connection with cessation and exclusion
The question of burden and standard of proof also becomes important in connection with procedures related to the cessation of refugee status under Article 1 C of the 1951 Refugee Convention.

In situations where circumstances in the country of origin may have changed and cessation of the refugee status is considered, the "burden rests on the country of asylum to demonstrate that there has been a fundamental, stable and durable change in the country of origin" (UNHCR, 10 February 2003, para. 25 (ii)).

Where exclusion under Article 1 F of the 1951 Refugee Convention is being considered (e.g. if the applicant has been a member of an armed group that has been involved in war crimes or crimes against humanity), the standard of proof is that of "serious reasons for considering" that the person comes within the provisions of Article 1 F (a-c). This requires credible and reliable information (UNHCR, 4 September 2003, paras. 34–36).
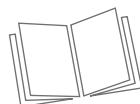
UNHCR's Note on Burden and Standard of Proof in Refugee Claims, 16 December 1998, includes a discussion on the relevant standards in civil and common law jurisdictions
http://www.unhcr.org/refworld/docid/3ae6b3338.html

1.5 SCOPE AND LIMITS OF COI

1.5.1 SCOPE OF COI

According to the definition above, COI deals with human rights questions, the security situation, the political, societal and legal situation, events and incidents, as well as the humanitarian, economic, cultural and geographical conditions in a given country. 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 a backdrop for understanding rationales and motives behind persecution.

COI can help to answer two types of questions: protection-related questions and questions related to establishing credibility. An understanding of these two categories of questions helps to recognise what type of information falls within the scope of COI and when its boundaries are reached. Of course, in practice, protection-related questions and credibility questions often overlap.

Protection-related questions
What is the current political and security situation in Casamance in Senegal? How do authorities react to actions by founders, leaders or members of the civic organisation called 'Our town' in the Kaliningrad region (Russian Federation)? Is homosexuality a crime in Pakistan? What is the role of the Mahdi militia and how can the relationship between Sunnis and Shiites in Iraq be described?

Protection-related questions are closely connected to the substance of a claim for international protection. They deal with the applicant's fear of being persecuted on one or more of the five grounds mentioned in the 1951 Refugee Convention; or with violations of human rights, which form the basis for a claim to complementary protection. The purpose of asking protection-related questions is to receive information which helps assess the risk an applicant might face upon return to his or her country of origin.

Credibility questions
Does a doctor who wishes to work in Erbil need authorisation from Baghdad? What kind of documents do refugees receive when they are registered in the Abu Shouk refugee camp run by the Red Cross? What is the currency in Mongolia and what are the note and coin denominations in circulation?

In asylum procedures, the testimony of the asylum-seeker is the most important evidence. The assessment of the credibility of an applicant's statement is therefore an important element of refugee status determination.

To assess the applicant's credibility, his or her evidence has to be analysed with regard to its sufficiency of detail and specificity, its internal and external consistency, its consistency with available COI, and the statement's overall plausibility. COI requested for the purposes of assessing the credibility of an asylum-seeker may relate to specific events, persons or situations featured in the applicant's statement. Alternatively, such COI may relate to particular aspects of the applicant's country and region of origin, such as geography, topography, culture and history, which will be used to test the veracity of the applicant's statements. Such COI may also come in the form of background information on the political, religious or ethnic group the applicant claims to belong to.

Confirmation of details contained in the applicant's testimony will often not be possible. Credibility research of this type can be particularly time-consuming and resource-intensive, often without yielding the results needed, either in terms of the substance of the response, or in terms of the quality and reliability of the sources found.

RSD practitioners should make sure that the information they seek is crucial to the decision in the individual case. They should also bear in mind that an asylum-seeker does not need to prove all the facts of his or her case. COI can support certain statements made by the applicant, but even exhaustive COI research is unlikely to produce independent corroboration of all of the applicant's statements. Where the applicant's overall credibility has been established, it is frequently necessary to give the applicant the benefit of the doubt on the remaining aspects of his statement (UNHCR, January 1992, paras. 203–204).

In March 2013, the International Association of Refugee Law Judges published a paper directed to judges and other decision-makers providing guidance for the application of EU asylum law and offering criteria and standards for credibility assessment.
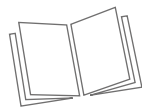
International Association of Refugee Law Judges: Assessment of Credibility in Refugee and Subsidiary Protection claims under the EU Qualification Directive, Judicial criteria and standards, March 2013
http://www.iarlj.org/general/images/stories/Credo/Credo_Paper_March2013-rev1.pdf

UNHCR: Beyond Proof. Credibility Assessment in EU Asylum Systems, May 2013
http://www.unhcr.org/51a8a08a9.html

The field of COI
A way of visualising the scope and limitations of COI is by drawing a co-ordinate system that allows us to map the "field" of COI, indicating the type of questions COI can address as well as the limitations of COI.

general country situation

FIELD OF COI

context of testimony, credibility (past)

risk of persecution upon return (future)

applicant's personal circumstances
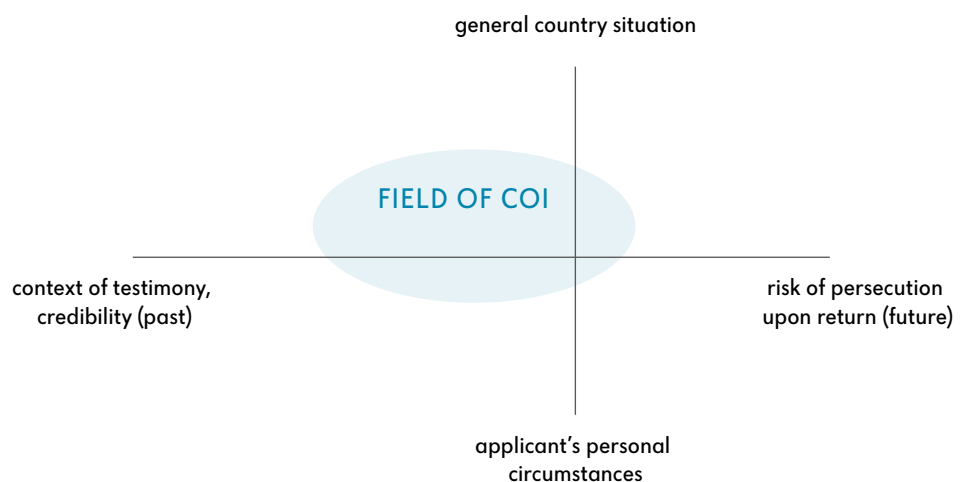
The horizontal axis depicts a time line from the past to the future. Events that took place before the asylum-seeker left his or her country of origin are placed on the left. Questions relating to the risk of

persecution upon return relate to events in the future and are placed on the right-hand side of the diagram. The vertical axis runs from information that pertains to the personal circumstances of an individual applicant at the bottom of the diagram to the general information about the situation in the country of origin at the top of the diagram.

As the field of COI in the diagram illustrates, the strength of COI lies mainly in informing about facts related to the general (human rights) situation in a country rather than in cross-checking details of an applicant's personal circumstances.

Thus, COI research is more likely to find relevant information from reliable sources when working on a question such as

"Do university regulations in Nigeria allow students to establish groups for the promotion of certain cults, and what is the situation of student members of such groups?"

than when trying to answer a question such as

"Was Mr XY a member of the Nigerian campus cult group called 'the Pirates' at the University of Ibadan from 1986 until 1990?".

The main exception to this general rule is when the question concerns a person with a high public profile, whose acts, statements and decisions have been reported in the media.

As the field of COI in the diagram also shows, COI relates almost exclusively to past events. While COI is an important input for the assessment of the future risk of persecution in the case of a claimant's return to his or her country of origin, COI research focuses on documenting past events as opposed to forecasting future events. In any case, COI research must refrain from making assessments about future events as this task is part of evidence assessment and clearly belongs to the sphere of decision-making.

1.5.2 LIMITS OF COI

A number of limitations of COI were already touched upon above. In this section we will take a more detailed look at the limits of COI.

COI is not risk assessment
COI research comprises the collection and selection of information, the assessment of sources and the analysis of the material compiled in order to present it in a clear and verifiable manner. Risk assessment on the basis of the information presented forms part of the use of COI. It is up to the RSD practitioner to draw conclusions related to the individual claim and to make a prognostic assessment. In doing so, he or she should be aware of the difference between research and use of COI, and separate them carefully.

For example, the question *"Is there an internal protection alternative available in Somalia for people fleeing from the Al-Shabaab?"* exceeds the limits of COI by implying a risk assessment. Internal protection alternative (IPA) is a legal concept. COI can be useful and necessary to inform decisions on the existence of an IPA. Assessments concerning IPA and decisions on it, however, are in the hands of the decision-maker. Therefore, the research question should be reformulated (see the research tree on IPA, section 3.2.4).

The need to protect the personal data of the applicant

When conducting COI research, the applicant's personal data must be protected under all circumstances. Persons or institutions in the country of origin must not be contacted if there is a danger of harming the applicant or his or her affiliates. Be aware that the mere act of contacting someone in the country of origin may in itself give away key information, such as the fact that the applicant is alive and seeking asylum in your country. This may in turn constitute a new *sur place* risk of persecution or might place family members at risk, etc.

For instance, if we want to find out whether an applicant was a member of an Iranian opposition group, it might be tempting to contact this group directly if we have its contact details. However, we must be aware that it could be possible for the Iranian intelligence service to intercept communication with this organisation. Thus, forwarding information about the applicant might gravely endanger the applicant or his or her affiliates or even the organisation we are contacting. Therefore, in this case, this research strategy is not an option.

COI evidence is commonly inconclusive

COI supports decision-makers and legal advisors in their assessment of claims for international protection. COI can help to foster understanding of the context of an applicant's claim; it may corroborate an applicant's statements; and it supports decision-makers in judging the applicant's risk of future persecution. However, COI seldom provides conclusive answers concerning a person's credibility or his or her need of international protection. COI frequently leaves room for interpretation.

COI is often too generic

While information about the general human rights situation in a country of origin may be available, less information (or sometimes no information at all) will be available about people who find themselves in the specific circumstances of the applicant. We will, for example, find a lot of reports and articles on a demonstration in Iran. It is, however, unlikely to find information about the participation of a specific person in this demonstration, unless this person is well-known and therefore reported on. Even if information about individuals which are not publicly known is found, it often comes from sources with questionable reliability and cannot be corroborated.

The lack of information may particularly affect women seeking asylum, since gender-based persecution often takes place in the private sphere and as a result is less widely reported on. Information on elderly people, children, LGBTI persons or other vulnerable groups may also be scarce because general reports often do not consider the different groups and their specific living situation.

Sometimes COI is not available at all

There are various reasons why at times no information can be found about a question or issue at stake. The more problematic the situation in a given country is, the more difficult it can be to obtain information about the precise circumstances in that country, due to restrictions placed on the media and independent human rights monitors. Limitations of access for international press or human rights missions are often aggravated by a lack of independence within the national media, self-censorship or restrictions on freedom of movement. The presence of international organisations, the communication infrastructure of a specific country or a functioning and diverse civil society are also aspects that influence the availability of information.

Other more practical aspects such as time constraints also sometimes limit the information that can be found.

And last but not least, the question itself influences whether information can be gathered. A question can be too general or too specific, misspellings of names, places or groups can hinder the finding of results. Sometimes, even if sources are found that are able to provide information, they may not agree to forward information for the purpose of international protection.

Language constraints and English as the dominant language in human rights/humanitarian reporting
In practice, one of the obstacles in accessing COI is language. The majority of documents commonly used as COI (UN documents, reports by international human rights NGOs, etc.) are published in English. Those who do not understand English may find that they have only a limited range of COI sources to work with. Conversely, a lot of information published in the languages of countries of origin, including reports in local and national media and information published by local and national institutions, remains inaccessible to those who lack the respective language skills.

1.6 SUMMARY

✔ COI is evidence in procedures for persons seeking international protection and supports decision-makers and legal advisors (RSD practitioners) in the assessment of an individual claim.

✔ COI is used during the preparation of the interview, to examine the statement of the claimant and to support the assessment of future risk. It helps to answer questions related to protection and to credibility.

✔ Not every event or situation in the country of origin makes its way to those involved in the procedure of international protection in the country of reception. The fact that no information on a specific incident or situation can be found does not automatically imply that the event did not happen or that the situation is not the case, nor does it necessarily undermine the truthfulness of the asylum-seeker's claim.

✔ COI ends where guidance and decision-making begins. Risk assessment forms part of the duties of the decision-maker or the lawyer.

POINTS TO REMEMBER FOR PRACTICAL WORK

For RSD practitioners:	For COI service providers:
▪ When conducting research yourself, separate research from assessing the case.	▪ Take a critical look at the research questions you receive.
▪ Avoid preliminary judgements and be careful not to ignore information for the sake of consistency.	▪ If a question goes beyond the limits of COI, contact the person who submitted the request and try to reformulate it. A different focus, a new wording or a specification might bring it back within the scope of COI.
▪ When instructing COI service providers with research tasks, be careful to formulate your COI questions in such a way that they do not go beyond the limits of COI.	▪ Refrain from legal assessment of information.

2 COI QUALITY STANDARDS AND PRINCIPLES

Procedures for determining international protection needs have a decisive impact on people's lives. For this reason, it is important for everyone dealing with COI to have a framework for assessing the quality of the information they produce or use. In the 2001 meeting of the Global Consultation on International Protection it was considered undisputed that "[d]ecision-makers should have access to accurate, impartial and up-to-date country of origin information from a variety of sources" (UNHCR, 31 May 2001, para. 50j; UNHCR, February 2004, para. 4). Even though national procedures for persons seeking international protection differ, they all need COI for assessing and deciding on claims. COI quality standards have been developed to ensure that COI can contribute to fair and efficient procedures.

The quality standards "relevance", "reliability and balance", "accuracy and currency" and "transparency and traceability" rest on the basic principles of "impartiality and neutrality", "equality of arms as regards access to information", "using public information" and "data protection".

Together, the standards and principles help those who research and use COI reach the maximum possible objectivity.

At the end of this chapter, an overview on developments regarding COI quality standards is provided.

Content of chapter 2:

LEARNING OBJECTIVES

Having studied this chapter, readers will be able to

» identify and explain COI quality standards
» identify and explain principles for researching and using COI

2.1 COI QUALITY STANDARDS

This section provides an overview on and a general understanding of the main quality standards for researching and using country of origin information.

The standards are presented in the order in which they appear in the research cycle. Beginning with the formulation of relevant research questions, continuing with finding reliable sources and balancing sources as well as accurate and current information, and concluding with the presentation of research results in a transparent and traceable manner:

Question	Sources	Research	Presentation
Relevance	Reliability and balance	Accuracy and currency	Transparency and traceability
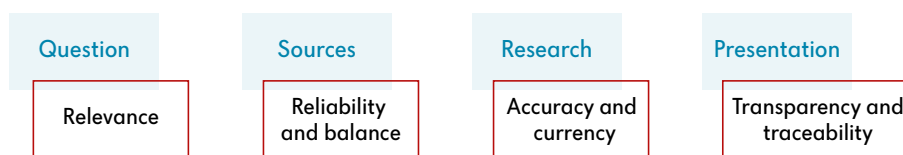
2.1.1 RELEVANCE

> COI used for deciding on international protection needs is relevant when it is based on questions rooted in legal concepts of refugee and human rights law or on questions derived from an applicant's statements.

Information about the conditions in a given country qualifies as COI when it serves to support the assessment of international protection needs. Information therefore has to be relevant to the circumstances of the applicant and to the issues raised by the case: relevance is determined by whether the information helps to assess if the applicant has a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion. When the applicant is applying for a complementary form of protection, such as subsidiary protection or protection on humanitarian grounds, relevance means that the information needs to help the decision-maker in the assessment of whether the applicant meets the criteria for the respective form of protection (e.g. risk of serious harm).

The following three examples are questions related to persecution, to complementary protection, and to credibility. The question "What is the situation of Christians in the Kurdistan region of Iraq? Have there been any incidents targeting members of this group in the past year?" is related to persecution, whereas the question "Is there any assistance for single mothers in the Kurdistan region of Iraq? Do they receive any form of social support by the state? Can they make a living on their own?" may aim at establishing whether there is an Internal Protection Alternative or grounds for granting complementary protection. The question "Was there a demonstration organised by Christians in Hamdaniya in the Kurdistan region of Iraq in the beginning of March 2010? How many people participated in the demonstration?" might aim at corroborating an important detail of the testimony of an applicant and is asked with the intention of establishing the credibility of this testimony.

In order to be relevant, the information needs to be specific: For example, to assess whether a lesbian woman may have a well-founded fear of persecution in her country of origin, information about the treatment of gay men may be of limited relevance.

Relevance can only be achieved if RSD practitioners define exactly what information they need. Thus, one of the main challenges to ensure relevance is the formulation of questions relating to the core human rights issues, the substance, the material facts of the case, and the subsequent transformation of these questions into researchable topics.

In settings in which RSD practitioners can forward questions to COI service providers, it is crucial that both know about the working reality of the other: On the one hand, COI service providers should be aware of the legal background of the asylum procedure; on the other hand, RSD practitioners should be aware of the fact that it is a challenging job for the COI service provider to find and filter information according to somebody else's needs. The joint aim for both should be to clarify the terms of reference before the actual research process begins. When conducting research, the COI service provider should be in the position to decide whether a certain piece of information will actually be of value for the RSD practitioner or not.

In settings where RSD practitioners conduct COI research themselves, it is advisable to clearly separate the different "working modes" and mindsets of formulating questions on the one hand and of the research process on the other hand. This can help to concentrate on the most relevant issues and not be driven away by minor points.

An overview on international and regional human rights instruments related to protection can be found in Appendix A to this manual. A detailed discussion on and examples for formulating relevant questions can be found in chapter 3.

2.1.2 RELIABILITY AND BALANCE

Decisions on international protection needs should be based on COI from reliable sources, taking into account the source's political and ideological context as well as its mandate, reporting methodology and motivation.

As each source has its own perspective and focus, different sources and different types of sources should be consulted to achieve the most comprehensive and balanced picture possible.

The quality of research results depends to a large extent on the reliability of the sources that produced the information used. It is necessary to include a range of sources in order to create a more comprehensive account of the situation and to balance out biases of individual sources.

Knowledge of frequently used sources of COI and awareness of different types of sources (e.g. UN, governments, NGOs, media, academics) are essential for both COI service providers and RSD practitioners. Adopting a careful and critical approach towards sources in general, and being able to recognise dubious

and biased sources and knowing how to deal with them belong to the basic skills of all persons dealing with COI.

Both COI service providers and RSD practitioners need to be able to assess sources based on specific criteria. Every source has its own perspective and works in a certain context with a particular mission and mandate; behind each publication there is a specific intention and methodology.

Although sources striving for objectivity will always be preferable, a biased approach need not be a ground for disqualification. Information from sources with a certain bias can be of value as long as the bias is taken into consideration and balance is sought by checking other sources.

Therefore many different sources, and different types of sources, should be consulted in order to achieve the most complete and balanced picture possible.

In the context of the European Union, the standard of reliability and balance can also be seen as a legal requirement set forth by Article 8 (2) (b) of the EU Asylum Procedures Directive 2005. The EU regulation on establishing the European Asylum Support Office (EASO) in 2010 strengthened this standard by the obligation of the EASO to make use

> of all relevant sources of information, including information gathered from governmental, non-governmental and international organisations and the institutions and bodies of the Union. (EASO Regulation, 2010, Article 4 (a))

For member states of the Council of Europe, the European Court of Human Rights has provided important guidance in the case *NA. v. The United Kingdom:*

> In assessing such [COI] material, consideration must be given to its source, in particular its independence, reliability and objectivity. Regarding reports, the authority and reputation of the author, the seriousness of the investigations by means of which they were compiled, the consistency of their conclusions and their corroboration by other sources are all relevant considerations. (NA. v. The United Kingdom, ECtHR, 17 July 2008)

The knowledge and assessment of sources is discussed in detail in chapter 4. The balancing of sources is discussed in section 5.4 on cross-checking. Appendix B contains brief descriptions of frequently used sources.

2.1.3 ACCURACY AND CURRENCY

Only information that is correct and valid at the time a decision is made should be used. Accuracy and currency can be achieved by cross-checking and corroborating information.

Accuracy and currency are quality standards that refer to the correlation between a piece of information and the actual situation. Accuracy is a straightforward notion in relation to some matters like names and dates, but more contested in relation to others (for example the treatment of members of certain minority groups by society at large).

Currency of information can be understood as one crucial component of accuracy. Information is current if it reflects an event or a situation as it stands at the time of researching. In some cases, a report that is several years old may still be accurate, while in other cases yesterday's newspaper article may have been rendered obsolete by more recent events. In many situations, older reports on certain cultural, historical or religious issues will remain accurate for longer periods since these facts (e.g. a historical event, an ancient religious rite) do not change quickly with time.

The most common method of testing accuracy and currency of information in the field of COI is cross-checking. Several reliable sources of different types should be identified that report on a specific issue, and the information provided by each of these sources should be compared and contrasted. The less reliable a source is considered to be, the more cross-checking needs to be done. Where contradictions between different sources cannot be resolved (for example where there is no agreement on whether certain human rights abuses continue or have been brought to an end), including information from sources giving different perspectives is imperative.

Ideally, every piece of information should be corroborated by different types of sources (UN report, international or local human rights organisations, international or local media, expert opinion) that do not quote each other. Where this is not possible – and often it won't be – COI service providers should provide the available information and in addition mention that other sources were consulted unsuccessfully. RSD practitioners, on the other hand, have to decide whether to use the information even though no corroborating information is available. If the information is "an undisputed fact" (Common EU Guidelines for processing Country of Origin Information, 2008, p. 12) such as "Moscow is the capital of the Russian Federation", corroboration is not necessary. Information known to be false must not be used.

We suggest corroborating information which is central to the question or which has an impact on a decision by using three different types of sources.

Accuracy of information depends largely on a good research strategy and professional research skills. It is closely related to a source's reliability and to balancing information attained through the use of multiple sources. Research strategies may involve methods of verifying information found in reports by consulting sources on the ground. While this method may lead to valuable information, it is only feasible in exceptional cases. Even when a fact-finding mission is possible, it does not guarantee absolute accuracy. It must

also be weighed against considerations of data protection (EU Common Guidelines on (Joint) Fact Finding Missions, November 2010).

The standard of accuracy and currency has also been enshrined in EU legislation which includes the requirement that "precise and up-to-date information is obtained from various sources" (EU Asylum Procedures Directive 2005, Article 8 (2) (b)). Furthermore, the EU Asylum Qualification Directive 2011 reinforces the requirement of currency by stipulating that "all relevant facts as they relate to the country of origin at the time of taking a decision on the application" must be taken into account (EU Asylum Qualification Directive 2011, Article 4 (3) (a)).

Further details on research strategies and research skills as well as on cross-checking are presented in chapter 5.

2.1.4 TRANSPARENCY AND TRACEABILITY

> To ensure transparency, COI should be fully referenced to enable readers to independently verify and assess the information. Every piece of information should be traceable to its source. Information should be clearly presented and its meaning must not be distorted.

The quality standard of transparency and traceability requires that information is presented in a clear, concise, unequivocal and retrievable manner. COI should be made available in written format in order to avoid misunderstandings and distortions.

An administrative decision or a court ruling bears more authority if the information referred to can be traced and checked. Applicants' representatives can support their legal argumentation by providing transparent information.

A COI product is only transparent if every piece of information is referenced, enabling readers to independently verify and assess the information provided.

It should be indicated clearly which piece of information comes from which source. If the name of a source has to be protected, a description of the source should be provided.

The structure and language should ensure that the material can be easily understood. In the process of translating or paraphrasing, the content and meaning of the information must not be distorted.

Information found in various sources should not be "shaken and stirred". It is not sufficient to provide a list of sources at the end of a report/decision without referencing the information within the text.

More on presenting information in a transparent and traceable manner can be found in chapter 6.

2.2 PRINCIPLES FOR RESEARCHING AND USING COI

The standards described above rest on basic principles that should be observed when researching and using COI. While technical skills and an understanding of international protection are needed to adhere to quality standards, the principles form a frame around the standards and aim at contributing to fair procedures. A neutral and impartial approach to COI is essential to achieving valid research results. Equality of arms and data protection are legal requirements in many countries. The use of public information strengthens fairness and quality.

2.2.1 NEUTRALITY AND IMPARTIALITY

> COI research should be conducted in a neutral manner with regard to the outcome. COI service providers should be impartial with regard to their clients.

Research should be approached with neutrality regardless of whether it is conducted by an RSD practitioner or a COI service provider. The principle of neutrality means that the research process must not be influenced by any interest in the outcome.

Where a division of labour between COI service providers and RSD practitioners is in place, the COI service providers must be impartial with regard to their clients. This implies that COI service providers should not have any stake in the procedure, even if they are employees of a decision-making authority or a court. For COI units, formal independence from the stakeholders of the procedure can strengthen impartiality. If this is not the case, it is recommended to separate COI units from the decision-making process and from policy-making.

If a state authority, a court or an organisation legally representing applicants has a sound understanding of the role of COI within the RSD procedure, it will ensure that COI service providers enjoy the impartiality they need in order to be neutral with regard to the information they find. Requests by RSD practitioners submitted to COI service providers should not be formulated in a way that suggests a bias in favour of or against a certain research result.

The role of RSD practitioners, on the other hand, can differ with regard to impartiality. In accordance with their mandate of supporting their client, legal advisors will submit those reports to the authorities that support 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 supporting a case does little service to high quality legal representation.

In order to be able to assess COI against an individual claim, decision-makers should make use of sufficient relevant information from reliable sources. No relevant information, be it of advantage or of disadvantage to the applicant, should be withheld or ignored.

2.2.2 EQUALITY OF ARMS AS REGARDS ACCESS TO INFORMATION

> COI should be equally available to all decision-making bodies and to legal advisors of applicants in procedures for persons seeking international protection. Applicants must have access to the information a decision is based on, so that they may comment on it.

The principle of "equality of arms as regards access to information" aims at ensuring that the applicant (and his or her legal representative or advisor) is aware of the information used to decide the claim. It thus strengthens the fairness of procedures. Equality of arms is part of the right to a fair trial before courts and tribunals. Applications of persons seeking international protection are administrative procedures in most countries, and will only come before a court or a tribunal in case of appeal. However even in administrative procedures, claimants shall be informed about the evidence used and should have an opportunity to comment on it. The European Union has stipulated the right of access to information for legal assistance of the applicant in the EU Asylum Procedures Directive (EU Asylum Procedures Directive 2005, Article 16 (1)).

2.2.3 USING PUBLIC INFORMATION

> To support fair procedures, publicly available information should be used. Public information is open to review and scrutiny by the applicant, experts and the public at large.

Public information is defined as information that is not confidential or subject to limited distribution, and is therefore traceable. While the use of public information on countries of origin is undisputed, the positions on using and producing restricted information may differ from country to country.

Both UNHCR (February 2004, pp. 10–12) and the IARLJ (2006, pp. 12–13) recommend the use of publicly available and accessible information as an important quality criterion for COI. The use of public information ensures that the information is open to review, verification, or examination by the asylum applicant, experts and the public at large.

Using – and producing – public information directly serves the quality standard of transparency and traceability; furthermore, it serves the standard of accuracy and currency by allowing others to scrutinise the information and contribute to corrections and amendments. It is desirable that COI reports or query responses are made available to the public.

This principle, however, cannot justify the violation of the protection of the applicant's data or the endangering of persons or organisations that share information.

Source protection

Requesting information from contact persons in the country of origin might put them at risk. Such a risk might concern the personal safety of contact persons and their family, or the ability of an organisation to conduct its activities on the ground. Security concerns and internal guidelines should be respected when deciding whether to make a particular piece of information public.

2.2.4 DATA PROTECTION

> The personal data of a claimant and information that potentially may make the claimant identifiable must be protected and should never – directly or indirectly – be shared with the alleged persecutor.

All actors involved in RSD procedures – be it decision-making bodies, COI service providers or legal advisors – must protect the personal data of the applicant. Personal data must not be shared with anyone without explicit and informed consent by the applicant. In particular, personal data must never be shared directly or indirectly with the alleged persecutor. Special care should be taken when contacting embassies or other institutions or contact persons; information requests might indirectly point to the applicant or his or her associates or relatives.

It is essential that the personal data of an applicant are protected at all stages of the procedure, to prevent them from falling into the wrong hands. Failure to do so may seriously endanger the applicant or his or her relatives or associates; it may even result in the applicant becoming a refugee *sur place* (for more details see UNHCR, February 2004, pp. 13–17). The principle of data protection is binding for EU member states; it is embodied in the EU Asylum Procedures Directive 2005 in Article 21 and Article 41.

2.3 DEVELOPMENTS RELATED TO COI QUALITY STANDARDS

After UNHCR's paper on country of origin information was released in 2004, the first edition of ACCORD's COI training manual, *Researching Country of Origin Information*, was published in the same year. Since then, several initiatives have contributed to the development and distribution of COI quality standards.

Some initiatives originated from units responsible for COI research within the European Union, motivated by a desire to strengthen practical cooperation among EU member states. The International Association of Refugee Law Judges has also published a checklist for judges who have to decide on international protection claims.

The following timeline gives a quick overview of publicly available documents that have been developed in transnational settings:

2004	UN High Commissioner for Refugees
	Country of Origin Information: Towards Enhanced International Cooperation

2004	Austrian Red Cross/ACCORD
	Researching Country of Origin Information. A Training Manual

2006	International Association of Refugee Law Judges (IARLJ)
	Checklist on judicial criteria for assessing COI

2008	Selected EU member states (GDISC-project)
	Common EU Guidelines for processing Country of Origin Information (COI)

2010	European Country of Origin Sponsorship (ECS)
	EU common guidelines on (Joint) Fact Finding Missions

2012	European Aslyum Support Office (EASO)
	EASO Country of Origin Information report methodology

2013	Austrian Red Cross/ACCORD
	Researching Country of Origin Information - Training Manual, 2013 edition

The UNHCR paper *Country of Origin Information: Towards Enhanced International Cooperation* aimed at assisting "the development of country of origin information standards, tools, and mechanisms, hence, contribute towards more consistency in decision-making" (UNHCR, February 2004, p. 1). This paper focussed on the use of COI and formulated quality standards.

Within the framework of the project "COI Network & Training", co-funded by the EU, a transnational network under the lead of the Austrian Red Cross/ACCORD published the COI training manual *Researching Country of Origin Information* in September 2004. The COI quality standards are based on the 2004 UNHCR paper on COI and were developed further through consultations with various governmental and non-governmental organisations working in the field of COI. In 2006, an e-learning tool reflecting the content of the training manual was presented by the COI Training Network coordinated by ACCORD. This e-learning tool formed the basis for the development of the COI module of the European Asylum Curriculum (EAC). Since the publication of the training manual, more than 1900 persons took part in training sessions provided by the COI Training Network (for details see http://www.coi-training.net).

In 2006, the International Association of Refugee Law Judges (IARLJ) has developed a *Checklist on judicial criteria for assessing COI*. This checklist aims at supporting judges in their assessment of COI. According to IARLJ, the checklist has become "a well-established ('soft-law') source of reference" (IARLJ, 2011, p. 1).

The IARLJ checklist comprises the following questions:

Relevance and adequacy of the Information
i) How relevant is the COI to the case in hand?
ii) Does the COI source adequately cover the relevant issue(s)?
iii) How current or temporally relevant is the COI?

Source of the Information
iv) Is the COI material satisfactorily sourced?
v) Is the COI based on publicly available and accessible sources?
vi) Has the COI been prepared on an empirical basis using sound methodology?

Nature / Type of the Information
vii) Does the COI exhibit impartiality and independence?
viii) Is the COI balanced and not overly selective?

Prior Judicial Scrutiny
ix) Has there been judicial scrutiny by other national courts of the COI in question?
(IARLJ, 2006, p. 3)

The IARLJ paper offers an explanatory memorandum for each question on the checklist. The document can be found at:

https://www.iarlj.org/general/images/stories/working_parties/guidelines/udicial_Criteria_a_checklist_COI_2006.pdf

In 2009, the IARLJ Working Party on Country of Origin Information and Country Guidance presented a paper on *Recent Developments*. It outlines the development of COI standards in national and EU juris-prudence. It further examines the relevance of the European Court of Human Rights' N.A. v UK case to the assessment of COI and country guidance cases. The paper also includes reflections on the UK country guidance system.
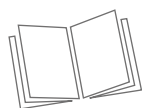
IARLJ – International Association of Refugee Law Judges: Working Party on Country of Origin Information and Country Guidance (COI-CG) – Recent Developments, January 2009
http://www.iarlj.org/general/images/stories/wp_papers_cape_town/hugo_storey_bostjan_zalar_-_coicg_working_party.pdf

In 2008, a group of asylum offices from EU member states formulated the *Common EU Guidelines for processing Country of Origin Information*. This paper comprises three parts. The first part presents the guidelines, which focus on improving the quality of COI products that are processed on the basis of:

- public information (i.e. not classified information)

- factual information (i.e. not assessments, opinions by the COI-producer on the in-country situation, interpretations of the facts, or conclusions formulated for policy reasons) (Common EU Guidelines for processing Country of Origin Information, April 2008, p. 2)

The quality criteria listed for evaluating and validating public and factual information are: Relevance, reliability, currency, objectivity, traceability, transparency (Common EU Guidelines for processing Country of Origin Information, April 2008, p. 12).

The *Common EU Guidelines for processing Country of Origin Information* are available at: https://www.ecoi.net/blog/wp-content/uploads/2012/07/coi_common_guidelines-2008–04-en.pdf

In 2010, the *EU common guidelines on (Joint) Fact Finding Missions* were elaborated by representatives of COI units working for selected immigration authorities in the European Union. These guidelines consist of three parts; starting off with a description of the methodology and moving on to practical aspects such as time frames, security issues and code of conduct. The third part comprises templates, information on how to conduct and to document interviews, a practical checklist, etc. The guidelines "are meant to be a practical tool for preparing and conducting a FFM by Member States" (EU common guidelines on (Joint) Fact Finding Missions, November 2010, p. 4).

As part of its efforts to create a Common European Asylum System (CEAS), the European Union established the European Asylum Support Office (EASO) in 2010. Among other duties, EASO is tasked with COI. The European Parliament and the Council of the European Union integrated the following standards into the regulation on establishing the European Asylum Support Office (EASO). Article 4 stipulates:

> The Support Office shall organise, promote and coordinate activities relating to information on countries of origin, in particular:
>
> the gathering of relevant, reliable, accurate and up-to date information on countries of origin of persons applying for international protection in a transparent and impartial manner, making use of all relevant sources of information, including information gathered from governmental, non-governmental and international organisations and the institutions and bodies of the Union; [...] (EASO Regulation, 2010, Article 4)

In 2012, EASO presented the *EASO Country of Origin Information report methodology* for reports published by the EASO. The methodology is based on the *Common EU Guidelines for processing Country of Origin Information* and the *EU common guidelines on (Joint) Fact Finding Missions*. The paper is organised in two parts and an annex. Part one presents "Basic standards", part two describes procedures for deciding about the content of reports, the selection and validation of sources and information as well as the structure of the report. The annex comprises a glossary of terms used and the EASO COI report template.

The standards described are organised in a different way than in the *Common EU Guidelines for processing Country of Origin Information COI* and than in this manual. The basic standards are: "neutrality and objectivity", "usability", "validity", "transparency and publicity" and "quality control". There is also a major difference with regard to content due to the integration of an "analysis" and "conclusion" into the report. The analysis is an evaluation of the information used in the report and is completed by a conclusion. These elements aim at helping decision-makers "process the information in a relevant and objective way and put it into a context that helps them to draw informed conclusions relevant to their tasks" (EASO 2012, p. 13). See section 1.3.2 for a discussion of different models regarding the role of COI service providers.

Besides the above-mentioned efforts, there are various national guidelines for quality standards and working methodologies for COI, as the following examples show.

Canada:

The Research Directorate of the Immigration and Refugee Board provides COI services to the board members. To ensure the quality and the uniformity of query responses, internal guidelines on "The Research Process", "The Writing Process" and The Editing Process" are in place. The IRB research guidelines have greatly influenced both the 2004 and the present edition of this manual.

United Kingdom:

In 2003, the UK Home Office installed the Advisory Panel on Country Information (APCI) to review the work of the COI Service unit and to "provide advice about the content of country information material produced by the Home Office, to help ensure that this is as accurate, balanced, impartial and up to date as possible" (APCI, August 2003). In 2009, the Independent Advisory Group on Country Information (IAGCI) was created; it works for the Independent Chief Inspector of Borders and Immigration. Both the minutes of the meetings of APCI and IAGCI as well as the reviews of country reports are publicly available. You can find the IAGCI website at: http://icinspector.independent.gov.uk/country-information-reviews.

Austria:

In 2013, the COI unit of the Austrian Federal Asylum Office published their working methodology at http://www.staatendokumentation.at/methodology-of-the-coi-unit.doc. It is in German and comprises quality standards and guidelines for elaborating various COI products. Furthermore, it describes working processes with regard to research.

Due to the fact that the COI quality standards of relevance, reliability and balance, accuracy and currency, transparency and traceability have been strongly reflected within the EU both in law and in jurisdiction, for the new edition of the training manual we decided to maintain the structure and terminology of the standards.

The study *Country Information in Asylum Procedures – Quality as a Legal Requirement in the EU*, conducted in 2007 and updated in 2011, presents legal provisions and jurisprudence of the European Union and its member states as well as the European Court of Human Rights. It shows how the quality standards of researching and using COI appear in the form of authoritative legal requirements, either as binding legal provisions or as guiding judicial practice.
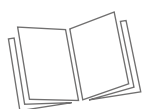
Hungarian Helsinki Committee: Country Information in Asylum Procedures – Quality as aLegal Requirement in the EU (author: Gábor Gyulai), updated version, 2011
http://helsinki.hu/en/country-information-in-asylum-procedures-–-quality-as-a-legal-requirement-in-the-eu

GOOD TO KNOW

Standards for the collection and use of information have also been developed for organisations involved in humanitarian and human rights work. For instance, the International Committee of the Red Cross (ICRC) published standards and guidelines for managing sensitive protection information in spring 2013. These are "primarily addressed to protection actors who conduct interviews with witnesses or victims on a regular or ad hoc basis, as well as those receiving or using such information collected by others" (ICRC, February 2013, p. 79).

Professional Standards for Protection Work: Carried out by humanitarian and human rights actors in armed conflict and other situations of violence, 2013 Edition
http://www.icrc.org/eng/assets/files/other/icrc-002–0999.pdf

2.4 SUMMARY

Quality standards for researching and using COI:

✔ Relevance: COI used for deciding on international protection needs is relevant when it is based on questions rooted in legal concepts of refugee and human rights law or on questions derived from an applicant's statements.

✔ Reliability and balance: Decisions on international protection needs should be based on COI from reliable sources, taking into account the source's political and ideological context as well as its mandate, reporting methodology and motivation. As each source has its own perspective and focus, different types of sources should be consulted to achieve the most comprehensive and balanced picture possible.

✔ Accuracy and currency: Only information that is correct and valid at the time of making a decision should be used. Accuracy and currency can be achieved by cross-checking and corroborating information.

✔ Transparency and traceability: To ensure transparency, COI should be fully referenced to enable readers to independently verify and assess the information. Every piece of information should be traceable to its source. Information should be clearly presented and its meaning must not be distorted.

Principles for researching and using COI:

✔ Neutrality and impartiality: COI research should be conducted in a manner that is neutral with regard to the outcome. COI service providers should be impartial with regard to their clients.

✔ Equality of arms regarding access to information: COI should be equally available to all decision-making bodies and to legal advisors of applicants in procedures for persons seeking international protection. Applicants must have access to the information a decision is based on, so that they may comment on it.

✔ Public information: To support fair procedures, publicly available information should be used. Public information is open to review and scrutiny by the applicant, experts and the public at large.

✔ Data protection: The personal data of a claimant and information that potentially may make the claimant identifiable must be protected and should never – directly or indirectly – be shared with the alleged persecutor.

3 QUESTIONS

This chapter deals with the development of relevant research questions derived from legal concepts of the refugee protection regime. It introduces "research trees" as a method to structure questions. After highlighting the importance of mainstreaming gender and vulnerable groups, it presents key legal issues: domestic protection, national law, persecution by non-state actors and internal protection alternative. The last part illustrates the formulation of questions using practical examples based on the 1951 Refugee Convention.

In order to be able to benefit from this chapter, a basic understanding of the underpinning legal concepts is required. Appendix A of this manual gives an overview on the 1951 Refugee Convention and on regional protection instruments and discusses what constitutes persecution.

Content of chapter 3:

3.1 Function and development of research questions

    3.1.1 The research tree method
    3.1.2 Being aware of gender and vulnerabilities

3.2 Key legal issues

    3.2.1 National law
    3.2.2 Domestic protection
    3.2.3 Persecution by non-state actors
    3.2.4 Internal protection alternative - IPA

3.3 From case to question: Examples based on Convention grounds

    3.3.1 Religion
    3.3.2 Political opinion
    3.3.3 Race and nationality
    3.3.4 Particular social groups
        3.3.4.1 Women
        3.3.4.2 LGBTI persons (Lesbian, Gay, Bisexual, Transgender, Intersex)
        3.3.4.3 Children

3.4 Summary

LEARNING OBJECTIVES

Having studied this chapter, readers will be able to

» derive legally relevant research questions from testimonies of applicants for international protection
» pay due regard to gender and specific vulnerabilities in research questions
» identify relevant country information and explain why it is relevant

3.1 FUNCTION AND DEVELOPMENT OF RESEARCH QUESTIONS

Any type of research – be it scientific research, research for journalistic work or COI research – is guided by questions. The formulation of a research question is the first step when approaching a research task. It is important to be aware of how the research questions influence the quality of the research process.

Relevant COI research must be informed by an understanding of international human rights law. Persons who engage in COI research must be able to relate the information found to human rights protected under international law, and understand its relevance in the context of international protection. COI research should pay particular attention to sources providing 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, nationality or ethnicity, or because of their belonging to a particular social group.

Note: This chapter will focus on protection-related questions and not elaborate on credibility questions. While protection-related questions can be systematically derived from legal concepts, any aspect of a given case may give rise to credibility questions. Therefore, there is no general method for deriving credibility questions from a case. When formulating credibility questions, the limits of COI mentioned in section 1.5.2 should be considered.

RSD practitioners who conduct research for their own cases should separate COI research and legal assessment to avoid following preconceived ideas and judgements when conducting research. Deliberately formulating relevant COI questions helps to keep research apart from legal assessment.

In settings where RSD practitioners can draw on the support of COI service providers, questions are the central tool of communication between the two. Background information on a case can help COI service providers to understand the context of a specific query.

COI service providers need a basic knowledge of legal concepts of international protection to be able to understand the rationale behind questions. If COI service providers have doubts about a question, they should reformulate the query in collaboration with the RSD practitioner. Research tasks which are found to be too general have to be broken down into sub-questions. Queries containing requests for assessing risks need to be reformulated.

3.1.1 THE RESEARCH TREE METHOD

A systematic approach using associative methods such as lists, clusters or mind maps helps actors involved in COI research to develop and structure research questions. This manual uses the method of "research trees" for this purpose. Research trees follow the structure of mind maps and symbolise a logical relationship between questions and legal concepts.

How to develop research questions applying the research tree method

GENERAL STEPS	SIMPLIFIED PRACTICAL EXAMPLE
1. Identify the substance of the case and make it the trunk of the tree: What is the whole case about? For instance, what Convention ground is it related to?	Iran: political opinion of persons critical towards the regime
2. Find relevant topics and make them the main branches: Which aspects have to be considered?	Freedom of assembly and association; freedom of expression
3. Derive research questions from the topics; they form the twigs growing out of the branches: Which questions should be researched?	Are there reports on protests or rallies and on the authorities' response? Are there reports on political prisoners? Are there reports on censorship?

Research question
Research question
Research question
Research question

TOPIC 2

Research question
Research question

TOPIC 1

TOPIC 3

Research question
Research question
Research question

Substance of the claim
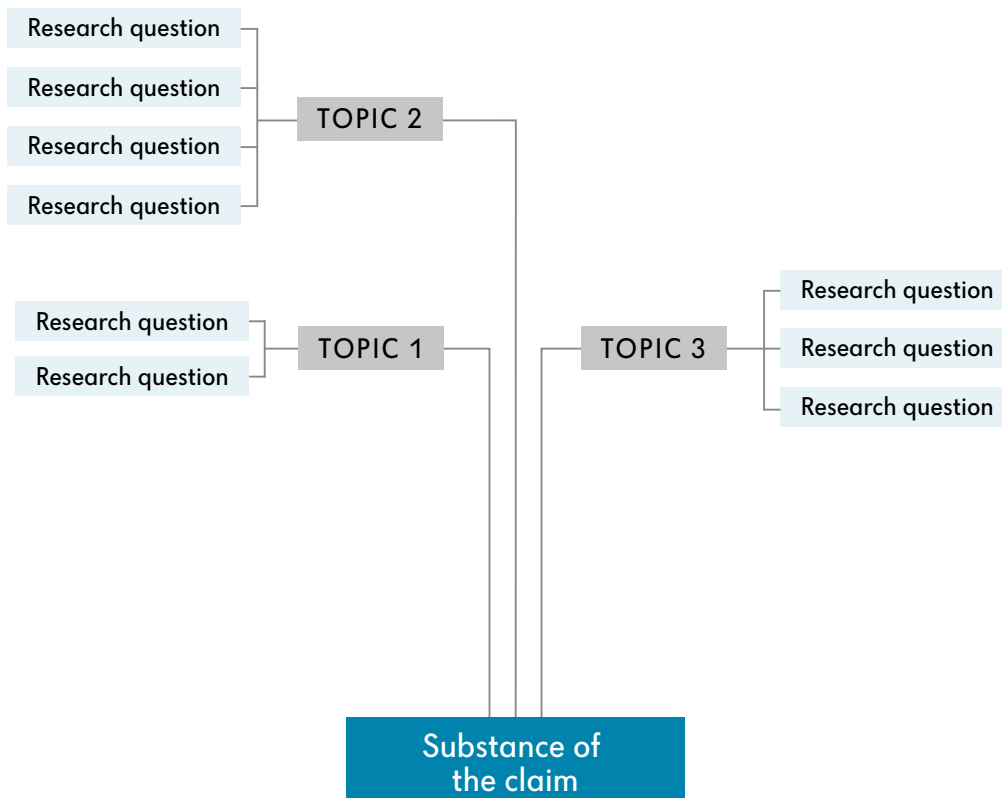
Why do research trees help?

- Quality: The research tree method links research questions to legal concepts and thus helps to ensure that research questions are relevant.
- Visualisation: Research trees help to create a comprehensive set of questions and to visualise the main research tasks.
- Control: Research trees help to identify topics central to the case and to set priorities. Thus they help researchers to stay focussed and to save time.

3.1.2 BEING AWARE OF GENDER AND VULNERABILITIES

When formulating research questions, it is important to have the applicant in mind. Is the applicant a man, a woman or a child? Is the applicant a healthy person or somebody who suffers from an illness? Are there specific vulnerabilities?

Mainstreaming gender and vulnerability is a process of creating awareness and knowledge about how gender or belonging to a vulnerable group influences living conditions and adds a specific dimension to many research questions.

Gender – including gender identity – refers to socially and culturally defined roles and identities of men and women. As a social construction, gender roles have an impact on power relations between men and women and have significant implications for identities, responsibilities, behaviour and status. Gender differs from sex, which is a biological determination. Gender-related claims can be raised by both men and women. It is necessary to be aware of the cultural and social context in which potential acts of persecution are carried out. Analyses of the ways in which gender shapes the experiences of persons seeking protection must therefore contextualise those experiences (Refugee Women's Legal Group, July 1998, para. 1.9).

In its guidelines on gender-related persecution, UNHCR emphasises the importance of Country of Origin Information that is specifically relevant to women's claims for international protection:

> Country of origin information should be collected that has relevance in women's claims, such as the position of women before the law, the political rights of women, the social and economic rights of women, the cultural and social mores of the country and consequences for non-adherence, the prevalence of such harmful traditional practices, the incidence and forms of reported violence against women, the protection available to them, any penalties imposed on those who perpetrate the violence, and the risks that a woman might face on her return to her country of origin after making a claim for refugee status. (UNHCR, 7 May 2002a, para. 36 (x))

However, Bethany Collier points out in the paper *Country of Origin Information and Women: Researching gender and persecution in the context of asylum and human rights claims* that in COI research, the experiences of men frequently continue to be interpreted as a reflection of the typical human rights situation in a specific country (Asylum Aid, October 2007, p. 11).

It should be noted that "gender" should not be equated with "women": claims for international protection made by either men or women may have particular gender-specific aspects. In assessing claims for

international protection by male applicants, COI focusing specifically on the experiences of men may thus be equally relevant.

Vulnerable groups: All refugees are – in one way or the other – vulnerable; it is for this reason that they are granted international protection. However, among asylum-seekers and refugees certain groups can be identified which are particularly vulnerable, including children, torture survivors, people with physical disabilities or people with mental health problems.

The specific aspects related to a person's vulnerabilities have to be taken into consideration when developing research questions which are relevant to the specific case. In relation to children, UNHCR's guidelines on child asylum claims observe that:

> Just as country of origin information may be gender-biased to the extent that it is more likely to reflect male as opposed to female experiences, the experiences of children may also be ignored. In addition, children may have only limited knowledge of conditions in the country of origin or may be unable to explain the reasons for their persecution. For these reasons, asylum authorities need to make special efforts to gather relevant country of origin information and other supporting evidence. (UNHCR, 22 December 2009, para. 74)

3.2 KEY LEGAL ISSUES

The following four key legal issues need to be dealt with in most asylum cases: national laws, domestic protection, persecution by non-state actors and internal protection alternative. These key legal issues often create topics that need to be considered in COI research.

For each key legal issue, this section presents:
- legal background information
- topics and questions visualised in a research tree
- a list of the research questions

In section 3.3 examples show how key legal issues can be applied in practice in combination with the Convention.

Readers should bear in mind that research trees are schematisations. When working on actual cases, you will find that the examples of research trees presented below overlap or that one tree merges into another. In practice, it will not always be possible, nor will it always be necessary, to answer all the potential questions included in the tree.

The lists of research questions below aim to support your daily work. They are, however, not exhaustive.

3.2.1 NATIONAL LAW

Any assessment of the human rights situation in a country of origin must address the question whether basic human rights norms are enacted in national legislation and whether such laws are applied in

practice, or whether, on the contrary, national laws themselves might infringe upon fundamental human rights. For instance, the constitution, the rights of women and minorities, judicial guarantees and proceedings or laws regulating the freedom of association and assembly can be crucial for an assessment of the human rights situation in a particular country.

Furthermore, it is not sufficient for human rights laws to be adopted, they need to also be applied in practice and they must 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.

People fleeing prosecution under criminal law in their country of origin are not normally considered refugees, but fugitives from justice. There are, however, instances in which prosecution for criminal acts may constitute persecution (e.g. stoning as a punishment for women who committed adultery). Those researching COI need to be aware of such scenarios. According to UNHCR, in order to distinguish the ordinary prosecution of criminal offences under a national criminal law from persecution, it is necessary to take into account whether the law is in conformity with human rights standards or is inherently persecutory, and whether implementation of the law is carried out in a manner which amounts to persecution based on a Convention ground (UNHCR, April 2001, para. 18; see also UNHCR, January 1992, paras. 56–60 and paras. 167–174).

The different aspects of national law can be visualised in a research tree as follows:
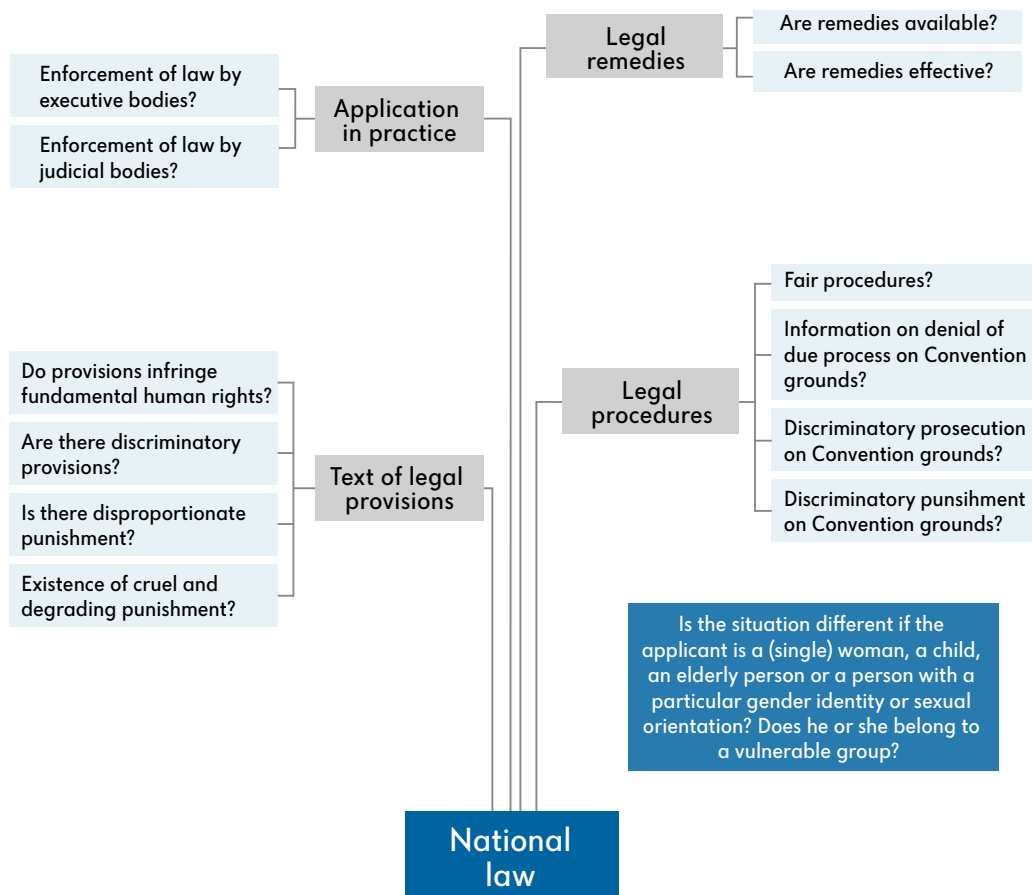
List of research questions related to national law (non-exhaustive)

Text of legal provisions and their application in practice:

- What is the text of the relevant legal provisions?
- Are there discriminatory legal provisions?
- Are traditional norms, social, cultural or religious rules affecting the application of national law? How?
- Are religious laws (e.g. Sharia) or unwritten laws/norms applied parallel to written law? Does national law allow for such application?
- Is there evidence of disproportionate (excessively harsh) punishment?
- Is there evidence of cruel, inhuman and degrading punishment, such as corporal punishment or the death penalty? Even if such punishment is not prescribed by national law, can it be ordered by judges based on the application of, for example, religious rules?
- Do international human rights organisations consider certain provisions of national laws to infringe upon fundamental human rights? If yes, what information is there on enforcement of such laws?
- How are national laws interpreted and applied? Do public officials including the police support the implementation of these laws?
- Does the judicial system act according to the law?

Legal procedures and remedies:

- What do reports say about the fairness of legal procedures? Is there information on denial of due process on Convention grounds?
- Is there information on discriminatory prosecution on Convention grounds? Is there information on discriminatory punishment on Convention grounds? Is there information on cruel, inhuman or degrading punishment?
- Are legal remedies against human rights violations available and effective?

Gender and vulnerable groups:

Bear in mind that the answers to your questions might be different when looking for information about the situation of women, children, elderly persons, persons with a particular gender identity or sexual orientation, or persons belonging to a vulnerable group.

3.2.2 DOMESTIC PROTECTION

Requests for COI research often include a question on the effectiveness of domestic protection (also called state protection or national protection) in the country of origin, particularly where the applicant claims to fear persecution at the hands of non-state actors. Respect for and the promotion of human rights and access to legal remedies against human rights violations are all important aspects of domestic protection.

In relation to state protection, UNHCR observes:

> 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)

There are different indicators for a state's ability and willingness to provide protection, including measures to ensure that the state itself respects its human rights obligations and works to prevent human rights violations, measures to promote human rights and prevent human rights abuses by others and the availability of legal remedies for human rights violations that have taken place. Even where a state is *willing* to protect human rights, it may not be *able* to do so: the state may suffer from a lack of resources or the government's control may not extend to all parts of the territory.

The phenomenon of failed states or de-facto regional authorities as well as the increased establishment of international administrations has led to the question of whether only state actors can offer protection against persecution. RSD practitioners and COI service providers in the European Union should be aware that the 2011 EU Asylum Qualification Directive allows for a limited number of other actors of protection. Besides the state, the Directive mentions "[...] parties or organisations, including international organisations, controlling the State or a substantial part of the territory of the State; provided they are willing and able to offer protection" which is "effective and of a non-temporary nature" (EU Asylum Qualification Directive 2011, Article 7).

The different aspects of domestic protection can be visualised in a research tree as follows:

Did state authorities intervene to prevent serious harm?

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

Why is the state unwilling to intervene on behalf of an individual or a particular group?

Is there collusion between organised crime and government or evidence of infiltration of armed opposition groups in the security forces?

Is there police or judicial corruption?

Is there evidence of bribery within the police force?

Willingness to protect

Ability to protect

Are resources available to protect individuals from serious harm?

Is there control over the territory and population?

Are administrative and judicial structures functioning?

Access to law enforcement

Do individuals have effective access to executive and judicial bodies?

Does this apply for everyone equally?

Is the situation different if the applicant is a (single) woman, a child, an elderly person or a person with a particular gender identity or sexual orientation? Does he or she belong to a vulnerable group?

Domestic protection

List of research questions related to domestic protection (non-exhaustive)

Ability to protect:

- Is there an organised and stable authority exercising (full) control over the territory and population in question?
- Are there functioning administrative and judicial structures? Is there an effective legal system for the detection, prosecution and punishment of acts constituting persecution?
- Are resources available to protect individuals from serious harm? (e.g. infrastructure and training of officials in the judicial system and law enforcement agencies; presence of security forces; infrastructure and resources to investigate; shelters or safe houses for victims of domestic violence)

Willingness to protect:

- Are there reports about police corruption including evidence of bribery so that a criminal case is dropped, or the requirement of bribery so that a case is taken on, or corruption in the judiciary?
- Are there reports about collusion between government authorities and organised crime or infiltration of oppositional armed groups in the security forces?
- Are there reports about the prevention of human rights violations or other forms of serious harm by state authorities?
- Are there reports on incidents where state authorities did or did not intervene to prevent instances of serious harm? Do authorities protect against acts by some groups, but not by others?
- What motivation do reports give for the unwillingness of state authorities to intervene on behalf of an individual or a particular group?

Access to law enforcement:

- Do individuals have effective access to law enforcement and judicial authorities? Is there access to statutory or customary law?
- Are there reports about discrimination of certain individuals or groups such as religious or ethnic groups, persons of a particular gender or persons belonging to a specific political group?

Gender and vulnerable groups:

Bear in mind that the answers to your questions might be different when looking for information about the situation of women, children, elderly persons, persons with a particular gender identity or sexual orientation, or persons belonging to a vulnerable group.

3.2.3 PERSECUTION BY NON-STATE ACTORS

Refugee status under Article 1 A of the 1951 Refugee Convention might also be granted on grounds of persecution by non-state actors. The UNHCR *Handbook on Procedures and Criteria for Determining Refugee Status* states:

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. (UNHCR, January 1992, para. 65)

The EU Asylum Qualification Directive also refers to non-state actors when defining actors of persecution:

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 in points (a) and (b), including international organisations, are unable or unwilling to provide protection against persecution or serious harm as defined in Article 7. (EU Asylum Qualification Directive 2011, Article 6)

The United States, Canada and Australia also accept the relevance of non-state persecution in their interpretation of the 1951 Refugee Convention. The refugee conventions of African and South and Central American states have a broader concept of who is a refugee. They refer to internal conflicts and situations of massive violence which might lead to persecution emanating from non-state actors (Zimmermann/Mahler, 2011, p. 365).

Research on persecution by non-state actors will have to look carefully into the power structures 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 persecution by non-state agents: Can an individual expect protection by government authorities against human rights abuses committed by non-state actors? And could an individual be safe from persecution by relocating to another area in the country of origin where the non-state agent of persecution is not present? The research trees on domestic protection (section 3.2.2) and on internal protection alternative (section 3.2.4) provide assistance when researching these issues.

The different aspects of persecution by non-state actors can be visualised in a research tree as follows:
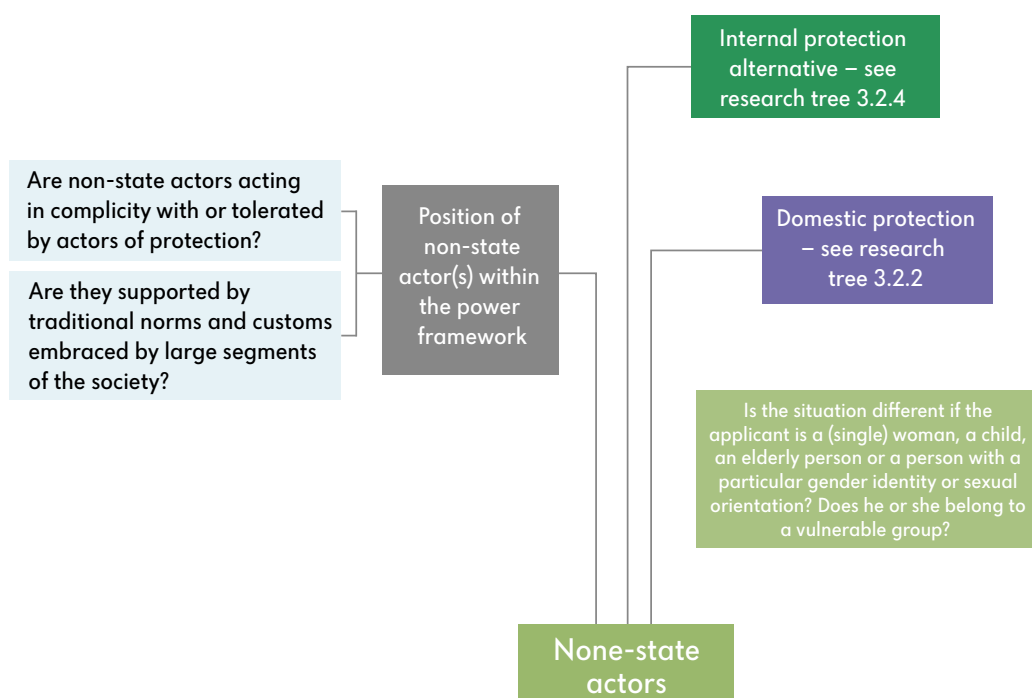
List of research questions related to persecution by non-state actors (non-exhaustive)

Position of non-state actor(s) within the power framework:

- What is the position of the non-state actors within the power framework of the country?
- Are they acting in complicity with or are they tolerated by state actors or other actors of protection?
- Do they have affiliations or collaborations with other non-state actors?
- Are they in de-facto control of part of the territory?
- Are they supported by traditional norms and customs which are embraced by large segments of the society?

Internal protection alternative (see research tree in section 3.2.4), in particular:

- Does the non-state actor have a motive to persecute the claimant in the proposed area of relocation?
- Would a non-state actor be able to pursue the claimant in the proposed area of relocation?
- Would state authorities be able and willing to provide protection to the claimant in that area, even if they are not able and/or willing to provide protection to the claimant in his or her area of origin?

Effective domestic protection (see research tree in section 3.2.2), in particluar:

- Is the state able and willing to protect against human rights abuses by non-state actors? Are there reports about protection efforts and effectiveness of this protection?

Gender and vulnerable groups:

Bear in mind that the answers to your questions might be different when looking for information about the situation of women, children, elderly persons, persons with a particular gender identity or sexual orientation, or persons belonging to a vulnerable group.

3.2.4 INTERNAL PROTECTION ALTERNATIVE - IPA

Where an applicant's well-founded fear of persecution on a Convention ground has been established, the question has to be answered if there is an area in the country of origin where the applicant can live safely and therefore may not need international protection. For this concept, the terms "internal flight alternative" (IFA), "internal relocation alternative" (IRA), or "internal protection alternative" (IPA) are in use. In this manual we use the latter.

The question of an internal protection alternative arises mostly in cases where human rights are violated by non-state actors and where effective domestic protection may not be available in one part of the country (e.g. because it is under control of a rebel force responsible for the human rights abuses), but may be possible in another area. In rare cases, the question of an internal protection alternative arises with regard to alleged persecution by state actors, for example 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, or under international administration).

According to UNHCR, the assessment of whether or not an internal protection alternative is available requires two main sets of analyses:

The *relevance analysis* checks whether

- the area of relocation is practically, safely, and legally accessible to the individual
- the agent of persecution is a state or non-state actor and willing and able to locate and persecute the applicant in the proposed area of relocation, and
- the claimant could be exposed to new risks of harm upon relocation.
  (UNHCR, 23 July 2003, para. 7)

The *reasonableness analysis* looks at the personal circumstances of the applicant and checks if the claimant could live a relatively normal life in the place of relocation without facing undue hardship (UNHCR, 23 July 2003, para. 7).

Country of origin information gains particular relevance in the assessment of an internal protection alternative due to a shift in the burden of proof: while the burden of proof relating to a well-founded fear of persecution for a Convention ground rests in principle with the applicant (but is in practice shared between the applicant and the decision-maker), the burden of proof in relation to an internal protection alternative rests with the decision-maker (Marx, April 2002, p. 214; UNHCR, 23 July 2003, paras. 33–34).

COI research thus plays an essential role in providing reliable information that supports an assessment of the availability of an internal protection alternative, both in terms of its relevance and in terms of its reasonableness. Where a decision-maker wishes to consider the possibility of an IPA, UNHCR advises that a particular area of the applicant's country of origin must be identified (UNHCR, 23 July 2003, para. 6). Research on an internal protection alternative should therefore always refer to a particular place or region. Article 8 of the 2011 EU Asylum Qualification Directive stipulates:

> 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 in accordance with Article 4 [Assessment of facts and circumstances]. To that end, Member States shall ensure that precise and up-to-date information is obtained from relevant sources, such as the United Nations High Commissioner for Refugees and the European Asylum Support Office. (EU Asylum Qualification Directive 2011, Article 8 (2))

In countries where the security and political situation is unpredictable and unstable, for example due to a civil war, parts of the country previously considered safe may rapidly become dangerous. In such situations, the currency of COI in relation to the proposed area of relocation is particularly important. UNHCR notes that in practice, up-to-date COI about a particular area of relocation may not be available for countries where the security situation is subject to sudden changes (UNHCR, 23 July 2003, para. 37).

The different aspects of internal protection alternative can be visualised in a research tree as follows:

	Risk of new persecution - relevance analysis	Risk regarding life, liberty, health or could the person face serious discrimination?
		Is effective protection by state (or other actors of protection) available?
		Situation of internally displaced persons?

Activities of the persecutor in the area of relocation?	Persecution by non-state actor - relevance analysis	
Motivation of the persecutor?		
State protection in the area of relocation?		

	Personal circumstances - reasonableness analysis	Eonomic survival without undue hardship (incl. accommodation, food, employment, education)
		Family ties in the area of relocation?
		Knowledge of language?
		Cultural links?
		Danger of deteriorating psychological problems upon relocation?
		Durable support by government?
		Assistance by non-governmental organisations?

Control of the whole territory by state authorities?	Persecution by state actor - relevance analysis
Reasons of failure to execute authority by national government?	

Legal entry and residence	Accessibility of safe area - relevance analysis
Natural barriers?	
Safe travel to the area of relocation?	

Is the situation different if the applicant is a (single) woman, a child, an elderly person or a person with a particular gender identity or sexual orientation? Does he or she belong to a vulnerable group?

Internal protection alternative - IPA

List of research questions related to internal protection alternative (non-exhaustive)

Accessibility of safe area:

- Is the area of relocation practically, safely, and legally accessible to the individual? Are there any natural barriers or areas of grave security concerns?
- What are the regulations for legal entry and residence in the area of relocation?
- Is safe travel possible? Also for single women, children, etc.?

Persecution by state actors (or other actors of protection, i.e. parties or organisations, including international organisations, which control the state or a substantial part of the state's territory):

- If the agent of persecution is the state (or another actor of protection): Is there clear evidence of limited reach of local or regional authorities?
- Are there particular circumstances to explain the national government's (or other actors of protection) failure to counteract the localised harm?
- Is protection by state authorities (or other actors of protection) available to the claimant in that area? Is there information about the effectiveness of such protection?

Risk of new persecution:

- Do people of the same group (ethnic or religious group, clan, etc.) live in the area of proposed relocation?
- Are there reports about persons who faced a serious risk to life, safety, liberty or health, or serious discrimination, in the proposed area?
- Taking into account the profile of the applicant, are there reports about persons who faced a serious risk to life, safety, liberty or health, or serious discrimination? For example, if the applicant could escape a threat of being persecuted for political reasons by relocating internally, the relevance test would not be satisfied if he were unable to practise his religion in the potential area of internal relocation.

Personal circumstances (reasonableness test):

- Is economic survival without undue hardship possible? Is food and accommodation available and affordable?
- What is the personal, professional and work background of the person?
- Is there access to employment and education?
- Are there any cultural links and/or knowledge of the local language?
- Is the region safe?
- Are human rights respected?
- Are there any family ties or is social and humanitarian assistance available?
- What is the standard and quality of life of internally displaced persons in the area?

Gender and vulnerable groups:

Bear in mind that the answers to your questions might be different when looking for information about the situation of women, children, elderly persons, persons with a particular gender identity or sexual orientation, or persons belonging to a vulnerable group.

3.3 FROM CASE TO QUESTION: EXAMPLES BASED ON CONVENTION GROUNDS

In this section, the research trees introduced above will be illustrated by applying them in a number of simplified samples of asylum applications. Each example focuses on a different Convention ground and combines elements from the various key legal issues discussed above, demonstrating the use of research trees in practice.

3.3.1 RELIGION

The protection of the right to freedom of religion and belief is enshrined in Article 18 of the Universal Declaration of Human Rights (UDHR) and Articles 18 and 27 of the International Covenant on Civil and Political Rights (ICCPR) as well as in various regional instruments (Article 1 of the African Charter of Human and Peoples' Rights, ACHPR; Article 12 of the American Convention on Human Rights; Article 9 of the European Convention on Human Rights, ECHR). The right protected by these documents is two-fold: 1) the right to hold or not to hold a religion or belief, and 2) the freedom to manifest one's religion or belief in private and in public. This right to religious freedom "is not only directed against interference by the State, but also obliges the State to protect individuals against encroachments by third (private) parties" (Zimmermann/Mahler, 2011, pp. 381–382).

Claims for international protection which are based on religious grounds may involve three different aspects of religion:

- The first aspect involves religion as belief (including non-belief), that is "convictions or values about the divine or ultimate reality or the spiritual destiny of humankind" (UNHCR, 28 April 2004, para 6).
- The second aspect concerns religion as identity in the sense of belonging to a community that observes or is bound together by common beliefs, rituals or traditions (UNHCR, 28 April 2004, para 7).
- The third aspect is related to religion as a way of life and may manifest itself in the observance of particular religious practices (such as religious holidays or dietary laws) or activities such as the wearing of distinctive clothing (UNHCR, 28 April 2004, para. 8).

Religious discrimination and persecution may consist of coercion in two directions, "one that disrupts or interferes with religious activity and the other that enforces compliance with religious norms" (Gunn, 2003, p. 206). Both the state and religious (or social) communities can be agents of persecution in such cases (Gunn, 2003, p. 206).

Enforcing compliance is often directed towards members of the same religious group. Individuals may be seen as heretics, apostates, schismatic, and pagans or superstitious if they do not comply with a given set of religious norms. Freedom of religion entails the right to change one's religion. However, persons who convert from their religion to another faith or adopt atheistic views may face discrimination or persecution by actors opposing such a step. It is crucial to note that the perception of the agent of persecution can in some cases be more important than the claimant's actual status (for more details see UNHCR, 28 April 2004).

EXAMPLE

A man from Pakistan claims he is in need of international protection because he belongs to a religious group called Ahmadis. He fears he might face serious harm by the Khatme Nabu'wat Movement that targets Ahmadis in Pakistan, claiming that they are apostates. This organisation states its aims are in accordance with the Pakistani legal framework, in particular the laws against blasphemy.

Is the K. N. Movement supported by the government or/and society?

Does the K. N. Movement have control over parts of the territory?

What are the societal attitudes towards Ahmadis?

Non-state actors

Is there an area where Ahmadis are free from potential persecution?

What is the situation of Ahmadis in this proposed site?

What is the proposed site of internal relocation?

Is the area accessible to the individual at risk?

Is there a possible new risk in the area?

Is economic survival possible? (housing, education, employment, social assistance, etc.)

Do the personal circumstances of the individual allow for internal relocation (e.g. vulnerabilities)?

IPA (if relevant)

What do texts of law stipulate regarding freedom of religion?

Are there discriminatory provisions against Ahmadis (incl. blasphemy laws)?

Are legal procedures (incl. remedies) fair for Ahmadis?

How are laws applied in practice? Is there discriminatory enforcement?

Is the state able and willing to protect Ahmadis?

National law and domestic protection

Is the situation different if the applicant is a young or elderly man with a particular gender identity or sexual orientation? Does he belong to a vulnerable group?

Religious freedom of Ahmadis

List of research questions related to persecution on religious grounds (non-exhaustive)

National law and domestic protection:

- Are there legal provisions protecting freedom of religion? Are there legal restrictions or limitations on religious belief or practice?
- What is the relationship between the state and religion in a given country?
- Is it prohibited to be a member of a particular religious community, worship in public or in private or to give religious instruction? Is there legislation requiring compulsory registration of religious groups?
- Are there penalties for violating freedom of religion and are these enforced? Are there specific regulations relating to groups which restrict the exercise of freedom of religion or belief?
- Are there reports about discriminatory prosecution or punishment?
- Are legal remedies against violation of freedom of religion available and effective?
- Are there penalties for refusal to serve in the military based on religious belief?
- Are there penalties for converting to a different faith (apostasy), for proselytising, or for celebrating religious festivals?
- Is non-compliance with religious practices and norms punishable by law? Does this happen in practice?
- Does the law impose disproportionate punishment for breaches of the law (for example, imprisonment for blasphemy or practising an alternative religion, or death for adultery)?
- Are there regulations and practices affecting women in particular (clothing requirements, restrictions on movement, harmful traditional practices, unequal or discriminatory treatment in the name of religion)?

Actors of persecution:

- What is the prevalence of forced conversion to a religion by state or non-state actors?
- Do state or non-state actors force compliance with religious practices?
- Are there actors targeting specific religious groups or persons with a specific belief? What is their influence?
- What are the attitudes of society towards religious minorities? Do these extend throughout the country?
- Are there serious measures of discrimination imposed on persons because they practise their religion or belong to a particular religious community (e.g. labour market, housing, educational system, health system)?

Internal protection alternative (IPA):

- Are there regions where religious minorities form a local majority? If so, does religious discrimination take place against this religious group there?
- Do some religious communities have their own jurisdiction?
- Is there autonomy of certain religious communities?
- See section 3.2.4 for more questions on IPA

Gender and vulnerability:

> Bear in mind that the answers to your questions might be different when looking for information about the situation of women, children, elderly persons, persons with a particular gender identity or sexual orientation, or persons belonging to a vulnerable group.

For more questions, see research trees on key legal issues (section 3.2) regarding national law, domestic protection, non-state actors and internal protection alternative.

3.3.2 POLITICAL OPINION

The protection of the right to hold opinions and the right to freedom of expression is enshrined in Article 19 of the Universal Declaration of Human Rights (UDHR) and Article 19 of the International Covenant on Civil and Political Rights (ICCPR) as well as in various regional instruments (Article 9 of the African Charter on Human and Peoples' Rights, Article 13 of the American Convention on Human Rights and Article 10 of the European Convention on Human Rights). Refugee case law reflects a broad understanding of the term "political".

According to the UNHCR handbook, fear of persecution for holding political opinions presupposes that opinions of an applicant are not tolerated by the authorities. Certain applicants may fear persecution on the basis of imputed political opinions, i.e. opinions which they do not necessarily hold, but which are attributed to them by the actor of persecution, in most cases state authorities (UNHCR, January 1992, para. 80). Although the definition of "refugee" refers to political opinion and not to political acts, acts are often interpreted as manifestations of a claimant's political opinion. In a number of cases, courts were convinced that specific acts implied political opinions, e.g. the refusal of a Kurd to serve in the Turkish army, membership in a labour union, anti-government theatre performances or activity as a confidential inform-er in a political conflict (Zimmermann/Mahler, 2011, pp. 401–402).

The UNHCR handbook notes:

> While the definition speaks of persecution "for reasons of political opinion" it may not always be possible to establish a causal link between the opinion expressed and the related measures suffered or feared by the applicant. Such measures have only rarely been based expressly on "opinion". More frequently, such measures take the form of sanctions for alleged criminal acts against the ruling power. It will, therefore, be necessary to establish the applicant's political opinion, which is at the root of his behaviour, and the fact that it has led or may lead to the persecution that he claims to fear. (UNHCR, January 1992, para. 81)

EXAMPLE

A woman from Iran claims that she is in need of international protection because she participated in the demonstrations against the government in 2009 and is now being prosecuted for offending a policeman. She also claims that she is running an Internet blog in which she regularly expresses her critical views of the government and the religious authorities in the country. She states that she faces serious harm by government-organised militias which combat any criticism directed against the theocratic system and who operate secret prisons.

IPA see 3.2.4

Freedom of assembly and expression

- Are there reports about demonstrations? Did demonstrations take place?
- What is the general situation of media in Iran? How do religious authorities influence the situation?
- Is there information about Internet censorship?
- Are there reports about restrictions for bloggers?
- What are the consequences of criticising religious authorities?
- How do government-organised militias treat perceived political opponents?

National laws

- Are there legal provisions protecting freedom of expression? Are provisions identical for men and women?
- Are there provisions prohibiting participation in demonstrations or operating Internet blogs (incl. penalties foreseen)?
- What are the legal provisons and penalties for offending a policeman?
- Is the fairness of legal procedures incl. remedies guaranteed in political cases?
- Is there unduly harsh punishment in case of political acts in general and for women specifically?
- Are laws applied differently for men and women?

Prison conditions

- Are there prisons operated by militias?
- What are the prison conditions for women?
- How are perceived political opponents treated?

Is the situation different if the applicant is a single woman? If she is young or an elderly person or a person with a particular gender identity or sexual orientation? Does she belong to a vulnerable group?

Female blogger and participant of demonstrations in Iran - Political opinion

List of research questions related to persecution on grounds of political opinion (non-exhaustive)

General political situation:

- What is the political system in the country?
- Are there free and fair elections?

National laws, including their application:

- Are there legal provisions protecting freedom of expression, assembly and association and how are they applied in practice?
- Are there legal restrictions or limitations on freedom of expression, assembly and association?
- Are there any prohibitions of political parties or political organisations and how are they enforced?
- Are there restrictions regarding the registration of political parties or organisations, or their activities?
- Are punishments for political offences unduly harsh?
- Are there reports on prosecution being used as a pretext for sanctioning a person's political opinion?
- Is the fairness of legal procedures guaranteed in political cases?
- Are there reports on impunity for politically motivated crimes?
- Do authorities tolerate crimes committed by affiliates of the group in power (corruption)?
- Do the authorities condone human rights abuses by affiliated groups or individuals against (real or perceived) political opponents?

Freedom of assembly and expression:

- Are there different political parties/groups operating in public?
- Are there reports on protests or rallies and on the authorities' response?
- Are there reports on political prisoners?
- Are there reports on political opinion being imputed to persons?

Gender and vulnerability:

Bear in mind that the answers to your questions might be different when looking for information about the situation of women, children, elderly persons, persons with a particular gender identity or sexual orientation, or persons belonging to a vulnerable group.

For more questions, see research trees on key legal issues (section 3.2) regarding national law, domestic protection, non-state actors and internal protection alternative.

3.3.3 RACE AND NATIONALITY

In the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), ratifying states condemn racial discrimination and agree to "undertake to pursue by all appropriate means and without delay a policy of eliminating racial discrimination in all its forms and promoting understanding among all races, [...]" (CERD, Article 2 (1)). Article 1 defines the term "racial discrimination" as

> [...] any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life. (CERD, Article 1 (1))

According to the UNHCR handbook, race

> has to be understood in its widest sense to include all kinds of ethnic groups that are referred to as "races" in common usage. Frequently it may also entail membership of a specific social group of common descent forming a minority within a larger population. (UNHCR, January 1992, para. 68)

Nationality goes beyond citizenship. It may occasionally overlap with the term "race" (UNHCR, January 2011, para. 74). The EU Asylum Qualification Directive provides an example of the broad interpretation of "nationality" in the context of refugee law, stating that

> 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. (EU Asylum Qualification Directive 2011, Article 10 (1) (c))

Acts of persecution for reasons of nationality may be based on measures directed against or adverse attitudes towards a national minority. However, it is also possible that "the fact of belonging to such a minority may in itself give rise to well-founded fear of persecution" (UNHCR, January 1992, para. 74).

While in most cases persecution for reason of nationality is feared by persons belonging to a national minority, there are also circumstances where members of a majority group may fear persecution by a dominant minority group (UNHCR, January 1992, para. 76).

EXAMPLE

An applicant from Kyrgyzstan claims that he is in need of international protection because he is an ethnic Uzbek. He was accused of taking part in the violence of June 2010 in Osh, although according to his own accounts, he was not at all involved in these events. He says that the police tried to extort money from him as they did with many other ethnic Uzbeks. Police arrested him, he was tortured and beaten during interrogation and eventually released. He claims that he cannot return to Kyrgyzstan because the authorities there treat Uzbeks in a discriminatory way. He says he was the victim of extortion by ethnic Kyrgyz; he was forced to sell his small restaurant to a Kyrgyz criminal group. He states that the authorities did nothing to support him, as Uzbeks are generally not respected by Kyrgyz society.

IPA see 3.2.4

Is police acting in a discriminatory manner?

Is there arbitrary detention?

Are people tortured in police custody?

Is there extortion of Uzbeks by the police?

Do the authorities intervene in favour of Uzbeks when private groups are trying to pressure them?

Domestic protection and treatment of Uzbeks

Do Kyrgyz groups use extortion to force ethnic Uzbeks to sell their property?

What is the influence of these groups in society?

What is the general attitude of society towards Uzbeks?

Are Uzbeks discriminated against in their daily life? (employment, housing, education, etc.?)

Non-state agents

Are there legal provisions protecting national minorities?

Are there discriminatory legal provisions against Uzbeks?

How is the law enforced?

Do Uzbeks have access to fair procedures incl. remedies?

National laws

Is the situation different if the applicant is a young or an elderly person or a person with a particular gender identity or sexual orientation? Does he belong to a vulnerable group?

Ethnic Uzbek in Kyrgyzstan - Nationality

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List of research questions related to persecution on grounds of race and nationality (non-exhaustive)

National laws, including their application:

- Are there legal provisions protecting national minorities?
- Are there legal provisions that discriminate on the basis of race, nationality or ethnicity?
- Are these provisions enforced in practice?
- Is there information available about equal treatment in legal procedures, in theory and in practice, for people belonging to different racial or ethnic groups?
- Are remedies available against discriminatory treatment on the basis of race or nationality?

Domestic protection and non-state agents:

- Are there reports about the police or other state agents discriminating on the basis of race or nationality?
- Are there reports on physical or psychological violence against members of racial, ethnic, or national minorities at the hands of state agents or non-state agents?
- Is there information available about the authorities protecting minorities from abuses at the hands of members of majority groups, including for example acts of extortion by private actors belonging to majority groups?
- Is there equal access to basic resources like food and water; to education, health care, housing, labour market, social welfare, etc., regardless of people's race or nationality?
- Are members of ethnic or cultural minorities free to practice their traditions and use their language in everyday life and in public?

Internal protection alternative:

- Are there regions where the ethnic group of the applicant is in the majority or has better conditions for other reasons?

Gender and vulnerability:

Bear in mind that the answers to your questions might be different when looking for information about the situation of women, children, elderly persons, persons with a particular gender identity or sexual orientation, or persons belonging to a vulnerable group.

For more questions, see research trees on key legal issues (section 3.2) regarding national law, domestic protection, non-state actors and internal protection alternative.

3.3.4 PARTICULAR SOCIAL GROUPS

The UNHCR guidelines on membership of a particular social group state:

There is no "closed list" of what groups may constitute a "particular social group" within the meaning of Article 1A(2). The Convention includes no specific list of social groups, nor does the ratifying history reflect a view that there is a set of identified groups that might qualify under this

ground. Rather, the term membership of a particular social group should be read in an evolutionary manner, open to the diverse and changing nature of groups in various societies and evolving international human rights norms. (UNHCR, 7 May 2002b, para. 3)

Two approaches have dominated decision-making on what constitutes a particular social group for the purposes of the 1951 Refugee Convention. The "protected characteristics approach" examines whether a group is united by an immutable characteristic so fundamental to human dignity that a person should not be compelled to forsake it. The "social perception approach", on the other hand, examines whether a group shares a common characteristic that makes them a cognizable group or sets them apart from society at large. UNHCR has adopted a definition that incorporates both approaches, defining a particular social group as

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. The characteristic will often be one which is innate, unchangeable, or which is otherwise fundamental to identity, conscience or the exercise of one's human rights. (UNHCR, 7 May 2002b, para. 11)

The 2011 EU Asylum Qualification Directive states in Article 10:

[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. (EU Asylum Qualification Directive 2011, Article 10 (1) (d))

In its preamble, the EU Asylum Qualification Directive makes reference to the ground of persecution "membership of a particular social group" and states that

[f]or the purposes of defining a particular social group, issues arising from an applicant's gender, including gender identity and sexual orientation, which may be related to certain legal traditions and customs, resulting in for example genital mutilation, forced sterilisation or forced abortion, should be given due consideration in so far as they are related to the applicant's well-founded fear of persecution. (EU Asylum Qualification Directive 2011, Preamble (30))

For an applicant to come within the scope of the 1951 Refugee Convention on the basis of (actual or imputed) membership of a particular social group, human rights abuses or lack of protection from abuses have to be motivated by this common characteristic in order to provide the required causal link (nexus) between the fear of persecution and the reasons for persecution.

For this manual, three groups have been chosen to illustrate how to elaborate research questions dealing with membership of a particular social group: women, LGBTI persons, and children.

3.3.4.1 WOMEN

Gender-related claims can be brought forward by women and men. In practice, gender-specific claims are usually brought by women, mainly because they are more prone to disadvantages within their society and are therefore more vulnerable to gender-specific persecution. In many instances persecution of women is committed by non-state actors (Binder, 2001, pp. 348–385).

Persecution of women may be rooted in the same reasons as persecution of men. However, there are a number of practices that are experienced more frequently or exclusively by women, such as domestic violence, abduction, forced marriage, human trafficking for prostitution, rape and other sexual violence, forced sterilisation, honour crimes, or female genital mutilation. Furthermore, women often face inequalities before the law or are confronted with traditional decision-making bodies in their countries of origin that are not in conformity with international human rights standards (UNHCR, 7 May 2002a; Asylum Aid, October 2007).

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and its Optional Protocol are often described as the international bill of rights for women. According to Article 1 of the Convention,

> the term 'discrimination against women' shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. (CEDAW, 1979, Article 1)
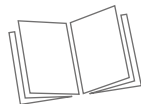
Asylum Aid: Country of Origin Information and Women: Researching gender and persecution in the context of asylum and human rights claims (author: Bethany Collier), October 2007
http://www.asylumaid.org.uk/data/files/publications/68/Country_of_Origin_Information_and_Women.pdf

Crawley, Heaven/Guemar, Latefa/Hintjens, Helen: Thematic review on the coverage of women in Country of Origin Information (COI) reports, Prepared for the Independent Advisory Group on Country Information (IAGCI), Centre for Migration Policy Research (CMPR), Swansea University, 19 September 2011
http://icinspector.independent.gov.uk/wp-content/uploads/2011/02/Evaluation-of-the-Country-of-Origin-Report-on-Women3.pdf

Mullally, Siobhán: Domestic violence asylum claims and recent developments in international human rights law: A progress narrative?, International and Comparative Law Quarterly, Volume 60, Issue 2, April 2011, pp. 459–484
http://journals.cambridge.org/abstract_S0020589311000042

EXAMPLE

A woman from Mongolia claims she is in need of international protection because she had to flee her abusive husband. She states that he raped and beat her on several occasions; she had to go to hospital several times. She tried to file a complaint with the police but nothing happened. When her husband discovered evidence about the complaint she had tried to file, he threatened to kill her. After this incident she left the country.

Do state authorities have the resources and capacity to protect victims of domestic violence?	
Are there prosecutions/ convictions based on provisions against domestic violence?	**Ability of the state to protect**

Is there social stigma preventing women from filing complaints?	
Are there other potential barriers dissuading individuals from reporting domestic abuse?	**Access to state protection**
Do authorities refuse to accept complaints because they see domestic violence as an internal "family matter"?	

Are the state authorities willing to protect victims of domestic violence?	
Are there policies in place to fight the prevalence of domestic violence in society?	**Willingness of the state to protect**
What are the punishments for acts of domestic violence?	
Is violence committed by a husband punished in the same way as other forms of violence?	

Are there areas in the country where the woman is safe from her husband?	
Can a single woman reach the area safely?	**IPA (if relevant)**
Can she make a living on her own? (Housing, labour, social assistance, etc.)	

Is violence against women prohibited by law?	
Does the prohibition include domestic violence? Is spousal rape recognized as rape?	**National laws**

Is the situation different if the applicant is a young or an elderly person? Does she belong to a vulnerable group?

Mongolian woman threatened by husband

List of research questions related to women-specific persecution (non-exhaustive)

National laws, including their application:

- Are civil and political as well as socio-economic rights of women protected?
  Is there anti-discrimination legislation? Is it enforced?
- Is there evidence of patterns of legal or de facto discrimination against women of a substantially
  prejudicial nature to the woman concerned (e.g. severe limitations to the right to earn a
  livelihood, or to the right to practice her religion, or to access to education)?
- Is there evidence of discriminatory prosecution or punishment of women for certain crimes?
- Are there laws against women who violate social or cultural norms (including laws that may
  be neutral in text but in practice be applied against women)? If so, what are the penalties?
  Are these laws enforced?
- Are victims of rape criminalised?
- Is there a legal prohibition of state and non-state violence, including sexual violence,
  against women?
- Is there legislation on certain justifiable policy goals that implies violations of core human rights
  (e.g. forced sterilisation or abortion as a means of demographic control)?

Societal attitudes and behaviour:

- Which cultural, social, and/or traditional norms and practices/policies (with relation to women)
  prevail in the country of origin? Are there reports on harmful traditional practices against
  women?
- What are the consequences for women transgressing social mores (e.g. for not obeying dress
  codes, for adultery, etc.)?
- Does society or the state see women as individuals or just as part of their community or
  extension of the husband?
- Is there evidence of harassment, intimidation, detention, threats against women because of their
  affiliation with relatives/husbands who hold a certain political opinion (imputed political opinion;
  reflex persecution), or because of their membership in a particular group (e.g. ethnic cleansing)?

Domestic protection:

- Are there reports that police or public authorities refuse to protect women against harmful
  conduct by private persons? Are there reports of public authorities remaining inactive faced with
  harmful conduct directed against women? Is there evidence of the police ignoring or ill-treating
  women who report crimes, especially those involving sexual violence?
- Is there information about potential barriers preventing women from filing complaints?
- 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?
- Are there reports on prosecutions/convictions based on provisions against harmful conduct
  directed against women?

Gender and vulnerability:

> Bear in mind that the answers to your questions might be different when looking for information about the situation of single women, a young or an elderly woman, or a person with a particular gender identity or sexual orientation, or a woman belonging to a vulnerable group.

For more questions, see research trees on key legal issues (section 3.2) regarding national law, domestic protection, non-state actors and internal protection alternative.

3.3.4.2 LGBTI PERSONS (LESBIAN, GAY, BISEXUAL, TRANSGENDER, INTERSEX)

In its guidelines on claims based on sexual orientation and/or gender identity, UNHCR defines the terms included in the acronym LGBTI as follows:

> A lesbian is a woman whose enduring physical, romantic and/or emotional attraction is to other women. [...] Gay is often used to describe a man whose enduring physical, romantic and/or emotional attraction is to other men, although gay can also be used to describe both gay men and women (lesbians). [...] Bisexual describes an individual who is physically, romantically and/or emotionally attracted to both men and women. [...] Transgender describes people whose gender identity and/or gender expression differs from the biological sex they were assigned at birth. Transgender is a gender identity, not a sexual orientation and a transgender individual may be heterosexual, gay, lesbian or bisexual. [...] The term intersex or "disorders of sex development" (DSD) refers to a condition in which an individual is born with reproductive or sexual anatomy and/or chromosome patterns that do not seem to fit typical biological notions of being male or female. These conditions may be apparent at birth, may appear at puberty, or may be discovered only during a medical examination. Individuals with these conditions were previously referred to as "hermaphrodites", however this term is considered outdated and should not be used unless the applicant uses it. An intersex person may identify as male or female, while their sexual orientation may be lesbian, gay, bisexual, or heterosexual. (UNHCR, 23 October 2012, para. 10)

UNHCR points out that a number of jurisdictions have affirmed the position that "sexual orientation and/or gender identity are fundamental aspects of human identity that are either innate or immutable, or that a person should not be required to give up or conceal" (UNHCR, 23 October 2012, para. 12).

With regard to the Convention grounds relevant in cases of LGBTI persons, UNHCR states:

> Refugee claims based on sexual orientation and/or gender identity are most commonly recognized under the "membership of a particular social group" ground. Other grounds may though also be relevant depending on the political, religious and cultural context of the claim. For example, LGBTI activists and human rights defenders (or perceived activists/defenders) may have either or both claims based on political opinion or religion if, for example, their advocacy is seen as going against prevailing political or religious views and/or practices. (UNHCR, 23 October 2012, para. 40)

There is a wide range of reasons why LGBTI persons may be subject to abuse and discrimination. Being perceived as abnormal, criminal, unworthy, etc. can be the result of traditional and social norms or

intolerance. National laws may reflect these norms and attitudes. According to the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA), 78 countries still have legislation criminalising same-sex consensual acts between adults as of May 2013 (ILGA, May 2013, p. 5).

Freedom of sexual orientation is not explicitly recognised as an international human right. However, it is well established that LGBTI persons are entitled to all human rights on an equal basis with others. The Yogyakarta Principles developed in 2007 by human rights experts interpret international human rights standards with regard to sexual orientation and gender identity (Yogyakarta Principles, 2007).

UNHCR refers to the treatment of LGBTI individuals in its guidelines on claims based on sexual orientation and/or gender identity:

> It is widely documented that LGBTI individuals are the targets of killings, sexual and gender-based violence, physical attacks, torture, arbitrary detention, accusations of immoral or deviant behaviour, denial of the rights to assembly, expression and information, and discrimination in employment, health and education in all regions around the world. Many countries maintain severe criminal laws for consensual same-sex relations, a number of which stipulate imprisonment, corporal punishment and/or the death penalty. In these and other countries, the authorities may not be willing or able to protect individuals from abuse and persecution by non-State actors, resulting in impunity for perpetrators and implicit, if not explicit, tolerance of such abuse and persecution. (UNHCR, 23 October 2012, para. 2)

With regard to country of origin information on the situation and treatment of LGBTI individuals, UNHCR points out:

> Relevant and specific country of origin information on the situation and treatment of LGBTI individuals is often lacking. This should not automatically lead to the conclusion that the applicant's claim is unfounded or that there is no persecution of LGBTI individuals in that country. The extent to which international organizations and other groups are able to monitor and document abuses against LGBTI individuals remain limited in many countries. Increased activism has often been met with attacks on human rights defenders, which impede their ability to document violations. Stigma attached to issues surrounding sexual orientation and/or gender identity also contributes to incidents going unreported. Information can be especially scarce for certain groups, in particular bisexual, lesbian, transgender and intersex people. It is critical to avoid automatically drawing conclusions based on information about one group or another; however, it may serve as an indication of the applicant's situation in certain circumstances. (UNHCR, 23 October 2012, para. 66)

LGBTI asylum-seekers may hide their sexual orientation and/or gender identity, keeping parts of their lives secret. This is why they can often present little – if any – evidence to support their asylum claims. The information available often deals only with gay men. Information on risks for lesbian women or bisexual persons is rare. Information on the situation of transgender and intersex persons seems to be almost non-existent. Information on one of the sub-groups does not necessarily cover other sub-groups. In addition, an absence of information on one sub-group does not indicate that there is no risk for this sub-group or for the other sub-groups (COC Nederland, Vrije Universiteit Amsterdam, September 2011, p. 10).
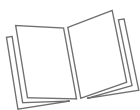
UNHCR - UN High Commissioner for Refugees: Judging gender: Asylum adjudication and issues of gender, gender identity and sexual orientation, Keynote statement by Dr Alice Edwards, Senior Legal Coordinator and Chief of the Protection Policy and Legal Advice Section, UNHCR at the Intergovernmental consultations on migration, asylum and refugees Workshop on asylum issues relating to gender, sexual orientation and gender identity - Geneva, 25–26 October 2012
http://www.unhcr.org/refworld/docid/509cc8252.html

Swedish Migration Board: Unknown people, The vulnerability of sexual and gender identity minorities and the Swedish Migration Board's Country of Origin Information system, January 2010
http://www.migrationsverket.se/download/18.478d06a31358f98884580001120/migrationsverket_unknown_people.pdf
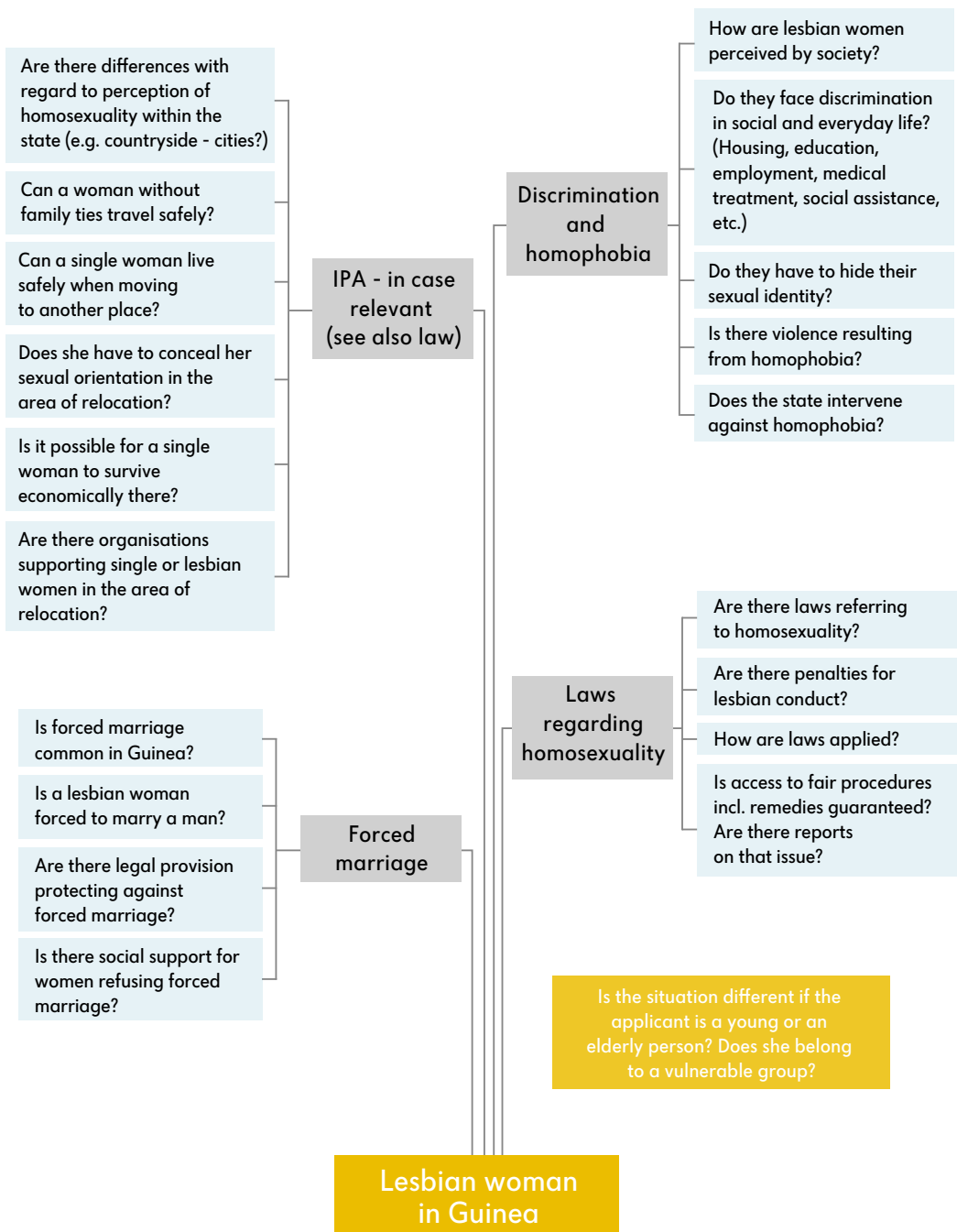
Refugee Studies Centre, Oxford Department of International Development, University of Oxford, Forced Migration Review, Issue 42: Sexual orientation and gender identity and the protection of forced migrants, April 2013
http://www.fmreview.org/en/fmr42full.pdf

EXAMPLE

A woman from Guinea claims that she is in need of protection because she had a sexual relationship with a woman. She now fears harsh punishment. She states that she cannot return to her family, as she would be forced to marry a man.

Are there differences with regard to perception of homosexuality within the state (e.g. countryside - cities?)

Can a woman without family ties travel safely?

Can a single woman live safely when moving to another place?

Does she have to conceal her sexual orientation in the area of relocation?

Is it possible for a single woman to survive economically there?

Are there organisations supporting single or lesbian women in the area of relocation?

IPA - in case relevant (see also law)

Discrimination and homophobia

How are lesbian women perceived by society?

Do they face discrimination in social and everyday life? (Housing, education, employment, medical treatment, social assistance, etc.)

Do they have to hide their sexual identity?

Is there violence resulting from homophobia?

Does the state intervene against homophobia?

Is forced marriage common in Guinea?

Is a lesbian woman forced to marry a man?

Are there legal provision protecting against forced marriage?

Is there social support for women refusing forced marriage?

Forced marriage

Laws regarding homosexuality

Are there laws referring to homosexuality?

Are there penalties for lesbian conduct?

How are laws applied?

Is access to fair procedures incl. remedies guaranteed? Are there reports on that issue?

Is the situation different if the applicant is a young or an elderly person? Does she belong to a vulnerable group?

Lesbian woman in Guinea

List of research questions related to LGBTI-specific forms of persecution (non-exhaustive)

National laws, including their application:

- What are the legal provisions regarding LGBTI persons?
- Are there legal provisions criminalising homosexual conduct? What are the penalties? Are these provisions enforced?
- Are there any provisions that disguise the penalisation of homosexual conduct?
- Are LGBTI persons forced to receive certain medical treatments (e.g. compulsory physical or psychiatric treatment)?

Domestic protection:

- Can LGBTI persons effectively contact the authorities when they are victims of societal abuse?
- Are there any institutions or organisations supporting LGBTI persons?
- Are there reports on incidents where state authorities did or did not intervene to prevent serious harm? What was the motivation in case they did not intervene?
- Are there reports about successful protection by state authorities?
- Is discrimination reported regarding governmental institutions or agencies (including police, prisons)?
- Are there reports about discrimination of LGBTI persons in court?

Societal attitudes and behaviour:

- How are LGBTI persons (and the individual sub-groups) perceived by society?
- Which cultural and social traditional norms and practices with regard to LGBTI persons prevail in the country of origin?
- Are there forms of discrimination against LGBTI persons in education, the labour market, housing, health care, public places, etc.? Are there reports on social exclusion of LGBTI persons? Are there differences in the treatment of the individual sub-groups?
- Are there reports on whether or not LGBTI persons have to hide their sexual orientation and/or gender identity?
- Are there reports about incidents involving violence against LGBTI persons?
- Is there evidence of patterns of other forms of de facto discrimination against LGBTI persons?
- Are there reports about discrimination regarding access to health care?
- Are there reports about LGBTI persons being forced to marry regardless of their sexual orientation and/or gender identity?
- Are there reports about traditional practices regarding sexual orientation and/or gender identity that involve serious physical or sexual violence?
- Is there any form of traditional justice in place (e.g. council of elders, religious courts, etc.)? How are LGBTI persons treated?

Gender and vulnerability:

Bear in mind that the answers to your questions might be different when looking for information about the situation of lesbian women or gay men, or of transgender or intersex persons. The situation might be different if the person is young or elderly or belongs to a vulnerable group.

For more questions, see research trees on key legal issues (section 3.2) regarding national law, domestic protection, non-state actors and internal protection alternative.

3.3.4.3 CHILDREN

The Convention on the Rights of the Child (CRC), together with the Optional Protocols on the sale of children, child prostitution and child pornography, and on the involvement of children in armed conflict, form a comprehensive code to protect the rights and best interests of children.

Pursuant to Article 1 of the CRC, "a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier" (CRC, 1989, Article 1). Likewise, the EU Asylum Qualification Directive sets the age of majority at eighteen (EU Asylum Qualification Directive 2011, Article 2 (k)).

A well-founded fear of child persecution may be linked to any of the Convention grounds. However, membership of a particular social group has frequently been applied in connection with children's claims. In its guidelines on child asylum claims, UNHCR refers to some of the more prominent social groupings such as street children, children affected by HIV/AIDS, and children recruited or used by an armed force or group (UNHCR, 22 December 2009, para. 52). Child-specific forms of persecution may further be related, for instance, to child trafficking, female genital mutilation, family and domestic violence, forced or under-age marriage, debt bondage or hazardous child labour, forced labour, forced prostitution and child pornography, or violation of economic, social, and cultural rights (UNHCR, 22 December 2009, paras. 18 - 36).

The UN Committee on the Rights of the Child emphasised that

> under-age recruitment (including of girls for sexual services or forced marriage with the military) and direct or indirect participation in hostilities constitutes a serious human rights violation and thereby persecution, and should lead to the granting of refugee status where the well-founded fear of such recruitment or participation in hostilities is based on "reasons of race, religion, nationality, membership of a particular social group or political opinion" (article 1A (2), 1951 Refugee Convention). (UN Committee on the Rights of the Child, 1 September 2005, para. 59)

With regard to socio-economic needs of children, the UN Committee on Economic, Social and Cultural Rights states the following:

> [T]he lack of educational opportunities for children often reinforces their subjection to various other human rights violations. For instance these children, who may live in abject poverty and not lead healthy lives, are particularly vulnerable to forced labour and other forms of exploitation. Moreover, there is a direct correlation between, for example, primary school enrolment levels for girls and major reductions in child marriages (UN Committee on Economic, Social and Cultural Rights, 10 May 1999, para. 4).

The EU Asylum Qualification Directive stresses the need of particular attention to child-specific forms of protection (Preamble 28) and of recognising that acts of persecution can be of a child-specific nature (EU Asylum Qualification Directive 2011, Article 9 (2) (f)).

For the assessment of refugee claims by children, special efforts are needed to gather relevant country of origin information, particularly as children may not have sufficient knowledge of conditions in their country of origin.
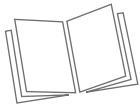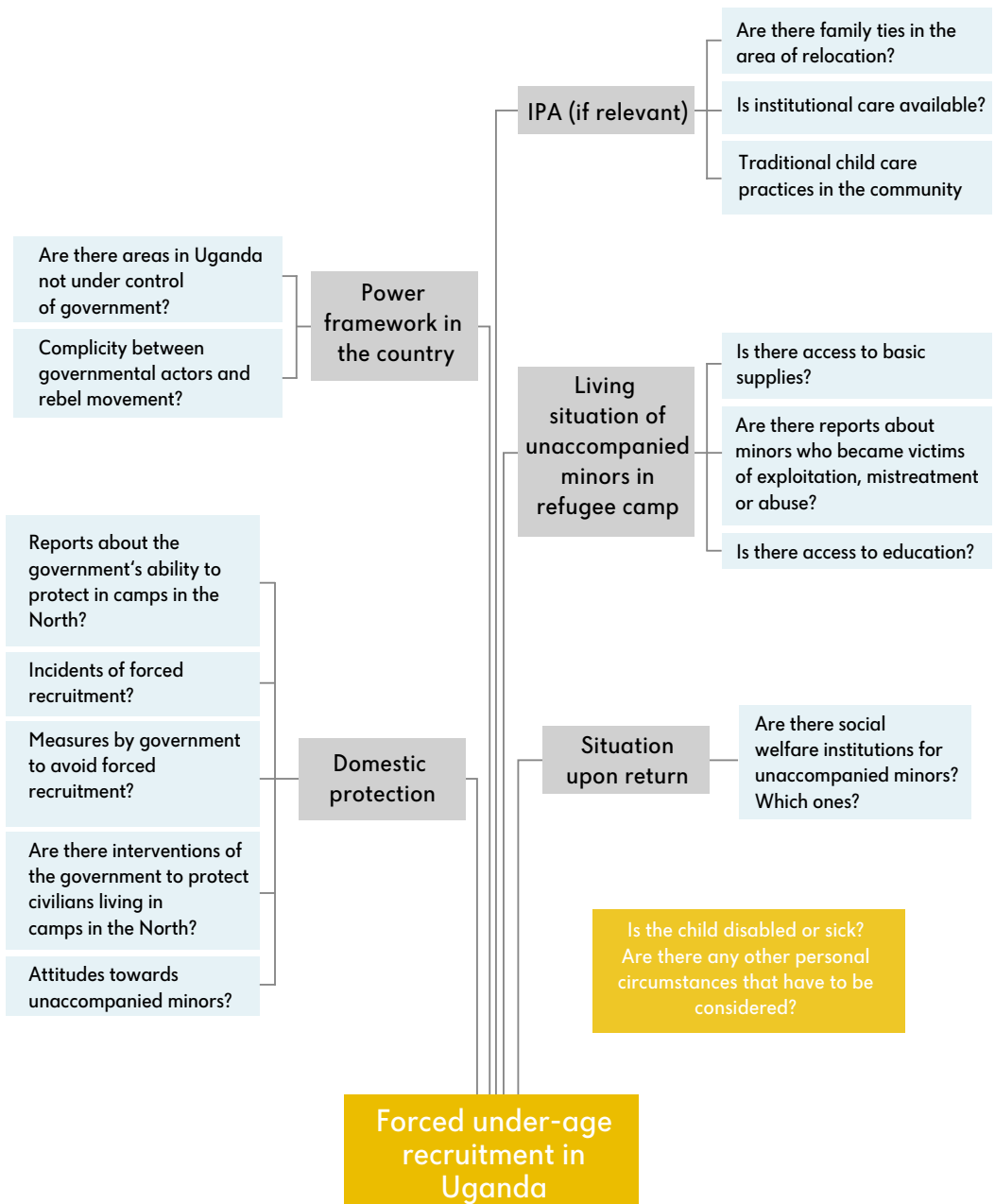
Kohl, Ravi KS/Mitchell, Fiona/Connolly, Helen: An analysis of the coverage of issues related to children in Country of Origin Reports produced by the Home Office, Prepared for the Independent Advisory Group on Country Information (IAGCI), October 2012
http://icinspector.independent.gov.uk/wp-content/uploads/2012/12/IAGCI.Children.COIS_.Final_.pdf

EXAMPLE

A 16-year old boy states that he fled Uganda because he fears forced recruitment by a rebel movement and that his brother was captured by this group. His parents have passed away and he lived in a refugee camp in the north of the country. He states that he does not have family inside Uganda that could help him.

IPA (if relevant)

- Are there family ties in the area of relocation?
- Is institutional care available?
- Traditional child care practices in the community

Power framework in the country

- Are there areas in Uganda not under control of government?
- Complicity between governmental actors and rebel movement?

Living situation of unaccompanied minors in refugee camp

- Is there access to basic supplies?
- Are there reports about minors who became victims of exploitation, mistreatment or abuse?
- Is there access to education?

Domestic protection

- Reports about the government's ability to protect in camps in the North?
- Incidents of forced recruitment?
- Measures by government to avoid forced recruitment?
- Are there interventions of the government to protect civilians living in camps in the North?
- Attitudes towards unaccompanied minors?

Situation upon return

- Are there social welfare institutions for unaccompanied minors? Which ones?

Is the child disabled or sick? Are there any other personal circumstances that have to be considered?

Forced under-age recruitment in Uganda

List of research questions related to child-specific forms of persecution (non-exhaustive)

National laws, including their application:

- What legal provisions are in place to protect children? Are they enforced?
- Are there national laws to protect children against harmful practices?
  What are the penalties for breaking these laws? Are these laws enforced?

Societal attitudes and behaviour:

- Are there reports on harmful traditional practices involving children (e.g. FGM, forced/underage marriages, witchcraft accusations, ritual killings, etc.)?
- What cultural, social, or traditional norms and practices or policies affecting children prevail in the country?

Children in armed conflicts:

- Are there reports about the involvement of children in armed conflicts? On under-age recruitment for fighting? On the recruitment of children for sexual services or forced marriage with the military? On other forms of direct or indirect participation in hostilities?
- Who are the recruiters? Are they state or non-state actors?

Child trafficking:

- Are there reports on child trafficking?
- Is information available on the recruitment, transportation, transfer, harbouring, or receipt of children for the purpose of exploitation?
- Are there reports on a possible complicity of the child's parents, other family members or caregivers in arranging or consenting to the trafficking?
- Are there reports of authorities' interventions against child trafficking?

Child labour:

- Are there reports on child labour and slavery? On debt bondage and other forms of forced labour? On the use of children in prostitution or pornography, or on the use of children in illicit activities (e.g. drug trading)?
- Is a child's full development and education inhibited by the kind of labour performed? Is the labour likely to harm the health, safety or morals of a child?

Domestic violence:

- Are there reports on domestic violence against children (e.g. battery, sexual abuse in the household, incest, crimes committed in the name of honour, psychological abuse, etc.)?
- Are there national provisions referring to domestic violence? Are they enforced?

Violation of economic, social and cultural rights:

- Are there reports on violations of economic, social and cultural rights? On the denial of access to food, water and housing? On the denial of access to medical treatment in case of life-threatening illness?
- Is there an accumulation of discrimination, e.g. systematic denial of access to education (especially for girls)?

Persecution due to family ties:

- Is there evidence of harassment, intimidation, detention, or threats against children because of their affiliation with parents/relatives that hold a certain political opinion (imputed political opinion; reflex persecution), or because of their membership in a particular group (e.g. ethnic cleansing)?

Gender and vulnerability:

Bear in mind that the answers to your questions might be different when looking for information about the situation of a boy or a girl or a child that belongs – beyond being a child – to a specific vulnerable group.

For more questions, see research trees on key legal issues (section 3.2) regarding national law, domestic protection, non-state actors and internal protection alternative.

3.4 SUMMARY

✔ COI research must be informed by an understanding of international human rights law to lead to relevant results.

✔ Protection-related questions can be systematically derived from legal concepts:

- o Convention grounds (persecution for political or religious reasons or for reasons of race, nationality, or belonging to a particular social group)

- o National law, domestic (or state) protection, persecution of non-state actors, internal protection alternative

✔ Mainstreaming gender and vulnerability is a process of creating awareness of and knowledge about how gender or belonging to a vulnerable group influences living conditions and adds a specific dimension to many research questions.

POINTS TO REMEMBER FOR PRACTICAL WORK

For RSD practitioners:

▪ Research trees help to structure, organise and to interrelate questions. They support the professional preparation of COI research.

For RSD practitioners:

▪ RSD practitioners who conduct research for their own cases should separate COI research and legal assessment to avoid following preconceived ideas and judgements when researching.

▪ Deliberately formulating relevant COI questions helps to keep research apart from legal assessment.

▪ For those who can draw on the support of COI service providers, COI questions are the central tool of communication with COI service providers.

▪ When formulating research questions, it is important to have the applicant in mind. Is the applicant a man, a woman or a child? Is the applicant a healthy person or somebody who suffers from an illness? Are there specific vulnerabilities?

For COI service providers:

▪ Background information on a case can help COI service providers understand the context of a specific query.

▪ Have in mind that men and women, younger or elderly people, sick or healthy persons, etc. might have different experiences and realities. Make sure that you consider mainstreaming aspects during research.

4 KNOWLEDGE AND ASSESSMENT OF SOURCES

After the formulation of relevant questions – the subject of chapter 3 – the next step for effective and efficient COI research is the identification of reliable sources.

As was highlighted in chapter 1, information becomes COI by its use in the context of international protection. As a consequence, any piece of information from any source may serve as COI – provided that the information is relevant and the reliability of its source is taken into account.

This chapter explains the concept of primary and secondary sources and offers criteria for assessing sources. It also offers some guidance and thoughts on how to deal with sources that are considered to be dubious.

Appendix B to this manual provides short descriptions of sources widely used in COI research. They are helpful for gaining an overview on a certain country or topic, and they can act as a starting point for research. Appendix B also includes an overview on publicly available COI databases as important tools to support COI research.

The importance of assessing sources varies for the different target groups of this manual:

COI service providers support their clients with relevant and carefully selected COI which meets the quality standards. For them, knowledge of sources and the ability to efficiently assess unknown COI sources is a core competence.

RSD practitioners, bearing the double burden of research and legal assessment, run the risk of mixing up these two functions. The deliberate assessment of the sources helps to judge their reliability, weigh their value and to thus develop an unprejudiced picture of the situation in a country.

Content of chapter 4:

4.1   COI sources - definition and scope

    4.1.1   Primary and secondary sources
    4.1.2   Types of sources

4.2   Source assessment

    4.2.1   Criteria of source assessment
    4.2.2   Assessing different types of sources
    4.2.3   Source assessment in practice

4.3   Dubious sources

4.4   How to build your knowledge of sources

4.5   Summary

LEARNING OBJECTIVES

Having studied this chapter, readers will be able to

» explain the difference between a primary and a secondary source
» distinguish different types of sources
» list criteria for source assessment and apply them to individual sources
» understand how to deal with dubious sources
» select a balanced set of sources in order to produce reliable
   and impartial research results

4.1 COI SOURCES - DEFINITION AND SCOPE

In the context of COI, sources are defined as persons or institutions producing information.

In order to meet the quality standard of reliability and balance, it is essential to systematically assess sources and to balance the sources that are used. This allows one to gain a comprehensive view of events or of a situation.

The identification of COI sources is a continuous process and often occurs during the course of research. Working with COI requires familiarity with a basic set of sources widely used in COI research and the ability to select appropriate sources that contain information relevant to answering the questions at hand.

4.1.1 PRIMARY AND SECONDARY SOURCES

In this manual, we distinguish between primary and secondary sources:

- A primary source is a person or institution providing first-hand testimony or observations on the event or issue in question.

- A secondary source is a person or institution referring to primary or other secondary sources. It may reproduce, compile, or provide comments on primary or other secondary sources.

Note on terminology: The term "original source" is generally used as a synonym for primary source. The *Common EU Guidelines for processing Country of Origin Information*, however, have introduced the term "original source" as a third category besides primary and secondary source. It is defined as "the person or institution who documents the event, fact or matter for the first time" (Common EU Guidelines for processing Country of Origin Information, April 2008, p. 6). In order to avoid ambiguity, we do not use the term "original source" in this manual.

To familiarise ourselves with this terminology, let us take a look at the following example from the report *"Strangers at Home: North Koreans in the South"* published by the International Crisis Group (ICG) on 14 July 2011, available at http://www.crisisgroup.org/~/media/Files/asia/north-east-asia/north-korea/208%20-%20Strangers%20at%20Home%20-%20North%20Koreans%20in%20the%20South.pdf.

The ICG report comprises information derived from interviews, from the media, and from other organisations. Although it contains many references to information obtained from sources other than the International Crisis Group, we still refer to the ICG as the source of the report.

Different mechanisms are at work here. First, the ICG obtains information by conducting interviews. The interviewees who provided information to the ICG are primary sources; these persons have first-hand knowledge of an event or a situation that is the subject of the ICG report. The ICG documents what the interviewees said and integrates this information into its report. In doing so, the ICG becomes a secondary source in those text blocks that contain quotations of interviewees.

Secondly, the ICG refers to information from local media and to information already published by other organisations. Here too, the ICG serves as a secondary source. Finally, parts of the report contain analyses or conclusions drawn by the ICG itself. Concerning these parts of the text, the ICG is the primary source.

Let's have a look at some paragraphs on page 12 of the report

According to Yun Yŏ-sang, president of the Database Center for North Korean Human Rights, many defectors encounter difficulties in the South because of an inferiority complex as they struggle to assimilate. Many of them feel marginalised, discriminated against, excluded and victimised by a systemic bias.[106]

> Yun Yŏ-sang is the primary source.
> ICG is the source that first documented the information. It is a secondary source.

South Korean society tends to be clannish, which makes North Korean defectors feel like strangers in their own country.

> ICG is the primary source.

Many defectors report considerable loneliness in South Korea, compounded by intense guilt over leaving relatives behind. According to Pak Chŏn-ran [Park Jeon-ran], a specialist on defectors at Seoul National University's Institute for Unification Studies, "the health status of defectors who left their families in the North is five times worse than that of defectors who escaped North Korea with relatives or friends"[107]

> Pak Chŏn-ran is the primary source.
>
> ICG is a secondary source.
>
> A look on Radio Free Asia (http://www.rfa.org/english/news/social/korea_defector-20070509.html) shows that the article which the ICG report refers to in footnote 107 is itself based on a report in Korean by Youngyoon Choi and Naeri Kim. The report was translated into English. The article on the English website of Radio Free Asia was written by Luisetta Mudie and edited by Sarah Jackson-Han.
>
> Radio Free Asia is a secondary source.

[106] Crisis Group interview, Yun Yŏ-sang, president of the Database Centre for North Korean Human Rights (NKDB), Seoul, 14 April 2011.

[107] "In mind, body, North Koreans still suffer after they defect", Radio Free Asia, 9 May 2007.

The example of the second quotation (Pak Chŏn-ran) gives us an idea about the steps which information might go through before we use it. The following diagram shows the authors/publishers involved from the primary source to the ICG report:

Pak Chŏn-ran · Korean report by Youngyoon Choi and Naeri Kim · English translation · Web article by Luisetta Mudie, edited by Sarah Jackson Han · Publication on Radio Free Asia · International Crisis Group

PRIMARY SOURCE   SECONDARY SOURCES
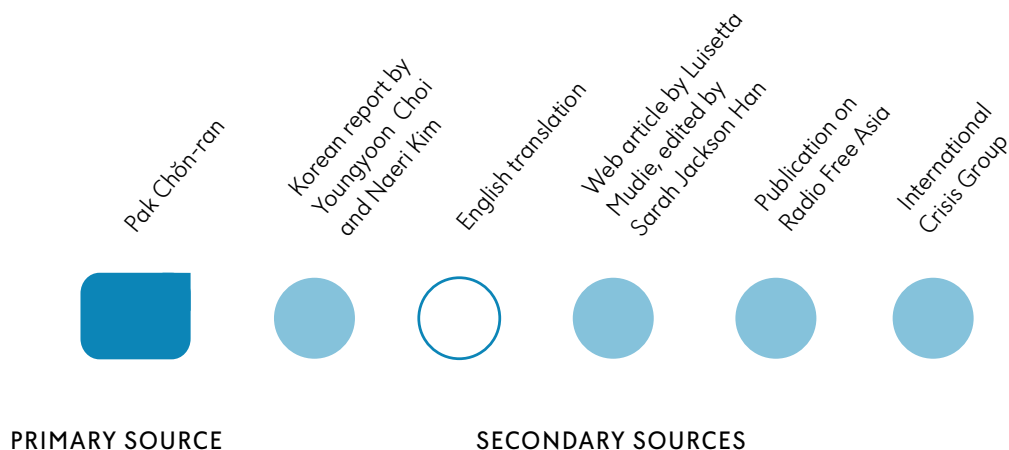
When researching or using COI, you will find that secondary sources frequently cite each other in relation to a particular piece of information. Problems may arise in terms of selective (and thus misleading) or erroneous quotations, incorrect translations, mistaken impressions of currency, etc. For this reason, it is important to be aware whether you are dealing with a primary or a secondary source.

Always try to identify the primary source and trace information back to it wherever possible. However, a primary source is not necessarily of higher quality. Like a secondary source, it may provide false information, on purpose or by mistake. Carefully assessing a source is equally important for both primary and secondary sources.

4.1.2 TYPES OF SOURCES

Most of the information used in COI research is produced by the following types of sources:

1. international and intergovernmental organisations (IGO)
2. governmental organisations
3. non-governmental organisations (NGOs) and other civil society organisations
4. media
5. academia

To cross-check information (see section 5.4), different types of sources should be used. This is essential to create a balanced research result.

When reflecting on which types of sources to select and how to combine them, the question might arise whether one type of source is generally more valuable than another. Is there anything like a hierarchy of sources? Do, for instance, media sources have the same value for COI research as UN sources? Should a decision-maker give a governmental report more weight than a paper published by a non-governmen-

tal organisation? In this context, it is important to stress that no general hierarchy of sources exists. The usefulness and authority of each source depends on the question it is meant to answer – each source should be assessed in its own right and conclusions on the reliability of the source should only be drawn after a thorough source assessment has been conducted.

The following graph illustrates how balance can be achieved by cross-checking information from different sources:
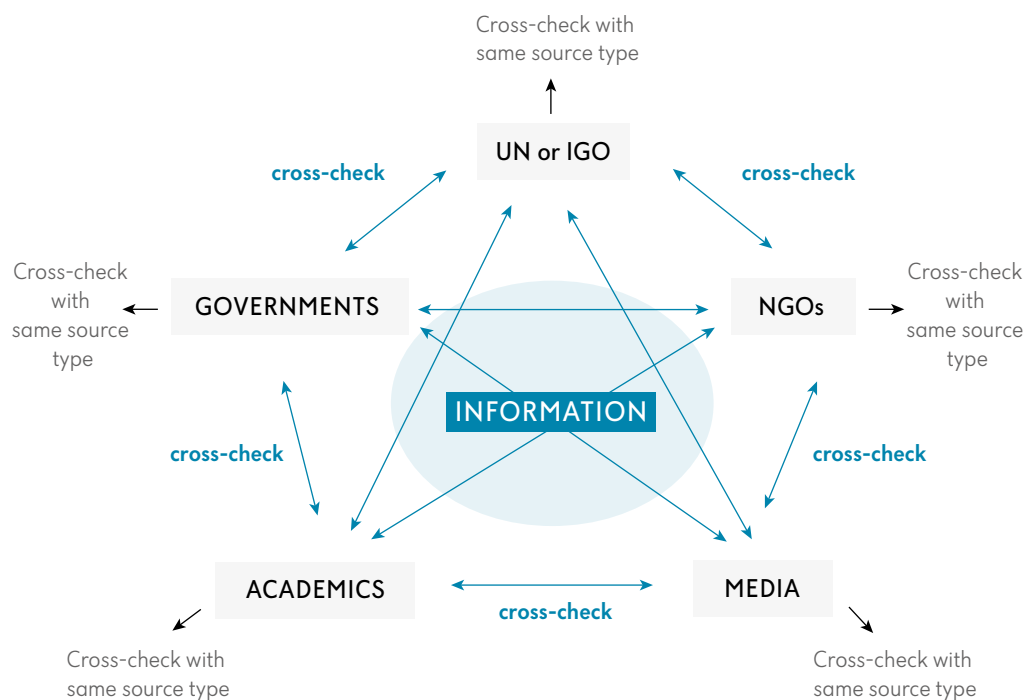
In-depth and practical information on cross-checking will be provided in section 5.4 of this manual.

The information generated by sources may appear in different forms: written or oral reports, photos, films or videos, maps, graphs or charts. The information can be contained in different types of reports and publications, including political analyses, human rights reports, security assessments, national laws, scientific accounts, humanitarian briefings, press reports or witness statements.

In practice, most of the information used in COI research is accessible via the Internet. In recent years information distributed via social media (e.g. Facebook, Twitter, YouTube, blogs and forums) is increasing and may complement information obtained via other channels (see chapter 6 of this manual for further details). Books, magazines and maps accessible only in hard copy can of course contain important information and should also be considered for research. Experts and informants may be able to provide details not found in written form.

See Appendix B for lists of sources that are widely used for COI research.

4.2 SOURCE ASSESSMENT

To assess a source means to look at it systematically, to establish who publishes what kind of information for which purpose and by what means. Assessing sources helps to evaluate the quality of the information they publish, and to determine whether a source can be trusted to such a degree that it can be used in the context of decisions on international protection, or whether it should not be used in this context due to its lack of reliability.

The Internet is a key tool for those researching COI. On the one hand, online availability of COI has meant a tremendous increase in the quantity, currency, and detail of accessible information. On the other hand, the quality of the information found online is sometimes difficult to evaluate. This leads to a heightened responsibility on the part of those researching COI when assessing sources. As emphasised in section 2.1.2, sources used for COI should meet the quality standard of reliability and balance.

This chapter focusses on "traditional" sources and does not consider the specific challenges regarding social media. These are dealt with in chapter 6.

4.2.1 CRITERIA OF SOURCE ASSESSMENT

A judgement on whether a source can be considered reliable is reached by a thorough and critical response to the following questions. These questions shed light on different aspects of a given source, such as its role and authority, its reporting mechanisms, and the nature of its products:

WHO provides the information?

WHAT information is provided?

WHY is the source providing this information?

HOW is the information generated?

WHEN was the information gathered and when was it provided?

GOOD TO KNOW

The questions behind this source assessment scheme can be traced back to the UNHCR paper on COI in 2004 (UNHCR, February 2004, para. 26) and to the 2004 edition of this manual. The *Common EU Guidelines for processing Country of Origin Information* also follow this scheme, albeit with a slightly different terminology. The guidelines use the term "validation of sources" which is defined as a process of "assessing the context of the source in which it operates" and "assessing the objectivity and reliability of the source" (Common EU Guidelines for processing Country of Origin Information, April 2008, pp. 8–9).

In practice, the questions for source assessment listed above are often interrelated. Below, we take a detailed look at each of the five questions to understand their importance before giving some examples in the next section.

WHO provides the information?

When assessing a source, it is important to examine who the author or publisher of a given piece of information is. This will reveal potential interests and biases.

- Is it an intergovernmental/international organisation, a governmental organisation, a non-governmental organisation, an academic source, a media source, or a private person?
- Is this made transparent by the source or does the source remain anonymous?
- Is there any information concerning the reputation of the source?

We also need to establish whether the source has specific knowledge of or expertise on the issue at hand. Check if information on the source is available from other sources considered reliable. An official statement about the mission and mandate of an organisation can very often be found in the "about us" or "frequently asked questions (FAQ)" section of the organisation's website. Note that much of the information about a source's mission and mandate will also be relevant for answering the question "what" below.

Another important aspect to consider when examining the author or publisher of the information is funding:

- Is the source funded by a government, a foundation, or individuals?
- What might the interests of these funders be?

WHAT information is provided?

Several questions come up when reflecting on the scope of reporting of a source:

- What kind of information is provided by the source?
- Is it a media article, a fact-finding mission report based on interviews with representatives in the country, a press release containing only the main messages about a certain topic?
- Is it an appeal of a human rights organisation with details about a person in danger, or is it a human rights report that is published annually?
- Is it an expert opinion, a position paper, a video report, or an account of an eyewitness in a blog?
- What is the geographical scope of reporting?
- Is the source specialised in a specific region or country?
- Which topics does the source cover?
- Is any focus or specialisation apparent in this context?
- Which medium is used for publishing (printed media, online reports, radio or TV broadcasts, social media)?
- What is the substance of the information produced?
- What is the level of detail in the source's report (general statements, assessments of developments, reporting on particular incidents)?
- In which languages does the source report?

In many cases, the scope of reporting allows us to draw conclusions about the source's expertise and its capacity to provide reliable information on a certain topic.

For COI purposes it is important to assess whether a source presents observable facts or whether it presents its own opinions, conclusions or impressions.

When assessing an online source, exploring the navigation bar or site map may help to gain an overview of the scope of reporting.

WHY is the source providing this information?

This question is about the source's motivation for publishing the information.

- What is the source's agenda?
- Does the source have a specific interest?
- What outcome does the source seek to achieve by making the information available?

When researching COI it is important to be aware of the source's overall purpose in reporting on specific issues, since this purpose may play an important role in the selection and presentation of information. Some human rights reporting may be done for the purpose of informing alone, but sources may also have other motivations. These can be diverse: to provide support to a government or on the contrary to undermine a government; to advocate for measures taken to stop human rights violations or to protect victims; to lobby with a particular government or donor for the allocation of funds; to raise general awareness or to inform decision-makers.

The source's target groups might also shed light on the purpose of reporting. Try to find out whether the source publishes for the general public, for governments, policy-makers, donors, human rights activists, UN Committees, courts, decision-makers or for other target groups.

As noted above, the mandate and mission of the source are highly relevant for determining the source's motivation for making information available. In online sources, information about the mission and mandate of a source can often be found in the "about us" and the FAQ sections of a source's website.

HOW is the information generated and presented?

The research methodology applied by a source is an important indicator of its reliability.

- How was the information gathered?
- Does the source have a permanent presence in the country (allowing for continuous on-the-ground monitoring)?
- Is it clear which research methods were applied?
- Did the author get the information first-hand (missions, interviews) or is the report based on secondary sources only?
- Is the original information retrievable and well-referenced?

- Has the information been cross-checked against other sources, including sources that have first-hand information?
- How is the information selected and cleared?
- How is the information formulated?
- Is the material presented in an objective, neutral and transparent way?

Longer reports will frequently include an explanation of the report's research methodology in the introductory section or in a separate section on methodology.

The language and style of a source can tell much about its standpoint as well as about any possible biases the source may have. Indications of careful research include the provision of detailed information to back up all arguments and conclusions, transparent referencing and a well-edited text.

A potential bias might also have effects on the style and language of specific sources.

- Is the language 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 omitted or downplayed?

Take into account whether the author has written in his or her native language, or whether an English language report has, for instance, 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. Be particularly careful in relying on a source if the language used by the source is accusatory or judgemental.

Moreover, the cultural context in which a report or media article is produced has an impact on its reporting style. You should be aware of potential effects of cultural differences on reporting styles as well as on layout and web design, and avoid prematurely judging the quality of a product's content on the basis of its style.

WHEN was the information gathered and when was it provided?

There is always a time lag between an event and the publication of information about the event. It is important to understand the reason for this time lag in relation to a particular source. The time lag can result from the fact that the source only started to collect information about the event long after it took place. It can also be due to the fact that it took time to process and analyse information which itself was obtained soon after the event. Some sources have time-consuming clearing procedures which result in publication delays. Delays are often a consequence of the source's publication cycle; it helps to be aware of these cycles.

- When was the information published?
- When was the information researched?
- Are reports published on a regular basis (annually, semi-annually, monthly, weekly, daily) or at unspecified times?
- Does the source publish ad-hoc updates when deemed necessary?

> **TIP**
>
> The COI database ecoi.net provides descriptions of the sources it uses regularly.
> The source description can be found by clicking the icon [i] next to the source's name.
>
> For an example see the description of Landinfo, the Norwegian COI Centre:
> http://www.ecoi.net/index.php?id=0&command=help&about=assessment&source=2467

4.2.2 ASSESSING DIFFERENT TYPES OF SOURCES

In practice, it is not necessary to conduct a full source assessment each time you use a source you have already worked with before. After some experience in COI research, you will know a set of widely-used sources (see also Appendix B – Sources). Nevertheless, you should always consider the "who, what, why, how, when" questions described above. The following tips may be useful when assessing different types of sources:

Reports by official human rights monitoring bodies have the advantage of an international or regional mandate that creates a basis for expertise and allows access to information on particular human rights practices. Nevertheless, these bodies will sometimes be prevented from immediately carrying out first-hand investigations or may be completely denied entry into a country or region. Often they 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).

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

Information produced by the government of the country of origin concerned needs to be analysed carefully. Self-accusation or admission of past human rights violations by the responsible government authorities (or any other perpetrator) may carry great weight – governments will often try to justify their actions or fail to mention certain human rights problems. Reports should 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 should be carefully cross-checked.

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

As is the case with other sources, the reliability of non-governmental organisations (NGOs) depends on their mandate, reporting methodology and advocacy stance. NGOs representing the interest of a particu-lar 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. Some advocacy organisations may exaggerate the scope

and intensity of human rights violations. Some use dramatic language to emphasise the need for action (perhaps more so when they themselves are directly affected by a situation). Responsible human rights organisations, however, know that getting the facts right enables them to do more effective advocacy work.

Academic sources can be invaluable for gaining a deeper understanding of conflict and persecution in a certain country and for understanding the bigger picture. Information on cultural issues and traditions, or background information which provides context for a particular query or case, is also frequently provided by academic sources.

When assessing academic sources we have to distinguish between academic institutions (universities or research institutes) and individual scholars. To analyse the work produced by individual scholars, it may be necessary to take other factors into account besides their research methodology. An author's extracurricular activities may give rise to a potential conflict of interests. Issues related to the funding and the purpose of an author's work may also influence the results. For private research institutes, it may also be relevant to enquire into their sources of funding.

Media reports are important for information on specific events. For COI research it is important to distinguish between news reports on the one hand, and editorials, commentaries and op-eds on the other hand. While fact-based news reports are in many ways the foundation of COI, the usefulness of editorials, commentaries and op-eds is much more limited for the purposes of COI.

Media based in the respective countries of origin have the obvious advantage of being close to events on the ground; their journalists may themselves be eyewitnesses. Such media can, however, display a style of writing or reporting that is very different from the one you are used to.

It is important to know who the publisher is and who owns a specific medium. Newspapers or broadcasters may have close ties to the government even if they are not directly state-owned, or they might be affiliated with the political opposition. If you do not know a newspaper or broadcaster, read through several of its articles and editorials (or listen to several broadcasts) to see which position it takes. Check media directories (for example the media section of BBC country profiles available at http://news.bbc.co.uk/2/hi/country_profiles/) to find information regarding the ownership and political background of a newspaper, magazine or broadcaster.

4.2.3 SOURCE ASSESSMENT IN PRACTICE

The following example shows how source assessment works in practice by applying the questions discussed above to a specific report. Being one of the most frequently used reports in COI research, the *Country Report on Human Rights Practices* published by the US Department of State (USDOS) is chosen for this example.

SOURCE ASSESSMENT QUESTION	SOURCE ASSESSMENT: United States Department of State (USDOS): *Country Report on Human Rights Practices*
Who provides the information?	The *Country Reports on Human Rights Practices* are drafted by the Office of Country Reports and Asylum Affairs of the Bureau of Democracy, Human Rights, and Labor of the US Department of State. According to its own description, the Bureau "leads the U.S. efforts to promote democracy, protect human rights and international religious freedom, and advance labor rights globally." (USDOS, undated) The US Department of State is the principle US foreign affairs agency within the executive branch and is the central institution for the conduct of US American diplomacy. The US Department of State's mission statement declares its aim to "[s]hape and sustain a peaceful, prosperous, just, and democratic world and foster conditions for stability and progress for the benefit of the American people and people everywhere." (USDOS, 12 March 2012) The State Department's budget is part of the US foreign affairs budget and amounts to just over one per cent of the total federal budget. (USDOS, 10 April 2013)
What information is provided?	The country reports describe the human rights situation in countries (and some territories) worldwide. However, there is no country report on the human rights situation in the United States of America itself. The country reports do not purport to assess any human rights implications of actions taken by the US government or its representatives. (USDOS, 24 May 2012a) Thematically, all the reports follow the same structure and focus on internationally recognised human rights based on the UN Universal Declaration of Human Rights (adopted in 1948) and the ILO Declaration of Fundamental Principles and Rights at Work (adopted in 1998). (USDOS, 24 May 2012a; US GAO, 31 May 2012)
Why is the source providing this information?	The human rights reports were introduced in 1976 as a means for the US 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 US foreign policy as well as to justify US policy with regard to certain countries (Steven C. Poe, et al, 2001, p. 654). In the preface to the 2011 Country Reports, US Secretary of State Hillary Clinton described the country reports' objectives as follows: "Congress mandated these country reports more than three decades ago to help guide lawmakers' decisions on foreign military and economic aid, but they have evolved into something more. Today, governments, intergovernmental organisations, scholars, journalists, activists, and others around the world rely on these reports as an essential update on human rights conditions around the world [...]" (USDOS, 24 May 2012b)

How is the
information
generated
and presented?

The Fact Sheet on the 2011 *Country Reports on Human Rights Practice*s sets out the main methodological principles for the production of the country reports: "The Human Rights Reports assess each country's situation against universal human rights standards, during each calendar year, and each report stands on its own. Countries are not compared to each other." (USDOS, 24 May 2012c)

According to the notes on the preparation of the report (Appendix A to the 2011 Report), "[t]he annual Country Reports on Human Rights Practices are based on information available from a wide variety of sources, including US and foreign government officials; victims of human rights abuse; academic and congressional studies; and reports from the press, international organisations, and nongovernmental organisations (NGOs) concerned with human rights." (USDOS, 24 May 2012a). However, these sources are rarely cited directly.

The United States Government Accountability Office (GAO) monitors the reporting process: it states that the country reports are prepared, edited, and reviewed in a collaborative and iterative process led by the Bureau of Democracy, Human Rights, and Labor (DRL), comprising the following steps:

- o Embassies draft country reports.
- o DRL edits and reviews country reports.
- o Departments of State and Labor and National Security Council Staff review country reports.
- o The Department of State releases country reports on its website and responds to feedback from individuals and host countries. (USGAO, 31 May 2012, pp. 9–10)

The notes on the preparation of the report state that when judging a government's human rights record the report strives to "look beyond statements of policy or intent and examine what a government actually has done to prevent human rights abuses, including the extent to which it investigates, brings to trial, and appropriately punishes those who commit abuses." (USDOS, 24 May 2012a)

With the 2011 reports, the State Department has initiated efforts to streamline the *Country Reports on Human Rights Practices*. Thus the number of reported cases was cut and only a few illustrative examples of human rights violations were included in the report. Also, follow-up on cases has been reduced (USDOS, 24 May 2012a).

As the information provided in the country reports is rarely sourced, the reports are sometimes criticised for their lack of transparency. In response, the State Department observes: "While much of the information that we use is already public, information on particular abuses frequently cannot be attributed, for obvious reasons, to specific sources. [...] The Department of States [sic] does not use sources or information it believes lack credibility." (USDOS, 24 May 2012a)

Human Rights First (formerly known as the Lawyers Committee for Human Rights) is a non-profit human rights organisation, which according to its mission statement "challenges America to live up to its ideals". It lobbies for the respect of human rights in America and in countries under American influence. (Human Rights First, undated)

The organisation regularly monitors the State Department's reporting on human rights. Concerning the 2011 report it declares, for instance: "The failure to highlight Saudi Arabia – a key regional ally – as one of the most serious human rights abusers raises questions about the consistency of U.S. support for human rights and will elicit charges of double standards that will be damaging to U.S. efforts to promote human rights every-where." (Human Rights First, 24 May 2012)

When was the information gathered and when was it provided?

Country Reports on Human Rights Practices are released on an annual basis and cover the period from 1 January to 31 December (reports for the previous year are usually released in spring of the next year).

"By law, the Secretary of State must submit the Country Reports to Congress by February 25." (USDOS, 24 May 2012a)

Due to the submission deadline, the reports do not reflect developments that only became known to the reports' drafters after the end of the calendar year. (USDOS, 24 May 2012a)

List of references for the example above:

Human Rights First: About us, undated
http://www.humanrightsfirst.org/about-us

Human Rights First: State Department Country Reports 2011: Comprehensive Reporting Highlights Human Rights Challenges Facing the United States, 24 May 2012
http://www.humanrightsfirst.org/2012/05/24/state-department-country-reports-2011-comprehensive-reporting-highlights-human-rights-challenges-facing-the-united-states/

Steven C. Poe, et al.: How are These Pictures Different? A Quantitative Comparison of the U.S. State Department and Amnesty International Human Rights Reports, 1976–1995, Human Rights Quarterly, 23, 2001

US GAO - United States Government Accountability Office: Human Rights: State Department Followed an Extensive Process to Prepare Annual Country Reports, 31 May 2012
http://gao.gov/assets/600/591267.pdf

USDOS - United States Department of State: 2011–2016 Strategic Plan Addendum for the U.S. Department of State and the U.S. Agency for International Development, 12 March 2012
http://www.state.gov/s/dmr/qddr/185613.htm

USDOS - United States Department of State: Country Reports on Human Rights Practices for 2011, Appendix A: Notes on Preparation of Report, 24 May 2012a
http://www.state.gov/j/drl/rls/hrrpt/2011humanrightsreport/
index.htm?dlid=186552&year =2011#wrapper

USDOS - United States Department of State, 2011 Human Rights Reports: Secretary's Preface, 24 May 2012b, http://www.state.gov/j/drl/rls/hrrpt/2011/frontmatter/186162.htm

USDOS - United States Department of State: 2011 Country Reports on Human Rights Practices, Fact Sheet, 24 May 2012c, http://www.state.gov/r/pa/prs/ps/2012/05/190814.htm

USDOS - United States Department of State: Highlights of the Department of State and U.S. Agency for International Development Budget, 10 April 2013
http://www.state.gov/r/pa/prs/ps/2013/04/207281.htm

USDOS - United States Department of State: Bureau of Democracy, Human Rights, and Labor, undated
http://www.state.gov/j/drl/index.htm

Conclusion:

Criteria	Assessment of reliability of the source	
Who	Clear	✔
What	Clear	✔
Why	Clear	✔
How	General information provided, process of drafting is clear, gathering and selection of information not clear, not all information is referenced transparently, selection of information may depend on diplomatic and political interests – see the example of Saudi Arabia above.	➘
When	Clear	✔

– All source assessment questions could be answered.
– Not all answers led to a satisfactory result:

  o The USDOS is clear about its methodology; the methodology itself, however, is not transparent.
  o There might be a potential bias due to diplomatic and political interests.

The reliability of a source also depends on the question at hand: For instance, the USDOS will not be considered a reliable source regarding prison conditions in detention centres operated by the US government abroad. The first reason for this is the scope of the reports, as the USDOS does not report on any human rights implications of actions taken by the US government or its representatives. Secondly, even if reports did include such information, it should be considered biased.

However, with the purpose of the US administration for producing these reports in mind and notwithstanding their weaknesses regarding the selection and transparency of information included in the report, the source is assessed as being generally reliable. The reports of the US Department of State are widely used in COI research.

Cross-checking information with other types of sources (NGOs, media, academics) to corroborate information is essential. It is the only way to overcome the shortcomings of the source. However, due to the fact that information in the USDOS reports is not referenced in a traceable manner, false corroboration may easily occur. See section 5.4 for more details on cross-checking information.

4.3 DUBIOUS SOURCES

Reliable sources form the basis of high-quality country of origin information in procedures for persons seeking international protection. The assessment of sources helps us to determine the degree to which we may consider a source to be "reliable". Source assessment may lead to doubts about the reliability of a certain source. As the *Common EU Guidelines for processing Country of Origin Information* put it, "[i]t may occur that after consideration of who, what, why, when, how [...], a source has been assessed as being 'dubious'" (Common EU Guidelines for processing Country of Origin Information, April 2008, p. 10).

It will sometimes occur that one or more of the source assessment questions cannot be answered satisfactorily. It may remain unclear who the author is, or a source's motivation or methodology is not transparent. Thus sources which do not provide sufficient information about their identity, their background, their motives or their methodology can be considered "dubious". This often applies to user-generated content by authors who do not use their real names but hide behind pseudonyms, nicknames or fake identities.

Apart from ill-defined sources, there are sources that are clear about who they are, what their aims are and how they work, but still leave doubts with regard to the respectability of their mandate (e.g. if the mandate supports the violation of human rights or affiliation to a shady organisation) or their methodology (e.g. inadequate research methodology, the use of unfounded statements or propaganda), or because they demonstrate a strong bias.

Biased sources can be considered a specific form of dubious sources, and provide a selective point of view on the issues they report on. They inform only from one perspective or take an uncritical stand for one party of a conflict. Often they try to influence their readers' perceptions and attitudes, to trigger emotions and to convince readers of their positions. Biased sources do not intend to report neutrally, they integrate or omit information selectively in order to misrepresent or distort facts.

It is however crucial to bear in mind that every source has an agenda and that there is no such thing as a totally objective source. Especially in the field of human rights, most sources have certain perspectives and aims according to their mission and mandate. They publish information to achieve a particular objective (this includes advocacy organisations), but they adhere to professional reporting standards. Thus it is important to distinguish a fundamentally biased source from a generally reliable source that simply has a certain perspective and follows its mission with transparency. As this is a sliding scale, we have to look carefully into the reporting methodology applied by the source.

This leads us to the question of where to draw the line: Should biased sources be rejected or can a source which displays a certain partiality still serve as a source of COI? In assessing, we have to detect the main objective of a source and to realise where reporting ends and where lobbying and propaganda begins.

In general, it can be said that the use of dubious (and thus also of fundamentally biased) sources should be avoided. An exception to this rule occurs when no other information can be found. In this case, the assessment that forms the ground for doubt should be made transparent by mentioning the problematic aspects of the source. The *Common EU Guidelines for processing Country of Origin Information* recommend a similar procedure in case of including a dubious source into a COI report:

> If information from a "dubious" source is presented, it should be mentioned explicitly, and an assessment of the source should be made. If this "dubious" source is the only source found and if the information seems important or particularly relevant, the information can be presented in the report. However, it should be stated explicitly that the source could not be assessed as being reliable and for which reasons. (Common EU Guidelines for processing Country of Origin Information, April 2008, p. 15)

The Country Advice Section of the Migration Review Tribunal and Refugee Review Tribunal, Australia: We would not, except in the most extreme circumstances, disqualify any source material (including social media) that was relevant to the question at hand. We would not make any comment as to whether or not a source was "dubious" or otherwise. Where there were concerns we would be careful to note the provenance of the source either in the text or in a footnote. We would provide brief biographical information about the author or institution or blog etc. to assist the decision-maker in assessing the reliability of the source. We would not, however, provide any assessment as to the reliability of the source. That is for the decision maker to decide. (MRT-RRT, email, 25 February 2013)

The following questions can help to decide whether a dubious source should be included into or omitted from a research product or a legal argumentation:

- How is the general reporting situation on the issue at stake?
- Was it the only information found?
- Is the added informative value of the piece of information high enough to justify the downsides of considering a questionable source?

For a COI service provider who decides to include a dubious source into a research product, it is advisable to not only indicate the problematic aspects of the source, but also document unsuccessful attempts to find more information on the issue, especially if the information is related to core aspects of the question (see section 7.1.2 for examples). In this way, readers are made aware of the reporting situation and are in a better position to evaluate the information and to assess the source.

An RSD practitioner has to thoroughly weigh whether a dubious source should be used as a basis for a decision or a legal argumentation. If the information is considered central for the decision, he or she should try to formulate additional research questions and go into another round of research. If no further information can be found, the benefit of the doubt should be taken into consideration if there are contradictions between the account of the applicant and a dubious source.

4.4 HOW TO BUILD YOUR KNOWLEDGE OF SOURCES

When conducting research, it is essential to build up a solid knowledge of sources, to keep track of sources you come across frequently and to stay up-to date on new sources and publications. COI research implies not only the search for information but also knowledge management as well as information sharing and transfer.

In order to accumulate extensive knowledge on COI sources, the following tips may be useful:

- Pay attention to persons, organisations and institutions which are cited in reports.
- Check the sources that are included in online databases.
- Subscribe to newsletters on countries and topics relevant for your work – they might mention publications by new sources.
- Share and discuss sources with colleagues.

Keeping track of the wide range of relevant sources is easier if your work setup allows you to specialise in certain countries.

Moreover, it is important to know which sources enjoy credibility or particular weight within your organisation and with national decision-making bodies, and why.

To find lists of sources, see

- Appendix B of this manual
- The COI databases ecoi.net and Refworld
- The COI Service of the UK Home Office offers a list of non-country specific sources (published on 14 July 2011) which cover a range of themes and which are considered useful for COI: http://www.ukba.homeoffice.gov.uk/sitecontent/documents/policyandlaw/coi/useful-sources.pdf.
- The International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA) collected COI sources relating to their target groups (no date): http://www.ilga-europe.org/media_library/ilga_europe/issues/asylum/asylum_country_by_country_resource/country_of_origin_information
- The United Nations Development Programme (UNDP) published A Guide to Civil Society Organizations working on Democratic Governance in 2005. It lists more than 300 civil s ociety organisations engaged in the support of democratic developments: http://www.undp.org/content/dam/aplaws/publication/en/publications/democratic-governance/oslo-governance-center/civic-engagement/a-guide-to-civil-society-organiza-tions-working-on-democratic-governance-/3665%20Booklet_heleWEB_.pdf

4.5 SUMMARY

✔ We distinguish between primary and secondary sources. While a primary source provides first-hand testimony or observation, a secondary source reproduces information originating from someone else.

✔ Information is provided by different types of sources; such as international and intergovernmental organisations, governmental organisations, non-governmental organisations (NGOs) and other civil society organisations as well as media and academia.

✔ To be able to evaluate whether a source can be considered reliable, the source is assessed by a critical review of the following questions:

  o Who provides the information?
  o What information is provided?
  o Why is the source providing this information?
  o How is the information generated and presented?
  o When was the information gathered and when was it provided?

✔ Sources which do not provide sufficient information about their identity, their background, their motives or their methodology are considered "dubious". Special care needs to be taken when dealing with dubious sources.

✔ In order to build up a solid knowledge of sources, use selected lists of sources, check COI information systems, and keep track of sources you come across frequently and discuss them with your colleagues.

POINTS TO REMEMBER FOR PRACTICAL WORK

For RSD practitioners: | **For COI service providers:**

- Always be aware whether you are dealing with a primary or a secondary source.

- Make sure to identify where the information originates from: is the source a primary or a secondary source?

- A primary source is not necessarily of higher quality. Like a secondary source it may provide false information, on purpose or by mistake.

- Make sure you know who is the source you are taking information from and why this source is providing information.

- To find lists of sources, see Appendix B of this manual and check the COI databases ecoi.net and Refworld.

For RSD practitioners	For COI service providers
- An RSD practitioner should thoroughly weigh whether a dubious source should be used as a basis for a decision or a legal argumentation.	- When a dubious source is included into a research product, a short description indicating the problematic aspects of the source should be provided.
- If information from a dubious source is considered central to the decision, additional research questions should be formulated and another round of research should be undertaken.	- If the only information found comes from a dubious source, document unsuccessful attempts to find more information on the issue.
- If no further information can be found, the benefit of the doubt should be taken into consideration if there are contradictions between the account of the applicant and a dubious source.	

5 RESEARCH

The previous chapters dealt with formulating legally relevant research questions (chapter 3) and with knowing and assessing reliable COI sources to answer these questions (chapter 4).

In this chapter we will go one step deeper into practical COI work, applying our previously acquired knowledge on COI standards, the relevance of questions and selection criteria for sources. Developing research strategies enables us to conduct COI research in a methodical, organised and structured manner and to continually adapt our research process to the topics and questions at hand. It is the research strategy that distinguishes professional COI research from unsystematic searching. A look into the technical skills needed for Internet research will help us to carry out research more effectively and efficiently. Additionally, remarks on book and library research, on the use of experts and informants (oral sources), as well as on conducting COI seminars and fact-finding missions can be found in this chapter. The importance of cross-checking search results is highlighted at the end of the chapter.

This chapter offers a systematic overview of research techniques for producing accurate and up-to-date COI. The practical research tips included in this chapter should be of interest to experienced researchers and newcomers alike.

The authors of this manual would like to encourage readers to pick and choose from the content of this chapter according to their working realities and needs.

Content of chapter 5:

✓ LEARNING OBJECTIVES

Having studied this chapter, readers will be able to

» develop appropriate research strategies for different types of
research questions

» decide on the means which will best serve to answer the question at hand:
Internet research, research using a library or consulting oral sources

» conduct online research methodically by following a well-conceived
strategy: decide where to start; understand how search engines and
COI databases work and how to use them efficiently

» handle typical problems of COI research such as information
overload or scarcity of information

» apply and reflect on the standards of accuracy and currency
in the course of practical research

» use the method of cross-checking in order to produce accurate and
current research results

Note: RSD practitioners who do not conduct COI research themselves may want to skip
sections 5.1, 5.2, and 5.3. Section 5.4 on cross-checking information is, however, highly
recommended.

5.1 RESEARCH STRATEGY

What is a research strategy and why do we need it?

A research strategy is a systematic and planned approach to research. It helps to produce accurate and
up-to-date research results. A well-conceived strategy gives us control over the research process, helps us
to stay focused on the main question and prevents us from losing ourselves in the vast pool of available
information. Research strategies also help to manage the balance between remaining open and staying
focused. Research strategies are not static, they can be broadened or narrowed based on the knowledge
already acquired. Consider your research strategy a "living" tool, rather than a rigid work plan which
cannot be revised.

Moreover, a research strategy enables us to deal with challenges or doubts commonly encountered during
research, such as avoiding or managing information overload or knowing when to stop a search which
yields no results. Last but not least, good research strategies promote a more efficient and productive use
of time.

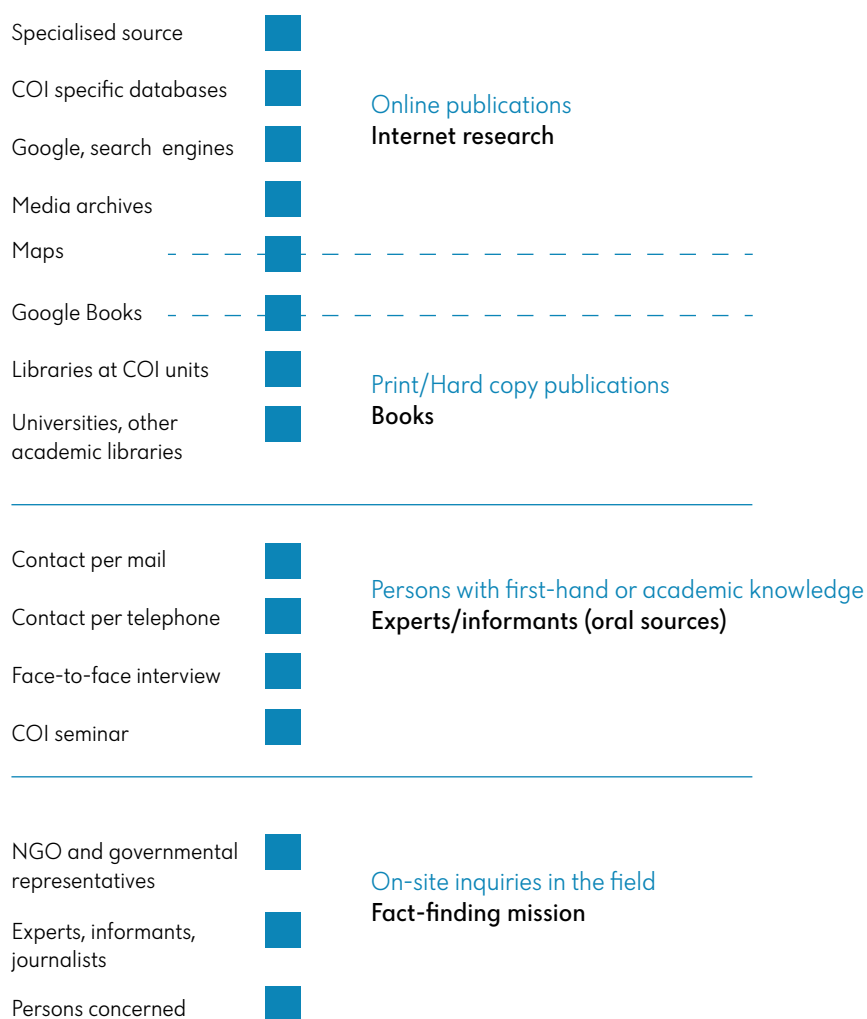**How to develop a research strategy?**

The approach that should be taken when developing a research strategy always depends on the question you are working on. It is part of your research strategy to decide whether you want to limit research to a particular database or set of sources, whether you want to search the Internet, or whether you will need to consult off-line material (e.g. from libraries) or experts. To produce the best possible results, it is advisable to combine different approaches. Knowledge of sources will help you to choose the most efficient research strategy.

Research skills include knowing which resources to draw upon, being creative when it comes to finding promising search terms, being able to select relevant documents from search results and the ability to quickly find useful information within a text. Technical understanding and background knowledge allow researchers to conduct research purposefully and to develop realistic expectations of what can be found by which means. Technical skills enable researchers to use research tools efficiently and to exploit their full potential.

"Doors" to relevant information – different types of questions require different research strategies

This chapter will present five ways of acquiring information. For reasons of clarity, we distinguish between Internet research (section 5.2), which has the most significance in practice, and non-IT based research (section 5.3). Non-IT based research comprises the use of libraries and books for COI purposes (section 5.3.1), consulting experts or informants (oral sources) (section 5.3.2), COI seminars (section 5.3.3) and fact-finding missions (section 5.3.4). Despite this theoretical differentiation, it will often be necessary to combine different approaches when doing practical work. General background information found on the Internet might be complemented by an expert's statement; a book can deepen your understanding of the subject matter and thus enable you to organise information found online more logically; and Internet research as well as experts' advice can help you find the right interview partners and prepare interviews for fact-finding missions.

The following graph shows various "doors" to information. Which of these entries you should select or where the research procedure should be started depends on the question you are working on. Generally speaking, you will start from the left-hand side of the graph if you are searching for general COI (e.g. the situation of a specific ethnic minority, activities of certain political groups, freedom of religious practice, etc.). The more specific the information you are looking for, the more likely you are to initiate your research by consulting one of the doors to information depicted further to the bottom of the graph.

Specialised source ▪

COI specific databases ▪

Google, search engines ▪   Online publications
                       Internet research

Media archives ▪

Maps ▪

Google Books ▪

Libraries at COI units ▪   Print/Hard copy publications
                      Books

Universities, other ▪
academic libraries

Contact per mail ▪

Contact per telephone ▪   Persons with first-hand or academic knowledge
                      Experts/informants (oral sources)

Face-to-face interview ▪

COI seminar ▪

NGO and governmental ▪
representatives
                      On-site inquiries in the field
Experts, informants, ▪   **Fact-finding mission**
journalists

Persons concerned ▪

Examples of research strategies

If the issue at hand pertains to core human rights violations, a systematic consultation of reports by the UN and major human rights organisations, or an organisation specialising in the issue you are interested in is necessary. Easy access to such documents is provided by COI databases such as ecoi.net and Refworld.

If you are looking for information to assess risks for a particular group, you will need to know which organisations, institutions and individuals provide position papers or expert opinions on particular countries or groups. In such cases you may also start by consulting a specialised COI database.

If you need information on whether a demonstration has taken place on a given date and in a particular place, you might run a search on Google or in an electronic media archive such as LexisNexis, Factiva or allafrica.com.

If you have doubts concerning the spelling of a name you are researching, it is advisable to first check via a general search engine such as Google whether an entry on a place/organisation/person/etc. with this name exists. If you are not successful, directories which provide listings of places or organisations can sometimes be useful (e.g. Global Gazetteer's Worldwide Directory of Cities and Towns).

GOOD TO KNOW

When searching for specific names of persons, organisations, places, etc. on the Internet, be aware that you may leave behind "digital footprints". Owners of the sites you visited and used may be able to not only retrieve your search terms, but also to identify your organisation. This allows to infer that your activities are connected to international protection. Thus, your interest in that person, place, or organisation might be revealed to the site owners, and potentially draw their attention to whom or what you searched.

If you need information on a political party, you may either check online country profiles (e.g. the *CIA World Factbook*), consult a reference book (e.g. *Political Parties of the World*, John Harper Publishing; or *Europa World Year Book*, Routledge), or refer to annexes in country reports (e.g. from the COI service of the UK Home Office). Because of variations in translation and spelling, names of political parties, as other proper names, need to be carefully cross-checked and multiple search terms should be used.

If you are looking for information on the cultural or religious practices of a particular group, you might consult websites of associations and institutes, or books and journals specialising in anthropology. Consulting an academic library may also bring fruitful results. Also, query responses from the Research Directorate of the Immigration and Refugee Board of Canada (responses are available on their website, on ecoi.net and on Refworld) contain information from academic experts on cultural or religious practices. You might also consider conducting an interview with a scholar at a university yourself.

For some questions, detailed geographical information might be needed. If you want to find information on a certain place, you can either refer to online cartographic material (from Google maps to collections of maps provided by specialised databases) or – if time allows – consult hard copy cartographic material in a library. As researching information on geography, language and ethnicity poses particular research problems, these topics will be given special attention in Appendix B – Sources.

Whenever information on a given topic is scarce, highly contradictory, or not sufficiently profound, you should draw on the knowledge of experts or on COI seminars and fact-finding missions. The latter are usually organised to fill significant information gaps.

5.2 INTERNET RESEARCH

When conducting Internet research – the most frequently used approach in COI research – certain steps should be taken and particular skills are needed to ensure effectiveness. An effective and efficient strategy for Internet research comprises the following steps:

RESEARCH ACTIVITY	TECHNICAL KNOWLEDGE AND SKILLS NEEDED
Step 1 Seeking clarity on the question at hand	research tree; reflection and communication on the question
Step 2 Deciding where to start (web search engine or specialised database)	knowledge about function of web search engines (e.g. Google), function and features of specialised databases (ecoi.net, Refworld)
Step 3 Developing and using search terms	broadening and narrowing search terms and using synonyms; understanding search operators; special search functions
Step 4 Selecting documents from a list of search results	ways of displaying and presenting search results; "words around hits"
Step 5 Searching within a document	using search functions
Step 6 Keeping an overview of search results	saving tab sessions, using research baskets/folders
Step 7 Cross-checking search results	compare and contrast

5.2.1 STEP 1: SEEKING CLARITY ON THE QUESTION AT HAND

We can only get answers to the questions we ask. Asking the "wrong" question will not yield the "right" answer and may be a waste of time and resources. Therefore the first step of every research strategy is to obtain clarity on the question at hand. What information is needed and why? Is the information needed general or specific? Does the question make sense in the context of international protection?

In some cases, it may be useful and necessary to reflect on the questions with another person (e.g. a colleague or the person who has formulated the query). Research trees can be useful tools for reflecting on the questions arising from a case. For details on questions and the research tree method, see chapter 3.

5.2.2 STEP 2: WHERE TO START?

Once you have gained clarity on the question at hand, you may want to check whether a similar issue has been worked on before by a colleague at your institution. If so, the results can be used as a starting point or only need to be checked, reviewed and updated. Prior to starting Internet research, think about useful online sources that might provide you with relevant information on the topic (e.g. specialised sources dealing with women, draft evasion, homosexuality, etc.). Source knowledge will help you to choose the most efficient starting point for your Internet research.

The nature of the question at hand and the expectation you have about sources often determine the starting point of your research. For many questions, COI databases such as ecoi.net or Refworld are the best places to start, as they collect information from a broad range of sources selected for their usefulness in procedures of international protection. If the question does not concern core human rights issues, a web search engine such as Google might be more promising, as the information found by such search engines is not restricted to any particular topic. It is worthwhile to consciously decide for each question which tool to start with in order to avoid setbacks at a later stage.

EXAMPLE

If you want to learn about press freedom and the situation of journalists in Pakistan, you can expect to find a lot of relevant information from reliable sources in the more focused data collections provided by ecoi.net or Refworld, whereas searching via a general web search engine might be more time-consuming and difficult. However, if you want to find out whether a certain person has written an article in a specific newspaper in Pakistan, it is more likely that you will find the answer via a web search engine, as such detailed information may not be covered by COI databases.

For conducting COI research efficiently, it is important to have a basic knowledge of search engines, especially how web search engines such as Google and COI databases such as ecoi.net and Refworld work. The following paragraphs give an overview of these issues and introduce Internet archives as useful research tools:

Search engines: functions; ranking results

A search engine is a computer programme designed to search (and find) information on computers or networks such as the World Wide Web.

Search engines can be differentiated by their method of gathering data and by their goals regarding content (general web search or specialised database).

- General web search engines such as Google collect their data automatically and aim for an extensive coverage of what is available on the Web.
- Information providers such as Factiva or LexisNexis automatically collect data from various content providers and make it searchable and accessible, usually for a fee. They also add various metadata (e.g. the publishing date or the publisher).

▪ Human-powered databases focus on a certain subject area, such as COI in the case of ecoi.net and Refworld. Their content is selected by people using specific criteria and enriched with metadata (e.g. country, brief summaries, keywords, publishing date, publisher, etc.).

Which type of search engine you use depends on your information needs.

How do search engines work?

The most commonly used search engine is Google. We therefore use it as an example to describe the functions of web search engines. Search engines such as Google use "robots" to visit and read public web pages. These robots, also called spiders or crawlers, are automated scripts that browse the Web by following hyperlinks and storing the pages they find. These pages are then indexed for full-text search.

Google (like other web search engines) generally cannot index web pages to which it does not have access. Such pages might be available on a payment basis only, or they might willingly or unwillingly prevent the robots from reading the page, or they might not be linked to any other site known to Google, or there might be other technical issues preventing access or automatic readability.

This means that not everything on the Internet can be found by search engines. The part of the World Wide Web that is accessible online, but not "crawlable" by search engines, is called the "deep Web". Search services such as Google News and Google Books are beginning to blur the lines between "regular" search engines and the deep Web, because they include restricted (for instance fee-based) content in their search holdings.

It can take a while for Google's robots to notice new/changed content. Important websites such as the New York Times are checked more frequently than smaller websites such as private homepages.

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 searches through exactly the same collection of web pages. Search engines may also penalise pages, or exclude them from the index, if they detect search engine "spamming" or illicit content, or for other reasons.

GOOD TO KNOW

Search engines may also deliberately collect only websites from a specific field. HuriSearch, for instance, indexes about 5,000 selected human rights websites (http://www.hurisearch.org). HuriSearch is run by HURIDOCS, an international non-governmental organisation. It can be seen as an intermediate between general search engines and human-powered databases.

Ranking results

When you search on Google, you will be presented with a list of search results. Most Internet users only consult the very first page of search results. However, COI research often requires very specific information that differs from what the vast majority of the search engine's target group is looking for. It is therefore helpful to understand how search engines rank the results and to know whether a particular search result is representative of the information that can be found, or whether you have to change your search terms. You should be aware that relevant results may be further down the list rather than on the first page. Search engines are optimised along the information needs of general Internet users – not of those researching professionally in a specific field such as international protection.

The following criteria may, among others, influence the ranking of search results:

Location and frequency of keywords

How often, and where, do search terms appear in the document? For instance, when a search term appears in the title or the address of a document, it is given more weight.

Link analysis

How often is a document linked to, and by whom? Pages or documents that are linked to by many other pages and/or by very important pages are ranked higher.

Calculated "quality" of a document

Search engines analyse the content of web pages and try to calculate their "quality". For instance, they try to rank pages which only contain a collection of keywords and no useful text (spam pages) lower than pages containing meaningful content.

User behaviour: context, click evaluation, and social media

Search engines monitor how searchers use their results. A user's behaviour can affect the ranking of search results in various ways. For instance, Google has implemented a form of context awareness in search results: If you previously searched for animals, a search for "jaguar" will likely show other results than if had you previously searched for cars. Another form of context awareness is the user's location. A user in the USA may be shown different search results than a user in, for instance, France if the search engine considers the location to be of relevance to the current search (for instance, a search for restaurants).

Additionally, how often users click on individual search results has an impact on the ranking of their search results.

And increasingly, search engines will take into account the data they obtain from social media. For instance, actions by one user on Google's social media platform (Google+) might influence the ranking of some links in search results for another user if these two users are connected via Google+.

All of these user-specific data produce search results that vary from one user to another: What is on page one for your search is not necessarily on page one for another user undertaking the same search.

The ranking of search results will result from a combination of these criteria, and others. If the link analysis of a search engine is good, then you can expect results from relevant and potentially interesting reputable sources to appear near the top of the search results.

The best way you can directly influence search results is to refine your search query. The tips provided in section 5.2.3 below might be helpful for this task.

How does ecoi.net work?

ecoi.net is a publicly accessible COI database, run by ACCORD, the COI department of the Austrian Red Cross, in cooperation with the German NGO Informationsverbund Asyl & Migration. It is bi-lingual (English and German) and gathers, structures and processes publicly available COI with a focus on the needs of persons working in the field of asylum and other forms of international protection.

ecoi.net's team of content managers screens selected sources for relevant information (news articles, reports, position papers, etc.) on a daily basis, summarises the content in headlines in English and German and includes metadata (e.g. the source, the publication date, the country or the hyperlink to the original document) when adding new entries to the system. The selection criteria are based on the needs for country information in procedures for international protection.

After quality control, the data collected are automatically indexed for full-text search. This makes it possible to search for the complete text of all the indexed documents and to use the added metadata for searching and filtering.

The ecoi.net search engine automatically includes English and German synonyms and near synonyms of your search terms. This has been made possible by linking a bi-lingual COI thesaurus to the search.

As of August 2013, ecoi.net covers more than 140 sources. Depending on their publication cycle, sources are updated daily (such as BBC News, IRIN or Human Rights Watch), weekly (such as UNHCR, Forum 18 or the International Crisis Group) or on a monthly basis (e.g. CEDAW, the Congressional-Executive Commission on China or the Afghanistan Research and Evaluation Unit). Additionally, information from sources which are not covered regularly is included in the database on an ad-hoc basis, bringing the total number of available sources to several hundred. The selection of sources is based on what has been found most useful for COI research.

Note, however, that ecoi.net does not cover events in all countries to the same extent – there is a focus on those countries from which most persons seeking asylum in Europe originate. For a list of regularly covered sources and country priorities, see http://www.ecoi.net/our-sources.

Since content is selected by qualified people instead of machines and the focus is on international protection, there is a lower risk of information overload. Additionally, the metadata helps to narrow down your results: You can restrict results to a specific country, or to a specific date of publication, for instance. General web search engines such as Google currently do not offer this possibility.

How does Refworld work?

Refworld is the protection information database managed by UNHCR for the purpose of making COI, refugee case law and refugee legislation available to all persons involved in decision-making on asylum applications. Refworld contains a vast collection of reports relating to situations in countries of origin as well as policy documents and positions and documents relating to international and national legal frameworks.

One of the major differences between Refworld and ecoi.net is the inclusion of national legislation and case law. Refworld contains national legislation on issues related to asylum and nationality; for some countries it also includes the text of penal codes, media laws and other relevant laws. Refworld's case law collection comprises decisions from national, regional and international courts, as well as human rights treaty bodies and other quasi-judicial institutions.

The information on Refworld has been carefully selected and compiled from UNHCR's global network of field offices, other UN organisations, governments, international, regional and non-governmental organisations, academic institutions and research organisations and judicial bodies. Refworld contains information from more than 400 sources.

The majority of documents on Refworld are in English, but there are also substantial collections of French and Spanish documents, with smaller collections of documents in other languages. A Russian version of Refworld will be launched in 2013 and will be available at http://refworld.org.ru.

Refworld is updated on a daily basis. All documents added to Refworld are labelled with keywords, allowing users to search for documents on a particular topic. Searches can also be done for a particular country of origin or country of asylum, for a particular source, for documents published on a particular date or during a particular period. Full-text searches can also be performed for all documents on Refworld.

Internet archives

A common problem on the web is broken links. When you encounter a broken link, you can try to find a working copy of the document in the Internet Archive:

The Internet Archive's Wayback Machine

The Wayback Machine (http://www.archive.org) is provided by the US non-profit digital library Internet Archive. It archives web pages as long as the website does not block the archiving process (many do). When 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. Note that there is usually at least a six-month delay, sometimes more, between the time a page is first found by a crawler and its availability in the archive.

Google Cache

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

Google's search field, directly followed by the address you are looking for.

Other archives, such as Coral CDN (http://www.coralcdn.org), or caches of other search engines, such as Microsoft's Bing (http://www.bing.com), may have stored copies of web pages that Google or the Wayback Machine do not have.

TIP

Staying up-to-date on technical developments in search engines

Search engines are constantly developing their technology. Google, for instance, increasingly tries to "guess" what users are looking for by including synonyms, handling spelling errors, and so on. Search engines may also replace their search syntax over time. Try to keep up-to-date on how the search engines you use work, and what features they offer. Regularly check their help pages and blogs or newsletters. For Google, the Web search help (http://support.google.com/websearch/), the official Google blog (http://googleblog.blogspot.com) and the official Google search blog (http://insidesearch.blogspot.com), as well as unofficial blogs about Google (such as Google Operating System, http://googlesystem.blogspot.com) will help keep you up-to-date.

5.2.3 STEP 3: DEVELOPING AND USING SEARCH TERMS

Once you have decided on the tool with which you will start your Internet research, you need to think about the search terms you want to use. Sometimes search terms are self-evident. However, in many cases the right search term can act like a key to a wealth of information.

Think about broadening or narrowing search terms or concepts, and using synonyms or verbs instead of nouns. Be flexible with spelling variations and try to become aware of the terms used for specific concepts in the context of the country of origin.

EXAMPLE 1

You want to search for information on whether women or girls in a certain country are forced to marry against their will.

The most commonly used term for this phenomenon is *forced marriage*. This can serve as a first search term. However, consider that this phenomenon can also be described with other words such as *coerced marriage* (synonym) or *arranged marriage* (related term). Also use the respective verbs such as *forcibly married*.

For forced marriage of girls, consider terms such as *child marriage, early marriage, underage marriage* or *child bride.*

As the phenomenon of forced marriage may occur in combination with the *abduction* or *kidnapping* of women or girls, these search terms can also be useful.

EXAMPLE 2

You are looking for information on the situation of Pentecostals in a certain country. If you do not find enough information using the search term *Pentecostals*, you can broaden your search by using *Protestantism* or *Protestant*s, or even broader terms like *Christians* and *Christianity*.

Note: The "moderated search" on ecoi.net offers synonyms, related terms, broader and narrower terms based on a bi-lingual COI thesaurus.

Search operators and functions

In order to effectively use search terms, knowledge of search operators and search engine functions is an essential skill for everyone researching COI.

Most search engines allow Boolean search operators and phrase searches to refine queries. These functions enable you to look for exact phrases or to include or exclude words. Wildcards, truncation and fuzzy search are also common. Various search engines might use differing search syntaxes, but they all function in a similar way.

TIP

For the search functions available on ecoi.net and Refworld please consult the respective user manuals:

ecoi.net: http://www.ecoi.net/help
Refworld: http://www.refworld.org/searchtips.html

AND operator

The AND operator is used to combine two or more words. It is usually the default operator. Whenever more than one search term is entered, the search engine will list results containing all of the words entered. Thus searching for *rebels government talks* means that you are effectively conducting a search for *rebels* AND *government* AND *talks*, which will produce a list of documents containing all three of the terms *rebels, government* and *talks*. The same results will be listed even when AND is not entered in between the search terms. AND is the standard operator used by Google, ecoi.net and Refworld, and by other web search engines. Note that Google sometimes chooses to omit search terms and will list results containing only some of the entered terms.

OR operator

The OR operator will list documents that contain one or more words combined by the operator. *tortured OR killed* finds texts either containing the term *tortured* or the term *killed*, or both. On Refworld, the OR operator is represented by parentheses and a comma, e.g. *(tortured,killed)*.

NOT operator

The NOT operator is used to exclude words. Often it is represented by the minus sign (-). The minus sign and the search term you want to exclude must not be separated by a space. For example, use *Guinea -pig* if you are searching for information about the country, not the animal.

Be careful when using the NOT operator as you might inadvertently exclude important documents. For instance, searching for *Georgia* and excluding *USA* with the NOT operator (*Georgia NOT USA*) can be useful to exclude results dealing with the US state Georgia when you are actually looking for information on the country Georgia in the Caucasus. But it will not be useful if you need information on military cooperation between the USA and Georgia. A better way to narrow down your search is to think about further specific keywords and add them to your search terms, combined with the AND operator.

All operators can be combined. Some search engines also allow the logical grouping of these operators, usually with parentheses *()*. For example *(homosexual OR lesbian) AND discrimination* will list results containing one or both of the terms *homosexual* or *lesbian*, and additionally containing the term *discrimination*.

Phrase search

You can search for a phrase, a proper name or a set of words in a specific order by putting them in double quotes. A query with terms in quotes finds pages containing the exact quoted phrase. For example, *"human rights"* finds documents containing the phrase human rights, while *human rights* without the quotation marks would find documents containing the word human and the word rights without them necessarily being together in a phrase.

Common words, called "stop words" (such as *the*, *on*, *where*, *how*, as well as certain single digits and single letters), are generally ignored by search engines, even within phrases.

> Note: In addition to the phrase search, Google allows the use of quotation marks with single words as well. If you surround a single word with quotation marks (" "), Google will look for exactly this word and not for synonyms (see below), and Google will not omit the word from your search query.

Wildcards and truncation

Wildcards are symbols that can be used to replace one or several characters within a word, or one or several words within a phrase. Wildcards can be used for words with spelling variations, in particular with proper names transcribed from languages with non-Latin alphabets such as Russian or Arabic.

ecoi.net and Refworld allow the use of the asterisk (*) to replace any number of characters (including zero)

EXAMPLE

*homosex** finds documents containing words beginning with *homosex*, for instance: *homosexual, homosexuals, homosexuality*, as well as the German words *homosexuell, Homosexualität*, etc.

ecoi.net also supports the use of the question mark (?) for replacing exactly one character.

> **EXAMPLE**
>
> *Tal?ban* finds documents containing the word *Taliban* as well as documents containing the word *Taleban*.

Note that most search engines that support wildcards do not support them at the beginning of words.

Google does not allow the truncation of words. It uses the asterisk (*) within a phrase search as a placeholder for any word. However, Google automatically suggests spelling corrections and alternative spellings. Google also automatically searches for words with the same stem, e.g. *running* will be found when you search for *run*.

Fuzzy search

Fuzzy searches help to find words that are spelled similarly to your search term. This feature is useful if you do not know the exact spelling of a word, or if there are too many spelling variations to capture by using wildcards.

A fuzzy search will return terms that are written similarly to the search term entered. When searching on Google, the search engine automatically returns alternative spellings or word endings. When searching ecoi.net, you have to enter the tilde (~) at the end of the search term to conduct a fuzzy search.

> **EXAMPLE**
>
> When searching *Shebab* on Google, the search results will return *shebab, shabaab*, and *shabab*.
>
> On ecoi.net, you should search for *Shebab~* in order to get *shebab, shabaab*, and *shabab*, or similar variations.

Thesaurus

A thesaurus linked to a search engine enables searches that include synonyms and different spellings of terms, or even terms in other languages.

When searching on ecoi.net, related English and German terms are automatically included in your results and shown at the top of the search results list (e.g. searching for the term *FGM* includes search results with the terms *Female circumcision, Female genital cutting, Female genital mutilation* and similar terms in German as well). Moreover, further search terms are suggested by a "moderated search" function. This feature can be switched off by de-selecting the inclusion of related terms under the advanced search options.

Refworld offers an "assisted search" which matches spelling and other variations and related names. The feature can be overridden by using the tilde (~) in front of keywords.

Google offers "did you mean" terms and "related terms" but does not list all the terms that are considered by the search engine. Google also increasingly automatically includes synonyms for your search terms. Google's catalogue of synonyms is built largely automatically by analysing the enormous amount of data collected by Google.

Advanced search on ecoi.net, Refworld and Google

Advanced search on ecoi.net allows you to choose *Country, Source, Type of Document, Language* and *Publishing Date.* You can also select whether or not to include the ecoi.net thesaurus ("Consider related terms in search query"). Under the following link you can find a guide on the advanced search features of ecoi.net: http://www.ecoi.net/help.

Refworld's advanced search offers search boxes that represent the different search operators. It allows you to narrow down your search by defining *country of origin, country of asylum, category, publisher,* document type, etc. For more information on Refworld's search features, you can visit the following link: http://refworld.org/searchtips.html.

Google's advanced search offers search boxes representing the Boolean search operators AND, OR, NOT and allows you to further narrow down your results. For example, you can define *language, region* and *last update*. You may also search within a site or domain, and you may also specify where the search terms should be found in the page (title, text, URL, links to the page). Note that "region" usually refers to the region from which the website originates (not necessarily the region you are researching) and that the last update date often refers to when Google last visited the website (as opposed to the actual date of publication). See details under http://www.google.com/advanced_search.

> **TIP**
>
> Google offers some useful tools to complement research. You may, for example, activate the Google translation engine to have your search results automatically translated (http://translate.google.com).
>
> The automatic translation offered by Google will not be appropriate for inclusion in your query response, report, case file or other products, but this feature may help you to find useful information in a foreign language. Also note that many sites use automatic translations. Sometimes they explicitly state that the translation is automatic, but sometimes they do not. These translations must be carefully checked before you rely on them.

5.2.4 STEP 4: SELECTING DOCUMENTS FROM A LIST OF SEARCH RESULTS

After running a query on a database or search engine, you will need to decide quickly whether or not a document might be useful in the context of your COI research. In almost all cases, it is not feasible to examine every document that shows up, therefore you will need criteria for deciding when to open a document.

Source, title, publication date and "words around hits" are the main indicators informing that decision. The source gives a first indication of the publisher's perspective, the title gives you an idea of the scope of a certain document, the publication date helps you to assess the currency of the information, and "words around hits" show you the context of your search terms within the document. From the information displayed in the list of search results, you can already learn whether a document is relevant for you and whether it makes sense to have a closer look at it.

EXAMPLE

You are looking for information on an assault on Hotel Medina in Somalia's capital Mogadishu conducted by the group al-Shabaab in summer 2011. You used the search terms *"Hotel Medina" mogadishu 2011* on Google; among the list of search results you find the following two entries and wonder which one to click on:

2 killed in Somalia over accord demanding ouster of country's prime ...
www.thestar.com/.../1006385--2-killed-i... – *Canada*

10 Jun **2011** – Farah Abdi Warsameh/AP Somali protesters set a fire outside the **Hotel Medina** that accommodates Somali MPs, in southern **Mogadishu's** ...

SomaliaReport: 27 August 2011 Daily Media Roundup
www.somaliareport.com/.../27_August_2011_D... -

27 Aug **2011** – Somali Memo - The Somali Islamist website reported that several blasts rocked **Mogadishu**, including **Hotel Medina** which was occupied by ...

In this example, you can identify the first document as an article by the Associated Press (AP) published in a newspaper (thestar.com) in June 2011 that reported on a demonstration which resulted in protesters setting fire to the hotel. The second search result is a media roundup from August 2011 that cites an Islamist website reporting on blasts in or around Hotel Medina. By just looking at these search results, you can assume that both documents contain information on an assault on Hotel Medina in summer 2011. However, as the second document seems to have a connection to an Islamist website, und the focus of your question is on assaults by the Islamist group al-Shabaab, you decide that the second document seems more relevant to you. Note that not all Google search results contain a date, and the date displayed does not always correspond to the actual publication date, as the dates may not be correctly recognised by the search engine's robots.

5.2.5 STEP 5: SEARCHING WITHIN A DOCUMENT

After selecting potentially relevant documents, you will have to search within these documents to find the parts of the text that you may actually want to use. Nearly all document types are searchable (e.g. DOC, PDF, HTML). Use Ctrl+F (or Command+F for Apple computers) to scan texts for keywords. This command will work in most word processing software, PDF viewers and web browsers.

Microsoft Word offers numerous advanced options (match case, use wildcards, find whole words only, etc.). Adobe Reader also offers advanced search options for searching PDF files. Check the help section of the software you are using for detailed information on search functions.

Some documents, however, are not searchable (e.g. scanned reports), because they are based on image formats. In most cases you will be able to solve this problem by using optical character recognition (OCR) software which converts non-searchable text from a scanned report into searchable text. Note that you should not rely solely on the OCR results, as characters are often not recognised correctly.

Besides searching for keywords, take a look at the table of contents when checking longer texts for relevant information. If there is no table of contents, skim through the text to locate potentially interesting paragraphs.

5.2.6 STEP 6: KEEPING AN OVERVIEW OF SEARCH RESULTS

There are several ways to keep an overview of the various searches you conduct and their results:

Saving your search results in Internet browsers

Most browsers keep a record of the web pages you visit in the browser history. This record allows you to retrieve previous search results for a certain period of time after your search. Check your browser's settings to change this period. The browser history may also be searched. In most browsers the history is accessed by pressing Ctrl+H.

Some browsers allow you to save research sessions ("tab sessions") and re-load them at a later time. Tab sessions are saved and restored automatically if the browser freezes or closes down. Tabs allow you to work on several research sessions at the same time, providing you with a better overview of your different search histories. The following browsers allow you to save and restore tab sessions, although for some the installation of additional plugins or add-ons may be needed: Google Chrome, Internet Explorer, Mozilla Firefox, Opera, Safari.

Google allows you to save your activity on Google search when you are logged in as a registered user. Your Web history is searchable online and keeps track of what you searched for when and which of the results you opened: http://history.google.com.

You may also want to routinely copy and paste bibliographical information, Internet addresses (URLs) as well as relevant quotes into a working document. This will save time when finalising your response or report.

Saving your search results on ecoi.net and Refworld

ecoi.net and Refworld allow registered users to save individual search results in "research baskets" (ecoi. net) or "folders" (Refworld). This allows for later review, or continuing your work another day. The list of documents in your research baskets is easily accessible under MY ECOI.NET or under your profile page on Refworld. The ecoi.net research baskets contain all necessary reference data in a standardised format (source, original title, date of publication, link to original document and date of access), which can be printed or copied into your report.

Bookmarks/Favorites

You can save the address of a particular website by creating a "favorite" or "bookmark", in order to quickly retrieve it for future research purposes. Usually it is more useful to save links to sources rather than links to individual articles/reports. You can structure your bookmarks in different directories: by country, source or topic. Some browsers also allow keywords or tags for bookmarks. The most effective organisation of your bookmarks will be the one that corresponds to your personal research techniques. How bookmarks are most effectively organised depends on how you personally approach research and on your working routines.

Sharing bookmark collections is possible via online or social bookmarking systems such as Delicious (http://delicious.com). For more details on social bookmarks, see section 6.4 on social media as a tool.

TIP

When you want to be notified when a website of your choosing is updated, you can use several tools and services. Some websites provide RSS feeds for this purpose (see section 6.2.2 for details on RSS). For those which do not, here are some other options:

Changedetection.com allows you to enter a website you wish to monitor and sends you an email notification when that site has been changed: http://www.changedetection.com

Browser extensions or add-ons also allow you to monitor changes of websites, alerting you via your browser:

For Mozilla Firefox: Update Scanner (https://addons.mozilla.org/firefox/addon/update-scanner), SiteDelta (https://addons.mozilla.org/firefox/addon/sitedelta), or check4change (https://addons.mozilla.org/firefox/addon/check4change).

For Google Chrome: Page Monitor (https://chrome.google.com/webstore/detail/page-monitor/pemhgklkefakciniebenbfclihhmmfcd).

5.2.7 STEP 7: CROSS-CHECKING INFORMATION

After locating several pieces of information, it is necessary to cross-check them in order to create an accurate, current and balanced picture of a particular event or the prevailing conditions in a country of origin.

Cross-checking involves comparing and contrasting the information found. Comparing and contrasting information from a variety of different sources assists in forming an unbiased picture of what is or was happening in a country (UNHCR, February 2004, para. 5). Each piece of information used as COI should be corroborated by other sources.

As cross-checking information is not exclusive to Internet research, more in-depth instruction on how to cross-check COI will be provided in section 5.4.

5.3 NON-IT BASED RESEARCH

After having discussed Internet research as the most frequently used method of COI research, in the following sections we give an overview of other important methods for retrieving information. Researching in books and libraries, consulting experts or informants (oral sources), organising COI seminars or conducting fact-finding missions are valuable ways of finding information which may not be available in online sources. However, the Internet will somehow be involved even when using methods that are traditionally "offline": Books can be read online via services such as Google Books, you can order books from libraries and shops by using their online catalogues and when you want to contact experts to ask them questions, invite them to a COI seminar or visit them during a fact-finding mission, you will most probably use the Internet to collect information on these experts.

5.3.1 BOOK AND LIBRARY RESEARCH

Although more and more information can be found online, print materials such as books, magazines, journals and periodicals can be valuable COI sources, especially when dealing with questions which require a deeper understanding of a topic, background knowledge or an analytical point of view. The boundaries between online and print material are becoming more and more blurred, however, as the latter can increasingly be accessed by digital means.

Google Books (http://books.google.com), for example, makes many books available online. The service offers full-text searches in books and magazines, which Google has scanned, converted into text, and stored in its digital database. Depending on the agreement with the book's publisher, Google Books displays either parts of the publication or the entire book. Google Books allows researchers to take a preliminary glimpse at a publication to help them decide if it is worth purchasing. Sometimes this glimpse will be sufficient for locating relevant information. However, when doing so, be very aware that when only a few pages can be viewed, you may miss contrasting information within the same book, and the content may be distorted by the lack of context. The pages made available may also become inaccessible after a while.

The e-commerce company Amazon.com also offers full-text searching for an increasing number of books and enables you to preview some of their content.

E-book reading devices are another tool bridging hard copy and digital presentation of information. Details needed in the field of COI research can be found in books more easily when searching through their electronic versions.

Additionally, fee-based electronic article databases are worth exploring. Articles in academic periodicals are often authored by leading scholars and can thus be valuable COI sources. Ingentaconnect (http://www.ingentaconnect.com), for example, is a research resource for scholarly publications. Note that many databases that publish scientific articles also offer single article purchases. An example for a website offering free access to scientific journals is DOAJ (http://www.doaj.org).

The national library of your country as well as university and faculty libraries will often be the most comprehensive library collections available, so it is advisable to check their online catalogues for materials.

The online library catalogue WorldCat (http://www.worldcat.org) comprises more than 2 billion titles and provides access to the collections of over 10,000 libraries around the world. It can help to locate libraries which carry specific titles of interest and provides various services for researchers.

> **! TIP**
>
> Libraries may also offer free access to many subscription-based databases that are useful for COI research, e.g., databases of journal articles, news databases such as LexisNexis, the online version of Europa World Year Book, etc.

High quality reference books (e.g. encyclopaedias, directories of ethnic groups, languages or political parties) are essential for COI libraries. Reference books usually provide a good overview of the topics in question. Please note, however, that although many of the major reference books are updated frequently, when consulting printed reference material, it is important to cross-check the information to ensure that it is up-to-date. For a list of reference books and encyclopaedias, see Appendix B – Sources.

Paper-based materials have distinct advantages and disadvantages. Some of these are listed below:

Advantages:
- Academic books and periodicals are authored by mostly authoritative sources and are subject to rigorous editorial processes and sometimes peer review.
- Reference books (including encyclopaedias) can be especially useful as a first source to consult if a balanced overview of a situation is required. Usually they are written by leading academics with in-depth knowledge of the subject at hand.

Disadvantages:
- Depending on the topic it deals with, printed material may be outdated quickly.
- Searching through the text of printed material is time-intensive. As there is no electronic text search facility, it can be far more difficult to find the specific piece of information within the material that you need for the question at hand.
- Including longer passages in an electronic document requires laborious typewriting.

5.3.2 CONSULTING ORAL SOURCES

If information on a topic is scarce, of insufficient explanatory value, or highly contradictory, or if you do not entirely understand a given topic, it may be helpful to consult an oral source.

The suggestions in this section are partly based on guidelines for interviewing oral sources, authored by the Research Directorate of the Immigration and Refugee Board of Canada (IRB), an organisation with a long tradition of and vast experience in drawing information from expert knowledge.

Note on terminology:

In the context of this manual, "consulting an oral source" refers to communicating with an external person who has particular expertise or special knowledge on a given subject and who might serve as a COI source. Information from oral sources may be obtained through a personal interview, a telephone conversation or in written form (e.g. email).

Oral sources are either experts or informants. Experts are academics as well as persons whose expertise is based on their professional background (e.g. doctors, pharmacists). In contrast, an informant's knowledge derives from having personally experienced a certain situation or having participated in or witnessed certain events. The *Common EU Guidelines for processing Country of Origin Information* stress the difference between experts and informants by defining an informant as a person "furnishing useful information (to a researcher) on different domains in which he not necessarily has proven and reputed skills" (Common EU Guidelines for processing Country of Origin Information, April 2008, p. 34).

When referring to experts, we explicitly do not mean "expert witnesses" in the legal sense of the term. Those expert witnesses are commissioned "to present their opinion about the facts of a case in legal proceedings" (Oxford Dictionary of English, 2010, p. 616).

When to consult an oral source?

Expert statements can help us to obtain information on situations when documentary material is scarce and it is difficult to find answers by consulting written sources. Oral sources can also be consulted complementarily to cross-check COI from other sources.

The following situations or questions might require contacting an expert:
- When the information needed is so specific that it is unlikely to be found or would be very difficult to find by consulting written COI sources
- When no information on the topic in question could be found
- When the documents which could be found are not informative enough
- When the information found is ambiguous
- When information could only be found in dubious or biased sources
- In cases of information overload; to refocus and to identify the most important aspects of the question
- When there are difficulties understanding the material found or other uncertainties
- When the information needed requires some kind of interpretation/analysis by a person who has the necessary skills and is qualified to do so – this may frequently be the case when working on questions relating to cultures, traditions, and practices

How to find, select, and assess oral sources

Experts may work at universities, in the field, or with international, national or local human rights organisations; government officials, lawyers, or journalists can also serve as experts. Their expertise is based on their professional background or their academic work and affiliations.

Many experts can be found via the Internet. The best way to locate academics is to look for publications on the topic at hand or related questions. Most university departments and research institutions have their own websites containing staff contact details.

Professionals who can be consulted as experts can be found by looking for websites of governmental or non-governmental institutions as well as think tanks. For certain types of questions (such as immigration procedures, rights of residence, or citizenship laws) embassy staff can provide expertise. Activists and lobby groups might also be good sources for identifying experts. If institutions do not have their own websites, directories compiled by governments or humanitarian organisations can sometimes be of help in identifying appropriate sources. Browsing academic journals or editorial boards of publications might also help to find experts on the topic of interest; sometimes you might find mention of an expert in a newspaper article or a NGO report.

Also check existing COI reports, reports on fact-finding missions, or query responses. Whom did the researchers interview? Which organisations did they visit? Programmes of conferences and symposiums can be valuable sources for identifying experts as well. Try to expand your list of expert contacts by applying a snowball system. Academics as well as professional experts have close networks within their (scientific or professional) communities and they will be in a position to recommend colleagues.

GOOD TO KNOW

The Fahamu Refugee Programme is a refugee legal aid and advocacy movement that wants to encourage sharing of information and expertise among legal practitioners throughout the world (for details, please see the "about us" section on the Fahamu website http://www.frlan.org/about-us-0). It offers a list of organisations and individuals in many countries who have agreed to provide country information pro bono to NGOs that do not charge refugees for legal services. The list is available at: http://www.frlan.org/country-origin-information-experts

The fee-based Electronic Immigration Network (EIN), a UK based charity organisation that provides information related to immigration and asylum, offers a directory of experts on countries of origin. The directory is available at: http://www.ein.org.uk/experts/?q=experts

Informants have knowledge which is linked to their living situation or personal circumstances. Examples include people who – due to their background, personal circumstances or living situation – may have specific knowledge about customs and practices among certain groups or societies; and refugees who might be able to provide details about the situation they fled. Special care needs to be taken when consulting informants, both in terms of source assessment and in terms of cross-checking the information. As they are potential sources of COI for personal rather than professional reasons, it is nearly impossible to properly assess these sources. You should always ask yourself if consulting an informant is really necessary or if other ways to obtain the same or similar information are viable. If you consider using a person as an informant, relevant questions to consider include:

- How has the contact been established?
- Does the person have certain biases because of his or her connections or obligations?
- What is the person's (professional) background and level of education?
- Where did he or she get the information?
- Is the person aware of the context in which his or her statement will be used?

When oral sources are interviewed, they often share their knowledge under less formal conditions than when they publish information in written form (e.g. books, journals). This is often an advantage, but it can also turn out to be a pitfall. Information provided orally or via a quick email does not undergo the quality control of formal publications.

A statement made by an oral source should be assessed using the same critical process applied to any other kind of source found in the course of COI research. If considered reliable, it still needs to be cross-checked with other sources of information. On the other hand, an expert's statement can itself be used to cross-check another source.

Because of the differences between experts or informants and other sources of COI, they have to be assessed using criteria that are specific to such sources. Below, additional criteria for assessing oral sources are summarised:

Additional source assessment questions for assessing oral sources

Proven knowledge: Does the person's professional education and/or career qualify him or her as an expert? Did he or she attend further training?

Publications: Has the person published articles in respected/well-known academic journals? Who is the intended audience?

Tone/style/language: Are the wording and language used in his or her publications appropriate for the type of text?

Methodology: Where does the person obtain his or her information from? What are his or her sources?

Reputation: What is the reputation of the person and the organisation he or she is working for? Is he or she an authority in the field in question?

Potential bias: For whom does he or she work? What are the goals and intentions of the organisation? Who provides funding?

Expertise and country knowledge: Which are the topics within his or her expertise? Has the person conducted field work in the country concerned? When did he or she last live or travel there? For how long did he or she visit or live in the country?

Language skills: Does the expert speak the language(s) spoken in the region of his or her expertise? What is the level of his or her language skills? Do they enable him or her to conduct field studies and interviews with locals?

Previous experience with the expert: Has he or she already been active as an expert in asylum procedures? Could he or she provide reliable, unbiased and up-to-date information on previous occasions?

Are there any other factors that might compromise the expert's knowledge in this particular instance (e.g. having the same political affiliation, or specific or indirect connections with the applicant)?

Confidentiality and payment

When working with experts or informants, it is important that general conditions are clear to all parties involved and that interview partners are fully aware of the context in which the information they produce will be used. Usually three questions require attention: Can the interview transcript be published? How should the source be cited? Is any financial remuneration provided for experts or informants? Most professional COI units have developed policies on these topics.

Generally speaking, oral sources should be referenced with their full names and described with their professional title and the institution they work for. There may, however, be circumstances where revealing the identity of the source may put the person at risk. In such situations, it may be possible to omit the name of the source. If being identified in this manner would still pose a risk for the source, the expert or informant may have to be referred to as an anonymous source. In such cases, state the reason for the source's anonymity and add a profile of the source that explains why the person is considered to be a reliable source.

If a source does not want to have the outcome of the interview made available to all parties and instances involved in the procedure of international protection, then the information cannot be used at all.

GOOD TO KNOW

The Research Directorate of the Immigration and Refugee Board of Canada makes oral sources they contact aware of the following:

> All reports produced by the Research Directorate may be used as documentary evidence during refugee protection hearings in Canada, are publicly available, and can be accessed on the IRB Internet Website at www.irb-cisr.gc.ca. As a matter of practice, the Research Directorate does not include the names of sources in its short reports but will cite professional titles and the institution with which sources are affiliated. If, in the hearing room, the IRB decision-maker requests the Research Directorate to name its sources, we will be legally obliged to do so. However, refugee protection hearings are closed to the public with only the participants at the hearing privy to the evidence and, therefore, to the name of the source.

> You should also be aware that should a request for leave to appeal a decision of the IRB be granted by the Federal Court, the entire record of proceedings before the IRB becomes a matter of public record.
> (IRB, 26 January 2011b, p. 12)

The question of payment is not only a practical question but also a question of principle. The Research Directorate of the Immigration and Refugee Board of Canada (IRB) observes that the question of payment is connected to considerations of how to guarantee neutrality. Paying experts for their expertise "may encourage bias since the person might feel compelled to provide a certain point of view to justify the payment; it can also give the impression that the Research Directorate only chooses those persons who share its point of view regarding country conditions" (IRB, 26 January 2011b, p. 10).

Interviewing oral sources: preparation, conducting the interview, follow up

Preparation of the interview

Before contacting the source, you should have as much background information on the subject as possible. Major questions should be checked for their relevance and formulated carefully. It is advisable to do some preliminary research in order to gain a solid understanding of the topic and to be able to ask meaningful questions. Avoid wasting the source's time with basic questions that can easily be answered by consulting written sources.

Approach the expert well in advance with a request for an interview. This allows the expert to prepare and will thus improve the quality of the answers you obtain. Contact the expert by letter, by email or by phone to introduce yourself, to ask for the interview, to present your institution and your position, to explain the context of your work and to give a concise overview of the nature and purpose of COI research. Inform the

source about the policy of your organisation with regard to the use of public or confidential information. If you are going to collect information by email, it is equally important that the oral source receives the questions early enough so that he or she is able to prepare and thoroughly answer them in written form.

In case you decide that an interview is not necessary and you want to forward your questions in written form only, introduce yourself, your institution and the context of the query as mentioned above. If you do not receive a reply to your first request in a timely manner, it is advisable to follow up by sending another email or by calling.

Conducting the interview

At the start of the interview, you will already have introduced yourself previously by mail, letter or on the phone. However, ask your interview partner if there is anything else he or she wishes to know. Make sure that the oral source is aware of the context of the interview and its purpose. Ask if he or she agrees to have the outcome of the interview published and – if applicable – ask if he or she wishes to be quoted as an individual or as a representative of his or her organisation. Inform your interviewee about the possibility of reviewing the interview transcript before publication.

Interviewing techniques very much depend on the style of the individual researcher as well as the question at hand. Always be careful not to influence your interview partner. Do not ask leading questions, and avoid showing reactions to statements made by the source. If your questions are specific to a certain case, keep in mind the importance of protecting the personal data of the applicant and his or her affiliates.

Listen attentively and either tape the interview (providing the interviewee consents) or ensure that you take accurate notes. A prepared and standardised template is useful for this purpose. Once all questions have been addressed, briefly revisit the main points of the interview with the source. If anything is unclear, seek clarification from your interview partner. Ask the source whether he or she wants to review and approve the interview transcript and discuss the timeframe needed for this.

Before ending the interview, thank the source for his or her time and commitment and take the opportunity to inquire if he or she can recommend other potential sources.

Follow-up

After the interview, provide the source with the transcript and ask him or her to correct inaccuracies or add complementary information if needed. You can abstain from sharing the transcript with the source if the source has given his or her consent to do so and you have no follow-up questions. Note that approval by an oral source may lead to delays. In case the source does not approve the transcript, the information cannot be used.

Data on the source and on the interview must be filed for internal documentation. In this way they can be produced and shared with other stakeholders in the asylum procedure if needed.

When quoting information provided by the source, be as transparent as possible. Mention the name of the source (unless this is not possible for reasons of the source's security), his or her professional affiliation, the date of the interview, as well as a remark on how the information was obtained (telephone interview or correspondence by letter or email).

If you have a database of experts, add the source's data to it.

> **TIP**
>
> It is a good idea to maintain a database with experts. Such a database should contain profiles of the experts, including which countries, regions and topics they deal with. The profile should also contain information about whether the expert has already been contacted, and on the progress and outcome of all interviews. Keeping an experts database may also help to avoid putting undue strain on one expert by consulting him or her too often. A well-maintained database of experts supports knowledge transfer within the (COI) unit. New researchers can make use of contacts their colleagues have already established.
>
> The IRB warns that frequently contacted oral sources may suffer from "source fatigue", as they are asked to spend time answering questions, and reviewing the information they have provided, without financial compensation or public attribution.

5.3.3 COI SEMINARS

COI seminars are a special format for producing and gathering information. Two or more experts with established reputations and different backgrounds are invited to present information and analysis on a well-defined topic to an audience of COI service providers and RSD practitioners. The presence of more than one expert allows for corroboration or contradiction of the information provided.

To meet the target group's information needs, questions and areas of interest are collected in advance and made available to the presenters so that they can prepare. The quality of a COI seminar depends to a large extent on the experts' knowledge and experience, but also on the ability of the facilitator and participants to ask relevant and meaningful questions. ACCORD's experience with organising COI seminars shows that it is advisable to arrange for the participation of persons with different roles within the asylum procedure in order to cover multiple perspectives.

Experts presenting at COI seminars must be selected carefully and should be briefed thoroughly. Full awareness of their role and the role of COI in the asylum procedure is crucial. The thematic priorities set for the experts depend on the background and the research priorities of each speaker. For example, a presentation by an academic expert can be complemented by a report of the experiences of a person who has been in the field in the respective country. A journalist or scholar with a specialisation in the country or region in question can contribute observations that are different from those of a staff member of an international organisation. Ideally, the speakers will comment on each other's presentations, add details from their experience or put their colleague's statements into perspective by making critical remarks.

The biggest strength of COI seminars is that they give participants access to information that may not easily be found in written form. Moreover, question-and-answer sessions allow for an exchange between the audience and the presenters, giving participants a chance to fill information gaps by focusing on specific issues. At the same time, COI seminars allow for individual research questions to be regarded in a bigger context.

It is good practice to record and transcribe the COI seminar. A designated staff member may draft a seminar report, adding supplementary material where relevant. Before publishing the report, the draft report is shared with the experts for final clearance.

As presenters have to invest a considerable amount of time into their participation in a COI seminar (preparation, travel time, seminar time, post-processing), we consider it fair to offer them remuneration for their efforts and to cover their expenses.

5.3.4 FACT-FINDING MISSIONS (FFM)

Conducting a fact-finding mission (FFM) is a form of obtaining information that is not accessible otherwise. The team conducting a fact-finding mission travels to another country in order to interview persons on the ground. In most cases, the country visited will be a specific country of origin. In some cases it may not be possible to conduct a fact-finding mission to the country of origin, for example due to security constraints. In such circumstances a fact-finding mission to a neighbouring country with a considerable refugee population or other sources (e.g. persons from specific parties, ethnic or religious groups, activists or opposition figures) residing in that country may be considered. Conducting FFMs is the most resource-intensive form of gathering information and is therefore only viable after carefully analysing costs and expected benefits. Fact-finding missions need intensive preparation, they may take several days or even weeks to be conducted, and drafting the report is usually very time-consuming.

An important advantage of FFMs is that they give researchers the opportunity to collect information from primary sources and to make contacts with experts in the country of origin. Interviews can be conducted with participants in and witnesses of events. The quality of the information contained in an FFM report depends on the methodology adopted during the FFM, on the extent to which information is recorded transparently and on the expertise of the chosen sources. Information contained in FFM reports should therefore be critically assessed, using the same standards that are used for assessing other sources of COI. When weighing COI evidence, sources from FFM reports should not be automatically given more importance than information from other sources.

The *EU common guidelines on (Joint) Fact Finding Missions* were developed in the framework of the European Country of Origin Sponsorship (ECS) project and published in November 2010.

The guidelines were created to assist European Union Member States in organizing (joint) fact-finding missions. They offer extensive guidance on the methodology and the practicalities of conducting such missions. This will be of interest to COI researchers in countries outside the EU as well. The most important aspects of the *EU common guidelines on (Joint) FFMs* are briefly outlined below. The guidelines are available at http://www.ecoi.net/file_upload/90_1292230919_20101118-ecs-ffm-guidelines-final-version.pdf.

The *EU common guidelines on (Joint) FFMs* list the following as potential advantages of a fact-finding mission: access to sources and/or information that is difficult to access from abroad; direct access to primary sources; access to unfiltered information; verification and clarification of available information which may be limited, anecdotal, or conflicting (EU common guidelines on (Joint) FFMs, November 2010, p. 6–7).

Before going on a mission, terms of reference (ToR) should be developed. The ToR contain the general topics and issues that should be addressed during the FFM; they should be developed in cooperation with the persons and institutions whose information needs the FFM is meant to serve (EU common guidelines on (Joint) FFMs, November 2010, p. 9).

Cross-checking is part of the methodology of a high-quality fact-finding mission. Conducting interviews with a variety of sources to cross-check information is key to obtaining an accurate and balanced picture of a specific topic in the country of origin. The EU common guidelines recommend that FFMs should "consult at least three different sources that are independent of each other on each main topic of the ToR" (EU common guidelines on (Joint) FFMs, November 2010, p. 11). The guidelines point to the importance of using a critical approach "to test or validate information that the FFM Delegation is provided [with] during the course of a mission. Testing such information will ensure the team obtain[s] accurate, reliable and robust COI" (EU common guidelines on (Joint) FFMs, November 2010, p. 20).

As with all other sources, the assessment of sources interviewed in the course of a fact-finding mission is central. Sources interviewed by the FFM team usually have their own agenda; they may have a particular motivation for meeting and giving an interview, which has to be taken into consideration (EU common guidelines on (Joint) FFMs, November 2010, p. 13). The criteria for source assessment given in chapter 4 of this manual should also be applied when conducting fact-finding missions. These criteria should also be applied when referring to an FFM report.

Neutrality of the interviewers is an important factor in determining the accuracy of the information gathered and reported. The *EU Common Guidelines on (Joint) FFMs* list possible risks which can undermine the integrity of the interview process and thus the trustworthiness of the information obtained through the interview. Among these risks are the influence of clients or sponsors of the FFM, who might prefer a certain outcome of the mission (sponsorship influence); the drawing of premature conclusions in the course of the FFM, which may undermine the impartiality of interviewers in interviews conducted later in the mission (team influence); and sources identifying so closely with the problems they work on, as well as interviewers starting to identify with the people they interrogate, that they do not maintain a professional distance, which in turn may result in the focus of the interview drifting from the mission's ToR to the respondent's own agenda (sources influence) (EU common guidelines on (Joint) FFMs, November 2010, p. 21).
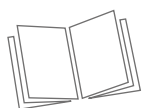
In October 2012, Jens Weise Olesen and Jan Olsen from the Documentation and Research Division of the Danish Immigration Service published an article in the Irish Refugee Documentation Centre's online publication The Researcher. In this article, authors with extensive experience in conducting COI fact-finding missions discuss aspects of FFM methodology, terms of references (ToR), the identification of sources, the impact of FFMs on procedures for international protection and the benefit of FFMs. The full article can be found at
http://www.ecoi.net/blog/wp-content/uploads/2012/10/rdc-The_Researcher-Vol7Issue2.pdf.

The following guidelines produced by the International Bar Association and the Raoul Wallenberg Institute might also be of interest:
Guidelines on International Human Rights Fact-Finding Visits and Reports
(The Lund-London Guidelines), 1 June 2009: http://www.factfindingguidelines.org

5.4 CROSS-CHECKING INFORMATION

This section introduces the meaning and purpose of cross-checking information and discusses practical considerations regarding techniques, challenges, and mistakes related to cross-checking. Reflections on the importance of cross-checking conclude the section.

5.4.1 MEANING AND PURPOSE OF CROSS-CHECKING

In the context of COI research, the term "cross-checking" is used to describe the technique of comparing and contrasting information from different sources and different types of sources, highlighting similarities, differences, and contradictions and making them visible in research products.

In its 2004 paper on COI, UNHCR underlines the importance of an objective and transparent COI system for decision-makers, and emphasises the significance of comparing and contrasting information:

> The underlying philosophy is to facilitate access to a wide range of opinions and information in an objective way. By comparing and contrasting information from a variety of different sources, decision-makers are assisted in forming an unbiased picture of prevailing conditions in countries of concern. (UNHCR, February 2004, para. 5)

The process of cross-checking is an essential step in COI research. When information is corroborated by different sources, you can be more confident about the accuracy of the information. When cross-checking information from one source leads not to corroboration, but to contradiction with information from other sources, it becomes particularly important to assess the reliability of sources and to weigh them on the basis of this source assessment. Knowing how to cross-check information is therefore a key skill for anybody dealing with COI.

Cross-checking is the main instrument for achieving accuracy and currency. It includes different aspects:

Corroborating – verify the accuracy of information by checking different sources

Relying on a single source is problematic. The more sources you have which provide the same information independently from each other, the greater the chances that the information is accurate.

We suggest corroborating all information which is central to the question or which has an impact on a decision by using three different sources and different types of sources (e.g. UN report, international or local human rights organisation, international or local media, expert opinion) that independently provide information on the research issue at hand. In practice this will not always be possible. If corroborating information could not be found, this should be indicated.

Balancing – introduce different perspectives by using diverse types of sources

Using different types of sources helps to counteract the potential biases of each source, and to build up a balanced research result. A source may contain highly relevant information, but the information may be distorted because of the bias of the source, or it may be inaccurate because of flaws in the methodology used by the source to obtain the information.

Updating – ensure information at hand is current

For COI, currency is crucial; thus sources with a reliable reporting mechanism for quick information transfer will be particularly useful. Some institutions, however, go through a long clearance procedure which improves the quality of their reports, but may lead to substantial delays in publication. When using such sources, the complementary use of other sources, including media reports or press releases, is important to ensure that you have the most up-to-date information.

Specifying – complement general information with specific details

In COI research we need both a general understanding of the situation at hand and fine-grained information on certain events. For example, information drawn from an annual human rights report can provide contextual information, but it might be less useful when it comes to specific events. Complement such a report with details obtained from, for example, media articles.

5.4.2 PRACTICAL CONSIDERATIONS REGARDING CROSS-CHECKING

Cross-checking techniques

The technique of cross-checking includes the following elements:

- Use a variety of sources and look for different types of sources (international/local, government/non-governmental, human rights reports, the media, academic sources, advocacy organisations, etc.). Try to find three sources, if possible from three different types of sources, that independently provide information on the same topic. When combining sources, strive for diversity and variety and look for sources which will potentially reflect diverse opinions.

- Whenever useful and possible, try to quote primary sources directly; when secondary sources are used, include a reference to the primary source.

- Assess the reliability of each source you are not yet familiar with by conducting a source assessment.

- Compare and contrast the information found; focus on details that stand out and on possible discrepancies between reports by different sources.

- Combine general and specific information; evaluate whether this produces a consistent or contradictory picture of the situation.

- Cross-check statements made by dubious sources with special care. Try to find out if the same or similar information can be found in sources that qualify as reliable COI sources.

Cross-checking challenges

When talking about corroboration we talk about the ideal – but not always realistic – situation in which information can be substantiated by various sources. The following challenges can occur when cross-checking information:

Scarcity of information: If it was not possible to corroborate a piece of information, this fact should be explicitly pointed out. For the end user of COI, it is important to know that the information has been derived from a single source. This is particularly important when the only source of information is a dubious source.

Information overload: Some topics are so well-documented that a wealth of corroborating information is available. In such circumstances, it is neither possible nor necessary to list all the sources that contain relevant information. Make sure to select different types of sources.

Contradictory or inconsistent information: Contradictions should be explicitly pointed out. Note that in such circumstances, it is not up to the COI service provider to privilege information provided by one particular source or to exclude information provided by certain sources. In many cases the contradictory information is provided by different sources, each of which have their strengths and weaknesses and none of which can be assessed as wholly reliable or wholly unreliable. In such circumstances, it is important to include the contradictory information from different (types of) sources and to draw attention to the inconsistencies. A short description for each source is advisable. This will help the RSD practitioners to assess the information.

Corroboration of dubious sources: When confronted with information from questionable sources, cross-checking is of utmost importance. However, sometimes even information from a dubious source might be better than no information at all. Include a short description of the source and point out its shortcomings.

Corroboration of expert opinions: In COI research, expert opinions are often considered highly authoritative. Nevertheless, information provided by experts also needs to be cross-checked. As experts are usually consulted in situations where written COI is scarce, we recommend cross-checking by interviewing more than one expert.

Corroboration of statements provided by informants: Information which was produced by consulting an informant may be especially difficult to cross-check. Try to place the statement in its broader context by finding more general information on the topic. Obtaining information from more than one informant on the same topic may also be a fruitful strategy.

Cross-checking mistakes – "round-tripping" and "false corroboration"
When trying to cross-check a piece of information, "round-tripping" and "false corroboration" are common pitfalls. To avoid them, be aware of who or what the primary source is and consult the source that first reported the information whenever possible.

Round-tripping:

We speak of "round-tripping" if a source refers to a secondary source rather than to the primary source or the source that first documented the information. This may lead to information getting distorted or lost, or give a false impression of currency or authorship. To avoid round-tripping, always try to base your research on a large variety of sources that have first-hand information.

EXAMPLE

The *Common EU Guidelines for processing Country of Origin Information* mention the following example of round-tripping:

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

In the example above, even the UK Home Office report mentioned is not the primary source, but is itself quoting from another source. Thus it becomes impossible for the reader to get the right impression of who actually made a certain statement and when this was done.

False corroboration:

In many cases, a piece of information can be found in a number of sources. If, however, all these sources obtained the information from the same source, an impression of corroboration may arise where in fact there is none.

For example, the US State Department reports on an event based on a report by Human Rights Watch. Corroborating the information provided by the US State Department with a media report that also took all information on the event from Human Rights Watch is worthless, as both base their information on the same primary source. If a source does not state where the information comes from, it can be difficult to identify false corroboration.

5.4.3 CONCLUDING REFLECTIONS ON THE IMPORTANCE OF CROSS-CHECKING INFORMATION

- There is no source without bias. Therefore, COI research should never rely on only one source. Using information from different types of sources allows for the inclusion of different perspectives.
- There is factual information that can be checked and verified. There are, however, many elements contained in the reporting of information that underlie the interpretation of the person reporting, and it is not possible to achieve absolute objectivity on these aspects. However, objectivity is an ideal we are striving for when conducting COI research. Using information from different types of sources supports this goal.
- There is no fixed hierarchy of sources. However, different evidentiary weight will be given to sources as regards their importance for the question at hand and depending on the results of a source assessment.
- When the process of cross-checking information produces contradictory or inconsistent information, such contradictions or inconsistencies should be brought forward. This information should not be omitted just for the sake of making your product seem more consistent.

5.5 EVALUATION OF THE RESEARCH PROCESS AND KNOWING WHEN TO STOP

One of the central problems for everyone conducting COI research is the question of when to stop. The vastness of the Web makes it difficult to determine the moment when research has yielded sufficient results, or when to acknowledge that research was unsuccessful.

This manual suggests two ways of dealing with this problem:
- The use of a well-conceived research strategy
- Clear organisational guidelines delimiting the maximum time which should be spent for one research issue

As outlined in section 5.1, a research strategy is a systematic and planned approach to research. It consists of defining the central question(s) of a case; reflecting on the "doors" to information which need to be opened to answer these questions, reflecting on the tools which seem most promising, devising search terms or preparing interview questions and selecting information from your results without losing sight of the central question. A strategy not only helps you to approach research in a structured and well-conceived manner and to proceed systematically, it is also an indispensable tool when it comes to deciding when research on a certain question can be declared completed. Once you have worked through your research strategy, terminating the research process is justifiable.

Before closing a research session, consider the following questions:

- Could the question be answered?
- Were all sources checked that monitor and regularly report on the research issue at hand?
- Were useful databases, archives and specialised sources consulted?
- Were search terms varied and adapted to the research purpose?
- Were different types of sources considered?
- Were the sources used assessed?
- Was information thoroughly cross-checked?
- Were experts consulted?
- Were all data collected for proper referencing?

A research strategy must leave room for flexibility. It is like a torch guiding us through the abundance of information. At times, it may need to be refocused. In general it does not spare us from the difficulties inherent to research. But it helps us not to get lost in details, to stay on target and to avoid information overload.

Moreover, a well thought out research strategy helps us to know when to stop even in cases where no information could be found. As it is not easy to accept that no evidence related to the claim of an asylum-seeker is available, it is often tempting to spend excessive amounts of time and energy trying to find at least some information.

In such cases it also helps to work through your research strategy as outlined above. Document your work thoroughly so that you are able to make transparent what you have done in your attempt to answer the question. The statement of the asylum-seeker is the central evidence and can also stand alone if no further evidence (including COI) could be found.

Both in cases of potential information overload and in cases of information scarcity, a conscious use of time is essential. Setting a limit on the maximum time which can be spent on conducting research on one topic helps to find a balance between the time and resources spent and the quality achieved. COI research is often undertaken in an environment with limited resources and under considerable time pressure and it can present a huge challenge if the issues being researched seem to demand their own PhD thesis. Thus it is essential for a successful research strategy to consider from the very beginning what can realistically be achieved for a certain topic within the available timeframe and to have a clear list of priorities concerning the aspects involved.

5.6 SUMMARY

✔ Cross-checking is the main instrument to achieve accuracy and currency. It is achieved by comparing and contrasting information from different sources and different types of sources. Cross-checking includes the aspects of corroborating, balancing, updating and specifying.

✔ Information which is central to the question or which has an impact on a decision should be corroborated by using three different types of sources that independently provide information on the research issue at hand.

✔ Try to identify the primary source and trace information back as far as possible.

✔ Do not ignore contradictory information for the sake of consistency.

✔ Using a systematic research strategy helps to conduct COI research in a methodical, organised and structured manner and to produce accurate and current research results. A well thought out research strategy also helps to determine when to stop even in cases where no information couldbe found.

✔ Make sure the question at hand is clear before starting the research process.

✔ Use special care to cross-check statements made by dubious sources.

✔ Avoid common cross-checking mistakes such as round-tripping and false corroboration.

POINTS TO REMEMBER FOR PRACTICAL WORK

For RSD practitioners:	For COI service providers:

Decide consciously which "door" to information to use: Internet research, oral sources, or other materials.

When searching the Internet:

- o   develop and use search terms according to your research strategy;
- o   select documents from a list of search results by considering source, title, publication date and "words around hits"
- o   search within a document by using keywords, by taking a look at the table of contents or by skimming through the text
- o   keep an overview of search results by saving your search results and by using bookmarks

6 SOCIAL MEDIA

This chapter looks at social media sources and offers guidelines for their use in the context of COI. The amount of information available on social media platforms is growing, and so are the expectations that they can be used to instantly find out anything about anyone. Considering the way in which information in social media is generated, it should be used in procedures for international protection only with special scrutiny.

After explaining what social media are and what their significance for COI is, specific forms of social media are described. This chapter also goes into the assessment of sources found via social media as a crucial challenge for COI research. The function of social media platforms as a communication tool for sharing and managing knowledge among persons trying to find COI is also dealt with. At the end of this chapter, general guidelines for using social media in COI research are introduced.

Content of chapter 6:

6.1 Social media – definition and significance for COI

6.2 Specific forms of social media sources
    6.2.1 Wikipedia
    6.2.2 Blogs (Weblogs)
    6.3.3 Video content
    6.3.4 Social networks

6.3 Assessment of social media sources

6.4 Social media as a tool for networking and knowledge management

6.5 Guidelines for using social media sources in COI research

6.6 Summary

LEARNING OBJECTIVES

Having studied this chapter, readers will
» be able to assess sources published via social media
» be able to name the most commonly used social media tools and judge their usefulness in the field of COI
» have gained an overview on social media for knowledge sharing

6.1 SOCIAL MEDIA – DEFINITION AND SIGNIFICANCE FOR COI

Social media (also referred to as "Web 2.0") can be defined as Internet-based applications that allow the creation and exchange of user-generated content (Kaplan/Haenlein, 2010, p.6).

The most important thing to bear in mind about social media and its use in the field of COI is that social media are not sources per se.

Social media merely provide access to publications, articles, comments or visual material produced by various persons or institutions (i.e. sources). In this respect, social media resembles databases – and indeed they can fulfil a similar function, giving users the opportunity to generate their own personalised collections which provide up-to-date information. Social media are mainly used to follow selected sources in order to stay up-to-date. They serve well for sharing and exchanging information.

In general, social media sources do not apply the same standards of regulation as established information sources. Source assessment is challenging and evaluation of the information found may often be difficult. Therefore, the added value of social media should not be overestimated. However, sources from social media should not be excluded or discounted as a potential valuable means to gather information. Social media may be useful in specific contexts, e.g. when looking for corroborative information of where and when a demonstration took place. Social media can also be helpful for following developments on a certain topic or country.

In the context of international protection, information from social media is frequently used when, for instance, information by news or NGO sources is suppressed, or where such sources are not well-established or lack funding, or when information is manipulated or filtered by governments. In such situations, social media platforms can be a cost-free and effective means for persons in these countries to raise their voices. When in researching COI you find information from social media that you deem potentially valuable for the case in question, check it against the background of the overall reporting situation and conduct an in-depth source assessment.

Social media are continually evolving – technical aspects are updated, user interfaces are improved and the people engaging with social networks are also constantly changing. Social media therefore can only be useful if you follow these developments closely and if you find ways of integrating the use of social media sources in your research routine. To familiarise yourself with the specificities of social media websites, always read the help sections and manuals provided.

A summary of some of the advantages and disadvantages of social media sources is provided below:

Advantages of social media sources

- Social media sources can offer very current information (e.g. on security developments, ongoing elections). Releases of new reports etc. are announced on social media by some organisations.
- You can access information that you might not find anywhere else.
- You may encounter new "regular" sources on specific topics or countries via social media.
- Social media may offer another avenue of finding experts and getting in contact with them.
- You can use tools to share information with colleagues and to collect information together.

Disadvantages of social media sources

- The generally existing problem of information overload might be worsened. It can be time-consuming and difficult to filter the information you need.
- Social media allow the use of fake identities. It can thus be difficult to verify the identity of an author of a piece of information.
- Subjective information and opinions are – due to the characteristics inherent to social media – widespread.
- The fact that the content is generated by users also implies that content can be changed rapidly.
- Social media platforms often require you to register an account with your identity before you can use them.
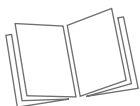
The Country Research Branch of Immigration New Zealand, which is part of the Ministry of Business, Innovation and Employment, has published a literature review on the use of information sourced from social media in COI research:
Country of Origin Information and Social Media - Literature Review - Executive Summary, October 2013 http://www.ecoi.net/blog/wp-content/uploads/2013/10/CRB-Country-of-Origin-Information-and-Social-Media-Executive-Summary-October-2013.pdf

The Nieman Foundation for Journalism at Harvard University:
Truth in the Age of Social Media, Nieman Reports, Vol. 66, No. 2, Summer 2012
http://www.nieman.harvard.edu/assets/pdf/Nieman%20Reports/backissues/NRSummer2012.pdf

6.2 SPECIFIC FORMS OF SOCIAL MEDIA SOURCES

Given the rapid changes of social media platforms, it is not useful to suggest a list of social media for COI research. Many of the widely used COI sources mentioned in Appendix B also use social media for publishing.

A good starting point for identifying potential social media sources would be to check the official websites of known COI sources and to look for social media buttons for, for example, Facebook, Twitter or YouTube:

The following social media platforms may be of interest for COI research:

- Wikis: A "wiki" (deriving from the Hawaiian word for "quick") designates a website developed collaboratively so that any registered user can add and edit content. Most wikis are used for knowledge management.

- Blogs: Blogs can be hosted individually, as a part of a website, or on blogging platforms such as Blogger, LiveJournal or Wordpress.com. Twitter is a "micro-blogging" platform as the messages shared on Twitter are restricted to 140 characters.

- Forums: Pre-dating even the World Wide Web, Internet forums (or message boards) are platforms where users discuss topics or seek help.

- Video, audio and image sharing websites: Websites such as YouTube, Vimeo, MySpace, SoundCloud, Flickr or Instagram allow users to upload video clips, audio files or images/photo graphs and share them with others.

- Social networks: Websites such as Facebook, LinkedIn, Google+ or Foursquare serve to build and maintain social relations. Users create profiles of themselves, exchange messages, images, etc.

- Location-based services: Collaborative mapping and geolocation projects such as Wikimapia, OpenStreetMap and Panoramio allow users to upload information and images relating to places they know or live in.
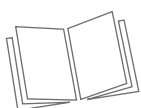
Research Information Network: Social Media: A guide for researchers, February 2011
http://www.rin.ac.uk/our-work/communicating-and-disseminating-research/social-media-guide-researchers

6.2.1 WIKIPEDIA

With over four million articles in the English language version alone (and over 26 million articles in all language versions, as of June 2013), the online encyclopaedia Wikipedia (http://www.wikipedia.org) will regularly show up in your Internet search results. For reasons discussed in detail below, Wikipedia general-ly should not be quoted as a COI source. In practice, however, it often serves as a starting point for research and it will often influence the perceptions of researchers and users. It is therefore important to know what Wikipedia is and how it functions.

"Wikipedia – The Free Encyclopedia" is the most prominent wiki; according to the web traffic analytics company Alexa, Wikipedia was founded in 2001 and is the seventh-most visited website globally (Alexa, June 2013). Wikipedia is a free, open online encyclopaedia and anyone with access to it can add or modify its content. It is supported by the US-based charitable organisation Wikimedia Foundation (http://wikime-diafoundation.org/wiki/Financial_reports). Wikipedia is available in more than 280 language versions, but these vary considerably in size and frequency of use.

According to the core content policies of Wikipedia, articles should be written from a neutral point of view, and in an impartial and balanced manner. Furthermore, all information in an article must be verifiable (attributable to reliable, published sources).

Quality of Wikipedia articles

Because of their differences in size and use, the different language versions of Wikipedia vary in quality. They also employ different quality assurance mechanisms. For instance, in the German Wikipedia, an edit has to be checked by an experienced user before the new version of the article is displayed. More importantly, even within one and the same language version, the quality of individual articles varies considerably. On the one hand, there are articles that may be written by one single person and cover topics

in which only a few people are interested. On the other hand, there are articles edited several times a day by multiple people; in these articles, an erroneous edit will likely not go unnoticed.

Several studies, most by newspapers or computer magazines (e.g. Nature, 2005; Stern, 2007), found Wikipedia's accuracy to be comparable to other encyclopaedias such as Encyclopaedia Britannica or Brockhaus, especially the online versions thereof. Note, however, that the lack of an editor-in-chief or central quality control leads to great differences in the quality between individual articles.
The following tools and techniques will help you to better evaluate the quality of a Wikipedia article:

Language versions: Check if the article is available in other language versions and compare the information among various versions. The articles may differ considerably in detail and quality

| View history | *Revision history:* Every modification (edits, deletions, additions to articles) in Wikipedia is logged and stored in a "history". To access the revision history, click on the "View history" tab above each Wikipedia article. The history record includes the date and time of the edit and the user name of the author – or, in case the edit comes from an unregistered user, his or her IP address. The history allows you to see how actively an article is edited and how many different users edited it. You can also check the other edits a user has made by clicking on "contribs" next to the username.

| Talk | *Talk page:* Wikipedia provides "talk pages" for each article. They are used by the community to discuss issues on the content or quality of an individual article. Check the talk page to see if other users have raised issues as to the quality of an article.

[*citation needed*] *Citation needed:* In line with Wikipedia's content policies, it should be possible to attribute all information in an article to reliable, published sources. However, a lot of information is unreferenced. The note "citation needed" can be added by users to mark pieces of unreferenced information they have doubts about.

There have been cases where statements originating from Wikipedia articles were directly used in media articles by careless journalists. These newspaper articles were then used as references in other Wikipedia articles, thereby creating a false impression of corroboration.

Template messages: There are a number of message boxes that users can place in Wikipedia articles to direct the attention of other readers to a specific issue. See below for some examples:

> This article's **factual accuracy** is disputed. Please help to ensure that disputed facts are reliably sourced. See the relevant discussion on the talk page. *(January 2009)*

> The **neutrality** of this sextion is disputed. Please see the discussion on the talk page. Please do not remove this message until the dispute is resolved.

> This article may require **cleanup** to meet Wikipedia's **quality standards.** No cleanup reason has been specified. Pleas help improve this article if you can; the talk page may contain suggestions.

Articles which have been targeted by a high number of acts of vandalism or deliberate inclusion of false information or allegations can be locked for editing on Wikipedia.

Conclusion

When reading Wikipedia articles, bear in mind that anyone can create or modify an article. Look for warning message boxes, check the revision history and talk page to find out more about the activity associated with the article and potential issues that may have been raised by other users.

With the issues mentioned above in mind, Wikipedia may serve as a means for getting a quick overview on a particular topic and as a starting point for further research. Generally, Wikipedia should not be used directly as a source. In well-referenced articles you may, however, find links to other sources of interest.

GOOD TO KNOW

WikiLeaks (http://wikileaks.org) is an organisation that publishes secret and classified information from whistleblowers and anonymous sources. WikiLeaks is not connected to Wikipedia or Wikimedia. It started in 2006 as a wiki, but in 2010 disabled public editing and commenting.

WikiLeaks gained wide media attention in 2010 in particular, when it released several hundred thousand reports/messages of internal U.S. military and diplomatic institutions. Prominent media partners such as The Guardian, The New York Times, Le Monde and Der Spiegel received advanced access to the documents.

Regarding submissions of material, WikiLeaks states: "WikiLeaks accepts *classified*, *censored* or otherwise *restricted* material of *political, diplomatic or ethical significance*. WikiLeaks *does not accept* rumour, opinion or other kinds of first-hand reporting or material that is already publicly available" (WikiLeaks, undated, emphasis in the original).

Concerning the use of material published by WikiLeaks in the COI context, careful assessment of the documents concerned is necessary. Try to find other sources also mentioning the material. Determine the primary source of the material and find out how it found its way to WikiLeaks. Make sure to clarify with your organisation whether or not information from WikiLeaks should be used.

6.2.2 BLOGS (WEBLOGS)

Blogs are websites which consist of a list of entries (or "posts"). Anybody can publish a blog. Blogs often serve as a kind of diary or platform for sharing personal opinions. Usually, blogs are the work of a single individual but there are also multi-author blogs. Blogs can be categorised as social media, since bloggers usually interact with their readers and other blog authors through comments. Journalists, academics and activists sometimes maintain blogs in addition to their regular work.

For instance, the blog Syria Comment (http://www.joshualandis.com/blog), maintained by a professor of the University of Oklahoma, publishes comments and posts on Syrian politics, history and religion. The content of this blog could potentially be used as COI on related topics. When using information from the blog, assessing the source will pose no problems as the author provides all necessary data including contact details on the website.

Country Research Branch, New Zealand: Care is still required before relying on the user-generated contact details and contextual data provided on a blog. Identity can be easily faked or mis-represented online and it is relatively easy to create a professional-looking blog site. We would always recommend using outside sources to try to verify information about a blog's creator, as well as the country information that is supplied from the blog.
(Country Research Branch, email, 6 August 2013)

Many newspapers, in their online versions, provide links to their contributors' blogs as well as to other blogs of interest. To name just a few examples:

- The New York Times Blogs, http://www.nytimes.com/interactive/blogs
  For COI purposes, blogs in the section "News and Politics" might be worth a glance.

- The Guardian Blogposts, http://www.guardian.co.uk/tone/blog
  The Guardian provides a list of blogs produced by its journalists, categorised by theme.
  Blogs listed under "News" or "Politics" might be informative.

- BBC News, The Editors blog, http://www.bbc.co.uk/news/blogs/the_editors/
  BBC News features the blog The Editors, a site where the "editors from across BBC News, will share [their] dilemmas and issues".

Human rights organisations also publish blogs. Their motives for doing so can be diverse. Some organisations use blogging to enrich their reporting with personalised perspectives which is sometimes beyond their mandate. In order to allow their users to distinguish personal points of view from official statements, those blogs are frequently flagged with disclaimers such as *"Posts on this blog do not necessarily represent the views or policy of ..."*.

- International Crisis Group Blogs, http://www.crisisgroup.org/en/publication-type/blogs.aspx.
  The International Crisis Group (ICG) offers commentary and analysis from their experts in currently six blogs published by the organisation's experts.

- Livewire, Amnesty International's global human rights blog, http://livewire.amnesty.org
  This blog is produced by Amnesty International's International Secretariat. According to its own description it serves to "[g]et the inside story behind our research and campaigns, fresh reporting from the places we visit and read the stories of the people we work for and with" (Amnesty International, About WIRE/LIVEWIRE, undated, http://livewire.amnesty.org/about)

Other organisations' blogs may simply complement their websites and their regular reporting.

For some people blogs are a more informal space than publishing content e.g. in a journal. They may therefore communicate in a more informal way than they might elsewhere. Being informal/casual may in some instances mean being less careful or specific about detail, because the author is not expecting their writing to be scrutinised in the way it would be in a formal space. (Bethany Collier, CORI-Director, email, 2 February 2013)

Blogs can serve as an important organ of independent reporting from countries with restricted freedom of media. In countries like China or Cuba, bloggers regularly report about human rights violations and take high risks to do so. During the so-called Arab spring in North Africa, "netizens" were at the heart of the protest movements (Reporters Without Borders, 12 March 2012), and the Mexican student movement "#Yosoy132" not only formed itself using social media but also sharply criticises the government's media and information policy (Konrad Adenauer Stiftung, 13 June 2012). For COI purposes, apart from the fact that critical blogs are frequently blocked and filtered and thus are not always accessible, keep in mind that some governments try to influence public perception by engaging a multitude of pro-government bloggers. Try to assess the sources as thoroughly as possible, although this might be especially difficult in countries with restricted freedom of expression. If all of the source assessment questions cannot be answered, the source must be considered dubious. As stated before, if using a dubious source, carefully cross-check the information, include information about the source and indicate your concerns.

> **TIP**
>
> There are several search engines for searching blogs and posts, e.g.:
> Technorati: http://technorati.com/

Microblog - Twitter

Twitter (https://twitter.com) is a *microblog*, it allows for text messages up to 140 characters. These messages are called tweets.

If you find interesting information (e.g. on Twitter) posted by a user (i.e. source), check which other users *follow* the source you have found. In Twitter, to *follow* somebody means to keep up with somebody's tweets. The *follow*-function can be compared to a subscription. New content generated by the person followed is automatically made available to the follower.

In most cases Twitter users will also *retweet* information by other users, meaning they share the information from others on their account so you can see it. This will help you find additional user accounts of interest.

Hashtags, also called tags, are keywords that are used in several social media for grouping entries on specific events or topics. *Hashtags* are marked with the prefix "#" (hash).

Generally speaking, blogs can be useful for finding in-depth information, but they have to be assessed carefully. The quality of the information that can be gathered through blogs depends on the time a blogger spends in maintaining the blog and his or her expertise or insider knowledge.

GOOD TO KNOW

RSS feeds provides notification when websites have added new content. It is a frequently used means of sharing content without having to visit a website. RSS feeds contain headlines and links to the webpage. RSS is the acronym for Really Simple Syndication (and previously for Rich Site Summary and RDF Site Summary, see: Merriam-Webster, undated, http://www.merriam-webster.com/dictionary/rss)

RSS feeds help to stay up-to-date on particular countries or topics. With RSS, you can subscribe to interesting sites, build subject or country knowledge and keep track of developments through an RSS reader.

Most blogs, media sources and many other sources provide RSS feeds for their content.

6.2.3 VIDEO CONTENT

YouTube (http://www.youtube.com), a video-sharing website owned by Google, allows anybody to upload videos. Most of the content on YouTube is uploaded by individuals, but some media corporations offer access to their broadcasts through YouTube (e.g. BBC) or live streaming (e.g. Al Jazeera). YouTube can therefore enable you to access broadcasts not available elsewhere. Many organisations maintain YouTube accounts (e.g. International Committee of the Red Cross, Human Rights Watch or Chatham House), offering information in addition to their written reports and articles:

- Al Jazeera live streaming: http://www.youtube.com/user/AlJazeeraEnglish
- BBC – British Broadcasting Corporation: http://www.youtube.com/user/bbc
- Chatham House: http://www.youtube.com/user/ChathamHouse10
- HRW - Human Rights Watch: http://www.youtube.com/user/humanrightswatch
- ICRC – International Committee of the Red Cross: http://www.youtube.com/user/icrcfilms?feature=watch

There are many other video-sharing websites besides YouTube, such as Vimeo or MyVideo, as well as multiple platforms for sharing photos (e.g. Flickr, Panoramio, Instagram) and audio files (e.g. SoundCloud,

MySpace). Furthermore, social networks are likely to further develop their services. For instance, users can already share photos or videos on Google+ or Facebook, without using photo- or video-sharing platforms. One of the problems researchers face when using a video-sharing site is that many of the videos uploaded by non-professional filmmakers/users are poorly edited and their video or audio quality is not good (e.g. videos recorded with mobile phones). These technical downsides can amplify the challenges that are already associated with assessing social media.

Researchers should be cautious about video content that is potentially manipulated or faked.

If you want to include video content in your research product, prepare a transcription or describe the content shown and cite the primary source (e.g. the YouTube user who posted the video) as well as the platform publishing the video (e.g. YouTube) – do not just reference YouTube as the source. Assess the source that uploaded the content as carefully as possible.

> **! TIP**
>
> Most social platforms offer services allowing users to create *lists*. You can use lists to group selected users/accounts which have a specific area of interest in common. Grouping them in lists allows you to filter and focus what you see. By clicking on a list, you see the information posted by these users. For COI research, you might create lists on a specific country of origin you are working on or build or follow lists for specific issues of interest. You can also subscribe to YouTube channels to be automatically provided with specific video content.
>
> More information on lists or channels at the various platforms is available at:
>
> - Twitter: https://support.twitter.com/groups/31-twitter-basics/topics/111-features/articles/76460-how-to-use-twitter-lists
> - Facebook: https://www.facebook.com/help/?page=175076589213424
> - YouTube: http://www.youtube.com/channels
> - YouTube also provides a Human Rights Channel: http://www.youtube.com/humanrights

6.2.4 SOCIAL NETWORKS

Social networks like Facebook, Google+ or Foursquare allow users to build and maintain social relations. The type of content generated by these networks consists of information about the relationships between users (A is a "friend" of B), messages these users exchange, and users' posts. The content that can be seen by a specific user is often restricted by privacy settings; as a consequence, for instance, only "friends" can see posts (text, images, video, etc.) published by the user.

Even though some social networks ask their users to register with their real name, the use of nicknames, pseudonyms and fake identities is widespread. This makes source assessment more difficult.

Social networks are also used as advocacy tools or for sharing content that is also published on "traditional" websites. For instance, UNHCR maintains several Facebook pages to raise awareness and inform readers about UNHCR's work.

When you find relevant information on a social network, for instance a user's post, conduct a full source assessment and try to cross-check the information with other sources. When you quote the piece of information, indicate both the individual user/account and the platform, rather than just one or the other. Also, provide the context in which the piece of information was found and elaborate on why you did or did not find the source reliable.

When using social networks, always maintain a strict separation between private and official use.

Keep data protection in mind as it is not always obvious who may gain access to information. For instance, "deleted" messages on Facebook are not actually deleted, but remain in the system and are simply marked as "deleted".

GOOD TO KNOW

For more information on data protection aspects of Facebook see:

http://europe-v-facebook.org/EN/Data_Pool/data_pool.html
https://www.facebook.com/about/privacy/your-info

6.3 ASSESSMENT OF SOCIAL MEDIA SOURCES

The questions on source assessment discussed in chapter 4 fully apply to the assessment of social media sources. However, when assessing social media, special attention should be given to the identity of the author. The difficulties in clarifying the "who"-question are aggravated by identical/similar names, the widespread use of nicknames/pseudonyms and fake accounts.

On social media platforms anyone can create content. When assessing a social media source, try to find a link to the official website of the organisation/person. Some platforms offer a service allowing you to see if an account is verified, i.e. whether it really belongs to the person it claims to belong to (see tips for checking social media accounts below). Twitter, for example, displays a verified check mark for prominent accounts (https://support.twitter.com/groups/31-twitter-basics/topics/111-features/articles/119135-about-verified-). Nevertheless, always try to verify and to assess the account and the information provided yourself. You might find various sources on social media platforms which do not maintain regular websites, as many organisations and individuals choose to use social media instead of creating their own websites or forums. Note that organisations might use social media for propaganda purposes.

For example, the Somali militant Islamist group al-Shabaab maintained a Twitter account named HSM-Press and regularly posted information on its attacks (The Guardian, 13 December 2011). While this account could be verified after a thorough check through articles from reliable media sources, other accounts will be difficult to verify. (Note: Twitter suspended the account HSMPress in January 2013, see The Guardian, 25 January 2013).

The following practical example shows how a reputable source (The New York Times) uses Twitter and the difficulties in source assessment that arise in this context:

EXAMPLE

In an article published on 25 June 2012, the New York Times reported on a shootout at Mexico City airport (http://www.nytimes.com/2012/06/26/world/americas/gunmen-tied-to-drugs-kill-3-officers-at-mexico-city-airport.html). In its last paragraph the article makes the following statement, referring to a person who has commented on the shootout on Twitter: "Twitter, where one of the first photographs of the crime scene appeared, buzzed with concern. Gilberto Anaya wrote that it was clear the airport 'is not prepared to handle crises.' He asked, 'How could the aggressors get away?'"

If you read this statement and consider using it as COI, ask the questions "Who is Gilberto Anaya?" and "What qualifies him to make this statement?". Corroboration of Gilberto Anaya's message – as the primary source – is needed.

Which strategy can be applied when doing so?

1. An obvious approach would be to google the statement attributed to Gilberto Anaya. However, when googling the phrase in English – as it is cited by the New York Times – no results can be found.

As it is probable that the original statement was not made in English (the name and the event's location suggest it was probably made in Spanish), googling a keyword from his message, translated into Spanish (e.g.: agresores) in combination with his name might – theoretically – help.

However, when trying to do so, we note that googling for Twitter messages does not necessarily lead to any results either. This is because Google has problems indexing information on social media platforms, due to the sheer quantity and/or due to access barriers that prevent Google's crawlers from finding the information. Twitter is one example of a service that maintains such barriers. The information it generates is therefore not necessarily retrievable via Google.

2. Another approach would be to look for Gilberto Anaya on Twitter. If you are not a registered user, the easiest way is, again, to google *"Gilberto Anaya" twitter*. When doing so, we find several Twitter users with the same name. At this point it is necessary

to find out which user is the one who made the statement quoted by the New York Times. One of the Gilberto Anaya accounts does not show any messages posted since 2011 and thus this cannot be the author of the statement.

Another Gilberto Anaya is up-to-date with his postings. As we know the day on which the statement was made, we can browse through the messages to locate those posted on the relevant publication date. Since the messages are in Spanish, we must look for the Spanish equivalent of the above-mentioned terms. Looking for the message manually instead of using Twitter's search function makes it more likely the statement will be found even if our translation does not correspond exactly.

3. Once we have found the original statement and its primary source, we still do not have any information about the author and his credibility as a source. User profiles on Twitter often are neither exhaustive nor serious enough to offer in-depth information. To find out more about Gilberto Anaya, it is necessary to go back to Google, and hope that his name is mentioned in a credible source.

The source assessment did not lead to clear answers to all assessment criteria. The Twitter source should therefore be considered dubious. If you decide to use this information, mention that it comes from a dubious source.

It's crucial to keep the challenges of source assessment in mind when using social media in COI research. Therefore, do not overestimate the possibilities of social media sources. Social media can help you stay up-to-date and follow current events in the countries you are working on, but it has many limitations as well.

Tips for checking social media accounts

Try to find out more about the user (i.e. source) who uploaded the piece of information you are interested in:

- Does the user provide information about him- or herself in their profile?
- Is the user also the author of the information, or did the user upload information produced by someone else?
- What other content did that user upload? Is it related to the topic/location?
- Is he or she active on other social media platforms/websites as well?
- Are these accounts affiliated or interlinked?
- Is there WHOIS information available for an affiliated website? (WHOIS provides information about the Internet Service Provider responsible for a particular resource. It uses publicly available information from the domain name owner to their individual registrars. See http://whois.net)
- When was the account created?
- Do other websites that are independent from the user link to the account?
- For visual material: Are the features displayed consistent with the geographic features of that location? Try to cross-check with other sources providing geographic information.

Does the information you collected about the account help to identify the source and assess its reliability?

Note that not everything that might be technically possible necessarily leads to useful/meaningful results. While digital information may, for instance, show geolocation data of images or IP-addresses, such data may be manipulated, and often is simply not present. Verifying the information by digital means is often not possible at all and would require specific skills that are not part of the duties of COI service providers and RSD practitioners. Furthermore, additional time resources would be needed. For these reasons, cross-checking efforts will normally not be technology-based, but will consist of trying to find information on the same subject from other sources.

An example from the field of journalism may serve to illustrate the complexity of cross-checking user-generated content: BBC News employs a team of 20 persons at their "user-generated content hub" (UGC Hub), which is responsible for screening and cross-checking news content sent to the BBC or found on social media platforms (Turner, 2012).

When integrating user-generated information from social media in your COI products, indicate this fact explicitly. The best way may be to use a disclaimer.

EXAMPLE

New Zealand's Country Research Branch (CRB) has developed a standardised disclaimer relating to the use of COI from social media. This disclaimer is individually adapted for each research response, and is included along with contextual information such as any verifying information found on the source or its content. The reason for supplying social media content is also stated (e.g. it was the only source found /it indicates attitudes, etc.):

This response utilises user-created content from social media sites such as blogs, Facebook or YouTube. Please be aware of the transient, unverified nature of this sort of material when considering this content in your decision-making.

6.4 SOCIAL MEDIA AS A TOOL FOR NETWORKING AND KNOWLEDGE MANAGEMENT

Social media's technological features also make them useful tools for COI research.

- Social networks can be used professionally to build and maintain relations with colleagues also working in the field of COI.

- Social bookmarking tools can be used to share bookmarks with colleagues within your unit or with other units. Organised online bookmarks are especially helpful to prevent loss of information in cases of staff turnover.

- Wikis can be used for internal knowledge management. Maintaining the wiki, however, requires some technical skills on the part of the unit's staff.

- Social networks, social bookmarks and wikis can also be used to write about your work and to promote your publications. Describing what you do and how you do it contributes to transparency and enables readers of your products to better understand your work.

Efficient and effective use of these tools requires preparation and thus time and thought. Subscribing to too many Twitter feeds, for instance, will lead to an unmanageable number of posts. Selection is therefore key to ensure targeted use of social media tools. The available tools are manifold, as are the ways to use them. The best options for your work will depend very much on the circumstances: your tasks, workload, skills, whether you want to share the outcome with others and, if yes, with whom. This manual cannot provide exhaustive instructions on when and how to use what kind of technology. However, the following two examples may be helpful:

Social bookmarks

Social bookmarking tools allow you to store and organise links (bookmarks, also called favorites). You can tag links with multiple keywords, add descriptions and search them. You may use these features for organising your own work only or you may share the collection with colleagues within your unit or with other units. If more than one person contributes to the collection, guidelines and a style guide are needed to ensure systematic collection (what keywords should be used, what links should or should not be included, etc.). Social bookmarks are offered by many providers; Delicious (http://www.delicious.com) and Diigo (http://www.diigo.com) are just two examples of widely used services that are useable for free. By searching for tags, you may find new resources added by other users to their accounts. However, you can also restrict the search to a collection of your choice, for instance, your own.

Collecting relevant bookmarks (links to individual articles/reports, or alternatively links to sources/publishers) and organising them with tags and descriptions can serve to complement existing databases. For instance, you can collect relevant articles on a country or topic you often have to work on, but which you may not find enough information on in COI databases like ecoi.net or Refworld.

> Indeed some of us at CEDOCA use social media a lot in our daily work. But we use it mostly as a tool for data retrieval/ information gathering (twitterfeed and twitter), as a tool for information management/social collaboration (mostly delicious), and as tool for social networking/communication (twitter, LinkedIn and Facebook). (Cedoca, email, 16 May 2013)

> **EXAMPLE**
>
> CEDOCA, the COI unit of the Office of the Commissioner General for Refugees and Stateless Persons in Belgium, uses social bookmarks for information management and sharing. Here is their collection on Afghanistan: https://delicious.com/#cedoca_afghanistan

Advantages of online bookmarks over browser-based bookmarks:

- Options for organising your bookmarks (tags, descriptions, search) are usually more sophisticated.
- You can share them.
- You can access them on the web, across multiple computers and browsers.
- You can draw from links other users have added.

Apart from the need to familiarise yourself with the system, there are no significant downsides. If you decide to stop using the service, you can import the collection back into your local browser.

Wiki-based knowledge management

ACCORD uses MediaWiki, the software used by Wikipedia, for internal knowledge management. Every staff member has access to and can contribute to the system. Content ranges from instructions on how the office's printer works and minutes of team meetings to a collection of expert contacts. The entries are categorised and can be searched in full-text. Templates and instructions ensure the content is entered in a systematic way by staff members.

Advantages over email or files in network folders:
- Documents are searchable and accessible via the web. All information is collected in one place.
- New staff has access to information they would normally be excluded from if it was sent via email before they started working for the unit.

Downsides
- Technical skills are needed to use the MediaWiki-style editing. Even though this barrier may be small, it does exist.
- A critical mass of users both consulting and contributing to the system is necessary.

6.5 GUIDELINES FOR USING SOCIAL MEDIA SOURCES IN COI RESEARCH

When using social media to gather COI, everything that has been said about source assessment and reliability of "regular" sources applies. However, the following guidelines deal with the specificities of social media. Check if your organisation has created a policy or guidelines on the use of social media as a source of information.

When you find information on social media platforms:

- Carry out a source assessment to be able to judge whether the source is reliable and describe the source *(reliability, transparency)*.

- Quote correctly: reference the name of the source/account AND the platform where the information was provided *(transparency)*.

- If the source assessment shows the source to be dubious, make your assessment of the source transparent *(transparency)*.

- Try to thoroughly cross-check the information with other sources *(accuracy)*.

- If supplying video content or other non-text content, prepare a transcription or describe the content shown *(transparency)*.

- Document information you used thoroughly: the content is likely to change or disappear over time. Use screenshots if you cannot store copies of websites *(transparency and traceability)*.

When using social media platforms to contact potential sources of information (experts, informants):

- Make sure you know exactly who you are corresponding with *(data protection, reliability)*.

- Do not reveal details of the case in question that may lead to the identification of the person seeking protection *(data protection)*.

- Make efforts to identify who may have access to the correspondence as conversations and information may be deliberately or inadvertently exposed to third parties *(data protection, source protection)*.

- Make sure that the fact you (as a person working in the field of international protection) contact someone does not endanger that person or persons related to him or her and consider that communications may be monitored by secret services or others *(source protection)*.

- Do not use your private account, a false identity, or pretexts when establishing contact – use official user accounts and state the reason for your questions *(transparency, reliability)*.

- Your organisation may require you to use a standard disclaimer for experts or other contact persons. Use this disclaimer for social media contacts as well.

6.6 SUMMARY

✔ Social media platforms are used increasingly by COI sources as well as by private persons to publish content in many forms.

✔ Social media platforms are not sources per se, the sources are the organisations and individuals posting the content.

✔ What has been said on source assessment in general also applies to the assessment of social media sources. However, as anyone can post anything on social media, source assessment of social media users is challenging and evaluation of the information found may often be difficult. Therefore the added value of social media should not be overestimated.

✔ Note that not everything that might be technically possible necessarily leads to useful/ meaningful results.

✔ The guidelines for using social media presented in this chapter help to adhere to quality standards. Check if your organisation has created its own policy or guidelines on the use of social media.

✔ Irrespective of their use as a potential source of information, social media can also be used as tools for knowledge management and sharing.

7 PRESENTATION

The tour we took through the research process is nearly complete. Readers of this manual have learned how to ask relevant research questions, how to find and assess COI sources and how to conduct COI research efficiently. Now that we have accumulated research results, it is time to take the last step: to present the information found in a transparent and traceable way. The style of presentation will differ depending on whether you are a RSD practitioner or a COI service provider. This chapter focuses on the presentation of research results in COI products. However, it also considers the presentation of COI in decisions, judgements and appeals.

Content of chapter 7:

Having studied this chapter, readers will be able to

» ensure transparency and traceability when presenting research results
» differentiate between quoting, re-phrasing, summarising and synthesizing
» use adequate language and avoid the distortion of information

7.1 TECHNIQUES OF PRESENTING COI

In section 2.1.4 of this manual, the standard of transparency and traceability was described as follows:

> The quality standard of transparency and traceability requires that information is presented in a clear, concise, unequivocal and retrievable manner. [...] A COI product is only transparent if every piece of information is referenced, enabling readers to independently verify and assess the information provided. [...] The structure and language should ensure that the material can be easily understood.

The question of how to present research results has different implication for RSD practitioners and COI service providers.

For COI service providers, it is central to satisfy the information needs of their clients. They should strive to find an optimal format to come as close as possible to the needs of their clientele in compliance with the quality standards. It is helpful to talk to customers to assess their needs and to establish a feedback system. Common products of COI units are query responses, reports, information packages and compilations.

RSD practitioners have to integrate COI as evidence into a decision or appeal. They have to distinguish between the *collection* of evidence and the *assessment* of evidence (legal argumentation using this information).

7.1.1 PRESENTATION OF TEXT

This section provides an overview on different ways of presenting information in text format collected during COI research. All approaches are routinely used in COI units when drafting query responses and reports and all of them can be found in written decision or judgements. However, it is helpful to be familiar with the differences between the techniques listed below.

Techniques of presenting information differ in their distance from the original text: Are entire paragraphs taken from the original text word for word? Are quotations summarised or is only the gist of the passage given?

In the order in which they are listed below, these techniques become more sophisticated and time consuming.
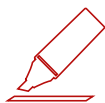
Note: For better readability, we do not apply the citation style of this manual to the examples below, which themselves illustrate different styles of referencing.

CITING

Description of technique	Formal requirements	Example
Citing (or quoting) is the repetition or copying of someone else's exact words. Citation is used to convey exactly what a source has said, using the source's own words. There is no distance to the original as long as the citation or quote is not taken out of context in a distorting way.	When making a citation, make sure that the beginning and the end of the text are clearly visible (quotation marks, indentation) and that references are complete. Readers should be able to go to the source from which the information was taken and easily check quotations and context. Only cite information which is relevant. If a citation contains obvious mistakes you can use the term "[sic]" to signalise that the mistake is part of the quoted text. If you want to add explanations or comments or to omit text within a quote, make this visible. Often square brackets [ ] are used for this purpose.	The COI Service of the UK Home Office in a report on Eritrea, quoting a report by Amnesty International: The Amnesty International "2012 Annual Report", published on 24 May 2012, stated that: "Prison conditions [in 2011] were appalling and in many cases amounted to cruel, inhuman or degrading treatment or punishment. Many detainees were held in underground cells or metal shipping containers, often in desert locations and therefore suffered extremes of heat and cold. Prisoners were given inadequate food and drinking water. Many prisoners were held in severely overcrowded and hygienic conditions." Example taken from: UK Home Office: Country of Origin Information Report; Eritrea, 17 August 2012, p. 57 (available at ecoi.net) http://www.ecoi.net/file_upload/ 1226_1345467488_report-08–112.pdf (accessed 12 September 2012)

RE-PHRASING (PARAPHRASING)

Description of technique	Formal requirements	Example
Re-phrasing is the reproduction of content using one's own wording, maintaining the original intent and meaning of the text. If done well, re-phrasing gives a thorough account of the content of the original text; the distance from the original text is slight.	When re-phrasing text passages, it is important to ensure that the re-phrased version is faithful to the meaning of the original text and that the source is mentioned in the text. The readers always have to be able to determine where the re-phrasing ends and where the author's own utterances begin.	The Australian Refugee Review Tribunal's Country Advice in a query response on Colombia, re-phrasing a part of an entry from a reference book: Another source refers to the M19 dating from 1973 and to it being formed by supporters of the National Popular Alliance (ANAPO) as the party's armed wing in reaction to disputed results in an election held in

Translating constitutes a special case of re-phrasing. It aims to reproduce the meaning of a text in another language. As translations in the field of COI are usually not made by professional translators, they should be marked as lay translations.

Colombia on 19 April 1970.[14]

[14] Szajkowski, B. (ed) 2005, Political Parties of the World, 6th edition, John Harper Publishing, London, p. 131

Example taken from:
MRT-RRT - Australian Refugee Review Tribunal - Country Advice: Country Advice Colombia – COL38771 – M19– Bucaramanga – Valledupar – Arjona Cesar – Pailitas – Barranquilla, 8 June 2012 (available at ecoi.net) http://www.ecoi.net/file_upload/1930_1346164671_col38771.pdf (accessed 12 September 2012)

SUMMARISING

Description of technique	Formal requirements	Example
Summarising is presenting the substance of material in a condensed form in order to give a short account of a text from one source. This technique is applied when you have found relevant information in a text that is too long and detailed to cite or re-phrase. Formulations which draw the reader's attention to the main topic are widely used when introducing summaries: *Report XY describes/ deals with/ focuses on …* As aspects considered less important can be left out, the distance from the original text can be considerable.	When summarising a passage, make sure that the text is an accurate account of the original. Be aware that any summary involves interpretation and reduction. Present those aspects of a text which are central to the COI question at hand and strive for neutrality.	ACCORD in a report on Pakistan-administered Kashmir, summarising an article by the Asian Human Rights Commission (AHRC): A December 2009 AHRC article reports on the illegal arrest, detention and torture of four young men in Muzaffarabad by the ISI. One of the arrested men was allegedly taken as a hostage so as to force his uncle to repay a debt to a money lender who is a relative of an ISI official involved in the arrest. The three other men are friends of the detainee and were arrested as they inquired about him at the local police station (AHRC, 11 December 2009). Example taken from: ACCORD - Austrian Centre for Country of Origin and Asylum Research and Documentation: Pakistan-administered Kashmir (Azad Kashmir and Gilgit-Baltistan) - COI Compilation, 7 May 2012 (available at ecoi.net) http://www.ecoi.net/file_upload/90_1337596756_accord-pakistan-20120507-kashmir.pdf (accessed 12 September 2012)

SYNTHESISING		
Description of technique	**Formal requirements**	**Example**
Synthesising is presenting information from different sources in a condensed manner, summing up information from different sources that make similar statements and juxtaposing contradictory parts. This technique is applied if a lot of consistent information is available from various sources. Of the techniques listed, synthesising leads to the biggest distance from the original text.	When synthesising information it can be challenging to find the correct wording. It is rare that statements made by different sources really say the exact same thing. Be careful to avoid inaccuracies, simplifications or false corroboration.	Immigration and Refugee Board of Canada in a query response on Moldova, synthesizing information from several sources: Sources indicate that domestic violence is underreported (US 24 May 2012, Sec. 6; IOM 7 June 2012; Moldova 2010, 18; UN 8 May 2009, para. 67). Example taken from: (IRB - Immigration and Refugee Board of Canada: Moldova: Domestic violence, including legislation, state protection and services available to victims [MDA104108.E], 13 July 2012 (available at ecoi.net) http://www.ecoi.net/local_link/222872/330349_en.html (accessed 12 September 2012)

Whatever technique is used, complete references to all sources used are obligatory for every piece of information.

7.1.2 STYLE AND LANGUAGE

COI products and decisions have to be grammatically correct, use appropriate vocabulary and exhibit an adequate level of language proficiency; they should not contain errors in spelling and punctuation. Clear writing is thus a prerequisite, not an asset. The language used should be neutral; it should be neither judgemental nor opinionated and it should be easy to understand.

The question of how to present the information found should not be considered a side-issue. It touches upon profound questions in relation to the tone, structure, inner logic, readability and general usability of the text. The mandate of the authoring organisation and the quality of the product are reflected in the way a text is presented.

Stay neutral and check your language for potential bias

The presentation of COI research results has to be as neutral as the research process itself. Therefore do not comment on the research results or draw your own conclusions. The structure of the report, your efforts to cross-check information, the style of writing and the wording chosen should express a neutral stance. The language used should express distance from the content.

Content should be provided without personal judgements and opinions. Avoid appraisal of or commentary on the information, which could influence the reader. Be especially careful to avoid language that suggests a legal assessment.

When summarising information, avoid judgemental expressions and be careful when using the labels of others. The Research Directorate of the Immigration and Refugee Board of Canada (IRB) gives some examples on how to do so in responses to information requests (RIR):

> Personal judgement and opinions include the use of phrases such as "the return of X is where the problems really begin"; "the only guarantee," "the government is clearly," "there is no doubt," "it is obvious," "it seems that," "it is likely that," "apparently" and so on. Use the analysis provided by your sources, clearly indicating where you have done so. Sources from the public domain are defensible because they can be corroborated. However, they are not infallible and your RIR should reflect this by indicating, for example, that "the government *reportedly* undertook certain steps," "X was *alleged* to be the mastermind behind the hold-up," "it is reported that," and so on. (IRB, 26 January 2011c, p. 5)

Be focused and avoid information overload

Query responses by COI service providers should always answer the RSD practitioner's question(s) as precisely as possible. Reports and query responses may vary in length, depending on the questions they are based on as well as on the amount of information available to the researcher. COI products and decisions should refrain from including irrelevant information.

Arrange information in a way that makes it easy for the reader to understand

Although generating COI products does not involve a lot of independent writing, topics and issues should be organised and ideas should be logically developed. Depending on the topic, facts should either be presented in order of their importance or chronologically.

The IRB states:

> Good organization reveals a hierarchy of information – the most important points and the supporting details. It also indicates how pieces of information relate, as in a cause–effect relationship, a temporal (chronological) one, or a spatial one. When organizing the RIR, you may start with the more general information and continue with the more specific information or vice-versa. The RIR can be written with sources in chronological or reversed chronological order or divided by theme depending on the number of questions asked by the requester. (IRB, 26 January 2011c, p. 9)

Introduction of sources in the text

Readers of COI products will not know all sources presented therein. Indicating the type of source (governmental, non-governmental, etc.) and a short introduction to sources used infrequently will be helpful.

EXAMPLE 1

The Khyber Institute for Research & Strategic Studies (Institut de recherche et d'études stratégiques de Khyber, IRESK), a Paris -based non-profit organisation and think tank focussing on the Central and South Asian region, mentions in an article [...]

Example taken from:

ACCORD - Austrian Centre for Country of Origin and Asylum Research and Documentation: Pakistan - COI Compilation, June 2013, p. 9 (available at ecoi.net) http://www.ecoi.net/file_upload/90_1371627314_accord-coi-compilation-pakistan-june-2013.pdf (accessed 24 September 2013)

EXAMPLE 2

In correspondence sent to the Research Directorate, the British Pakistani Christian Association (BPCA), a London-based NGO focusing on human rights abuses in Pakistan against Christians and other religious minorities ([2012], para. 1), indicated that [...]

Example taken from:

IRB - Immigration and Refugee Board of Canada: Pakistan: Situation of Christians in Pakistan, including social and government attitudes, treatment and rights (2010–2012) [PAK104259.E], 14 January 2013 (available at ecoi.net) http://www.ecoi.net/local_link/237374/346406_en.html (accessed 13 May 2013)

If you have to present a dubious source, you should make the shortcomings of the source visible.

EXAMPLE

You could inform the reader about the shortcomings of a source by stating:
> Nickname XY is a user from the website LiveJournal, no further information could be found about this source.

If you are COI service provider you might instead write:
> The author of this information could not be sufficiently assessed. Please be aware of the unverified nature if citing information from this source in your decision.

Make cross-checking visible

Cross-checking is one of the most important factors leading to high-quality information. It is equally important, though, to explain to your readers what has been done to cross-check information. Ensure that the cross-checking process you followed during the research process is visible:

- Include different kinds of sources that provide information on a given research issue.
- State clearly which source provided what kind of information.
- Explicitly point out where sources corroborate or contradict each other.
- Explicitly point out where corroboration was not possible.
- Explicitly point out where no information was found and let the reader know about your efforts. Do not imply that, for instance, the person, place or group in question does not exist or that an event did not happen.
- In case no information or only information from dubious sources was found, make visible which sources were consulted unsuccessfully (see also section 7.3.4).

EXAMPLE – SOURCES CORROBORATING EACH OTHER

In a telephone interview with the Research Directorate, the Peace and Governance Advisor for Regional Program at UN Women in Kosovo noted that women who are looking for jobs in Pristina can go to the Bureau of Employment, but that it may take up to 10 or 15 years for the „lucky" ones to be offered employment (UN 20 Mar. 2013). She explained that, while unemployment is a „huge problem" for women in general, it affects young women in particular since the majority of Kosovo's population is under 30 years of age (ibid.). Sources corroborate that unemployment is particularly high among youth (Express 22 Sept. 2012; UN n.d.; EU 12 Oct. 2011, 39).

Example taken from:

IRB - Immigration and Refugee Board of Canada: Kosovo: Situation of single women in Pristina, including their ability to access employment, housing, and social services; whether Catholic Albanian women would face particular challenges accessing housing, employment and social services when relocating to Pristina from a different area of Kosovo [KOS104350.E], 08 April 2013 (available at ecoi.net)
http://www.ecoi.net/local_link/246776/356898_en.html (accessed 28 May 2013)

EXAMPLE – NO CORROBORATING INFORMATION FOUND

According to Freedom from Torture, one returnee indicated that during interrogation, the authorities said that they were ",killing the supporters'" of the LTTE and since "'all Tamil supporters are LTTE, if we kill them we will not get this problem again'" (13 Sept. 2012, 6). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Example taken from:

IRB - Immigration and Refugee Board of Canada: Sri Lanka: Treatment of Tamil returnees to Sri Lanka, including failed refugee applicants; information on specific asylum cases, including the Tamil asylum-seeker boat that stopped in Togo, the return of Sri Lankan asylum seekers from Australia in 2012, and any cases of voluntary repatriation (August 2011-January 2013) [LKA104245.E], 12 February 2013 (available at ecoi.net)
http://www.ecoi.net/local_link/240922/350350_en.html (accessed 12 April 2013)

EXAMPLE – CONTRADICTORY INFORMATION FOUND

Mahdavi [Director General, Bureau of International Affairs, Judiciary of the Islamic Republic of Iran] stated that only a small number of Iranians leave the country illegally. The fine for leaving Iran illegally is a few hundred dollars and there is no other punishment. This statement is in contrast to the information given by a western embassy (1) and the Attorney at Law. Both sources knew of high numbers of Iranians who have left Iran illegally.

Example taken from:

Danish Immigration Service / Danish Refugee Council: Fact finding mission to Iran 24 August - 2 September 2008, 30 April 2009, p. 36
http://www.nyidanmark.dk/NR/rdonlyres/90D772D5-F2DA-45BE-9DBB-87E00CD0EB83/0/iran_report_final.pdf (accessed 28 May 2013)

EXAMPLE – NO INFORMATION FOUND

Among the sources consulted by ACCORD within time constraints no information could be found regarding the implementation of the Ward and Village Tract Administration Act.

Example taken from:

ACCORD - Austrian Centre for Country of Origin and Asylum Research and Documentation: Myanmar - Update; COI Compilation; November 2012 (as of 31 October 2012), p. 46 (available at ecoi.net)
http://www.ecoi.net/file_upload/90_1353917911_accord-myanmar-update-2012—11.pdf (accessed 22 May 2013)

Which variant of a specific language should be used?

Be aware that the spelling and use of languages varies from one part of the world to the other. American English is different from British English and German is used differently in Germany than in Austria or Switzerland. When drafting a decision or a COI report/query response, consciously choose one variant or the other – and stick to it. It is advisable to select reference dictionaries, such as the *Oxford English Dictionary* or, for German, the *Duden*.

How to refer to countries?

ACCORD suggests using the latest version of official country names according to United Nations terminology for the six official UN languages (Arabic, Chinese, English, French, Russian, Spanish): http://unstats.un.org/unsd/geoinfo/ungegn/docs/26th-gegn-docs/WP/WP54_UNGEGN%20WG%20 Country%20Names%20Document%202011.pdf

If you are unsure of a country's name, the United Nations Multilingual Terminology Database is a useful resource for checking updated country names: http://unterm.un.org. For further territorial references, including the names of disputed areas, confer to the UNHCR style companion (UNHCR, February 2012, p. 23–25).

ACCORD's main working language is German, which is not one of the six UN languages. For names of countries, regions or cities we refer to the Austrian Ministry of Foreign Affairs and cross-check with Germany's Federal Foreign Office. Both have provided reference lists for country names.

How to transliterate names from non-Roman scripts?

Choose a transliteration system and strive for consistency.

The online resource http://transliteration.eki.ee supported by the Institute of the Estonian Language provides transliteration tables for many languages, e.g. Arabic, Bengali, Georgian, Hindi, Mongolian, Russian.

EXAMPLE

Complete consistency might not be achievable as this example from the COI database ecoi.net shows: The English transcription of the Arabic word الجزيرة is *Al Jazeera*. In German it should read as *Al-Dschasira*. However, the transcription "Al Jazeera" is more commonly used by German media; therefore it was decided to use "Al Jazeera" on ecoi.net although it compromises consistency.

Should names of political parties and groups be translated?

There is no general rule on whether names of political parties and groups should be translated into the language of the COI product. An orientation can be provided by the media and the way they refer to a specific party or group.

> **EXAMPLE**
>
> The Arabic party name حزب الله (*Hizbollah*) can be translated into
> English as the „Party of God". This is not widely used as translating the name does not
> add clarity in the context of COI.
> On the other hand, the Russian Коммунистическая партия Российской Федерации
> (КПРФ) (transliteration: *Kommunisticheskaya Partiya Rossiyskoy Federatsii*, KPRF) is
> frequently translated both in English (*Communist Party of the Russian Federation*) and
> in German (*Kommunistische Partei der Russischen Föderation*). In this case, using the
> translation is advisable.

Be careful in paraphrasing quantities

If a source says "many Christians", this shouldn't be paraphrased as "most Christians". If a source reports "12 people have been killed", it should neither be paraphrased as "only a few were killed", nor as "many have been killed".

7.1.3 PRESENTATION OF NON-TEXT

When research results contain non-text formats (e.g. pictures, tapings of expert interviews, sound files or videos published on YouTube), in most cases the information you want to use needs to be transcribed or described and be properly documented. Describe in detail what can be seen in the video you wish to use as COI. Turn audio material into a written form by either transcribing it literally or by paraphrasing it. The written summary/transcription should include the date and location of the interview, the name, organisation and title of both the interviewer and the interviewee, a declaration that informed consent was granted, and whether transcripts were shared and approved by the interviewee.

You may want to include a picture or map in your text to illustrate the facts you describe. When doing so, bear in mind some basic rules which help to avoid distorting the (written) content by the use of the image. First of all, make sure the picture or map used corresponds with the content of the text. It should be relevant for the question at hand and originate from a reliable source. Basically, all COI standards also apply to graphic material. Moreover, remember that pictures may be posed, taken out of their original context or manipulated.

Like text, illustrations have to be fully referenced and, if several pictures, maps or tables are used, it is a good idea to create a separate list of figures.

> ### EXAMPLE
>
> A UNHCR map from October 2012 shows three refugee camps (Yida, Pariang and Nyeel) in Pariang county, Unity State, South Sudan (UNHCR, 25 October 2012):
>
>
>
> **Map taken from:**
>
> UNHCR - UN High Commissioner for Refugees: South Sudan - Operational Overview, 25 October 2012 (available at ecoi.net)
> http://www.ecoi.net/file_upload/3055_1354024290_south-sudan-operational-overview.pdf (accessed 22 January 2013)
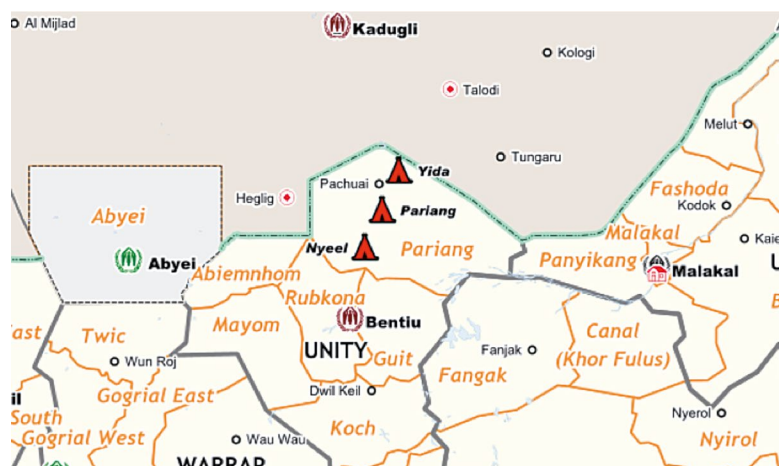
7.1.4 AVOIDING DISTORTIONS

It is important to observe your own text production critically in order to avoid the distortion of information. Potential pitfalls which may lead to distortions are:

Lack of context

Make sure that you embed the content you wish to deliver in its context. Frequently, information can only be correctly interpreted against the background of its situational context. It may be clear to you from your research why certain information not immediately relevant to the topic at hand has been included, you should also make it clear to the reader.

Presenting an opinion as a fact

It is essential not to mingle factual information with (unmarked) expressions of opinion. When quoting an expert's opinion, make sure to mark it as such and don't forget to indicate whose opinion it is.

Ignoring information for the sake of consistency

A significant pitfall is the tendency to ignore information which does not fit into your picture or even contradicts the information you have already collected. Strive to provide an exhaustive picture of the situation at hand, drawing on the most important sources for the question. Remember to also reflect the different points of view which you have come across and point out contradictions.

Inappropriate use of quoting, re-phrasing and summarising information

It is important to always show the reader exactly whether you are writing in your own words or whether you are reproducing somebody else's statement. Be sure to carefully apply the techniques of quoting, re-phrasing and summarising and mark text passages correctly (see section 7.1). The beginning and the end of direct quotes should be clearly marked (quotation marks or indentation).

When re-phrasing, summarising or synthesising information, the degree to which the information is processed is greater and so are the challenges to avoid distortions.

7.2 REFERENCING

Referencing is a standardised method to show which information comes from which source. Referencing allows readers to trace the sources used and consult them directly. Furthermore, it acknowledges the source and thus helps to respect copyright and intellectual property rights. Referencing is the key to transparency and traceability.

In order to ensure transparency and traceability of research results, make sure that you always clearly indicate the place from which information was obtained. Every piece of information needs to be referenced completely and correctly. A clear and consistent referencing system is therefore of utmost importance, irrespective of which of the above-mentioned presentation techniques you choose to use or adopt.

7.2.1 WHICH DATA ARE NEEDED FOR CORRECT REFERENCING?

Regardless of the referencing method (see section 7.2.2) you should collect the following details for all the sources used for each piece of information to obtain an accurate record of what you have researched:
- Name of the source (author and/or institution)
- Title of the publication
- Date of the publication (additionally, if applicable, period covered)
- Page(s) or paragraph(s) or section heading of the specific piece of information
- Internet link (URL) with date of access (for documents published on the Internet)

For some materials, additional information about the source must be referenced, e.g. for articles in journals: name of the journal, title of the article, volume number, etc.

Regarding the name of the source, make sure to attribute the information correctly (see section 4.1.1 on primary and secondary sources). The reader must be able to identify where the information originated, and where you obtained it.

EXAMPLE

Jane's Information Group: Sentinel Security Assessment: Pakistan, updated
23 April 2012, quoted in UK Home Office: Country of Origin Information (COI) Report;
Pakistan, 7 December 2012, pp. 170–171 (available at ecoi.net)
http://www.ecoi.net/file_upload/90_1354876278_coir-pakistan-final-
ukba-2012–12–07.pdf (accessed 28 June 2013)

The same applies to citation of media archives or other databases.
Make sure you reference the original publisher.

Regarding the date of publication, you might be confronted with undated content. For example, webpages are often undated or do not specify when they were last updated. You may look for the most recent source cited or the latest entry in the undated document to estimate its date. You can then use this fact when introducing the source in your text and for referencing.

EXAMPLE

RFE/RL – Radio Free Europe/Radio Liberty: RFE/RL Mission Statement, undated
http://www.rferl.org/info/mission/169.html (accessed 15 April 2013)

SATP - South Asia Terrorism Portal: Incidents involving Tehreek-e-Nafaz-e-Shariat-
e-Mohammadi (TNSM), last entry 3 January 2012
http://www.satp.org/satporgtp/countries/pakistan/terroristoutfits/TNSM_tl.htm
(accessed 27 May 2013)

GOOD TO KNOW

COI databases offer recommendations on how to quote a document.
On ecoi.net, the clickable [cite as] button offers a recommended citation
for each document.

30.04.2013 - US Commission on International Religious Freedom [i]   [cite as]

Recommended citation

USCIRF - US Commission on International Religious Freedom: 2013 Annual Report of the U.S.
Commission on International Religious Freedom, 30 April 2013
http://www.uscirf.gov/images/2013 USCIRF Annual Report (2).pdf (accessed 28 May 2013)

[close]

Afghanistan, Azerbaijan, Bahrain, Bangladesh, Belarus, China, Cuba, Egypt, Eritrea, Ethiopia, India, Indonesia, Iran Iraq, Kazakhstan,
Korea, Democratic People's Republic, Lao People's Democratic Republic, Myanmar, Nigeria, Pakistan, Russian Federation, Saudi Arabia,
Sudan, Tajikistan, Turkey, Turkmenistan, Uzbekistan, Venezuela, Vietnam

Annual report on religious freedom (covering 31 January 2012 to 31 January 2013) [**ID 246470**]

[PDF] [EN] **Open Document**   Periodical report: 2013 Annual Report of the U.S. Commission on International Religious Freedom

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On Refworld, the recommended citation appears together with the document.

Publisher	International Federation of Human Rights
Publication Date	6 May 2013
Cite as	International Federation for Human Rights. Bolivia: *FIDH and APDHB call for the respect of the right of the TIPNIS indigenous communities to a prior, free, informed, concerted and good faith consultatio*n, 6 May 2013, available at http://www.refworld.org/docid/518ceec6f.html [accessed 13 May 2013]
Disclaimer	This is not a UNHCR publication. UNHCR is not responsible for, nor does it necessarily endorse, its content. Any views expressed are solely those of the author or publisher and do not necessarily reflect those of UNHCR, the United Nations or its Member States.

Note that databases produce recommended citations automatically.
Please check if they are correct before using them.

7.2.2 DIFFERENT REFERENCING STYLES

Depending on the academic tradition in different countries, there are various referencing styles. The two most commonly used are the Oxford and the Harvard referencing systems. It does not matter which style is used, as long as it is applied consistently throughout the document and as long as it fits the reader's needs. You are therefore advised to learn about the referencing method employed by your office. The two styles differ mainly in where the reference is positioned. The Oxford style relies on footnotes at the end of each page. The Harvard style includes references in the running text directly after each quotation.

Below, the style using footnotes and the style using in-text citation are described, including examples for each:

A. Using footnotes

When a source is quoted for the first time, the footnote should contain the full bibliographic information (author, title, date, page, URL and date of access). Second and subsequent references to the same source don't need to be as detailed as the first footnote. A short reference (author year: page) is sufficient.

A complete bibliography (list of references) at the end of the text is helpful but not obligatory.

Sometimes endnotes are used instead of footnotes. Endnotes are included at the end of the document or at the end of each section rather than at the bottom of each page. Using endnotes makes it more difficult for the reader to locate the references and is thus not advisable.

Examples of footnotes:

EXAMPLE 1 – Decision of the Immigration and Refugee Board of Canada

This discrimination experienced by women with HIV/AIDS must also be analyzed in a context where the right to health is more often than not pure fiction and where the violence committed by different individuals and groups is only sporadically countered by the country's authorities.[15]

[15] Exhibit D-11: IFHR, Haiti. Keeping the Peace in Haiti?, fact-finding mission, IFHR report no. 430, March 2005, 58 pages, pages 10, 11, 25, 28, 30 and 36.

Example taken from:

Immigration and Refugee Board of Canada: Decision MA6–03043, MA6–03043, 29 February 2009 (available at Refworld) http://www.unhcr.org/refworld/docid/4b7aa3662.html (accessed 12 September 2012)

EXAMPLE 2 – Query response of the Country Advice unit at the Australian Refugee Tribunal

[...] an August 2010 report in The Guardian states that "Sweden expelled 50 Roma to Romania this year".[12]

[12] Kushen, R. 2010, 'Scapegoating will not solve Roma problem', The Guardian, 3 August http://www.guardian.co.uk/commentisfree/libertycentral/2010/aug/03/scapegoating-roma-problem-europe – Accessed 24 August 2010 – Attachment 1

Example taken from:

RRT - Australian Refugee Review Tribunal - Country Advice: Country Advice Bulgaria – BGR37273 – Treatment of Roma – Deportation of Roma – Denmark – Sweden, 30 August 2012 (available at ecoi.net) http://www.ecoi.net/file_upload/1930_1346160507_bgr37273.pdf (accessed 12 September 2012)

B. In-text citation

References are provided directly in the text. They can precede or follow the piece of information referenced and be in full form or in short form. The short reference contains the name of the source, the publication date and the page number. A complete bibliography at the end of the text is required if the short form of referencing is used. A full bibliography is helpful in any case.

Examples of in-text citation:

EXAMPLE 1 – Decision of the European Courts of Human Rights

37. In a document released by Freedom House on 18 April 2011 (*Freedom on the Net – Iran*, p. 1) it was stated: "Since the protests that followed the disputed presidential election of June 12, 2009, the Iranian authorities have waged an active campaign against Internet freedom, employing extensive and sophisticated methods of control that go well beyond simple content filtering. These include tampering with Internet access, mobile-telephone service, and satellite broadcasting; hacking opposition and other critical websites; monitoring dissenters online and using the information obtained to intimidate and arrest them…"

Example taken from:

European Court of Human Rights: S.F. and Others v. Sweden, Application no. 52077/10, 15 May 2012 (available at Refworld)
http://www.unhcr.org/refworld/docid/5034e2162.html (accessed 12 September 2012)

EXAMPLE 2 – Report of the Norwegian COI Centre Landinfo

ILF states that certain Pashtun clans/tribes practise capital punishment (ILF 2004), while Barfield points out that Pashtunwali does not allow for the possibility of such penal sanctions (Barfield 2003, p. 13).

The references list of this Landinfo report includes the following entries under "Written sources":

Barfield, T. (2003, 26 June). *Afghan Customary Law and Its Relationship to Formal Judicial Institutions*. Washington, D.C.: United States Institute for Peace. Available from http://www.usip.org/files/file/barfield2.pdf [accessed 1 November 2011]
[…]

ILF, i.e. The International Legal Foundation (2004, September). *The Customary Laws of Afghanistan*. Kabul: ILF. Available from http://www.usip.org/files/file/ilf_customary_law_afghanistan.pdf [accessed 1 November 2011]

Example taken from:

LandInfo - Norwegian Country of Origin Information Centre: Afghanistan: Blood feuds, traditional law (pashtunwali) and traditional conflict resolution, 1 November 2011 (available at ecoi.net)
http://www.ecoi.net/file_upload/1788_1327313532_1940–1.pdf (accessed 12 September 2012)

Whatever system of referencing is chosen, it should always serve the same purpose: to show where the information was taken from and to present this meta-information in a traceable and transparent way.

7.2.3 REFERENCING ORAL SOURCES

For information collected from oral sources, whether in the course of fact-finding missions, in telephone interviews or via email, full referencing is necessary.

EXAMPLE

Quraishi, A., e-mail correspondence, 10 September 2012. Ahmad Quraishi is Director of the Afghanistan Journalists Centre (http://afjc.af/english/) and a correspondent of the Pajhwok Afghan News (http://www.pajhwok.com/)
Ruttig, T., interview via Skype, 17 October 2012, 11.00–12.00, and e-mail correspondence, 9 November 2012

Example taken from:

EASO - European Asylum Support Office: Afghanistan - Insurgent strategies: intimidation and targeted violence against Afghans, December 2012, p. 100 (available at ecoi.net)
http://www.ecoi.net/file_upload/90_1354794367_easo-2012–12-afghanistan-insurgents.pdf
(accessed 24 September 2013)

For reasons of source protection, parts of the reference information will at times be kept internal and will not be published. In such a case you should briefly describe the source. The reader should be able to understand why the source was chosen.

The following example includes a number of sources that are kept anonymous. In some cases (e.g. "two Iranian lawyers") the reason for this might be source protection, while in other cases (e.g. "a Western embassy"), it may be for diplomatic reasons that the source did not agree to be fully named.

EXAMPLE

Excerpt of the list of oral sources consulted during a fact finding mission of the Danish Immigration Service, the Danish Refugee Council and Landinfo to Iran:

In Tehran, Iran
Citizenship and Refugee Affairs Department, Ministry of Foreign Affairs, Iran
Mr. Saeid Zare, Director
Passport and Visa Department, Ministry of Foreign Affairs, Iran
Mr. Hossein Abdy, Head of Department, Mr. Hashemi, Assistant Head of Department
International Organisation for Migration, IOM
Mr. Abdolreza Samadzadeh, Head of Office, Mr. Mehran Razmehr, Programme Coordinator

An international organization based in Tehran
ICRC
A foreigner interacting with Christians in Iran
A source in Iran who is well-informed about Christians
Two Iranian lawyers:
Both lawyers had criminal law experience and one of them is also a Professor of Law.
The lawyers were consulted on various legal matters. Beforehand, the lawyers had
stressed that they wished to remain anonymous also vis a vis the delegation and that
they wished only to answer questions regarding the law and its technicalities.
A well-educated Iranian woman with links to international communities
A Western embassy (1)
A Western embassy (2) [...]

Example taken from:

Danish Immigration Service/Danish Refugee Council/LandInfo: Iran; On Conversion to Christianity, Issues concerning Kurds and Post-2009 Election Protestors as well as Legal Issues and Exit Procedures; Joint report from the Danish Immigration Service, the Norwegian Landinfo and Danish Refugee Council's fact-finding mission to Tehran, Iran, Ankara, Turkey and London, United Kingdom; 9 November to 20 November 2012 and 8 January to 9 January 2013, February 2013 (published by DIS), p. 81 http://www.nyidanmark.dk/NR/rdonlyres/A8C2C897–1CA9–49D1-BA32-EC3E599D646D/0/Iranendeligudgave.pdf (accessed 13 May 2013)

The Research Directorate of the Immigration and Refugee Board of Canada advises their researchers to

> [...] **not** include the person's name in the RIR [responses to information requests]; instead provide a brief description of his or her professional affiliation and, if applicable, of the organization that he or she represents. (IRB, 26 January 2011c, p. 9)

7.2.4 REFERENCING WEBLOGS AND SOCIAL NETWORKING SITES

Mention the site where the information was found and make sure the reader is able to understand where the information came from.

EXAMPLE 1

Haysom, Simone. "Kabul's Hidden Crisis." Overseas Development Institute Blog Post (Weblog), July 8, 2012. http://www.odi.org.uk/opinion/details.asp?id=6688&title=kabul-refugee-idp-displacement-urban-afghanistan (accessed September 5, 2012)

Example taken from:

Tufts University - Feinstein International Center: Afghanistan: Humanitarianism in Uncertain Times, November 2012, p. 48
http://sites.tufts.edu/feinstein/files/2012/12/Afghan-uncertain-times.pdf
(accessed 13 May 2013)

EXAMPLE 2

In footnote 121 to the report "Laws of Attrition", Human Rights Watch refers to a comment posted to Facebook and a blogpost by Ludmila Kuzmina. The note reads:

[...] Comment posted by Nikolai Sorokin on April 11, 2013, to Facebook https://www.facebook.com/nvsorokin/posts/399651123466219 (accessed April 15, 2013); Ludmila Kuzmina, "Whose ears stick out from the tax examination? [Чьи уши торчат из налогового допроса?]," post to LiveJournal, March 26, 2013, http://ludmi-la-kuzmina.LiveJournal.com/392338.html (accessed April 15, 2013).

Example taken from:
HRW - Human Rights Watch: Laws of Attrition; Crackdown on Russia's Civil Society after Putin's Return to the Presidency, 24 April 2013, p. 35
(available on ecoi.net) http://www.ecoi.net/file_upload/1226_1366808328_russia0413-forupload.pdf (accessed 13 May 2013)

7.2.5 BIBLIOGRAPHY (LIST OF REFERENCES)

A complete list of references in alphabetical order (by name of source) should be given at the end of each COI product. Several publications from the same source should be listed in chronological order.

Many formats are possible for a bibliography. It does not matter which one is applied, as long as it serves the goals of functionality, completeness and consistency. Readers must be able to easily locate the source of all information.

EXAMPLE

ACCORD uses the following general format for referencing sources in the list of references:

Abbreviation of source - full name of source: title of publication, date
Internet link (access date)

- AI - Amnesty International: Amnesty International Report 2012 - The State of the World's Human Rights, 24 May 2012
http://www.amnesty.org/en/region/india/report-2012
(accessed 18 April 2013)

The bibliography includes those sources actually referred to in the text. Some COI products offer a list of "further reading" or "additional sources consulted" in addition to the bibliography.

The following is an example for a list of references at the end of a query response published by the Refugee Documentation Centre, Ireland:

EXAMPLE

References:

African News (29 February 2012) *Ghana; Fahter's Fight to Save Daughter From Genital Mutilation*
http://www.lexisnexis.com
(Accessed 24 October 2012)
This is a subscription database.

Freedom House (7 April 2010) *Countries at the Crossroads 2010 – Ghana*
http://www.unhcr.org/refworld/pdfid/4be3c8b00.pdf
(Accessed 24 October 2012)

Immigration and Refugee Board of Canada (12 October 2006) *GHA 101617. E Practice of female genital mutilation (FGM) and state protection available to those being targeted (2004 - 2006)*
http://www.ecoi.net/local_link/101594/198138_en.html
(Accessed 23 October 2012)

United Nations Human Rights Council (21 February 2008) *Report of the Special Rapportuer on Violence against Women, Its Causes and Consequences, Yakin Ertürk: addendum: mission to Ghana*
http://www.unhcr.org/refworld/pdfid/47ce68652.pdf
(Accessed 23 October 2012)

United States Department of State (24 May 2012) *Country Reports on Human Rights Practices for 2011 Ghana*
http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper
(Accessed 23 October 2012)

Example taken from:

RDC - Refugee Documentation Centre, Legal Aid Board: Information on FGM in Ghana. Information on whether protection is available for someone fearing FGM? Information on whether FGM is legal in Ghana? [Q15958], 25 October 2012 (available at ecoi.net)
http://www.ecoi.net/file_upload/1930_1352281441_q15958-ghana.pdf
(accessed 28 June 2013)

7.3 THE STRUCTURE OF COI PRODUCTS

The following text elements are often found in query responses by COI units:

Short title summing up the main aspects of the query
(including the number of the query response for internal documentation purposes)

Date of publication

Disclaimer delimiting the scope of the document (see below for details)

Body text containing the research results

Bibliography or **list of references** listing all print and oral sources included in the document (with Internet links and date of access)

List of **additional sources consulted** including oral sources and Internet sources (see below for details)

Depending on the requirements of the target groups, you might attach the material used for a response. In such cases, you should list the attachments as part of the response.

Even though COI products comprise all elements stated above, they vary in style and structure, as the following three examples of query responses illustrate.

7.3.1 EXAMPLE 1: REFUGEE DOCUMENTATION CENTRE, IRELAND

The Refugee Documentation Centre of Ireland starts with the country the research is related to and mentions the date of research in the headline. This is followed by the research topic. The Refugee Documentation Centre references sources in the text. It then states the source and quotes information:

Refugee Documentation Centre (Ireland)
LEGAL AID BOARD

Ghana - Researched and compiled by the Refugee Documentation Centre of Ireland on 25 October 2012

Information on FGM in Ghana. Information on whether protection is available for someone fearing FGM? Information on whether FGM is legal in Ghana?

A report by the United States Department of State under the heading "Children" states:

> "Harmful Traditional Practices: The law prohibits FGM, but it remained a serious problem in the Upper West Region of the country, and to a lesser extent in the Upper East and Northern regions. Type II FGM--defined by the World Health Organization as the excision of the clitoris with partial or total excision of the labia minora--was more commonly perpetrated than any other type. A girl was typically excised between four and 14 years of age. According to a 2008 study conducted by the Ghana Statistical Service with support from UNICEF, the most recent study available, approximately 49 percent of girls and women under 50 years in the Upper West Region, 20 percent in the Upper East Region, and 5 percent in the Northern Region had experienced some form of FGM.
>
> Intervention programs were somewhat successful in reducing the prevalence of FGM, particularly in the northern regions. Officials at all levels, including traditional chiefs, continued to speak out against the practice, and local NGOs continued educational campaigns to encourage abandonment of FGM and to train practitioners in new skills so they could seek alternate sources of income." (United States Department of State (24 May 2012) Country Reports on Human Rights Practices for 2011 Ghana)

This report also states:

The disclaimer is placed after the list of references. The query response closes with a list of sources consulted:

This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

Sources Consulted:
Amnesty International
BBC News
Electronic Immigration Network (EIN)
European Country of Origin Information Network
Freedom House
Human Rights Watch
IRIN News
Lexis Nexis
Refugee Documentation Centre Query Database
UN Committee on the Elimination of Discrimination Against Women (CEDAW)
UNHCR Refworld
UN Human Rights Council
United Kingdom Home Office
United States Department of State

Example taken from:

RDC - Refugee Documentation Centre, Legal Aid Board: Information on FGM in Ghana. Information on whether protection is available for someone fearing FGM? Information on whether FGM is legal in Ghana? [Q15958], 25 October 2012 (available at ecoi.net)
http://www.ecoi.net/file_upload/1930_1352281441_q15958-ghana.pdf
(accessed 28 June 2013)

7.3.2 EXAMPLE 2: REFUGEE REVIEW TRIBUNAL, AUSTRALIA

Note: The country of origin information sections of the Migration Review Tribunal-Refugee Review Tribunal (MRT-RRT) and the Department of Immigration and Citizenship (DIAC) were combined into one unit within DIAC on 1 July 2013. Staff of the former Country Advice Section of the MRT-RRT who were providing country of origin information have been transferred to DIAC and continue to provide country of origin information to MRT-RRT decision makers. (MRT-RRT, email, 26 August 2013)

The query response of the Australian Refugee Review Tribunal's Country Advice Unit is comprised of various aspects of the question, structured using numbered headlines. The information is mainly re-phrased, summarised and synthesised. However, quoting is used when appropriate. Headings and subheadings help to structure the text, especially if the question comprises several topics.

The Country Advice unit uses footnotes for referencing and adds a list of references at the end of the response.

Australian Government
Refugee Review Tribunal

Country Advice
Lebanon
Lebanon – LBN40490 – Alawi – Accent –
In Lebanon
22 June 2012

1.   Would an Alawi be identifiable because of the way they look or their accent?

Sources located made mixed claims on the presence of recognisable identifying features possessed by Alawis. Although some sources made reference to physical differences, most sources discussing the Alawi population in Syria and Lebanon make no reference to any identifiable physical characteristic. These sources define the primary difference between Alawis and other Syrians/Lebanese as being tribal and based on an ancient religious dichotomy. Khoury and Kostiner[1] note that the Syrian Alawis (given their greater numbers and relative influence most sources discuss the Alawi community in Syria rather than Lebanon) are ethnically Arabs who "not only share Arabic as a common language but also claim a common Arab ethnic origin."[2]

The response continues by pointing out contradicting information:

The Lonely Planet guide to Lebanon and Syria asserts that, in Syria, people "generally know" the ethnicity and religion of someone "by their dress, accent, or name."[3] James Minahan[4] claims that the geographical isolation and intermarriage of Syrian Alawis meant they had retrained their "distinct physical features."[5] It is noted that Minahan was referring to those Alawi who were based in Syria; it is not known whether Lebanese Alawi share these attributes. Author Samuel Pickering[6] opines that (Syrian) Alawis have a distinct appearance demonstrated by the back of their heads being flatter and less rounded than other Syrians. There is a lack of supporting sources to verify this claim.

Contrary to the above, most sources discussing the Alawis make no reference to differences in appearance. For example, the Middle East Review of International Affairs comments that the former Syrian President Hafez Asad was "Alawi by virtue of his background and … a Syrian by his bearing and appearance."[7]

The response ends with a list of references:

References
Carter, T., Dunston, L., & Thomas, A (eds) 2008, Syria and Lebanon, Lonely Planet Publications, p.67 http://books.google.com.au/books?id=_RI_%20Gx5OgQC&lpg=PA67&dq=Alawite%20 accent&pg=PA67#v=onepage&q=Alawite%20accent%20&f=false

Deeb, L 2006, An Enchanted Modern: Gender and Public Piety in Shi'i Lebanon, Princeton University Press, p.10
http://books.google.com.au/books?id=Cs_IUECaLwwC&lpg=PA10&dq=atheists%20lebanon&p g=PA11#v=onepage&q=atheist&f=false Accessed 22 June 2012
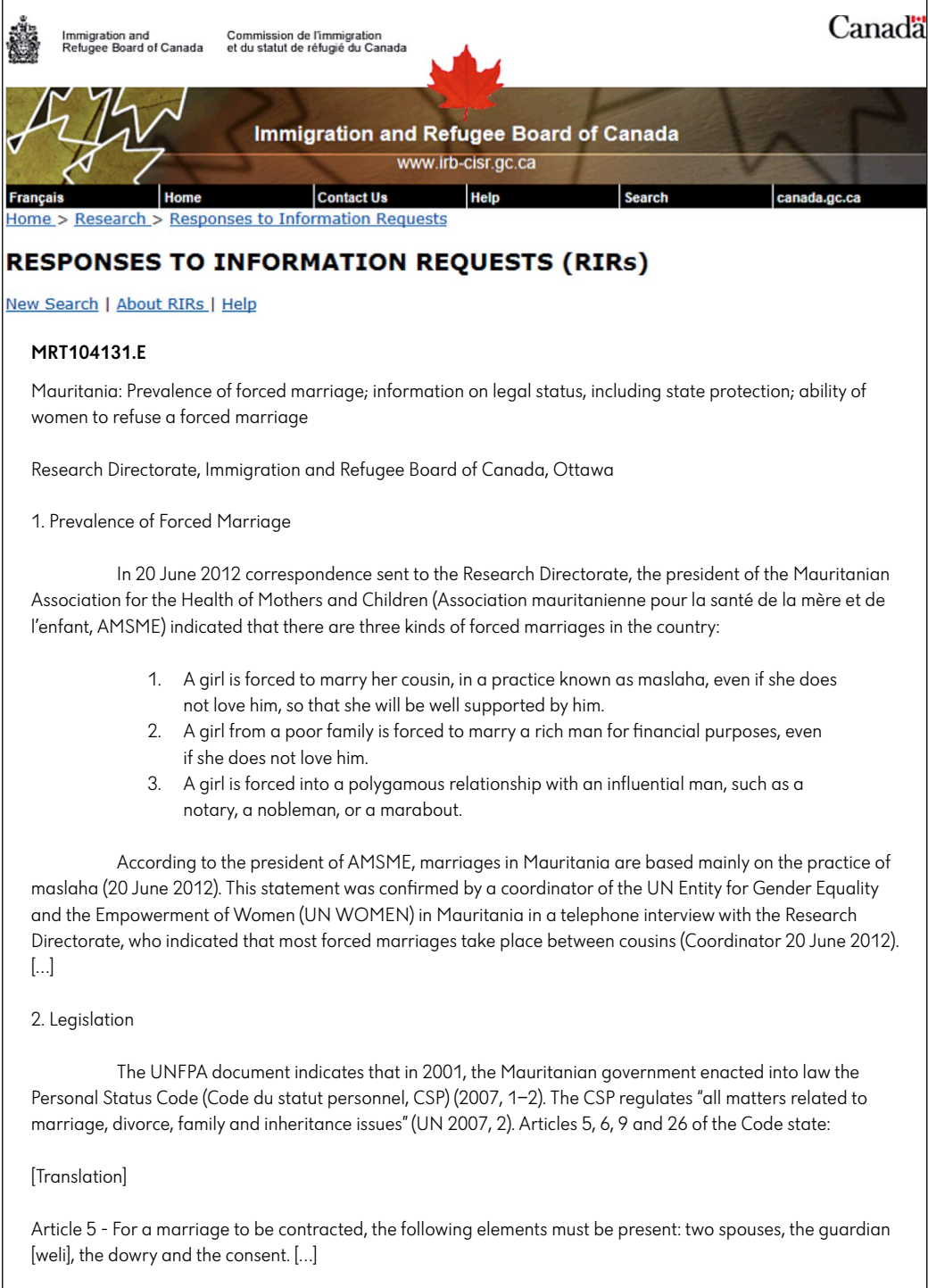
Dick, M 2006, 'The Thin Red Lines: Censorship, Controversy, and the Case of the Syrian Soap Opera Behind Bars', TBS http://www.tbsjournal.com/Dick.html Accessed 22 June 2012

Example taken from:

RRT – Refugee Review Tribunal Australia: Country Advice Lebanon – LBN40490 – Alawi – Accent – In Lebanon, 22 June 2012
http://www.ecoi.net/file_upload/1226_1364552429_lbn40490.pdf
(accessed 24 September 2013)

7.3.3 EXAMPLE 3: IMMIGRATION AND REFUGEE BOARD OF CANADA (IRB)

The IRB's Research Directorate begins with the name of the country, followed by the research topic. Different aspects of the research questions are organised in numbered sub-headings. The IRB's Research Directorate often summarises and synthesises information. It uses in-text citation:

| Immigration and Refugee Board of Canada | Commission de l'immigration et du statut de réfugié du Canada | Canada |

Immigration and Refugee Board of Canada
www.irb-cisr.gc.ca

| Français | Home | Contact Us | Help | Search | canada.gc.ca |

Home > Research > Responses to Information Requests

RESPONSES TO INFORMATION REQUESTS (RIRs)

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MRT104131.E

Mauritania: Prevalence of forced marriage; information on legal status, including state protection; ability of women to refuse a forced marriage

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

1. Prevalence of Forced Marriage

In 20 June 2012 correspondence sent to the Research Directorate, the president of the Mauritanian Association for the Health of Mothers and Children (Association mauritanienne pour la santé de la mère et de l'enfant, AMSME) indicated that there are three kinds of forced marriages in the country:

1. A girl is forced to marry her cousin, in a practice known as maslaha, even if she does not love him, so that she will be well supported by him.
2. A girl from a poor family is forced to marry a rich man for financial purposes, even if she does not love him.
3. A girl is forced into a polygamous relationship with an influential man, such as a notary, a nobleman, or a marabout.

According to the president of AMSME, marriages in Mauritania are based mainly on the practice of maslaha (20 June 2012). This statement was confirmed by a coordinator of the UN Entity for Gender Equality and the Empowerment of Women (UN WOMEN) in Mauritania in a telephone interview with the Research Directorate, who indicated that most forced marriages take place between cousins (Coordinator 20 June 2012). [...]

2. Legislation

The UNFPA document indicates that in 2001, the Mauritanian government enacted into law the Personal Status Code (Code du statut personnel, CSP) (2007, 1–2). The CSP regulates "all matters related to marriage, divorce, family and inheritance issues" (UN 2007, 2). Articles 5, 6, 9 and 26 of the Code state:

[Translation]

Article 5 - For a marriage to be contracted, the following elements must be present: two spouses, the guardian [weli], the dowry and the consent. [...]

Before turning to the list of references, the disclaimer is included:

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

References

Africa for Women's Rights (AWR). 5 March 2010. "Cahier d'exigences: Mauritanie." <http://www.africa4womensrights.org/?q=mauritanie> [Accessed 14 June 2012]

_____. N.d. "About Us / Qui nous sommes." <http://www.africa4womensrights.org/pages/Acteurs> [Accessed 20 June 2012]

Association mauritanienne pour la santé de la mère et de l'enfant (AMSME). 20 June 2012. Correspondence sent to the Research Directorate by the president.

Coordinator. 20 June 2012. UN WOMEN. Telephone interview with the Research Directorate.

_____. 16 June 2012. UN WOMEN. Correspondence sent to the Research Directorate.

Intersos. 31 May 2012. "Eight Emergency Schools for the Refugee Children in Mali." <http://intersos.org/en/bulletin/news/eight-emergency-schools-refugee-children-mali> [Accessed 8 June 2012]
[...]

The query response ends with the list of additional sources consulted:

Additional Sources Consulted

Oral sources: Attempts to contact representatives from Femme Aid, Programme des Nations Unies pour le développement, Paz y Desarrollo, Réseau des jeunes de Nouakchott, and S.O.S. Esclaves Mauritanie, were unsuccessful. Attempts to contact researchers from the University of California were unsuccessful. Researchers from Carnegie Mellon University and the University of Wisconsin-Madison could not provide information for this Response.

Internet sites, including: Amnesty International; Human Rights Watch; Fédération internationale des ligues des droits de l'Homme; International Committee of the Red Cross; Organisation internationale de la francophonie; United Nations – Children's Fund, Entity for Gender Equality and the Empowerment of Women, Population Fund.

Example taken from:

IRB - Immigration and Refugee Board of Canada: Nigeria: Prevalence of forced marriage, particularly in Muslim and Yoruba communities; information on legislation, including state protection; ability of women to refuse a forced marriage [NGA104207.E], 9 November 2012
http://www.irb-cisr.gc.ca:8080/RIR_RDI/RIR_RDI.aspx?id=454056&l=e (accessed 24 September 2013)

7.3.4 DISCLAIMER

According to the *Common EU Guidelines for processing Country of Origin Information*, a disclaimer is

> a written statement append to a document in order to 1. limit under certain conditions the responsibility for the possible lack of exhaustiveness or for certain (side) effects of the use of the information contained in a document and/or to 2. limit the right of use of that document to a copyright or to a certain circle of clients. (Common EU Guidelines for processing Country of Origin Information, April 2008, p. 32)

A disclaimer specifies or delimits the scope of a product. It expressly mentions the circumstances under which the product was made, the purposes it can or cannot serve and the limitations it may be subject to.

Examples of disclaimers and the topics covered

Common EU Guidelines for processing COI	Immigration and Refugee Board Canada	ACCORD/Austrian Red Cross
Texts of disclaimers:		
This report was written according to the common EU-guidelines for processing factual COI (2008). It was therefore composed on the basis of carefully selected, publicly available sources of information. All sources used are referenced. All information presented, except for undisputed/obvious facts has been cross-checked, unless stated otherwise. The information provided has been researched, evaluated and processed with utmost care within a limited time frame. However, this document does not pretend to be exhaustive. Neither is this document conclusive as to the merit of any particular claim to refugee status or asylum. If a certain event, person or organisation is not mentioned in the report, this does not mean that the event has not taken place or that the person or organisation does not exist. The information in the report does not necessarily reflect the opinion of the authority and makes no political statement whatsoever. (Common EU Guidelines for processing COI, April 2008, p. 17)	This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request. (IRB, 26 January 2011c, Appendix D)	This response was prepared after researching publicly accessible information currently available to ACCORD within time constraints and in accordance with ACCORD's methodological standards and the Common EU Guidelines for processing Country of Origin Information (COI). This response is not and does not purport to be, conclusive as to the merit of any particular claim to refugee status, asylum or other form of international protection. Please read in full all documents referred to. Non-English language information is summarised in English. Original language quotations are provided for reference. (ACCORD, June 2013)

Topics covered:
Remark on methodology (product was drafted in accordance with COI standards)
Sources used
Remark concerning time constraints
Delimitations concerning the scope of the product
Remarks on the use of the product
Reference to the list of additional sources consulted
Remark concerning non-English information

7.3.5 LIST OF ADDITIONAL SOURCES CONSULTED

As shown in the example from the Refugee Documentation Centre as well as in the outline of a standard structure of a COI query response depicted above, some research institutions add a list of (additional) sources consulted at the end of the document. This makes the way in which research was conducted more transparent and enables readers to judge the scope and limitations of the COI product.

Let's take a look at two different approaches to making research practice visible in the product:

In its section *Additional Sources Consulted*, the Research Directorate of the Immigration and Refugee Board of Canada (IRB) lists oral sources that were contacted but which could not provide any information on the question as well as oral sources that were contacted unsuccessfully. Also, Internet sites are named that were visited, but not quoted in the research product. This is an example from a query response on Nigeria:

Additional Sources Consulted
Oral sources: Attempt to contact representatives at the following organizations were unsuccessful within the time constraints of this Response: BAOBAB for Women's Human rights; Centre for Elimination of Violence Against Women; Centre for Women's Research and Development; Civil Ressource Development and Documentation Centre; Federation of Muslim Women's Associations in Nigeria; Gender Training and Development Network; Girls Power Initiative; Human Rights ans Justice Group International (Nigeria); International Federation of Women Lawyers (Nigeria); Mom's Club of Onitsha Nigeria;Muslim Sisters Organization of Nigeria; Nigeria – Federal Ministry of Women's Affairs; Federal Radio Corporation, National Commission for Women. National Council of Women's Societies Nigeria, National Human Rights Commission; Project Allert on Violence Agains Women; WomenAid Collectice; Women Living Under Muslim Laws (Nigeria); Women's Rights Advancement and Protetion Alternative; University of Ibadan's Centre for Women's Research; Voice of Widows, Divorcees ans Orphans Association of Nigeria. Attemps to contact the following were unsuccessful within the time constraints of this Response: associate professor and Chair, Anthropology Department, Brown University; professor, Department of Sociology. University if Port Harcourt; professor of Sociology and African Development, University of Nigeria.

Internet sites, including: All Africa Amnesty International; BAOBAB for Women's Human Rights; Ecoi.net; Factiva; Human Rights Watch; Ireland Refugee Documentation Centre; Minority Rights Group International; Newser; Norwegian Country of Origin Information Centre (Landinfo): Ovcsupport.net; Plan International; Social Instituins and Gender Index; Stop Honour Killings; This Day; United Kindom – Border Agency; United Nations – Committee on the Elimination of Discrimination Against Women, Integrated Regional Networks, Population Fund, Refworld; Women's UN Report Network; Vangiard; Violence is Not Our Culture; Voice of Windows, Divorcees, and Orphans Association of Nigeria; Widows' Rights International; WomenAid Collective; Women Living Under Muslim Lawa; Women's Housing Plan Initiative; Women's Rights Advancement and Protection Alternative.

Example taken from:

IRB - Immigration and Refugee Board of Canada: Nigeria: Prevalence of forced marriage, particularly in Muslim and Yoruba communities; information on legislation, including state protection; ability of women to refuse a forced marriage [NGA104207.E], 9 November 2012
http://www.irb-cisr.gc.ca:8080/RIR_RDI/RIR_RDI.aspx?id=454056&l=e

ACCORD, on the other hand, does not mention all sources consulted but lists the databases, search engines and search terms used in cases when no or only little information on the topic could be found, as can be seen in the following example of a query response on Georgia:

EXAMPLE

Among the sources consulted by ACCORD within time constraints no information could be found on the subject above. Research was conducted via ecoi.net, Google, Yandex, BBC Monitoring and Factiva using a combination of the following search terms: government, правительственный, institution, учреждение, search, wanted, розыск, confirmation, certificate, подтверждение.

Attempts to contact a lawyer specialised in Georgian law and the Georgian Embassies in Vienna and Berlin were unsuccessful within the time constraints of this response.

Example taken from:

ACCORD – Austrian Centre for Country of Origin and Asylum Research and Documentation: Query response on Georgia: Which Georgian government institutions can issue a certificate that confirms that a person is wanted by the government institutions? Is there a special form for such a certificate? What kind of information is included in such a certificate? [a-8358], 23 May 2013

Asylum Research Consultancy: It is not our standard practice to list all the sources we consult for each issue for research together with all the search terms used (due to the length of time this would take) but for some cases we may state the sources consulted where no information was found. If we have consulted voluminous sources which yielded no results we will instead state 'despite an extensive search, no corroborating information was found amongst the sources consulted'. (Asylum Research Consultancy, email, February 2013)

7.3.6 EXAMPLES OF COI REPORTS

COI reports comprise the same elements as query responses and often contain additional elements like table of contents, list of abbreviations, remarks on methodology or annexes.

For examples of different styles of COI reports published in English see:

- ACCORD - Austrian Centre for Country of Origin and Asylum Research and Documentation: Myanmar - Update; COI Compilation; November 2012 (as of 31 October 2012)
  http://www.ecoi.net/file_upload/90_1353917911_accord-myanmar-update-2012–11.pdf
- DIS - Danish Immigration Service: Chechens in the Russian Federation – residence registration, racially motivated violence and fabricated criminal cases, Joint report from the Danish Immigration Service's and Danish Refugee Council's fact finding mission to Moscow and St Petersburg, the Russian Federation, August 2012
  http://www.nyidanmark.dk/NR/rdonlyres/01750EB0-C5B1–425C-90A7–3CE3B580EEAA/0/chechens_in_the_russian_federation.pdf
- UK Home Office: Country of Origin Information (COI) Report; China, 12 October 2012
  http://www.ukba.homeoffice.gov.uk/sitecontent/documents/policyandlaw/coi/china/report-1012.pdf?view=Binary

The European Asylum Support Office, EASO, published a COI report methodology. This methodology is binding for reports authored by EASO and refers to quality standards, structure of the report and referencing. It is available at http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/asylum/european-asylum-support-office/coireportmethodologyfinallayout_en.pdf.

An example for a report that has been drafted according to this methodology is the following EASO report:
- EASO - European Asylum Support Office: Afghanistan: Taliban Strategies - Recruitment, 10 July 2012
  http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/asylum/european-asylum-support-office/bz3012564enc_complet_en.pdf

7.4 INTERNAL DOCUMENTATION

The research cycle starts with the need for information and ends with the presentation and documentation of the final results. Many sources are consulted during the process of researching and cross-checking. After analysing the sources and the information with regard to the question at hand, relevant pieces of information are selected. Depending on your role, you integrate them into a COI product, a decision or an appeal.

In order to ensure transparency and to be able to retrieve the information used, consistent documentation and archiving is indispensable. Copies of all source material integrated into a decision, an appeal or a COI product should be stored in your internal documentation system to ensure that access to the information will be possible in the future. Websites may change over time or no longer offer access to the information; information obtained from oral sources is often summarised, there might be a need to show full documentation at a later date; etc. If it is not possible to make a copy of an electronic document or a website, you can save screenshots instead. Copyright considerations must of course be taken into account.

Beyond ensuring the retrievability of information for the RSD practitioner, it is necessary for COI units to feed the COI product itself into a system of internal documentation. This ensures that it can be easily found and reused if needed. Therefore, COI units usually have an internal documentation system in which information is stored. Consistent documentation is a prerequisite for quality control as well as for the retrieval and reuse of information that has already been collected; thus enabling efficient research, proof of performance and data for further planning.

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

EXAMPLE

ACCORD's internal documentation
An internal database for query responses is used to ensure an overview of the queries and their processing status. This database includes the following parameters:

- Information related to internal organisation
- Name of research officer
- Name of quality control officer
- Date of response
- Additional statistical information
- Communication related to the query with clients or experts
- Information related to the query
- Date of request
- Deadline
- Number of request/case (file number)
- Name of client
- Information related to the content of query and research results
- Country/region
- Topic

Copyright permitting, copies of all material used in a query response or report are stored together with the response in a file system organised by country.

7.5 QUALITY CONTROL IN COI UNITS

Well-defined quality standards form the basis and the framework for quality control. Formalised guide-lines for the research process and for the presentation of results help to maintain these quality standards and support their application, as well as self-evaluation, by each individual researcher even under time

pressure. In addition, peer review and evaluation by team supervisors are important mechanisms for maintaining or improving the quality of COI products.

Evaluation indicators must correspond to internal quality standards in order to fulfil the function of quality management.

Internal quality control can be organised as peer review or carried out by a senior researcher or the manager or by a quality control division. It is important to decide 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 for every COI product. It is also possible to only evaluate parts of the process, e.g. checking the sources used, checking the research strategy, checking the style of presentation, etc.

External quality control can be done by professional evaluators. Whether you opt for external evaluation will depend on the organisational structure and principles of your institution. Feedback by clients can be comprised of a mix of informal (meetings) and formal (questionnaires) evaluations and is useful in order to ensure that the work of the COI unit meets the needs of its clients.

Additionally, the publication of COI products can also contribute to quality. It allows others to scrutinise your products and makes them open to review. Note that the publication must not lead to the violation of the protection of the applicant's (or his or her affiliates') data or to the endangering of sources.

The following sections give examples of three methods for quality control mechanisms in COI units: peer review, external quality control, and an internal editing unit.

7.5.1 PEER REVIEW

Example: ACCORD

All query responses and reports at ACCORD undergo peer review. Due to restricted resources, additional research in the course of peer review is undertaken only as an exception; quality control focuses on formal aspects:

- Has the question been answered? Is too much/too little context or background information included?
- Is the product easy to read? Does it have a clear structure and layout? Has the question been reflected correctly in the title? Are grammar and spelling correct?
- Are the summaries and translations correct? Do they distort the information in any way? Is the language used neutral?
- Are quotation rules applied correctly? Is every piece of information referenced? Are all sources reflected in the bibliography?
- Was a disclaimer added if no or only little information could be found?

The research officer in charge of the query response decides whether or not a suggestion made by the colleague who did the quality control will be integrated into the research product.

7.5.2 EXTERNAL QUALITY CONTROL

Example: UK Home Office's COI Service
The work of the COI Service of the UK Home Office is reviewed externally by the Independent Advisory Group on Country Information (IAGCI). It is the successor of the Advisory Panel on Country Information (APCI) and was established by the Independent Chief Inspector of Borders and Immigration. Minutes of IAGCI meetings are published on the Chief Inspector's website:
http://icinspector.independent.gov.uk/country-information-reviews/minutes.

The IAGCI reviews selected COI reports and other documents by commissioning external consultants and makes recommendations to the COI Service and the Chief Inspector. These reviews, including reactions of the COI Service, are also published:
http://icinspector.independent.gov.uk/country-information-reviews/reviews-of-country-information-reports.

Furthermore, the preface of the COI reports published by the UK Home Office provide the IAGCI contact details and encourages feedback: "The IAGCI welcomes feedback on UK Home Office's COI reports and other COI material. Information about the IAGCI's work can be found on the Independent Chief Inspector's website [...]" (UK Home Office, 11 September 2012, p. 10).

7.5.3 INTERNAL EDITING UNIT

Example: Research Directorate of the Immigration and Refugee Board of Canada (IRB)
After a Research Officer of the IRB has researched and drafted a Response to Information Request (RIR), it is sent to a Research Analysis Officer (RAO). Research Analysis Officers or editors work with the text from the perspective of the reader. The RAO is concerned not only with comprehension and access but also with impartiality and accuracy (IRB, 26 January 2011a).

The Research Analysis Officer checks the following aspects:
- Does the RIR adequately answer the research question?
- Is the substance, style and presentation of information appropriate?
- Do I require additional information or need the Research Officer (RO) to clarify discrepancies to edit the RIR?
- Is the information presented in the RIR relevant, clear and objective?
- Are there any inconsistencies, bias or other deficiencies in the RIR?
- Are there improvements or changes needed to be made to the text to ensure information is compared, contrasted and corroborated?
- Has the information from source documents been properly interpreted?
- Is the information from source documents unbiased, clear and correctly documented?
- Are there any omissions of or contradiction in key information from the source documents?
- Is the subject matter and specific issues adequately covered in the report?
- Is there any further research or action the RO should take to finalize the RIR?

[...] RAOs will not rewrite an RIR that is unclear or confusing nor conduct research when the RO has not adequately researched the topic, although he or she might make suggestions if obvious sources are missing. If an RIR requires significant revision, the RAO will returned it to the RO [...]. [The Research Officer] is responsible for incorporating all the corrections made by the RAO. Corrections are not optional unless indicated by the editor. (IRB, 26 January 2011a, pp. 2–3)

7.5.4 FIND YOUR OWN WAY – DEVELOPING A COI STYLE GUIDE

Beyond all the aspects mentioned above, your organisation will have its own corporate style guide including requirements regarding fonts, size, etc.

Developing a common writing style for an institution involves a large number of decisions on details. It takes time for an organisation to find the style which best fits its client's needs and which corresponds with its own attitudes and ethics. Usually, a style guide is the result of the continuous evaluation and revision of an institution's writing practices as well as the feedback received.

The following is a list containing publicly available style guides for COI and international organisations which might serve as a source for inspiration when working on your institution's style guide.

COI style guide
Refugee Documentation Centre, Ireland: Research & Information Unit Style Guide, June 2011
http://www.ecoi.net/blog/wp-content/uploads/2013/08/Refugee-Documentation-Centre-Style-guide-June-2011.pdf

Style guides of international organisations
UN High Commissioner for Refugees: UNHCR Style Companion, February 2012
http://www.unhcr.org/refworld/docid/4fe30f9a2.html

United Nations: A Guide to Writing for the United Nations, 1984
http://www.un.org/depts/OHRM/sds/lcp/English/docs/a_guide_to_writing_for_the_united_nations.pdf

United Nations: United Nations Editorial Manual, undated
http://69.94.137.26/editorialcontrol/index.htm

European Commission Directorate-General for Translation: English Style Guide, seventh edition, August 2011, last updated October 2012
http://ec.europa.eu/translation/english/guidelines/documents/styleguide_english_dgt_en.pdf

7.6 SUMMARY

✔ Each piece of information has to be fully referenced and must be retrievable in both a decision and a COI product.

✔ Information can be presented in a research product or in a decision by quoting, re-phrasing, summarising or synthesizing.

✔ When re-phrasing, summarising or synthesizing, use neutral language, check expressions for potential bias and avoid distortions of the text.

✔ Do not mingle factual information with (unmarked) expressions of opinion. When quoting an opinion, make sure to mark it as such and don't forget to indicate whose opinion it is.

✔ Do not ignore information for the sake of consistency just because it does not fit into your picture or even contradicts the information you have already collected.

✔ Information from non-text formats such as sound files, images or videos needs to be transcribed or to be described and properly documented.

✔ Copies of all source material integrated into a decision or a COI product should be stored in your internal documentation system.

✔ There are different models of quality control in COI units in place. The chapter highlighted peer review, external control and work division between a research and an editing unit.

⟳ POINTS TO REMEMBER FOR PRACTICAL WORK

For RSD practitioners: | **For COI service providers:**

- Do not disregard information for the sake of consistency.
- Make corroboration and contradiction of information visible.

For RSD practitioners:	For COI service providers:
▪ Fully reference the information used for decision-making.	▪ Arrange information in a way that makes it easy to understand for the reader; use titles and sub-titles; structure the text in a logical way.
	▪ Use a disclaimer to inform the reader of the scope and the limitations of the product.
	▪ Make cross-checking visible for the reader.
	▪ Point out where corroboration was not possible.
	▪ Point out where no information was found and let the reader know about your efforts.
	▪ Provide a short introduction of sources that are not well-known.
	▪ When a dubious source is included into a research product, indicate the problematic aspects in the short description of the source.
	▪ If the only information found comes from a dubious source document unsuccessful attempts to find more information on the issue.

APPENDIX A – Overview of international and legal instruments

Country of origin information (COI) is a distinct field of human rights research that is inextricably linked to the legal and procedural aspects of refugee status determination. Persons who engage in COI research should be able to relate the information they find to human rights protected under international law and to understand its relevance in the context of international protection. COI research should pay particular attention to sources providing an understanding of the reasons for human rights violations, and to whether individuals or groups are targeted because of their political opinion or religious belief, because of their race, nationality or ethnicity, or because of belonging to a particular social group.

COI service providers however, do not necessarily have a professional background in refugee law and international human rights law. The following introduction intends to give a basic overview of international and regional human rights instruments related to the protection of individuals from persecution and other forms of serious harm.

COI research is undertaken within the framework of national laws and jurisprudence. It is beyond the scope of this manual to address national laws and jurisprudence.
This manual is not, and does not purport to be, a course in international refugee law. There are a number of institutes offering introductions on refugee law and several of them offer online introductions, curricula or distance-learning courses. Those interested in learning more about the development of international refugee and human rights law may also refer to the bibliography at the end of this manual.

Content of Appendix A:

A.1 Protection of refugees

    A.1.1 The 1951 Convention and the 1967 Protocol relating to the Status of Refugees
    A.1.2 Regional instruments and standards
    A.1.3 What constitutes persecution?

A.2 Complementary protection

    A.2.1 Core international instruments and standards
    A.2.2 Regional instruments and standards

Individuals leave their countries of origin for a number of reasons. Some of these reasons may give rise for the need of protection in host countries under international refugee law or other forms of international protection. In all states that are parties to the 1951 Refugee Convention, asylum has to be granted if a person meets the criteria of the 1951 Refugee Convention. A person meeting these criteria is a refugee. If someone does not meet the criteria and is thus not considered a refugee, the pertinent authorities in the host country must assess whether the person qualifies for a protected status under other legal instruments, including international, regional or national laws that provide protection on additional grounds (e.g. the need for medical treatment or a civil war situation). This latter form of protection is commonly referred to as "complementary" protection (or "subsidiary" protection). Usually, the legal rights given under complementary protection in the host country are less comprehensive than the rights granted to Convention refugees and are often subject to review after a shorter period.

There are a number of international and regional legal instruments and texts that deal with the issue of refugee protection or other forms of protection. The most basic form of protection common to all these legal instruments is the principle of non-refoulement ("refouler" means "to forcibly return"). This principle protects people from being forcibly returned to a country or territory in which their lives or freedom may be threatened.

Although the word "asylum" is not defined in international law, it has become a commonly used term to refer to the protection provided by a country to a refugee. The non-binding 1948 Universal Declaration of Human Rights (UDHR) stipulates the right of individuals to seek asylum in Article 14:

(1) Everyone has the right to seek and to enjoy in other countries asylum from persecution.

(2) This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations. (UDHR, 1948, Article 14)

In 1967, the UN General Assembly adopted the Declaration on Territorial Asylum, which emphasises that the grant of asylum to persons entitled to invoke Article 14 of the UDHR is a peaceful and humanitarian act that cannot be regarded as unfriendly by any other state. The Declaration also states that the responsibility to evaluate a person's claim for asylum rests with the country of asylum. Moreover, the Declaration reaffirms the principle of non-refoulement. (UN General Assembly, 14 December 1967)

According to UNHCR's *Master Glossary of Terms*, "asylum" is

[t]he grant, by a State, of protection on its territory to persons from another State who are fleeing persecution or serious danger. Asylum encompasses a variety of elements, including non-refoulement, permission to remain on the territory of the asylum country, and humane standards of treatment. (UNHCR, June 2006, p. 4)

An asylum-seeker is

an individual who is seeking international protection. In countries with individualized procedures, an asylum-seeker is someone whose claim has not yet been finally decided on by the country in which he or she has submitted it. Not every asylum-seeker will ultimately be recognized as a refugee, but every refugee is initially an asylum-seeker. (UNHCR, June 2006, p. 4)

The *Charter of Fundamental Rights of the European Union* foresees a "right to asylum" in Article 18 (for the text of Article 18 see below).

A.1 PROTECTION OF REFUGEES

A.1.1 THE 1951 CONVENTION AND THE 1967 PROTOCOL RELATING TO THE STATUS OF REFUGEES (1951 REFUGEE CONVENTION)

The 1951 Convention relating to the Status of Refugees (hereafter 1951 Refugee Convention) is the cornerstone of the international refugee protection regime. It defines who is a refugee, the rights and duties of refugees as well as the legal obligations of states, including the all-important prohibition of refoulement.

The 1951 Refugee Convention was originally limited in scope to persons fleeing events occurring before 1 January 1951. Furthermore, it provides for the possibility of introducing a geographic limitation to events occurring in Europe. For signatories to the 1967 Protocol, these limitations were removed.
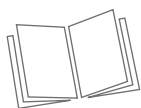
The text of the 1951 Convention relating to the Status of Refugees and the 1967 Protocol relating to the Status of Refugees is available at http://www.unhcr.org/3b66c2aa10.html.

A list of state parties to the Convention and the Protocol is available at http://www.unhcr.org/3b73b0d63.html

The Office of the United Nations High Commissioner for Refugees (UNHCR), established in 1950, is the guardian of the 1951 Refugee Convention. It is "charged with the task of supervising international conventions providing for the protection of refugees, and recognizing that the effective co-ordination of measures taken to deal with this problem will depend upon the co-operation of States with the High Commissioner" (1951 Refugee Convention, Preamble, p. 13).

UNHCR is also mandated to help stateless people and it supports other persons with related concerns, including Internally Displaced Persons (IDPs) and returnees (1961 Convention on the Reduction of State-lessness, 2011, Introductory Note).

Definition of "refugee"
A refugee has to meet the Convention's "inclusion clauses" and not fall under its "cessation clauses" or "exclusion clauses". These clauses state:

Inclusion clauses
Article 1 A (2) of the 1951 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. (1951 Refugee Convention, Article 1 A (2))

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 recognised 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: outside the country of former habitual residence);
– that this is due to a well-founded fear of being persecuted;
– that the fear of persecution is for reasons of race, religion, nationality, political opinion, or membership of a particular social group, including any imputed political opinions, religious, national, ethnic or social affiliations of a person;
– and that he or she is unable or, owing to such fear, unwilling to avail him- 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 former habitual residence).

While there is no exhaustive definition of persecution in international refugee law, the refugee definition requires a connection (also referred to as "nexus") between persecution and one of the grounds mentioned in the 1951 Refugee Convention. Thus the abusive behaviour or the lack of protection against human rights violations must be motivated by one or several Convention grounds.

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, 3 July 1998, para. 5, emphasis added)

For more details on persecution see section A.1.3 of this Appendix.

Actors of persecution in the meaning of the 1951 Refugee Convention can be the state and its agents as well as non-state actors. In the case of persecution by non-state actors, the availability of protection by national authorities against these actors is to be taken into consideration.

The concept of "Internal Protection Alternative" (IPA), also called Internal Flight or Relocation Alternative, is not mentioned explicitly in the 1951 Refugee Convention. It refers to a specific area of an applicant's country where there is no risk of persecution and where the applicant could be reasonably expected to live a normal life.

For details on the Convention grounds and related key legal issued such as internal protection alternative, domestic protection, national law and non-state actors see chapter 3 of this manual.

Cessation clauses
A person can cease to be a refugee for a number of reasons defined in Article 1 C of the 1951 Refugee Convention: By voluntarily re-availing him- or herself of the protection of his or her country of nationality; having lost one's nationality, by voluntarily re-acquiring it; by acquiring a new nationality and enjoying the protection of this country; or by voluntarily re-establishing residence in the country where persecution was feared.

Most important in the context of COI research is the reference to cessation due to "ceased circumstances" in Article 1 C:

> This Convention shall cease to apply to any person falling under the terms of Section A if: [...]
>
> (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; [...]
>
> (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; [...] (1951 Refugee Convention, Article 1 C (5) and (6))

The person is nonetheless a refugee if he or she can invoke "compelling reasons arising out of previous persecution for refusing to avail himself of the protection of the country of nationality" (1951 Refugee Convention, Article 1 C (5)) or in the case of stateless persons, "compelling reasons arising out of previous persecution for refusing to return to the country of his former habitual residence" (1951 Refugee Convention, Article 1 C (6)).

Exclusion clauses

While the cessation clauses refer to situations in which a refugee ceases to be a refugee, the exclusion clauses (Articles 1 D, 1 E and 1 F) place persons who would otherwise meet the criteria set out in Article 1 A (2) outside the protection of the international refugee regime. The most relevant exclusion clauses are dealt with in Article 1 F of the 1951 Refugee Convention, which states that

> [t]he provisions of this Convention shall not apply to any person with respect to whom there are serious reasons for considering that:
>
> 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;
> he has committed a serious non-political crime outside the country of refuge prior to his admission to that country as a refugee;
> he has been guilty of acts contrary to the purposes and principles of the United Nations. (1951 Refugee Convention, Article 1 F)

Furthermore, Article 1 D stipulates that the 1951 Refugee Convention shall not apply to those who receive protection or assistance from organs or agencies of the United Nations other than UNHCR (1951 Refugee Convention, Article 1 D). This relates to those Palestinians, who are supported by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). UNRWA was set up in 1949 to assist Palestinian refugees. It provides education, health, relief and social services to its target group in Jordan, Lebanon, the Gaza Strip, the Syrian Arab Republic and the West Bank, including East Jerusalem (UNRWA, undated, "Overview"). Palestinian refugees were specifically and intentionally excluded from the international refugee law regime established in 1951. The 1951 Refugee Convention relating to the Status of Refugees and its 1967 Protocol exclude Palestinian refugees as long as they receive assistance from UNRWA. UNHCR provides assistance and protection to Palestinian refugees outside UNRWA's areas of operations.

A person who falls within the scope of the exclusion clauses may still be protected by the prohibition of refoulement under other international or regional treaties or national law.

The non-refoulement obligation under the 1951 Refugee Convention

In its *Note on the Principle of Non-Refoulement* UNHCR states:

> The principle of **non-refoulement** is the cornerstone of asylum and of international refugee law. Following from the right to seek and to enjoy in other countries asylum from persecution, as set forth in Article 14 of the Universal Declaration of Human Rights, this principle reflects the commitment of the international community to ensure to all persons the enjoyment of human rights, including the rights to life, to freedom from torture or cruel, inhuman or degrading treatment or punishment, and to liberty and security of person. These and other rights are threatened when a refugee is returned to persecution or danger. (UNHCR, November 1997, A. Introduction, emphasis in the original)

Article 33 of the 1951 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. (1951 Refugee Convention, Article 33)

The protection against refoulement applies before formal recognition of refugee status. As long as a final decision on refugee status has not been made, the individual should not be returned or expelled.

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 other forms of serious harm, or from where he or she would be at risk of being sent to such a country.

How to interpret the 1951 Refugee Convention

The 1951 Refugee Convention must be interpreted according to the standard principles of treaty interpretation found in Article 31 of the Vienna Convention on the Law of Treaties, 1969. That is, "[a] treaty shall be interpreted in good faith in accordance with the ordinary meaning to be given to the terms of the Treaty in their context and in the light of its object and purpose." (Vienna Convention on the Law of Treaties, Article 31, 1969)

The sources of interpretation include the case law of superior courts of all the state parties to the Convention, leading text writers and UNHCR publications.

This overview focusses on the interpretations of UNHCR as the guardian of the 1951 Refugee Convention.

While UNHCR's guidelines are not legally binding, Article 35 of the 1951 Refugee Convention and Article II of the 1967 Protocol reiterate UNHCR's supervisory function with regard to the application of the provisions of the Convention and the Protocol, and therefore place a specific weight on the organisation's opinion as to the interpretation of the Convention. UNHCR's *Handbook on Procedures and Criteria for Determining Refugee Status under the 1951 Refugee Convention and the 1967 Protocol relating to the Status of Refugees* was published in 1979 upon request by UNHCR's Executive Committee to provide practical guidance on refugee status determination to governments, it was reedited in 1992 (UNHCR, January 1992). In 2011, the Handbook was reissued and complemented by thematic guidelines on international protection (UNHCR, December 2011).

UNHCR's Executive Committee (ExCom), which meets once a year in Geneva, also provides interpretative guidance on the 1951 Refugee Convention. ExCom members agree on the ExCom "Conclusions", which help to explain developments regarding refugee law doctrine.
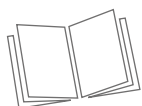
The UNHCR *Handbook and Guidelines on Procedures and Criteria for Determining Refugee Status* explains key components of refugee status determination and is available at
http://www.unhcr.org/refworld/pdfid/4f33c8d92.pdf

UNHCR's Protection Starter Kit is a compilation of key documents that helps to understand UNHCR and its protection mandate and can be found at
http://www.unhcr.org/refworld/protection_kit.html

UNHCR's ExCom Conclusions on International Protection can be found at
http://www.unhcr.org/pages/49e6e6dd6.html

All materials mentioned are available at Refworld: http://www.refworld.org

Besides UNHCR's guidelines, national asylum legislation and jurisprudence have also contributed to the interpretation of international refugee law. Their interpretations, however, may diverge in certain respects.

A.1.2 REGIONAL INSTRUMENTS AND STANDARDS

There are a number of regional instruments relating to refugees, notably in Africa, Latin America and Europe.

A. Convention Governing the Specific Aspects of Refugee Problems in Africa (1969)

The Convention Governing the Specific Aspects of Refugee Problems in Africa was adopted in 1969 and is open for signature and accession by all member states of the Organisation of African Unity (OAU), which was replaced by the African Union (AU) in 2002. Forty-five Member States of the African Union have ratified the Convention as of July 2012 (AU, 13 July 2012). For these states, the Convention is a binding legal instrument.

Article 1 (1) of the Convention defines a refugee in the same terms as the 1951 Refugee Convention. The definition in the 1969 OAU Convention contains a second part according to which the term "refugee" also applies to

> every person who, owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his country of origin or nationality, is compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of origin or nationality. (1969 OAU Convention, Article 1 (2))

The Convention Governing the Specific Aspects of Refugee Problems in Africa ceases to be applicable if, among other reasons, a refugee

> has committed a serious non-political crime outside his country of refuge after his admission to that country as a refugee, or, […] he has seriously infringed the purposes and objectives of this Convention. (1969 OAU Convention, Article 1 (4))

In regards to exclusion clauses, Article 1 (5) of the Convention Governing the Specific Aspects of Refugee Problems in Africa is more or less identical with Article 1 F of the 1951 Refugee Convention, except for one reference to persons who have been "guilty of acts contrary to the purposes and principles of the Organisation of African Unity" (1969 OAU Convention, Article 1 (5) (c)).

Unlike the 1951 Refugee Convention, the Convention Governing the Specific Aspects of Refugee Problems in Africa provides an absolute prohibition of refoulement. Article 2 (3) reads:

> No person shall be subjected by a Member State to measures such as rejection at the frontier, return or expulsion, which would compel him to return to or remain in a territory where his life, physical integrity or liberty would be threatened for the reasons set out in Article I, paragraphs 1 and 2. (1969 OAU Convention, Article 2 (3))
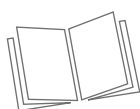
The 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa: http://www.africa-union.org/Official_documents/Treaties_%20Conventions_%20Protocols/Refugee_Convention.pdf

A list of Member States of the African Union that have ratified the Convention as of 13 July 2012: http://au.int/en/sites/default/files/refugee%20Problems%20in%20Africa_0.pdf
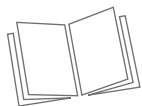
B. Cartagena Declaration on Refugees (1984)

Although not formally binding, many Latin American countries have integrated the principles of the Cartagena Declaration – including its definition of "refugee" – into their national legislation. In its Conclusion 3, the Declaration states that, in view of the experience gained from the massive flows of refugees in the Central American region, it is necessary to consider enlarging the concept of a refugee:

> Hence the definition or concept of a refugee to be recommended for use in the region is one which, in addition to containing the elements of the 1951 Refugee Convention and the 1967 Protocol, includes among refugees persons who have fled their country because their lives, safety or freedom have been threatened by generalized violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances which have seriously disturbed public order. (Cartagena Declaration on Refugees, 1984, Conclusion 3)

In Conclusion 5, the Cartagena Declaration also makes a clear reference to the principle of non-refoulement and stresses the

> importance and meaning of the principle of non-refoulement (including the prohibition of rejection at the frontier) as a corner-stone of the international protection of refugees. This principle is imperative in regard to refugees and in the present state of international law should be acknowledged and observed […]. (Cartagena Declaration on Refugees, 1984, Conclusion 5)

The Cartagena Declaration on Refugees:
http://www.unhcr.org/refworld/docid/3ae6b36ec.html

C. Charter of Fundamental Rights of the European Union (2000)

In the European Union, the right to asylum is governed by Article 18 of the Charter of Fundamental Rights. It was proclaimed by the European Parliament, the Council and the Commission in 2000 and became binding for EU Member States in 2009. The current version of the Charter was adapted in 2010:

> The right to asylum shall be guaranteed with due respect for the rules of the Geneva Convention of 28 July 1951 and the Protocol of 31 January 1967 relating to the status of refugees and in accordance with the Treaty on European Union and the Treaty on the Functioning of the European Union […]. (Charter of Fundamental Rights of the European Union, 2010, Article 18)
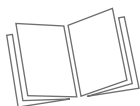
The Charter of Fundamental Rights of the European Union:
http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri= OJ:C:2010:083:0389:0403:en:PDF

D. EU Asylum Qualification Directive (2011)

The EU Asylum Qualification Directive 2011/95/EU follows the definition of "refugee" set out in the 1951 Refugee Convention and in Article 10 specifies the reasons for persecution in greater detail than the 1951 Refugee Convention. It restricts its scope to third country nationals (persons from outside the EU Member States) and stateless persons. The EU Asylum Qualification Directive 2011 has to be transposed

into the national law of EU Member States by December 2013. Denmark, Ireland and the United Kingdom have opted out. Ireland and the United Kingdom agreed to the 2004 version of the Qualification Directive (Directive 2004/85/EC), these stipulations remain applicable.

The directive recognises non-state actors of persecution in Article 6 and non-state actors of protection in Article 7:

> 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 in points (a) and (b), including international organisations, are unable or unwilling to provide protection against persecution or serious harm as defined in Article 7. (EU Asylum Qualification Directive 2011, Article 6)

Article 7 lists actors that can provide protection against persecution or serious harm:

> [...] (a) the State; or (b) parties or organisations, including international organisations, controlling the State or a substantial part of the territory of the State; provided they are willing and able to offer protection in accordance with paragraph 2. (EU Asylum Qualification Directive 2011, Article 7 (1))

It furthermore stipulates that such protection

> must be effective and of a non-temporary nature. Such protection is generally provided when the actors mentioned under points (a) and (b) of 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 when the applicant has access to such protection. (EU Asylum Qualification Directive 2011, Article 7 (2))

The concept of the internal protection alternative is reflected in Article 8 and explicitly indicates to the need of precise and up-to-date information.

The cessation and exclusion clauses contained in Articles 11 and 12 of the EU Asylum Qualification Directive are based on the respective provisions of the 1951 Refugee Convention.

The interpretation of the EU Asylum Qualification Directive as well as other directives related to international protection and the Charter of Fundamental Rights is continuously further developed by jurisprudence of the Court of Justice of the European Union.

Under certain conditions, an EU Member State may not be obliged to examine the substance of a claim to refugee status. The Dublin II Regulation stipulates the rules for identifying the Member State responsible for the examination of an application. In most cases it is the first Member State that the claimant reached.
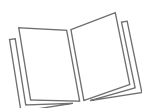
The EU Asylum Qualification Directive 2011/95/EU:
http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:337:0009:0026:EN:PDF

E. Cairo Declaration on the Protection of Refugees and Displaced Persons in the Arab World (1992) and
Arab Convention on Regulating the Status of Refugees in the Arab Countries (1994)
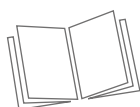
The non-binding Declaration on the Protection of Refugees and Displaced Persons in the Arab World was
adopted by a group of Arab experts after a meeting in Cairo in 1992 and recommends that

> pending the elaboration of an Arab Convention relating to refugees, Arab States adopt a broad
> concept of 'refugee' and 'displaced person' as well as a minimum standard for their treatment,
> guided by the provisions of the United Nations instruments relating to human rights and refugees
> as well as relevant regional instruments; (Cairo Declaration, 1992, Article 6)

It also reaffirms in Article 2

> the importance of the principle prohibiting the return or the expulsion of a refugee to a country
> where his life or his freedom will be in danger and considers this principle as an imperative rule
> of the international public law. (Cairo Declaration, 1992, Article 2)

In 1994, the League of Arab States adopted the Arab Convention on Regulating the Status of Refugees in
the Arab Countries which contains a broader refugee definition. However, to date this Convention has not
been ratified.

The Cairo Declaration on the Protection of Refugees and Displaced Persons
in the Arab World is available at http://www.unhcr.org/refworld/docid/452675944.html

The Arab Convention on Regulating the Status of Refugees in the Arab Countries:
http://www.unhcr.org/refworld/docid/4dd5123f2.html

F. Bangkok Principles on the Status and Treatment of Refugees (2001)

In Asia, no regional refugee convention exists; hence no regional treaty-based definition of the term
"refugee" has evolved. Nevertheless, as early as 1966 the Asian-African Legal Consultative Organisation
(AALCO) adopted the Bangkok Principles, which were revised in 2001.

The Revised Bangkok Principles state – in the notes, comments and reservations made by the AALCO
Member States, which form an integral part of the main document – that the Principles are:

> declaratory and non-binding in character and aim inter alia at inspiring Member States for
> enacting national legislation for the Status and Treatment of Refugees and as a guide to deal
> with the refugee problems. (Bangkok Principles, 2001, Introductory Remark 2)

In its Article I paragraphs 1 and 2, the Bangkok Principles expand the definition of "refugee" found in the
1951 Refugee Convention and its Protocol. However, to date the Bangkok Principles definition of "refugee"
has not had a real impact on refugee law as applied by Asian States. (Zimmermann/Mahler, 2011, p. 320)

The Bangkok Principles on the Status and Treatment of Refugees:
http://www.unhcr.org/refworld/pdfid/3de5f2d52.pdf

A.1.3 WHAT CONSTITUTES PERSECUTION?

Persecution is a central concept within the definition of what constitutes a refugee. It is an open concept that evolves together with an understanding of international human rights protection.

The meaning of persecution in the context of international human rights

In its note on interpreting Article 1 of the 1951 Refugee Convention, UNHCR emphasises the complementarity of refugee law and international human rights:

> 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, para. 5)

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 recognised 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 emphasises 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 [...].

> 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, January 1992, paras. 51–53)

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 1951 Refugee Convention (see also UNHCR, January 1992, 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. Discrimination, according to UNHCR, will only in certain circumstances amount to persecution. This will be the case if discriminatory measures lead to "consequences of a substantially prejudicial nature for the person concerned" (UNHCR, January 1992, para. 54) for example serious restrictions on the person's right to earn a livelihood, or on the right to practise his or her religion or on "access to normally available educational facilities" (UNHCR, January 1992, para. 54).

In its guideline on the interpretation of Article 1 A, UNHCR again stresses 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, paras. 16–17)

The EU, in its 2011 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 in Article 9 a number of acts that would qualify as persecution in accordance with the Directive's understanding of the term:

1. In order to be regarded as an act of persecution within the meaning of Article 1 (A) of the Geneva Convention, an act must:
    a) be sufficiently serious by its 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

    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 point (a).

2. Acts of persecution as qualified in paragraph 1, can, inter alia, take the form of:
    b) acts of physical or mental violence, including acts of sexual violence;

legal, administrative, police, and/or judicial measures which are in themselves discriminatory or which are implemented in a discriminatory manner;

prosecution or punishment which is disproportionate or discriminatory;

denial of judicial redress resulting in a disproportionate or discriminatory punishment;

prosecution or punishment for refusal to perform military service in a conflict, where performing military service would include crimes or acts falling within the scope of the grounds for exclusion as set out in Article 12 (2);

acts of a gender-specific or child-specific nature.

3. In accordance with point (d) of Article 2, there must be a connection between the reasons mentioned in Article 10 and the acts of persecution as qualified in paragraph 1 of this Article or the absence of protection against such acts. (EU Asylum Qualification Directive 2011, Article 9)

Persecution may emanate not only from the state but also from non-state actors and through the absence of state protection.

This section has shown that the concept of persecution must be understood within the context of the protection of human rights. In the following section, major international human rights instruments will be introduced and human rights instruments at the regional level will be mentioned. Finally, international protection in the context of armed conflicts will be addressed. All of these elements help us to deepen our understanding of persecution as a key concept for the protection of refugees.

Major human rights instruments

The legal analysis of an applicant's testimony needs to remain open to considering all possible forms of harm that might constitute persecution. For the purpose 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 abuses or other serious harm and a Convention ground or between lack of protection and a Convention ground.

The 1948 Universal Declaration of Human Rights (UDHR) embodies the essence of what human rights are and provides the basis for the charter-based system of human rights protection. It has been supplemented by legally binding instruments, the most important of which are the nine core international human rights treaties:

- 1965 International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)
- 1966 International Covenant on Civil and Political Rights (ICCPR)
- 1966 International Covenant on Economic, Social and Cultural Rights (ICESCR)
- 1979 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)
- 1984 Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)

- 1989 Convention on the Rights of the Child (CRC)
- 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW)
- 2006 Convention on the Rights of Persons with Disabilities (CRPD)
- 2006 International Convention for the Protection of All Persons from Enforced Disappearance (ICPED)

Each of these treaties has established a committee of experts to monitor ratifying states' compliance with their treaty obligations. Some of these treaties are supplemented by optional protocols dealing with specific concerns.

Beyond these monitoring bodies, a Universal Periodic Review process was established by the UN General Assembly in 2006 to review the human rights records of all UN Member States once every four years. It is a state-driven process under the auspices of the UN Human Rights Council.
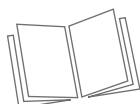
> More information on the Universal Periodic Review can be found at
> http://www.ohchr.org/EN/HRBodies/UPR/Pages/UPRMain.aspx

Article 4 of the International Covenant on Civil and Political Rights (ICCPR) lists a number of rights which can under no circumstances be suspended by a state party. These rights are called "non-derogable". They are considered to be fundamental to human dignity or their derogation would not assist a government in its reaction to a public emergency.

The following rights are non-derogable according to Article 4 (2) ICCPR:

- the right to life (Article 6),
- prohibition of torture, or cruel, inhuman or degrading treatment or punishment (Article 7),
- prohibition of slavery and servitude (Article 8, para. 1 and 2),
- prohibition of imprisonment due to one's inability to fulfil a contractual obligation (Article 11),
- freedom from retroactive criminal laws (Article 15),
- the right to recognition everywhere as a person before the law (Article 16),
- the right to freedom of thought, conscience and religion (Article 18).

Likewise, Article 6 of the Second Optional Protocol to the ICCPR prescribes that the right not to be executed shall not be subject to any derogation under Article 4 of the ICCPR.

The first human rights treaty adopted by the General Assembly of the United Nations was the Convention on the Prevention and Punishment of the Crime of Genocide in 1948. It defines genocide as "acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group" (Convention on the Prevention and Punishment of the Crime of Genocide, 9 December 1948, Article 2) and declares it to be a crime, whether committed in time of peace or war. Since that time, the establishment of an international judicial body to prosecute crimes such as genocide was given consideration. Particularly serious crimes are considered to be subject to international criminal law. The ad-hoc tribunals on former Yugoslavia and Rwanda have issued a number of judgments in this and related areas. In July 1998, the International Criminal Court (ICC) was established. Article 5 (1) of the Rome Statute of the International Criminal Court, which went into effect on 1 July 2002, defines the following as crimes within the jurisdiction of the ICC: genocide, crimes against humanity, war crimes and aggression.

Article 7 (1) stipulates with regard to 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. (Rome Statute, 1998, Article 7 (1))

Article 7 (2) (g) 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" (Rome Statute, Article 7 (2) (g)).

The instruments mentioned above are also of importance for procedures for determining international protection needs, as persons who committed war crimes or crimes against humanity or other serious crimes fall under the exclusion clause of the 1951 Refugee Convention (see A.II.1).

Human rights instruments at the regional level

Human rights instruments have also been implemented at regional level to address regional human rights concerns and to provide specific mechanisms and procedures for the protection of human rights.

In Europe, for instance, a number of human rights treaties have been adopted under the umbrella of the Council of Europe, informed in particular by the 1950 European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR).

In the Americas, the 1969 American Convention on Human Rights came into force in 1978. Similar to the ECHR, the importance of the American Convention on Human Rights lies in the scope of the rights it protects as well as in the supervisory machinery it created.

Likewise, the 1981 African Charter on Human and People's Rights, implemented in 1986, contains provisions related to means of protection.

In reference to regional human rights mechanisms, the 1993 Vienna Declaration and Programme of Action pointed out that

> [r]egional arrangements play a fundamental role in promoting and protecting human rights. They should reinforce universal human rights standards, as contained in international human rights instruments, and their protection. (UN General Assembly, 12 July 1993, para. 37)

Consequently, regional systems of protection and promotion must conform to international norms and standards in order to further develop and specify the scope of international human rights norms.

International protection in the context of armed conflicts

In armed conflicts, the rights of civilians are specifically protected under international humanitarian law. International human rights law and international humanitarian law are complementary. Both aim at protecting the lives, health and dignity of individuals. While human rights law applies in peace and war alike, humanitarian law regulates the conduct of armed conflicts.

The four Geneva Conventions of 12 August 1949 and the Additional Protocols of 1977 regulate the means and methods of warfare as well as the protection of the civilian population and members of the armed forces, or of certain armed groups who no longer take active part in hostilities. Common Article 3 of all four Geneva Conventions establishes minimum guarantees for the 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 [...]. (Geneva Conventions of 12 August 1949, Common Article 3)

Article 75 of the Additional Protocol I, 1977, enumerates in greater detail fundamental guarantees applicable in international armed conflict, while the Additional Protocol II, 1977, elaborates on the

meaning of Common Article 3 in non-international armed conflicts. These provisions provide an understanding of non-derogable rights in times of war and armed conflict.

There may be situations, notably in conflicts with an ethnic dimension, where persons are fleeing because of a fear of persecution based on their race, religion, nationality or membership of a particular social group and thus may fall under the 1951 Refugee Convention. However, the majority of persons fleeing armed conflicts usually leave their countries due to increasingly deteriorating conditions or to a rising level of insecurity. In such cases, forms of protection complementary to refugee protection might be applicable. The next section deals with these forms of protection in detail.

A.2 COMPLEMENTARY PROTECTION

Complementary protection comes into play when an individual is not a refugee but still requires nternational protection. It describes a state's obligation to persons who are in need of protection. Complementary protection (or "subsidiary protection") may take different forms: It may be based on protection against serious human rights violations prohibited under international human rights law and international humanitarian law, even if they do not occur on grounds mentioned in the 1951 Refugee Convention; it may also be based on regional instruments or on national legislation in the form of other types of humanitarian protection.

This section attempts to provide a brief overview of state obligations under international and regional human rights instruments that address the situation of persons in need of complementary protection.

In many cases, certain human rights obligations, particularly in relation to the right to life and the absolute prohibition of torture or other cruel, inhuman and degrading treatment or punishment, have been interpreted as prohibiting refoulement to countries where there is risk of such treatment or risk of violation of the right to life.

National laws in many countries provide complementary protection for a number of other situations. A large number of countries accord lesser rights to persons found to be in need of complementary protection than to persons who are granted refugee status.

GOOD TO KNOW

UNHCR published a paper that examines the practice of complementary protection in Canada, Mexico and Australia:

UNHCR - UN High Commissioner for Refugees: Filling the protection gap: current trends in complementary protection in Canada, Mexico and Australia, New Issues in Refugee Research, Research Paper No. 238 (authors: Nicole Dicker and Joanna Mansfield), May 2012 http://www.unhcr.org/4fc872719.html

In 2009, the European Council on Exiles and Refugees (ECRE) published a survey on complementary and subsidiary protection covering nine EU Member States and Switzerland:

ECRE – European Council on Refugees and Exiles: Complementary Protection in Europe, July 2009
http://www.ecre.org/component/downloads/downloads/129.html

Complementary protection should not be confused with temporary protection which may be granted in accordance with national or regional legal regimes, often in mass influx situations on a prima facie basis, without determining individually whether members of the group of persons affected might be refugees under the 1951 Refugee Convention.

A.2.1 CORE INTERNATIONAL INSTRUMENTS AND STANDARDS

Due to the evolving nature of international human rights law there is no definite list of instruments that prohibit refoulement and therefore forces states to create forms of complementary protection. However, two main treaty-based sources are widely agreed upon:

– Article 3 of the Convention Against Torture forbids removal to states where a person would be in danger of being tortured, and
– Articles 6 and 7 of the International Covenant on Civil and Political Rights uphold the protection of life and preclude removal to torture or other forms of inhuman treatment.

Other instruments prohibiting refoulement are the International Convention for the Protection of All Persons from Enforced Disappearance, 2006, and the Fourth Geneva Convention, 1949.

A. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment and Punishment – CAT (1984)

Article 1 of the CAT 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. (CAT, 1984, Article 1 and 2)

Article 3 of the 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. (CAT, 1984, Article 3)

Unlike the non-refoulement provision of the 1951 Refugee Convention, the prohibition of refoulement in Article 3 CAT is absolute; hence it does not depend on the conduct of the applicant (see the considerations of the Committee against Torture in its views on the case *Tapia Paez v. Sweden*, Communication No 39/1996. Views of 28 April 1997). The CAT does not contain any provisions excluding perpetrators of particularly serious crimes or other undeserving persons from its protection. However, according to the definition of torture in Article 1, the prohibition of refoulement of the CAT 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.
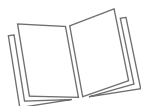
The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment and Punishment (CAT), 10 December 1984
http://www.ohchr.org/EN/ProfessionalInterest/Pages/CAT.aspx

B. International Covenant on Civil and Political Rights – ICCPR (1966)
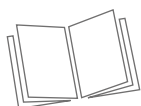
The International Covenant on Civil and Political Rights protects the right to life and prohibits torture:

Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life. (ICCPR, Article 6 (1))

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation. (ICCPR, Article 7)

The interpretation of the UN Human Rights Committee entails that ICCPR state parties are under an obligation
not to extradite, deport, expel or otherwise remove a person from their territory, where there are substantial grounds for believing that there is a real risk of irreparable harm, such as that contemplated by Articles 6 and 7 of the Covenant [...]. (UN Human Rights Committee, 26 May 2004, para. 12)

The International Covenant on Civil and Political Rights (ICCPR), 16 December 1966
http://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx
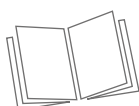
C. Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War – Fourth Geneva Convention (1949)

International humanitarian law puts forth regulations pertaining to armed conflicts. The Fourth Geneva Convention regulates, among other things, the transfer of civilians between states that are involved in an international armed conflict. Article 45 explicitly prohibits refoulement:

> [...] In no circumstances shall a protected person be transferred to a country where he or she may have reason to fear persecution for his or her political opinions or religious beliefs.

> The provisions of this Article do not constitute an obstacle to the extradition, in pursuance of extradition treaties concluded before the outbreak of hostilities, of protected persons accused of offences against ordinary criminal law. (Convention (IV) relative to the Protection of Civilian Persons in Time of War, 1949, Article 45)

The Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War, 12 August 1949
http://www.icrc.org/ihl.nsf/FULL/380?OpenDocument

D. International Convention for the Protection of All Persons from Enforced Disappearance – ICCPED (2006)

Similarly, the ICCPED contains a specific prohibition against refoulement in Article 16:

> 1. No State Party shall expel, return ("refouler"), surrender or extradite a person to another State where there are substantial grounds for believing that he or she would be in danger of being subjected to enforced disappearance.

> 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 or of serious violations of international humanitarian law. (ICCPED, 2006, Article 16)

The International Convention for the Protection of All Persons from Enforced Disappearance (ICCPED), 20 December 2006
http://www.ohchr.org/EN/HRBodies/CED/Pages/ConventionCED.aspx

E. Convention on the Rights of the Child – CRC (1989)

The UN Committee on the rights of the child explained in its General Comment No. 6/2005 on the treatment of unaccompanied and separated children outside their country of origin:

> States shall not return a child to a country where there are substantial grounds for believing that there is a real risk of irreparable harm to the child, such as, but by no means limited to, those contemplated under articles 6 and 37 of the Convention, either in the country to which removal is to be effected or in any country to which the child may subsequently be removed. (UN Committee on the Rights of the Child, 1 September 2005, para. 27)
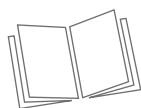
UN Committee on the Rights of the Child: General Comment No. 6 (2005): Treatment of unaccompanied and separated children outside their country of origin, CRC/GC/2005/6, 1 September 2005
http://www.refworld.org/docid/42dd174b4.html

## A.2.2 REGIONAL INSTRUMENTS AND STANDARDS

A number of regional human rights instruments prohibit refoulement, either explicitly or through interpretation, thereby providing for complementary protection.

A. African Charter on Human and Peoples' Rights (1981)

Article 5 of the African Charter on Human and Peoples' Rights provides that

> [e]very individual shall have the right to the respect of the dignity inherent in a human being and to the recognition of his legal status. All forms of exploitation and degradation of man particularly slavery, slave trade, torture, cruel, inhuman or degrading punishment and treatment shall be prohibited. (African Charter on Human and Peoples' Rights, 1981, Article 5)

The principle of non-refoulement is considered an important component of states' obligations under Article 5 of the Charter. The Robben Island Guidelines (Guidelines and Measures for the Prohibition and Prevention of Torture, Cruel, Inhuman or Degrading Treatment or Punishment in Africa), clearly spell out that "States should ensure no one is expelled or extradited to a country where he or she is at risk of being subjected to torture" (Robben Island Guidelines, 2002, Article 15). The Robben Island Guidelines were formally adopted by a resolution of the African Commission in 2002 and approved by the Conference of Heads of State and Government of the African Union in 2003.
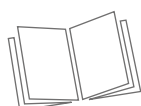
The African Charter on Human and Peoples' Rights of 27 June 1981
http://www.africa-union.org/official_documents/treaties_%20conventions_%20protocols/banjul%20charter.pdf

The Robben Island Guidelines, adopted by the African Commission on 23 October 2002
http://www.achpr.org/files/instruments/robben-island-guidelines/achpr_instr_guide_rig_2008_eng.pdf

B. American Convention on Human Rights (1969)

The American Convention on Human Rights has been ratified by most Member States of the Organisation of American States. Article 22 (8) of the American Convention on Human Rights states that:

> In no case may an alien be deported or returned to a country, regardless of whether or not it is his country of origin, if in that country his right to life or personal freedom is in danger of being violated because of his race, nationality, religion, social status, or political opinions. (American Convention on Human Rights, 1969, Article 22 (8))
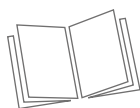
The American Convention on Human Rights of 22 November 1969
http://www.oas.org/dil/treaties_B-32_American_Convention_on_Human_Rights.htm

C. European Convention for the Protection of Human Rights and Fundamental Freedoms – ECHR (1950)

The ECHR constitutes the most significant legal framework for human rights protection within the 47 Council of Europe Member States. The rights protected under the ECHR apply irrespective of citizenship and thus also for 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:

> No one shall be subjected to torture or to inhuman or degrading treatment or punishment. (ECHR, 1950, Article 3)

The applicability of Article 3 ECHR in cases of expulsion or extradition has been further developed in the jurisprudence of the European Court of Human Rights (ECtHR). Some examples follow:

In *Soering v. the United Kingdom*, the European Court of Human Rights held that a state party to the ECHR 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" (Soering v. the United Kingdom, ECtHR, 7 July 1989).

In the case *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, ECtHR, 17 December 1996).

In *Saadi v. Italy*, the Court emphasised that despite higher risk of terrorist attacks, it could see no reason to depart from its current jurisprudence: "Even if, as the Italian and United Kingdom Governments asserted, the terrorist threat has increased since that time, that circumstance would not call into question the conclusions of the Chahal judgment concerning the consequences of the absolute nature of Article 3" (Saadi v. Italy, ECtHR, 28 February 2008).

The case of *M.S.S. v. Belgium and Greece* dealt with the expulsion of an asylum-seeker to Greece by the Belgian authorities in application of the EU Dublin II Regulation. The Dublin II Regulation determines which EU state is responsible for examining an asylum application. The Court held among other things that Greece had violated Article 3, both because of the applicant's detention conditions and living conditions in Greece, and had violated Article 13 (right to an effective remedy). This was considered as well as Article 3 because of the shortcomings in the asylum procedure in Greece. The asylum-seeker faced the risk of expulsion to Afghanistan without any serious examination of the merits of his application for asylum and without any access to an effective remedy. Furthermore, the Court concluded that Belgium violated Article 3 due to the applicant's exposure to risks connected with deficient conditions in Greece (M.S.S. v. Belgium and Greece, Judgment of the Grand Chamber of the ECtHR, 21 January 2011, Appl. No. 30696/09).
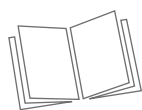
European Convention on Human Rights as amended by Protocols Nos. 11 and 14, supplemented by Protocols Nos. 1, 4, 6, 7, 12 and 13, 4 November 1950

http://www.echr.coe.int/Documents/Convention_ENG.pdf

D. Instruments of the European Union

Article 19 of the Charter of Fundamental Rights of the European Union provides for protection in the event of removal, expulsion or extradition:

> 1. Collective expulsions are prohibited.
> 2. No one may be removed, expelled or extradited to a State where there is a serious risk that he or she would be subjected to the death penalty, torture or other inhuman or degrading treatment or punishment. (Charter of Fundamental Rights of the European Union, 2010, Article 19)

The EU Asylum Qualification Directive 2011 foresees the granting of subsidiary (or complementary) protection in its Article 2 (f):

> '[P]erson 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 (1) and (2) does not apply, and is unable, or, owing to such risk, unwilling to avail himself or herself of the protection of that country. (EU Asylum Qualification Directive 2011, Article 2 (f))

According to Article 15 of the EU Asylum Qualification Directive, serious harm consists of:

> a. the death penalty or execution; or
> b. torture or inhuman or degrading treatment or punishment
>   of an applicant in the country of origin; 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. (EU Asylum Qualification Directive 2011, Article 15)
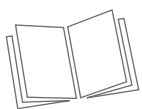
The EU Asylum Qualification Directive also foresees cessation of subsidiary protection when the circumstances that gave rise to subsidiary protection have ceased to exist or have changed. The change shall be "of such a significant and non-temporary nature that the person eligible for subsidiary protection no longer faces a real risk of serious harm" (EU Asylum Qualification Directive 2011, Article 16).

Likewise, the EU Asylum Qualification Directive foresees exclusion from subsidiary protection of persons for grounds similar to those mentioned in Article 1 F of the 1951 Refugee Convention. In addition to the exclusion grounds for refugee status mentioned in the Convention, Article 17 (1) of the EU Asylum Qualification Directive excludes a person from subsidiary protection

> if there are serious reasons for considering that [...] he or she constitutes a danger to the community or to the security of the Member State in which he or she is present. (EU Asylum Qualification Directive 2011, Article 17 (1) (d))

Furthermore, the EU Asylum Qualification Directive provides that "persons who incite or otherwise participate in the commission of the crimes or acts mentioned" in Article 17 (1) are also excluded from being eligible for subsidiary protection (EU Asylum Qualification Directive 2011, Article 17 (2)) and it allows the exclusion from subsidiary protection if a person left his or her country of origin solely in order to avoid sanctions resulting from certain crimes (EU Asylum Qualification Directive 2011, Article 17 (3)).

In this context it is important to re-establish the absolute character of the prohibition of refoulement implied in Article 3 ECHR and contained in Article 3 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 EU Asylum Qualification Directive - Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (recast), published in the Official Journal of the European Union, L337/9, 20 December 2011
http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:337:0009:0026:EN:PDF

Charter of Fundamental Rights of the European Union, published in the Official Journal of the European Union, C 83/389, 30 March 2010
http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:083:0389:0403:en:PDF

GOOD TO KNOW

The EU Agency for Fundamental Rights and the Council of Europe published a handbook on European law regarding asylum, borders and immigration. It provides lawyers, judges, immigration officials and others working in the field of international protection with a comprehensive overview.

European Union Agency for Fundamental Rights, Council of Europe: Handbook on European law relating to asylum, borders and immigration, 2013
http://fra.europa.eu/sites/default/files/handbook-law-asylum-migration-borders_en.pdf

APPENDIX B – SOURCES

This Appendix provides short descriptions of sources widely used in COI research. They are helpful for gaining an overview on a certain country or topic and they can act as a starting point for research. There are a number of sources that are widely used in COI research and which are considered to be generally reliable. While some of them have narrow thematic mandates, others cover a wide range of human rights issues relevant for COI research, or provide current background information on the situation in countries of origin.

We distinguish between sources that produce information separately from procedures for determining international protection needs and sources that specifically compile and research COI for these procedures, such as UNHCR or COI units.

Additionally, this appendix contains an excursus on sources and research techniques with regard to information on geography, language and ethnicity.

This overview is not meant to be an exhaustive list of reliable COI sources.

Content of Appendix B:

B.1 Sources that produce information separately from procedures
     determining international protection needs

    B.1.1 International and intergovernmental organisations
    B.1.2 Governmental organisations
    B.1.3 Non-governmental organisations
    B.1.4 Media sources
    B.1.5 Academia

B.2 Sources specifically producing and compiling information for
     procedures for determining international protection needs

    B.2.1 United Nations High Commissioner for Refugees (UNHCR)
    B.2.2 COI units
    B.2.3 Ministries of foreign affairs and embassies
    B.2.4 COI databases

B.3 Researching geography, ethnicity, language

B.1 SOURCES THAT PRODUCE INFORMATION SEPARATELY FROM PROCEDURES DETERMINING INTERNATIONAL PROTECTION NEEDS

This section is organised by type of source as introduced in chapter 4:

- International and intergovernmental organisations
- Governmental organisations
- Non-governmental organisations (NGOs) and other civil society organisations
- Media
- Academia

B.1.1 INTERNATIONAL AND INTERGOVERNMENTAL ORGANISATIONS

Organisations such as the United Nations or the Organisation for Security and Cooperation in Europe (OSCE) publish reports, position papers, findings of special rapporteurs or human rights experts, background information, etc. on many countries.

The international community has set up various human rights monitoring mechanisms, committees, institutions or persons and mandated them to monitor and report on human rights violations.

In addition to UN human rights monitoring mechanisms, regional human rights instruments and compliance monitoring systems have been put into place. Some produce reports on a regular basis.

United Nations (UN)

For a detailed description of the UN documentation and reference system see the United Nations Documentation Research Guide at http://research.un.org/en/docs.

- United Nations Secretary-General, http://www.un.org/sg/

The Secretary-General publishes a variety of reports and press statements on the work of the UN. Most important for COI research are the reports to the Security Council and to the General Assembly. In particular, the Secretary-General regularly informs the UN Security Council about UN peacekeeping missions and the situation in countries of concern to the Security Council.

- United Nations Security Council, http://www.un.org/Docs/sc/

The functions and powers of the Security Council are to maintain peace and security, to investigate disputes and to recommend methods of adjusting or settling such disputes. Reports cover countries involved in conflicts or in situations which might lead to international friction.

There are different human rights monitoring mechanisms in the UN system. There are, first, UN Charter-based bodies, including the Human Rights Council, and second, treaty bodies created as a result of international human rights treaties. Information about these two mechanisms can be found on the website of the Office of the United Nations High Commissioner for Human Rights (OHCHR) (see below).

UN Human Rights Council (HRC)

The Human Rights Council is based on the UN Charter and was established by the UN General Assembly in 2006, replacing the UN Commission on Human Rights. Human Rights Council documents and resolutions are available at http://www.ohchr.org/EN/HRBodies/HRC/Pages/AboutCouncil.aspx.

The Universal Periodic Review (UPR) is a state-driven process under the auspices of the Human Rights Council to review the human rights record of all UN member states once every four years. The reviews are based on state reports, reports of independent human rights experts and groups mandated by the UN Human Rights Council, UN human rights treaty bodies and other UN entities, as well as on information from other stakeholders such as NGOs and national human rights institutions. All UPR-related documents are available at http://www.ohchr.org/en/hrbodies/upr/pages/uprmain.aspx.

The Human Rights Council may also mandate experts, known as "special procedures", to address either situations related to a specific country or global thematic issues. Special procedures are either an individual (called "Special Rapporteur" or "Independent Expert") or a working group. All documents related to special procedures are available at http://www.ohchr.org/en/HRBodies/SP/Pages/Welcomepage.aspx

Human Rights Treaty Bodies

State parties to the core international human rights treaties are obliged to submit regular reports to the treaty bodies that monitor the implementation of these instruments ("state party reports"). Based on these reports, the Committee formulates recommendations in "concluding observations". Some oversight procedures allow NGOs to submit their own reports ("shadow reports") on the steps taken by states parties. Reports by the following UN treaty bodies can all be found on the OHCHR website:

- The Human Rights Committee monitors the International Covenant on Civil and Political Rights. States parties must report whenever the Committee requests, usually every four years. http://www2.ohchr.org/english/bodies/hrc/index.htm

- CESCR - The Committee on Economic, Social and Cultural Rights monitors the International Covenant on Economic, Social and Cultural Rights. States parties must report every five years. http://www2.ohchr.org/english/bodies/cescr/index.htm

- CERD - The Committee on the Elimination of Racial Discrimination monitors the International Convention on the Elimination of All Forms of Racial Discrimination. States parties must report every two years. http://www2.ohchr.org/english/bodies/cerd/index.htm

- CEDAW - The Committee on the Elimination of Discrimination against Women monitors the Convention on the Elimination of All Forms of Discrimination against Women. States parties must report at least every four years. The Committee may, on its own initiative, initiate enquiries if it has received reliable information containing well-founded indications of serious or systematic violations of the convention by a state party. http://www2.ohchr.org/english/bodies/cedaw/index.htm

- CAT - The Committee against Torture monitors the International Convention against Torture. States parties must report every four years. The Committee may, on its own initiative, initiate

enquiries if it has received reliable information containing well-founded indications of serious or systematic violations of the convention by a state party.
http://www2.ohchr.org/english/bodies/cat/index.htm
The Optional Protocol to the CAT instated the Subcommittee on Prevention of Torture (SPT) which undertakes country missions. The SPT communicates its recommendations and observations to the state party in a confidential report; however, states parties are encouraged to request the SPT to publish the reports. http://www2.ohchr.org/english/bodies/cat/opcat/index.htm

- CRC - The Committee on the Rights of the Child monitors the UN Convention on the Rights of the Child. States parties must report every five years. States parties to one or both of the Optional Protocols to the Convention, on "Involvement of Children in Armed Conflict" and on "Sale of Children, Child Prostitution and Child Pornography", must also report to the Committee in relation to their obligations under the Protocols.
  http://www2.ohchr.org/english/bodies/crc/index.htm
  The Child Rights Information Network (CRIN) publishes shadow reports by NGOs on the status of implementation of the CRC. http://www.crin.org/

- CMW - The Committee on Migrant Workers monitors the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, States parties must report every five years. http://www2.ohchr.org/english/bodies/cmw/index.htm

- CRPD - The Committee on the Rights of Persons with Disabilities monitors the Convention on the Rights of Persons with Disabilities. States parties must report at least every four years and whenever the Committee so requests.
  http://www.ohchr.org/EN/HRBodies/CRPD/Pages/CRPDIndex.aspx

- CED - The Committee on Enforced Disappearances, monitoring the International Convention for the Protection of All Persons from Enforced Disappearance. States parties must report within two years of ratification of the treaty.
  http://www.ohchr.org/EN/HRBodies/CED/Pages/CEDIndex.aspx

In addition to the regular work of the treaty bodies, the Human Rights Council may nominate Special Rapporteurs for specific topics or countries. Special Rapporteurs are mandated to monitor human rights problems and publicly report about their activities and examinations. The website of the High Commissioner for Human Rights reports on 36 thematic and 12 country mandates as of 1 April 2013:
http://www.ohchr.org/EN/HRBodies/SP/Pages/Welcomepage.aspx

UN Organisations

The following UN organisations regularly publish information which is frequently used for COI research. UN organisations which are not included in the list may also have information relevant for specific questions.

- Office of the United Nations High Commissioner for Human Rights (OHCHR):
  http://www.ohchr.org

  The OHCHR is tasked with "promoting and protecting the enjoyment and full realization of human rights for all" (OHCHR website, undated, http://www.ohchr.org). It is the agency with the principal

responsibility for UN human rights activities. The OHCHR has expanded its field presence to monitor human rights practices and investigate human rights abuses. Its representatives in the field have close working relationships with governmental bodies, UN country teams, international and regional organisations, national institutions and NGOs.

The OHCHR website provides links to a wide range of human rights related resources. Information by country can be accessed through this page:
http://www.ohchr.org/EN/Countries/Pages/HumanRightsintheWorld.aspx

- United Nations Office for the Coordination of Humanitarian Affairs (OCHA):
  http://www.unocha.org

OCHA coordinates humanitarian action. It focuses on crisis situations, natural disasters and complex emergencies. OCHA administers ReliefWeb, a database collecting information on humanitarian crises: http://www.reliefweb.int

Other UN programmes and funds or agencies frequently used for COI research

- FAO - Food and Agriculture Organisation of the United Nations, http://www.fao.org
- ILO - International Labour Organisation, http://www.ilo.org
- UNAIDS - Joint United Nations Programme on HIV/AIDS, http://www.unaids.org
- UNDP - United Nations Development Programme, http://www.undp.org
- UNESCO - United Nations Educational, Scientific and Cultural Organisation,
  http://www.unesco.org
- UNFPA - United Nation Population Fund, http://www.unfpa.org
- UN HABITAT - United Nations Human Settlements Programme, http://www.unhabitat.org
- UNICEF - United Nations Children's Fund, http://www.unicef.org
- UNIFEM - United Nations Development Fund for Women, http://www.unifem.org
- UN peace keeping and assistance missions. Information published in the course of such missions
  can be found at http://www.un.org/en/peacekeeping/operations/current.shtml
- UNRWA - United Nations Relief and Works Agency for Palestine Refugees in the Near East,
  http://www.unrwa.org
- WFP - World Food Programme, http://www.wfp.org
- WHO - World Health Organization, http://www.who.int

The United Nations High Commissioner for Refugees (UNHCR) will be presented in the section below on sources that produce, compile or collect information specifically for international protection.

Organisation for Economic Co-operation and Development (OECD)

The Organisation for Economic Co-operation and Development (OECD) was established in 1961 and comprises 34 Member States including many European states, Australia, Chile, Japan, Israel, Korea, Mexico, Turkey and the United States. It aims at improving the "economic and social well-being of people around the world" (OECD, undated, http://www.oecd.org/about). OECD publishes the Social Institutions and Gender Index, SIGI, which provides information related to gender inequalities in more than 100 countries: http://www.genderindex.org.

Organisation for Security and Co-operation in Europe (OSCE)

The Organisation for Security and Co-operation in Europe (OSCE) monitors the human rights situation in its 56 participating states (http://www.osce.org/what/human-rights). The OSCE Office for Democratic Institutions and Human Rights (ODIHR) focuses on election observation, democratic development, human rights, tolerance and non-discrimination, and rule of law. Their findings are available at http://www.osce.org/odihr.

International Committee of the Red Cross (ICRC)

The International Committee of the Red Cross (ICRC), http://www.icrc.org, is mandated to monitor the application of 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. ICRC shares information on specific findings only in exceptional cases. However, general information about activities and other information can be accessed at http://www.icrc.org/eng/resources/index.jsp.

Regional intergovernmental organisations
Africa

- ACHPR - The African Commission on Human and Peoples' Rights (including its special mechanisms), http://www.achpr.org, is tasked – among other things – with the protection and promotion of human and peoples' rights and the interpretation of the African Charter on Human and Peoples' Rights.

- ACERWC - The African Committee of Experts on the Rights and Welfare of the Child monitors the implementation of the African Charter on the Rights and Welfare of the Child, http://acerwc.org.

America

- OAS - The Organisation of American States created the Inter-American Commission on Human Rights (IACHR) in 1959 to – among other things – monitor the human rights situation in its 35 member states. IACHR publishes annual reports as well as country reports and thematic reports: http://www.oas.org/en/iachr.

Europe
COE - The Council of Europe (http://www.coe.int) comprises 47 member states and has set up the following institutions:

- The Commissioner for Human Rights is an independent institution that monitors the human rights situation in the Member States. Country reports including recommendations are available at http://www.coe.int/t/commissioner/Activities/countryreports_en.asp.

- The European Committee for the Prevention of Torture and Inhuman and Degrading Treatment or Punishment (CPT) visits places of detention. The Committee's findings, its reports and the governments' responses are, in principle, confidential. Most states, however, have chosen to make the reports public; these and other documents are available at http://www.cpt.coe.int.

- The European Committee of Social Rights (ECSR) monitors the implementation of the European Social Charter. State reports, comments by civil society organisations, the Committee's conclusions and decisions are available at
http://www.coe.int/t/dghl/monitoring/socialcharter/ECSR/ECSRdefault_en.asp.

- The Group of Experts on Action against Trafficking in Human Beings (GRETA) monitors the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings. Evaluation reports are available at
http://www.coe.int/t/dghl/monitoring/trafficking/Docs/Monitoring/GRETA_en.asp.

- The European Commission against Racism and Intolerance (ECRI) monitors various forms of discrimination and racism as well as xenophobia and intolerance. The commission is made up of independent experts who draft reports and make recommendations to the member states. ECRI publications are available at http://www.coe.int/t/dghl/monitoring/ecri/default_en.asp.

- The Framework Convention for the Protection of National Minorities (FCNM) came into force in 1998. It is legally binding for the 43 member states of the Council of Europe that have ratified the Convention (FCNM, undated). The implementation of the FCNM is monitored and evaluated. Recommendations are presented to the respective state. Reports and documents drafted in this process are available at http://www.coe.int/minorities.

- The Group of States against corruption (GRECO) aims at reducing and preventing corruption. Established in 1999, GRECO comprises 49 member states (GRECO, undated), monitoring is organised in an evaluation procedure that leads to recommendations and in a compliance procedure to assess the measures taken. More Information is available at http://www.coe.int/greco.

European Union

- The European Agency for Fundamental Rights (FRA) collects and analyses information regarding fundamental rights in the European Union. Publications are available at
http://fra.europa.eu/en/publications-and-resources/publications.

- The European Union External Action Service (EEAS) observes elections around the world on a regular basis. Reports about the findings are available at
http://eeas.europa.eu/eueom/missions.

B.1.2 GOVERNMENTAL ORGANISATIONS

The source type "governmental organisations" comprises administrative as well as legislative and judicial bodies. Various Ministries of Foreign Affairs provide information on their country's background and on current events. However, the emphasis is usually on information for business travellers and tourists. The following governmental sources offer information that might be relevant for COI research:

- The US Department of State publishes several relevant reports. Most important for COI research are the annual Country Reports on Human Rights Practices

(http://www.state.gov/j/drl/rls/hrrpt) and the International Religious Freedom Reports (http://www.state.gov/j/drl/rls/irf). The Department of State also publishes annual reports on trafficking in persons (http://www.state.gov/j/tip) and on terrorism (http://www.state.gov/j/ct/rls/crt).

- The CIA World Factbook is another US publication that is widely consulted for background information in the context of COI research. It provides an overview of 267 countries and other entities, including general information on history, people, government, economy, geography, communications, transportation, military, and transnational issues: https://www.cia.gov/library/publications/the-world-factbook.

Government sources like the United Kingdom Home Office that specifically produce or compile or collect information for procedures for determining international protection needs will be introduced in section B.1.2 of this Appendix.

Governments may also provide policy instructions containing COI, such as the UK Home Office's Operational Guidance Notes, but these are not considered a source of COI.

Legal provisions form an important part of COI research. Legislative and administrative bodies in countries of origin produce and publish the text of national laws and regulations. There are a number of websites providing links and/or information on parliaments, laws and administrative bodies in various countries.

- Constitution finder, University of Richmond: http://confinder.richmond.edu.

- GlobaLex is an electronic legal publication of the Hauser Global Law School Program of New York University School of Law dedicated to international law research. The information and articles published by GlobaLex include both research and teaching resources. Information on specific countries can be found under "Foreign Law Research" at http://www.nyulawglobal.org/globalex.

- The Inter-Parliamentary Union (IPU), http://www.ipu.org, is the international organisation of Parliaments; it was established in 1889.

- Legislationline, http://legislationline.org, is a free-of-charge online legislative database to assist the Organisation for Security and Co-operation in Europe (OSCE) and participating states. It contains legislation related to issues such as human trafficking, elections and citizenship. Legislationline is available in English and in Russian.

- The United Nations' International Labour Organisation (ILO) maintains a database of national legislation on labour, social security and related human rights (NATLEX) which is available at http://www.ilo.org/dyn/natlex.

- The US Library of Congress runs a Law Library that offers links to many administrative and judicial bodies in countries of origin under http://www.loc.gov/law/help/guide/nations.php.

The COI databases Refworld and ecoi.net also contain information on national legislation, searchable by country. They will be discussed in more detail in section B.2.4 of this appendix.

B.1.3 NON-GOVERNMENTAL ORGANISATIONS

Some NGOs focusing on human rights act on an international level. They publish, among other things, annual reports and papers on specific issues or countries. The following list highlights a few examples most commonly referenced in the field of COI:

- Amnesty International (AI) advocates for human rights; its headquarters are in London. Annual reports document the situation of human rights abuses in more than 150 countries and territories. Furthermore, thematic reports, briefings and news releases as well as calls for "Urgent Action" are published regularly.
  http://www.amnesty.org/en/human-rights/human-rights-by-country

- The Child Rights International Network (CRIN) advocates for children's rights. Its website offers a database containing reports and legal information as well as profiles of organisations working with children in about 150 countries. http://www.crin.org

- Freedom House advocates for democratic change around the world. It produces analysis and publishes periodic country reports on political rights and civil liberties and on nations in transit as well as other special reports. Its headquarters is in Washington, DC.
  http://www.freedomhouse.org/reports

- Human Rights Watch (HRW) investigates human rights violations and publishes its findings in annual World Reports as well as thematic reports, briefings and news releases. More than 70 countries are covered, including many countries of origin of asylum-seekers. HRW is based in New York, with offices around the world. http://www.hrw.org/publications

- The Internal Displacement Monitoring Centre (IDMC), established by the Norwegian Refugee Council and based in Geneva, monitors internal displacement worldwide. IDMC runs an online database providing comprehensive information and analysis on internal displacement in some 50 countries. http://www.internal-displacement.org

- The International Crisis Group (ICG) produces detailed analysis and policy advice relating to conflict or potential conflict situations around the world. ICG publishes over 80 reports and briefing papers annually as well as the monthly CrisisWatch bulletin, which assesses the current state in countries or areas of actual or potential conflict. Its global headquarters is in Brussels. http://www.crisisgroup.org

- The International Federation for Human Rights (Fédération Internationale des Droits de l'Homme, FIDH), based in Paris, comprises more than 160 national, non-governmental human rights leagues and organisations around the world. FIDH denounces human rights violations through distribution of reports, FIDH Letters and media releases. http://www.fidh.org

- The International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA) aims at eliminating discrimination against LGBTI persons. Its website provides news and information on the legal and societal situation in many countries. ILGA has member organisations from more than 100 countries. http://www.ilga.org

- The World Organisation against Torture (Organisation Mondiale Contre la Torture, OMCT) is an association of non-governmental organisations around the world fighting against torture and other cruel, inhuman or degrading treatment. It publishes reports focusing on the situation of human rights defenders and (jointly with the FIDH) the annual report of the Observatory for the Protection of Human Rights Defenders (http://www.omct.org/human-rights-defenders). The International Secretariat is located in Geneva. http://www.omct.org

- The Ludwig Boltzmann Institute of Human Rights in Vienna provides the Atlas of Torture aiming at an objective overview of torture and ill-treatment around the world. http://www.atlas-of-torture.org

National human rights organisations

According to the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC) there are over 100 national human rights organisations (NHRIs) operating around the world (ICC, undated). UN OHCHR maintains the website of the ICC which includes global, regional and country information and thematic issues of interest to NHRIs, as well as contact information in a directory of institutions. http://nhri.ohchr.org

B.1.4 MEDIA SOURCES

Media sources comprise international, national and local newspapers, TV and radio stations, news websites and news agencies. They are indispensable for gathering up-to-date information and can be used for answering questions on specific events that might not be included in human rights reports.

It is beyond the scope of this manual to offer comprehensive lists of newspapers and broadcasters, however, some news services and media archives are presented below:

News services covering international news

- The news agency Associated Press (AP) is a not-for-profit cooperative of news organisations owned by the 1,400 US daily newspapers that are AP members. http://www.ap.org

- Reuters is one of the largest international news agencies. It is part of the private company Thomson Reuters. It has a comprehensive network of professionals who report daily on worldwide events. http://www.reuters.com

- Agence France-Presse (AFP) is a French news agency reporting in English and four other languages. AFP covers many aspects of international news including politics and international relations. http://www.afp.fr

There are of course many more media sources, including sources whose primary focus is on particular parts of the world. A number of these provide information in English:

- Al Jazeera English is part of the Al Jazeera Network owned by the state of Qatar through the Qatar Media Cooperation. http://www.aljazeera.com

- Xinhua is a Chinese state-owned news agency and offers Xinhuanet in eight languages. http://www.xinhuanet.com/english

- The Russian News and Information Agency, RIA Novosti, is a state-owned Russian news agency covering over 45 countries. http://en.rian.ru

Specialised and regional news services

- AlertNet is a free news service run by the Thomson Reuters Foundation that covers humanitarian crises worldwide. The website provides news and information on natural disasters, conflicts, refugees, hunger, disease and climate change in English. Content comes from AlertNet reporters around the world, including 196 Reuters news offices and a community of about 500 international relief organisations and 60 specialist news content partners. http://www.alertnet.org

- All Africa collects stories from newspapers and news agencies. It offers general news and information on African countries with a focus on sustainable development, peace processes and business and technology. Furthermore, it aggregates and indexes content from over 130 African news organisations, plus more than 200 other sources, which are responsible for their own reporting and views. Articles and commentaries that identify AllAfrica as the publisher are produced or commissioned by AllAfrica. http://allafrica.com (English), http://fr.allafrica.com (French)

- EurasiaNet is operated by the Central Eurasia Project of the Open Society Institute (see http://www.soros.org/about). It is based in New York and provides information on and analysis of political, economic, environmental and social developments in Central Asia and the Caucasus, as well as in Russia, Turkey and Southwest Asia. According to its own description, the website "presents a variety of perspectives on contemporary developments, utilizing a network of correspondents based both in the West and in the region" (EurasiaNet website, undated). http://www.eurasianet.org/node/14733

- The Integrated Regional Information Networks (IRIN) is a service of the UN Office for the Coordination of Humanitarian Affairs (OCHA) and provides humanitarian news and analysis. It is active in countries affected by crisis or disasters and regularly publishes reports on a wide range of political, economic and social issues affecting humanitarian efforts. http://www.irinnews.org
  IRIN PlusNews is a news service focussing on HIV and AIDS. http://www.plusnews.org

- Radio Free Europe/Radio Liberty (RFE/RL) is funded by the U.S. Congress and aims to provide "objective news, analysis, and discussion of domestic and regional issues crucial to successful democratic and free-market transformations" (RFE/RL website, undated) for countries where free press is banned or not fully established. It reports on 21 countries and in 28 languages. http://www.rferl.org
  For Asian countries, see Radio Free Asia. http://www.rfa.org

- Caucasian Knot was founded by Memorial, an independent Moscow-based NGO focusing on human rights. Since 2007 it has been run by the non-profit organisation "Information Agency

Memo.ru". It aims to provide information on the Caucasus about "violations of human rights, situation in armed conflict zones, cases of ethnic or political discrimination and refugees' problems; and provide information support to promotion of civil initiatives and independent mass media." (Caucasian Knot website, About us, 22 June 2009, http://eng.kavkaz-uzel.ru/articles/AboutCaucasianKnot). http://www.eng.kavkaz-uzel.ru

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TIP

BBC country profiles (http://news.bbc.co.uk/2/hi/country_profiles) provide details and links to newspapers and magazines and to television and radio broadcasters, including their political allegiance. See for example the 'media' tab of the Sudan page: http://www.bbc.co.uk/news/world-africa-14095119.

Media archives (fee-based)

Media archives collect information produced from various media sources and make it available online and thus searchable. Access is usually tied to a subscription fee. Media archives can be a valuable tool, but can be costly.

Examples of such media archives are:

- AllAfrica is freely accessible for current information. The archive function and the advanced search can only be accessed via subscription.

- BBC Monitoring offers news, information and comments collected from more than 3,000 radio, TV, press, Internet and news agency sources, translated from up to 100 languages.

- Dow Jones Factiva comprises more than 14,000 news and business sources from more than 159 countries, in 22 languages.

- LexisNexis offers searches of over 20,000 sources (newspapers, magazines, TV news, and journals). While viewing titles and headlines is free, the retrieval of documents is tied to payment.

- World News Connection (WNC) is a news service by the US government containing translated and English-language news and information on socioeconomic, political, scientific, technical and environmental issues and events.

Note: When using media archives make sure you cite the original publisher of the article, not the media archive itself, as source of the article.

B.1.5 ACADEMIA

The category "academia" as a source type for COI includes public and private universities, colleges and research institutes, as well as think tanks – and the researchers who work there. Academic researchers with a particular expertise on a specific topic or country can be very useful for COI research, both because of their in-depth knowledge and because they generally are not affiliated with any of the power structures in the country of origin and thus do not have a personal stake in the events or situations which they analyse. A few examples are:

- Brookings Institution, http://www.brookings.edu
- Centre for Strategic and International Studies, http://csis.org
- CMI - Chr. Michelsen Institute, http://www.cmi.no
- Institute for Security Studies, http://www.issafrica.org
- Small Arms Survey, http://www.smallarmssurvey.org
- Stiftung Wissenschaft und Politik, http://www.swp-berlin.org/en

Scientific publications, journals and articles

Open access journals can be found, for example, on:

- The Directory of Open Access Journals (DOAJ) aims "to cover all open access scientific and scholarly journals that use a quality control system to guarantee the content" (DOAJ, About us, undated, http://www.doaj.org/doaj?func=loadTemplate&template=about&uiLanguage=en). It is sponsored by publishers from various countries and Swedish library services. http://www.doaj.org

- The Social Science Research Network (SSRN) pre-publishes content relating to social science research. SSRN consists "of an Abstract Database containing abstracts on over 490,600 scholarly working papers and forthcoming papers and an Electronic Paper Collection currently containing over 399,400 downloadable full text documents in Adobe Acrobat pdf format" (SSRN, undated, http://www.ssrn.com)

Fee-based databases that offer scientific articles are, for example:

- Ingentaconnect, http://www.ingentaconnect.com
- Questia, http://www.questia.com
- ScienceDirect, http://www.sciencedirect.com
- Taylor&Francis Online, http://www.tandfonline.com

The following basic reference books can be useful for COI research:

- David Levinson: *Ethnic Groups Worldwide*, Oryx Press, 1998
- *Encyclopaedia of the World Muslims*, Volume 1–4, edited by N.K. Singh, A.M. Khan, Global Vision Publishing House, 2001
- *Ethnologue; Languages of the World*, edited by Raymond G. Gordon, The Summer Institute of Linguistics, 2005 (see also the online edition at http://www.ethnologue.com)

- *Political Parties of the World*, edited by D.J. Sagar, John Harper Publishing, 7th edition, 2009

- *The Times Comprehensive Atlas of the World*, HarperCollins Publication, 2011

- *World Directory of Minorities*, Minority Rights Group, 1997 (more recent publications of the Minority Rights Group are available at http://www.minorityrights.org/645/reports/reports.html

- *World Encyclopedia of Political Systems and Parties*, Volume I-III, edited by Neil Schlager, Jayne Weisblatt, New York, 2006

- *Religions of the World: A Comprehensive Encyclopedia of Beliefs and Practices* (ABC-Clio), 2010

- *The Continuum Complete International Encyclopedia of Sexuality*, edited by Robert T. Francoeur and Raymond J. Noonan, Continuum, 2003.

- The Rowman & Littlefield Publishing Group, Inc. publishes historical dictionaries on many countries of origin. For a list see https://rowman.com/page/hdseries

- Routledge publishes *The Europa Regional Surveys of the World* covering, for example, Africa South of the Sahara, the Middle East and Nord Africa, Eastern Europe, Russia and Central Asia, the Far East and Australasia. The publications are updated every year.

Information from experts may be found in their publications or they may be contacted directly to obtain information that may answer a specific COI question. For details on how to proceed with expert contacts see section 5.3.2 in this manual.

B.2 SOURCES THAT PRODUCE AND COMPILE INFORMATION SPECIFICALLY FOR PROCEDURES FOR DETERMINING INTERNATIONAL PROTECTION NEEDS

The following sources specifically produce, collate or collect Country of Origin Information for use in international protection procedures.

B.2.1 UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES (UNHCR)

UNHCR's primary mandate is to ensure that refugees have access to international protection in countries of asylum. UNHCR (http://www.unhcr.org) does not have a mandate to monitor and report on human rights violations in countries of origin. However, the provision of accurate and reliable Country of Origin Information to decision-makers, both in state-run asylum determination procedures and in UNHCR refugee status determination procedures, is part of UNHCR's efforts to ensure that bona fide refugees are recognised as such through high-quality decision-making. To this end, UNHCR commissions COI reports that are based on information in the public domain.

UNHCR also publishes eligibility guidelines on the protection needs of asylum-seekers from major countries of origin. Eligibility guidelines feature profiles of groups that UNHCR considers to be at risk in the country of origin, based on available COI.

UNHCR runs Refworld, a comprehensive COI database. For more on Refworld see section B.2.4 of this Appendix below.

B.2.2 COI UNITS

Many states have established bodies that are specifically tasked with researching Country of Origin Information for international protection procedures. Most COI units are part of an administrative decision-making authority on international protection. However, several courts operate their own COI service and some services operate independently from national asylum decision-making authorities.

While a number of states make their COI products available online for public use, others restrict their publication.

The following units produce publicly available documents in English, French or German:

Austria

The Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD) is a department of the Austrian Red Cross and answers COI queries for all actors involved in RSD in Austria, for the Latvian and Lithuanian asylum offices and for UNHCR. Most of the research products (query responses and reports) are in German; some are available in English.

ACCORD runs the bi-lingual (English and German) COI portal ecoi.net, where its COI products are published. For more on ecoi.net see section B.2.4 of the Appendix below.

The COI unit at the Austrian Federal Asylum Office produces query responses, reports and analyses for Austrian authorities and courts, mainly in German. The products are published on http://www.staatendokumentation.at in cooperation with ecoi.net.

Canada

The Immigration and Refugee Board of Canada (IRB) is an independent tribunal established by the Parliament of Canada and mandated to decide on immigration and refugee matters. COI research is provided by the IRB's Research Directorate. It publishes responses to information requests, *National Documentation Packages, Issue Papers and Country Fact Sheets* in English and French. The IRB's COI products are available on ecoi.net and Refworld and on the IRB website at http://www.irb-cisr.gc.ca/eng/resrec/respro.

Denmark

The Danish Immigration Service's (DIS) Documentation and Project Division is part of the asylum authority in Denmark. It frequently undertakes fact-finding missions (FFM), the reports of which are published in English and are available on ecoi.net, Refworld and the website of the DIS at http://www.nyidanmark.dk/en-us/publications.

European Union

In 2011, the European Union established the European Asylum Support Office (EASO), located in Malta. Among other duties, the EASO is tasked with collecting and processing COI. This includes the management of the common EU COI portal. Access is restricted to authorities of the Member

States. In 2012, EASO published a methodology for COI reports. COI reports are publicly available on the EASO website at http://www.easo.europa.eu.

France

The French Office for the Protection of Refugees and Stateless (OFPRA) runs a division for information, documentation and research. Most of the research products are not publicly available, however some Fact Finding Reports are shared with the public. They are available at http://www.ofpra.gouv.fr/index.html?xml_id=307&dtd_id=10.

Germany

The Information Centre for Asylum and Migration (IZAM) at the German Federal Office for Migration and Refugees (BAMF) provides information on refugee and migration movements as well as on countries of origin and transit countries. Selected documents are publicly accessible via the BAMF's information system MILo:

http://www.bamf.de/EN/DasBAMF/ITDienstleistungen/Angebote/MILo/milo-node.html.

Ireland

The Refugee Documentation Centre (RDC) is an independent library and research service within the Irish Legal Aid Board. It provides a research and query service for all organisations involved in the asylum process in Ireland and maintains a collection of objective and up-to- date information on countries of origin, asylum, immigration and human rights. RDC Query responses are published on ecoi.net and Refworld. Twice a year, the RDC publishes The Researcher, a periodical covering developments regarding COI and refugee law. The Researcher is available on the RDC website, on ecoi.net and on Refworld: http://www.legalaidboard.ie/lab/publishing.nsf/Content/RDC.

Norway

Landinfo, the Norwegian Country of Origin Information Centre, is professionally independent from other Norwegian immigration authorities. It is responsible for collecting, analysing and presenting COI to various immigration actors. Selected reports are published in English and are available on ecoi.net and Refworld as well as on the Landinfo website at http://landinfo.no/id/2224.0.

Sweden

The Swedish Migration Board publishes a small number of its COI products in English. They can be found on its Lifos website at http://lifos.migrationsverket.se.

Switzerland

The Swiss Refugee Council (OSAR/SFH) runs a country analysis division and publishes its research products in German and French. The products are available on ecoi.net and on the OSAR/SFH website at http://www.fluechtlingshilfe.ch/herkunftslaender/herkunftslaender?set_language=de (German) and http://www.fluechtlingshilfe.ch/pays-d-origine/pays-dorigine?set_language=fr (French).

The Swiss Federal Office for Migration (BFM) produces query responses and reports, mainly in German and French. A selection of COI products are published on the BFM website at http://www.bfm.admin.ch/content/bfm/en/home/themen/migration_analysen/ herkunftslaenderinformationen.html.

United Kingdom

The COI Service of the UK Home Office (UK COIS) has specialist country officers who compile COI from reliable sources. All COI products (country reports, COI bulletins and updates and COI fact-finding mission reports) are accessible to the public and are based on published or unclassified source material. The UK COIS reports and working methodologies undergo a review process through the Independent Advisory Group on Country Information (IAGCI), see http://icinspector.independent.gov.uk/country-information-reviews. UK COIS Country Reports are available on ecoi.net, Refworld and on the website of the UK Home Office at http://www.ukba.homeoffice.gov.uk/policyandlaw/guidance/coi.

Asylum Research Consultancy (ARC) provides COI research for non-governmental, governmental and inter-governmental agencies. Selected research products are published on their website at http://www.asylumresearchconsultancy.com.

The Country of Origin Research and Information Centre (CORI) conducts COI research for governmental, non-governmental and inter-governmental agencies. Selected research products are published on their website at http://www.coricentre.net.

There are various other COI units that undertake COI research for governmental and non-governmental organisations which have not been presented here for two reasons:

- they either publish in other languages (for example the Jesuit Refugee Service Romania or the Dutch Refugee Council) or

- they do not publish their research products (for example CEDOCA, which serves Belgian asylum authorities and courts, or the Country of Origin Research Section of the U.S. Citizenship and Immigration Services, USCIS).

B.2.3 MINISTRIES OF FOREIGN AFFAIRS AND EMBASSIES

Many countries of asylum ask their embassies to provide information directly from countries of origin. Embassies of various countries are involved in writing asylum-related reports and/or in gathering information based on specific queries.

Most countries do not publish these reports and/or query responses. However, there are exceptions. Reports produced by the Dutch Ministry of Foreign Affairs, which are based on publicly available information as well as on information provided by Dutch embassies in countries of origin, are publicly available (in Dutch) at http://www.rijksoverheid.nl/ministeries/bzk/documenten-en-publicaties/ambtsberichten.

In Austria, selected query responses that include information from embassies and/or liaison officers are published in German and available at http://www.staatendokumentation.at (login required).

In Germany, the asylum reports published by the Federal Foreign Office play a central role in decision-making. They are not publicly available. However, they are shared with asylum-seekers and their legal representatives, as well as with other European states.

B.2.4 COI DATABASES

COI databases or portals collect information from many different sources. Most of the documents in COI databases have not been produced specifically for RSD. However, they are considered to be of interest in the context of international protection procedures. COI databases are a key tool for COI research. Nevertheless, no database is complete, and you should not rely exclusively on one database alone.

There are two main publicly accessible databases that provide comprehensive COI collections in English. Both are free of charge for all users:

ecoi.net, http://www.ecoi.net
The European Country of Origin Information Network, ecoi.net, gathers, structures and processes publicly available COI from more than 140 sources on 164 countries. The portal enables users to search through the full-text of the collected documents, supported by a COI thesaurus. ecoi.net is updated every working day. While most of the collected documents are in English, ecoi.net also collects documents in some other languages, and provides brief summaries for each document in English and German. It is run by ACCORD, the COI unit of the Austrian Red Cross in cooperation with Informationsverbund Asyl & Migration, Germany. ecoi.net is co-funded by the European Refugee Fund, the Austrian Ministry of Interior and the Refugee Documentation Centre Ireland.

Refworld, http://www.refworld.org
UNHCR's Refworld provides information on more than 220 countries and territories, including both countries of origin and countries of asylum. Refworld includes news articles, reports, policy documents and case law. While the Refworld interface is available in English only, the database contains many documents in other languages and the search engine supports searches in different languages. Refworld is updated every working day and run by UNHCR's Protection Information Unit.

In addition, there are COI databases run by states for internal use only. Some states open their databases in full or in part for public use. Some non-state databases are open to the public on a subscription basis. Here are some examples:

- The Electronic Immigration Network (EIN) is based in the UK. It provides information on immigration and refugee law and COI for immigration practitioners and for others with an interest in immigration. Access is fee-based. http://www.ein.org.uk

- LIFOS is the COI information system of the Swedish Migration Board (Migrationsverket). It collects reports from various sources and publishes the research results of the Board's COI unit in Swedish. The database is open to the public and free of charge. http://lifos.migrationsverket.se

- MILo is a database run by the German Federal Office for Migration and Refugees (BAMF). Parts of the database are publicly accessible; access is free of charge. Most documents are in German. https://milo.bamf.de

- staatendokumentation.at is run by the Austrian Federal Asylum Office (BAA) in close cooperation with ecoi.net. Access is free of charge for administrative and judicial bodies. NGOs and others can get access by paying a small semi-annual fee. Documents produced by the BAA's COI unit are mainly in German. http://www.staatendokumentation.at

- Vluchtweb of the Dutch Council for Refugees is accessible on a subscription basis. Beyond COI, the database includes information on Dutch and EU laws and jurisprudence.
  https://www.vluchtweb.nl

- The Romanian COI Portal is jointly developed by the Romanian asylum office and the Romanian Refugee Council's COI unit ROCCORD. It offers COI and jurisprudence in Romanian language.
  http://www.portal-ito.ro

- The European Asylum Support Office (EASO) runs the EU's common COI portal "which provides a common entry point to information and offers additional resources for Member States" (EASO website, undated, http://easo.europa.eu/about-us/tasks-of-easo/country-of-origin/). Access is restricted to EU Member States. https://webgate.ec.europa.eu/eu-coi-portal/

B.3 RESEARCHING GEOGRAPHY, ETHNICITY, LANGUAGE

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

Geographical information

Researching geographical information can be one of the toughest tasks in COI research. Place names are often only spelled phonetically, and spelling varies depending on the transliteration. You should familiarise yourself with the spelling patterns of particular languages and compare them to the way they sound. Also try out different spelling variations.

Useful sites that provide spelling variations of place names

- EKI – Institute of the Estonian Language: Place Name Database (KNAB),
  http://www.eki.ee/knab/knab.htm

  The place names database (KNAB) of the EKI provides the name and spelling variations of place names. It is not complete, but can be useful if a place is not only sometimes spelled differently, but has different names depending on the language used. No maps are displayed.

- NGA - National Geospatial-Intelligence Agency: GEOnet Names Server (GNS),
  http://geonames.nga.mil/ggmagaz

  The GNS is the official database of standard spelling of foreign place names for use by the US government, sanctioned by the US Board on Geographic Names. Besides information on the location and administrative division of places, it also contains variant spellings and, increasingly, the native spelling of place names.

- GeoNames, http://www.geonames.org

  GeoNames is a free online database containing names of nearly 3 million places and 5.5 million

alternate names. Maps are provided by Google Maps, but the geographic data come from a variety of sources, ranging from official sources (such as the above-mentioned NGA and national mapping agencies, mostly from Western countries), to tourist information services and Wikipedia. Registered users may also edit the data.

- Global Gazetteer's Worldwide Directory of Cities and Towns, http://www.fallingrain.com/world

The *Global Gazetteer's Worldwide Directory of Cities and Towns* does not display a detailed map of the surroundings of a place. But it does provide an alphabetical list of places by country, taking into account spelling specificities of non-Latin languages, alternate names and spelling variations. It can be very useful if you are not sure of the exact pronunciation or spelling of a name.

Useful map sites

Reliable and detailed maps for countries of origin are often difficult to obtain. Digital maps are available for many countries, but certainly not for all countries of origin and not always in great detail. Also note that regime changes might have led to the re-naming of streets and major buildings that are not yet reflected in maps.

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.

PCL Perry-Castañeda Library Map Collection at the University of Texas,
http://www.lib.utexas.edu/maps/

Reliefweb Updates and maps, http://reliefweb.int/maps
(provides a list of maps newly added to the Reliefweb database)

UNHCR Geographic Information and Mapping Unit, http://www.unhcr.org
(click on "Resources" and choose "maps")

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

Statoids, http://www.statoids.com/statoids.html
Gwillim Law manages Statoids as a supplement to his book Administrative *Divisions of Countries*, 1999. You can 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.

Google Maps, https://maps.google.com/maps
Google Maps is an online mapping service application. You can search for cities, towns, states, provinces, addresses, roads, mountains, lakes and even businesses. The search results are displayed in the left panel of the page and as markers on the map itself.

While you will not find a map of one single country on Google, you can type in a place name and the search engine will come up with a list of places. Google enters partnerships with different types of organisations (national, state/provincial and local governments, non-profits, educational institutions, commercial entities, etc.) to incorporate mapping data. Note, however, that for many countries of origin there may not be as much data available as, for example, for most Western countries.

Google will also suggest "did you mean" terms if your search was not successful. This feature is very useful when you are not sure about the correct spelling of a place name.

The system offers satellite or aerial images; however, they are not updated in real time. They can be several months or even years old. You can also view topographic features and other data.

Bing Maps, http://www.bing.com/maps
> Bing Maps is another online mapping service application that allows you to search for geographical information. It offers features similar to Google Maps (see above). Bing might offer more detailed data for a place than Google Maps, and vice versa.

OpenStreetMap, http://www.openstreetmap.org/
> OpenStreetMap (OSM) is a free editable map of the world inspired by sites such as Wikipedia. The maps are created using data from portable GPS devices, aerial photography, other free sources or from local knowledge. Users can edit the contents of the maps. You may find data on OSM that is not available on Google Maps.

The COI databases ecoi.net and Refworld also collect maps (ecoi.net: click on Maps on each country page; Refworld: select document type *Maps* in the advanced search function).

Languages and ethnicity

As with geographical information, information on languages and ethnic background is often sought to establish an applicant's credibility and/or an applicant's nationality. COI research will usually be conducted by persons with little or no applied linguistic expertise. COI research can therefore be expected to supply information on the general use of particular languages and dialects by country and region, but it cannot be expected to provide information on the link between the use of a particular language and nationality.

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 helpful.

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 cover the whole world or specialise in particular regions (see below for examples).

Ethnologue: Languages of the World, http://www.ethnologue.com

> This very useful database offers language directories by region and country, with numerous cross-references and an extensive bibliography that may help with 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 organisation that works with people who speak the world's lesser known languages". The seventeenth edition was published online in February 2013. With this edition, *Ethnologue* is transiting to a primarily online publication. The online edition will be updated annually. The print edition is forthcoming as of June 2013: Lewis, M. Paul, Gary F. Simons, Charles D. Fennig (eds.): *Ethnologue: Languages of the World*, Seventeenth edition, 2013.

The Red Book of the Peoples of the Russian Empire,
http://www.eki.ee/books/redbook/introduction.shtml

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. The criteria for inclusion of peoples are: not yet extinct, main area of settlement is on ex-Soviet territory, numbers are below 30,000, less than 70% speak their mother tongue, minority on their ancient territory, settlement is scattered rather than compact, no vernacular school, literature or media. The site also contains background information about the various ethnic groups. Be aware that information can be outdated as the publication is more than 20 years old.

Minorities at Risk, http://www.cidcm.umd.edu/mar

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 a chronology of, conflicts relating to particular ethnic groups. The information provided in the chronologies and group assessments can be helpful, however, information has not been updated since 2008.

Joshua Project – Unreached peoples of the world, http://www.joshuaproject.net

The Joshua Project provides information on ethnic groups from various global, regional and national researchers and project workers. Note that the Joshua Project's purpose in providing this data is to support Christian missions who are seeking to convert "unreached" people to Christianity.

It can also be well worth browsing the websites of language institutes affiliated with universities and independent research institutes. Many feature background information on selected languages, offer online publications and bibliographies, and provide contact details for language experts.

As an example, 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 Americas. In total over 80 languages and civilisations are covered. http://www.inalco.fr

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