



# **EJTN On-line Classroom on EU Asylum Law**

**17 – 18 September 2020  
Country of Origin Information  
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# Exercise: What do you think:

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What would you like to know in proceedings in which an applicant claims that she, as a Kurd from northern Syria – Qamishli –, would be forcibly recruited to the YPJ (“Kurdish People’s Protection Unit – Women Unit”)?

# Exercise – continued:

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- A. The age of the applicant?
- B. How does YPJ recruit its members?
- C. Where do the family members of the applicant live?
- D. What does YPJ do if women refuse to serve?

# What is COI?

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**NB: Check for further information on the following the EASO Judicial Practical Guide on COI**

- ‘COI’ generally refers to information about the country of origin (or former habitual residence) of an applicant, which is used in procedures for determining his or her claim for international protection.
- COI is also used outside the field of asylum determination in matters involving removal/expulsion to a third country or country of origin.
- NB: COI is information; it is not guidance for decision-making.

# Sources of COI:

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A source is a person or institution producing information.

- A primary source is a person or institution closely or directly related to (i.e. having first-hand information of) an event, fact or matter.
- An original source is the person or institution who documents the event, fact or matter for the first time. The original source can also be the primary source.
- A secondary source is the person or institution who/which reproduces the information documented by the original source.

Challenge: Languages!

# Sources of COI:

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- Important: to rely on a variety of sources.
- What possible sources of COI can you think of?
  - Please use the whiteboard to write down your ideas of possible sources

# Sources of COI:

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- International and Intergovernmental organisations
- NGOs
- Government/State organisations
- Judicial organisations
- Media sources
- Legislative sources
- Academic sources
- Specialised sources
- Non IT-based sources
- Social media

# Where do we need COI?

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- To provide a context (general political or socio-economic situation; recent developments in conflict areas)
- To evaluate credibility and/or plausibility of an applicant's account
- To help to assess a risk of persecution or serious harm upon return
- To help to assess later developments and/or a change of situation
- To help to assess an internal protection alternative



# Where do we need COI?

## Examples

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- Who are the players in the Syrian civil war?
- Control situation in certain areas
- What does normally a Nigerian Juju practice involve?
- Prevalence of FGM in certain areas
- Practice of discrimination of certain ethnic or other groups
- Prison conditions
- Criminal prosecution of LGBTIQ
- Developments following peace talks
- Conversion into Christianity *sur place*
- Presence of security forces in certain areas, living conditions and accessibility of an IPA
- ...

# Evaluating COI:

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- Is the source independent?
- Is the source reliable?
- Is the source objective?
- What is the author's reputation?
- Is the methodology sound?
- Are the conclusions consistent?
- Are other sources used as corroboration?
- Is the COI relevant and adequate?
- Is the COI up to date and/or temporally relevant?

See the JPG on COI and IARLJ judicial checklist in the EASO Judicial Analysis on Evidence and Credibility Assessment:

[https://easo.europa.eu/sites/default/files/EASO%20Evidence%20and%20Credibility%20Assesment\\_JA\\_EN\\_0.pdf](https://easo.europa.eu/sites/default/files/EASO%20Evidence%20and%20Credibility%20Assesment_JA_EN_0.pdf)

# Particular pitfalls:

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- Differentiate: risk determination – instrument to that end: role of player?
- Limits of COI: personal data; individual circumstances in CO...
- Restrictions on research possibilities
- „Round tripping“
- Social media (again!)
- When to stop the research?
- Information overload
- What’s the meaning of lack of information?
- Translations/transcriptions/calendars and titles/hierarchies/institutions etc

# Referencing COI

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- Sources of information used by a court or tribunal must always be transparent in their decisions; the only exception to this rule relates to security concerns. Decisions should make explicit which sources of information have been relied upon in the assessment of the merits.
- The COI used and referred to in judgments should not be too general, and should be relevant. It should always reflect the individual circumstances of the asylum-seeker.

# Taking part in an FFM:



Amman, Jordan

Beirut, Lebanon



# Taking part in an FFM:

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- 14 – 20 May 2017; visits in Amman and Beirut; subject matter: Syria
- Hosted/organised by *Staatendokumentation* (BFA, BMI; Austria)
- In cooperation with liaison officer of BMI at the Austrian embassy in Jordan

# Subject matters of FFM:

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- Situation of women in Syria (i.e. single women)
- Military service and reserve duty in Syria
- Situation of Palestinian refugees in Syria
- Surveillance of political activities of Syrians in exile
- Further topics that arose during the FFM: de-escalation zones/Syria, reconciliation agreements/Syria, Syrian refugees in neighbouring countries.

# Why was I there?

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- Judges of the BVwG can be invited by the *Staatendokumentation* to join an FFM
- Because: opportunity to better understand how COI is researched; what an FFM is; what COI can and cannot do
- Critical voices of researchers fear meddling of judges in the research process, which should of course be avoided! Judges are observers!
- However, in preparatory phase, judges can give input to research topics and questions

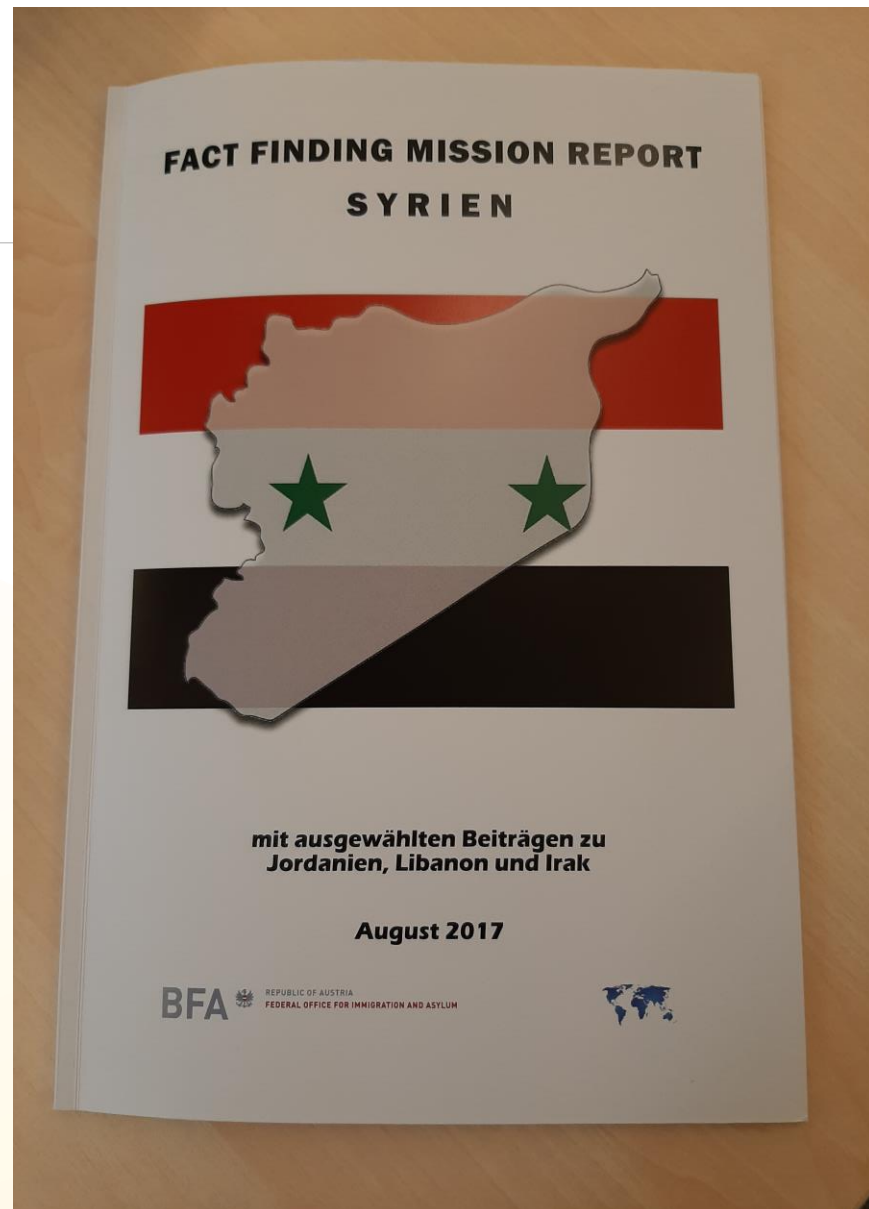


# Lessons learned:

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- FFM need careful preparation of subject matter and questions
- challenge: to find and engage sources
- methods of documentation of information
- and development of report from the information gathered

And then:  
the product!



# Links:

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## EASO

- Judicial Practical Guide on Country of Origin Information (“JPG”) (March 2018): [https://easo.europa.eu/sites/default/files/judicial-practical-guide-coi\\_en.pdf](https://easo.europa.eu/sites/default/files/judicial-practical-guide-coi_en.pdf)
- Compilation of Jurisprudence on Country of Origin Information (March 2018): [https://www.easo.europa.eu/sites/default/files/coi-cj\\_en.PDF](https://www.easo.europa.eu/sites/default/files/coi-cj_en.PDF)
- Country of Origin Information report methodology (June 2019): [https://coi.easo.europa.eu/administration/easo/PLib/2019\\_EASO\\_COI\\_Report\\_Methodology.pdf](https://coi.easo.europa.eu/administration/easo/PLib/2019_EASO_COI_Report_Methodology.pdf)
- Writing and Referencing Guide (June 2019): [https://coi.easo.europa.eu/administration/easo/PLib/2019\\_EASO\\_COI\\_Writing\\_and\\_Referencing\\_Guide.pdf](https://coi.easo.europa.eu/administration/easo/PLib/2019_EASO_COI_Writing_and_Referencing_Guide.pdf)
- Tools and Tips for Online COI Research (June 2014): <https://coi.easo.europa.eu/administration/easo/PLib/EASO-Tools-and-tips-for-online-COI-research2.pdf>

## Other

- Researching Country of Origin Information – Training Manual, ACCORD – Austrian Centre for Country of Origin and Asylum Research and Documentation (October 2013): <https://www.coi-training.net/site/assets/files/1021/researching-country-of-origin-information-2013-edition-accord-coi-training-manual.pdf>
- Common EU Guidelines for processing Country of Origin Information (April 2008): [https://www.ecoi.net/site/assets/files/1978/coi\\_common\\_guidelines-2008-04-en.pdf](https://www.ecoi.net/site/assets/files/1978/coi_common_guidelines-2008-04-en.pdf)
- Judicial Criteria for Assessing Country of Origin Information (COI): A Checklist, by members of the IARLJ COI-CG Working Party, (October 2006): <https://www.refworld.org/docid/55702eac4.html>

# Thank you!

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