

# Comments on the EASO Country of Origin Information report methodology

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November 2012

Given the importance of COI in Refugee Status Determination and the ongoing developments in this field on a European level, we would like to take the opportunity to comment on the EASO COI report methodology. This document sets out our main comments, concerns and recommendations on the stated purpose, content and choice of language contained in the methodology report.

We would like to encourage EASO to treat this document as the starting point of a dialogue between EASO and COI experts, including NGOs, for the improvement of the quality of future EASO country reports. Such a consultation on the EASO methodology is especially important given the introductory statement that all Member States are encouraged to use this methodology for their own COI reports.

In summary we recommend that the following key principles should govern EASO COI methodology:

- COI is information, not policy
- Analysis and fact collection are two distinct processes that should not be conflated
- Corroboration of information should be made visible
- Give NGOs an opportunity to contribute to the Terms of Reference for each COI report

Our recommendations and comments are set out to follow the sequence of the report.

## Part 1: Standards

### *Basic standards*

1. The Basic Standards state that:

The compilation of an EASO COI report within the framework of a standardised process is meant to guarantee both overall quality and acceptance by the target audience, composed of case workers, COI researchers, policy-makers and decision-making authorities.

This indeed is very important. We would like to recommend the consultation of representatives from all named groups on the Methodology report, and not just State COI Units.

2. We recommend to be clear on what constitutes 'fact collection' and what can be described as analysis. The report states that:

The EASO COI report is a COI document which, based on the needs of the Member States, by analysing and citing existing, publicly available and reliable information to the standards specified below, discusses relevant and specified topics for asylum claims of a certain country or region of origin. Additionally, based on this fact collection, the report can draw conclusions as the final part of and in summary of the analysis, when the information gathered allows to do so.

Given that the report is an analysis of existing information, which necessarily involves a level of subjectivity, it seems misleading to refer to the research process as 'fact collection'. Even if sources have been selected according to established EU Quality Criteria, this does not imply that the information contained within them is 'factual' and it should not be described as such.

3. We propose that the EASO reports should not aim to ‘draw conclusions’ in summary of the analysis, because this implies a degree of finality. Rather it is suggested that users of the EASO report should be encouraged to draw conclusions by using their own discretion, in light of the specific circumstances of each individual case for which they intend to use the EASO report, and by considering all other evidence in the round, including COI not included in the EASO report. This seems to be in accordance to article 4(e) of the EASO regulation:

the analysis of information on countries of origin in a transparent manner with a view of fostering convergence of assessment criteria, and, where appropriate, making use of the result of meetings of one or more working parties. That analysis shall not purport to give instructions to Member States about the grant or refusal of applications for international protection

4. It is considered that the methodology report should include a section on the limitations of the report in addition to the ‘Disclaimer’. The sub-section on *Usability* states:

The report is meant to facilitate and support the decision-making process and assist in harmonising practices in the EU. At the same time, the EASO COI report is not meant to dictate particular decisions although the conclusions may guide decisions.

This section should more clearly set out that EASO reports should only be considered as one source of COI and that users should be encouraged to do their own research, particularly for sources which post-date the publication of the particular EASO country report. It is also considered that given the currency limitations of any COI report, especially for fast-moving countries, that ‘conclusions’ should not be included, especially those which are intended to guide refugee decisions. The methodology report should clearly set out how often the report will be updated, and the review process under which it will be assessed whether the conclusions reached continue to apply.

## **Part II: Handbook**

### *Quality control: the peer review group*

5. The methodology considers that:

Peer review is best practice and will be done by national and/or external experts. [...] Possible external reviewers include NGOs, academics, international bodies, etc. with a proven knowledge on the specific topics of the report.

It is considered that peer reviewers should be selected on account of both their experience of the country and issues in question, but also on the basis of their experience of how COI is used in the refugee status determination process.

### *Terms of reference*

6. On Terms of reference (ToR), the report states:

The preliminary list of topics identified by EASO might be expanded or reduced (depending on the extent of COI material available) by the author, by consulting national COI experts. After this consultation it is possible that new ideas for topics to be included in the ToR may arise. When considering these suggestions, the author must determine whether the topics are already adequately addressed in existing source material or to include them in the ToR (see Research).

We would like EASO to take into account the Dutch practice of creating ToR for producing Dutch Country reports. Civil society is invited to contribute to the ToR by sending relevant issues for research and questions to be answered in the COI report. It is not binding for the Office of Country Information of the Dutch Immigration Service to incorporate these questions, but it provides an opportunity to use civil society’s experience and knowledge on what is relevant for asylum decision making in practice.

This consultation can contribute to the quality of EASO’s reports and acceptance by the target audience, as stated in our first comment.

### *Corroboration of information/ References, quotations and annotations*

7. The importance of corroborating all information contained in the report is recognised in the methodology:

Wherever possible the information provided by one source should be corroborated with information from another source (double-checked) and additional sources as appropriate (multi-checked).

However, it sets out in the 'References, quotations and annotations' section that:

It is not necessary to mention all sources that have been consulted to crosscheck a specific piece of information. It is sufficient to mention in the disclaimer that all information has been cross-checked with at least one other source unless it concerns an undisputed fact (see Research, subsection 2.1.2).

It is considered that not citing the sources consulted to cross check information undermines the transparency of the report. Whilst it may not be necessary to cite all of the sources consulted on a particular issue, it is considered necessary to provide references of corroborative material.

### *Disclaimer*

8. It is interesting that the EASO report chooses not to identify the author of the report and their expertise, even though the 'Analysis' section (see below) requires that "The author should use his/her expertise to produce the analysis". Furthermore the Disclaimer sets out that the "The information and views set out in this report do not necessarily reflect the official opinion of EASO". It is considered that if the report author remains anonymous, then the report must recognise that its views are the official opinion of EASO.

### *Presentation of collected information*

9. With regards to the 'Presentation of collected information' the methodology states:

This is the central and thematic part of the report which forms the basis of the subsequent analysis. The information collected about the issues outlined in the ToR should be summarised and presented in a systematic and well-arranged way. The summary must be a short and concise statement of all major, significant points of a subject (see the glossary). Any sources used to produce the summary must be referenced. The author may quote key statements from a particular source but should avoid replication of large parts. Contradictory information should be identified and pointed out clearly in the summary. The information collected should be presented objectively and there should not be any analysis or conclusions in this part. The language should be neutral and objective. Legal terminology should be avoided where possible (see Report, section 1.2).

It is surprising that the 'collected information' is not presented as direct excerpts from the original source, but as a summary, which necessarily contains a first layer of subjective analysis. It is therefore considered contradictory that the methodology refers to the presentation of collected information as both a summary and information which is presented objectively without analysis.

### *Analysis*

10. With regards to Analysis the methodology states:

The author should analyse the information collected and summarised in the report. The analysis must be a neutral evaluation or study of this information, usually made by breaking a subject down into its constituent parts and then describing the parts and their interrelationships. Any information used in the analysis should be contained in the information section of the report. The aim is to help the target audience to 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.

It is recommended not to use any language relating to 'objectivity' when describing analysis, especially when the analysis itself is based on information that has already been summarised.

11. With regards to the analysis in the conclusion the methodology states:

The conclusion is the final step of the analysis. The report should present conclusions based on analysis of the collected information. Conclusions should take into account all relevant parameters, as well as their mutual interdependence and their individual importance in comparison with the whole. The author should avoid over-

generalising when drawing conclusions. It should be pointed out clearly which conclusions are drawn by the author.

It is considered that this is misleading. If EASO is the author of the report (and not the unidentified expert) then no conclusions in the report should be drawn by the anonymous author. Rather, any conclusion included in the report should be attributable to EASO.