



**An Binse um Achomhairc i dtaobh Cosaint Idirnáisiúnta**  
**The International Protection Appeals Tribunal**

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**Guideline No: 2017/4**

**Guidance Note on Country of Origin Information (COI)**

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**PRELIMINARY MATTERS**

- 1. BACKGROUND**
- 2. DEFINITIONS**

**INTRODUCTION**

- 3. INTRODUCTION**
- 4. AUTHORITATIVE DOCUMENTS**

**DEFINITION OF COI**

- 5. DEFINITION OF COI**

**QUALITY STANDARDS AND PRINCIPLES**

- 6. INTRODUCTION**
- 7. QUALITY STANDARDS**
- 8. PRINCIPLES**
- 9. CHECKLIST**

**COI PORTALS/PROVIDERS**

- 10. INTRODUCTION**
- 11. COI PORTALS/PROVIDERS**

**PRELIMINARY MATTERS**

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- 1. BACKGROUND**

**[1.1]** This Guidance Note is issued pursuant to S.63(2) of the Act.

[1.2] The Act, the 2017 Regulations all set out various matters relating to the conduct of Appeals before the Tribunal. These guidelines are intended to supplement the Act and Regulations and not to supplant them. In case of conflict, the provisions of the Act or relevant Regulation shall take precedence.

## 2. DEFINITIONS

[2.1] In this guidance note the following terms have the following meanings:-

**“2017 Regulation”** means S.I. 116 of 2017, International Protection Act 2015 (Appeals) Regulations 2017.

**“Appeal”** means a Refugee Appeal or a Protection Appeal as may be appropriate.

**“Applicant”** means a person pursuing an Appeal and shall, where the context so admits or requires, include their representative, if any.

**“Act”** means the International Protection Act 2015 and shall include, where the context so permits or requires, any secondary legislation made thereunder.

**“Hearing”** means the determination of an Appeal by way of oral hearing or otherwise.

**“Members”** means currently serving Members of the Tribunal responsible for hearing appeals.

**“Tribunal”** means the International Protection Appeals Tribunal established under the Act and shall, where the context so requires, include a Member assigned to determine an Appeal.

## INTRODUCTION

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### 3. INTRODUCTION

[3.1] The purpose of this Guidance Note is to outline the relevant standards and principles governing the sourcing and assessing of Country of Origin Information (COI) for international protection determination. It is internationally acknowledged that consideration of COI is an essential element in assessing an application for international protection and international guidelines have developed as a result. These guidelines focus on defining COI and the relevant quality standards and principles that distinguish COI from other information used in assessing international protection

applications. The Tribunal, through this Guidance Note, intends to follow international best practice when assessing COI and to share this practice with applicants and their legal representatives to assist them in preparing their application.

#### 4. AUTHORITATIVE DOCUMENTS

- [4.1] The Tribunal recognises the 2013 training manual, 'Researching Country of Origin Information'<sup>1</sup>, prepared by the ACCORD of the Austrian Red Cross, and the 'Common EU Guidelines for Processing Country of Origin Information'<sup>2</sup> as containing the above mentioned quality standards and principles that represent international best practice in assessing COI. This Guidance Note is largely based on the definitions, principles and recommendations found within the ACCORD training manual and the EU Guidelines. In addition, the Tribunal has also referenced the work of the International Association of Refugee Law Judges, through the checklist 'Judicial Criteria for Assessing Country of Origin Information'<sup>3</sup>, and UNHCR, through the guidelines set out in a 'Note on the Burden and Standard of Proof in Refugee Claims'<sup>4</sup>.

#### DEFINITION OF COI

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#### 5. DEFINITION OF COI

- [5.1] COI is information which is used in procedures that assess claims to refugee status or other forms of international protection.
- [5.2] COI supports legal representatives 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.

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<sup>1</sup> Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD), *ACCORD COI Network & Training. Researching Country of Origin Information: A Training Manual*, April 2006, available at: <http://www.refworld.org/docid/4ecf86c32.html>

<sup>2</sup> European Union, *Common EU Guidelines for Processing Country of Origin Information (COI)*, April 2008, available at: <http://www.refworld.org/docid/48493f7f2.html> [accessed 5 February 2015]

<sup>3</sup> IARLJ, *Judicial Criteria for Assessing Country of Origin Information (COI): A Checklist*, Paper for 7th Biennial IARLJ World Conference, Mexico City, 6-9 November 2006 COI-CG Working Party

<sup>4</sup> UNHCR, *Note on the Burden and Standard of Proof in Refugee Claims*, 16 December 1998.

- [5.3] 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.<sup>5</sup>

## QUALITY STANDARDS AND PRINCIPLES

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### 6. INTRODUCTION

- [6.1] The purpose of this section is to outline the quality standards and principles used by the Tribunal in assessing COI. These standards and principles act as a framework for assessing the quality of the COI being used by the Tribunal for international protection determination.
- [6.2] The first consideration must be the relevance of the information. If information is not relevant to the subject it should be excluded. Reliability, currency, objectivity, accuracy, traceability and transparency are all important criteria. However, it is not possible to order these criteria into a hierarchy. Their degree of importance depends on the subject of the questions being answered. If some of these criteria are not met this does not mean that the information cannot be used. For instance, the objectivity of the information is generally considered to be very important. However, in certain cases subjective or partial information may be used if other quality criteria are fulfilled, but it would be necessary to indicate this bias.<sup>6</sup>

### 7. QUALITY STANDARDS

- [7.1] The substantive quality standards adopted by the Tribunal for using COI are as follows<sup>7</sup>:
- (a) **Relevance:** connected to the fact, event or matter in question. 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.
- (b) **Reliability:** trustworthy to the matter, fact or event in question. 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.

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<sup>5</sup> Definition taken from the "Researching Country of Origin Information" training manual, prepared by ACCORD of the Austrian Red Cross (2013), 12.

<sup>6</sup> Introduction taken from the "EASO Country of Origin Information Report Methodology" (2012) 10.

<sup>7</sup> Quality criteria for evaluating and validating information taken from the "Common EU Guidelines for Processing Country of Origin Information" (2008) 12. The standards are presented in the order in which they appear in the assessment cycle.

- (c) **Currency:** up-to-date or the most recent information available and where the events in question have not changed since the release of the information.
- (d) **Objectivity:** not influenced by emotions, personal prejudices, interests or biases. 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.
- (e) **Accuracy:** conformity of a statement, or opinion, or information to the factual reality or truth. Only information that is correct and valid at the time of making a decision should be used. Accuracy can be achieved by cross-checking and corroborating information.
- (f) **Traceability:** the degree to which the primary and/or original source of a piece of information can be identified. To ensure transparency, COI should be fully referenced to enable readers to independently verify and assess the information.
- (g) **Transparency:** the information is clear, unequivocal and intelligible. Every piece of information should be traceable to its source.

## 8. PRINCIPLES

[8.1] 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) **Neutrality and Impartiality:** COI research should be conducted in a neutral manner with regard to the outcome.
- (b) **Equality of Arms as Regards Access to Information:** COI should be equally available to all decision-making bodies and to legal representatives 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.
- (c) **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.
- (d) **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.<sup>8</sup>

## 9. CHECKLIST

[9.1] In order to further ensure consistency and quality in using COI, the Tribunal recommends the use of a checklist to assist all parties in sourcing and assessing COI. The checklist was developed by the International Association of Refugee Law Judges (IARLJ) and has become “a well-established (‘soft-law’) source of reference”.<sup>9</sup> Although this checklist was developed with protection judges in mind, it provides a useful template for applicants and their legal representatives in the sourcing and assessing of COI. The Checklist is reproduced in an appendix to this Guidance Note.

## COI PORTALS/PROVIDERS

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### 10. INTRODUCTION

[10.1] The purpose of this section is to identify certain standard sources of quality COI.

### 11. COI PORTALS/PROVIDERS

[11.1] The following provide independently and neutrally researched COI from a variety of sources, including international, governmental and non-governmental sources. However the mere fact that a document is placed on these portals does not mean that it automatically complies with the Quality Standards or Principles identified above.

#### (a) Refugee Documentation Centre (RDC)<sup>10</sup>

Independent library and research service within the Irish Legal Aid Board, an independent unit providing COI services to agencies involved in the asylum process. The RDC service allows for all organisations involved in the asylum process to submit requests for specific COI, a response to the information request which complies with the quality standards is prepared and returned to the requestor. Anonymised query responses are stored on the RDC’s E-library which is accessible to organisations involved in the asylum process. Selected responses are published to [ecoi.net](http://ecoi.net)

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<sup>8</sup> Definitions taken from the “Researching Country of Origin Information” training manual, prepared by ACCORD of the Austrian Red Cross (2013), 30..

<sup>9</sup> IARLJ - International Association of Refugee Law Judges: Flyer - for COI (Country of Origin Information), Working Party Session on Thursday 8 September 2011 entitled: “Judicial Guidance on COI: The Old and the New” (2011) 1.

<sup>10</sup> Accessible at: [http://www.legalaidboard.ie/lab/publishing.nsf/Content/RDC\\_Leaflet](http://www.legalaidboard.ie/lab/publishing.nsf/Content/RDC_Leaflet)

The RDC has an in-house collection of objective and up to date COI, asylum, immigration and human rights information. This includes Country Information Packs.

**(b) European Country of Origin Information Network (ECOI)<sup>11</sup>**

ECOI is managed by ACCORD, of the Austrian Red Cross, which collects, structures and processes publicly available country of origin information with a focus on the needs of asylum lawyers, refugee counsels and persons deciding on claims for asylum and other forms of international protection.

**(c) Refworld<sup>12</sup>**

Refworld contains a vast collection of reports and information relating to situations in countries of origin, policy documents and positions, and documents relating to international and national legal frameworks, compiled from UNHCR's global network of field offices, governments, international, regional and non-governmental organizations, academic institutions and judicial bodies.

**(d) ReliefWeb<sup>13</sup>**

ReliefWeb is a specialized digital service of the United Nations Office for the Coordination of Humanitarian Affairs (OCHA). ReliefWeb collects updates and analysis from more than 4,000 global information sources around the world. This content includes country and disaster reports, maps, info-graphics, job announcements and learning opportunities and events of interest to humanitarians. ReliefWeb develops new information products and services that enable humanitarian partners to analyze context and situations and make better decisions based on reliable and timely information.



**Barry Magee  
Chairperson**

**International Protection Appeals Tribunal**

20.11.17

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<sup>11</sup> Accessible at: <http://www.ecoi.net/>

<sup>12</sup> Accessible at: <http://www.refworld.org/>

<sup>13</sup> Accessible at: <http://reliefweb.int/>

## APPENDIX

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### Judicial Criteria for Assessing Country of Origin Information

The IARLJ checklist comprises the following questions:

#### 1. 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?

#### 2. 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?

#### 3. Nature / Type of the Information

- (vii) Does the COI exhibit impartiality and independence?
- (viii) Is the COI balanced and not overly selective?

#### 4. Prior Judicial Scrutiny

- (ix) Has there been judicial scrutiny by other national courts of the COI in question?