FOURTH EASO CONSULTATIVE FORUM PLENARY MEETING
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Breakout session 1: Producing and Sharing EU-level COI

- Report –

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Summary

Following the recent EASO COI Publications on Somalia and Chechnya, and in light of the ongoing production of a COI report on the security situation in Afghanistan and a Guide on COI and LGBTI, this session aimed to provide some insight into the EASO COI production processes and inform civil society about some new developments with regard to sharing and producing EU-level COI. It also aimed at identifying and discussing possible input from different stakeholders on the production of COI by EASO.

EASO started by giving an overview of recent EASO COI activities in which civil society organisations were invited to participate and/or to which selected experts from academia and NGOs actively contributed. Recent and ongoing EASO COI products on Somalia, Chechnya, Afghanistan and LGBTI were presented, as well as the production processes and stakeholders involved. In 2015, EASO foresees a revision of its EASO COI Report methodology, taking into consideration experiences with different types of COI products, as well as feedback received from different stakeholders during a wide consultation.

The Dutch Council for Refugees presented a commentary, jointly produced with Asylum Research Consultancy, on the human rights chapter of the recent EASO Somalia report and provided some constructive suggestions for future EASO products. As regards the production process, they suggest to take into account input from civil society when determining the terms of reference of future reports, to include civil society organisations in the peer review, and to set up an independent review committee.

During the discussion, participants exchanged views on the role and added value of COI reports. Diverging opinions were voiced on whether COI reports should contain analysis and whether or not they should be policy-oriented. The need for balanced sources was stressed.

At the end of the session, EASO briefly referred to the recently adopted proposal to make the European COI Portal publicly available.

Detail

Ward Lutin (EASO) started the session with an overview of recent EASO COI activities to which civil society organisations have been invited to participate. In April 2014, a COI Conference on Online Research Tools aimed at increasing the efficiency of COI research by using new tools for retrieving, processing and storing COI was organised. The majority of presentations were made by academics and representatives of selected civil society organisations. Good practices and methods presented during the Conference were highlighted in the EASO publication "Tools and Tips for Online COI Research", published on the EASO website in August 2014. In May 2014, a thematic workshop was held on COI and LGBTI, in which civil society organisations actively participated and which paved the way for the drafting of a Guide for COI research on LGBTI-related issues. One of the co-drafters of the guide is a specialised NGO and UNHCR acts as peer reviewer. In October 2014, a Practical Cooperation Conference on Syria and Iraq has allowed all interested stakeholders, including civil society organisations, to obtain updated information on asylum-relevant topics related to Syria and Iraq and engage in policy discussions. The line-up of academics and representatives of selected international and non-governmental organisations contributed to the success of the conference.

Although Specialist Networks (on Syria, Iraq, Iran, Pakistan, Afghanistan, Russian Federation, Somalia and soon also Eritrea) remain restricted to COI researchers working for national asylum administrations – upon the request of Member States – academics and representatives of specialised civil society organisations have been invited to contribute with expert presentations to COI Specialist Network seminars (e.g., on Somalia and Pakistan) and Practical Cooperation workshops (on Ukraine, Eritrea).

When it comes to EASO COI Production, the EASO COI Network Approach, adopted in spring 2013, has started to produce some tangible results. In a joint effort, public EASO COI Reports on Somalia and Chechnya have been drafted and peer reviewed, with Terms of Reference based on COI needs identified in Specialist Networks. The Somalia report is a general country overview report, which aims at providing information about a wide number of issues relevant for international protection status determination. The report was drafted by researchers from the Netherlands, Austria, Slovakia, Switzerland and EASO, and its quality has been reviewed by peers from Sweden, Finland, the United Kingdom and EASO. The Chechnya report is a topical report focusing on the situation of women and related issues. It was drafted by Norway and peer reviewed by Poland, Estonia, the Netherlands and EASO. These reports have been widely distributed both in electronic and hard copy and can be downloaded from the EASO website. Currently, a group of EU+ countries are producing a report on the Security Situation in Afghanistan. UNHCR is member of its peer review group.

In 2015, EASO foresees to revise the EASO COI Report Methodology (2012), in order to further clarify some concepts, further refine some rules, and broaden the scope of COI products covered by the methodology, which originally only focused on analytical, topical reports. The 2015 methodology would most likely consist of a general part and specifications per product type (e.g., country overview report, topical report, security update, etc.). EASO aims to base this revision on ad hoc feedback received so far on the methodology and 2012 Afghanistan reports; feedback on 2014-2015 reports (ad hoc + via systematic surveys); EASO experiences with different types of COI products; and a wide consultation amongst different stakeholders.

Following this first part of the EASO presentation, Els Klein Hofmeijer (Dutch Council for Refugees) presented its joint comments with Asylum Research Consultancy (ARC) on the recent EASO COI Report on South and Central Somalia. These comments focused specifically on the human rights chapter of the report. Although the organisations welcome the fact that this EASO COI report does not include any conclusions or analysis, a number of methodological improvements were suggested with regard to, e.g., the (cross-)referencing system, the fact that some footnotes contain extra information which should be included in the main body of the report, and the extensive use of secondary sources. Some suggestions were also made with regard to topics that could be further elaborated (e.g., the extent of violence in prisons; the extent of state violence). As regards the publication process, suggestions were

made to involve civil society organisation, by allowing them to provide input to the terms of reference, by being able to take part in the peer review before the actual publication, and by setting up an independent review committee.

A general discussion on the use and added value of the EASO COI reports revealed that participants of the breakout session had different expectations of what COI reports should contain, and what their aim should be. One participant regretted that the EASO COI reports follow too much an encyclopaedic style, without a narrative or analysis. This could be due to the lack of clear mandate, compared for instance to UN reports. A suggestion was made to structure COI reports to reflect the legal instruments used for status determination, which would make it easier for decision-makers to draw conclusions, e.g., on what constitutes a "real risk". Another participant suggested to include in COI reports also information on decision practices in other MS, e.g., on the use of IFA in country X, as well as important case law. Other participants, stressed that COI reports should not contain any element of analysis or assessment, and that a clear division should be respected between COI and policy. Also case law and state policies cannot be considered country of origin information. Finally, the need for balanced information not only from governmental sources, but also form media and NGOs was highlighted.

After this discussion, EASO continued its presentation by providing information on the drafting process of the EASO COI Reports, both within and outside of the framework of the EASO COI Network Approach. EASO also informed the group about its distribution strategy and its plans to evaluate the use and added value of the reports, and to update time-sensitive information.

A recent positive development that will increase the transparency of EASO COI activities in the future, is the agreement at the Management Board on 1 December 2014 on the widening of access to the Common European COI Portal. In the future, the Portal will on the one hand be re-oriented to become a specialist tool rather than a one-stop-shop, and, on the other hand, the access to the Portal will become public, thus allowing equal access rights to first and second instance decision-makers, legal representatives, asylum applicants, and the general public.

Suggested next steps

- EASO to explore ways to further involve civil society in the production processes for example in determining the Terms of Reference and/or during the peer review process, building further upon first experiences with the Guide on COI and LGBT and the involvement of UNHCR in the peer review of the Afghanistan report
- EASO to take into consideration feedback provided by civil society organisations on the EASO COI Report Methodology and the EASO COI reports published in 2012 and 2014
- EASO to organise surveys on the added value and use of its COI products
- EASO to include civil society organisations in the consultation of stakeholders for the revision of the EASO COI Methodology in 2015
- EASO to provide more information in 2015 on its plans to make the COI Portal publicly accessible.