



RESEARCH UNDER PRESSURE

Challenges to Researching Country of Origin
Information for Asylum Claims

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I. Introduction

The Rastriya Prajatantra Party in Nepal. You've never heard of it before today, and tomorrow is the first meeting with your client, whose initial application for asylum was rejected by the government. With four client meetings today - you have to keep the firm afloat, after all - you probably have a few hours to spare in the evening to familiarize yourself with Nepal. Where do you turn? The United Nations High Commissioner for Refugees' Refworld database includes a few research reports mentioning the Party, but they're all already mentioned in your client's refusal letter. To Google then. You find a few news items, but they all link to reports written in Nepali Bhasa, an indigenous language. The local university lecturer from the Asia department might know something about the Party, but the appeals court might not think much of the academic's expertise. You take another look at the asylum refusal letter and see that in it, the Embassy states that Party members haven't experienced problems in the past few years. But how did they get to this assessment, what are their sources, and how up to date is their information?

Thorough research is vital for a successful asylum claim. Such country of origin information (COI) as indicated above is used to support specific elements in asylum seekers' claims. As asylum seekers often lack documents that prove a risk of persecution on return, they rely on information from their countries of origin to illustrate their need for international protection. Specific pieces of information can support their testimonies of why and how they fled their countries; testimonies which are often disbelieved by national authorities in receiving countries. In short, COI is used to substantiate both the likelihood of persecution on return and the credibility of their individual stories.

The increase and proliferation of online information sources, either in the form of specialised human rights, geopolitical or media reports, have greatly expanded the amount of information available. However, the abundance of information has not necessarily made research easier, as it is easy to be overwhelmed by the sheer quantity of sources. Additionally, while some of them are compiled in databases, access is not always straightforward or free, and most of the information remains unstructured, obtainable only through targeted search techniques which require specialist skills and knowledge. To be able to fully access this often life-saving information, it can be necessary to conduct research in local languages and connect to people in the countries of origin of asylum seekers. Ideally, asylum advisers and legal representatives would be able to share and exchange data with their peers in other European countries.

NGOs and lawyers supporting asylum seekers have seen a huge increase in work pressure. The number of asylum claimants in Europe has reached record levels in recent years. These developments go hand in hand with increasing pressure from governments to limit processing times for asylum claims. In the meantime, NGOs and lawyers have not seen their

resources increase. On the contrary, many experience ever greater budgetary pressure.

Researching country information in the age of internet, big data and social media presents many new opportunities. However, we found many challenges as well. After talking to legal representatives across Europe, we found that there are common themes in the issues they face:

- All of our respondents agreed that there were **too few resources** for doing proper COI research. The lack of funding has negative effects. Sometimes there is no budget to hire an academic expert to look at a case, in other cases research is left to asylum seekers themselves.
- There is a **lack of methodologies** for COI research. The ways legal representatives conduct research now differ widely.
- Legal representatives found that general databases contain **too little specific information**. Often asylum cases depend on very detailed information, for example on cultural issues that are often lacking in general reports.
- **Transparency in government information** was often found to be an issue by those defending the rights of asylum seekers.
- **Access to court decisions** across Europe, potentially useful to evaluate the impact of sources, is often difficult because of differing public access and language barriers.

This report explores the ways in which asylum lawyers and NGO caseworkers conduct research for asylum claims. It aims to identify the main challenges they encounter in this process. Asylos has worked in this area since 2010, assisting lawyers and NGOs with gathering country of origin information in several European countries. Although there are a number of other country of origin information providers across Europe, there is surprisingly little literature about how country of origin information is used by those representing asylum seekers and describing the difficulties in accessing it. With support from the Foundation for Population, Migration and Environment (PME), Asylos interviewed 20 asylum lawyers and NGO staff who represent or advise claimants during their asylum appeal. We hope to fill the gap in understanding how they access information for asylum claims in several European countries, including France, Germany, Belgium, Greece and the UK. Because this research is open-ended and exploratory, four semi-structured interviews were conducted in each country with a range of different actors, from small law firms to large national NGOs, to allow interviewees to expand on what they found most important and propose solutions. The interviews were based on a list of questions we developed with input from civil society organisations and academic experts.

In this report we will look at the following aspects of COI research:

- Conditions for COI research: which resources do asylum advisors have at their disposal when carrying out research? The influence of budgets, timeframes and training on the research process is discussed.
- The research process: what steps do asylum advocates take to get to the information they need? This section investigates the use of databases and the sharing of information between advocates.
- Types of sources: in this section we look at the sources researchers use, for example social media, government-produced information and expert reports.
- Government-produced COI: national governments play a big part in gathering, analysing and disseminating information. What does this infrastructure look like, and how do legal representatives contest it?
- COI in court decisions: another source of information for legal representatives is court decisions, both from within their own jurisdiction and those from other countries. This final section examines how this potential source of COI is used.

II. Research under pressure

There is pressure from governments throughout Europe to speed up asylum procedures, and to minimise the economic impact of refugee inflows. Because of this, the past few years have seen both an increase in fast track procedures and cuts in legal aid funding in many European countries. This has also put pressure on COI research: budgets and timeframes for COI research are increasingly tight, while there is little support or training that lawyers receive in their research process.

Budgets under pressure

Legal aid systems are complex. They vary between countries, and a comparative analysis is beyond the scope of this research. However, all the interviewees reported that their legal aid budgets were under pressure. As one German lawyer pointed out: 'If you're a serious lawyer, there is no way to work responsibly for the legal fees'. Likewise, a Belgian lawyer pointed out he would receive the same compensation for much less complex and time consuming migration cases. The scarcity of funding has had a serious impact on the capacity to conduct thorough research for individual claims. A lawyer based in the South of France explained that it is impossible for her to work on legal aid cases, as the fees don't even allow to pay for the trip to the French asylum court in Paris.

This means that many NGOs, already underfunded and understaffed, often find themselves filling these gaps. Another unintended and often unaccounted for consequence of decreasing legal aid is its negative impact on the availability and quality of publicly-funded legal representation and advice for asylum cases. One report mentions that in the UK, the equivalent of the work of about 250 lawyers and advisors has been lost due to the reduction in legal aid funding for immigration and asylum cases in 2013¹.

Time as a constraining factor

The refugee crisis has meant an increase in work pressure for governments and legal advocates alike. One of the consequences, the increase in fast track procedures, means lawyers will have less time to prepare for cases. Additionally, the backlog in cases can mean that, as time goes by, country information in a dossier may have to be updated several times while the case awaits appeal. Timeframes will always be a challenge for asylum lawyers because, as many of those interviewed report, it is hard to predict how long the preparation for a case will take. Legal representatives and advisors interviewed for this report often do not have a regional or country specialization, and therefore have to invest a lot of time researching human rights situations in different parts of the world. When asked about the major obstacles for proper COI research, almost all lawyers reported that time constraints

¹Asylum Aid. (2015). Country Report: United Kingdom. Retrieved February 12, 2017, from <http://www.asylumineurope.org/reports/country/united-kingdom>.

were the largest factor negatively impacting the quality of their work.

Limited support and no training

COI requires sifting through an 'information overload', in the words of one German lawyer, in search of the evidence that supports an individual claim. A large part of this information is available in languages other than English or the native language of the lawyer, and is therefore potentially inaccessible to them. While a number of new digital tools can help in filtering information, these require a level of technical knowledge that lawyers often don't have time to acquire. There are two possible solutions to this problem: more research support from external organisations like Asylos, and more training on COI research. Remarkably, we found that none of the lawyers reported ever having followed any kind of training on COI, either on its legal standards, techniques for finding information, or on issues in specific regions. Similarly, very few lawyers received any kind of research support tailored to their specific cases.

III. Tracking the research path

To understand how lawyers and NGO workers research information, we asked them a number of questions regarding the steps they take to acquire information. We found that while many made use of specialised COI databases, they did not have a structured method for researching and evaluating their results (for example a list of sources to check every time they started a new case).

All in all, we found that lawyers usually approach available sources in an open-ended way. Going back and forth between individual sources and databases, they eventually narrow down what they're searching for. This likely stems from the time pressure lawyers face. One Belgian lawyer admits that he does not have a structured way of researching information, and notes that this impairs his ability to defend his clients: 'It's very difficult to fight against the government. They have their own COI that the judge tends to trust. Because they know we don't do [COI research] in a very systematic way.'

Databases

With an overabundance of available information, where do legal aid providers begin their search for information? Even though no clear research methodology could be identified, a few patterns emerged: Many interviewees reported using Refworld at some point of their research (often at the start), with the exception of the UK interviewees, who seem to prefer the Electronic Immigration Network (EIN), which is a paid database that also includes case law. Beyond these sources, lawyers tended to look at more general reports by organisations such as Human Rights Watch or Amnesty International before delving into a more detailed examination. In spite of the existence of specialised databases that contain information relevant to asylum procedures, Google remained an important tool to search for information. Ecolnet, the database of the Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD), was used less often, and some of the interviewees were even unaware of this database. Despite the popularity of these COI-specific databases, interviewees often reported they would look elsewhere for more specific information.

Confronting the language barrier

When searching for specific information, being able to read languages other than English or the native language of the researcher can uncover essential information. Consider, for example, articles from Nepali news sites that corroborate the testimony of an asylum seeker. None of the interviewees reported being able to search in languages other than the languages spoken in their countries, except for English. A few reported that this significantly impeded their ability to find the right information. One way legal representatives try to overcome language barriers is by asking the asylum seekers to help with researching

information in their native language; this seems to happen regularly.

Storing and sharing

One of the most important areas for improvement in COI research is the storing and sharing of information. Legal representatives across Europe often find themselves researching the same questions. In the current situation, products of individual lawyers' research often remain confined to that individual lawyer, their firm, or small networks of colleagues. However, there are some sharing initiatives with differing degrees of effectiveness.

Most organisations and firms have some kind of common physical or digital archive. The problem is that these archives tend to become outdated quickly. Therefore, many lawyers opt for sharing reports informally between colleagues. Digital archives need a lot of maintenance to make them a useful resource. In the experience of one Belgian lawyer: 'We tried Dropbox but that was chaos. Someone would have to invest a decent amount of time and effort in it to make an overview, to make it easy to access the information. You have to keep it up-to-date as well. Especially with conflicts that are fluctuating all the time. We tried it with a couple of lawyers and that did not work out because it was a mess.' Fortunately, not all information remains within the confines of one firm or organisation. Sharing networks range from small Facebook groups of acquainted lawyers to large national networks such as the European Legal Network of Asylum (ELENA). Many lawyers in France tend to use ELENA for exchanging information. In the UK, the Refugee Legal Group (RLG) has a lively mailing list organised through Google Groups where lawyers can, for instance, discuss the reputation and availability of expert witnesses.

Having looked at the different ways lawyers and NGO caseworkers approach their research process, we then turned to the different sources they use. We looked at a variety of sources, from YouTube clips to official reports from embassies.

New media remain unexplored

Researching COI in the age of the internet means an ever greater access to new media through different online sources. For this reason we investigated the use of sources such as Facebook, Twitter, and other social media. We also surveyed the use of video sources, for example YouTube clips, by lawyers in court. Although video sources are not yet commonly used, they have the potential to become a major source of information. For example, journalists have used YouTube videos and data from other social media platforms to investigate Russian airstrikes during the war in Syria ².

Overall, the lawyers we interviewed reported using these sources only sporadically. The reason may have to do with the wide range of opinions on the use of social media in

² Mackey, R. (2015). Parsing YouTube Evidence of Russian Strikes in Syria. Retrieved February 12, 2017, from <http://www.nytimes.com/2015/10/01/world/middleeast/parsing-youtube-evidence-of-russian-strikes-in-syria.html>

research. One UK lawyer enthusiastically uses Twitter in his research, recommending it to his colleagues. Others, like one caseworker working for an NGO based in the UK, reported not using social media as a matter of policy, for reasons of privacy and security. Similarly, the use of video sources remains relatively unexplored. Some lawyers don't use video material at all, while others said they would use it, but prefer submitting documents to court. A French lawyer told us it was hard to get her video submission accepted by the court. While courts generally seemed inclined to review video evidence without being too critical about authenticity or credibility, they attached minimal weight to this type of evidence.

Research left to asylum seekers

The limited availability of legal aid funds for asylum cases sometimes means that a share of the research is left to the claimants themselves, particularly when it comes to collecting information in their native language. A few lawyers reported asking their clients to search through their own social media profiles to find information that might be relevant to their cases. This means that younger and more highly educated asylum seekers are more likely to be able to support their case. It could be empowering for asylum seekers to be involved in their own case, if they had proper resources. However, this is not the case: many of them arrive in Europe having suffered traumatic experiences in their countries of origin or throughout their journey, and now struggle with navigating a foreign system and securing a livelihood in a new culture and country. Also, many lack the training and knowledge to conduct research.

Accessing information from the ground

Not everything can be found in publicly available internet sources. To find the very specific and individualised information needed in asylum procedures, legal representatives sometimes contacted people on the ground in the countries of origin of refugees, or academics such as anthropologists who have conducted fieldwork in these countries. Legal representatives often find themselves unable to find such on-the-ground sources.

Experts

We found that the use of 'expert opinions', usually scholars commenting on individual asylum cases, differed widely between the United Kingdom and the rest of Europe. British courts rely heavily on expert testimonies; one of the lawyers interviewed reported that he would seek the assistance of an expert in every case. In contrast, when we asked a Belgian lawyer if he or his colleagues had ever used expert statements, he replied: 'Not that I've heard of. And I'm not sure how they will react, the court [...] I'm not sure they will attach value to it.' Not only is it a very rare practice to seek advice of academics, the Belgian lawyer was not even sure that courts would pay attention to their views. Lawyers in Germany, Greece, and France also reported rarely, if ever, consulting academic experts in their cases.

Other on-the-ground information

On the other hand, lawyers and NGO workers from all countries did report asking contacts on the ground for information, because this often provides details crucial to corroborating stories. For example, one Belgian lawyer reported contacting an Afghan NGO on the details of a case of honor crime. They were able to confirm the incident took place, thereby corroborating her client's story. Moreover, lawyers sometimes gathered witness evidence directly from the countries of origin of their clients. But contacting people on the ground is not without difficulties. It is often seen as being too complicated and time consuming. One lawyer complained that information would often arrive after the case had been decided. Some lawyers would therefore leave it to the clients themselves. Moreover, once the information is in, it is sometimes hard to demonstrate the credibility of these sources. Governments and courts often suspected these accounts to be self-serving.

IV. Government-produced country of origin information - black boxes?

Asylum lawyers and NGO caseworkers throughout Europe often find themselves not only arguing against government decisions, but also against the information governments use. They face the challenge of not only having to conduct independent research, but also of contesting the information used by governments to deny asylum claims. All of the countries we surveyed, with the exception of Greece, have their own COI producing departments. While it is hard to draw general conclusions from widely differing policies, most interviewees indicated a suspicion of these sources being politicised and biased. Moreover, many indicated that government information was not transparent and that there was a lack of critical dialogue about their sources. Because government methods for conducting COI vary among EU countries, we have highlighted practices in Belgium, France, Germany and the UK. Also, we will look at the use of information by the European Asylum Support Office (EASO).

Belgium

The largest concern found in Belgium is the lack of transparency of government-produced COI. The government agency tasked with producing COI is called Cedoca. It produces COI of two types: case specific reports and thematic 'focus' documents that can be used in more than one case. Only the latter are often publicly available³. For the COI reports that are not publicly available, decision makers are often criticized for only using the parts of the report that support their own conclusions. As one interviewee put it: 'What they do is that they take a report on countries and they only take a few parts that they believe are important for the case [...] they don't want that people have access to the report. Because of the right of defence they are obliged to show what they base themselves on but they try to be as limited as possible.' Moreover, courts tend to give more weight to government-supplied information than to information submitted by asylum lawyers. In one specific instance, lawyers faced difficulties convincing the court of a faulty government report on Female Genital Mutilation in Guinea: 'Most often they follow the government. It takes most often a while and a lot of effort before we can convince the court that a certain report from the government is plain wrong or has some inconsistencies.' The report indicated great progress in combating this practice, but one of the anonymous sources painting this rosy picture in the report was a doctor who was later revealed to be practicing FGM himself.

France

The government agency in charge of asylum procedures, the Office français de protection des réfugiés et apatrides (OFPRA), produces its own reports, sometimes on the basis of

³ Office of the commissioner general for refugees and stateless persons. (n.d.). CEDOCA. Retrieved February 12, 2017, from <http://www.cgra.be/en/country-information/cedoca>

country visits. Twice a year, OFPRA organizes missions in a country and publishes a mission report based on data gathered in the field. These reports provide general descriptions of the situation in the country. Since August 2014, the OFPRA's research unit (Division de l'Information, de la Documentation et des Recherches - DIDR) publishes most of its reports online. These reports generally focus on a specific issue or theme, and do not aim to provide general information on the situation in the country⁴. The quality of government reports is often called into question. A French NGO worker heavily criticized the information from specific reports: '[There are] OFPRA reports on Guinea or the DRC that are totally unaware of the reality and even of the methods of seeking information.' Among the flaws he cited were lack of proper citation and the use of anonymous sources. Another criticism levelled against official data was that the government would only use elements in the reports that supported its decision, echoing the criticism voiced by Belgian lawyers. Again, transparency is found to be lacking in both the writing of reports and their use in decision making.

Germany

The German Bundesamt für Migration und Flüchtlinge (BAMF) has a dedicated COI unit. Separate teams research and analyse COI. Their information is also used to inform policy guidelines. Most research is conducted on the top 20 countries of origin of refugees⁵. Most criticism of government COI in Germany concerned information from the German foreign ministry: its reports are used in asylum decisions, but are not publicly accessible. Only when they are cited in court decisions are lawyers allowed to view them. As a result, it's difficult to contest the government data, or apply it to other cases. Courts can also use the foreign ministry to request case-specific information. The ministry then consults local embassies. However, one lawyer was highly sceptical of the information provided by the embassies. He contended that these reports were often not researched publicly. There have been efforts to gain access to these foreign ministry reports by appealing to the German freedom of information laws. German authorities have largely refused these requests. One lawyer argued that authorities fear that releasing the reports could lead to asylum seekers gaining access to the information, enabling them to construct stories around them. Officials also worry about the possible diplomatic repercussions of having these reports publicly available. One lawyer dismissed these pretexts, pointing out that the Dutch, Danish and British governments all publish their reports online.

⁴ Ofpra. (2015). Les publications de l'Ofpra. Retrieved February 12, 2017, from <https://www.ofpra.gouv.fr/fr/l-ofpra/nos-publications/les-publications-de-l-ofpra>

⁵ European Migration Network. (2014). Ad-hoc query on searching COI for asylum procedures. Retrieved February 12, 2017, from https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/networks/european_migration_network/reports/docs/ad-hoc-queries/protection/586_emn_ahq_searching_of_coi_for_asylum_procedures_22september2014_en.pdf

The United Kingdom

In the UK, the Home Office's Country Policy and Information Team (CPIT) are responsible for undertaking COI research for decision makers. They produce Country Information and Guidance (CIG) reports containing a mix of information and policy guidelines. In contrast to the transparency concerns that lawyers and NGO workers pointed out in Belgium, France, and Germany, the UK publishes all of its reports online. Moreover, these reports are reviewed by the Independent Advisory Group on Country Information (IAGCI). They often comment on specific issues: for instance, for Afghanistan there are six separate documents for specific profiles such as Hindus and Sikhs, or women fearing gender based violence. However, some of these have not been updated since 2015 and lawyers have criticized decision makers for relying on these outdated sources.

As in Belgium, lawyers often find that UK courts rely heavily on government-produced information, especially in comparison to experts who often testify on behalf of asylum seekers. Describing the way information is evaluated by British courts, one British lawyer noted: 'I think you'd want a recognition that a country expert is the country expert.' The lawyer also expressed a need for 'making sure [the judges] don't just rely on the kind of Home Office country information but look at it all as a whole, and make sure that's recognized.'

EASO

The past few years have seen a centralisation of European asylum policies, which has consequences for the use of information as well. The European Asylum Support Office (EASO) produces country reports that are to be used by multiple countries. In February 2011, EASO became operational as an EU agency. One of its stated aims is to contribute to the Common European Asylum System by providing permanent support on the production of common COI. It organises workshops on specific COI issues for EU Member States, produces its own COI reports and manages an electronic COI network. We asked all of our interviewees about how they use and evaluate EASO's reports. Surprisingly, we found that most never use them, and others use them only rarely. However, those who do use EASO data have made positive comments on the quality of the information.

V. Country of origin information from court decisions

Judges evaluate information on their own and sometimes have their own sources at their disposition. In this section we will look at how lawyers use COI from court decisions from their own countries and other European jurisdictions. As asylum policies become more and more centralized on a European level, it is important to investigate the level of access to court decisions across Europe.

We found that most lawyers use information mentioned in previous court decisions, although access to these decisions and the usefulness of their content varied between countries. The first obstacle to using this kind of information is the lack of public availability of court decisions. The second challenge is the language barrier when it comes to decisions from other European countries. Finally, the third issue is the level of detail with which information is evaluated by courts.

Accessibility

In many of the surveyed countries, court decisions are only partly available to the public. France's Cour Nationale du Droit d'Asile (CNDA) publishes yearly and daily selections of its decisions ⁶. The UK has a two tiered system: a First Tier Tribunal (Immigration and Asylum Chamber) and the Upper Tribunal that accepts appeals on points of law. Only the second tier (Upper Tribunal) decisions are made public ⁷. The German courts do not publish all of their decisions, but they are available upon request and in anonymous versions if not published on the court's own initiative ⁸. By contrast, all decisions of the Belgian appeal court (Conseil du Contentieux d'Étrangers, CCE) are published publicly ⁹. Their availability to lawyers depends on the sharing networks that lawyers are in. Some lawyers are joined through mailing lists and social media networks through which they share relevant rulings.

The availability of court decisions can have an impact on the effectiveness of legal representation. That is, using case law to support claims can be a powerful tool for convincing judges. This is also true for the use of information: showing that another judge found a source reliable can work towards supporting your own case. For example, a British NGO caseworker reported regularly citing a court decision by a higher British court that

⁶ Cour Nationale du Droit d'Asile. (2016). Sélection de décisions de la CNDA. Retrieved February 12, 2017, from <http://www.cnda.fr/Ressources-juridiques-et-geopolitiques/Actualite-jurisprudentielle/Selection-de-decisions-de-la-CNDA>

⁷ HM Government. (n.d.). Immigration and asylum HM chamber: decisions on appeals to the Upper Tribunal. Retrieved February 12, 2017, from <https://tribunalsdecisions.service.gov.uk/utiac>.

⁸ Informationsverbund Asyl und Migration. (2015). Country report: Germany. Regular procedure. Retrieved February 12, 2017, from <http://www.asylumineurope.org/reports/country/germany/asylum-procedure/procedures/regular-procedure>

⁹ Conseil du Contentieux d'Étrangers. (n.d.). Politique de publication. Retrieved February 12, 2017, from <http://www.rv-cce.be/fr/arr/politique-publication>

quoted an expert testifying that persons would not be able to return to Baghdad without sponsorship papers.

European decisions

Case law from other European countries was used by some lawyers, and was generally seen as useful. For example, a British lawyer specializing in Afghan cases reported using decisions from High Courts in other European countries to argue that Afghanistan's security situation has deteriorated. In contrast, French lawyers noted that decisions from other European courts would not be given a lot of weight in the French court system. Accessibility is an issue here, too. Many court decisions from one country cannot be used in another because of language barriers, although the European Database of Asylum Law (EDAL) publishes summaries in English of selected cases heard in European courts. Refworld publishes selected cases from around the world and also allows filtering by topic and legal instrument, but it does not provide translated case summaries.

Evaluation of information

Finally, case precedents' usefulness depends on whether the original judge evaluated the COI information in any detail. As one British NGO caseworker pointed out: 'Sometimes you would get a judge who would comment on available COI in a methodical way. [...] there is a recent case in which the judge has done that, it was actually quite helpful for one of our clients. It was a case on Iraq and the judge took the liberty to go through the COI, it was something to do with Christians in Iraq. [...] what we were able to do with this client was to pretty much print out those paragraphs going through the COI.' A Belgian lawyer told us that COI could be more effectively used in asylum appeals if a structured methodology could be developed for judges to use in evaluating information. The importance of transparency is not limited to governments' use of information; it extends to reasoning in courts as well.

VI. The way forward – filling the gaps

A new colleague has just started at the office. She looks at the old file of the Nepali client. 'Didn't Human Rights Watch recently tweet about this?', she asks a colleague through Skype. Her colleague uses a tool to sift through Twitter for all recent tweets about a government crackdown on the party: many more than cited in the latest U.S. State Department report, it turns out. 'Did anyone else hear about this?', she posts on the COI forum. A lawyer from Belgium comments she recently heard an expert in another court case say the situation is deteriorating. She quickly finds the verdict and translates the relevant passages into English. 'I think it's time we put in a new claim', she says at the next office meeting.

Unfortunately, such a scenario is not very likely to happen yet. Asylum lawyers are stuck in the paradox of increasing technological means for accessing information on the one hand, and shrinking time and resources for research on the other hand. In this context, what is the way forward to improve research for asylum claims and what role can Asylos play in it? We identified three paths: digital research tools to make COI research more efficient and precise, issues that need to be tackled by an advocacy-based approach, and the urgent need for more research on the impact and evaluation of sources.

Technology has opened up new possibilities for online COI research. Our research however showed that asylum lawyers and NGOs often don't make use of digital knowledge management tools that could render COI research more efficient. For instance, many legal representatives pointed to the need for a central hub where information can be gathered, making it accessible to them and making their research more efficient. There are tools that could be implemented with a bit of technical support. For example, a number of open source database solutions for document management, some of them including quite advanced features such as entity extraction¹⁰, have been developed over the past years. Other research networks, such as the international group of journalists investigating the Panama Papers, have shown how online collaboration for research can work. They are facing similar challenges such as the need to collaborate across borders and in different languages, the need to analyse large sets of (unstructured) text documents, and the need to maintain a high level of data protection. Coordination among organisations is crucial in order to avoid duplication of systems; in the case of the Panama Papers, the coordinating role was assumed by the International Consortium of Investigative Journalists (ICIJ).

Also, information in databases was found to be too general. They typically include research reports and documents published by established organisations which, although focusing on specific groups or places, are rather general compared to more specific information that

¹⁰ Lindenberg, F. (2016). A little tour of aleph, a data search tool for reporters. Retrieved February 12, 2017, from <http://pudo.org/blog/2016/06/29/aleph.html>

is available from local media outlets or on social networks. The growth of social networks and User-Generated Content (UGC) constitute a resource that often remains untapped because of the difficulties in cutting through the noise and retrieving relevant information. To unlock UGC's potential, those researching COI would need training in using advanced search techniques on social networks and general search engines in order to run more focused searches. At a very basic level, this amounts to learning how to use Google Advanced Search Operators effectively. The second challenge when using UGC is establishing its credibility. Here, verification tools and processes are key. A number of organisations, such as First Draft News, provide guides for verifying information which can be used by COI researchers to ensure that information is genuine and reliable. In addition, the need for individualised information could also be met through a cooperation between lawyers and NGO workers who work on similar cases. Those are crucial issues where Asylos can use its understanding of new digital tools and research methods to develop new solutions for conducting research more efficiently.

In addition to these practical issues, several structural challenges were identified in the report, such as the 'black box' of governmental COI research, and the limitations to thorough COI research for individual claims resulting from limited legal aid. As asylum policies are becoming more restrictive across Europe and support for accepting refugees is decreasing, it is increasingly difficult to defend asylum seekers' rights. However, there are several opportunities to make COI research more transparent: for example, by putting forward a thorough methodology for researching and evaluating COI to challenge courts and administrations; by systematically reviewing government-produced COI to ensure that it adheres to the highest standards; by using Freedom of Information requests to unlock relevant data or COI reports that is held by governments; and by finding new ways to access timely and up-to-date data from the countries-of-origin to challenge safe country lists.

Finally, there are some areas in which further research is needed. First of all, we still lack a clear understanding of the real impact of COI sources in court. In many European countries, court decisions don't give detailed analyses of case-relevant COI in their reasoning. As a consequence, it is extremely difficult to know what kind of information can really turn a case around. Legal representation could be made much more effective if this were more deeply understood.

Also, it is very difficult to access the little information on COI that can be found in court decisions. The main obstacle is that judgments are unstructured data, written in many different languages. Also, some of them are not even available online.

Refworld's Case Law database offers a step in the right direction by categorising judgments with regard to the topics they cover and legal instruments they mention. Along the same lines, it would be useful to identify COI sources used in decisions and categorise judgments in order to identify how many judgments refer to the same COI source. Such analysis is

an important step to identify a potential bias in the sources the courts refer to. A network analysis of sources quoted in decisions would then indicate whether one source is referenced in several judgments and thus occupies a central position in the network. Such knowledge would allow much more targeted action, as sources that are marked as regularly used could then be systematically reviewed.

There are many more issues that require research. One is to shed more light on how judges carry out their assessment in the day to day work of asylum courts throughout Europe. Other issues include the use of information by higher European courts such as the Court of Justice of the European Union and the European Court of Human rights ¹¹, and the use of COI in credibility assessments by asylum authorities.

The practice of COI research is at a crossroads: increasing technological possibilities coincide with ever greater difficulties for asylum seekers, and their legal representatives, to present their case for asylum. With this research, Asylos has explored some of the key areas of improvement in researching information for asylum claims. The challenge ahead is to put them into practice.

¹¹ See for example Vogelaar, F. (2016), The use of Country of Origin Information by the European Court of Human Rights in the Assessment of a Real Risk of a Violation of the Prohibition of Torture, Inhuman and Degrading Treatment, retrieved 12 February 2017, from <http://www.eu/en/journal/use-country-origin-information-european-court-human-rights-assessment-real-risk-violation>.