



Inspection Report on Country of Origin Information, Afghanistan and China

June 2022

David Neal

Independent Chief Inspector of
Borders and Immigration

Inspection Report on Country of Origin Information, Afghanistan and China

June 2022



© Crown copyright 2022

This publication is licensed under the terms of the Open Government Licence v3.0, except where otherwise stated. To view this licence, visit nationalarchives.gov.uk/doc/open-government-licence/version/3

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

This publication is available at www.gov.uk/official-documents

This publication is also available at www.gov.uk/ICIBI

Any enquiries regarding this publication should be sent to us at

Independent Chief Inspector of
Borders and Immigration,
1st Floor, Clive House,
70 Petty France,
London SW1H 9EX
United Kingdom

ISBN 978-1-5286-3606-3

E02770004 09/22

Printed on paper containing 40% recycled fibre content minimum.

Printed in the UK by HH Associates Ltd. on behalf of the Controller of Her Majesty's Stationery Office.

Our purpose

To help improve the efficiency, effectiveness and consistency of the Home Office's border and immigration functions through unfettered, impartial and evidence-based inspection.

All Independent Chief Inspector of Borders and Immigration inspection reports can be found at www.gov.uk/ICIBI

Email us: chiefinspector@icibi.gov.uk

Write to us: Independent Chief Inspector of
Borders and Immigration
1st Floor, Clive House,
70 Petty France,
London SW1H 9EX
United Kingdom

Contents

Foreword	2
1. Scope	3
Annex A: Meeting of the Independent Advisory Group on Country Information 29 March 2022 (2:00pm to 4:00pm, via Microsoft Teams)	4
Annex B: Biographies of the reviewers	5
Annex C: Review of Selected Home Office Country of Origin Information on Afghanistan	6
Review of the February 2022 Home Office Country Policy and Information Note on Afghanistan: Fear of the Taliban	6
Review of the February 2022 Home Office Country Policy and Information Note on Afghanistan: Humanitarian situation	29
Review of the February 2022 Home Office Country Policy and Information Note on Afghanistan: Security situation, and of 10 Country of Origin Information Request responses	47
Annex D: Review of Selected Home Office Country of Origin Information on China	73
Review of the February 2020 Home Office Country Policy and Information Note on China: Hong Kong protests	73
Review of the September 2021 Home Office Country Policy and Information Note on China: Hong Kong National Security Law	96
Review of the July 2021 Home Office Country Policy and Information Note on China: Muslims (including Uyghurs in Xinjiang), and of 6 Country of Origin Information Request responses	111

Foreword

The UK Borders Act 2007 Section 48 (2)(j) states that the Independent Chief Inspector of Borders and Immigration “shall consider and make recommendations about ... the content of information about conditions in countries outside the United Kingdom which the Secretary of State compiles and makes available, for purposes connected with immigration and asylum, to immigration officers and other officials.”

The Independent Advisory Group on Country Information (IAGCI) is a panel of experts and practitioners created to assist the Chief Inspector in this task. The IAGCI commissions and quality assures reviews of country information produced by the Home Office’s Country Policy and Information Team (CPIT). A list of IAGCI members can be found on the inspectorate’s website.

This report covers reviews of country information on Afghanistan and China that were considered by the IAGCI at its March 2022 meeting.

I have no further recommendations to make in addition to the ones contained in the individual reviews. I note that the Home Office has not adopted reviewers’ recommendations that country information include more historical and cultural background information, on the grounds that reports must be kept concise to be of use to decision makers. I acknowledge that CPIT’s country information products must be presented in a format that is practical and digestible for department staff, and that the inclusion of extensive background information may go beyond the requirement in paragraph 339JA of the Immigration Rules that country information provide “reliable and up-to-date information ... as to the general situation prevailing in the countries of origin of applicants for asylum”. Whether the right balance is being struck between a legitimate interest in brevity and the inclusion of historical and cultural details that might be relevant to asylum decisions will no doubt be a question to which the IAGCI will return in future reviews, but I accept that the balance is one that needs to be reached. I am pleased, in any event, that the majority of the recommendations included in the reviews have been adopted in full or in part.

This report was submitted to the Home Secretary on 20 June 2022.



David Neal
Independent Chief Inspector of Borders and Immigration

1. Scope

- 1.1** In January 2022, the Independent Advisory Group on Country Information sought tenders for reviews of the following Country Policy and Information Notes (CPINs) and Country of Origin Information Requests (COIRs):
- Afghanistan
 - Country Policy and Information Note: fear of the Taliban, October 2021
 - Country Policy and Information Note: security and humanitarian situation, October 2021
 - Ten COIRs (from 2020 and 2021)
 - China
 - Country information and guidance: Hong Kong protests, February 2020
 - Country Policy and Information Note: Hong Kong national security law, September 2021
 - Country information and guidance: Muslims (including Uyghurs in Xinjiang), July 2021
 - Six COIRs (from 2020 and 2021)
- 1.2** These CPINs were selected for review in light of significant recent developments in Afghanistan, where the Taliban returned to power in August 2021, and in China, where the application of a new National Security Law in Hong Kong and accounts of repression in the western province of Xinjiang have given rise to heightened human rights concerns. During the year to September 2021, Afghan nationals accounted for 5.3% of all asylum claims lodged in the UK, and Chinese nationals accounted for 1.4% of claims.
- 1.3** The tenders were assessed by the IAGCI Chair, with input from the Chief Inspector. The reviewer with the most relevant knowledge, with particular expertise in refugee and human rights, along with familiarity with the UK system, was selected in each case.
- 1.4** The completed reviews were quality assured by the IAGCI Chair and sent to the Country Policy and Information Team (CPIT), which added its responses, forming a single document for each country review.
- 1.5** The IAGCI met virtually on 29 March 2022 to consider the reviews and the CPIT responses. The agenda and attendees of the meeting are at Annex A.

Annex A: Meeting of the Independent Advisory Group on Country Information 29 March 2022 (2:00pm to 4:00pm, via Microsoft Teams)

IAGCI Members:

Michael Collyer, University of Sussex (Chair)
Larry Bottinick, UNHCR UK
Giorgia Dona, University of East London
Ceri Oeppen, University of Sussex
Susan Pitt, Upper Tribunal Judge
Harriet Short, One Pump Court

Apologies (IAGCI Members):

Katinka Ridderbos (KR), UNHCR Geneva
Nando Sigona (NS), University of Birmingham
Julie Vullnetari (JV), University of Southampton

Independent Chief Inspector of Borders and Immigration (ICIBI) Representatives:

David Neal, Independent Chief Inspector
Halbert Jones, IAGCI Lead

Home Office Country Policy and Information Team (CPIT):

Martin Stares, Head of CPIT
Anna Johnstone, Country Policy and Research Manager
Pauline Crichlow, Country Policy and Research Manager
Lisa Corbett, Country Policy and Research Manager

Reviewers:

Rebwar Fatah, Afghanistan
Natasha Tsangarides, China

Annex B: Biographies of the reviewers

Rebwar Fatah (Afghanistan)

Rebwar Fatah is a Middle East and North Africa (MENA) specialist and has been working as an expert witness since 2000. Dr Fatah provides Country Expert Reports (including Country Guidance Report Cases), Nationality Assessments and Document Authentication Reports. This work involves analysing, translating and accessing source material in Arabic, Dari, Farsi, Kurdish (Kurmanji and Sorani) and Pashto. Dr Fatah has represented Middle East Consultancy Services in conferences and meetings at various institutions (universities, human rights bodies, research organisations, parliamentary groups in the UK House of Commons and the Finnish parliament) across the world on matters related to the MENA region.

Natasha Tsangarides (China)

Natasha Tsangarides is a freelance Country of Origin Information (COI) researcher with over 10 years' experience of conducting COI research, including reviewing Home Office CPINs.

Annex C: Review of Selected Home Office Country of Origin Information on Afghanistan

Review of the February 2022 Home Office Country Policy and Information Note on Afghanistan: Fear of the Taliban

Prepared for the Independent Advisory Group on Country Information (IAGCI)

Dr Rebwar Fatah, Middle East Consultancy Services¹

February 2022

¹ Dr Fatah is a MENA specialist and has been working as an expert witness since 2000. Dr Fatah provides Country Expert Reports (including Country Guidance Report Cases); Nationality Assessments; and Document Authentication Reports. This work involves analysing, translating and accessing source material in Arabic, Dari, Farsi, Kurdish (Kurmanji and Sorani), and Pashto. Dr Fatah has represented MECS in conferences and meetings at various institutions (universities, human rights bodies, research organisations, parliamentary groups in the UK House of Commons and the Finnish parliament) across the world on matters related to the MENA region.

Table of Contents

1. Introduction	8
1.1 Instructions	8
1.2 Methodology	8
1.3 Summary of Review	8
1.4 Understanding of the themes addressed in the CIG Reports	10
1.5 Quality and balance of sources	10
2. Review	11
2.1 Consideration of issues	11
2.2 Taliban – background	12
2.3 Limits on reporting, propaganda and misinformation	13
2.4 Life under the Taliban	14
2.5 Potentially vulnerable groups	19
2.6 Grammar	24
2.7 Structure	26
3. Information about the Reviewer	28

1. Introduction

1.1 Instructions

I have been instructed to review the Home Office country policy and information note: Afghanistan: Fear of the Taliban, February 2022. This review is focused on country-of-origin information. I have not been instructed to comment on Home Office policy.

The review will provide:

- An assessment of the extent to which information from source documents has been appropriately and accurately reflected in the CPIN report
- An identification of additional sources detaining the fear of the Taliban in Afghanistan
- A correction of any specific errors or omissions of fact
- A recommendation for general improvements regarding, for example, the structure of the report, its coverage, or its overall approach.

1.2 Methodology

The review has been conducted in line with the Common EU Guidelines for Processing Country of Origin Information (COI) in relation to the ‘Quality criteria for evaluating and validating information’, i.e., relevance, reliability, balance, accuracy, currency, transparency, and traceability.

1.3 Summary of Review

Overall, this document provides a detailed collation of objective evidence on the fear of the Taliban in Afghanistan since the group’s takeover of the country in August 2021. There are some issues with the information that is provided already being outdated — due to the situation on the ground developing rapidly as each day goes by — and additional sources that could be used have been highlighted in the review below.

In addition, one of the main obstacles to this document is that the majority of the sources do not provide a full contextualisation of the fear of the Taliban that people on the ground in Afghanistan have. This is because a comprehensive outline of the situation the last time the Taliban ruled Afghanistan from 1996 to 2001 and the months prior to the group’s takeover of the country in August 2021 is not given in this document. This could be overcome through the use of an introductory paragraph or section that examines the Taliban’s activities and policies during these two time periods and how this has contributed to the fear that people have in Afghanistan of the Taliban.

Furthermore, due to the rapidly developing situation on the ground in Afghanistan, some of the objective evidence provided is contradicted by other reliable sources found online and needs updating. Also, there are instances in this document where the objective evidence provided does not include information related to the points that have been made and this can certainly strengthen the report. These issues have been highlighted in the review below.

<p style="text-align: center;"><u>Main Suggestions relating to the CPIN:</u></p> <p>1. An introductory paragraph or section contextualising the fear that people have of the Taliban in Afghanistan that includes an analysis of the last time the Taliban ruled Afghanistan from 1996 to 2001 and the months prior to the group’s takeover of the country in August 2021</p>	<p>1. Not accepted. As we set out in the Preface, CPINs are designed to support Home Office officials handling common types of claim in the UK. They are not intended to be an exhaustive survey of a particular subject or theme.</p> <p>Whilst it might be interesting to include a broader knowledge of the country and its political history, the question we are trying to address is whether a person has a well-founded, objective fear of persecution based on what the Taliban are doing now. The onus is on the person to establish their subjective fear, and therefore open to them to ‘historically contextualise’ that.</p> <p>We must also balance contextual, background information with a clear ask from our primary users (HO decision makers) for a shorter, more precise and concise report. Consequently, the suggested material is a level of detail that is not required for decision makers bearing in mind the scope and purpose of the CPIN.</p>
<p>2. A summary paragraph at the end of each section to bring the objective evidence provided in them together</p>	<p>2. Not accepted. The Country Information section is designed to provide objective evidence. It is intentionally distinct from our assessment, which is where we seek to summarise and analyse the objective evidence gathered. This is in line with previous IAGCI- and ICIBI-recommendations about clearly distinguishing the two.</p>
<p>3. The objective evidence provided should also add some more individual cases of human rights abuses to further contextualise why people in Afghanistan fear the Taliban and give a more comprehensive understanding of the situation in Afghanistan</p>	<p>3. Not accepted. We will consider the inclusion of any additional source(s) suggested. However, providing individual cases of human rights abuses risks giving undue credence to personal situations and may not provide an assessment of the situation for a group or sub-group in general, which is what the CPIN intends to do (as explained in the Preface, and in line with Paragraph 339JA of the Immigration Rules).</p>

1.4 Understanding of the themes addressed in the CIG Reports

In general, the report reflects prevalent legal usage and academic understanding of the themes considered. However, further contextualisation of the fear that people in the country have of the Taliban (i.e., Taliban-ruled Afghanistan from 1996–2001 and the months before the group’s takeover of the country in August 2021) is needed to strengthen this report. It is understood here that the document is about fear of the Taliban in Afghanistan since the Taliban’s takeover in August 2021. However, including earlier information on the Taliban would add more context to this document. An examination of life under Taliban rule in Afghanistan between 1996 and 2001, as well as in the months before the group’s takeover of the country in August 2021, will give the reader a more comprehensive understanding of the fear of the Taliban in Afghanistan.

Home Office comment:

As per comment 1 in the table above.

1.5 Quality and balance of sources

In general, the sources used tend to be of high quality and relevant to the time period in which the report was conducted. However, there are some instances in this document where the objective evidence provided either conflicts with information from other sources online or is outdated. For example:

6.8.6 (Suggestion) This paragraph states that on 22 November 2021, Human Rights Watch (HRW) revealed that the Taliban’s intelligence officials have made death threats against journalists who have criticised officials from the group. Nonetheless, this paragraph does not provide any concrete examples of this being the case and it would give the reader more of an understanding of why people in Afghanistan fear the Taliban. This issue and further examples of this have been highlighted in the review below.

Home Office comment: Annotations on the above summary can be found in section 2.5

2. Review

2.1 Consideration of issues

This section addresses potential issues with the report’s sub-section of ‘Consideration of issues’.

<p>2.4.1 (Comment) This paragraph states that whilst enforcement may vary by region, guidance issued by the Taliban’s Ministry for Propagation of Virtue and Prevention of Vice orders women to have a male escort (mahram) and to wear the hijab. However, this paragraph should also emphasise the fact that a mahram must be a close male relative of the woman. Furthermore, while it is correct that women must have a mahram, it should be clarified that Taliban have stated that women must be accompanied by a mahram only if they are travelling for more than 72km. Source – Al Jazeera, ‘No long-distance travel for women without male relative: Taliban’, 26 December 2021, https://www.aljazeera.com/news/2021/12/26/afghanistan-long-distance-travel-women-without-male-escort-taliban</p>	<p>Accepted. We will clarify women must be accompanied by a close male relative if travelling for more than 72km.</p>
<p>2.4.1 (Comment) This paragraph states that the Taliban’s Ministry for Propagation of Virtue and Prevention of Vice prohibits the broadcast of entertainment shows featuring women. In addition, the objective evidence provides that the Propagation of Virtue and the Prevention of Vice has ordered women news presenters must now wear headscarves on screen. Also, men on screen have been ordered to wear “proper clothes,” although the guidelines do not specify which types of clothes are considered “proper” by the Taliban. Source – CNN Philippines, ‘Women banned from Afghan television dramas under new Taliban media rules’, 23 November 2021, https://www.cnnphilippines.com/world/2021/11/23/women-Taliban-media-rules.html</p>	<p>Not accepted. The assessment provides a general consideration of risk and does not intend to cite all objective evidence provided in the country information section. Decision makers are directed to read the relevant sections alongside the assessment. Paragraphs 6.5.8 and 6.8.7 refer to the order that women news presenters must wear headscarves on screen.</p>
<p>2.4.1 (Comment) This paragraph states that the Taliban’s Ministry for Propagation of Virtue and Prevention of Vice has banned barbers from shaving or trimming beards in Afghanistan. However, the objective evidence provides that the order appears to stop short of the outright ban on trimming beards in the country that the Taliban issued during their last government from 1996 to 2001. Source – VOA News, ‘Taliban Call on Barbershops to Not Shave, Trim Beards’, 30 December 2021, https://www.voanews.com/a/taliban-call-on-barbershops-to-not-shave-trim-beards-/6376027.html</p>	<p>Partially accepted. Evidence at paragraph 5.5.2 refers to a ban on shaving or trimming beards in Helmand province. We will refer to the later evidence that states there appears to no official outright ban of such practices. However, as the assessment indicates, enforcement of such decrees may vary by region.</p>

2.2 Taliban – background

<p>3.1.1 (Suggestion) This paragraph directs the reader to view the Country Policy and Information Note on ‘Afghanistan: Fear of the Taliban v1.0’ for information on the peace talks and the events leading up to the Taliban takeover of Afghanistan. However, it could give a general overview on the peace talks and the events leading up to the Taliban takeover of the country because of the role that it plays in the fear that the people of Afghanistan have of the Taliban today.</p> <p>For example, the fear that Afghanistan’s women have of the Taliban is evident in the events leading up to the group’s eventual takeover of the country. On 03 March 2021, CNN reported that three female media workers were shot dead in the eastern Afghan city of Jalalabad. The women were killed on their way home from work, and witnesses said gunmen shot the women in the head before fleeing. Provincial police chief Juma Gul Hemat said that the suspected lead attacker had been arrested and that he was connected to the Taliban. Source – CNN, ‘Three female journalists killed by gunmen in Afghanistan in latest wave of violence’, 03 March 2021, https://edition.cnn.com/2021/03/02/middleeast/afghanistan-media-worker-killed-intl-hnk/index.html</p> <p>On 19 May 2021, NBC reported that in the first two months of 2021, the Taliban surrounded the provincial capitals of Uruzgan, Kunduz, Kandahar, Helmand and Baghlan provinces to prepare the offensives, and they continued assassinating government employees, security officials and journalists. Source – NBC News, ‘Taliban ramped up attacks against Afghans as peace talks faltered, Pentagon watchdog says’, 19 May 2021, https://www.nbcnews.com/news/world/taliban-ramped-attacks-against-afghans-peace-talks-faltered-pentagon-watchdog-n1267852</p>	<p>Not accepted. This CPIN intends to expand on events since version 1.0. Decision makers are directed to refer to earlier information if required. For succinctness we do not consider it necessary to repeat the country information already provided in the previous CPIN.</p>
<p>3.2.1 (Suggestion) This paragraph directs the reader to view the Country Policy and Information Note on ‘Afghanistan: Fear of the Taliban v1.0’ for information on the Taliban’s ideology, aims and objectives; organisational structure and command, as well as their strength. However, it could give a general overview on the Taliban’s ideology in particular because of the role that it plays in the fear that the people of Afghanistan have of the Taliban today.</p> <p>On 20 June 2021, France 24 reported that the Taliban said they remain committed to peace talks but insisted a “genuine Islamic system” in Afghanistan was the only way to end the war and ensure rights — including for women. It added that fears were growing that if the Taliban returned to power they would reimpose their harsh version of Islamic law, under which girls were banned from school and women accused of crimes such as adultery were stoned to death in stadiums. Indeed, on 20 June 2021, Mullah Abdul Ghani Baradar, the Taliban’s co-founder and deputy leader, stated that, “A genuine Islamic system is the best means for solution of all issues of the Afghans”. Source – France 24, ‘Taliban say ‘Islamic system’ only way to Afghan peace, women’s rights’, 20 June 2021, https://www.france24.com/en/live-news/20210620-taliban-say-islamic-system-only-way-to-afghan-peace-women-s-rights-1</p> <p>On 18 August 2021, BBC News reported that in the year following the US-Taliban peace deal of February 2020 — which was the culmination of a long period of direct talks — the Taliban appeared to shift their tactics from complex attacks in cities and on military outposts to a wave of targeted assassinations that terrorised the country’s civilians. However, the targets — women in positions of power, peace activists, judges, journalists — suggested that the Taliban had not changed their extremist ideology. Source – BBC News, ‘Who are the Taliban?’, 18 August 2021, https://www.bbc.co.uk/news/world-south-asia-11451718</p>	<p>Not accepted. This CPIN intends to expand on events since version 1.0. Decision makers are directed to refer to earlier information if required. For succinctness we do not consider it necessary to repeat the country information already provided in the previous CPIN.</p>

2.3 Limits on reporting, propaganda and misinformation

4.1.5 (Suggestion) This paragraph states that on 19 September 2021, the Taliban’s ‘Government Media and Information Centre’ (GMIC) announced 11 media regulations or ‘journalism rules’ for Afghan journalists. However, the objective evidence provides that the Taliban have gone even further than this in recent months, announcing new regulations.

On 21 November 2021, the Taliban’s Ministry of Virtue and Prevention of Vice announced eight religious ‘guidelines’ which restrict the broadcasting of media that contravenes Islamic values, with several edicts exclusively targeting women journalists and media workers. Indeed, Hakif Mohajir, a Taliban spokesperson, stated that the “religious guidelines” prohibit the screening of films or television programmes “against Islamic or Afghan values”. The rules also called on broadcasters to cease airing soap operas or dramas featuring women. All female journalists will also be required to wear an “Islamic hijab” whilst at work, an unclear edict subject to interpretation by the Taliban. In addition to the restrictions on women, the guidelines also prohibit any media that shows imagery of the prophet Muhammad or revered persons, comedic programs that “humiliate people”, and any films that contravene ‘Afghan’ law. Source – The International Federation of Journalists (IFJ), ‘Afghanistan: Taliban’s new directives will further muzzle press freedom’, 30 November 2021, <https://www.ifj.org/media-centre/news/detail/category/press-releases/article/afghanistan-talibans-new-directives-will-further-muzzle-press-freedom.html>

On 27 January 2022, the Taliban government in Afghanistan prevented media outlets from holding a press conference in Kabul over concerns about the status of media in the country. The Afghanistan Journalist Centre said in a statement that the conference was supposed to be attended by 11 representatives from different media organisations. The head of the Afghanistan National Journalists’ Union, Ali Asghar Akbarzada, stated that, “All national and international media outlets were covering it, however, unfortunately, due to the verbal order of the officials of the Islamic Emirate, the conference was cancelled”. Members of the Afghanistan National Journalists Union said that the Islamic Emirate instructed them to not hold the conference until they receive permission. Source – The Times of India, ‘Taliban govt stops media outlets from holding conference’, 27 January 2022, http://timesofindia.indiatimes.com/articleshow/89147256.cms?utm_source=contentofinterest&utm_medium=text&utm_campaign=cppsthttps://timesofindia.indiatimes.com/world/south-asia/taliban-govt-stops-media-outlets-from-holding-conference/articleshow/89147256.cms

On 04 February 2022, Reporters Without Borders (RSF) reported that Afghan journalists have been increasingly harassed by the Taliban’s intelligence and new ministry. It revealed that there has been a surge in threats, summonses for interrogation and arbitrary arrests of journalists and those working for media outlets in the past two months in Afghanistan. RSF stated that the Taliban intelligence agency known as the “Istikhbarat” and the Ministry for Promoting Virtue and Suppressing Vice are directly implicated in this harassment, which violates Afghanistan’s press law. The report revealed that the latest of the many journalists to be detained include Aslam Hijab, a business reporter for the privately-owned Ariana News TV channel, who was arrested outside his place of work on 31 January 2022. His colleague, Waris Hassra, was also arrested after he tried to protest Hijab’s arrest and both were taken away by intelligence officers to an unknown destination and were held for 48 hours before being released. Source – Reporters Without Borders (RSF), ‘Afghan journalists increasingly harassed by Taliban intelligence and new ministry’, 04 February 2022, <https://rsf.org/en/news/afghan-journalists-increasingly-harassed-taliban-intelligence-and-new-ministry>

4.1.13 (Suggestion) This paragraph states that the NAI, an organisation supporting media in Afghanistan, said that since the Taliban takeover, over 257 media outlets have ceased operating in the country due to financial challenges as well as restrictions. However, it should clarify the meaning of the acronym NAI (Supporting Open Media) in order to give the reader more of an understanding of this paragraph.

Accepted. We will refer to the new guidelines when we update the CPIN as a result of this review.

Partially accepted. We will refer to any additional restrictions and harassment of journalists in the section on ‘Journalists and human rights defenders, including lawyers and judges’ when we update the CPIN as a result of this review.

Accepted. We will refer to the [NAI website](#) for clarification when we update the CPIN as a result of this review.

2.4 Life under the Taliban

5.3.1 (Suggestion) This paragraph states that Hibatullah Akhundzada is the supreme leader of the Taliban (Islamic Emirate of Afghanistan – IEA) but that he remains out of the public eye. However, the objective evidence provides that there are debates about whether Akhundzada is alive or is deceased.

On 03 December 2021, Hindustan Times reported that on 30 October 2021 — two months after a Taliban spokesman insisted Akhundzada was alive and well in Kandahar — rumours swirled in the southern city that the “emir” had delivered a speech at a madrassa (qur’anic school). Taliban officials released a crackling audio recording lasting more than 10 minutes to authenticate his appearance at the Hakimia madrassa. However, officials of the ousted Afghan government and many Western analysts believe that Akhundzada died years ago. One security official of the former regime told AFP that Akhundzada himself had no role before the Taliban’s takeover of Kabul and has long been dead. The source provides that “about three years ago”, Akhundzada was killed alongside his brother in a suicide attack in Quetta, Pakistan. Indeed, the Taliban pretended founder Mullah Omar was alive for two years following his death in 2013. Source – Hindustan Times, ‘Dead or alive? On the trail of Taliban’s supreme leader Hibatullah Akhundzada’, 03 December 2021, <https://www.hindustantimes.com/world-news/dead-or-alive-on-the-trail-of-taliban-s-supreme-leader-hibatullah-akhundzada-101638499178664.html>

Partially accepted.

The evidence on the whereabouts of Akhundzada appears to be somewhat speculative. Further, [AAN](#) writes ‘Whether alive or not, he does not seem to have much of a concrete role beyond providing the illusion of a centre of gravity and a leader who transcends worldly affairs’, indicating his presence is of little consequence.

5.3.2 (Suggestion) This paragraph states that on 07 September 2021, the Taliban announced an all-male interim 33-member government, drawn from its own ranks. It adds that the Taliban’s cabinet is filled with long-time key Taliban figures from their days as a government and later an insurgency, and it bears a strong resemblance to their former regime of the 1990s. However, this paragraph should also examine the ideological outlook and background of these members of the interim government.

On 08 September 2021, NBC News reported that the all-male, the caretaker Cabinet is made up entirely of long-standing hard-line members of the militant group, including a U.S.-designated terrorist. The interim government includes Mohammad Hasan Akhund, who was given the role of acting prime minister. Akhund was foreign minister and later deputy prime minister when the militant group ruled Afghanistan from 1996 to 2001. After 9/11, the Taliban sheltered the architect of these attacks, Osama bin Laden. Akhund, who is on a United Nations blacklist, led the opposition to handing him over. The interim government also includes Sirajuddin Haqqani, who was given the role of acting interior minister. Haqqani was designated a terrorist by the U.S. government in March 2008 and a \$10 million reward has been offered for information leading to his capture, according to the FBI. The leader of the Haqqani network, which the US has branded a terrorist organisation, is wanted for questioning in connection with a January 2008 attack on a hotel in Kabul that killed six people, including one American. Also, the Haqqani network, which officials have said operates like an organised crime family, has even been blamed for the kidnapping of a number of Americans as part of a kidnap-for-ransom business. Haqqani is also believed to have participated in and coordinated cross-border attacks against US and coalition forces in Afghanistan and is suspected of involvement in the planning of an assassination attempt on then-Afghan President Hamid Karzai in 2008. Source – NBC News, ‘All-male, all-Taliban: Afghanistan’s new government leaves U.S. ‘concerned’’, 08 September 2021, <https://www.nbcnews.com/news/world/all-male-all-taliban-afghanistan-s-new-government-leaves-u-n1278666#anchor-strongSirajuddinHaqqaniactinginteriorministerstrong>

Not accepted. As we set out in the Preface, CPINs are designed to support Home Office officials handling common types of claim in the UK and not intended to be an exhaustive survey of a particular subject or theme.

Whilst it might be useful to have a broader knowledge of the Taliban’s cabinet, we do not consider the inclusion of such information necessary when considering the purpose of the CPIN.

5.3.4 (Suggestion) This paragraph states that on 21 September 2021, the Taliban expanded its cabinet although, like its initial announcement of ministers, the list did not include any women. However, the objective provides that the Taliban have not definitively ruled out adding women to the government in the near future.

On 21 September 2021, The Independent reported that the government’s spokesperson Zabihullah Mujahid said the group needs time to “process women’s demands” and that women might be added later although there was no announcement of the formation of a women’s ministry. Source – The Independent, ‘Taliban confirms final list of government appointees includes no women’, 21 September 2021, <https://www.independent.co.uk/asia/south-asia/taliban-cabinet-afghanistan-women-ministers-b1923899.htm>

Not accepted. There continues to be no objective evidence indicating women will be included in the Taliban’s cabinet. Paragraph 5.3.5 cites a Taliban leader as saying, ‘women will not be in the cabinet or top government positions...’ Until such time women are included, the source cited by the reviewer is somewhat superfluous.

5.4.1 (Suggestion) This paragraph states that on 07 September 2021, the Taliban supreme leader Haibatullah Akhundzada announced that Sharia Law would 'regulate all matters of governance and life in the country'. However, this paragraph could then briefly clarify what Sharia Law is and how it has been interpreted by the Taliban in Afghanistan in order to give the reader a more comprehensive understanding of why people in the country fear the Taliban.

On 18 August 2021, Sky News reported on what Sharia law is and how the Taliban has interpreted it. It stated that some interpretations of Sharia law are used to justify cruel punishments including stoning and amputation, as well as unequal treatment of women in independence, dress, and inheritance. Indeed, the Taliban was condemned internationally for enforcing a strict and extreme version of Sharia law during its rule from 1996 to 2001, which included administering punishments such as public hangings, whippings and stonings. The Taliban also banned music and musical instruments, with the exception of the daf – a type of frame drum – and stoned adulterers and cut off the hands of thieves. Women who disobeyed the rules, even if they had no mahram to go outside with, were flogged in the street or in stadiums and town halls. Women had their thumb tips cut off for wearing nail varnish and were stoned to death if they refused to declare loyalty to the Taliban. Also, anyone who broke the rules could be subject to execution, public beatings by the Taliban's religious police or humiliation. Source – Sky News, 'Afghanistan: What is Sharia law and how has the Taliban interpreted it?', 18 August 2021, <https://news.sky.com/story/afghanistan-what-is-sharia-law-and-how-has-the-taliban-interpreted-it-12383974>

Partially accepted. The recommended source refers to the strict interpretation of Sharia law that the Taliban used during their previous rule. It would be more helpful to refer to how Sharia law is interpreted and used under the current regime, as the question we are trying to address is whether a person has a well-founded fear of persecution based on what the Taliban is doing now. In August 2021, [Al Jazeera](#) cited an independent Afghan analyst who said, 'while the "theoretical interpretation of the Sharia would remain by and large the same as the 90s", the prevailing circumstances – which are usually taken heavily into account to arrive at legal judgements – are different... "Whilst a fully democratic system is unlikely, it is plausible that features of the previous regime [Ghani's] would remain, so long as these complied with the general ethos of the new, Taliban-approved 'Islamic system',". In January 2022, [France 24](#) showed the differences in the way Sharia law was imposed in different regions, indicating that Taliban applied the law more harshly in Herat than in Kabul.

<p>5.5.2 (Suggestion) This paragraph states that on 12 October 2021, Mawlavi Abdullah Mohammad, Director of the Ministry of Virtue and Prevention of Vice, presented a document from the Taliban’s leadership, condemning the decree banning barbers in Helmand province from shaving or trimming beards. However, the objective evidence provides that this is proving to not be the case in Afghanistan and the Taliban have gone further.</p> <p>On 17 January 2022, RFE/RL’s Radio Azadi reported that officials from the Taliban in the country’s southern Uruzgan Province had ordered male employees to stop trimming their beards and wear a turban at work. A senior Taliban official in Uruzgan, Mulawi Taib, told a gathering on 16 January 2022 that the group wanted people to obey Islamic Sharia law. Taib stated that, “All employees...should understand that the policy of the Islamic Emirate [of Afghanistan] is based on Sharia law. All employees are forbidden to shorten their beards and must come to work wearing turbans”. Source – Radio Free Europe/Radio Liberty, ‘Regional Taliban Officials Ban Beard Trimming, Impose Turbans For Male Employees’, 17 January 2022, https://gandhara.rferl.org/a/taliban-beard-trimming-turbans/31658539.html</p>	<p>Accepted. We will refer to the recommended source when we update the CPIN as a result of this review. As noted in response to the reviewers comment under section 2.1 above, in which they cited evidence stating there was no official ban on trimming beards, evidence continues to indicate that implementation of such decrees vary by region.</p>
<p>5.5.3 (Suggestion) This paragraph states that on 12 October 2021, in Ghazni, the Taliban’s religious police were encouraging residents to follow Sharia law. However, the objective evidence provides that the Taliban’s religious police are ordering people in the country to follow Sharia law, as opposed to encouraging them to do so.</p> <p>On 07 January 2022, VOA News reported that the Taliban’s religious police put up posters around the capital of Afghanistan, Kabul, ordering women to cover up. The poster, which includes an image of the face-covering burqa, was placed on shops and cafes by the Ministry for the Promotion of Virtue and Prevention of Vice. “According to Sharia law, Muslim women must wear the hijab,” the poster reads. Source – VOA News, ‘Taliban Religious Police Issue Posters Ordering Women to Cover Up’, 07 January 2022, https://www.voanews.com/a/taliban-religious-police-issue-posters-ordering-women-to-cover-up-/6388024.html</p>	<p>Accepted. We will refer to the recommended source when we update the CPIN as a result of this review. It is accepted that there are posters displayed ordering women to cover up, although a Taliban spokesperson was also cited as saying, ‘If someone does not follow [the order], it does not mean she will be punished or beaten, it’s just encouragement for Muslim women to follow Sharia law.’ Further, as noted in response to the reviewer’s suggestion at 5.4.1 above, in January 2022, France 24 showed the differences in the way Sharia law was imposed in different regions, indicating that Taliban applied the law more harshly in Herat than in Kabul. Similarly, the recommended VOA News article states that the Taliban ‘have published guidance for men and women that has varied from province to province.’</p>

<p>5.6.2 (Suggestion) This paragraph states that Taliban fighters, now acting as a police force, were seen as less corrupt than their predecessors, who demanded bribes. It adds that on 5 October 2021 that the Taliban undertook daily street patrols and that they chase those who do not heed their call, summon suspected criminals to police stations and halt street fights. However, the objective evidence provides that the Taliban have become increasingly authoritarian in their policing of the state.</p> <p>On 07 February 2022, Sky News reported on a Taliban jail in Herat where it is claimed inmates are being held with “no proof, no evidence and no trials”. The Sky News team saw children as young as 12 inside Herat’s prison — and many of them told Sky News that they’re there for “stealing bicycles” — and found that children continue locked up and those seen as Taliban critics continue to disappear inside these prisons. Source – Sky News, ‘Afghanistan: Inside prison where children as young as 12 are held and female governor has vanished’, 07 February 2022, https://news.sky.com/story/afghanistan-inside-prison-where-children-as-young-as-12-are-held-and-female-governor-has-vanished-12534928</p> <p>09 February 2022, The Diplomat reported that members of the Haqqani Network — a notorious terrorist organisation accused of indiscriminately attacking and murdering innocents by suicide bombings and other attacks for many years — now serve as police officers in Taliban-controlled Afghanistan. It also states that under the current situation in Afghanistan, there is neither law and order nor courts, rule of law, due process, accountability, and effective command and control over Taliban militias. The Diplomat claims that every Taliban member can take the law into his own hands and do whatever he wants. Source – The Diplomat, ‘An Urgent Need for Justice: Expediting the International Criminal Court’s Afghanistan Investigation’, 09 February 2022, https://thediplomat.com/2022/02/an-urgent-need-for-justice-expediting-the-international-criminal-courts-afghanistan-investigation/</p>	<p>Accepted. We will refer to the recommended sources when we update the CPIN as a result of this review.</p>
<p>5.6.5 (Suggestion) This paragraph states that Tolo News said on 28 October 2021 that, according to the Afghanistan Chamber of Commerce and Industries (ACCI), more than 40 businessmen had been kidnapped since the Taliban takeover in Kabul, Kandahar, Nangarhar, Kunduz, Herat and Balk provinces. However, it should also mention the fate of those businessmen who have been kidnapped since the Taliban takeover if possible.</p> <p>On 16 November 2021, Qantara.de reported that Kabul-based economic expert Khanjan Alokozay revealed that in the last two months, more than 40 shopkeepers and businessmen have been kidnapped in different parts of the country, and that some of them had also been killed. Source – Qantara.de, ‘Can the Taliban avert a food crisis without foreign aid?’, 16 November 2021, https://en.qantara.de/content/afghanistans-humanitarian-crisis-can-the-taliban-avert-a-food-crisis-without-foreign-aid</p> <p>On 09 February 2022, ANI News reported that an Afghan businessman from Faryab province was killed by his kidnappers three months after receiving USD 50,000 of ransom. Hafizullah was a carpet seller and his body was found inside a well in the Andkhoy district of Faryab province. Source – ANI News, ‘Afghan businessman killed in Faryab province’, 09 February 2022, https://www.aninews.in/news/world/asia/afghan-businessman-killed-in-faryab-province20220209105858/</p>	<p>Accepted. We will refer to the recommended sources when we update the CPIN as a result of this review.</p>
<p>5.6.5 (Suggestion) This paragraph states that Associated Press (AP) reported on 8 December 2021 that ‘Many Taliban foot soldiers now have new jobs: manning checkpoints on the streets and carrying out security patrols in and around Afghan cities and towns’. However, the role of the Taliban in Afghanistan’s rising crime rates is downplayed in this section. Indeed, the objective provides that the Taliban are actively contributing to the rising crime rates in the country.</p> <p>On 24 January 2022, iNews reported that although the Taliban pledged to bring stability to the country, crime rates have been “through the roof”. It added that this could cause issues as “whatever support and legitimacy they have may also fall apart,” Teun van Dongen of the International Centre for Counter Terrorism said – especially as they are frequently the cause. Mr van Dongen added that, “It’s also often Taliban fighters themselves looting and extorting people. They’re shooting themselves in the foot because they’re showing themselves not to be who they pretended to be.” Source – iNews, ‘Life under the Taliban five months on: Aid agencies warn of extreme child poverty as humanitarian crisis grows’, 24 January 2022, https://inews.co.uk/news/life-under-taliban-five-months-aid-agencies-warn-extreme-child-poverty-humanitarian-crisis-grows-1401215</p>	<p>Accepted. We will refer to the recommended sources when we update the CPIN as a result of this review. It would be helpful if more sources corroborating this information were provided.</p>

<p>5.7.3 (Suggestion) This paragraph states that on 23 September 2021, Mullah Nooruddin Turabi, one of the founders of the Taliban who acted as justice minister and head of the Ministry of Propagation of Virtue and Prevention of Vice during the Taliban’s previous rule, told the Associated Press (AP) that, ‘... judges – including women – would adjudicate cases, but the foundation of Afghanistan’s laws will be the Quran.’ However, the objective evidence provides that this is not the case and female judges are fleeing Afghanistan in reality.</p> <p>On 25 December 2021, Sky News reported that more than 100 female Afghan judges and their families have been rescued by a team of pro-bono lawyers in the UK following the Taliban takeover. The women held senior roles in the Afghanistan judiciary and were vital in upholding the equal rights of women and girls. They were judges and prosecutors in the courts of domestic violence, rape cases, forced and child marriages and in cases involving the trafficking of women. Baroness Helena Kennedy, an expert in human rights law, choreographed the successful rescue and has been instrumental in getting them to safety. She said: “The women who were contacting me were terrified for their lives, they were hiding with their families, with their children in basements”. She added that, “They had moved out of their houses and gone to stay with relatives and they were getting these threats on their phones, and through relatives they would be receiving threats”. Source – Sky News, ‘Afghanistan: More than 100 female judges and their families rescued by UK lawyers after Taliban takeover’, 25 December 2021, https://news.sky.com/story/afghanistan-more-than-100-female-judges-and-their-families-rescued-by-uk-lawyers-after-taliban-takeover-12503084</p>	<p>Accepted. We will refer to the recommended sources when we update the CPIN as a result of this review. It would be helpful if more sources corroborating this information were provided.</p>
<p>5.7.14 (Suggestion) This paragraph states that following reports of Taliban fighters abusing journalists and seizing property, a decree issued in late September by the office of supreme leader, Haibatullah Akhunzada said the Taliban was banned from entering homes or offices. However, the objective evidence provides that this is not the case and the Taliban still enters the homes of anyone it considers a threat to them in Afghanistan.</p> <p>On 20 January 2022, The Guardian reported that Taliban gunmen raided the homes of women’s rights activists in Kabul, beating and arresting female campaigners in a string of actions reportedly triggered by recent demonstrations. Parawana Ibrahimkhel and Tamana Zaryabi Paryani, who participated in a series of protests held in Kabul over the last few months, were seized by armed men claiming to be from the Taliban intelligence department. Source – The Guardian, ‘Taliban launch raids on homes of Afghan women’s rights activists’, 20 January 2022, https://www.theguardian.com/global-development/2022/jan/20/taliban-arrest-afghan-womens-rights-activist-witness-says</p>	<p>Partially accepted. At the end of the section on Taliban justice, users are directed to view the sections on Potentially vulnerable groups where country information provides that house raids take place (paragraphs 6.1.4, 6.4.5, 6.8.6, 6.8.9). However, we will look to make it clearer that the Taliban leader’s directions are not always followed.</p>

2.5 Potentially vulnerable groups

<p>6.1.7 (Suggestion) This paragraph states that Human Rights Watch (HRW) reported on 30 November 2021 that, despite a general amnesty, more than 100 members of the former security services have been killed or disappeared in 4 provinces between 15 August and 31 October 2021. However, this paragraph should include a breakdown of the context of these killings to give the reader more of an understanding of the situation.</p> <p>On 31 January 2022, Al Jazeera reported that UN Secretary-General Antonio Guterres said in a report addressed to the UN Security Council that “more than two-thirds” of the victims were allegedly killed extrajudicially by the Taliban or its affiliates. “Despite announcements of general amnesties for former members of the Government, security forces and those who worked with international military forces, [the United Nations Assistance Mission in Afghanistan] UNAMA continued to receive credible allegations of killings, enforced disappearances, and other violations” against former government and coalition members, the report said. The UN mission also documented 44 cases of temporary arrests, beatings and threats of intimidation, 42 of them by the Taliban. Source – Al Jazeera, ‘Taliban killed dozens of former Afghan officials: UN report’, 31 January 2022, https://www.aljazeera.com/news/2022/1/31/taliban-killed-scores-of-former-afghan-officials-un</p>	<p>Accepted. We will clarify the point made at 6.1.7 when we update the CPIN as a result of this review and cross reference to the relevant groups referred to in section on potentially vulnerable groups.</p>
--	--

<p>6.2.6 (Suggestion) This paragraph states that in a meeting on 23 October 2021 with the UN Secretary-General’s special representative to Afghanistan, Deborah Lyons, the Taliban’s Deputy Prime Minister gave assurances that UN organisations and staff would be protected in the country. However, the objective evidence provides that UN staff are still at risk in the country and the paragraph should address this.</p> <p>On 11 February 2022, Daily Sabah reported that the Taliban had detained two foreign journalists on assignment with the United Nations refugee agency and a number of its Afghan staff working in the country’s capital. “Two journalists on assignment with UNHCR and Afghan nationals working with them have been detained in Kabul,” the refugee agency tweeted. One of the detained is Andrew North, a former British Broadcasting Corporation (BBC) journalist who has worked extensively in Afghanistan. Source – Daily Sabah, ‘Taliban detain UN staff, journalists in Kabul’, 11 February 2022, https://www.dailysabah.com/world/asia-pacific/taliban-detain-un-staff-journalists-in-kabul</p>	<p>Partially accepted. Whilst it is useful to be aware of such incidents, we aim to provide a view of the situation for a group or sub-group in general rather than discrete events. In addition, it would be helpful to have other sources corroborating this information, or sources indicating there is a general pattern of abuse against UN staff.</p>
<p>6.4.6 (Suggestion) This paragraph states that on 3 September 2021, the Taliban said there would be no reprisal killings of Afghan military pilots and that they ‘... will be inviting former military personnel, including pilots, to join their new security forces.’ However, the objective evidence provides that they and their families are still at risk of being attacked by the Taliban and the paragraph should highlight this.</p> <p>On 23 October 2021, Radio Free Europe/Radio Liberty reported that Afghan military pilots who fled to Tajikistan when the Taliban seized power in Kabul say the militant group is pressuring them to return to Afghanistan by threatening to kill their relatives. One Afghan pilot, speaking on condition of anonymity, told RFE/RL that his son back in Afghanistan was beaten by the Taliban and that the militants threatened to kill the boy if the pilot did not return. Another pilot stated that the Taliban has a list of the names of all 143 Afghan pilots now in Tajikistan and that they are increasing pressure on all of the pilots by threatening their relatives in Afghanistan. Source – Radio Free Europe/Radio Liberty, ‘Afghan Pilots Who Fled To Tajikistan Say Taliban Is Threatening Relatives Back Home’, 23 October 2021, https://www.rferl.org/a/afghan-pilots-taliban-threatening-families/31525887.html</p>	<p>Not accepted. The recommended source is already cited at paragraph 6.4.8.</p>
<p>6.5.2 (Suggestion) This paragraph states that HRW reported on 1 November 2021 that, ‘Secondary schools have reopened for boys but remain closed to the vast majority of girls.’ It also adds that, ‘Women are mostly out of university, and due to new restrictions, it is unclear when and how they can return.’ However, the objective provides that whilst the Taliban have halted access to education for the women of Afghanistan, Taliban officials have been sending their daughters to schools overseas. This should be included in the paragraph to provide the reader with more of an understanding of the current situation.</p> <p>On 08 February 2022, the Daily Mail cited a report by Afghanistan Analysts Network which found that Taliban officials in Qatar have enrolled their daughters in schools, while not allowing many female secondary students in classrooms in Afghanistan. A daughter of one current Taliban minister, who was previously a member of the Leadership Shura in Quetta, said she is studying medicine at a Qatari university. Another Qatar-based Taliban official told AAN: ‘Taliban members and their families who live here [in Qatar] have strong demands for modern education and no one opposes it for either boys or girls – of any age.’ Two members of the Taliban’s Qatar office, who have since relocated to Kabul, said they didn’t know whether to bring their families to Afghanistan or wait due to the ‘interruption it would pose to the boys’ and girls’ schooling’. Source – Daily Mail, ‘Taliban elite educate their daughters abroad while millions of girls in Afghanistan being banned from classrooms and face widespread starvation’, 08 February 2022, https://www.dailymail.co.uk/news/article-10488953/Taliban-elite-educate-daughters-abroad-millions-girls-banned-classrooms.html</p>	<p>Not accepted. As we set out in the Preface, CPINs are designed to support Home Office officials handling common types of claim in the UK and, whilst it might be useful to have a broader knowledge this apparent hypocrisy, the CPIN is not intended to be an exhaustive survey of a particular subject or theme. Furthermore, should we refer to this subject in future, we would look to use AAN, the primary source of this information.</p>

<p>6.5.8 (Suggestion) This paragraph states that media guidelines issued by the Taliban on 21 November 2021 called on female television journalists to wear the hijab and urged TV stations not to show soap operas or dramas featuring women actors. However, the objective evidence provides that the situation for Afghanistan’s female journalists is becoming even worse in the Taliban-controlled country.</p> <p>On 09 January 2022, TOLONews reported that female reporters said that even in some press conferences held by Islamic Emirate officials they were not allowed to attend or cover the news. A TOLONews reporter, Amina Hakimi, stated that, “We went to cover two events; one event was organised by the Kabul governor and the other was by the Ministry of Mines and Petroleum. We were not allowed to attend the events”. Source – TOLONews, ‘Afghan Female Reporters Fear Increased Restrictions’, 09 January 2022, https://tolonews.com/afghanistan/attack-mediajournalists-176237</p>	<p>Accepted. We will look to include further information on the difficulties faced by female journalists when we update the CPIN as a result of this review. It would be helpful if more sources corroborating this information were provided, as well as sources indicating there is a general pattern of abuse against female journalists.</p>
<p>6.5.10 (Suggestion) This paragraph states that on 6 December 2021, Amnesty International reported on the closure of women’s shelters, causing some women to return to their families in which the abuse they were escaping had occurred, or facing fear from prisoners released by the Taliban who were convicted of gender-based violence. However, it could provide more context to this in order to provide the reader with a greater understanding of the situation at this current moment.</p> <p>On 10 December 2021, VOA News reported that the acting Taliban government had shut 32 shelter homes in Afghanistan since 06 Aug 2021, veritably eliminating the last sanctuary for Afghan women fleeing domestic violence and abuse. These shelters, which were supported by international donors, had long provided a safe haven to thousands of victims of domestic violence, mental torment and abuse. Kevin Schumacher, deputy executive director of the U.S.-based Women for Afghan Women (WAW), told VOA that members of the acting Taliban government physically went to the shelters, closing them one by one. “They verbally and physically abused our staff, shouted at them and threatened to skin them alive,” he said. “We tried to negotiate, argue and reason with them, but it did not work.” Source – VOA News, ‘Taliban Closure of Domestic Abuse Shelters Leaves Thousands at Risk, Experts Say’, 10 December 2021, https://www.voanews.com/a/taliban-closure-of-domestic-abuse-shelters-leaves-thousands-at-risk-experts-say/6349979.html</p>	<p>Accepted. We will refer to the recommended source when we update the CPIN as a result of this review.</p>
<p>6.6.8 (Suggestion) This paragraph states that the Foreign, Commonwealth and Development Office (FCDO) said on 30 October 2021 that, ‘Under Taliban rule, LGBT people are among the most vulnerable in Afghanistan, with many facing increased levels of persecution, discrimination, and assault.’ However, this paragraph should provide examples of these increased levels of assault, discrimination, and persecution in order to give more context of the current situation to the reader.</p> <p>On 26 January 2022, The Guardian reported that according to a report by Human Rights Watch (HRW), the lives of LGBTQI+ people in Afghanistan have “dramatically worsened” under Taliban rule. The report highlights cases of violence, gang-rape and death threats since the Taliban takeover of Afghanistan last year. It recorded nearly 60 cases of targeted violence against LGBTQI+ people since August 2021, many of whom described how Taliban rule has destroyed their lives. “We spoke with LGBT Afghans who have survived gang-rape, mob attacks, or have been hunted by their own family members who joined the Taliban, and they have no hope that state institutions will protect them,” said J Lester Feder, senior fellow for emergency research at OutRight Action International, who contributed to the report. Zeba Gul, a 16-year-old transperson, described to the Guardian how her life had worsened in the last few months. “I like to wear makeup, I like dresses, and I love to dance. But my family didn’t allow all that,” the teenager told the Guardian. “They would lock me up with chains and beat me. They would shave my head, tear my clothes and swear at me, calling me ezaak [a derogatory term for homosexuals].” Before the Taliban came to her town in western Afghanistan, she was tormented as an object of shame by her family, but after 15 August, the risk to her life became grave. “After the Taliban came to power, my family threw me out of the house. It is the peak of winter and I sleep in the parks. I have been attacked. I have been raped. The Taliban held me for three days and beat me,” she said. Faraydoon Fakoori, at Paiwand 34, an organisation working to help gender minorities in Afghanistan, said: “Afghanistan has always been a conservative society, but after the arrival of the Taliban, the situation has worsened. We are seeing many cases of violence, harassment and even rape.” Source – The Guardian, ‘Lives of LGBTQ+ Afghans ‘dramatically worse’ under Taliban rule, finds survey’, 26 January 2022, https://www.theguardian.com/global-development/2022/jan/26/lives-of-lgbtq-afghans-dramatically-worse-under-taliban-rule-finds-survey</p> <p>On 26 January 2022, HRW released a 43-page report, “‘Even If You Go to the Skies, We’ll Find You’: LGBT People in Afghanistan After the Taliban Takeover,” based on 60 interviews with LGBTQI+ Afghans. A gay man said that Taliban members detained him at a checkpoint, beat him, and gang-raped him, telling him, “From now on anytime we want to be able to find you, we will. And we will do whatever we want with you.” A lesbian said that after the Taliban takeover, her male relatives joined the Taliban and threatened to kill her because of her sexual orientation. Source – Human Rights Watch, ‘Afghanistan: Taliban Target LGBT Afghans’, 26 January 2022, https://www.hrw.org/news/2022/01/26/afghanistan-taliban-target-lgbt-afghans#</p>	<p>Accepted. Where possible we consult and cite primary sources, so will refer directly to the HRW report when we update the CPIN as a result of this review.</p>

<p>6.7.5 (Suggestion) This paragraph states that on 5 October 2021, Amnesty International reported on the unlawful killing of 13 Hazaras in Daikundi province, 11 of whom were former members of the ANSF. However, this paragraph should add that many Afghans believe that the Taliban could be responsible for killing more Hazaras since then.</p> <p>On 31 January 2022, Sky News reported that a mother killed by a car bomb is believed to be the latest victim in a concerted and systemic persecution of the Hazara ethnic group. The bomb was planted in the centre of the Hazara community in Herat City, a few yards away from the Hazara community office. Although the Islamic State in Khorasan (IS-K) said they'd planted the latest bomb in Herat City, the Hazaras around the area believe it could just as easily have been left by the Taliban. "They don't like us either," one Hazara woman told Sky News. Source – Sky News, 'Afghanistan: Orphaned and terrified – persecuted Hazara minority whose hard lives have just got harder under the Taliban', 31 January 2022, https://news.sky.com/story/afghanistan-hazara-group-that-worked-with-foreigners-now-on-the-run-and-in-hiding-from-taliban-who-want-revenge-12527650</p> <p>On 19 January 2022, Al Jazeera reported that a Taliban fighter had been arrested for shooting dead a Hazara woman, 25-year-old Zainab Abdullahi, at a checkpoint in the Afghan capital as she returned from a wedding. The shooting took place in a Kabul neighbourhood inhabited mostly by members of the minority Shia Hazara community, which has been the target of deadly attacks by sectarian armed groups such as ISIL (ISIS). Abdullahi was "killed by mistake", Taliban spokesman Mohammad Naeem said on Twitter, adding that the arrested fighter will be punished. Source – Al Jazeera, 'Taliban arrests fighter who shot dead Hazara woman at checkpoint', 19 January 2022, https://www.aljazeera.com/news/2022/1/19/taliban-arrest-fighter-who-shot-dead-hazara-woman-at-checkpoint</p>	<p>Accepted. We will refer to the recommended sources when we update the CPIN as a result of this review.</p>
<p>6.7.14 (Suggestion) This paragraph states that on 22 August 2021, the Hindustan Times reported that a group of nearly 70 Sikhs and Hindus were turned back from the airport by the Taliban as they attempted to leave the country on a flight sent by Indian Air Force (IAF) to Kabul to evacuate the Indian nationals. However, the objective evidence provides that this number is in fact contested and the paragraph should address this.</p> <p>On 22 August 2021, The Indian Express reported that the number of Afghan Sikhs and Hindus, including two Members of Parliament representing the minority community, were stopped by the Taliban from boarding an IAF aircraft, and returned from the Kabul airport was at least 72. Source – The Indian Express, 'Taliban stop 72 Afghan Sikhs, Hindus headed to India: You are Afghans, so can't leave', 22 August 2022, https://indianexpress.com/article/india/taliban-stops-72-afghan-sikhs-and-hindus-from-boarding-iaf-plane-7464332/</p>	<p>Accepted. This feels a little pedantic given the number appears to be "around 70" and the wider point (about the alleged turnback of Sikhs and Hindus) is arguably more important than the specific number. Nevertheless, we will refer to the recommended source when we update the CPIN as a result of this review.</p>
<p>6.7.26 (Suggestion) This paragraph states that the Canadian think tank, the International Forum for Right and Security (IFFAS), suggested in a report dated 17 October 2021 that Sikhs in Afghanistan '... practically have to make a choice between options of converting to Sunni Islam or run away from Afghanistan', as they did not follow the Taliban's religious doctrine. However, the objective evidence provides that the IFFAS report from 17 October 2021 was even more damning of the Taliban and this paragraph should address this matter.</p> <p>On 22 October 2021, The Economic Times cited the International Forum For Rights and Security's (IFFRAS) report that stated that the Taliban 'government' will 'never allow diversity to thrive in Afghan state and society' and that the strictest form of Islamic code with tribal customs will result in 'annihilation of all the minority sects of Afghanistan, including Sikhs'. Source – The Economic Times, 'Afghanistan's Sikhs to 'make choice between converting to Islam or leaving country'', 22 October 2021, https://economictimes.indiatimes.com/news/international/world-news/afghanistans-sikhs-to-make-choice-between-converting-to-islam-or-leaving-country-report/articleshow/87204174.cms</p>	<p>Not accepted. We do not consider that this statement by the IFFAS can be deemed 'objective evidence'. Whilst few Sikhs and Hindus remain in Afghanistan, there is limited evidence indicating they are directly targeted by the Taliban.</p>
<p>6.8.4 (Suggestion) This paragraph states that a International Federation of Journalists (IFJ) report on 27 October 2021 found that, 'At least 153 media organisations have been forced to cease operations, with women journalists barred from working, telecommunication shutdowns and the introduction of draconian media regulations that aim to quash freedom of the press.' However, the objective evidence provides that the number of media organisations that have been forced to cease operations is significantly higher.</p> <p>On 24 December 2021, NDTV reported that a survey conducted by non-profit organisation Reporters Without Borders (RSF) and the Afghan Independent Journalists Association (AIJA) shows a radical change in the Afghan media landscape since the Taliban took power. It found that as many as 231 media outlets have had to close and more than 6,400 journalists in Afghanistan have lost their jobs. Source – NDTV, 'Over 6,400 Journalists In Afghanistan Lost Jobs Since Taliban Takeover: Report', 24 December 2021, https://www.ndtv.com/world-news/over-6-400-journalists-in-afghanistan-lost-jobs-since-taliban-takeover-report-2668703</p>	<p>Accepted. We will refer to the recommended source when we update the CPIN as a result of this review.</p>

<p>6.8.6 (Suggestion) This paragraph states that on 22 November 2021, HRW reported ‘Taliban intelligence officials have made death threats against journalists who have criticised Taliban officials and have required journalists to submit all reports for approval before publication.’ However, the objective provides that the Taliban have continued to attack journalists in the country and this should be addressed in the paragraph.</p> <p>On 19 January 2022, the International Federation of Journalists reported that several Afghan journalists have been attacked and detained in the first weeks of 2022, as the Taliban assures press freedom organisations of its commitment to an independent and free media. For example, on 10 January 2022, Afghan journalist Noor Mohammad Hashemi, deputy director of Salam Afghanistan Media Organisation, was attacked by three unidentified men. One assailant, carrying a pistol, forced Hashemi from his vehicle and attempted to shoot the journalist. After the gun misfired, Hashemi managed to defend himself and survived the incident. On 06 January 2022, Taliban authorities detained three journalists, Faisal Modaris, Idris Rahimi and Milad Azizi, at a restaurant in the Shari Naw area of Kabul’s District Four. All three journalists work at YouTube broadcaster Kabul Lovers, a channel covering current affairs and daily life in Kabul with over 244,000 subscribers. The three journalists had recently covered protests in the Panjshir province, reporting residents’ harsh criticism of the Taliban militia’s killing of a civilian in the area. The report was cited by international media organisations and accrued over 120,000 views. Source – The International Federation of Journalists, ‘Afghanistan: Attacks and detentions of journalists continue to escalate’, 19 January 2022, https://www.ifj.org/media-centre/news/detail/category/press-releases/article/afghanistan-attacks-and-detainments-of-journalists-continue-to-escalate.html</p>	<p>Accepted. We will refer to the recommended source when we update the CPIN as a result of this review.</p>
<p>6.9.4 (Suggestion) This paragraph states that Al Jazeera noted on 29 September 2021 that ‘... Under their previous rule, the Taliban banned many sports, but so far have not done so this time.’ However, the objective provides that this is not the case and women have been banned from playing sport.</p> <p>On 08 September 2021, The Guardian reported that Afghan women, including the country’s women’s cricket team, will be banned from playing sport under the new Taliban government, according to an official from the group. In an interview with the Australian broadcaster SBS, the deputy head of the Taliban’s cultural commission, Ahmadullah Wasiq, said women’s sport was considered neither appropriate nor necessary. “I don’t think women will be allowed to play cricket because it is not necessary that women should play cricket,” Wasiq said. “In cricket, they might face a situation where their face and body will not be covered. Islam does not allow women to be seen like this,” he added. Wasiq concluded, “It is the media era, and there will be photos and videos, and then people watch it. Islam and the Islamic Emirate [Afghanistan] do not allow women to play cricket or play the kind of sports where they get exposed.” Source – The Guardian, ‘Afghan women to be banned from playing sport, Taliban say’, 08 September 2021, https://www.theguardian.com/world/2021/sep/08/afghan-women-to-be-banned-from-playing-sport-taliban-say</p>	<p>Partially accepted. Paragraph 6.5.2 indicates that women’s sports have been banned. We will clarify this at paragraph 6.9.4 and cross reference to the section on women.</p>
<p>6.11.1 (Suggestion) This paragraph states that CPIT was not able to find relevant information on Taliban recruitment since their takeover of Kabul in August 2021. However, a number of sources have covered the various methods through which the Taliban have been able to recruit more members since their takeover of Kabul in August 2021 and the paragraph should address this matter to give the reader more of a comprehensive understanding of the situation.</p> <p>On 13 January 2022, The New York Times reported that five months after their takeover of Afghanistan, the Taliban were grappling with the challenges of governance. This is because government employees have fled or refused to work, leaving widespread vacancies in the fragile state. To help fill the gaps, Taliban officials are reaching into Pakistan. For years, Pakistan officially denied the existence of thousands of ex-Taliban fighters quietly living within its borders. Now, the Taliban are privately recruiting them to return and work in the new government. For example, Arsala Kharoti, who had been working as a community organiser at a refugee camp in Pakistan, is now the deputy minister of refugees. Mawlawi Saeedullah, a preacher at a mosque in a Karachi slum, was appointed to a district judge position in Afghanistan’s eastern province of Paktika, resuming a job he gave up in 2001. Source – The New York Times, ‘The Taliban Have Staffing Issues. They Are Looking for Help in Pakistan.’, 13 January 2022, https://www.nytimes.com/2022/01/13/world/taliban-members.html</p> <p>On 18 September 2021, Hindustan Times reported that just before they seized control of Kabul, Taliban opened the gates of Afghanistan’s largest prison. Taliban had released 15,000 inmates from the Pul-e-Charkhi jail on August 14. Freeing prisoners was a strategy that the Taliban used across the country. They targeted prisons to liberate Islamist inmates & boost their fighting ranks. In their bid to gain fighters, the Taliban also released tens of thousands of criminals back into society. Source – Hindustan Times, ‘Taliban’s recruitment source: Jailed criminals freed to fight Afghan govt’, 18 September 2021, https://www.hindustantimes.com/videos/world-news/talibans-recruitment-source-jailed-criminals-freed-to-fight-afghan-govt-101631945751297.html</p>	<p>Not accepted. This section is titled ‘Persons who refuse to join the Taliban as fighters’ and aims to provide information on consequences of such a refusal. We will make this clearer when updating the CPIN as a result of this review.</p> <p>In regard to the recommended sources, we are unable to access The New York Times article due to a paywall. The Hindustan Times report refers only to the Taliban’s alleged strategy to boost ranks by releasing prisoners who may already be sympathetic to the Taliban.</p>

2.6 Grammar

<p>2.4.13 (Suggestion) Typo. The sentence should read: The test that should be adopted is in paragraphs 35 and 82 in HJ (Iran).</p>	<p>Accepted. We will correct this typo when we update the CPIN as a result of this review.</p>
<p>2.5.1 (Suggestion) Typo. The sentence should read: The Taliban have taken control of every major city in Afghanistan, have reestablished the Islamic Emirate and implemented (their version of) Sharia law.</p>	<p>Not accepted. Re-established is the preferred spelling.</p>
<p>2.6.3 (Suggestion) This sentence is difficult to read. It would be clearer to state: While the onus is on the person to establish a well-founded fear of persecution or real risk of serious harm, if there is a safe place that the person can relocate to in order to escape that risk, decision makers must demonstrate that internal relocation is reasonable having regard to the individual circumstances of the person.</p>	<p>Accepted. We will correct this typo when we update the CPIN as a result of this review.</p>
<p>4.1.4 (Suggestion) Typo. The sentence should read: She argues that, ‘One way to understand the Taliban’s power is to examine it from the vantage point of those over whom that power is exercised. Looking at the Taliban through the eyes of the civilians they live among is the fastest way to shake loose faulty but persistent assumptions. Few of the generalisations that proliferate about the Taliban hold up when examined through the lens of civilian experiences.’</p>	<p>Accepted. We will correct this typo when we update the CPIN as a result of this review.</p>
<p>4.1.6 (Suggestion) Typo. The sentence should read: According to these sources, the rules did not comply with international norms, including Article 19 of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.</p>	<p>Not accepted. We consider the sentence is acceptable as it stands.</p>
<p>5.4.3 (Suggestion) This paragraph is difficult to read. It would be clearer to state: However, speaking to Tolo News, an anonymous government source said that the decision to enforce that constitution, which was ratified in 1964, had not been finalised.</p>	<p>Accepted. We will correct this typo when we update the CPIN as a result of this review.</p>
<p>5.5.1 (Suggestion) Typo. The sentence should read: The Ministry for Propagation of Virtue and Prevention of Vice was reestablished under the newly formed Taliban government, which, under previous Taliban rule, punished behaviour deemed un-Islamic, reported The Washington Post on 8 September 2021.</p>	<p>Not accepted. Re-established is the preferred spelling.</p>
<p>5.6.4 (Suggestion) Typo. The sentence should read: Al Jazeera also posted images of the Taliban operating in Kabul, detainees at police stations, and prisoners held at Pul-e-Charkhi prison, which was previously the main government prison for holding captured Taliban members.</p>	<p>Accepted. We will correct this typo when we update the CPIN as a result of this review.</p>
<p>5.7.11 (Suggestion) Typo. The sentence should read: In a similar vein, on arbitrary acts of justice, a civil activist in Ghor province told the independent Afghan newspaper, Hasht-e Subh, in regard to the Taliban seeking revenge from those who fought against them, that, ‘The Taliban doesn’t have a specific leadership, but their members act arbitrarily in areas, and each of them has their own rule...’</p>	<p>Accepted. We will correct these typos when we update the CPIN as a result of this review.</p>
<p>5.7.14 (Suggestion) Typo. The sentence should read: In a statement, the Taliban warned of rogue elements in their ranks, acting in their own interests in an attempt to harm the image of the group, reported Al Jazeera on 4 November 2021.</p>	<p>Accepted. We will correct this typo when we update the CPIN as a result of this review.</p>

<p>5.7.21 (Suggestion) Typo. The sentence should read: The report noted that the 4 accused were publicly stoned in Uruzgan province but Hasht-e Subh was not able to confirm if they were alive or dead.</p>	<p>Accepted. We will correct these typos when we update the CPIN as a result of this review.</p>
<p>6.1.5 (Suggestion) Typo. The sentence should read: A report on political, security-related and humanitarian developments in Afghanistan and the consequences for Europe, as well as the region, by the Council of Europe Parliamentary Assembly, dated 28 September 2021, noted that, ‘While in their public discourse, the Taliban have pledged to respect human rights – within the framework of Sharia law – the reality on the ground contradicts these statements, as reported by the United Nations, NGOs and media sources.’</p>	<p>Accepted. We will correct these typos when we update the CPIN as a result of this review.</p>
<p>6.2.4 (Suggestion) Typo. The sentence should read: Hasht-e Subh Daily, an independent Afghan newspaper, reported on 18 October 2021 that according to sources in Ghor province, ‘... the Taliban has demanded blood money from people in some villages of the province. The Taliban in Ghor province has reportedly demanded the members of the former government and public uprising to pay a ransom for the blood of Taliban fighters killed in the past.’ The Taliban denied the accusations, saying that any past animosity between the Taliban and residents was under ‘the mediation of influential and local elders.’</p>	<p>Accepted. We will correct this typo when we update the CPIN as a result of this review.</p>
<p>6.2.6 (Suggestion) Typo. The sentence should read: In a meeting on 23 October 2021 with the UN Secretary-General’s special representative to Afghanistan, Deborah Lyons, the Taliban’s Deputy Prime Minister gave assurances that UN organisations and staff would be protected in the country.</p>	<p>Accepted. We will correct this typo when we update the CPIN as a result of this review.</p>
<p>6.4.5 (Suggestion) Typo. The sentence should read: Furthermore, the Taliban directed former ANSF members to register with them in order to receive notification guaranteeing their safety.</p>	<p>Accepted. We will correct this typo when we update the CPIN as a result of this review.</p>
<p>6.4.7 (Suggestion) Typo. The sentence should read: Citing various sources, a joint report by Amnesty International (AI), the International Federation for Human Rights (FIDH) and the World Organisation against Torture (OMCT) said ‘In an attack on 4 September [2021], the Taliban were accused of killing Banu Negar, a former woman police officer, in front of her children. She was eight months pregnant at the time. She had worked for the police force in Ghor for 15 years. The incident took place in the night, at 10 PM local time, in her home.’</p>	<p>Partially accepted. It is unclear where the typo is in this sentence, but will assume it is a missing comma after the word ‘said’. However, we will review the CPIN for all typos when we update it as a result of this review.</p>
<p>6.4.16 (Suggestion) Typo. The sentence should read: On 31 December 2021, it was reported that the Taliban would investigate the torture of a former member of the Afghan security forces after a video appearing to show their torture went viral on social media.</p>	<p>Accepted. We will correct this typo when we update the CPIN as a result of this review.</p>
<p>6.6.8 (Suggestion) Typo. The sentence should read: Announcing the UK-arrival of LGBT Afghans who were supported to leave Afghanistan by the UK Government, the Foreign, Commonwealth and Development Office (FCDO) said on 30 October 2021 that, ‘Under Taliban rule, LGBT people are among the most vulnerable in Afghanistan, with many facing increased levels of persecution, discrimination, and assault.’</p>	<p>Accepted. We will correct this typo when we update the CPIN as a result of this review.</p>
<p>6.6 to 6.6.9 (Suggestion) The title of this section is ‘LGBTQI+ persons’ but it does not consistently use the term throughout this section. It uses the term ‘LGBTQ’, ‘LGBTIQ+’, ‘LGBT+’, as well as ‘LGBT’. Therefore, this section should consistently use the term LGBTQI+ in order to provide more clarity to this section.</p>	<p>Accepted. We will correct these typos when we update the CPIN as a result of this review.</p>

6.7.18 (Suggestion) Typo. The sentence should read: In a short video, AA spoke to Manmohan Singh Sethi, vice president of the local Gurdwara Committee of Kabul, who said the Taliban had not interrupted their morning and evening prayers, and had even provided their phone numbers, saying the community should call if there were any problems.

Accepted. We will correct this typo when we update the CPIN as a result of this review.

2.7 Structure

(Firm Recommendation) There is a need for an introductory section contextualising the issues in Afghanistan. As it stands, the document consists mostly of sources that explain why Afghanistan's people may fear the Taliban only since the group's takeover of the country in August 2021. However, the document does not sufficiently explain the difficulties that the people of Afghanistan faced when the Taliban ruled Afghanistan from 1996 until the U.S.-led invasion in 2001. Indeed, more could be written about the Taliban's policies during that period of time and the impact that this has had on the perceptions that Afghanistan's people have of the group.

The document does not outline the general oppressive environment in which Afghanistan's people lived in when the Taliban controlled the country from 1996 until 2001. This would better contextualise the reason behind the fear that the people in the country have of the Taliban because the group's policies have mirrored the ones it had enforced during that period of time. The Taliban supported and introduced punishments in line with their strict interpretation of Sharia law — including amputations for those found guilty of theft, and public executions of convicted murderers and adulterers. The Taliban also required men to grow beards and women to wear the all-covering burqa. The group banned cinema, music and television, and disapproved of girls aged 10 and over going to school. Therefore, an examination of the Taliban's rule of Afghanistan from 1996 to 2001 can help the reader understand the reason for the fear that Afghanistan's population has of the Taliban.

Additionally, it would be helpful to include a section in the document that contextualises the months prior to the Taliban's takeover of the country in August 2021 and the numerous human rights abuses the group had committed in that time. This should consist of the Taliban's attacks against women, persons associated with international military forces, as well as religious minorities in Afghanistan before August 2021. This could be added to an introductory section and it would add more context to the document with regard to the fear that Afghanistan's people of the Taliban.

Not accepted. As we set out in the Preface, CPINs are designed to support Home Office officials handling common types of claim in the UK. They are not intended to be an exhaustive survey of a particular subject or theme.

Whilst it might be interesting to include a broader knowledge of the country and its political history, the question we are trying to address is whether a person has a well-founded, objective fear of persecution based on what the Taliban are doing now. The onus is on the person to establish their subjective fear, and therefore open to them to 'historically contextualise' that.

We must also balance contextual, background information with a clear ask from our primary users (HO decision makers) for a shorter, more precise and concise report. Consequently, we do not consider the inclusion of such information necessary when considering the purpose of the CPIN.

(Firm Recommendation) It would be advantageous for each section of this document to have a summary as a means to give some coherency to the objective evidence which is mostly composed of sources that provide a large amount of statistics and data on the current situation in Taliban-controlled Afghanistan. Indeed, as a result of these statistics and data not being in chronological order in the document, it is difficult to follow the objective evidence in order to gain a clear understanding of the situation at this current moment. Therefore, a summary at the end of each section will give readers of the document some more clarity of the reasons for the fear of the Taliban from people in Afghanistan. For example, Section 6 (Potentially vulnerable groups): A summary paragraph at the end of this section could explain the overall impact of the Taliban's policies towards vulnerable groups in the country and address how this created fear of Taliban amongst these groups of people. Also, it could discuss the future projections of the treatment of these vulnerable groups by the Taliban that the various sources cover in the numerous subsections of Section 6.

Not accepted. The Country information section is designed to provide objective evidence. It is intentionally distinct from our assessment, which is where we seek to summarise and analyse the objective evidence gathered. This is in line with previous IAGCI- and ICIBI-recommendations about clearly distinguishing the two.

3. Information about the Reviewer

Dr Fatah is the director of Middle East Consultancy Services (MECS). He has been working as an expert witness since 2000, focusing on issues across the Middle East and North Africa (MENA), as well as Afghanistan, Iran, and Turkey. Dr Fatah has produced over 3000 expert reports which have been commissioned for and cited in a number of immigration appeals, as well as family and criminal cases. He has also examined a large number of people from the Middle East whose nationality and/or ethnicity has been disputed. Dr Fatah has also examined and authenticated thousands of documents from the MENA region.

Review of the February 2022 Home Office Country Policy and Information Note on Afghanistan: Humanitarian situation

Prepared for the Independent Advisory Group on Country Information (IAGCI)

Dr Rebwar Fatah, Middle East Consultancy Services²

February 2022

² Dr Fatah is a MENA specialist and has been working as an expert witness since 2000. Dr Fatah provides Country Expert Reports (including Country Guidance Report Cases); Nationality Assessments; and Document Authentication Expert Reports. This work involves analysing, translating and accessing source material in Arabic, Dari, Farsi, Kurdish (Kurmanji and Sorani), and Pashto. Dr Fatah has represented MECS in conferences and meetings at various institutions (universities, human rights bodies, research organisations, parliamentary groups in the UK House of Commons and the Finnish parliament) across the world on matters related to the MENA region.

Table of Contents

1. Introduction	31
1.1 Instructions	31
1.2 Methodology.....	31
1.3 Summary of Review	31
1.4 Understanding of the themes addressed in the CIG Reports	32
1.5 Quality and balance of sources	33
2. Review	34
2.1 Consideration of issues	34
2.2 Socio-economic situation.....	37
2.3 Humanitarian situation	38
2.4 Humanitarian aid.....	40
2.5 Grammar	41
2.6 Structure	43
3. Information about the Reviewer	46

1. Introduction

1.1 Instructions

I have been instructed to review the Home Office country policy and information note: Afghanistan: Humanitarian situation, February 2022. This review is focused on country-of-origin information. I have not been instructed to comment on Home Office policy.

The review will provide:

- An assessment of the extent to which information from source documents has been appropriately and accurately reflected in the CPIN report
- An identification of additional sources detailing the current humanitarian situation in Afghanistan
- A correction of any specific errors or omissions of fact
- A recommendation for general improvements regarding, for example, the structure of the report, its coverage, or its overall approach.

1.2 Methodology

The review has been conducted in line with the Common EU Guidelines for Processing Country of Origin Information (COI) in relation to the ‘Quality criteria for evaluating and validating information’, i.e., relevance, reliability, balance, accuracy, currency, transparency, and traceability.

1.3 Summary of Review

Overall, the report provides a detailed collation of objective evidence on the current humanitarian situation in Afghanistan. There are some issues with some of the information provided already being outdated — due to the humanitarian situation in the country rapidly developing — and additional sources that could be used have been highlighted in the review below.

Due to the lack of freedom of information in Afghanistan since the Taliban takeover, one of the foremost obstacles to this report is that most of the sources do not give a full contextualisation of life on the ground for Afghanistan’s people under the Taliban. This could be overcome through the use of an introductory paragraph or section that examines key changes that the Taliban have made in the country since the group’s takeover.

Furthermore, due to the rapidly developing humanitarian situation in the country, some of the objective evidence provided is contradicted by other reliable sources found online. There are also instances in the report where the objective evidence provided does not include information related to the points that have been made and this can certainly strengthen the report. These issues have been highlighted in the review below.

<u>Main Suggestions relating to the CPIN:</u>	
1. An introductory paragraph contextualising the current humanitarian situation in Afghanistan and life under the Taliban	1. Not accepted. As we set out in the Preface, CPINs are designed to support Home Office officials handling common types of claim in the UK, They are not intended to be an exhaustive survey of a particular subject or theme. This CPIN provides an overview of the humanitarian situation and seeks to establish whether the general humanitarian situation is so severe that there are substantial grounds for believing that there is a real risk of serious harm because conditions amount to inhuman or degrading treatment as within paragraphs 339C and 339CA(iii) of the Immigration Rules/Article 3 of the European Convention on Human Rights (ECHR).
2. A summary paragraph at the end of each section to bring the objective evidence provided together	2. Not accepted. The Country information section is designed to provide objective evidence. It is intentionally distinct from our assessment, which is where we seek to summarise and analyse the objective evidence gathered. This is in line with previous IAGCI- and ICIBI-recommendations about clearly distinguishing the two.
3. The objective evidence provided should also be further contextualised to give a more comprehensive understanding of the situation in Afghanistan and can demonstrate that certain religious minority groups have been targeted by the Taliban in the country	3. Not accepted. This CPIN aims to address the general humanitarian situation. Information on religious minority groups targeted by the Taliban is provided in the CPIN 'Fear of the Taliban'.

1.4 Understanding of the themes addressed in the CIG Reports

In general, the report reflects prevalent legal usage and academic understanding of the themes considered. Nonetheless, further contextualisation of the current humanitarian situation and life under the Taliban is needed to strengthen this report. It is recognised that the shortcomings here may be due to the fact the humanitarian situation in the country is rapidly developing. Regardless, greater contextualisation of life on the ground in Afghanistan will give the reader a more comprehensive understanding of the gravity of the humanitarian situation in the country.

Home Office comment:

Thank you for the positive comments.

As we set out in the Preface, CPINs are designed to support Home Office officials handling common types of claim in the UK and they are not intended to be an exhaustive survey of a particular subject or theme. The CPIN provides an overview of the humanitarian situation and goes on to provide additional information that aims to establish whether the general humanitarian situation is so severe that there are substantial grounds for believing that there is a real risk of serious harm because conditions amount to inhuman or degrading treatment as within paragraphs 339C and 339CA(iii) of the Immigration Rules/Article 3 of the European Convention on Human Rights (ECHR).

1.5 Quality and balance of sources

In general, the sources used tend to be of high quality and relevant to the time period in which the report was conducted. Nonetheless, there are some instances in the report where the objective evidence provided is either outdated or it conflicts with other sources. For example:

4.3.11 (Suggestion) This paragraph highlights the main coping strategies of people in Afghanistan to alleviate growing poverty and hunger in the country. However, coping strategies like people selling their organs and their children are not discussed and it would add more context to the gravity of the current humanitarian situation in the country. This issue and further examples of this have been highlighted in the review below.

Home Office comment: Annotations on the above example can be found in section 2.3

2. Review

2.1 Consideration of issues

This section addresses potential issues with the report's sub-section of 'Consideration of issues'.

2.4.1 (Comment) This paragraph states that the situation in Kabul is significantly better than much of the rest of Afghanistan. However, on 09 September 2021, the United Nations warned that 97 percent of Afghanistan's population may sink below the poverty line unless the country's economic and political crises are addressed. Source – Al Jazeera, 'Afghanistan on the brink of universal poverty: UN', 09 September 2021, <https://www.aljazeera.com/news/2021/9/9/nearly-all-afghans-to-plunge-into-poverty-by-mid-2022-warns-un>

Not accepted. The reviewer references 2012 caselaw, which assessed the humanitarian situation. This was addressed again by the Upper Tribunal (Immigration and Asylum Chamber) in 2018 and reconsidered, to a point, in 2020. The CPIN recognises that, since these cases were promulgated, the situation has deteriorated and notes at paragraph 2.4.5 that, 'In 2020, 72% of the population lived below the poverty line (less than USD\$2.00 or GBP£1.47 per day) and this is predicted to rise by between 7% and 25% by mid-2022.' It should be noted that these figures refer to the population as a whole and there may be regional differences. For example, just over half the population in Kabul were projected to be in need in 2022 (see paragraph 4.2.3), though this should be taken in the context that Kabul has the highest population of all provinces.

<p>2.4.4 (Comment) This paragraph states that by 2021, the number of Afghan citizens in need of humanitarian assistance increased nearly threefold to 18.4 million, nearly half of Afghanistan’s population (estimated to be nearly 40 million), and is expected to increase to 24.4 million in 2022. However, the objective evidence provides that this number is expected to be even higher than is stated in this paragraph. On 09 September 2021, the United Nations Development Programme (UNDP) released a report that revealed that the poverty rate could increase by up to 25 percent because of the contraction in the country’s real gross domestic product (GDP), while acknowledging that half of Afghanistan is already in need of humanitarian support. Source – Al Jazeera, ‘Afghanistan on the brink of universal poverty: UN’, 09 September 2021, https://www.aljazeera.com/news/2021/9/9/nearly-all-afghans-to-plunge-into-poverty-by-mid-2022-warns-un</p> <p>Some agencies even predict that Afghanistan’s economic crisis will leave almost the entire population in poverty in the coming months. Source – Reuters, ‘Afghan women losing jobs fast as economy shrinks and rights curtailed’, 20 January 2022, https://www.reuters.com/world/asia-pacific/afghan-women-losing-jobs-fast-economy-shrinks-rights-curtailed-2022-01-20/</p>	<p>Not accepted. The figures noted at paragraph 2.4.4 reflects the number of people in need, as cited by the UN OCHA. The UNDP report cited by Al Jazeera refers to the population living below, or predicted to live below, the poverty line. Whilst these figures may not be completely distinct from one another, the CPIN aims to accurately reflect the evidence regarding economic conditions and persons in need in both the assessment (paragraphs 2.4.4 and 2.4.5) and at paragraphs 3.2.7 and 4.2.1 of the country information.</p> <p>The sources cited also appear to be projecting what <i>might</i> happen (see my highlighted bits).</p>
<p>2.4.5 (Suggestion) The paragraph states that the Taliban has restricted employment, particularly for women. It then states that civil servants, other government workers and hospital staff who have retained their jobs have not been paid for many months. However, it does not demonstrate the extent to which women have lost their jobs throughout Afghanistan since the Taliban takeover.</p> <p>On 20 September 2021, Kabul’s acting Mayor Hamdullah Nohmani stated that only women whose jobs cannot be done by men are allowed to come to work and that female employees in the Kabul city government must stay home. The order effectively means women are now barred from government work in the capital of Afghanistan. The announcement also revealed that one of the only jobs women can do for the Kabul government is clean female bathrooms. There were believed to be 2,930 people working for the municipality – 27% of whom are women – and this order leaves hundreds of women out of work. Source – CNN, ‘About the only job women can do for the Kabul government is clean female bathrooms, acting mayor says’, 20 September 2021, https://edition.cnn.com/2021/09/19/asia/afghanistan-women-government-jobs-intl-hnk/index.html</p> <p>Afghan women’s employment levels fell by an estimated 16 percent in the third quarter of 2021, according to an International Labour Organisation (ILO) report released on 20 January 2022, relative to 6 percent for men. The report also stated that women’s employment was expected to be 21 percent lower than it was before the Taliban takeover by mid-2022 if current conditions continued. Source – Reuters, ‘Afghan women losing jobs fast as economy shrinks and rights curtailed’, 20 January 2022, https://www.reuters.com/world/asia-pacific/afghan-women-losing-jobs-fast-economy-shrinks-rights-curtailed-2022-01-20/</p> <p>On 01 December 2021, the United Nations Development Programme stated that the Taliban’s move to restrict women from working could immediately cost the Afghan economy up to \$1 billion, or 5% of the country’s GDP. It stated that because women account for 20% of the country’s workforce, preventing women from working could cut half a billion dollars alone from household consumption. Source – Al Jazeera, ‘A Taliban ban on women in the workforce can cost economy \$1bn’, 01 December 2021, https://www.aljazeera.com/economy/2021/12/1/talibans-ban-on-women-in-the-workforce-can-cost-economy-1bn</p>	<p>Partially accepted. The aim of the assessment is to summarise the objective evidence. Paragraph 3.3.5 in the country information indicates restrictions in employment for women. However, we will consider the recommended sources for inclusion in the country information when we update the CPIN as a result of this review.</p>

<p>2.4.6 (Comment) This paragraph states that between November 2021 and March 2022, 8.7 million people in Afghanistan will be at risk of famine-like. However, the objective evidence provides that this estimated number has already been surpassed in the country. Indeed, the UNICEF World Food Programme states that 9 million people in Afghanistan are nearly famished. Source – ABC News, ‘Afghans struggle with humanitarian crisis, millions on brink of starvation’, 09 February 2022, https://abcnews.go.com/International/afghans-struggle-humanitarian-crisis-millions-brink-starvation/story?id=82685490</p>	<p>Accepted. Updated country information will be reflected in the assessment when we update the CPIN as a result of this review.</p>
<p>2.4.8 (Comment) This paragraph states that funding is provided to sustain over 2,300 primary and secondary health facilities in 31 provinces. However, the objective evidence provides that the situation is in fact more stark than this suggests. On 14 February 2022, the New York Times cited an International Rescue Committee prediction that 90 percent of Afghanistan’s health clinics were likely to shut down in the coming months. It went on to cite a World Health Organisation report that outbreaks of diarrhoea, measles, dengue fever, malaria and Covid-19 threaten to overwhelm overburdened hospitals in Afghanistan. Source – The New York Times, ‘Afghanistan’s Health Care System Is Collapsing Under Stress’, 14 February 2022, https://www.nytimes.com/2022/02/06/world/asia/afghanistans-health-care-system.html</p>	<p>Partially accepted. We are unable to access The New York Times article due to a paywall. We also respectfully point out, with reference to the instructions that reviewers ‘... should consider the situation in the country up to the stated ‘cut off’ date for inclusion of information’, that the suggested material post-dates publication of the CPIN.</p> <p>Nevertheless, updated country information – that is accessible – will be reflected in the assessment when we update the CPIN as a result of this review.</p>
<p>2.4.10 (Suggestion) This paragraph states that the Taliban have also reportedly launched a food-for-work scheme, offering wheat in exchange for labour. This could be followed with a sentence providing extra details about the food-for-work scheme in the country.</p> <p>The country’s agriculture officials have stated that wheat, which was mostly donated by India to the previous US-backed Afghan government, is being used by the Taliban to pay around 40,000 workers 10kg of wheat a day. On 12 January 2022, BBC News cited a statement from the Taliban that the programme, which had mostly been used to pay labourers in the capital Kabul, will be expanded around the country. Source – BBC News, ‘Afghanistan crisis: Taliban expands ‘food for work’ programme’, 12 January 2022, https://www.bbc.co.uk/news/business-59961671</p>	<p>Partially accepted. The aim of the assessment is to summarise the objective evidence and seeks to do this. However, we will refer to the recommended source for inclusion in the country information when we update the CPIN as a result of this review.</p>
<p>2.5.2 (Suggestion) This paragraph states that ‘... it will not, in general, be unreasonable or unduly harsh for a single adult male in good health to relocate to Kabul even if he does not have any specific connections or support network in Kabul and even if he does not have a Tazkera’. There should be a short explanation of what a Tazkera is in brackets for the readers of this report.</p> <p>For example, ‘... it will not, in general, be unreasonable or unduly harsh for a single adult male in good health to relocate to Kabul even if he does not have any specific connections or support network in Kabul and even if he does not have a Tazkera (national identity document)’.</p>	<p>Accepted. We will define a Tazkera when we updated the CPIN as a result of this review.</p>

2.2 Socio-economic situation

This section addresses potential issues with the report’s sub-section of ‘Socio-economic situation’.

<p>3.2.10 (Comment) This paragraph states that in a bid to stabilise the Afghani, the Taliban decided to ban the use of foreign currencies for commercial transactions. However, the objective evidence provides that this is also having a negative effect on the economic situation of Afghan workers.</p> <p>On 19 January 2022, ANI reported that the Taliban shut down a key money-exchange market in Kabul, Boli market in Sarai Shahzada, and also pulled out the vendors. The closure of Boli market led to dozens of vendors losing their jobs and will lead to problems determining the real value of the Afghani against foreign currencies. Source – ANI, ‘Taliban closes key money-exchange market in Kabul, vendors pulled out’, 19 January 2022, https://www.aninews.in/news/world/asia/taliban-closes-key-money-exchange-market-in-kabul-vendors-pulled-out20220119024410/</p> <p>This paragraph should also highlight the fact that this move from the Taliban has limited the amount of aid that can be sent to the country. On 04 February 2022, the United Nations stated that it has about \$135 million in the bank in Afghanistan but is unable to use it because the Taliban-run central bank cannot convert it to the afghani currency because the Taliban banned the use of foreign currency in Afghanistan. Source – The New Arab, ‘UN has millions in Afghanistan bank, but is unable to use it’, 04 February 2022, https://english.alaraby.co.uk/news/un-has-135m-afghanistan-bank-cannot-use-it</p>	<p>Accepted. We will refer to the recommended sources when we update the CPIN as a result of this review.</p>
<p>3.3.2 (Suggestion) This paragraph states that the Taliban had launched a ‘food-for-work scheme’ offering wheat in exchange for labour. However, there should be some form of clarification that this wheat was mostly donated to the previous US-backed Afghan government by India and that the Taliban will need to expand this programme. Indeed, the Taliban has already taken delivery of 18 tonnes of wheat from Pakistan with a promise of another 37 tonnes and is in talks with India over 55 tonnes more. Source – BBC News, ‘Afghanistan crisis: Taliban expands ‘food for work’ programme’, 12 January 2022, https://www.bbc.co.uk/news/business-59961671</p>	<p>Accepted. We will refer to the recommended source when we update the CPIN as a result of this review.</p>
<p>3.3.6 (Suggestion) This paragraph states that according to Asian Development Bank (ADB) estimates, ‘... under its worst-case scenario, unemployment would increase by more than 40 percent in the short run and household consumption could contract by 44 percent. In the less pessimistic scenario, unemployment would increase to 26 percent and household consumption would fall by 27 percent.’ This could be followed by a sentence that shows the readers of this report what unemployment estimates could look like in terms of the population. For example, on 19 January 2022, the International Labour Organisation (ILO) stated that, “Job losses in Afghanistan following the change in administration in August 2021 totalled more than half a million in the third quarter and may reach 900,000 by mid-2022”. Source – Anadolu Agency, ‘World labor body’s estimates underscore Afghanistan employment crisis’, 19 January 2022, https://www.aa.com.tr/en/economy/world-labor-body-s-estimates-underscore-afghanistan-employment-crisis/2479138</p>	<p>Accepted. We will refer to the recommended source when we update the CPIN as a result of this review.</p>

3.4.1 (Suggestion) This paragraph directs the reader to view the Country Policy and Information Note on Afghanistan: Unaccompanied children for information on access to education in the country. However, it could give a general overview on access to education in Afghanistan because of the role that it plays in the current humanitarian situation and the future of it.

On 14 December 2021, Al Jazeera cited UNICEF’s report that there are currently more than 4 million out-of-school children in Afghanistan, with more than half of them girls. Al Jazeera reports that hundreds of thousands of teachers have gone unpaid for almost six months and that teachers in Herat province have been protesting to demand that the Taliban pay their salaries. Al Jazeera states that the recent warning by aid organisations that a million Afghan children could die this winter makes it more urgent to make education assistance an important part of the Humanitarian Plus approach. Indeed, education is vital to integrated responses that capitalise on schools’ ability to serve as focal points of emergency aid distribution, including through emergency preparedness, child protection, and school meals. Source – Al Jazeera, ‘In Afghanistan, education must take precedence over politics’, 14 December 2021, <https://www.aljazeera.com/opinions/2021/12/14/in-afghanistan-education-must-take-precedence-over-politics>

On 07 February 2022, The Telegraph reported that as education stops for Afghan girls, high ranking officials are sending their children to overseas state schools and universities. It revealed that high ranking Taliban officials are sending their daughters to overseas state schools and universities while depriving schooling to millions of girls in Afghanistan since seizing power. Indeed, the Taliban has banned girls in Afghanistan from attending school beyond the age of 12 in over two-thirds of the country’s 34 provinces. Even though around 150 public universities opened their doors for the first time on 02 February 2022 since August 2021, female attendance was low. Many female students told The Telegraph that they were too scared to attend – out of fear of retribution from local Taliban leaders. This is tied to the humanitarian situation because on 24 January 2022, senior Taliban officials were told by western diplomats in Oslo that aid to improve Afghanistan’s humanitarian crisis would only arrive if the group improved its human rights record. This included ensuring that schooling would be accessible for both boys and girls from March 2022 onwards. Source – The Telegraph, ‘Taliban sends daughters to school despite closing classrooms for other female students’, 07 February 2022, <https://www.telegraph.co.uk/global-health/terror-and-security/taliban-sends-daughters-school-despite-closing-classrooms-female/>

Not accepted. Where CPINs on discrete subjects are available, for succinctness and consistency we point the reader to those CPINs rather than repeat the information.

We will consider the source suggestion for inclusion in any distinct work we complete in the future on unaccompanied children.

2.3 Humanitarian situation

4.2.1 (Suggestion) This paragraph states that the OCHA expected the number of people in need in Afghanistan to increase to 24.4 million in 2022. In addition, a sentence could be added after this to demonstrate how the objective evidence provides that this is likely to increase even more in the latter stages of 2022.

On 01 February 2022, Al Jazeera reported that at least 37.7 million of Afghanistan’s population of 40 million people – 93 percent – do not have enough food. In January 2022, the UN asked donors for \$4.4bn in humanitarian aid for 2022, the largest appeal ever sought for a single country. Also, the UN Development Programme has warned that 97 percent of the country’s population could fall below the poverty line by mid-2022. Source – Al Jazeera, ‘Infographic: Hunger and food insecurity in maps and charts’, 01 February 2022, <https://www.aljazeera.com/news/2022/2/1/infographic-hunger-and-food-insecurity-in-maps-and-charts>

Accepted. Where updated figures are available, these will be reflected in the relevant sections of the CPIN, for example, food security, economy and humanitarian aid, when it is updated as a result of this review.

<p>4.3.11 (Suggestion) This paragraph indicates the main coping strategies of people in Afghanistan to alleviate growing poverty and hunger for Q3 of 2021 (July to September). The main coping strategies included in this paragraph were borrowing money, child labour, selling assets, use of migration, spending remittances, engaging in hazardous work, recruiting children to armed groups, and forced and child marriage. However, other – albeit not so common coping strategies – seem to have been overlooked in this paragraph and they highlight the severity of food insecurity in Afghanistan.</p> <p>On 14 February 2022, Voice of America interviewed U.N. Resident and Humanitarian Coordinator for Afghanistan, Ramiz Alakbarov, who stated that, “People are selling their organs. People are selling their children. They are desperate. They are hungry. And the situation is very, very dire.” Source – Voice of America, ‘Humanitarians Fear Afghan Hunger Crisis Could Kill More Than War’, 14 February 2022, https://www.voanews.com/a/humanitarians-fear-afghan-hunger-crisis-could-kill-more-than-war-/6438487.html</p> <p>On 28 January 2022, Sky News reported that parents in Afghanistan sell children and kidneys to feed starving families. In one case, three brothers and their two sisters told Sky News they sold their organs for around £1,150 a piece to buy food for the rest of the family. Sky News even found that parents in Afghanistan were prepared to sell their children for 20,000 Afghanis (about £150 or \$200) in order to survive. Source – Sky News, ‘Afghanistan: Parents sell children and kidneys to feed starving families’, 28 January 2022, https://news.sky.com/story/afghanistan-parents-sell-children-and-kidneys-to-feed-starving-families-12525919#:~:text=Eyewitness-,Afghanistan%3A%20Parents%20sell%20children%20and%20kidneys%20to%20feed%20starving%20families,aid%20struggles%20to%20reach%20them.</p>	<p>Accepted. Thank you for the source suggestions, some of which were not available at the time of writing the CPIN. We will refer to the recommended sources when we update the CPIN as a result of this review.</p>
<p>4.6.2 (Suggestion) This paragraph states that between 4 August and 3 October 2021, about 26% of households reported that emergency care was not available (within 24 hours of injury) if a household member were to be seriously injured (e.g. loss of a limb, broken bone, etc.). However, the objective evidence provides that this situation in Afghanistan has become a lot worse in recent months.</p> <p>On 31 January 2022, Save the Children revealed that more than half of surveyed families couldn’t get healthcare when they needed it. In December, 135 children died in or on their way for treatment at one overwhelmed hospital, the majority fighting for breath from pneumonia. Source – Save the Children, “‘I LIE AWAKE AT NIGHT THINKING OF THE CHILDREN WE CAN’T REACH’: AFGHANISTAN’S DOCTORS AT BREAKING POINT AS PNEUMONIA AND HUNGER SOAR”, 31 January 2022, https://www.savethechildren.net/news/i-lie-awake-night-thinking-children-we-can-t-reach-afghanistans-doctors-breaking-point</p>	<p>Accepted. We will refer to the recommended source when we update the CPIN as a result of this review.</p>
<p>4.6.3 (Suggestion) This paragraph states that by mid-November 2021, 41% of health facilities were fully functional, 58% were partially functional and less than 1% were closed, according to the OCHA. However, the objective evidence provides that the situation will be much worse. This paragraph could also address the projections for the amount of functioning health care facilities in the near future in Afghanistan.</p> <p>On 08 January 2022, Ariana News cited a warning from the International Rescue Committee (IRC) that over 90 percent of Afghanistan’s health clinics are expected to shut down amid the ongoing economic crisis in the country. The IRC stated that this could deprive millions of Afghans of “basic care, threatening the COVID-19 response and creating a major risk of disease outbreaks, malnutrition, and preventable deaths.” Source – Ariana News, ‘Rescue body warns over 90% of Afghan clinics face closure’, 08 January 2022, https://ariananews.af/rescue-body-warns-over-90-of-afghan-clinics-face-closure/</p> <p>On 24 January 2022, the World Health Organisation revealed that Afghanistan’s health system is on the brink of collapse and that urgent action is needed in order to solve this issue. The government’s Sehatmandi programme, which provides essential primary care services including for maternal, new-born and child health, is the backbone of Afghanistan’s health system, providing care for millions of people through 2331 health facilities. However, since the Taliban gained power, major funding for the programme has been withdrawn. Source – World Health Organisation, ‘Afghanistan’s health system is on the brink of collapse: urgent action is needed’, 24 January 2022, https://www.who.int/news-room/feature-stories/detail/afghanistan-s-health-system-is-on-the-brink-of-collapse-urgent-action-is-needed</p>	<p>Accepted. We will refer to the recommended sources when we update the CPIN as a result of this review.</p>
<p>4.6.9 (Suggestion) This paragraph states that the people of Afghanistan are facing multiple health risks, including malnourishment, malnutrition, measles, as well as COVID-19. However, the next paragraph could also highlight the problem of pneumonia in Afghanistan as a result of the current humanitarian situation.</p> <p>On 02 February 2022, France 24 cited a report from Save the Children – released in the same week – which found that half of the parents they spoke to in Afghanistan claimed their children had pneumonia in the preceding two weeks. Source – France 24, ‘Soaring pneumonia and starvation is killing thousands of children in Afghanistan’, 02 February 2022, https://www.france24.com/en/asia-pacific/20220202-soaring-pneumonia-and-starvation-is-killing-thousands-of-children-in-afghanistan</p> <p>On 31 January 2022, Save the Children stated that between 18 November and 02 December 2021, 930 cases of pneumonia were reported altogether and 77 percent of these cases were of child pneumonia. Source – Save the Children, “‘I LIE AWAKE AT NIGHT THINKING OF THE CHILDREN WE CAN’T REACH’: AFGHANISTAN’S DOCTORS AT BREAKING POINT AS PNEUMONIA AND HUNGER SOAR”, 31 January 2022, https://www.savethechildren.net/news/i-lie-awake-night-thinking-children-we-can-t-reach-afghanistans-doctors-breaking-point</p>	<p>Accepted. We will refer to the recommended sources when we update the CPIN as a result of this review.</p>

4.7.4 (Suggestion) This paragraph states that most displacement in Afghanistan took place prior to August 2021, suggesting internal conflict was the main driver, and 33 out of 34 provinces recorded some level of forced displacement. However, this paragraph could add that there is also a religious dimension in regards to the victims of displacement in Afghanistan since the Taliban takeover.

On 22 October 2021, Human Rights Watch revealed that Taliban officials in several provinces across Afghanistan have forcibly displaced residents partly to distribute land to their own supporters. Human Rights Watch added that most of these evictions have targeted Hazara Shia communities, as well as people associated with the former government, as a form of collective punishment. For example, in early October 2021, the Taliban and associated militias forcibly evicted hundreds of Hazara families from the northern Balkh province and the southern Helmand province. These followed earlier evictions from Kandahar, Uruzgan, and Daikundi provinces. Source – Human Rights Watch, ‘Afghanistan: Taliban Forcibly Evict Minority Shia’, 22 October 2021, <https://www.hrw.org/news/2021/10/22/afghanistan-taliban-forcibly-evict-minority-shia>

Not accepted. This does not directly relate to the general humanitarian situation. Information on displacement of Hazaras is referred to in the CPIN on Fear of the Taliban

2.4 Humanitarian aid

5.1.3 (Suggestion) This paragraph cites a statement on Afghanistan, dated 22 December 2021, by the Undersecretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Martin Griffiths, who said that, “ ... Humanitarian operations in Afghanistan are set to be the largest anywhere in the world in 2022, reaching some 22 million people.” However, the next paragraph could look at the potential obstacles to this becoming a reality in the next months in Afghanistan.

On 26 January 2022, France 24 reported that Western diplomats linked humanitarian aid to Afghanistan to an improvement in human rights after meeting a Taliban delegation on a landmark visit to Europe. The European Union’s special envoy to Afghanistan, Tomas Niklasson, wrote on Twitter that he had “underlined the need for primary and secondary schools to be accessible for boys and girls throughout the country when the school year starts in March”. He was responding to a tweet from a spokesman for the Afghan foreign ministry hailing the EU’s commitment to “continue its humanitarian aid to Afghanistan”. This demonstrates that if the Taliban disregards human rights in Afghanistan, there could be potential obstacles to humanitarian aid entering the country from the outside world. Source – France 24, ‘Western diplomats meeting Taliban link respect for human rights to humanitarian aid’, 26 January 2022, <https://www.france24.com/en/europe/20220126-west-links-humanitarian-aid-to-to-afghanistan-to-improvement-in-human-rights>

Not accepted. As we set out in the Preface, CPINs are designed to support Home Office officials handling common types of claim in the UK. The CPIN is not intended to be an exhaustive survey of a particular subject or theme.

Evidence indicates that, despite sanctions, aid continues to reach Afghanistan. [Al Jazeera](#) reported on 2 March 2022 that, ‘... the World Bank has approved a plan to use more than \$1bn from a frozen Afghanistan trust fund to finance urgently needed education, agriculture, health and family programmes...’

The reviewer’s conclusion also appears to be highly speculative.

<p>5.1.8 (Suggestion) This paragraph states that at the G7 Foreign and Development Ministers’ meeting in December 2021 the UK pledged £75 million of emergency aid to Afghanistan to provide lifesaving food, and emergency health services as well as shelter, water and hygiene services. It also states that this is part of £286 million already pledged in 2021 and will be delivered through the UN and other trusted delivery partners. This paragraph could also add some information about the cash routes that the UN is looking to launch in order to distribute this emergency aid to Afghanistan.</p> <p>On 11 February 2022, Reuters reported that the UN aims to launch a system in February 2022 to swap millions of aid dollars for Afghan currency in a plan to stem humanitarian and economic crises and bypass blacklisted Taliban leaders, according to an internal UN note. The UN explanatory note, written in January 2022, outlines an “urgently needed” Humanitarian Exchange Facility (HEF). However, UN and humanitarian officials warn that the facility can be only a temporary measure until some \$9 billion in foreign reserves frozen abroad are released and Afghanistan’s central bank begins operating independently. However, the reserves held by the US are tied up in legal action and Western governments are reluctant to release these funds until they see the Taliban show greater respect for human rights, especially those of girls and women. Source – Reuters, ‘EXCLUSIVE U.N. aims to launch new Afghanistan cash route in February: U.N. note’, 11 February 2022, https://www.reuters.com/world/asia-pacific/exclusive-un-aims-launch-new-afghanistan-cash-route-february-un-note-2022-02-10/</p>	<p>Not accepted. We do not consider this is relevant for inclusion because (a) it is speculative and deals with potential future events that may or may not happen and (b) is a level of detail that is not required for decision makers bearing in mind the scope and purpose of the CPIN.</p> <p>As we set out in the Preface, CPINs are designed to support Home Office officials handling common types of claim in the UK and the CPIN is not intended to be an exhaustive survey of a particular subject or theme.</p>
--	--

2.5 Grammar

<p>2.4.6 (Suggestion) Typo. The sentence should read: ... Acute (crisis or emergency) levels of food insecurity affects approximately 18.8 million people and this is predicted to rise to 22.8 million people (55% of the population) between November 2021 and March 2022, with 8.7 million at risk of famine-like conditions.</p>	<p>Partially accepted. We are unclear where the typo is in this sentence. However, where typos are identified, we will correct them when we update the CPIN as a result of this review.</p>
<p>2.4.11 (Suggestion) This paragraph is difficult to read. It would be clearer to state: Whilst conditions have deteriorated and the number of people in need of humanitarian assistance has increased since the findings upheld in AS (Safety of Kabul), the humanitarian situation is not so severe that in general, a single adult male in good health is likely to face a real risk of serious harm. This is because the conditions do not amount to torture or inhuman or degrading treatment, as defined in paragraphs 339C and 339CA(iii) of the Immigration Rules/Article 3 of the European Convention on Human Rights (ECHR).</p>	<p>Accepted. We will change this paragraph for clarity when we update the CPIN as a result of this review.</p>
<p>3.3.1 (Suggestion) Typo. The sentence should read: ... The World Food Programme’s (WFP) market and price monitoring showed a drastic decline in the number of days of work available for casual labour in urban areas: these were two days per week in July, dropping to 1.8 days in August and to only one day of work in September, a level which is 50% lower compared to both July 2021 and September 2020.</p>	<p>Not accepted. We are unclear where the typo is in this sentence. Furthermore, the sentence is a direct quote and any typos identified should be marked by adding [sic].</p>

<p>4.2.1 (Suggestion) Typo. The sentence should read: ... As of 30 November 2021, 18.4 million people were in need of some form of humanitarian relief and, as of the end of September 2021, aid had reached 10.3 million people.</p>	<p>Accepted. We will correct this typo when we update the CPIN as a result of this review.</p>
<p>4.2.3 (Suggestion) Typo. The sentence should read: A January 2022 OCHA report noted that 3.6 million people in Kabul were projected to be in need of humanitarian assistance in 2022. Indeed, Kabul, at 6.9 million, has the highest population of all the provinces, according to OCHA figures.</p>	<p>Accepted. We will correct this typo when we update the CPIN as a result of this review.</p>
<p>4.3.9 (Suggestion) Typo. The sentence should read: Food security has deteriorated in all regions since 15 August 2021 and, according to a WFP survey, as of the end of November 2021, 98% of the population had 'insufficient food consumption'. The report also noted that 72.5% of the population had a poor food consumption score (FCS) and +25.7% were borderline FCS65.</p>	<p>Accepted. We will correct this typo when we update the CPIN as a result of this review.</p>
<p>4.4.1 (Suggestion) Typo. The sentence should read: As of December 2019, 42% of Afghans had access to safe drinking water, and 27% of the rural population had access to sanitation facilities, reported USAID.</p>	<p>Accepted. We will correct this typo when we update the CPIN as a result of this review.</p>
<p>4.6.3 (Suggestion) Typo. The sentence should read: France 24 reported on 8 November 2021 that health facilities in parts of Afghanistan have shut down and in the capital, Kabul, hospitals are functioning without electricity or water supply. This is because Afghanistan has been suffering a humanitarian crisis following the Taliban takeover and suspension of international aid.</p>	<p>Accepted. We will correct this typo when we update the CPIN as a result of this review.</p>
<p>4.6.4 (Suggestion) Typo. The sentence should read: A nurse at the Wazir Mohamad Akbar Khan National Hospital in Kabul indicated to France 24 that there was a lack of basic medicines, such as pain killers, antibiotics and vitamins, staff salaries went unpaid and patients were forced to purchase their own medication.</p>	<p>Accepted. We will correct this typo when we update the CPIN as a result of this review.</p>
<p>5.1.1 (Suggestion) This paragraph refers to the Taliban as the Taleban. While this is another correct form of spelling the group's name, it is not used elsewhere in this report. Therefore, the spelling should be consistent with the rest of the report.</p>	<p>Not accepted. The sentence is a direct quote and, as the spelling used is not considered odd or erroneous, we do not consider it needs to be changed.</p>

2.6 Structure

(Firm Recommendation) There is a need for an introductory section contextualising the issues in Afghanistan. As it stands, the document consists mostly of sources that explain what international NGOs are doing to improve the humanitarian situation in the country. However, the document does not sufficiently explain the difficulties that these international NGOs face in delivering humanitarian aid to Taliban-controlled Afghanistan. For example, more could be written about the Taliban's ban of foreign currencies in the country and the impact that this has had on the humanitarian situation more widely.

The document does not outline the general oppressive environment in which religious minorities live in Afghanistan. This would better contextualise the humanitarian situation in the country because Shia Hazara communities have been subjected to forced displacement because of their religious identity.

Additionally, it would be helpful to include a section in the document that contextualises the role that Western governments have had in the current humanitarian situation in Afghanistan. This should consist of the suspension of foreign aid (which until 2021 supported the economy), the central bank's assets being frozen, as well as sanctions being placed on members of the Taliban. This could be added to an introductory section and it would add more context to the document with regard to the current humanitarian situation.

Not accepted. As we set out in the Preface, CPINs are designed to support Home Office officials handling common types of claim in the UK and the CPIN is not intended to be an exhaustive survey of a particular subject or theme.

Not accepted. This does not directly relate to the general humanitarian situation. Information on the situation for Hazaras (and other religious minorities) is referred to in the CPIN on Fear of the Taliban.

Partially accepted. As we set out in the Preface, CPINs are designed to support Home Office officials handling common types of claim in the UK and the CPIN is not intended to be an exhaustive survey of a particular subject or theme. Evidence indicates that, despite sanctions, aid continues to reach Afghanistan. We also already touch on support from G7 at §5.1.8. Nevertheless, we will look to include some information relevant to this in a future update and avoid material that is speculating on what might happen.

Furthermore, it should be provided at the start that there is limited freedom of information in Afghanistan at this moment in time. Indeed, access to information is very limited and this has become even more difficult since the Taliban takeover with free speech being restricted. Therefore, the surveys conducted by the BFA Staatendokumentation (Austrian Federal Office for Immigration and Asylum, COI unit) in Afghanistan may not be representative of actual convictions of the respondents because of the Taliban's crackdown on free speech since the group's takeover of the country.

Not accepted. Whilst we agree freedom of speech may be limited, the breadth and depth of information available overall is significant and the CPIN reflects this in its range of sources used. Furthermore, as set out in the Preface, CPINs are designed to support Home Office officials handling common types of claim in the UK and the CPIN is not intended to be an exhaustive survey of a particular subject or theme. The CPIN noted the limited extent of the BFA survey (300 participants) and this information is cited alongside a range of other sources to provide a balanced view.

(Firm Recommendation) It would be beneficial for each section to have a summary in order to give some coherency to the objective evidence which is largely composed of sources that provide a large amount of statistics and data on the humanitarian situation in Afghanistan. As it stands, due to the fact that these statistics and data are not in chronological order in the document, it is difficult to read through the objective evidence. Therefore, a summary at the end of each section will give readers of the document some more clarity of the current humanitarian situation in Afghanistan. For example, Section 3 (Socio-economic situation): A summary paragraph at the end of this section could explain the overall impact of the socio-economic situation on Afghanistan's humanitarian situation. Also, it could also discuss the future projections that the various sources cover in the various subsections of Section 3.

Not accepted. The Country information section is designed to provide objective evidence. It is intentionally distinct from our assessment, which is where we seek to summarise and analyse the objective evidence gathered. This is in line with previous IAGCI- and ICIBI-recommendations about clearly distinguishing the two.

As we set out in the Preface, CPINs are designed to support Home Office officials handling common types of claim in the UK and they are not intended to be an exhaustive survey of a particular subject or theme. The CPIN provides an overview of the humanitarian situation and goes on to provide additional information that aims to establish whether the general humanitarian situation is so severe that there are substantial grounds for believing that there is a real risk of serious harm because conditions amount to inhuman or degrading treatment as within paragraphs 339C and 339CA(iii) of the Immigration Rules/Article 3 of the European Convention on Human Rights (ECHR).

3. Information about the Reviewer

Dr Fatah is the director of Middle East Consultancy Services (MECS). He has been working as an expert witness since 2000, focusing on issues across the Middle East and North Africa (MENA), as well as Afghanistan, Iran, and Turkey. Dr Fatah has produced over 3000 expert reports which have been commissioned for and cited in a number of immigration appeals, as well as family and criminal cases. He has also examined a large number of people from the Middle East whose nationality and/or ethnicity has been disputed. Dr Fatah has also examined and authenticated thousands of documents from the MENA region.

Review of the February 2022 Home Office Country Policy and Information Note on Afghanistan: Security situation, and of 10 Country of Origin Information Request responses

Prepared for the Independent Advisory Group on Country Information (IAGCI)

Dr Rebwar Fatah, Middle East Consultancy Services³

February 2022

³ Dr Fatah is a MENA specialist and has been working as an expert witness since 2000. Dr Fatah provides Country Expert Reports (including Country Guidance Report Cases); Nationality Assessments; and Document Authentication Reports. This work involves analysing, translating and accessing source material in Arabic, Dari, Farsi, Kurdish (Kurmanji and Sorani), and Pashto. Dr Fatah has represented MECS in conferences and meetings at various institutions (universities, human rights bodies, research organisations, parliamentary groups in the UK House of Commons and the Finnish parliament) across the world on matters related to the MENA region.

Table of Contents

1. Introduction	49
1.1 Instructions	49
1.2 Methodology	49
1.3 Summary of Review	49
1.4 Understanding of the themes addressed in the CIG Reports	51
1.5 Quality and balance of sources	51
2. Review	52
2.1 Consideration of issues	52
2.2 Conflict background	55
2.3 Security situation: September 2021 to January 2022	56
2.4 Grammar	62
2.5 Structure	63
3. Review of responses to COI requests	65
4. Information about the Reviewer	72

1. Introduction

1.1 Instructions

I have been instructed to review the Home Office country policy and information note: Afghanistan: Security situation, February 2022. This review is focused on country of origin information. I have not been instructed to comment on Home Office policy.

The review will provide:

- An assessment of the extent to which information from source documents has been appropriately and accurately reflected in the CPIN report
- An identification of additional sources detailing the current security situation in Afghanistan
- A correction of any specific errors or omissions of fact
- A recommendation for general improvements regarding, for example, the structure of the report, its coverage, or its overall approach.

1.2 Methodology

The review has been conducted in line with the Common EU Guidelines for Processing Country of Origin Information (COI) in relation to the ‘Quality criteria for evaluating and validating information’, i.e. relevance, reliability, balance, accuracy, currency, transparency, and traceability.

1.3 Summary of Review

Overall, this document provides a detailed collation of objective evidence on the security situation in Afghanistan since the Taliban’s takeover of the country in August 2021. There are some issues with the information that is given in the document already being outdated or contested – due to the situation on the ground developing rapidly every single day – and additional sources that could be used to address this have been highlighted in the review below.

This could be overcome through the use of a section that examines the backgrounds of these different actors and their historical relationships with the Taliban before and after the group’s takeover of Afghanistan in August 2021. Moreover, one of the foremost obstacles to this document is that most of the sources do not provide a full contextualisation of the groups involved in Afghanistan at this moment in time and how this impacts the security situation in the country. This is because a comprehensive outline of the different players in Afghanistan at present, including al-Qaeda, the Islamic Movement of Uzbekistan (IMU), the Eastern Turkistan Islamic Movement (ETIM), as well as the Islamic State Khorasan Province (ISKP) is not given in this document. Indeed, a discussion of the ideologies of the groups and their history with the Taliban will give the reader a clearer understanding of the current and future security situation. This document could also examine the role that external actors play in the current security situation in Afghanistan.

In addition, as a result of the rapidly developing security situation on the ground in Afghanistan, as well as the increasing role of external actors, some of the objective evidence provided is contradicted by other reliable sources found online and needs to be updated to give a clearer picture of the current security situation in the country. Also, there are instances in this document where the objective evidence provided does not include information that gives more context to this evidence and this could definitely strengthen the document overall. These issues have been highlighted in the review below and other sources have been suggested.

Main Suggestions relating to the CPIN:

1. An introductory paragraph contextualising the current security situation in Afghanistan and the different actors involved in the country since the Taliban takeover of the country in August 2021
2. A summary paragraph at the end of each section to bring together the objective evidence that is provided to the reader
3. The objective evidence provided should also be further contextualised in order to give a more detailed account of the current security situation in Afghanistan and could examine the security situation when the Taliban last controlled Afghanistan from 1996 until the U.S.-led invasion in 2001 to find similarities and differences between these two time periods

1 and 3. Not accepted. As we set out in the Preface, CPINs are designed to support Home Office officials handling common types of claim in the UK and are not intended to be an exhaustive survey of a particular subject or theme.

As the reviewer recognises, the CPIN provides a detailed collation of objective evidence on the security situation in Afghanistan. This CPIN reflects the situation since the previous version (Security and humanitarian situation, October 2021) was published.

The information provided aims to establish whether the security situation is such that there are substantial grounds for believing there is a real risk of serious harm because there exists a serious and individual threat to a civilian's life or person by reason of indiscriminate violence in a situation of international or internal armed conflict as within paragraphs 339C and 339CA(iv) of the Immigration Rules.

Therefore, we do not consider the inclusion of such information necessary when considering the purpose of the CPIN.

2. Not accepted. The Country information section is designed to provide objective evidence. It is intentionally distinct from our assessment, which is where we seek to summarise and analyse the objective evidence gathered. This is in line with previous IAGCI- and ICIBI-recommendations about clearly distinguishing the two.

1.4 Understanding of the themes addressed in the CIG Reports

In general, the report reflects prevalent legal usage and academic understanding of the themes considered. Nonetheless, further contextualisation of the current security situation and the different groups on the ground is needed to strengthen this report. It is recognised that the shortcomings here may be due to the fact that the security situation in Afghanistan is rapidly developing and difficult to follow. Regardless, greater contextualisation of the different actors involved in Afghanistan will give the reader a more comprehensive understanding of the various complexities surrounding the security situation in the country.

Home Office comment:

Thank you for the positive comments. We would challenge the use of the phrase “shortcomings”, given we do not accept the thrust of the reviewer’s comments which appear to be based on a different understanding about the purpose of the CPIN (see response to #1 and #3 in the table above), recommendations about the structure of the CPIN which conflict with previous recommendations by the IAGCI and ICIBI (which the HO has accepted – see response to #2 in the table above) or around suggested additional sources which could further update and/or help qualify some of the existing material.

1.5 Quality and balance of sources

In general, the sources used tend to be of high quality and relevant to the time period in which the report was conducted. However, there are some instances in the report where the objective evidence provided either conflicts with other sources or is outdated at this moment in time. For example:

5.1.14 (Suggestion) This paragraph highlights that a DIS report found that before the Taliban’s takeover of Afghanistan, the Islamic Movement of Uzbekistan (IMU) reportedly relied on local branches of the Taliban for financial backing. However, different sources online demonstrate that the relationship between the IMU and the Taliban was actually hostile before the Taliban’s takeover of the country because of the IMU’s decision to support Daesh. Therefore, the paragraph should address this in order to give the reader more clarity on the current security situation in Afghanistan. This issue and further examples of this have been highlighted in the review below.

Home Office comment: Annotations on the above example can be found in section 2.3

2. Review

2.1 Consideration of issues

This section addresses potential issues with the report’s sub-section of ‘Consideration of issues’.

2.4.6 (Suggestion) This paragraph states that following changes in the political and security situation since the Taliban takeover of the country in August 2021, the number of security incidents (such as armed clashes and improvised explosive devices (IEDs)) and conflict-related civilian casualties has reduced significantly. However, the objective provides that there has actually been an increase in the number of other kinds of security incidents in Afghanistan. This paragraph should add these statistics in order to give the reader more of a balanced view of the current security situation and a wider understanding of the current security situation more generally in Afghanistan.

On 02 February 2022, Anadolu Agency (AA) reported that a UN report has found that there has been an uptick in other types of security incidents since the Taliban’s takeover of the country in August 2021, including crime, “amid a rapid deterioration of the economic and humanitarian situation.” “The eastern, central, southern and western regions accounted for 75% of all recorded incidents, with Nangarhar, Kabul, Kunar and Kandahar provinces the most conflict-affected provinces,” the report said. There were also 196 incidents directly affecting the UN mission in the country between 19 August and 31 December, “primarily its personnel, including 111 cases of intimidation, 39 crime-related incidents, 10 arrests and 30 incidents affecting UN compounds, offices and property.” Source – Anadolu Agency (AA), ‘Afghanistan sees improvement in security situation: UN’, 02 February 2022, <https://www.aa.com.tr/en/world/afghanistan-sees-improvement-in-security-situation-un/2492217>

Not accepted. The CPIN aims to establish if the security situation in Afghanistan is such that there are substantial grounds for believing there is a real risk of serious harm because there exists a serious and individual threat to a civilian’s life or person by reason of indiscriminate violence in a situation of international or internal armed conflict, as within paragraphs 339C and 339CA(iv) of the Immigration Rules.

Evidence in the recommended source continues to indicate that indiscriminate violence is not at such a high level that it represents, in general, a real risk of harm contrary to these Rules.

More detail on general law, order and security as well as *targeted* violence against particular groups – including those potentially covered by the Refugee Convention – is available in the CPIN on Fear of the Taliban.

2.4.8 (Suggestion) This paragraph states that the UN recorded 985 security-related incidents between 19 August and 31 December, a 91% decrease compared with the same period in 2020. However, this paragraph should break down these statistics to examine the kinds of security incidents that are covered in this statement and to add more statistics on the current security situation in Afghanistan. As a result, this will give the reader a more comprehensive understanding of the current security situation in the country.

On 02 February 2022, Anadolu Agency (AA) revealed that the same UN report found that, “The number of security incidents fell significantly after Aug. 15, from 600 to fewer than 100 incidents per week”. It also added that armed clashes decreased by 98%, from 7,430 to 148 incidents; airstrikes by 99%, from 501 to 3; detonations of improvised explosive devices by 91%, from 1,118 to 101; and assassinations by 51%, from 424 to 207. Source – Anadolu Agency (AA), ‘Afghanistan sees improvement in security situation: UN’, 02 February 2022, <https://www.aa.com.tr/en/world/afghanistan-sees-improvement-in-security-situation-un/2492217>

Accepted. Whilst we note, with reference to [the instructions](#) that reviewers ‘... should consider the situation in the country up to the stated ‘cut off’ date for inclusion of information’, that the suggested UN material post-dates publication of the CPIN, we will nevertheless refer to more recent data when the CPIN is updated as a result of this review.

Similarly, where possible, the CPIN will refer to the primary source. In this case the data cited by AA appears to be drawn from the ‘[Report of the Secretary-General: The situation in Afghanistan and its implications for international peace and security.](#)’

<p>2.4.8 (Suggestion) This paragraph states that the Armed Conflict Location & Event Data Project (ACLED) found that Kabul saw a nearly 50% decrease in security incidents (44) compared to the same period in 2020 (82). However, the objective evidence provides that recent security incidents in Kabul demonstrate that the security situation in the capital is still fragile and this should be addressed in order to boost the understanding that the reader has of the current security situation in Afghanistan’s capital city.</p> <p>On 26 February 2022, TOLONews reported that Azizullah Wafa, 30, was shot and killed by unidentified gunmen in the Barchi area in western Kabul city. The report also states that this came as the residents of the capital city Kabul had repeatedly voiced concerns over a surge in criminal activity, saying that despite consecutive promises by the security officials, the level of criminal activities remains high. Source – TOLONews, ‘Young Man Killed by Unknown Attackers in Western Kabul’, 26 February 2022, https://tolonews.com/afghanistan-176879</p> <p>On 22 February 2022, TOLONews reported that the Interior Ministry said it had set up a special unit to monitor checkpoints in Kabul. Officials of this unit say they will mount night patrols tasked with preventing armed robberies and monitoring the activities of the security forces. Source – TOLONews, ‘New Special Unit to Increase Kabul Security, Monitor Checkpoints’, 22 February 2022, https://tolonews.com/afghanistan-176826</p> <p>On 21 February 2022, TOLONews reported that armed men stole equipment at a health centre in police district 13 of Kabul city. Darich-e-Sahat clinic was delivering health services to poor families for more than two years in western Kabul city. “The door was knocked on ... then armed thieves entered and threatened me to be silent. They took all of the equipment,” said Sayed Farhad, watchman of the clinic. Source – TOLONews, ‘Armed Men Steal Equipment From Kabul Health Center’, 21 February 2022, https://tolonews.com/afghanistan-176820</p>	<p>Not accepted. Information on general law, order and security is available in the CPIN on Fear of the Taliban.</p> <p>This CPIN aims to establish if the security situation in Afghanistan is such that there are substantial grounds for believing there is a real risk of serious harm because there exists a serious and individual threat to a civilian’s life or person by reason of indiscriminate violence in a situation of international or internal armed conflict, as within paragraphs 339C and 339CA(iv) of the Immigration Rules. Evidence continues to indicate that indiscriminate violence is not at such a high level that it represents, in general, a real risk of harm contrary to these Rules.</p>
<p>2.5.3 (Suggestion) This paragraph states that whilst there continues to be some indiscriminate violence, the widespread and persistent conflict-related violence in Kabul, as well as elsewhere in the country, all but ceased following the Taliban takeover. However, the objective provides that this is not the case and, in some areas, the Taliban’s members have even been fighting against local residents. This should be addressed in the paragraph in order to give the reader a greater comprehension of the current security situation in Afghanistan.</p> <p>On 09 February 2022, The New Indian Express revealed that the Taliban had surrounded the Parandeh valley in Afghanistan’s Panjshir province and arrested local residents. It added that this armed clash between residents and the Taliban in Panjshir province broke out after a Taliban vehicle was hit by a mine explosion. The armed clash had been going on in the area as of 07 February 2021 in the province. Source – The New Indian Express, ‘Armed clash breaks out between Taliban, local residents in Afghanistan’s Panjshir’, 09 February 2022, https://www.newindianexpress.com/world/2022/feb/09/armed-clash-breaks-out-between-taliban-local-residents-in-afghanistans-panjshir-2417250.html</p> <p>On 27 February 2022, The Washington Post reported that the Taliban decided to launch a massive house-to-house raids operation across Kabul in search of weapons. By 26 February 2022, thousands of armed Taliban fighters fanned out into the city centre, according to the spokesman for the city’s police chief, Khalid Zadran. Dressed in mismatched uniforms, some carrying rocket-propelled grenades, the men walked through residential streets, methodically combing neighbourhoods, moving door to door. Over the course of three days, Taliban fighters searched thousands of houses, according to a statement released by Taliban spokesman Zabiullah Mujahid’s office, and confiscated hundreds of weapons, including pistols, artillery and rocket-propelled grenades. But several Kabul residents described mistreatment at the hands of Taliban fighters, including destruction of property, threats and physical assault. Photographs and videos shared with The Washington Post show rooms that appeared to have been ransacked. Kabul residents described finding upturned furniture, smashed appliances and kicked-in doors after the fighters completed their search. Source – The Washington Post, ‘Taliban launches sweeping house-to-house raids across Kabul in search of weapons’, 27 February 2022, https://www.washingtonpost.com/world/2022/02/27/taliban-raids-afghanistan/</p>	<p>Not accepted. The CPIN recognises there continues to be some indiscriminate violence. Paragraph 2.5.3 relates to the possibility of internal relocation to Kabul for single, adult males and the evidence continues to reflect the findings by the Upper Tribunal (Immigration and Asylum Chamber) in AS (Safety of Kabul). It is not intended to provide a comprehensive overview of specific incidents.</p>

2.2 Conflict background

<p>3.1.1 (Suggestion) This paragraph directs the reader to view the BBC News timeline of events (up to September 2019) and the PBS News Hour’s A Historical Timeline of Afghanistan (up to end of August 2021) for a brief recent history of conflict in Afghanistan, from the Soviet invasion to the Taliban (Taleban) insurgency and subsequent US-led military operations. However, it could give a general overview on the security situation in Afghanistan during those two periods of time and compare them to the current security situation in order to give the reader a more comprehensive understanding of the historical trends of security in the country. This will enable the reader to see if there are any similarities or differences between those two time periods and the security situation since the Taliban takeover of Afghanistan in August 2021.</p>	<p>Not accepted. As we set out in the Preface, CPINs are designed to support Home Office officials handling common types of claim in the UK. They are not intended to be an exhaustive survey of a particular subject or theme. For succinctness, we point the reader to sources that provide background information.</p>
<p>3.1.2 (Suggestion) This paragraph directs the reader to view the COI sections of previous versions of CPINs on Afghanistan’s security and humanitarian situation, European Asylum Support Office (EASO) Reports on the Afghanistan Security situation (dated between January 2016 and September 2021), as well as United Nations Assistance Mission in Afghanistan (UNAMA) Reports on the Protection of Civilians in Armed Conflict, for information on the general security situation before and leading up to the Taliban takeover in August 2021. However, it could give a general overview of the general security situation during this period of time, particularly parties to the conflict, intensity level of the violence, nature of the violence, regional spreading of the violence, targets of the violence, risk of collateral damage, use of arms and tactics, possibility to reach areas – security of transport (roads and airports), and indirect effects of the violence/conflict – in order to give the reader a more comprehensive understanding of the overall security situation in Taliban-controlled Afghanistan and also to give them an idea of potential future security challenges in the country.</p>	<p>Not accepted. As we set out in the Preface, CPINs are designed to support Home Office officials handling common types of claim in the UK and they are not intended to be an exhaustive survey of a particular subject or theme. For succinctness we point the reader to sources that provide background information.</p> <p>Furthermore, the CPIN does not aim to predict future scenarios or speculate, but provides country information that is relevant to facilitate and support the decision-making process.</p>
<p>3.1.3 (Suggestion) This paragraph directs the reader to view section 3.1 of the Country Policy and Information ‘Note on Afghanistan: Fear of the Taliban v1.0’ for information on the peace talks and the events leading up to the Taliban takeover of Afghanistan. However, it could give a general overview of the peace talks and the events before the group’s takeover of the country to increase the reader’s knowledge of the influential actors in regards to Afghanistan’s security situation.</p>	<p>Not accepted. Where CPINs on discrete subjects are available, for succinctness and consistency we point the reader to those CPINs rather than repeat the information.</p>

3.1.4 (Suggestion) This paragraph directs the reader to view the 'Country Policy and Information Note on Afghanistan: Fear of the Taliban v2.0' for information on district control in the country. However, it could give a general overview of district control at the moment in Afghanistan to give the reader a more detailed understanding of the current security situation and how it could change rapidly based on who controls certain districts.

Not accepted. Where CPINs on discrete subjects are available, for succinctness and consistency we point the reader to those CPINs rather than repeat the information.

2.3 Security situation: September 2021 to January 2022

5.1.1 (Suggestion) This paragraph states Al Jazeera revealed on 27 August 2021 that it is not clear how many fighters have joined the Islamic State in Khorasan Province (ISKP). However, the objective evidence provides that this number could be in the low thousands. This should be addressed in the paragraph in order to give the reader clearer understanding of the likely threat that the ISKP pose to the current security situation in Afghanistan.

On 22 February 2022, Al-Monitor reported that the number of ISKP fighters believed to be in the country had doubled in the months following the Taliban takeover to around 4,000. This demonstrates that the ISKP has now become increasingly more of a threat to the security situation in Afghanistan. Source – Al-Monitor, 'Border crossings and foreign fighters rise after Taliban', 22 February 2022, <https://www.al-monitor.com/originals/2022/02/border-crossings-and-foreign-fighters-rise-after-taliban-takeover>

On 06 January 2022, the Middle East Institute stated that at its peak, the group had around 8,500 soldiers and claimed responsibility for some of the most violent attacks in Afghanistan. By June 2021, the number of ISKP core fighters had dwindled to around 1,500 to 2,200 operating in autonomous cells, mostly in provinces including Kunar and Nangarhar. However, in recent weeks ISKP has carried out several lethal attacks on soft targets in cities across Afghanistan, including Mazar-e-Sharif, Jalalabad, as well as Kabul. Source – Middle East Institute, 'The Persistent ISKP Threat to Afghanistan: On China's Doorstep', 06 January 2022, https://www.mei.edu/publications/persistent-iskp-threat-afghanistan-chinas-doorstep#_ftn14

On 08 September 2021, The Centre for Strategic and International Studies (CSIS) also stated that the United Nations estimated that ISKP consists of a core group of fighters numbering between 1,500 and 2,200 based in provinces such as Kunar and Nangarhar in June 2021. These fighters are dispersed into relatively autonomous cells operating under the Islamic State banner and ideology. While these groups lack the capability, coordination, or local support to control significant territory, they retain the ability to launch individual attacks, such as the 26 August 2021 attack on Hamid Karzai International Airport in Kabul that killed approximately 170 Afghans and 13 U.S. military personnel. Source – The Center for Strategic and International Studies (CSIS), 'Examining Extremism: Islamic State Khorasan Province (ISKP)', 08 September 2021, <https://www.csis.org/blogs/examining-extremism/examining-extremism-islamic-state-khorasan-province-iskp>

Accepted. We will consider for inclusion the recommended sources when we update the CPIN as a result of this review.

<p>5.1.4 (Suggestion) This paragraph states that, listing the advantages the Taliban had over ISKP, Bill Roggio noted the ISKP had limited resources (the core group in Kunar and Nangarhar provinces retains an estimated 1,500 to 2,200 fighters, according to the UN in June 2021), whilst the Taliban forces ranged between 70,000 and 'well over 100,000', the higher estimate of which was most likely, according to the LWJ. However, the objective evidence provides that the number of ISKP is actually double this amount and the paragraph also does not address the ISKP's non-combative means through which the group attempts to sow discord in Afghanistan.</p> <p>On 09 February 2022, VOA News reported that the size of the ISKP has doubled in recent months to approximately 4,000 fighters. Intelligence provided to the U.N. from member states further indicates that IS-Khorasan now "controls limited territory in eastern Afghanistan" and that it is "capable of conducting high-profile and complex attacks." The same intelligence further suggests the IS Afghan affiliate has been getting an infusion of cash from IS core in Iraq and Syria, perhaps as much as \$500 million over the past six months. Source – VOA News, 'Islamic State Out to Prove It's More Than Its Leader', 09 February 2022, https://www.voanews.com/a/islamic-state-out-to-prove-it-is-more-than-its-leader-/6434105.html</p> <p>On 08 February 2022, Militant Wire reported that the ISKP premiered their new 'Voice of Khurasan' magazine series. The first month of 2022 began with the Islamic State Khorasan Province (ISKP) releasing a video and concluded with them releasing their English language magazine. The magazine tells the world to look carefully at Iraq, Syria and Khorasan and once again warns that the Islamic State (IS) is on the rise again and is getting stronger day by day. The second chief of the Taliban, Mullah Akhtar Mansoor, has been labelled as an Iranian agent. The magazine takes a dig at Taliban fighters saying that they have no knowledge of the whereabouts of their current chief, Mullah Hibatullah Akhundzada, who is yet to make an appearance on camera since the Taliban takeover of Kabul last year in August. Various accusations are levelled against the group, from adopting a laissez-faire approach in dealing with the production and trade of opium, practicing shirk and superstitions and homosexuality. Calling the Taliban murtad (apostates), ISKP says the group is a proponent of extreme nationalism and tribalism, and talks about the infighting present within the group (between Pashtuns, Uzbeks, Turkmen etc.). The magazine talks about atrocities committed by the Taliban recently on Salafi scholars who opposed their deviances by labelling them as Wahabi, Khawarij. The ISKP talks about the Taliban siding with the Shia community by celebrating their festivals, protecting their places of worship and having created a militia to fight ISKP in the capital of Bamiyan province (Hazara Shia majority area). Source – Militant Wire, 'Islamic State in Afghanistan Premier's New 'Voice of Khurasan' Magazine Series', 08 February 2022, https://www.militantwire.com/p/the-islamic-state-in-afghanistan?utm_source=url</p>	<p>Accepted. We will consider the recommended sources for inclusion when we update the CPIN as a result of this review.</p>
<p>5.1.7 (Suggestion) This paragraph states that the LWJ has found that the Taliban is fully in control of all of Afghanistan 34 provinces while the Islamic State does not control any ground. However, the objective evidence provides that this is not the case and that the ISKP does in fact control some territory in the country. The paragraph should address this in order to demonstrate to the reader that the security situation in Afghanistan is fragile and can change at any given moment.</p> <p>On 09 February 2022, The Economic Times cited a new UN report which found that the ISKP now "controls limited territory in eastern Afghanistan." It also found that the ISKP "is capable of conducting high-profile, complex attack such as the 27 August bombing at Kabul airport, which killed over 180 people, and several subsequent attacks, in particular against the Taliban and members of the Shia community." Source – The Economic Times, 'Terror groups enjoy greater freedom in Afghanistan than any time in recent history: UN report', 09 February 2022, https://economictimes.indiatimes.com/news/defence/terror-groups-enjoy-greater-freedom-in-afghanistan-than-any-time-in-recent-history-un-report/articleshow/89448443.cms?from=mdr</p> <p>On 09 February 2022, The Hindu stated that this UN report also revealed that the UN Member States have assessed that the strength of ISIS-K has increased from earlier estimates of 2,200 fighters to now approaching 4,000 following the release by the Taliban of several thousand individuals from prison. One Member State also assessed that up to half the individuals are foreign terrorist fighters. Source – The Hindu, 'Terror groups enjoy greater freedom in Afghanistan than any time in recent history: U.N. report', 09 February 2022, https://www.thehindu.com/news/international/terror-groups-enjoy-greater-freedom-in-afghanistan-than-any-time-in-recent-history-un-report/article38401678.ece</p>	<p>Accepted. We will include this information when the CPIN is updated as a result of this review</p> <p>However, where possible, the CPIN will refer to the primary source. In this case, the data cited by The Economic Times and The Hindu appears to be drawn from the Fourteenth report of the Secretary-General on the threat posed by ISIL (Da'esh)...</p>

<p>5.1.13 (Suggestion) This paragraph states that an EASO report revealed that, ‘Regarding al-Qaeda’s presence in Afghanistan, US Defence Secretary Lloyd Austin stated that the group “may attempt to regenerate” in the country. It added that, ‘In September 2021, Zabihullah Mujahid rejected accusations that al-Qaeda maintained a presence in Afghanistan.’ However, the objective evidence provides that this is not the case and there have actually been tangible developments to show that al-Qaeda’s presence in the country is increasing.</p> <p>On 22 February 2022, Al-Monitor reported that according to a recent UN report, al-Qaeda seems to be operating and growing in Afghanistan. The Taliban takeover of Afghanistan six months ago has, as many experts predicted, already reportedly led to an increase there in both al-Qaeda and ISKP fighters. The UN report noted: “Al-Qaeda also received a significant boost following the Taliban takeover of Afghanistan in August 2021, as some of its closest sympathisers within the Taliban now occupy senior positions in the new de facto Afghan administration.” Source – Al-Monitor, ‘Border crossings and foreign fighters rise after Taliban takeover’, 22 February 2022, https://www.al-monitor.com/originals/2022/02/border-crossings-and-foreign-fighters-rise-after-taliban-takeover</p>	<p>Accepted. We will include this information when the CPIN is updated as a result of this review</p> <p>However, where possible, the CPIN will refer to the primary source. In this case, the data cited by Al Monitor appears to be drawn from the Letter dated 3 February 2022 from the Chair of the Security Council Committee...</p>
<p>5.1.14 (Suggestion) This paragraph states that a DIS report found that prior to the Taliban conquest, the IMU reportedly relied on local branches of the Taliban for financial backing. However, the objective evidence provides that the relationship between the IMU and the Taliban was actually hostile before the Taliban’s takeover of Afghanistan. Therefore, the paragraph should address this in order to give the reader a more comprehensive understanding of the current security situation in the country.</p> <p>On 21 February 2022, Stiftung Wissenschaft und Politik stated that under its emir, Osman Ghazi, the IMU drew closer to IS and swore allegiance to the organisation in August 2015, probably not least because the latter is thought to have promised the Central Asians that the struggle would soon begin in their home countries. The Taliban moved quickly to suppress the competition, crushing the IMU and killing Ghazi in November 2015. The Central Asians nonetheless continued to play an important role within IS. From the beginning of 2017, they were instrumental in capturing territory in Jawzjan in the northwest of Afghanistan, near the Uzbek border. Following the defeat of IS in Jawzjan in 2018, hundreds of Central Asians remained with the organisation in eastern and northern Afghanistan. Source – Stiftung Wissenschaft und Politik, ‘Islamic State Shows New Strength in Afghanistan’, 21 February 2022, https://www.swp-berlin.org/en/publication/terror-against-the-taliban</p> <p>On 12 November 2020, TOLONews reported that the Taliban recently rejected the IMU’s ties with al-Qaeda and other “terrorist groups.” Source – TOLONews, ‘IMU Leader Killed in Afghan Forces Operation in Faryab: MoD’, 12 November 2020, https://tolonews.com/afghanistan-167708</p>	<p>Partially accepted. As we set out in the Preface, CPINs are designed to support Home Office officials handling common types of claim in the UK. They are not intended to be an exhaustive survey of a particular subject or theme.</p> <p>However, where information on the IMU is found to be pertinent to the general security situation, we will look to include it when we update the CPIN as a result of this review.</p>

<p>5.1.14 (Suggestion) This paragraph states that a DIS report found that the Eastern Turkistan Islamic Movement (ETIM) consists of “several hundred members” and primarily operates in Badakhshan and neighbouring provinces. However, the paragraph does not address the threat that the ETIM poses towards the current security situation in Afghanistan because of China’s fear of the group. Indeed, the objective evidence provides that the current security situation in the country could be threatened because of China’s increasing anxiety over the ETIM.</p> <p>On 05 October 2021, Radio Free Europe/Radio Liberty reported that The Taliban has removed Uyghur militants from an area near Afghanistan’s border with China, in a move that analysts say signals growing coordination between Beijing and the Afghan militant group. The Uyghur fighters that have been relocated inside Afghanistan are believed to be members of the Turkestan Islamic Party (TIP) — an Uyghur extremist group that Beijing blames for unrest in its western province of Xinjiang and refers to by its former name, the East Turkestan Islamic Movement (ETIM). On 05 October 2021, Radio Free Europe/Radio Liberty reported that The Taliban has removed Uyghur militants from an area near Afghanistan’s border with China, in a move that analysts say signals growing coordination between Beijing and the Afghan militant group. The Uyghur fighters that have been relocated inside Afghanistan are believed to be members of the Turkestan Islamic Party (TIP) — an Uyghur extremist group that Beijing blames for unrest in its western province of Xinjiang and refers to by its former name, the East Turkestan Islamic Movement (ETIM). It is unclear if the Taliban will hand over the fighters to the Chinese authorities, an official in Tajikistan’s state border services. China has demanded the Taliban cut any ties with the militants. Source – Radio Free Europe/Radio Liberty, ‘Taliban ‘Removing’ Uyghur Militants from Afghanistan’s Border With China’, 05 October 2021, https://www.rferl.org/a/afghanistan-taliban-uyghurs-china/31494226.html</p> <p>On 10 February 2022, SupChina reported that China has signalled it is willing to work with the Taliban, as long as they comply with Beijing’s request for it to clamp down on the group. Source – SupChina, ‘China ‘deeply concerned’ about Uyghur militants in Afghanistan, ambassador says’, 10 February 2022, https://supchina.com/2022/02/10/china-deeply-concerned-about-uyghur-militants-in-afghanistan-ambassador-says/</p>	<p>Partially accepted. As we set out in the Preface, CPINs are designed to support Home Office officials handling common types of claim in the UK. They are not intended to be an exhaustive survey of a particular subject or theme.</p> <p>However, where information on the ETIM is found to be pertinent to the general security situation, we will look to include it when we update the CPIN as a result of this review.</p>
<p>5.2.4 (Suggestion) This paragraph states that in her address to the UN Security Council on 17 November 2021, the Secretary-General’s Special Representative for Afghanistan, Ms Deborah Lyons, cited attacks by ISKP, ‘The number of attacks has increased significantly, from last year to this year. In 2020 – 60, so far this year – 334 attacks attributed to ISILKP or, in fact, claimed by ISILKP. ISILKP continues to target the Shi’ite communities.’ However, this paragraph should also include statistics on the amount of people who have been killed by these attacks in Afghanistan and include statements from the group to give the reader a more comprehensive understanding of the current security situation in the country.</p> <p>After a bombing that killed at least 63 people at the Bibi Fatima Mosque in Kandahar on 15 October 2021, ISKP issued a statement saying it would target Shia in their homes and centres “in every way, from slaughtering their necks to scattering their limbs... and the news of [ISIS’s] attacks...in the temples of the [Shia] and their gatherings is not hidden from anyone, from Baghdad to Khorasan.” The ISKP has claimed responsibility for many recent unlawful attacks on the Hazara Shia community, including suicide bombings that killed at least 72 people at the Sayed Abad Mosque in Kunduz on 08 October 2021, as well as the bombing that killed at least 63 people at the Bibi Fatima mosque in Kandahar on 15 October 2021. Source – Human Rights Watch, ‘Afghanistan: Surge in Islamic State Attacks on Shia’, 25 October 2021, https://www.hrw.org/news/2021/10/25/afghanistan-surge-islamic-state-attacks-shia</p>	<p>Partially accepted. The number of casualties are recorded in the sections on Civilian casualties and Nature and levels of violence. For clarity we will cross-reference to these sections.</p>
<p>5.2.5 (Suggestion) This paragraph states that an EASO report from January 2022 found that, ‘As reported by international media sources in mid-September, a considerable decrease in conflict-related violence was seen in most parts of Afghanistan’s countryside. Farmers in Mizan district of Zabul province told WSJ [Wall Street Journal] that they could water their fields at night with a flashlight without a risk of being shot, and in Qalat, the capital of Zabul, young men had started with overnight picnics in the desert...’. However, the objective evidence provides that there is still a feeling of anxiety amongst the country’s religious minorities who reside in the countryside. The paragraph should address this issue in order to give the reader a clearer understanding of the current security situation in the countryside of Afghanistan.</p> <p>On 05 October 2021, Amnesty International reported that Taliban forces unlawfully killed 13 ethnic Hazaras – including nine surrendering former government soldiers and a 17-year-old girl – in Afghanistan’s Daykundi province. The killings happened in Kahor village of Khidir district on 30 August. Eleven of the victims were former members of the Afghan National Defence Security Forces, and two were civilians. The Taliban extrajudicially executed nine of the Afghan National Defence Security Forces after they had surrendered, killings that appear to be war crimes. Two civilians were killed as they attempted to flee the area, including a 17-year-old girl shot when the Taliban opened fire on a crowd of people. Source – Amnesty International, ‘Afghanistan: 13 Hazara killed by Taliban fighters in Daykundi province – new investigation’, 05 October 2021, https://www.amnesty.org.uk/press-releases/afghanistan-13-hazara-killed-taliban-fighters-daykundi-province-new-investigation</p>	<p>Not accepted. The CPIN aims to provide information on the general security situation. Whilst information on Hazara casualties has been included in this CPIN, readers are pointed to the CPIN on Fear of the Taliban for information on the situation for Hazaras (and other religious minorities).</p>

<p>5.3.1 (Suggestion) This paragraph states that some sources have ceased publishing data on security incidents. For example, reports on the protection of civilians in armed conflict by the United Nations Assistance Mission in Afghanistan (UNAMA), Resolute Support Mission in Afghanistan, as well as United States Department of Defense (USDOD) reports on Enhancing Security and Stability in Afghanistan, have all ceased to exist. However, this paragraph overlooks the fact that other organisations continue to publish reports on the security situation in Afghanistan and have found an increase in certain security incidents.</p> <p>For example, on 02 February 2022, ReliefWeb released a Report of the Secretary-General on ‘The situation in Afghanistan and its implications for international peace and security’ intended for the UN General Assembly on 28 January 2022. In this report, it stated that, ‘Between 19 August and 31 December, the United Nations documented 196 incidents directly affecting the United Nations, primarily its personnel, including 111 cases of intimidation, 39 crime-related incidents, 10 arrests and 30 incidents affecting United Nations compounds, offices and property. The total represents a significant increase from the 34 incidents recorded during the same period in 2020.’ The report also found that, ‘Two attacks in western Kabul on 10 December targeting a predominantly Shia/Hazara neighbourhood remain unclaimed.’ Source – ReliefWeb, ‘The situation in Afghanistan and its implications for international peace and security – Report of the Secretary-General (A/76/667–S/2022/64) [EN/AR/RU/ZH]’, 02 February 2022, https://reliefweb.int/report/afghanistan/situation-afghanistan-and-its-implications-international-peace-and-security-66</p>	<p>Accepted. More recent data will be referred to when the CPIN is updated as a result of this review.</p>
<p>5.4.2 (Suggestion) This paragraph states that, according to Pajhwok Afghan News, an Afghan based independent news agency with no claimed political affiliations, there were 4,524 casualties in 2021. However, this paragraph could also address the number of casualties that the same source has provided so far for 2022 as a means to give the reader a more comprehensive understanding of the situation.</p> <p>On 12 February 2022, Pajhwok Afghan News reported that last week there was a conference on Afghanistan in Geneva and Britain and China had positive messages for the Afghan caretaker government, but casualties in the country were higher than previous week as 12 people were killed and 18 others injured. Protesters in Mirbacha Kot district of Kabul claimed that security forces killed a person and wounded another. One person was killed in a targeted attack in Pul-i-Sukhtar area of Kabul. A woman and her two daughters were killed in the 7th police district of Kabul, and in the 6th police district, gunmen killed the head of a garment factory. A child was killed and another was injured in a bomb blast in Sangin district of Helmand province. Reports show that a Ranger pickup of security forces was hit with a bomb in Panjshir province last week. Some locals claimed that four people had been killed in the blast, but provincial officials denied the claim and other sources also did not confirm the claim. A child was killed and another was injured in a bomb blast in Sangin district of Helmand province. Reports show that a Ranger pickup of security forces was hit with a bomb in Panjshir province last week. Some locals claimed that four people had been killed in the blast, but provincial officials denied the claim and other sources also did not confirm the claim. Source – Pajhwok Afghan News, ‘30 people suffer casualties in Afghanistan last week’, 12 February 2022, https://pajhwok.com/2022/02/12/30-people-suffer-casualties-in-afghanistan-last-week/</p>	<p>Accepted. More recent data will be referred to when the CPIN is updated as a result of this review.</p>
<p>5.4.6 (Suggestion) This paragraph states that ACLED revealed on 06 October 2021 that there were ‘... at least seven attacks targeting members of the Hazara community in Afghanistan, perpetrated by IS or the Taliban, since the start of 2021, with even more perpetrated by other, unknown militants; over 100 Hazara people have been killed during these attacks. This marks a significant increase in violence towards Hazaras; the number of events targeting this community in 2021 is higher than the total number of events recorded between 2017 (the beginning of ACLED’s Afghanistan coverage) and 2020 combined.’ However, this paragraph could also address the other ways in which the Taliban have looked to persecute the Hazaras in recent months in order to give the reader a more comprehensive understanding of the current security situation.</p> <p>On 01 March 2022, ThePrint reported that the Taliban regime in Afghanistan has increased the presence of forces in Tajik and Hazara minority-dominated areas of the country and has been conducting house-to-house searches among the community members. Source – ThePrint, ‘Taliban increases presence in Tajik, Hazara areas, conducts house-to-house searches’, 01 March 2022, https://theprint.in/world/taliban-increases-presence-in-tajik-hazara-areas-conducts-house-to-house-searches/852905/</p>	<p>Not accepted. The CPIN aims to provided information on the general security situation. The recommended source would be more suited to the section on Hazaras in the CPIN on Fear of the Taliban, which we will consider when updating that report.</p>

<p>5.5.19 (Suggestion) This paragraph states that, reporting on events between 11 December 2021 and 7 January 2022, ACLED revealed that the ISKP carried out attacks against the Taliban in Logar, Nangarhar, and Kunar provinces over the past month, claiming to kill and injure over a dozen Taliban members. However, this paragraph should also include a summary of the available statistics on the amount of ISKP attacks — and the resultant deaths — for the year 2021 in order to give the reader a greater understanding of the security threat that the ISKP poses to Afghanistan.</p> <p>On 27 January 2022, VOA News reported that a survey of the Islamic State group’s attacks around the world in 2021 indicates the group killed and injured more people in Afghanistan last year than it did anywhere else, and experts warn the terror group is on the rise following the U.S. military withdrawal from the country. During 2021, Islamic State carried out 365 terrorist attacks in Afghanistan that caused 2,210 casualties, a significant increase compared with 2020 when 82 IS attacks that caused 835 casualties were reported, according to an Israeli think tank, the Meir Amit Intelligence and Terrorism Information Center. Source – VOA News, ‘Afghanistan Tops 2021 Global Survey of Islamic State Casualties’, 27 January 2022, https://www.voanews.com/a/afghanistan-tops-2021-global-survey-of-islamic-state-casualties-/6415735.html</p>	<p>Accepted. More recent data will be referred to when the CPIN is updated as a result of this review.</p>
<p>5.5.24 (Suggestion) This paragraph states that, reporting on events in Afghanistan between 15 and 21 January 2022, the Taliban were targeted by the NRF in Balkh, Kapisa, and Panjshir provinces. Nonetheless, the objective evidence provides that the fighting between the Taliban and the NRF is rapidly developing and the paragraph should address this in order to give the reader a more comprehensive understanding of the current security situation in the country.</p> <p>On 31 January 2022, ANI News reported that after a roadside bombing of a convoy of Taliban security vehicles in Panjshir, the Taliban’s deputy police chief for Panjshir province Abdul Hameed Khorasani acknowledged the National Resistance Front (NRF) resistance and urged them not to make ‘Panjshir insecure’. Taking to Twitter, Khorasani told the resistance after the explosion on his convoy to, “Stop the resistance and do not make Panjshir insecure”. Source – ANI News, ‘Taliban police official acknowledges NRF resistance, urges not to make ‘Panjshir insecure’’, 31 January 2022, https://www.aninews.in/news/world/asia/taliban-police-official-acknowledges-nrf-resistance-urges-not-to-make-panjshir-insecure20220131072700/</p> <p>On 30 January 2022, The Economic Times reported that the National Resistance Force (NRF) denounced the Taliban for war crimes and atrocities it committed against Afghan citizens. “The Taliban forces captured, tortured, and brutally killed civilians, a trend of war crimes repeated by the Taliban and mostly ignored by the international community,” said Sibghatullah Ahmadi, spokesperson of NRF, in a tweet. The spokesperson also said that in several heavy offensives of the Taliban on Khost Haa District of Baghlan Province, which lasted more than eighty hours, the brave and proud freedom fighters of the National Resistance Front of Afghanistan put a fierce resistance by standing their ground against them. “Also, they inflicted heavy casualties on the invading force – killing thirty-one of their special forces and suicide bombers and incapacitating nineteen others. To compensate for their unbearable losses,” Ahmadi said in the tweet. Source – The Economic Times, ‘NRF denounces Taliban for war crimes, lambasts on international community over being spectator of brutality in Afghanistan’, 30 January 2022, https://economictimes.indiatimes.com/news/defence/nrf-denounces-taliban-for-war-crimes-lambasts-on-international-community-over-being-spectator-of-brutality-in-afghanistan/articleshow/89226715.cms?from=mdr</p> <p>On 10 February 2022, in an interview with Foreign Policy, Amrullah Saleh, a senior figure in the NRF, stated that, “In the NRF, we are united and disciplined. We fight for a pluralistic Afghanistan. We want elections. We want the will of the people to matter and determine the course of the country. We will resist until our aim is achieved”. Source – Foreign Policy, ‘Former Afghan VP: ‘We Will Resist Until Our Aim Is Achieved’’, 10 February 2022, https://foreignpolicy.com/2022/02/10/afghanistan-taliban-resistance-amrullah-saleh/</p> <p>On 02 February 2022, RepublicWorld.com reported that the Russian envoy for Afghanistan, Zamir Kabulov, said that Moscow is now ready to receive delegates from Afghanistan to discuss the situation in the Taliban-ruled country. The envoy informed that Russia is ready to welcome both Afghanistan’s authorities and opposition forces to conduct talks in order to prevent a war in Afghanistan if they were interested. The announcement came only a day after supporters of the Afghan National Resistance Front (NRF), organised a rally in front of the White House to oppose any moves by UN member nations to recognise the Taliban government in Afghanistan. Source – RepublicWorld.com, ‘Russia Shows Willingness To Mediate Talks Between Taliban And NRF To Prevent War In Afghan’, 02 February 2022, https://www.republicworld.com/world-news/rest-of-the-world-news/russia-shows-willingness-to-mediate-talks-between-taliban-and-nrf-to-prevent-war-in-afghan-articleshow.html</p>	<p>Partially accepted. Information on escalations in fighting and its effect on the general security situation will be included when the CPIN is updated as a result of this review.</p> <p>However, information on negotiation strategies or the political aims of the NRF are not relevant given the scope and purpose of this CPIN.</p>

2.4 Grammar

<p>2.4.8 (Typo) The sentence should read: ... The UN recorded 985 security-related incidents between 19 August and 31 December, a 91% decrease compared with the same period in 2020.</p>	<p>Accepted. We will correct this when we update the CPIN as a result of this review.</p>
<p>2.4.9 (Suggestion) This paragraph is difficult to read. It would be clearer to state: Attacks by the ISKP that target civilians, particularly Shia Hazaras, have increased since the Taliban takeover. This has especially been the case in the country's northern and southern provinces and in Kabul City, although they do not control any territory. Clashes between ISKP and Taliban forces also occur, which have resulted in casualties on both sides, as well as civilians being caught in the crossfire. However, as indicated by the overall decline in security incidents, armed battles in general have dramatically reduced since the Taliban takeover. Although the ability of the Taliban to contain the ISKP remains unclear, the Taliban controls the whole country with far superior numbers of military forces, weapons, supplies and use of infrastructure, and attacks by ISKP are isolated.</p>	<p>Accepted. We will correct this typo when we update the CPIN as a result of this review.</p>
<p>2.4.10 (Suggestion) This paragraph is difficult to read. It would be clearer to state: Although the ISKP have mounted a number of high-profile attacks against civilians, they generally concentrate on IED and small arms attacks against Taliban military forces. The security situation for the general population has improved since the Taliban takeover and, in particular, rural areas are considered much safer with people now travelling to districts deemed too dangerous for the past 20 years. There have been reports of areas once considered too risky to negotiate now being 'clogged with traffic'.</p>	<p>Accepted. We will correct these typos when we update the CPIN as a result of this review.</p>
<p>2.4.13 (Suggestion) Typo. The sentence should read: Even where there is not, in general, a real risk of serious harm to individuals by reason of indiscriminate violence, decision makers must consider whether there are particular factors relevant to the person's circumstances which might nevertheless place them at risk.</p>	<p>Accepted. We will correct this typo when we update the CPIN as a result of this review.</p>
<p>5.1.13 (Suggestion) Typo. The sentence should read: The EASO report also referenced al-Qaeda, noting: 'Regarding al-Qaeda's presence in Afghanistan, US Defence Secretary Lloyed Austin stated that the group "may attempt to regenerate" in the country. In June 2021, the UN Analytical Support and Sanctions Monitoring Team estimated the human capacity of al-Qaeda in Afghanistan as ranging "from several dozen to 500 people." While during the negotiations of the peace agreement with the US the Taliban stated it would not allow al-Qaeda or any other extremist group into areas under its control and renewed this statement after the takeover of 15 August 2021, it was reported that the Taliban received "congratulatory messages from al-Qaeda and its regional affiliates." Following the Taliban takeover, sources referred to reported relations between al-Qaeda and the Haqqani network, whose leader, Sirajuddin Haqqani, was appointed interior minister in the interim government. In September 2021, Zabihullah Mujahid rejected accusations that al-Qaeda maintained a presence in Afghanistan.'</p>	<p>Not accepted. We are unclear where the typo is in this sentence. Furthermore, the sentence is a direct quote and any typos identified should be marked by adding [sic].</p>
<p>5.1.14 (Suggestion) Typo. The sentence should read: 'The Eastern Turkistan Islamic Movement (ETIM) consists of "several hundred members" and primarily operates in Badakhshan and neighbouring provinces.'</p>	<p>Not accepted. This sentence is a direct quote, which does not include 'The'.</p>
<p>5.3.1 (Suggestion) Typo. The sentence should read: This paragraph states that some sources have ceased publishing data on security incidents. For example, reports on the protection of civilians in armed conflict by the United Nations Assistance Mission in Afghanistan (UNAMA), Resolute Support Mission in Afghanistan, as well as United States Department of Defense (USDOD) reports on Enhancing Security and Stability in Afghanistan, have all ceased to exist.</p>	<p>Accepted. We will correct this when we update the CPIN as a result of this review.</p>
<p>5.5.8 (Suggestion) Typo. The sentence should read: ACLED also noted that during the week of 9 to 15 October 2021, the anti-Taliban military alliance, the National Resistance Front (NRF), clashed with the Taliban in the Andarab district of Baghlan province, resulting in fatalities on both sides. Also, ACLED added that, 'Several clashes between the Taliban and NRF forces were reported after the Taliban took over the NRF's base of operations in Panjshir district on 6 September [2021].'</p>	<p>Accepted. We will correct these when we update the CPIN as a result of this review.</p>

<p>5.5.13 (Suggestion) Typo. The sentence should read: On 12 November 2021, an explosion at a mosque during Friday prayers in Spinghar district, Nangarhar. As a result, at least 3 people were killed, including the Imam, and 15 others were injured, according to reports. The report also stated that no one had claimed responsibility for this attack.</p>	<p>Accepted. We will correct this when we update the CPIN as a result of this review.</p>
<p>5.5.20 (Suggestion) Typo. The sentence should read: Clashes along Afghanistan’s borders with Pakistan, Iran, and Turkmenistan were also noted.</p>	<p>Accepted. We will correct this when we update the CPIN as a result of this review.</p>

2.5 Structure

<p>(Firm Recommendation) The document should include an introductory section in order to clearly contextualise the security situation in Afghanistan. Currently, the document largely consists of statistics from sources that are either governmental or non-governmental organisations and give a general overview of the security situation throughout the country. Nonetheless, the document does not sufficiently examine the different kinds of security incidents that have occurred in Afghanistan. For example, more could be written about the Taliban’s conflict with the NRF and how this could likely impact the security situation in the country in the near future.</p> <p>The document could do more to outline the relationship between the Taliban and other groups in Afghanistan in order to give the reader a more comprehensive understanding of the current security situation in the country and how it could potentially change at any given moment. For example, more could have been written on the Taliban’s relationship with the Islamic Movement of Uzbekistan (IMU) and the ‘Eastern Turkistan Islamic Movement (ETIM), as well as the role that China has in these relationships.</p> <p>Moreover, it would be beneficial to include a section in the document that contextualises the role that external actors have played in the current security situation in the country. This should consist of the role that China plays in the Taliban’s relationship with the IMU and the ETIM, as well as how China’s position on these groups could see a change in the security situation in Afghanistan. Also, this should consist of the role that the US continues to play in the security situation, as well as Russia’s role in negotiations between the Taliban and the NRF. This could be added to an introductory section and it would add more context to the document with regard to the current humanitarian situation.</p> <p>Furthermore, it should be provided at the start that the situation in the country is changing on a frequent basis and there are new developments occurring every single day in Afghanistan. Indeed, some of the information that the review provides is already challenged by the objective evidence that has been found from different sources. For example, some paragraphs highlight the fact that, overall, violence has decreased in the country but other sources indicate that certain security incidents have increased in Afghanistan at the same time.</p>	<p>Not accepted. As we set out in the Preface, CPINs are designed to support Home Office officials handling common types of claim in the UK. They are not intended to be an exhaustive survey of a particular subject or theme. For succinctness we point the reader to sources that provide background information and to other linked CPIT reports, such as Fear of the Taliban.</p> <p>Furthermore, the CPIN does not aim to predict future scenarios or speculate but provides country information that is relevant to facilitate and support the decision-making process.</p> <p>The CPIN is under regular review and any significant changes would be addressed in an update. CPIT is not in a position to provide a ‘running commentary’ on events and do not consider that decision makers would find piecemeal, minor updates helpful.</p>
--	--

(Firm Recommendation) It would be useful for each section of the document to have a summary at the end in order to bring together the objective evidence that is given. This is because a significant amount of the objective evidence is of sources that provide a large quantity of statistics and data on the current security situation in Afghanistan. Therefore, a summary at the end of each section will give readers of the document some more clarity of the current security situation in the country. For example, Section 5 (Security situation: September 2021 to January 2022): A summary paragraph at the end of this section could explain the overall impact that the different actors in Afghanistan have on the security situation. Also, it could discuss the likely future changes to the security situation in the country based on the relationships these actors have with external players at the end of each subsection of Section 5.

Not accepted. The Country information section is designed to provide objective evidence. It is intentionally distinct from our assessment, which is where we seek to summarise and analyse the objective evidence gathered. This is in line with previous IAGCI- and ICIBI-recommendations about clearly distinguishing the two.

3. Review of responses to COI requests

1. COI request –Response to an Information Request Afghanistan: Daesh/ISIS (no reference number)

This response to an information request addresses the presence of Daesh, recruitment, and training.

<p>This response to an information request was produced in January 2020. The situation in Afghanistan has changed greatly over the past two years. The Taliban took control of Afghanistan in August 2021 and the previous Afghan government have been expelled. Because of this, it is considered that this response is no longer factually accurate or complete.</p>	<p>We recognise that events have surpassed this response. This response was removed at the time of publication of the updated Afghanistan CPINs in February 2022, prior to this review.</p>
<p>It is unknown whether the new Taliban rule will strengthen or weaken the presence of Daesh in the country. However, some commentators have stated that the Taliban’s return to power has invigorated insurgent groups such as IS-K and Al Qaeda in Afghanistan who were based in the country the last time that the Taliban were in power. Source – Reuters, ‘Islamic State uses Taliban’s own tactics to attack Afghanistan’s new rulers’, 23 September 2021, https://www.reuters.com/world/asia-pacific/islamic-state-uses-talibans-own-tactics-attack-afghanistans-new-rulers-2021-09-23/</p> <p>One source provides that there is a risk that the IS-K will take advantage of Taliban weaknesses to bolster its own recruitment efforts, fundraising, and territorial control. Source – Brookings, ‘Nonstate threats in the Taliban’s Afghanistan’, 01 February 2022, https://www.brookings.edu/blog/order-from-chaos/2022/02/01/nonstate-threats-in-the-talibans-afghanistan/</p>	
<p>There have been some notable IS-K attacks since the Taliban’s takeover of the country in 2021.</p> <p>IS-K are focusing their efforts within Afghanistan on solidifying its support base and attacking critical infrastructure in an attempt to delegitimise the Taliban. Source – VOA, ‘Islamic State, Al-Qaida building support in Afghanistan’, 15 February 2022, https://www.voanews.com/a/islamic-state-al-qaida-building-support-in-afghanistan-report-says-6443700.html</p> <p>IS-K claimed responsibility for an attack in January 2022 which killed at least six people in Herat. Source –Reuters, ‘Islamic State claims responsibility for attack in Herat, Afghanistan’, 23 January 2022, https://www.reuters.com/world/asia-pacific/islamic-state-claims-responsibility-attack-heart-afghanistan-2022-01-23/</p> <p>IS-K attacked a military hospital in Kabul in November 2021. At least 25 people were killed and a dozen more were wounded in the attack. Source – NY Times, ‘Dozens killed in ISIS attack on military hospital in Afghanistan’s capital’, https://www.nytimes.com/2021/11/02/world/asia/afghanistan-kabul-hospital-attack.html</p> <p>IS-K detonated a series of five bombs in Jalalabad on 18 September 2021. At least three people were killed in the attack and a further 20 were wounded. Source – Reuters, ‘Three killed in blasts in Afghan city of Jalalabad’, 18 September 2021, https://www.reuters.com/world/asia-pacific/three-killed-blasts-afghan-city-jalalabad-sources-say-2021-09-18/</p> <p>In August 2021, two IS-K suicide bombers and gunmen attacked crowds of Afghans fleeing the country at Kabul airport. The attack killed at least 60 Afghans and 13 US soldiers. A further 140 Afghans and 18 US service members were wounded. A later death toll reported that at least 170 had been killed in the attack. Source –AP News, ‘Kabul airport attack kills 60 Afghans, 13 US troops’, 27 August 2021, https://apnews.com/article/europe-france-evacuations-kabul-9e457201e5bbe75a4eb1901fedee7a1</p> <p>BBC News, ‘Afghanistan airport attack: Who are IS-K?’, 27 August 2021, https://www.bbc.co.uk/news/world-asia-58333533</p>	

IS-K also appear to have increased attacks against Taliban forces by using sticky bombs to target Taliban members. Two members of the Taliban intelligence services have stated that although the IS-K do not have enough fighters and resources to seize territory in Afghanistan, they remain a threat.

Reuters, 'Islamic State uses Taliban's own tactics to attack Afghanistan's new rulers', 23 September 2021, <https://www.reuters.com/world/asia-pacific/islamic-state-uses-talibans-own-tactics-attack-afghanistans-new-rulers-2021-09-23/>

2. COI request – Response to an Information Request Afghanistan: Taliban recruitment (ref: 03/20-040)

This response to an information request addresses the following issues: Would someone returning to Afghanistan be forced to join the Taliban or extremist groups, especially if their father and cousin were members of the Taliban? Is the Taliban actively functioning in Afghanistan? If so, how easy is it for a person to be recruited or to join an extremist group?

This response to an information request was produced in March 2020. It is completely outdated. It is considered that this response is no longer factually accurate. The Taliban are now in control of the country.

We recognise that events have surpassed this response. This response was removed prior to this review.

Regarding recruitment methods, the following sources discuss recruitment while the Taliban have been in power:

On 13 January 2022, The New York Times reported that five months after their takeover of Afghanistan, the Taliban were grappling with the challenges of governance. This is because government employees have fled or refused to work, leaving widespread vacancies in the fragile state. To help fill the gaps, Taliban officials are reaching into Pakistan. For years, Pakistan officially denied the existence of thousands of ex-Taliban fighters quietly living within its borders. Now, the Taliban are privately recruiting them to return and work in the new government. For example, Arsala Kharoti, who had been working as a community organiser at a refugee camp in Pakistan, is now the deputy minister of refugees. Mawlawi Saeedullah, a preacher at a mosque in a Karachi slum, was appointed to a district judge position in Afghanistan's eastern province of Paktika, resuming a job he gave up in 2001. Source – The New York Times, 'The Taliban Have Staffing Issues. They Are Looking for Help in Pakistan.', 13 January 2022, <https://www.nytimes.com/2022/01/13/world/taliban-members.html>

On 18 September 2021, Hindustan Times reported that just before they seized control of Kabul, Taliban opened the gates of Afghanistan's largest prison. Taliban had released 15,000 inmates from the Pul-e-Charkhi jail on August 14. Freeing prisoners was a strategy that the Taliban used across the country. They targeted prisons to liberate Islamist inmates & boost their fighting ranks. In their bid to gain fighters, the Taliban also released tens of thousands of criminals back into society. Source – Hindustan Times, 'Taliban's recruitment source: Jailed criminals freed to fight Afghan govt', 18 September 2021, <https://www.hindustantimes.com/videos/world-news/talibans-recruitment-source-jailed-criminals-freed-to-fight-afghan-govt-101631945751297.html>

3. COI request – Response to an Information Request Afghanistan: Alcohol laws and support networks for alcoholism (ref: 03/21-054)

This response to an information request addresses the following issues: What are the laws for consuming alcohol? Are penalties enforced? What support networks are available in regarding alcoholism.

<p>This response to an information request was produced in March 2021. It is now outdated as the Taliban are now in control of Afghanistan. It is considered that this response is no longer factually accurate or complete.</p>	<p>We recognise that events have surpassed this response. This response was removed prior to this review.</p>
<p>In January 2022, it was reported that Taliban authorities are cracking down on the sale of alcohol. The same article provides that since the Taliban seized power, the frequency of drug and alcohol raids has increased across the country. Source – The Guardian, ‘Afghan agents pour 3,000 litres of alcohol into Kabul canal amid crackdown’, 03 January 2022, https://www.theguardian.com/world/2022/jan/03/afghan-agents-pour-3000-litres-of-alcohol-into-kabul-canal-amid-crackdown</p> <p>The Taliban has warned Afghan citizens to stop manufacturing and selling alcohol. The group is now reported to be strictly implementing Islamic law, which includes a ban on making, selling, and consuming alcohol. The same article states that while the sale of alcohol was banned under the previous Afghan government, the Taliban are enforcing this law more strictly. Source – Hindustan News Hub, ‘Taliban poured 2000 litres of liquor into the canal, said – Muslims should stay away from making and selling it’, 02 January 2022, https://hindustannewshub.com/world-news/taliban-poured-3000-liters-of-liquor-into-the-canal-said-muslims-should-stay-away-from-making-and-selling-it/</p>	

4. COI request – Response to an Information Request Afghanistan: Male victims of honour crimes (ref: 03/21-060)

This response to an information request addresses the following issues: Information about male victims or potential victims of honour crimes in Afghanistan. What is the law with regards to honour crimes? Do the authorities prosecute perpetrators of honour crimes? Is there protection for victims of honour crimes?

<p>This response to an information request was produced in March 2021. It is now outdated as the Taliban are now in control of Afghanistan. It is considered that this response is no longer factually accurate or complete.</p>	<p>We recognise that events have surpassed this response. This response was removed prior to this review.</p>
--	---

<p>There have been numerous reports of honour killings since the Taliban have come to power. The majority of these reports relate to female victims of honour crimes. In January 2022, the Taliban reportedly captured 60 people from Mazar-e Sharif city and then gang-raped eight of the women. The women who survived the attack were subsequently killed by their families in an honour killing. Source – The Conversation, ‘Afghan women face increasing violence and repression under the Taliban after international spotlight fades’, 04 February 2022, https://theconversation.com/afghan-women-face-increasing-violence-and-repression-under-the-taliban-after-international-spotlight-fades-176008</p> <p>According to the Independent, “honour killings” are rife in Afghanistan. One woman who previously escaped from her abusive husband, a Taliban fighter whom she was married to when she was around 11 years old, is now living in fear that he will find her and kill her for “dishonouring the family”. Source – I News, ‘Afghanistan: Make-up artist forced to marry Taliban fighter when she was 11 now fears “honour killing”’, 07 September 2021, https://inews.co.uk/news/world/afghanistan-taliban-makeup-artist-women-marriage-honour-killing-1186418</p>	
--	--

5. COI request – Response to an Information Request Afghanistan: Intolerance of freedom of speech and the press by the Taliban (ref: 06/20-078)

This response to an information request addresses the following issues: Possible consequences of writing a newspaper article and conducting, or attending, a university seminar (in Kabul) that the Taliban may regard as offensive. Whether there is a newspaper called “Abadi”.

<p>This response to an information request was produced in July 2020. It is now outdated as the Taliban are now in control of Afghanistan. It is considered that this response is no longer factually accurate or complete.</p>	<p>We recognise that events have surpassed this response. This response was removed prior to this review.</p>
<p>In October 2021, it was reported that the Taliban have imposed broad restrictions on freedom of speech and freedom of press. The Taliban Ministry of Information and Culture has imposed media regulations which are so wide-ranging that they act to prohibit almost any critical reporting on the Taliban. Since coming to power, the group has also arrested and beaten a number of journalists. Source – Human Rights Watch, ‘Afghanistan: Taliban severely restrict media’, 01 October 2021, https://www.hrw.org/news/2021/10/01/afghanistan-taliban-severely-restrict-media</p> <p>In September 2021, the Taliban responded to widespread protests by warning the public against demonstrating and forbidding journalists from covering the protests. During one of the protests, two people were killed. Source – Aljazeera, ‘Afghans protests, fearing curbs on women’s rights, free speech’, 08 September 2021, https://www.aljazeera.com/gallery/2021/9/8/photos-afghans-protest-fearing-curbs-on-women-rights-free-speech</p> <p>Despite the Taliban’s assurances that they believe in freedom of speech, and their participation in media interviews, journalists and other Afghans who are critical of the new government have been subjected to intimidation and fear. One individual who criticised Taliban rule on social media was detained by the local security forces, tortured, and then killed. Source – CS Monitor, ‘Free speech in Afghanistan? Who is silenced by the Taliban, and why’, 17 December 2021, https://www.csmonitor.com/World/Middle-East/2021/1217/Free-speech-in-Afghanistan-Who-is-silenced-by-Taliban-and-why</p>	

6. COI request – Response to an Information Request Afghanistan: Ahmadi (Ahmadiyya) Muslims (ref: 09/20-008)

This response to an information request addresses the following issues: How are Ahmadi Muslims, including converts, treated in Afghanistan by the authorities? How are Ahmadi Muslims treated in Afghanistan by society? Are Ahmadi Muslims able to practice their religion freely in Afghanistan?

<p>This response to an information request was produced in September 2020. It is now outdated as the Taliban are now in control of Afghanistan. It is considered that this response is no longer factually accurate or complete.</p>	<p>We recognise that events have surpassed this response. This response was removed prior to this review.</p>
<p>According to Caliph Hazrat Mirza Masroor Ahmad, Ahmadi Muslims in Afghanistan have been going through extreme hardships and some have been arrested. Those who have not yet been detained by the state are living in fear that they will soon be. Source – The Review of Religions, ‘Friday Sermon Summary 17 December 2021’, 17 December 2021, https://www.reviewofreligions.org/36395/friday-sermon-summary-17th-december-2021-rightly-guided-caliphs-hazrat-abu-bakr-ra/</p>	
<p>In August 2021, it was reported that there were 450 Ahmadis in Afghanistan. Source – Arkansas Democrat Gazette, ‘Afghan minorities fear persecution’, 04 September 2021, https://www.arkansasonline.com/news/2021/sep/04/afghan-minorities-fear-persecution/</p>	

7. COI request – Response to an Information Request Afghanistan: Situation of the Uzbek and Tajik ethnic minorities, particularly in Kabul (ref: 11/20-035)

This response to an information request addresses the following issues: Whether a person whose mother was Uzbek and father Tajik would face discrimination or ill treatment on return to Kabul.

<p>This response to an information request was produced in November 2020. It is now outdated as the Taliban are now in control of Afghanistan. It is considered that this response is no longer factually accurate or complete.</p>	<p>We recognise that events have surpassed this response. This response was removed prior to this review.</p>
<p>In August 2021, it was reported that Uzbek and Tajik minorities were fleeing Afghanistan in response to the Taliban takeover. Source – The Tribune, ‘Tajik, Uzbek, ethnic minorities flee Afghanistan’, 17 August 2021, https://www.tribuneindia.com/news/world/tajik-uzbek-ethnic-minorities-flee-afghanistan-298307</p>	
<p>According to The Conversation, only three members of the Taliban interim government (out of a total of 24) are not Pashtuns. The three members are Tajiks. Source – The Conversation, ‘How ethnic and religious divides in Afghanistan are contributing to violence against minorities’, 25 October 2021, https://theconversation.com/how-ethnic-and-religious-divides-in-afghanistan-are-contributing-to-violence-against-minorities-168059</p>	

In December 2021, the Taliban were accused of forcibly evicting over 1,000 people in northern Afghanistan. The evictions targeted Uzbek and Turkmen communities. The forced displacement is reportedly an attempt to redistribute land to Pashtun supporters of the Taliban while punishing minority groups who supported the previous government. Source – Gandhara, ‘Taliban accused of forcibly evicting ethnic Uzbeks, Turkmen in northern Afghanistan’, 09 December 2021, https://gandhara.rferl.org/a/taliban-evictions-uzbeks-turkmen/31601904.html	
In January 2022, it was reported that a group of Uzbek fighters have been clashing with Taliban forces in the North of Afghanistan. According to the Wall Street Journal, the unrest has been fuelled by ethnic discrimination by the Taliban who are primarily Pashtuns. – Wall Street Journal, ‘Afghanistan’s Taliban Battle Rebellion by Ethnic Minority Fighters’, 14 January 2022, https://www.wsj.com/articles/afghanistans-taliban-battle-rebellion-by-ethnic-minority-fighters-11642197509	

8. COI request – Response to an Information Request Afghanistan: Proxy marriage (ref: 11/21-008)

This response to an information request addresses the following issues: Are marriages conducted by proxy legally recognised in Afghanistan?

No comments	
-------------	--

9. COI request – Response to an Information Request Afghanistan: Ethnic Tajiks (ref: 11/21-027)

This response to an information request addresses the following issues: Fear of persecution and/or serious harm by the Taliban because the person is ethnic Tajik.

In October 2021, an Afghan man was killed by the Taliban while attempting to flee to Tajikistan. Another Afghan seeking to flee to Tajikistan told RFERL that the Taliban gather people and force them to return to Kabul. Reportedly, the Taliban are primarily searching for natives of the Panjshir area (a mostly ethnic Tajik-populated area). Source – RFERL, ‘Afghan would-be refugee said killed by Taliban near Tajik border’, 04 October 2021, https://www.rferl.org/a/afghan-refugee-tajik-border/31491748.html	Thank you for the additional sources. We will update the response as necessary.
Background information provides that the Tajik minority feared increased discrimination at the hands of the Taliban due to their prominent role in ousting the Taliban previously. Source – Minority Rights, ‘Tajiks’, undated, https://minorityrights.org/minorities/tajiks/	
A new resistance group called the Afghanistan Freedom Front has been founded by the Tajik minority. Source – Republic World, ‘Afghanistan: Tajik minority forms new resistance front against Taliban’, 05 February 2022, https://www.republicworld.com/world-news/rest-of-the-world-news/afghanistan-tajik-minority-forms-new-resistance-front-against-taliban-articleshow.html	
UN representatives have voiced concern for the rights of women and girls in Afghanistan. The group has also stated that women from ethnic and religious minorities, including Tajik women, are even more vulnerable. Source – The Print, ‘Taliban attempting to “steadily erase” Afghan woman, girls from public life, UN says’, 18 January 2022, https://theprint.in/world/taliban-attempting-to-steadily-erase-afghan-women-girls-from-public-life-un-says/806171/	

10. COI request – Response to an Information Request Afghanistan: Trafficking (ref: 12/20-019)

This response to an information request addresses the following issues: Does Afghanistan have assistance for victims of trafficking?

<p>This response to an information request was produced in December 2020. It is now outdated as the Taliban are now in control of Afghanistan. It is considered that this response is no longer factually accurate or complete.</p>	<p>We recognise that events have surpassed this response. This response was removed prior to this review.</p>
<p>According to the Borgen Project, Afghanistan is currently facing a large-scale human trafficking crisis in which women and children are sold or abducted and forced into sex slavery or the armed forces. The same report provides that the previous Afghan government failed to both protect victims of slavery and prosecute the perpetrators. Source – The Borgen Project, ‘Human trafficking in Afghanistan’, 12 February 2021, https://borgenproject.org/human-trafficking-in-afghanistan/</p> <p>The US State Department deems Afghanistan as Tier 3, which is the highest threat level for human trafficking. This means that Afghanistan does not meet even the minimum requirements for fighting human trafficking. Source – The Borgen Project, ‘Human trafficking in Afghanistan’, 12 February 2021, https://borgenproject.org/human-trafficking-in-afghanistan/</p>	
<p>Due to the current crisis in Afghanistan, civilians are at an even greater threat from human trafficking. Those fleeing Taliban rule are vulnerable to being exploited by human traffickers. A representative from CARE stated in August 2021 that: “The desperate situation in Afghanistan is a recipe for human trafficking. Afghan citizens face an acute risk of exploitation by traffickers as they seek to flee violence and persecution under the Taliban”. Source – CARE, ‘West must respond to Afghan human trafficking threat’, 27 August 2021, https://care.org.uk/news/2021/08/west-must-respond-to-afghan-human-trafficking-threat</p>	
<p>Human traffickers in Afghanistan exploit men, women, and children in bonded labour. The COVID-19 pandemic has increased the risk of exploitation via bonded labour as individuals have had to take out loans to cover expenses. Source – USSD, ‘2021 Trafficking persons report: Afghanistan’, https://www.state.gov/reports/2021-trafficking-in-persons-report/afghanistan/</p> <p>According to the US State Department, most trafficking victims in Afghanistan are children forced to work in physical labour, domestic servitude, commercial sex, begging, the drug trade, and salt mining. Some families may sell their children to settle debts or subject them to sex trafficking. There are also instances in which some orphanages run by NGOs and the previous government have subjected children to trafficking. Source – USSD, ‘2021 Trafficking persons report: Afghanistan’, https://www.state.gov/reports/2021-trafficking-in-persons-report/afghanistan/</p>	

4. Information about the Reviewer

Dr Fatah is the director of Middle East Consultancy Services (MECS). He has been working as an expert witness since 2000, focusing on issues across the Middle East and North Africa (MENA), as well as Afghanistan, Iran, and Turkey. Dr Fatah has produced over 3,000 expert reports which have been commissioned for and cited in a number of immigration appeals, as well as family and criminal cases. He has also examined a large number of people from the Middle East whose nationality and/or ethnicity has been disputed. Dr Fatah has also examined and authenticated thousands of documents from the MENA region.

Annex D: Review of Selected Home Office Country of Origin Information on China

Review of the February 2020 Home Office Country Policy and Information Note on China: Hong Kong protests

Prepared for the Independent Advisory Group on Country Information (IAGCI)

Natasha Tsangarides is a freelance Country of Origin Information (COI) researcher with over 10 years' experience of conducting COI research, including reviewing Home Office CPINs.

March 2022

Table of Contents

1. Introduction	75
1.1 Instructions	75
1.2 Methodology.....	76
1.3 Summary of Review	76
1.4 Understanding of the themes addressed in the CIG Reports.....	78
1.5 Quality and balance of sources	78
2. Review	83
2.1 Legal context.....	83
2.2 Protests.....	84
2.3 Response to protests	87
2.4 Response to protesters	89
2.5 Avenues of redress	93
3. Information about the Reviewer.....	95

1. Introduction

1.1 Instructions

In January 2022, the IAGCI sought tenders for reviews of Home Office Country Policy and Information Notes (CPINs) and responses to Information Requests (IRs) on China with the aim of ensuring that the content is as accurate, balanced, impartial and as up to date (within the stated 'cut off' date) as possible. The review focusses exclusively on the COI contained within the documents, and in line with the tender instructions, does not pass judgment on the policy guidance provided. The review has also been conducted according to the following Terms of Reference:

- assessing the extent to which information from source documents has been appropriately and accurately reflected in the CPIN Reports
- identifying additional sources detailing the current human rights situation in the country with respect to the main grounds for asylum claims (which are noted in each CPIN Report)
- noting and correcting any specific errors or omissions of fact
- making recommendations for general improvements regarding, for example, the structure of the report, its coverage or its overall approach
- ensuring no reference is made to an individual source which could expose them to risk

The reports reviewed include:

- Country Information and guidance, China: Hong Kong protests, February 2020
- Country policy and information note, China: Hong Kong national security law, September 2021
- Country Information and guidance, China: Muslims (including Uyghurs in Xinjiang), July 2021

The IRs reviewed include:

- China: New child policy, October 2021
- China: Manchu Buddhists, June 2020
- China: Double jeopardy, August 2021
- Hong Kong: Sexual orientation and gender identity or expression, August 2021
- China: Trafficking, September 2020
- China: Military service and women, May 2021

1.2 Methodology

This review has been conducted with reference to the [Common EU Guidelines for Processing Country of Origin Information \(COI\)](#) in relation to the 'Quality criteria for evaluating and validating information', i.e. relevance, reliability, balance, accuracy, currency, transparency and traceability. All original sources cited in the CPINs and IRs were reviewed and then cross checked against the relevant COI cited in the reports. Following that, other publicly available sources within the time frame were consulted to assess the accuracy, balance and reliability of the information presented. These sources were identified through consulting publicly available sources including government sources, online COI databases, NGOs, think-tanks and the media. The CPINs and IRs were also checked for any errors or omissions of facts and the structure of the reports was also assessed. Additional sources of information that were published after the 'cut off' date were identified if considered useful and relevant for any future CPINs or IRs on these topics.

1.3 Summary of Review

From a COI perspective, this is an accurate presentation of events relating to the Hong Kong protests within the specified timeframe. It covers many of the key flashpoint events and the responses to the protests and protesters. There are some inconsistencies with referencing, details of which can be found in section 1.5 below. Overall, the structure is comprehensive with some overlap between 6.2 Responses to protests: Police and security forces and 7.2 Response to protesters.

There is a need to place the history of the protests in the context of the wider pro-democracy struggle, for example, referencing the Umbrella movement and in future updates to the National security law. The report could be strengthened by including greater emphasis on the extent of police brutality and by highlighting profiles of people participating in the protests and/or affected by police treatment, i.e. young people, journalists and high profile activists. For additional information on these topics, recommended sources are detailed below in section 2.

Key recommendations include:	Home Office comment:
<p>1. Update the CPIN to reflect the latest situation in Hong Kong (including for example the National security law and IPCC developments), using the recommended sources provided</p>	<p>1. Not accepted. We do not intend to update this CPIN as it was produced due to a specific need for information at the time of the protests and in the immediate period after. Information on the National Security Law is contained within the CPIN China: Hong Kong National Security Law which was updated in September 2021. Where decision makers require additional information, we have a request service which can be provide information relevant to the individual case, for which the useful source suggestions in this review will be considered for use.</p>
<p>2. Cross referencing in all the necessary sections to the relevant parts of the CPIN on the National security law as well as hyperlinks within the document (eg, between 6.2 and 7.2)</p>	<p>2. Accepted. in future products we will ensure cross referencing of sections and to other CPIT products, where relevant.</p>
<p>3. Greater emphasis on the extent of police brutality through a) considering a title change (Ill treatment) b) more COI sources as noted in section 2 c) detailing how police tactics resulted in allegations of violating international standards.</p>	<p>3. Partially accepted. We do not consider the title of this section to be incorrect or in need of revision as the intention is to cover all state treatment (including COI that stated most of those arrested were not mistreated). Ill- treatment is an emotive term – ‘police brutality’ even more so – and would exclude the inclusion of other state treatment. where COI demonstrates it exists, for example information on access to lawyers and medical care. However, we appreciate the provision of additional sources and will consider these for use if we are asked for further information on this topic.</p>
<p>4. Section 5.1 Origins and aims should include more background information on the pro-democracy movement and future updates should refer to the National security law</p>	<p>4. Not accepted. As explained in the Preface, the note provides country of origin information (COI) and analysis of COI for use by Home Office decision makers handling particular types of protection and human rights claims. It is not intended to be an exhaustive survey of a particular subject or theme. In order to make the product accessible to decision makers we avoid extensive background information but instead provide links to relevant reports where necessary. The CPIN on CPIN China: Hong Kong National Security Law updated in September 2021 provides further information on this legislation.</p>

5. Greater emphasis on particular profiles of people participating in the protests and/or affected by police treatment. This includes young people, journalists and high profile activists. Sources have been provided in section

5. Partially accepted. We accept it is useful for decision makers to have information relating to specific profiles of protesters, where it exists. We appreciate the provision of additional sources and will consider these for use if we are asked for further information on this topic.

1.4 Understanding of the themes addressed in the CIG Reports

From a COI viewpoint it is considered that this is a balanced and well-researched report. It is considered that Section 5.1 relating to the origins of the protest could be strengthened by situating it within the wider pro-democracy struggle. Furthermore, given the date of publication, this CPIN needs to be brought up to date with events linked to the National security law.

It is considered that the CPIN could have benefitted in particular from additional source evidence found in the public domain on the extent of police brutality and the role of journalists.

1.5 Quality and balance of sources

Structure of report:

This is a well structured CPIN. However, there is some overlap between 6.2 Responses to protests: Police and security forces and 7.2 Response to protesters. There is a need to place the history of the protests in the context of the wider pro-democracy struggle, for example, referencing the Umbrella movement and in future updates to the National security law. Furthermore, it is recommended to hyperlink the end of 3.1 Background: History of Hong Kong with a reference to see Section 5.1 Protests: Origins and aims. Lastly, there is a suggestion below to include an additional section 6.3 Responses to protests: Civil society.

Range and reliability:

In general, the CPIN included a range of reliable sources covering media sources, government sources, international NGO sources. Given the nature of the unfolding events, there was greater reliance on media sources to track the dynamic nature of the protests.

Currency & relevance:

Sources were almost exclusively published in 2019 and were relevant to the specific sections. Some notes below have been included where some other sources could have been cited of relevance to the particular sections.

Transparency and traceability:

Some inaccuracies were noted with regards to footnotes, which can impact on the traceability of the sources or the transparency of the information included. These footnotes were either incorrect/updated publication date, the URL was inactive, or there was inaccurate or incomplete referencing.

Incorrect/updated publication date (relevant footnote numbers appear below) –

2 & 23: BBC, 'Why are there protests in Hong Kong? All the context you need', 4 Sept 2019, url.
The date is listed as 21 May 2020

20, 24, 25 BBC, 'The Hong Kong protests explained in 100 and 500 words', 12 November 2019, url.
The date is listed as 28 November 2019

74 HKFP, '150 rounds of tears gas, 20 bean bag shots fired during "riot"', 13 June 2019, url.
The date is listed as 31 March 2020

75, 76 HKFP, '72 injured in clashes as rights group condemn use of tear gas', 13 June 2019, url.
The date is listed as 11 June 2020

78 SCMP, 'Questions over credibility of Hong Kong Police Force', 20 June 2019, url.
The date is listed as 31 March 2020

80 HFKP, 'Hong Kong police say officers will wear unique identifiers', 29 October 2019, url.
The date is listed as 31 March 2020

81 Amnesty International, 'How not to police a protest: Unlawful use of force', 25 November 2019, url.
The date is listed as 19 June 2019

82 HKFP, 'Hong Kong riot police target journalists during Sunday unrest', 30 September 2019, url.
The date is listed as 31 March 2020

95 BBC, 'Hong Kong activists arrested: Joshua Wong and others charged', 30 August 2019, url.
The date is listed as 30 September 2019

105 HKFP, 'Police accused of indecent assault after protester strip searched', 23 August 2019, url.
The date is listed as 31 March 2020

113, 114 HFKP, 'Thousands rally to support protesters who allege police torture', 28 September 2019, url.
The date is listed as 31 March 2020

115 HKFP, "'I am not the only one": student accuses police of sexual assault', 11 October 2019, url.
The date is listed as 31 March 2020

119 HKFP, 'Hong Kong gov't must respond to demands or protests will escalate' 20 June 2019, url.
The date is listed as 31 March 2020

120 HKFP, 'Use existing mechanism for complaints, says Hong Kong justice chief', 22 June 2019, url.
The date is listed as 31 March 2020

121, 122, 123 HKFP, 'Hong Kong's police watchdog to investigate protest complaints', 4 July 2019, url.
The date is listed as 31 March 2020

124 HKFP, 'Hong Kong leader promises "open, direct" dialogue', 20 August 2019, url.
The date is listed as 31 March 2020

Inactive links:

CIA World Factbook, 'Hong Kong', last updated 13 November 2019, url.
New link – <https://www.cia.gov/the-world-factbook/countries/hong-kong/>

17 Justice Centre Hong Kong, 'Universal Periodic Review', undated, url.
Unable to find new link.

Incomplete referencing (full title not cited &/ (...) not used) –

1 National Geographic, 'Hong Kong's complex history', 7 August 2019, url.
Full title – How Hong Kong's complex history explains its current crisis with China

26 SCMP, "'Five key demands, not one less'" 4 September 2019, url.
Full title – Five key demands, not one less': Hong Kong protesters make clear that Chief Executive Carrie Lam's bill withdrawal is not enough

29, 31, 32, 34, 83 Bloomberg, 'Hong Kong's descent to Emergency Rule', first published 16 August 2019, url.
Full title – Hong Kong's Descent to Emergency Rule: 118 Days of Unrest

33 The Guardian, 'Hong Kong leader suspends extradition bill', 15 June 2019, url.
Full title – Hong Kong leader suspends extradition bill amid protest pressure

61, 63, 64 SCMP, 'Hong Kong police lift cordon around Polytechnic University', 29 November 2019, url.
Full title – Hong Kong protests: battered Polytechnic University faces six months of repairs as police say more than 10,000 petrol bombs seized from campuses across city

65 SCMP, 'From war zone to "prison": voices from University siege', 29 November 2019, url.
Full title – From war zone to 'prison': voices from Polytechnic University siege, site of some of the worst violence amid Hong Kong's protest crisis

66 SCMP, 'Tens of thousands return to streets after days of calm', 1 December 2019, url.
Full title – Hong Kong protests: tens of thousands return to streets after days of calm as radicals trash shops with mainland China links

70 SCMP, 'Carrie Lam warns protesters they are pushing city "into an abyss"', 13 August 2019, url.
Full title – Hong Kong leader Carrie Lam fights back tears as she warns protesters they are pushing city 'into an abyss'

72 Time, 'Hong Kong invokes Emergency Powers to Ban Face Masks', 4 October 2019, url.
Full title- After Months of Unrest, Hong Kong Invokes Emergency Powers to Ban Face Masks

73 BBC, 'Two people in critical condition after day of chaos', 11 November 2019, url.
Full title- Hong Kong protests: Two people in critical condition after day of chaos

74 HKFP, '150 rounds of tears gas, 20 bean bag shots fired during "riot"', 13 June 2019, url.
Says it is published 31 March 2020
Full title- 'Very restrained' – Hong Kong police say 150 rounds of tears gas, 20 bean bag shots fired during anti-extradition law 'riot'

75, 76 HKFP, '72 injured in clashes as rights group condemn use of tear gas', 13 June 2019, url.
Full title- Police, protester standoff in Hong Kong's Central; 72 injured in clashes as rights groups condemn use of tear gas

77 SCMP, 'Did police use excessive force or issue a proportional response?', 14 June 2019, url.
Full title- In Hong Kong protests, did police use excessive force or issue a proportional response?

78 SCMP, 'Questions over credibility of Hong Kong Police Force', 20 June 2019, url.
Full title – Questions over credibility of Hong Kong Police Force as security chief says riot squad uniforms have no room for officers' identity numbers

78 SCMP, 'Questions over credibility of Hong Kong Police Force', 20 June 2019, url.
Full title- Hong Kong activists complain police failed to display ID numbers, as security chief says uniform has 'no room'

80 HKFP, 'Hong Kong police say officers will wear unique identifiers', 29 October 2019, url.
Full title – Hong Kong police say officers will wear unique identifiers as force defends recent treatment of journalists

81 Amnesty International, 'How not to police a protest: Unlawful use of force', 25 November 2019, url.
Full title – How not to police a protest: Unlawful use of force by Hong Kong police

82 HKFP, 'Hong Kong riot police target journalists during Sunday unrest', 30 September 2019, url.
Full title – Hong Kong riot police target journalists during Sunday unrest, as reporter shot in the eye with projectile

85, 86,99 SCMP, 'Police Chief tells residents: the force cannot end protests alone', 19 November 2019, url.
Full title – New Hong Kong police chief Chris Tang tells residents: the force cannot end the protests alone

87 SCMP, 'Police bring out lethal anti-riot weapons not used earlier in unrest', 20 November 2019, url.
Full title- Police respond to more menacing mob attacks by bringing out lethal anti-riot weapons not used earlier in unrest

89, 90 HKFP, 'Cop who drove motorbike into protesters back on active duty', 1 December 2019, url.
Full title – Hong Kong cop who drove motorbike into protesters back on active duty as police chief rejects inquiry calls

94 The Independent, 'Hong Kong police arrest high-profile activists', 30 August 2019, url.
Full title – Hong Kong police arrest high-profile activists ahead of banned march

95 BBC, 'Hong Kong activists arrested: Joshua Wong and others charged', 30 August 2019, url.
Full title – Arrests and rising tension as Hong Kong prepares for protests on China's national day

101 SCMP, 'Anti-government protester sentenced for carrying laser pen', 25 November 2019, url.
Full title – First Hong Kong anti-government protester sentenced for carrying laser pen sent to rehabilitation centre

102, 103 SCMP, 'Man who spat at police officer gets 10 months in jail', 26 November 2019, url.
Full title – Hong Kong protests: man who spat at police officer during unlawful rally gets 10 months in jail, marking heaviest sentence since unrest broke out

104 BBC, 'PolyU: Hong Kong Police find almost 4000 petrol bombs', 29 November 2019, url.
Full title – PolyU: Hong Kong Police find almost 4000 petrol bombs on campus

105 HKFP, 'Police accused of indecent assault after protester strip searched', 23 August 2019, url.
Full title – Hong Kong police accused of indecent assault after protester strip searched days after arrest

106, 107,108,109,110 Amnesty International, 'Arbitrary arrests, brutal beatings and torture revealed', 19 Sept 2019, url.
Full title – Hong Kong: Arbitrary arrests, brutal beatings and torture in police detention revealed

113, 114 HFKP, 'Thousands rally to support protesters who allege police torture', 28 September 2019, url.
Full title – Thousands rally to support Hong Kong protesters who allege police torture at controversial detention near China border

115 HKFP, "'I am not the only one": student accuses police of sexual assault', 11 October 2019, url.
Full title – 'I am not the only one': Hong Kong student removes mask and accuses police of sexual assault

116, 117 SCMP, 'Arrest and detention of children raise questions on police treatment', 20 October 2019, url.
Full title – Arrest and detention of children over Hong Kong's anti-government protests raise questions on police treatment and legal process

119 HKFP, 'Hong Kong gov't must respond to demands or protests will escalate' 20 June 2019, url.
Full title – Anti-extradition row: Hong Kong gov't must respond to demands or protests will escalate on Fri, student groups say

120 HKFP, 'Use existing mechanism for complaints, says Hong Kong justice chief', 22 June 2019, url.
Says 31 march 2020
Full title – Use existing mechanism for police complaints, says Hong Kong justice chief as anger over alleged misconduct boils over

121, 122, 123 HKFP, 'Hong Kong's police watchdog to investigate protest complaints', 4 July 2019, url.
Full title – Hong Kong's independent police watchdog to investigate protest complaints, but lacks legal power to summon witnesses

124 HKFP, 'Hong Kong leader promises "open, direct" dialogue', 20 August 2019, url.
Says 31 march 2020
Full title- Hong Kong leader promises 'open, direct' dialogue, offers no concessions to protesters' demands

125 SCMP, 'Hong Kong police watchdog does not have resources to cope', 10 November 2019, url.

Full title – Hong Kong police watchdog does not have powers and resources to cope with scale of protests, say Independent Police Complaints Council's expert advisers

126, 127 SCMP, 'Carrie Lam appoints two new members to IPCC', 4 September 2019, url.

Full title – Carrie Lam appoints two new members to IPCC as watchdog sets up panel of overseas experts

We will review and correct errors, but abbreviated footnotes are used to reduce the overall size of the document. The corresponding fuller reference is listed in the bibliography.

2. Review

2.1 Legal context

Recommend inclusion of or reference to Articles 7, 8, 9, 11, 13, 13A of the Public Order Ordinance in order to outline the requirements for having public gatherings as well as how the police apply the rules. See the following sources:

Hong Kong e-Legislation, 'Cap. 245, Public Order Ordinance', last updated 29 June 2017, https://www.elegislation.gov.hk/hk/cap245?tab=m&xpid=ID_1438402885794_004

Amnesty International, Beijing's Red Line in Hong Kong, 24 September 2019, <https://www.amnesty.org/en/documents/asa17/0944/2019/en/>

Suggest reference to relevant policy developments could also be included. For example, changes to police guidelines took place during the reporting period. Details are available in the following sources, for example:

Reuters, Hong Kong police change guidelines on use of force in protests: documents, 3 October 2019, <https://www.reuters.com/article/us-hongkong-protests-police/hong-kong-police-change-guidelines-on-use-of-force-in-protests-documents-idUSKBN1W10TX>

The Guardian, A battle for the soul of the city: why violence has spiralled in the Hong Kong protests, 6 October 2019, <https://www.theguardian.com/world/2019/oct/06/a-battle-for-the-soul-of-the-city-why-violence-has-spiralled-in-the-hong-kong-protests>

Comment: Paragraph 4.1.4 citing a fact sheet produced by the HKSAR would have benefitted from including the following text:

'The vague nature of the Ordinance means that it can be abused and result in the violation of human rights, including freedom of speech and freedom of assembly. The Ordinance has been repeatedly criticized by the UN Human Rights Committee for failing to fully meet international human rights standards. Unlike in the People's Republic of China (PRC), the ICCPR has been extended to the HKSAR. Its implementation is covered under Article 39 of the Basic Law.'

Since the CPIN was published in February 2020, the National Security Law has been passed. When updating the CPIN, it is recommended that this law is outlined, drawing on the CPIN on National security law.

Accepted. However, we will not be updating this particular CPIN as it was a record of the situation in 2019. We will point the reader to this review for the suggested additional material that was relevant at the time. Updated material will be covered in future iterations of HKNSL CPIN which has superseded this.

2.2 Protests

<p>Recommend that Section 5.1 Origins and aims should include more background information on the pro-democracy movement. This should include reference to the Umbrella movement. Sources detailing information of relevance include:</p> <p>NPR, A Guide To What’s Happening In Hong Kong, 20 August 2019, https://www.npr.org/2019/08/20/752368384/a-guide-to-whats-happening-in-hong-kong?t=1645023012372</p> <p>Amnesty International, Beijing’s Red Line in Hong Kong, 24 September 2019, https://www.amnesty.org/en/documents/asa17/0944/2019/en/</p> <p>NPR, What’s At Stake For Hong Kong?, 29 September 2014, https://www.npr.org/sections/thetwo-way/2014/09/29/352467064/whats-at-stake-for-hong-kong</p> <p>Congressional Research Service, Hong Kong’s Protests of 2019, 18 December 2019, https://crsreports.congress.gov/product/pdf/IF/IF11295</p> <p>House of Commons Library, Hong Kong: pro-democracy protests and proposed FAC visit, 1 December 2014, https://commonslibrary.parliament.uk/research-briefings/sn07044/</p> <p>The Guardian, Hong Kong’s umbrella revolution – the Guardian briefing, 30 September 2014, https://www.theguardian.com/world/2014/sep/30/-sp-hong-kong-umbrella-revolution-pro-democracy-protests</p> <p>BBC, Hong Kong protests: The key players, 2 December 2014, https://www.bbc.co.uk/news/world-asia-china-29408476</p>	<p>Not accepted.</p> <p>The suggested extensive background material is a level of detail that is not required for decision makers bearing in mind the scope and purpose of the CPIN. This CPIN focuses on specific events in 2019 and sources from 2014 do not go the core claims this product covers.</p> <p>Further, as above, we do not intend to update this CPIN as it has been superseded by the HKNSL one.</p>
<p>Suggest factors that are motivating protesters such as worsening economic conditions could be included in 5.1 Origins and aims. Sources that refer to this include:</p> <p>The Harvard Gazette, Simmer nears boil in Hong Kong, 9 July 2019, https://news.harvard.edu/gazette/story/2019/07/harvard-china-expert-examines-whats-behind-the-hong-kong-protests/</p> <p>Congressional Research Service, Hong Kong’s Protests of 2019, 18 December 2019, https://crsreports.congress.gov/product/pdf/IF/IF11295</p>	<p>Accepted. However, we will not be updating this particular CPIN as it was a record of the situation in 2019. We will point the reader to this review for the suggested additional material that was relevant at the time. However, updated material will be covered in future updates of HKNSL CPIN which has superseded this.</p>

<p>Suggest inclusion of the following events into the timeline at 5.2.</p> <p>11 August 2019: ‘Police deployed more aggressive tactics to combat a weekend of protests across the city, including a Friday-through-Sunday sit-in at the airport’s arrivals hall. Riot police were taped beating up demonstrators in subway stations and other officers went undercover, infiltrating the crowds and arresting people. Protesters used “flash mob” style protests to surround police stations and snarl traffic. Some threw bricks and petrol bombs, with one officer suffering burns in the shopping area of Tsim Sha Tsui, which sits on Victoria Harbor.’ Bloomberg, ‘Hong Kong’s descent to Emergency Rule’, first published 16 August 2019, https://www.bloomberg.com/graphics/hong-kong-protests-timeline/</p> <p>29 August 2019: ‘[...] between 11,500 and 30,000 people rallied to protest against alleged sexual violence by police during the past months of demonstrations. [...] The rally was billed as a #MeToo event’. BBC, Hong Kong: Protesters join MeToo rally against police, 29 August 2019, https://www.bbc.co.uk/news/world-asia-china-49505901</p> <p>1 October 2019: ‘Police shot a protester with live ammunition for the first time during a day of fierce, widespread clashes on a holiday marking 70 years of Communist Party rule in China. The series of rallies kicked off simultaneously across Hong Kong hours after President Xi Jinping made a speech in Beijing urging national unity.</p> <p>During Tuesday’s protests, police fired six live shots, 1,407 rounds of tear gas, 192 bean bag rounds, and 923 rubber bullet rounds—the latter surpassing the total of the previous three months combined. More than 100 people were hospitalized, the Hospital Authority said, with five in serious condition. The 18-year-old protester hit with live ammunition was stable after undergoing surgery.’ Bloomberg, ‘Hong Kong’s descent to Emergency Rule’, first published 16 August 2019, https://www.bloomberg.com/graphics/hong-kong-protests-timeline/</p> <p>8 December 2019: ‘Some 800,000 demonstrators marched in Hong Kong on Sunday. Hundreds of thousands of anti-government protesters took to the streets of Hong Kong on Sunday in a bid to peacefully signal to the city’s leader, Carrie Lam, and Beijing that their movement will remain determined until their demands are met.’ Deutsche Welle, Hong Kong unrest: Huge rally marks 6 months of protests, 8 December 2019, https://www.dw.com/en/hong-kong-unrest-huge-rally-marks-6-months-of-protests/a-51575820</p>	<p>Accepted. However, we will not be updating this particular CPIN as it was a record of the situation in 2019. We will point the reader to this review for the suggested additional material that was relevant at the time. However, updated material will be covered in future updates of HKNSL CPIN which has superseded this.</p>
<p>Recommend inclusion of the 24 November 2019 District Council election results and the December 2019 Legislative Council election results in an updated CPIN in 5.2. See for example:</p> <p>Guardian, Hong Kong voters deliver landslide victory for pro-democracy campaigners, 25 November 2019, https://www.theguardian.com/world/2019/nov/24/hong-kong-residents-turn-up-for-local-elections-in-record-numbers; SCMP, Hong Kong elections: pro-democracy camp wins 17 out of 18 districts while city leader says she will reflect on the result, 25 November 2019, https://www.scmp.com/news/hong-kong/politics/article/3039151/hong-kong-elections-tsunami-disaffection-washes-over-city; BBC, Hong Kong: Pro-Beijing candidates sweep controversial LegCo election, 20 December 2021, https://www.bbc.co.uk/news/world-asia-china-59717343</p>	<p>Not accepted. As explained in the Preface, the note provides country of origin information (COI) and analysis of COI for use by Home Office decision makers handling particular types of protection and human rights claims. It is not intended to be an exhaustive survey of a particular subject or theme. The information in 5.2 is intended to reflect the protests which took place in Hong Kong. The suggested sources on election results do not fit within this section.</p>

Suggestion: Since the CPIN was published in February 2020, below are some sources to consult for an updated timeline of events:

Reuters, Key dates in Hong Kong's anti-government protests, 3 June 2020, [https://www.reuters.com/article/us-hongkong-protests-anniversary-timeline-USKBN23A0QD](https://www.reuters.com/article/us-hongkong-protests-anniversary-timeline/USKBN23A0QD)

The Guardian, Hong Kong protests: arrests as thousands sing protest anthem on anniversary of clashes, 13 June 2020, <https://www.theguardian.com/world/2020/jun/13/hong-kong-protests-arrests-as-thousands-sing-protest-anthem-on-anniversary-of-clashes>

NBC News, Hundreds of thousands march as Hong Kong protests near half-year mark, 8 December 2020, <https://www.nbcnews.com/news/world/hundreds-thousands-march-hong-kong-protests-near-half-year-mark-n1097741>

Wall Street Journal, One Year On, Hong Kong Protesters Defy Crackdown to Keep Movement Alive, 9 June 2020, <https://www.wsj.com/articles/thousands-march-in-hong-kong-protest-in-defiance-of-police-ban-11591704838>

CNN, Protests break out in Hong Kong as first arrest made under new security law', 2 July 2020, <https://edition.cnn.com/2020/07/01/china/hong-kong-national-security-law-july-1-intl-hnk/index.html>

FT, Hong Kong deploys thousands of police against protests, 2 October 2020, <https://www.ft.com/content/c0312cc1-8097-48fe-bec2-c07cf03cbfe9>

In the timeline at 5.2, it is further recommended to include details in relation to the National Security Law. For example:

When the law passed –

The Guardian, 'Controversial Hong Kong national security law comes into effect', 30 June 2020, <https://www.theguardian.com/world/2020/jun/30/controversial-hong-kong-national-security-law-comes-into-effect>

Key flashpoint events relating to pro-democracy groups and protest organisers, for example –

NBC, Hong Kong protest organizer disbands in blow to civil society, 16 August 2021, <https://www.nbcnews.com/news/world/hong-kong-protest-organizer-disbands-blow-civil-society-n1276887>

Thank you for the source suggestions. If an update on this CPIN or further information is requested from decision makers via the request service, is required in the future we will look to include these.

2.3 Response to protests

Suggest a hyperlink referring the end of section 6.2 Police and security forces to the section 7.2 Treatment

Recommend 6.2 cites additional sources detailing how police tactics resulted in allegations of violating international standards. See for example:

‘The High Commissioner is “concerned by the ongoing events in the Hong Kong Special Administrative Region (SAR), and the escalation of violence that has taken place in recent days”, her spokesperson, Rupert Colville, told reporters in Geneva on Tuesday.

[...] Mr. Colville said that there was “credible evidence” of law enforcement officials using some anti-riot measures which are “prohibited by international norms and standards”.

As an example, he said that officials have been seen firing tear gas canisters into crowded, enclosed areas and directly at individual protesters on multiple occasions, “creating a considerable risk of death or serious injury”. UN News, ‘Act with restraint’ UN human rights chief urges Hong Kong authorities and protesters, following airport disruption, 13 August 2019, <https://news.un.org/en/story/2019/08/1044141>

‘The Hong Kong Police Force has employed increasingly aggressive tactics to stop the protests, resulting in allegations that its officers are violating international standards for responding to civil demonstrations. [...] The arrival of the police frequently has led to confrontations, and eventually the use of tear gas, rubber bullets, and pepper spray to break up the protests. The protesters have responded by donning makeshift riot gear and throwing bottles, bricks, and Molotov cocktails at the police, leading to accusations of violence by both sides.’ Congressional Research Service, Hong Kong’s Protests of 2019, 18 December 2019, <https://crsreports.congress.gov/product/pdf/IF/IF11295>

Furthermore, at 6.2.2, the excerpt cited could have been extended to include: ‘[...] CHRf added that the unprecedented use of rubber bullets and bean bags to dispel protesters was a gross violation of the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.’ HKFP, ‘72 injured in clashes as rights group condemn use of tear gas’, 13 June 2019, <https://hongkongfp.com/2019/06/13/police-protester-standoff-hong-kongs-central-72-injured-clashes-rights-groups-condemn-use-tear-gas/>

Accepted. However, we will not be updating this particular CPIN as it was a record of the situation in 2019. We will point the reader to this review for the suggested additional material that was relevant at the time. Updated material will be covered in future iterations of the HKNSL CPIN which has superseded this.

Recommend 6.2 draws on more COI that highlights the how the police and security forces targeted journalists during the protests. See for example:

‘The HKJA said in a statement that it had gathered 17 cases of abuse of power against journalists, including four instances of tear gas canisters being shot at reporters at a close range. It also noted a case of a reporter being harmed and two cases of batons being used against media staff.

There were also multiple cases of riot shields being used to push journalists; several cases of batons being wielded to prevent arrests being filmed, and multiple cases of unreasonable body searches.

The journalism watchdog said all victims of these cases had press cards, wore jackets or helmets with large “press” lettering printed on them: “In most of the cases, there were no protesters for some distance,” it said. “It makes us wonder if individual officers were targeting journalists.” HKFP, ‘150 rounds of tears gas, 20 bean bag shots fired during “riot”, 13 June 2019, <https://hongkongfp.com/2019/06/13/just-restrained-hong-kong-police-say-150-rounds-tears-gas-20-bean-bag-shots-fired-anti-extradition-law-riot/>

‘The HKBA notes with grave concern video footages showing that the police appeared to have acted in disregard of the safety and well-being of protesters and frontline journalists covering the protest. These acts include the deployment of wholly unnecessary force against largely unarmed protesters who did not appear to pose any immediate threat to the police or the public at large. Such force could also be seen to be directed at persons clearly identifiable as journalists.’ Hong Kong Bar Association (HKBA), Statement of the Hong Kong Bar Association (HKBA) on the Use of Force by the Hong Kong Police on 12 June 2019, 13 June 2019, <https://www.hkba.org/sites/default/files/20190613%20-%20HKBA%27s%20Statement%20on%20Police%20Use%20of%20Forc%20on%2012%20June%202019%20%28ENGLISH%29.pdf>

Hong Kong Journalists Association (HKJA) and Hong Kong Press Photographers Association (HKPPA) today (September 12) make a joint call for the Government to stop police violence against journalists covering the anti-extradition bill protests.

The Police, they say, should apologise for their increasing attacks, both physical and verbal, against front-line reporters in the past three months.

They demanded Police to stop making unfounded accusations and reiterated their call for an independent investigation into the way Police handled reporters during the protests.’ HKJA, HKJA and Hong Kong Photographers Association make a joint call for the government to stop police violence against journalists covering the anti-extradition bill protests, 12 September 2019, <https://www.hkja.org.hk/en/press-release/7497/>

‘As the protests here continue, police tactics toward journalists—ranging from arbitrary restrictions to savage attacks— have not only fueled mistrust between the media and the authorities, but driven cynicism in society writ large. [...] As street demonstrations grew bolder and more dangerous—with bonfires and Molotov cocktails—officers responded with more force, against both demonstrators and reporters. Veby Mega Indah, an Indonesian journalist, was [left blind](#) in one eye after a riot officer fired a nonlethal round at close range on September 29. Officers have obscured their identities, and heaped verbal abuse on the press. Scores of journalists have received beatings, pepper spray, direct hits of tear gas, and water-cannon spray, and have been wounded with rubber bullets and bean-bag rounds.

October 1 was a particularly unpleasant day. Among a litany of incidents catalogued by the Hong Kong Journalists Association (HKJA), a rubber or sponge round struck a reporter working for Stand News, requiring a hospital trip; journalists working for Apple Daily and Next Magazine were similarly targeted; an employee of the government broadcaster, RTHK, was ordered off the scene at gunpoint; and at least two news organizations pulled their reporters off the streets.’ The Atlantic, Hong Kong’s Worsening Press Climate, 11 October 2019, <https://www.theatlantic.com/international/archive/2019/10/hong-kong-police-are-targeting-press/599815/>

<p>Suggestion: Section 6 could have benefited from a sub section (e.g., 6.3), entitled Responses to Protests: Civil Society. This section would cover:</p> <ul style="list-style-type: none"> a. District council elections – see for example: Guardian, Hong Kong voters deliver landslide victory for pro-democracy campaigners, 25 November 2019, https://www.theguardian.com/world/2019/nov/24/hong-kong-residents-turn-up-for-local-elections-in-record-numbers b. Professionals who supported the protests, for example through clandestine clinics or pro bono legal help. See for example: FT, The lawyers, doctors and artists behind the Hong Kong protests, 30 September 2019, https://www.ft.com/content/338a28fc-dfc0-11e9-9743-db5a370481bc; AP, Hong Kong’s undercover medics reveal hidden toll of protests, 9 October 2019, https://apnews.com/article/health-ap-top-news-international-news-arrests-hong-kong-e054402fd7d4489fb2f1d29368e3b945 	<p>Not accepted. As explained in the Preface, the note provides country of origin information (COI) and analysis of COI for use by Home Office decision makers handling particular types of protection and human rights claims. It is not intended to be an exhaustive survey of a particular subject or theme. The suggested sources, whilst interesting, do not add any additional information useful to aid decision makers</p>
<p>Recommendation: Since the CPIN was published in February 2020, below are some sources to consult for events an updated timeline of events prior to June 2020 when the National security law entered into force. After that time, reference can be made to the relevant CPIN.</p> <p>Artnet, As Police Tear-Gassed Protesters Outside Its Doors, the Hong Kong Museum of Art Was Forced to Shut Down Its Grand Reopening, 2 December 2019, https://news.artnet.com/art-world/museum-art-hong-kong-protests-1719210</p> <p>The Guardian, Hong Kong protests: police fire teargas as thousands rally against Beijing’s national security law, 24 May 2020, https://www.theguardian.com/world/2020/may/24/hong-kong-protests-unauthorised-rally-police-china-laws</p>	<p>Thank you for the source suggestions if an update on this CPIN is required in the future we will look to include these.</p>

2.4 Response to protesters

<p>Comment: Relevant information relating to 7.1 highlighting the high proportion of children and young people arrested that was available prior to the publication of the CPIN include:</p> <p>‘The semi-autonomous city’s number two official Matthew Cheung said at a press conference on Thursday it was “shocking and heartbreaking” that 750 out of the 2,379 people arrested – or nearly a third – since June were under 18, and 104 were under 16.</p> <p>[...] Hong Kong policeman fired at an 18-year-old high school student’s chest during heated, territory-wide protests on China’s National Day on 1 October, while a 14-year-old was shot in the thigh by a plainclothes police officer last Friday during protests against the anti-mask ban. In a recent protest, an 11-year-old was sent to hospital after sustaining an injury.’ The Guardian, Hong Kong: arrest of 750 children during protests sparks outcry, 11 October 2019, https://www.theguardian.com/world/2019/oct/11/hong-kong-arrest-of-750-children-during-protests-sparks-outcry</p> <p>‘On December 4, Secretary for Security John Lee released a demographic breakdown of arrestees by age: A large majority of the arrestees are age 30 and under; over a quarter of the arrestees age 30 and under are young women and girls; a total of 902 underage protesters have been arrested; and those charged with rioting can face up to 10 years in prison.’ The Government of Hong Kong Special Administrative Region, LCQ19: Statistics on arrestees in public events between June and November, 4 December 2019, https://www.info.gov.hk/gia/general/201912/04/P2019120400451.htm</p>	<p>Accepted. However, we will not be updating this particular CPIN as it was a record of the situation in 2019. We will point the reader to this review for the suggested additional material that was relevant at the time. Updated material will be covered in future iterations of the HKNSL CPIN which has superseded this.</p>
--	--

Title: 7.2 Treatment. Recommend changing title to 7.2 III-treatment considering the section details reports of sexual violence and torture at the hands of state agents.

Not accepted. We do not feel it necessary to change the title of this section as the intention is to cover all state treatment. III-treatment is an emotive term and would exclude the inclusion of other state treatment, where COI demonstrates it exists. For example, Amnesty stated most of those arrested at protests did not suffer physical mistreatment. The section also includes information on access to lawyers and medical care.

Recommendation: Additional relevant information relating to 7.2 that would be beneficial and details ill-treatment available before the publication of the CPIN include:

Washington Post, In Hong Kong crackdown, police repeatedly broke their own rules, 24 December 2019, <https://www.washingtonpost.com/graphics/2019/world/hong-kong-protests-excessive-force/>

Instances of excessive and questionable use of police force have been reported by the media or video recorded by protesters. They include: In Kwai Fong, police fired teargas inside an enclosed subway station in an attempt to force out protesters; In Tsim Sha Tsui, a police officer reportedly fired a bean bag round into a woman's face, causing heavy bleeding from her right eye; In Tai Koo, a police officer was video recorded shooting pepper balls at close range at protesters as they were leaving the protest scene through the subway station; and In Causeway Bay, a police officer knelt on the face of a protester, pressing his face into a pool of his own blood. Human Rights Watch, Hong Kong: Police Should Exercise Restraint, 14 August 2019, <https://www.hrw.org/news/2019/08/14/hong-kong-police-should-exercise-restraint>

'Rape threats, body-shaming and doctored photos – women supporting the protests in Hong Kong said they are being harassed online by suspected pro-Beijing trolls.' Channel News Asia, Attacked for gender, not views: Hong Kong women protesters facing troll army, 2 September 2019, <https://www.channelnewsasia.com/asia/hong-kong-women-protesters-attacked-gender-sexual-harrased-858021>

'Hong Kong Public Doctors' Association ("HKPDA") is gravely concerned by reports that over the past months of protests in Hong Kong, the Hospital Authority ("HA") has disclosed patients medical records to police without the knowledge and consent of patients. This was purportedly in response to service of search warrants taken out by police.

... Ms X, a young female rape complainant who has filed a criminal complaint of being raped by police officers in Tsuen Wan police station. In this case police took out a search warrant to seize the medical records from the private doctor.' Hong Kong Public Doctors' Association, Letter to the Chief Executive of the Hospital Authority, 21 November 2019, <https://www.hkpda.org.hk/wp-content/uploads/2020/05/letter-to-HAHO-for-patient-confidentiality-211129.pdf>

'Allegations surfaced of rape, inappropriate police conduct, and abuse of power, including strip searches of young female protesters. Linda Wong, a spokesperson for the Hong Kong Women's Coalition on Equal Opportunities, a coalition of multiple women's rights organizations in the city, said in a statement: "In the name of law enforcement, [the] police is using sexual violence as an instrument of intimidation. They intend to silence women through sexual shame and humiliation, violating women's right to bodily autonomy, as well as every person's right to lawful assembly.' Teen Vogue, Young Women Are Front and Center in the Hong Kong Protests, 6 December 2019, <https://www.teenvogue.com/story/hong-kong-protests-young-women>

'This briefing finds that: 1. Tear gas, rubber bullets, pepper spray and batons have been used dangerously and indiscriminately by the Hong Kong Police Force, resulting in serious injuries; 2. There is significant evidence that the Hong Kong Police Force have colluded with violent triad gangsters to deter protest; 3. There have been violations of press freedom, as journalists have been targeted; 4. 'Rioting' charges are being used against protesters as a deterrent effect.' Hong Kong Watch, [Briefing: Police brutality and political prosecution in Hong Kong Extradition Protests](#), 16 August 2019

Accepted. However, we will not be updating this particular CPIN as it was a record of the situation in 2019. We will point the reader to this review for the suggested additional material that was relevant at the time. Updated material will be covered in future iterations of the HKNSL CPIN which has superseded this.

<p>Recommendation: Since the CPIN was published in February 2020, below are some sources recommended to consult when updating the section 7.1 Arrests and prosecutions.</p> <p>‘Since the law was passed in June 2020 there have been mass arrests of leading activists who were involved in the 2014 and 2019 protest movements.’ House of Commons Library, Hong Kong: National Security Law and recent events, 20 September, 2021, https://commonslibrary.parliament.uk/research-briefings/cbp-9318/</p> <p>‘According to Hong Kong Police statistics, from 9 June 2019 to 30 April 2020, a total of 10,260 people were arrested in relation to the anti-Extradition Bill protests. Of this number, 2,608 have been charged and 7,652 are pending further investigation. 1,300 cases have been brought to Court, with 715 people convicted. Nearly 40% of those arrested were students.’ FCDO, Six-monthly report on Hong Kong: 1 January to 30 June 2021, 14 December 2021, https://www.gov.uk/government/publications/six-monthly-report-on-hong-kong-january-to-june-2021/six-monthly-report-on-hong-kong-1-january-to-30-june-2021</p> <p>‘Since the start of the anti-extradition bill protests in 2019, the Hong Kong government has arrested more than 10,000 individuals and prosecuted at least 2,600 for protest-related activities, according to Samuel Chu, founder and former managing director of the Hong Kong Democracy Council. The Hong Kong government now treats any dissent, including grassroots political organizations, as criminal. Long established civil society groups have disbanded as a result of persecution by Hong Kong authorities and the imprisonment of key leaders.’ USCC, Hong Kong’s government embraces authoritarianism (Chapter 5), November 2021, p.443, https://www.uscc.gov/sites/default/files/2021-11/Chapter_5--Hong_Kongs_Government_Embraces_Authoritarianism.pdf</p> <p>Further sources containing relevant information include:</p> <p>SCMP, Hong Kong protests: more than 10,200 arrested in connection with unrest since 2019, government tells lawmakers, 9 April 2021, https://www.scmp.com/news/hong-kong/politics/article/3128836/hong-kong-protests-more-10200-arrested-connection-unrest</p> <p>The Guardian, Hong Kong plans megacourt to deal with protest arrests backlog, 7 October 2021, https://www.theguardian.com/world/2021/oct/07/hong-kong-plans-megacourt-deal-protest-arrests-backlog</p> <p>SCMP, Hong Kong protests: second mega court for clearing backlog of cases to accommodate 250 people, 13 October 2021, https://www.scmp.com/news/hong-kong/law-and-crime/article/3152253/hong-kong-protests-second-mega-court-clearing-backlog</p> <p>FCO, Six-monthly report on Hong Kong: 1 January to 30 June 2021, 14 December 2021, https://www.gov.uk/government/publications/six-monthly-report-on-hong-kong-january-to-june-2021/six-monthly-report-on-hong-kong-1-january-to-30-june-2021</p> <p>Hong Kong Free Press, HONG KONG PROTEST MOVEMENT DATA ARCHIVE: ARRESTS & PROTEST STATISTICS, n.d., https://hongkongfp.com/hong-kong-protest-movement-data-archive-arrests-protest-statistics/</p> <p>Amnesty International, Hong Kong: Peaceful protesters targeted as police start 2020 with renewed attack on dissent, 2 January 2020, https://www.amnesty.org/en/latest/news/2020/01/hong-kong-peaceful-protesters-targeted/</p>	<p>Thank you for the source suggestions if an update on this CPIN is required or further information is requested from decision makers, in the future we will look to include these.</p>
<p>Suggestion: Provide hyperlink references to the relevant sections of the CPIN on National security law</p>	<p>Accepted. We will direct readers to this.</p>

2.5 Avenues of redress

Comment: Additional relevant information relating to 7.2 available before the publication of the CPIN include:

'[...] on Wednesday the group of foreign experts recruited to ensure objectivity in the probe said in a statement that they would be formally standing aside after discussions with the IPCC failed to result in "any agreed process" through which the [IPCC] would be able to conduct an effective investigation.

The experts said the IPCC lacked the powers necessary "to meet the standards citizens of Hong Kong would likely require" in a society that "values freedom and rights".

"While we assessed that meaningful progress had been made in data collection and analysis, we ultimately concluded that a crucial shortfall was evident in the powers, capacity and independent investigative capability of IPCC," the panel said, according to the South China Morning Post.

Experts on the panel had previously cast doubt on the police watchdog's ability to deliver an objective investigation and called on the government to grant it more powers. The IPCC cannot summon witnesses or force the police to hand over evidence.' The Guardian, Foreign experts quit Hong Kong police brutality inquiry over lack of powers, 11 December 2019, <https://www.theguardian.com/world/2019/dec/11/foreign-experts-quit-hong-kong-police-brutality-inquiry-over-lack-of-powers>

Accepted. However, we will not be updating this particular CPIN as it was a record of the situation in 2019. We will point the reader to this review for the suggested additional material that was relevant at the time. Updated material will be covered in future iterations of the HKNSL CPIN which has superseded this.

<p>Recommendation: There have been some developments relating to the IPCC since the publication of the CPIN. Below are some sources recommended for inclusion in any update report:</p> <p>Amnesty International, Hong Kong: Missing truth, missing justice, 5 March 2020, https://www.amnesty.org/en/documents/asa17/1868/2020/en/</p> <p>IPCC, A Thematic Study by the IPCC, 14 May 2020, https://www.ipcc.gov.hk/en/public_communications/ipcc_thematic_study_report.html</p> <p>Hong Kong Free Press, Hong Kong police watchdog clears force of misconduct citing online ‘propaganda’, but says ‘room for improvement’, 15 May 2020, https://hongkongfp.com/2020/05/15/in-full-hong-kong-police-watchdog-releases-report-on-protest-conduct-but-no-evidence-of-yuen-long-mob-attack-collusion/</p> <p>The Guardian, Anger as Hong Kong watchdog clears police over protest response, 15 May 2020, https://www.theguardian.com/world/2020/may/15/hong-kong-police-watchdog-clears-force-protest-response</p> <p>Al Jazeera, Hong Kong probe exonerates police over protest handling, 15 May 2020, https://www.aljazeera.com/news/2020/5/15/hong-kong-probe-exonerates-police-over-protest-handling</p> <p>The Foreign Correspondents’ Club Hong Kong, British policing expert who resigned from IPCC probe into Hong Kong protests wouldn’t ‘feel safe’ returning to city, 11 June 2020, https://www.fcchk.org/british-policing-expert-who-resigned-from-ipcc-probe-into-hong-kong-protests-wouldnt-feel-safe-returning-to-city/</p> <p>Radio Free Asia, Hong Kong Police Breaking Rights Law With Complaints System, Lack of ID: Court, 19 November 2020, https://www.rfa.org/english/news/china/police-11192020104313.html</p> <p>Blackstone Chambers, Hong Kong High Court rules lack of independent police complaints mechanism, Police failure to wear unique identification numbers, violate Hong Kong Bill of Rights, 20 November 2020, https://www.blackstonechambers.com/news/hong-kong-high-court-rules-lack-independent-police-complaints-mechanism-police-failure-wear-unique-identification-numbers-violate-hong-kong-bill-rights/</p> <p>Independent Police Complaints Council (IPCC), Report 2019/20, 9 December 2020, https://www.legco.gov.hk/yr20-21/chinese/counmtg/papers/cm20201209-sp043-ec.pdf</p> <p>Hong Kong Free Press, Under 10% of Hong Kong police watchdog complaints ‘substantiated,’ despite misconduct allegations in 2019 demos, 10 December 2020, https://hongkongfp.com/2020/12/10/under-10-of-hong-kong-police-watchdog-complaints-substantiated-despite-misconduct-allegations-in-2019-demos/</p> <p>SCMP, Only a fraction of complaints against Hong Kong police substantiated, watchdog body says, 16 December 2020, https://www.scmp.com/news/hong-kong/law-and-crime/article/3114099/only-fraction-complaints-against-hong-kong-police</p> <p>USDOS, 2020 Country Reports on Human Rights Practices: China (Includes Hong Kong, Macau, and Tibet) – Hong Kong, 30 March 2021, https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/china/hong-kong/</p> <p>The Government of Hong Kong Special Administrative Region Press, Appointment of new Chairman to Independent Police Complaints Council, 28 May 2021, https://www.info.gov.hk/gia/general/202105/28/P2021052800232.htm</p>	<p>Thank you for the source suggestions if an update on this CPIN is required in the future we will look to include these.</p>
<p>Suggestion: Additional relevant sources to consult when updating the CPIN are:</p> <p>Open Democracy, Why coronavirus hasn’t stopped Hong Kong’s protest movement, 11 April 2020, https://www.opendemocracy.net/en/why-coronavirus-hasnt-stopped-hong-kongs-protest-movement/</p> <p>HRW, ‘Dismantling a free society’, 25 June 2021 https://www.hrw.org/feature/2021/06/25/dismantling-free-society/hong-kong-one-year-after-national-security-law</p> <p>HKFP, Hong Kong prisons need independent monitor, say activists, as ex-detainees allege abuse, 6 May 2020, https://hongkongfp.com/2020/05/06/hong-kong-prisons-need-independent-monitor-say-activists-as-ex-detainees-allege-abuse/</p>	<p>Thank you for the source suggestions if an update on this CPIN is required in the future we will look to include these.</p>

3. Information about the Reviewer

Natasha Tsangarides is a freelance Country of Origin Information (COI) researcher with over 10 years' experience of conducting COI research. Previously an Associate for the Asylum Research Centre (ARC), Natasha has reviewed Home Office CPINs and EASO country reports and has also drafted thematic or country specific COI reports for ARC, EASO and UNHCR. Prior to this, Natasha ran a project to improve the use of COI in the asylum determination process in the UK. In this role, she designed and delivered COI training to 250 lawyers, judges and Home Office staff.

Review of the September 2021 Home Office Country Policy and Information Note on China: Hong Kong National Security Law

Prepared for the Independent Advisory Group on Country Information (IAGCI)

Natasha Tsangarides is a freelance Country of Origin Information (COI) researcher with over 10 years' experience of conducting COI research, including reviewing Home Office CPINs.

March 2022

Table of Contents

1. Introduction	98
1.1 Instructions	98
1.2 Methodology.....	99
1.3 Summary of Review	99
1.4 Understanding of the themes addressed in the CIG Reports	100
1.5 Quality and balance of sources	101
2. Review	103
2.1 Legal Context	103
2.2 Application of the law	104
2.3 Arrests of activists since September 2020	105
2.4 Prosecutions.....	106
2.5 Freedom of expression.....	107
2.6 Impact on July 2020 elections	109
3. Information about the Reviewer	110

1. Introduction

1.1 Instructions

In January 2022, the IAGCI sought tenders for reviews of Home Office Country Policy and Information Notes (CPINs) and responses to Information Requests (IRs) on China with the aim of ensuring that the content is as accurate, balanced, impartial and as up to date (within the stated 'cut off' date) as possible. The review focusses exclusively on the COI contained within the documents, and in line with the tender instructions, does not pass judgment on the policy guidance provided. The review has also been conducted according to the following Terms of Reference:

- assessing the extent to which information from source documents has been appropriately and accurately reflected in the CPIN Reports
- identifying additional sources detailing the current human rights situation in the country with respect to the main grounds for asylum claims (which are noted in each CPIN Report)
- noting and correcting any specific errors or omissions of fact
- making recommendations for general improvements regarding, for example, the structure of the report, its coverage or its overall approach
- ensuring no reference is made to an individual source which could expose them to risk

The reports reviewed include:

- Country Information and guidance, China: Hong Kong protests, February 2020
- Country policy and information note, China: Hong Kong national security law, September 2021
- Country Information and guidance, China: Muslims (including Uyghurs in Xinjiang), July 2021

The IRs reviewed include:

- China: New child policy, October 2021
- China: Manchu Buddhists, June 2020
- China: Double jeopardy, August 2021
- Hong Kong: Sexual orientation and gender identity or expression, August 2021
- China: Trafficking, September 2020
- China: Military service and women, May 2021

1.2 Methodology

This review has been conducted with reference to the [Common EU Guidelines for Processing Country of Origin Information \(COI\)](#) in relation to the 'Quality criteria for evaluating and validating information', i.e. relevance, reliability, balance, accuracy, currency, transparency and traceability. All original sources cited in the CPINs and IRs were reviewed and then cross checked against the relevant COI cited in the reports. Following that, other publicly available sources within the time frame were consulted to assess the accuracy, balance and reliability of the information presented. These sources were identified through consulting publicly available sources including government sources, online COI databases, NGOs, think-tanks and the media. The CPINs and IRs were also checked for any errors or omissions of facts and the structure of the reports was also assessed. Additional sources of information that were published after the 'cut off' date were identified if considered useful and relevant for any future CPINs or IRs on these topics.

1.3 Summary of Review

From a COI perspective, this is an accurate and balanced assessment based on information available at the cut-off date for the CPIN report. Suggested sources for an updated CPIN and general suggestions for improvement are presented by section heading of the CPIN further below in section 2 of this review.

The structure of the report is clear and navigable. However, there are some suggestions of additional areas that could be covered. This includes:

- National Security Law's compatibility with international law and the country's human rights obligations
- Treatment and right to fair trial
- Changes to the legislative election system in Hong Kong

Key recommendations include:	Home Office comment: Thank you for the recommendations.
1. Update the CPIN to reflect the latest situation in Hong Kong, using suggested sources detailed below	1. Accepted. The majority of sources provided post-date the publication of the CPIN so will be considered fully, along with all available COI when we update the CPIN as a result of this review.
2. Add details on themes above, using suggested sources detailed below <ul style="list-style-type: none"> a. National Security Law’s compatibility with international law and the country’s human rights obligations (see 2.1 for suggested sources) b. Treatment and right to fair trial (see 2.2 for suggested sources) c. Changes to the legislative election system in Hong Kong (see 2.6 for suggested sources) 	2. Accepted. As explained in the Preface, the note provides country of origin information (COI) and analysis of COI for use by Home Office decision makers handling particular types of protection and human rights claims. It is not intended to be an exhaustive survey of a particular subject or theme. Therefore, whilst some of the sources used could be expanded to add more detail, it is necessary to balance this against a clear ask from our primary users (HO decision makers), which is for a shorter, more precise and concise report.
3. Expand the range of sources, using suggested sources detailed below	3. Accepted. The majority of sources provided post-date the publication of the CPIN so will be considered fully, along with all available COI, when we update the CPIN as a result of this review.

1.4 Understanding of the themes addressed in the CIG Reports

From a COI viewpoint, it is considered that this is a well balanced and well researched report. The report could have been strengthened by including a section on the treatment of people subject to the National security laws and their right to a fair trial. This would include evidence in the public domain pertaining to extended pre-trial detention, refusal of bail, use of solitary confinement, right to attorney of choice and judicial independence.

It is considered that Section 3 Legal context could have been strengthened with some COI, notably from intergovernmental bodies, considering the compatibility with international law and the country’s human rights obligations. Additionally, some additional relevant information on changes to the legislative election system in Hong Kong could have been beneficial.

Home Office comment: See comments below on this recommendation.

1.5 Quality and balance of sources

Structure and content:

The structure of the report is clear and navigable. However, it is recommended that additional areas that could be covered. This includes information on the following:

- Treatment and right to fair trial*
- National Security Law's compatibility with international law and the country's human rights obligations
- Changes to the legislative election system in Hong Kong

*Treatment and right to fair trial should be a separate sub-section, potentially listed at 5.5 under Application of the law.

Home Office comment: See comments below on this recommendation.

Range and reliability:

In general, the CPIN included a range of reliable sources covering media sources, government sources, international NGO sources. Additional sources have been listed in the sections below, including from legal academic groups, NGOs and intergovernmental bodies that were available at the time of publication.

Currency & relevance:

All sources used were current, having been published in 2020 and 2021 and were relevant to the specific sections. Some notes below have been included where some other sources could have been cited of relevance to the particular sections.

Transparency and traceability:

Some very minor inaccuracies were noted with regards to footnotes, which can impact on the traceability of the sources. In multiple instances the full names of reports were not used but instead replaced with "...". Having conducted a search on these, they are still traceable and therefore acceptable.

References which now have an updated publication date –

Section 3, Footnote 2 HRIC, 'Hong Kong Timeline 2019-2021: Anti-Extradition...', last updated 2 September 2021
Last updated 17 February 2022

Section 3.5, Footnote 27, 28 HKFP, 'How Hong Kong's national security law and common law system...', 17 January 2021
Updated 7 April 2021

Section 5.1, Footnote 52 HKFP, 'Mystery lawyer appears in court for Hong Kong activist Andy Li, but...', 31 March 2021
Updated 2 April 2021

Inactive/incorrect url –

Section 6.4, Footnote 105 The Economist, 'Hong Kong's government is crushing the city's pro-democracy...', 21 August 2021
Unable to retrieve current working link.

Section 6.1.3 hyperlink for Prosecution is incorrect – it takes you to Re-arrests

Section 5.1.1 For arrests that took place before September 2020, hyperlink to link you to see the previous version of the CPIN, links you to the ECOI portal where it is not listed

Home Office comment: We will review and correct errors, but abbreviated footnotes are used to reduce the overall size of the document. The corresponding fuller reference is listed in the bibliography.

2. Review

2.1 Legal Context

Recommendation: It is recommended that information should be clearly presented about the National Security Law's compatibility with international law and the country's human rights obligations. There are a number of sources to draw on, some of which are presented below:

Mandates of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism[...], 1 September 2020, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=25487>

OHCHR, Hong Kong: Arrests under security law are serious concern, UN experts call for review, 12 October 2021, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27648&LangID=E>

UN News, Hong Kong: UN human rights office urges immediate release of arrested activists, 7 January 2021, <https://news.un.org/en/story/2021/01/1081552>

UN News, Hong Kong: Arrests under Security Law, a serious concern, 12 October 2021, <https://news.un.org/en/story/2021/10/1102882>

Government of Hong Kong, National Security Law in line with international practice of safeguarding national security, 13 October 2021, <https://www.info.gov.hk/gia/general/202110/13/P2021101300754.htm>

Accepted. Thank you for the source suggestions, some of which were not available at the time of writing the CPIN.

Whilst this helpful information, bearing in mind: (a) the purpose of the CPIN, as outlined in the Preface; (b) finite resources in CPIT, the need to prioritise our efforts elsewhere; and the relatively low number of HK cases in the system and via intake; and (c) the CPIN already reflects on both the intention and practical application of the NSL, we do not consider that such inclusion materially adds to the report or is necessary.

At best we will simply supply the links suggested when we update this CPIN as a result of this review.

Suggestion: The following sources provide up to date information about the legal context and are recommended for consultation when updating the CPIN include:

The Times, Hong Kong crackdown: Carrie Lam adds new crimes to national security law, 12 January 2022, <https://www.thetimes.co.uk/article/hong-kong-crackdown-carrie-lam-adds-new-crimes-to-national-security-law-zllq6kf3f>

France 24, At 'patriots only' session, Hong Kong adds new national security crimes to list, 12 January 2022, <https://www.france24.com/en/asia-pacific/20220112-hong-kong-to-pass-new-legislation-adding-more-national-security-crimes>

Section Proposals for further offences under new local National Security Law: House of Commons Library, Hong Kong: National Security Law and recent events, 20 September, 2021, <https://commonslibrary.parliament.uk/research-briefings/cbp-9318/>

Nikkei Asia, Hong Kong government preparing another security law 30 December 2021, <https://asia.nikkei.com/Spotlight/Hong-Kong-security-law/Hong-Kong-government-preparing-another-security-law>

HKFP, Hong Kong national security police hotline received over 200,000 tips in first year, 5 November 2021, <https://hongkongfp.com/2021/11/05/hong-kong-national-security-police-hotline-received-over-200000-tips-in-first-year/>

Thank you for the post-September 2021 references, which were not available at the time of writing. These will be considered for inclusion during the drafting of the revised CPIN.

<p>Suggestion: Relevant sources that are considered useful when updating the report and were available prior to the time of publication of the CPIN but were not included:</p> <p>Center for Asian Law, Georgetown Law, Hong Kong’s National Security Law: A Human Rights and Rule of Law Analysis, February 2021, https://www.law.georgetown.edu/law-asia/wp-content/uploads/sites/31/2021/02/GT-HK-Report-Accessible.pdf</p> <p>SCMP, Hong Kong leaders apply national security law retroactively, US congressional panel hears, 9 September 2021, https://www.scmp.com/news/china/article/3148072/hong-kong-leaders-apply-national-security-law-retroactively-us</p> <p>The New York Times, Harsh Penalties, Vaguely Defined Crimes: Hong Kong’s Security Law Explained, 30 June 2020, https://www.nytimes.com/2020/06/30/world/asia/hong-kong-security-law-explain.html</p>	<p>Partially accepted. The SCMP and the New York Times are subscription sources which we are unable to access. We will consider use of the Center for Asian Law report when the CPIN is updated.</p>
<p>Suggestion: consider extending excerpts cited in the following paragraphs to include the material below.</p> <p>3.4.3 [...] ‘The law empowers China to set up a “National Security Committee” to oversee the investigation and prosecution of any violations. This committee is subject neither to judicial review nor Hong Kong law — meaning it operates without any local checks or balances’.</p> <p>3.4.6 [...] ‘The National Security Law establishes a separate track for processing those accused of political crimes. People accused of NSL offenses are investigated by a special department of the Hong Kong police, handled by prosecutors selected by the secretary for justice, and tried by judges handpicked by the chief executive. Their cases are overseen by mainland security authorities with a track record of severe human rights abuses.’</p> <p>4.1.7 [...] ‘experts said they are concerned about the larger independence of Hong Kong’s judiciary, as judges who have appear to have ruled in favor of pro-democracy figures in non-national-security-law cases often come under attack from the pro-Beijing media.’</p>	<p>1. Accepted. We will look to extend the existing sources as suggested when we update the CPIN as a result of this review. However, it is not clear what the recommendation cited as 4.1.7 relates to, as there is no corresponding section in the CPIN.</p>

2.2 Application of the law

<p>Recommendation: It is strongly recommended to include an additional sub-section in this section, possibly entitled 5.5 Treatment and right to fair trial. The sub-section would cover issues such as extended pre-trial detention, refusal of bail, use of solitary confinement, right to attorney of choice and judicial independence. Sources covering relevant information include:</p> <p>Lawfare [Blog], Hong Kong’s National Security Law and the Right to a Fair Trial: Mission Impossible?, 15 July 2021, https://www.lawfareblog.com/hong-kongs-national-security-law-and-right-fair-trial-mission-impossible</p> <p>Center for Asian Law, Georgetown University, Hong Kong’s National Security Law and the right to a fair trial, June 2021, https://www.law.georgetown.edu/law-asia/wp-content/uploads/sites/31/2021/06/HongKongNSLRightToFairTrial.pdf</p> <p>HRW, ‘Dismantling a free society’, 25 June 2021 https://www.hrw.org/feature/2021/06/25/dismantling-free-society/hong-kong-one-year-after-national-security-law</p> <p>USCC, Hong Kong’s government embraces authoritarianism (Chapter 5), November 2021, (p. 443) https://www.uscc.gov/sites/default/files/2021-11/Chapter_5--Hong_Kongs_Government_Embraces_Authoritarianism.pdf</p> <p>FCDO, Six-monthly report on Hong Kong: 1 January to 30 June 2021, 14 December 2021, https://www.gov.uk/government/publications/six-monthly-report-on-hong-kong-january-to-june-2021/six-monthly-report-on-hong-kong-1-january-to-30-june-2021</p> <p>Hong Kong Watch, From bail bans to solitary confinement: Concerns about the treatment of detained lawmakers and protestors, 20 December 2021, https://www.hongkongwatch.org/all-posts/2021/12/20/pol-prisoners-bail-ban</p>	<p>Partially accepted. Some of these topics are currently covered in the ‘judiciary’ section of the CPIN. We will consider the additional sources, including those which were not available at the time of publication and whether an additional sub-section is required when we update the CPIN as a result of this review.</p>
--	---

2.3 Arrests of activists since September 2020

<p>Suggestion: The following sources provide up to date information about arrests and are recommended for consultation when updating the CPIN include:</p> <p>‘In its first year, 117 people were arrested and 61 charged; 70 were arrested under the NSL during the reporting period from January to June.’ FCDO, Six-monthly report on Hong Kong: 1 January to 30 June 2021, 14 December 2021, https://www.gov.uk/government/publications/six-monthly-report-on-hong-kong-january-to-june-2021/six-monthly-report-on-hong-kong-1-january-to-30-june-2021</p> <p>‘Hong Kong police on Thursday said they had arrested 162 people during related law enforcement by Jan. 25, 2022, since the national security law took effect in June 2020. Among the 162 people, more than 100 have been prosecuted.’ Xinhua News Agency, 162 arrested for violating national security law in Hong Kong by Jan. 25, 28 January 2022, http://www.xinhuanet.com/english/20220128/56ffb4c9bcb94db3986e5fd715512978/c.html</p> <p>Radio Free Asia, More than 100 charged under Hong Kong’s national security law amid ongoing crackdown, 27 January 2022, https://www.rfa.org/english/news/china/charged-01272022104652.html</p> <p>Deutsche Welle, Hong Kong sentences youngest person yet under national security law, 23 November 2021, https://www.dw.com/en/hong-kong-sentences-youngest-person-yet-under-national-security-law/a-59907747</p> <p>HKFP, Explainer: Hong Kong’s national security crackdown – month 18, 10 January 2022, https://hongkongfp.com/2021/12/31/explainer-hong-kongs-national-security-crackdown-month-18/</p> <p>HKFP, Explainer: Hong Kong’s national security crackdown – month 17, 2 December 2021, https://hongkongfp.com/2021/12/02/explainer-hong-kongs-national-security-crackdown-month-17/</p> <p>Hong Kong Watch, Briefing: Human rights developments in Hong Kong in September 2021, 19 October 2021, https://www.hongkongwatch.org/all-posts/2021/10/19/briefing-human-rights-developments-in-hong-kong-in-september-2021</p>	<p>Thank you for the post-September 2021 references. These will be considered for inclusion during the drafting of the revised CPIN.</p>
<p>Recommendation: The link referred to at 5.1.1 For arrests that took place before September 2020 [...] does not work and takes you to ecoi.net</p>	<p>Accepted. This will be amended when we update the CPIN as a result of this review</p>

2.4 Prosecutions

<p>Suggestion: The following sources provide up to date information about prosecutions and are recommended for consultation when updating the CPIN include:</p> <p>Reuters, First person convicted under Hong Kong’s national security law drops appeal, 13 January 2022, https://www.reuters.com/world/asia-pacific/first-person-convicted-under-hong-kongs-national-security-law-drops-appeal-2022-01-13/</p> <p>ABC News, Hong Kong convicts second person under national security law, 26 October 2021, https://abcnews.go.com/International/wireStory/hong-kong-convicts-person-national-security-law-80785172</p> <p>FT, Hong Kong jails protester for chanting political slogans, 11 November 2021, https://www.ft.com/content/573727f1-d28e-4e78-a480-5e9bec402eac</p> <p>Amnesty International, Hong Kong: ‘Captain America’ sentencing exposes ‘dangerously disproportionate’ restrictions on rights, 11 November 2021, https://www.amnesty.org/en/latest/news/2021/11/hong-kong-captain-america-sentencing-exposes-dangerously-disproportionate-restrictions-on-rights/</p> <p>Clooney Foundation for Justice, “Dangerous Precedent” Set At Hong Kong’s First Trial Under National Security Law 13 December 2021, https://cfj.org/news_posts/dangerous-precedent-set-at-hong-kongs-first-trial-under-national-security-law/</p> <p>Reuters has produced a list of NSL-related cases reported by the Hong Kong Court of Final Appeal Reports and Hong Kong Law Reports and Digest available at - Reuters, Recent case law relating to the National Security Law – Hong Kong, 3 Dec 2021, https://support.thomsonreuters.com.hk/product/westlaw-asia-new/updates-alerts/recent-case-law-relating-national-security-law-hong-kong</p> <p>Hong Kong Compendium has consolidated 500 National Security Law cases available at - Hong Kong Compendium, https://hkcompendium.org/</p>	<p>Thank you for the post-September 2021 references. These will be considered for inclusion during the drafting of the revised CPIN.</p>
<p>Comment: Available at the time, which provides further information on the trial of Tong Ying-kit is available at: The Atlantic, The End of Free Speech in Hong Kong, 27 July 2021, https://www.theatlantic.com/international/archive/2021/07/end-free-speech-hong-kong/619577/</p>	<p>Not accepted. Decision makers just need to be aware of the case and the CPIN currently covers the relevant details of Tong Ying-kit’s arrest and conviction, so no additional sources are needed.</p>

2.5 Freedom of expression

Suggestion: There are a number of sources that provide relevant, up to date information relating to freedom of expression that are recommended for consultation when updating the CPIN. For example –

Freedom House, The Impact of the National Security Law on Media and Internet Freedom in Hong Kong, 8 September 2021, <https://freedomhouse.org/article/impact-national-security-law-media-and-internet-freedom-hong-kong>

USCC, Hong Kong's government embraces authoritarianism (Chapter 5), November 2021, https://www.uscc.gov/sites/default/files/2021-11/Chapter_5--Hong_Kongs_Government_Embraces_Authoritarianism.pdf

FCDO, Six-monthly report on Hong Kong: 1 January to 30 June 2021, 14 December 2021, <https://www.gov.uk/government/publications/six-monthly-report-on-hong-kong-january-to-june-2021/six-monthly-report-on-hong-kong-1-january-to-30-june-2021>

Screen Daily, Hong Kong passes new film censorship law, 27 October 2021, <https://www.screendaily.com/news/hong-kong-passes-new-film-censorship-law/5164644.article>

House of Commons Library, Hong Kong: National Security Law and recent events, 20 September, 2021, <https://commonslibrary.parliament.uk/research-briefings/cbp-9318/>

HKFP, Explainer: Hong Kong's national security crackdown – month 16, 1 November 2021, <https://hongkongfp.com/2021/11/01/explainer-hong-kongs-national-security-crackdown-month-16/>

HKFP, Explainer: Hong Kong's national security crackdown – month 18, 10 January 2022, <https://hongkongfp.com/2021/12/31/explainer-hong-kongs-national-security-crackdown-month-18/>

HKFP, Explainer: Hong Kong's national security crackdown – month 17, 2 December 2021, <https://hongkongfp.com/2021/12/02/explainer-hong-kongs-national-security-crackdown-month-17/>

HKFP, Explainer: Hong Kong's national security crackdown – month 15, 2 October 2021, <https://hongkongfp.com/2021/10/02/explainer-hong-kongs-national-security-crackdown-month-15/>

Hong Kong Watch, Briefing: Human rights developments in Hong Kong in December 2021, 1 February 2022, <https://www.hongkongwatch.org/all-posts/2022/2/1/briefing-human-rights-developments-in-hong-kong-in-december-2021>

OHCHR, Cooperation with the United Nations, its representatives and mechanisms in the field of human rights: Report of the Secretary-General, 28 September 2021, https://www.ohchr.org/A_HRC_48_28_AUV_EN

Paras. 55-59.

Thank you for the post-September 2021 references. These will be considered for inclusion during the drafting of the revised CPIN.

<p>Suggestion: specifically in relation to section 6.1, the following sources can be consulted in future updates –</p> <p>Forbes, Independent Hong Kong News Site To Close Over Safety Concerns Amid National Security Crackdown, 3 January 2022, https://www.forbes.com/sites/zinnialee/2022/01/03/independent-hong-kong-news-site-to-close-over-safety-concerns-amid-national-security-crackdown/?sh=85b69001b9b0</p> <p>International Federation of Journalists, Hong Kong: RTHK staff ordered to support “national security”, 1 October 2021, https://www.ifj.org/media-centre/news/detail/category/press-releases/article/hong-kong-rthk-staff-ordered-to-support-national-security.html</p> <p>‘Since the introduction of the National Security Law in Hong Kong in June 2020, 18 journalists have been arrested and 3 news publications have been forced to close in the last six months.’ Hong Kong Watch, Hong Kong Watch launches global campaign to support journalists in Hong Kong, 3 February 2022, https://www.hongkongwatch.org/all-posts/2022/2/3/hong-kong-watch-launches-global-campaign-to-support-journalists-in-hong-kong</p> <p>Index on Censorship, Hong Kong’s freedoms under further attack as ‘Captain America’ is jailed, 15 November 2021, https://www.indexoncensorship.org/2021/11/hong-kongs-freedoms-under-further-attack-as-captain-america-is-jailed/</p> <p>Reporters without borders, An unprecedented RSF investigation: The Great Leap Backwards of Journalism in China, 7 December 2021, https://training.rsf.org/an-unprecedented-rsf-investigation-the-great-leap-backwards-of-journalism-in-china/</p> <p>CBC News, Hong Kong police arrest 6 journalists amid crackdown on dissent under national security law, 28 December 2021, https://www.cbc.ca/news/world/hong-kong-police-arrest-journalists-1.6299491</p>	<p>Thank you for the post-September 2021 references. These will be considered for inclusion during the drafting of the revised CPIN.</p>
<p>Suggestion: specifically in relation to section 6.3, the following sources can be consulted in future updates –</p> <p>The Guardian, Amnesty International to close Hong Kong offices due to national security law, 25 October 2021, https://www.theguardian.com/world/2021/oct/25/amnesty-international-to-close-hong-kong-offices-due-to-national-security-law</p> <p>SCMP, National security law: why have Hong Kong’s activist groups fallen like dominoes? Who is to blame and can civil society rebuild itself?, 26 November 2021, https://www.scmp.com/news/hong-kong/politics/article/3157386/national-security-law-why-have-hong-kongs-activist-groups</p>	<p>Thank you for the post-September 2021 references. These will be considered for inclusion during the drafting of the revised CPIN.</p>
<p>Suggestion: specifically in relation to section 6.4, the following sources can be consulted in future updates –</p> <p>HRW, China Is Dismantling Hong Kong’s Unions, 22 September 2021, https://www.hrw.org/news/2021/09/22/china-dismantling-hong-kongs-unions</p> <p>Freedom House, The Impact of the National Security Law on Media and Internet Freedom in Hong Kong, 8 September 2021, https://freedomhouse.org/article/impact-national-security-law-media-and-internet-freedom-hong-kong</p> <p>House of Commons Library, Hong Kong: National Security Law and recent events, 20 September, 2021, https://commonslibrary.parliament.uk/research-briefings/cbp-9318/</p>	<p>Thank you for the post-September 2021 references. These will be considered for inclusion during the drafting of the revised CPIN.</p>
<p>Comment: Sources available prior to the time of publication which contain relevant information include:</p> <p>European Parliament, Motion for a Resolution with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law pursuant to Rule 144 of the Rules of Procedure on Hong Kong, notably the case of Apple Daily, 6 July 2021, https://www.europarl.europa.eu/doceo/document/B-9-2021-0388_EN.html</p> <p>HRW, ‘Dismantling a free society’, 25 June 2021 https://www.hrw.org/feature/2021/06/25/dismantling-free-society/hong-kong-one-year-after-national-security-law</p> <p>The Atlantic Council, Hong Kong’s future on edge: Countering China’s National Security Law, 29 June 2021, https://www.atlanticcouncil.org/wp-content/uploads/2021/07/Hong-Kongs-Future-on-Edge.pdf</p>	<p>Partially accepted. The link to the European Parliament Motion for a resolution does not work but we will consider including the other recommended sources when we update the CPIN as a result of this review.</p>
<p>Suggestion: at 6.1.2 continue cited excerpt to read –</p> <p>‘[...] In May, the Hong Kong Journalists’ Association released a report saying the territory’s press freedom index for journalists had hit a record low, warning that “after the enactment of Hong Kong National Security Law, the Government continued to suppress the news media.”</p> <p>“Of the 367 responding journalists, 91% said press freedom in Hong Kong had worsened compared to a year ago,” the report found. “As many as 85% of the responding journalists agree with comment.’</p>	<p>Accepted. We will look to extend the existing source as suggested when we update the CPIN as a result of this review</p>

2.6 Impact on July 2020 elections

Recommendation: It is recommended to add information on the changes to the legislative election system in Hong Kong. This can be part of Section 6.5 if the title is suitably adapted or a new sub section 6.6 could be created. Relevant sources of information on this topic included:

House of Commons Library, Hong Kong: National Security Law and recent events, 20 September, 2021, <https://commonslibrary.parliament.uk/research-briefings/cbp-9318/>

USCC, Hong Kong's government embraces authoritarianism (Chapter 5), November 2021, https://www.uscc.gov/sites/default/files/2021-11/Chapter_5--Hong_Kongs_Government_Embraces_Authoritarianism.pdf

FCDO, Six-monthly report on Hong Kong: 1 January to 30 June 2021, 14 December 2021, <https://www.gov.uk/government/publications/six-monthly-report-on-hong-kong-january-to-june-2021/six-monthly-report-on-hong-kong-1-january-to-30-june-2021>

Hong Kong Watch, EU Parliament condemns Beijing's assault on press freedom in Hong Kong and calls for urgent action, 20 January 2022, <https://www.hongkongwatch.org/all-posts/2022/1/20/eu-parliament-condemns-beijings-assault-on-press-freedom-in-hong-kong-and-calls-for-urgent-action>

The Atlantic Council, Hong Kong's future on edge: Countering China's National Security Law, 29 June 2021, <https://www.atlanticcouncil.org/wp-content/uploads/2021/07/Hong-Kongs-Future-on-Edge.pdf>

Accepted. We will consider amendments to section 6 as suggested. We will also review the suggested source available at the time of drafting and the post September 2021 sources suggested when we update the CPIN as a result of this review.

3. Information about the Reviewer

Natasha Tsangarides is a freelance Country of Origin Information (COI) researcher with over 10 years' experience of conducting COI research. Previously an Associate for the Asylum Research Centre (ARC), Natasha has reviewed Home Office CPINs and EASO country reports and has also drafted thematic or country specific COI reports for ARC, EASO and UNHCR. Prior to this, Natasha ran a project to improve the use of COI in the asylum determination process in the UK. In this role, she designed and delivered COI training to 250 lawyers, judges and Home Office staff.

Review of the July 2021 Home Office Country Policy and Information Note on China: Muslims (including Uyghurs in Xinjiang), and of 6 Country of Origin Information Request responses

Prepared for the Independent Advisory Group on Country Information (IAGCI)

Natasha Tsangarides is a freelance Country of Origin Information (COI) researcher with over 10 years' experience of conducting COI research, including reviewing Home Office CPINs.

March 2022

Table of Contents

1. Introduction	113
1.1 Instructions	113
1.2 Methodology	114
1.3 Summary of Review	114
1.4 Understanding of the themes addressed in the CIG Reports	115
1.5 Quality and balance of sources	116
2. Review	119
2.1 Risk	119
2.2 Legal framework	119
2.3 State treatment of Muslims in the Xinjiang province	120
2.4 Mosques and Islamic spaces	121
2.5 Surveillance	122
2.6 Birth control and forced sterilisation	123
2.7 Detention and ‘re-education centres’	123
2.8 Torture and ill treatment in detention	124
2.9 Forced labour	127
2.10 Families of those detained or abroad	127
2.11 State treatment of Muslims outside Xinjiang	128
2.12 Freedom of Movement	129
3. Review of responses to COI requests	130
4. Information about the Reviewer	137

1. Introduction

1.1 Instructions

In January 2022, the IAGCI sought tenders for reviews of Home Office Country Policy and Information Notes (CPINs) and responses to Information Requests (IRs) on China with the aim of ensuring that the content is as accurate, balanced, impartial and as up to date (within the stated 'cut off' date) as possible. The review focusses exclusively on the COI contained within the documents, and in line with the tender instructions, does not pass judgment on the policy guidance provided. The review has also been conducted according to the following Terms of Reference:

- assessing the extent to which information from source documents has been appropriately and accurately reflected in the CPIN Reports
- identifying additional sources detailing the current human rights situation in the country with respect to the main grounds for asylum claims (which are noted in each CPIN Report)
- noting and correcting any specific errors or omissions of fact
- making recommendations for general improvements regarding, for example, the structure of the report, its coverage or its overall approach
- ensuring no reference is made to an individual source which could expose them to risk

The reports reviewed include:

- Country Information and guidance, China: Hong Kong protests, February 2020
- Country policy and information note, China: Hong Kong national security law, September 2021
- Country Information and guidance, China: Muslims (including Uyghurs in Xinjiang), July 2021

The IRs reviewed include:

- China: New child policy, October 2021
- China: Manchu Buddhists, June 2020
- China: Double jeopardy, August 2021
- Hong Kong: Sexual orientation and gender identity or expression, August 2021
- China: Trafficking, September 2020
- China: Military service and women, May 2021

1.2 Methodology

This review has been conducted with reference to the [Common EU Guidelines for Processing Country of Origin Information \(COI\)](#) in relation to the 'Quality criteria for evaluating and validating information', i.e. relevance, reliability, balance, accuracy, currency, transparency and traceability. All original sources cited in the CPINs and IRs were reviewed and then cross checked against the relevant COI cited in the reports. Following that, other publicly available sources within the time frame were consulted to assess the accuracy, balance and reliability of the information presented. These sources were identified through consulting publicly available sources including government sources, online COI databases, NGOs, think-tanks and the media. The CPINs and IRs were also checked for any errors or omissions of facts and the structure of the reports was also assessed. Additional sources of information that were published after the 'cut off' date were identified if considered useful and relevant for any future CPINs or IRs on these topics.

1.3 Summary of Review

Overall, from a COI perspective, this is a balanced report using a range of reliable and up to date sources. There have been developments since the publication of this report, namely that sources including the Uyghur Tribunal have found that the treatment of the Uyghurs amounts to crimes against humanity and genocide and so an update is recommended. The report would have been strengthened with a sub-section of forced disappearances in Section 5. The report would have benefitted from better highlighting of the ill treatment and forced labour facing Muslims, particularly Uyghurs, outside of Xinjiang. At points, it has been felt that the CPIN would have also benefitted from additional information in order to provide further details on specific themes, such as forced sterilisation, and sources have been provided under relevant themes in section 2 of this review.

Key recommendations include:	Home Office comment:
1. Update the report to include new information using the sources provided in Section 2 below, particularly around crimes amounting to crimes against humanity and genocide	1. Accepted. Many of the sources suggested were not available at the time of publication. The recommended sources, along with all available information will be considered for inclusion when we update the CPIN after this review.
2. Include a sub-section on forced disappearances	2. Not accepted. We do not consider there is a need for a distinct section on disappearances as it cuts across existing sections relating to detention, ‘re-education centres’ and, families of those detained or abroad. However, we appreciate the additional source recommendations and will consider them for inclusion when we update this CPIN as a result of this review.
3. Ensure that it is clear that Uyghur Muslims face ill treatment and forced labour outside of Xinjiang province. When updating the report, include some of the COI on the various themes as noted in Section 2 of this report	3. Accepted. We have a distinct section on the treatment of Muslims outside Xinjiang, predominately focusing on Hui ethnic group, but will consider including the sources suggested to provide additional information on Uyghurs.

<p style="text-align: center;"><u>Main Suggestions relating to the COI Requests:</u></p> <p>1. Overall, responses are adequate, well structured and answer the questions</p> <p>2. There are some inaccuracies that need amending and some information that needs bringing up to date – see Section 3 for details</p> <p>3. In some instances, a wider variety of sources and greater contextual information are recommended – see Section 3 for details</p>	<p>Partially accepted. Similar to #1 above, we will include updated material. However, Responses to COI Requests tend to be case-specific, have faster turnaround time and do not intend to provide as an extensive a view as a CPIN.</p>
--	--

1.4 Understanding of the themes addressed in the CI G Reports

From a COI viewpoint, it is considered that this is a well balanced and well researched report. It has been found that the treatment of Uyghurs in China amounts to crimes against humanity and genocide – as such the report will need updating. It is felt that additional information needs to be provided on forced disappearances and that it should appear as a sub-section of Section 5 of the CPIN.

1.5 Quality and balance of sources

The structure of this report is well laid out and easy to navigate. It is recommended that additional themes to be included as sub sections in any updated report should include Crimes against humanity/Genocide and Forced Disappearances. There is a need for cross referencing between sections 2.4b, 5.8 and 6 in order to show the ill treatment faced by Uyghurs who are outside of Xinjiang.

Range and reliability:

In general, the CPIN included a range of reliable up to date sources covering media sources, government sources, international NGO sources. There are instances in the CPIN where DFAT reports citing policy conclusions have incorrectly been presented as objective COI.

Currency & relevance:

Sources were up to date and relevant to the specific sections. Some notes below have been included where further sources could have been cited of relevance to the particular sections.

Transparency and traceability:

Some inaccuracies were noted with regards to footnotes, which can impact on the traceability of the sources or the transparency of the information included. These footnotes were either incorrect/updated publication date, the URL was inactive or incorrect, incomplete referencing or the use of an old DFAT report.

Incorrect/updated publication date (relevant footnote numbers appear below) –

48, 51, 55, 101 CECC, 'Annual Report 2020', 14 January 2021

Date should be 12 January 2021

17, 34, 39 HRW, 'Eradicating ideological viruses', September 2018

Date should be 9 September 2018

38, 53, 115 USSD, '2020 Report on International Religious Freedom: Xinjiang', 12 May 2020

Date should be 12 May 2021

59, 60, 70 BBC The Inquiry podcast, 'Why isn't the world doing more to help...' (7 Mins), 30 July 2020

Last on 2 August 2020

61 CFR, 'China's Repression of Uyghurs in Xinjiang', last updated 19 January 2021

Last updated 1 March 2021

62, 79, 81, 92, 103 RWCHR and Newslines, 'The Uyghur Genocide', 8 March 2021

Date should be 9 March 2021

66 Human Rights Watch, 'Break Their Lineage, Break Their Roots', April 2021

Date should be 19 April 2021

69, 83 ASPI, 'Uyghurs for sale: "Re-education", forced labour and surveillance ...', March 2020
Date should be 1 March 2020

89 BBC News, 'Xinjiang cotton: Western clothes brands vanish as backlash grows', 27 March 2021
Date should be 26 March 2021

117 CECC, 'Hui Muslims and the "Xinjiang Model"', March 2021
29 March 2021

Inactive/incorrect url –

9 China Ministry of Foreign Affairs, 'About China- Ethnic', undated
Use this link instead <https://www.mfa.gov.cn/ce/cein//eng/ssygd/xbdkf/Xinjiang/t166809.htm#:~:text=The%20Xinjiang%20Uygur%20Autonomous%20Region,Daur%2C%20Tartar%2C%20and%20Russian.>

59, 60, 70 BBC The Inquiry podcast, 'Why isn't the world doing more to help...' (7 Mins), 30 July 2020
Link should be <https://www.bbc.co.uk/programmes/w3cszl3q>

79 RWCHR and Newlines, 'The Uyghur Genocide', 8 March 2021
Link should be <https://www.raoulwallenbergcentre.org/images/reports/Chinas-Breaches-of-the-GC-1.pdf>

Complete referencing required to paragraph or page

31 Netherlands Ministry of Foreign Affairs, 'Country of origin information report China', 1 July 2020
Para 6.1

33 Netherlands Ministry of Foreign Affairs, 'Country of origin information report China', 1 July 2020
Para 6.1

43 Netherlands Ministry of Foreign Affairs, 'Country of origin information report China', 1 July 2020
Para 9.5

121 Netherlands Ministry of Foreign Affairs, 'Country of origin information report China', 1 July 2020
Para 9.6.2

125 Netherlands Ministry of Foreign Affairs, 'Country of origin information report China', 1 July 2020
Para 9.9

38 USSD, '2020 Report on International Religious Freedom: Xinjiang', 12 May 2020
Section II. Status of Government Respect for Religious Freedom

42 USSD, '2020 Trafficking in Persons Report: China', 25 June 2020
Section: Trafficking profile

53 USSD, '2020 Report on International Religious Freedom: Xinjiang', 12 May 2020
Section: Government practices

85 USSD, '2020 Trafficking in Persons Report: China', 25 June 2020
Sections: Prevention and Trafficking Profile

95 USSD, '2020 Trafficking in Persons Report: China', 25 June 2020
Section: Prevention

96 USSD, '2020 Trafficking in Persons Report: China', 25 June 2020
Section: Trafficking Profile

124 USSD, '2020 Trafficking in Persons Report: China', 25 June 2020
Section: Prevention

DFAT reports

All DFAT report references cannot be used as a new report has been published. Furthermore, when using DFAT reports it is highly recommended to avoid citing their policy conclusions as COI. Alternative sources have been provided where DFAT references were cited. Footnotes referencing all DFAT reports are: 24, 28, 29, 36, 84, 109, 118.

Partially accepted. We will seek to better qualify where we are referencing DFAT's conclusions rather than sourced COI. However, we do not accept that we cannot refer to DFAT's reporting. The same logic would apply to when e.g. Amnesty or HRW's advocacy is interspersed with objective COI yet presented as such.

2. Review

2.1 Risk

Recommendation: Whilst mindful that the terms of reference advise not to comment on policy, there are two paragraphs in section 2.4 which do not accurately reflect the COI cited in the body of the CPIN: 2.4.9 and 2.4.16. The conclusion reached in 2.4.9 is contradictory to information laid out throughout the report (an in particular to section 5.8) about the ill treatment facing Muslims, particularly Uyghurs, outside Xinjiang, which for example shows a pattern of Uyghurs being forcibly transferred out of Xinjiang for forced labour purposes. Regarding 2.4.16, the COI cited in the CPIN and additional sources provided strongly show a pattern of forced sterilisations as an effort to decrease the Uyghur population rather than it being because “Natural population growth has declined”.

Not accepted. The information at 2.7-2.11 refers to Uyghurs who live outside of Xinjiang and is not meant to include those who have been forcibly transferred outside of Xinjiang for forced labour purposes.
The COI at 2.4.16 is referencing COI from a well-documented report and does go on to explain the coercive measures used in Xinjiang.

It is recommended to hyperlink Section 5.8 which details how Uyghurs from outside Xinjiang are transferred to other parts of China for the purposes of forced labour in Section 2.4b

Accepted. We will include a hyperlink as suggested when the CPIN is updated.

2.2 Legal framework

Recommendation: 4.2.2

The DFAT report is now expired and can be replaced by extending the excerpt cited at 4.2.3 to include: ‘It says religion may not be used to disrupt public order, impair the health of citizens, or interfere with the educational system.’

For reference to the 2018 White Paper, please see:

SCMP, Xinjiang Uyghurs: China boasts of its protection and support for cultures in white paper, 25 November 2018, <https://www.scmp.com/news/china/politics/article/2173484/xinjiang-uygurs-china-boasts-its-protection-and-support-cultures>

Recommendation: 4.3.3 & 4.3.4

The DFAT report is now expired. An outline of the Regulations on Religious Affairs is available at:

USSD, ‘2020 Report on International Religious Freedom: China’ (Section II), 12 May 2021, <https://www.state.gov/reports/2020-report-on-international-religious-freedom/china/>

Accepted. Thank you for source suggestions to use following the publication of the updated DFAT report. These will be looked at during the drafting of the revised CPIN.

<p>Suggestion: 4.3.5 It is suggested to include an additional sentence in the excerpt cited at 4.3.5 to include:</p> <p>‘One expert wrote that, if enforced, the new Measures, in requiring that all religious activities be approved by or registered with government officials, ring a “death bell” for the activities of unregistered (or “underground”) religious groups.’</p>	<p>Not accepted. The addition of the suggested excerpt is speculative, and we do not consider it adds anything useful for decision makers.</p>
<p>Recommendation: 4.5.1 The DFAT report is now expired and the paragraph cited leans towards a policy statement rather than COI. It is recommended to replace the information pertaining to unregistered religious groups using the following:</p> <p>‘In addition to the five officially recognized religions, local governments, at their discretion, may permit followers of certain unregistered religions to carry out religious practices. In Heilongjiang, Zhejiang, and Guangdong Provinces, for example, local governments allow members of Orthodox Christian communities to participate in unregistered religious activities. [...]</p> <p>The government continued to close down or hinder the activities of religious groups not affiliated with the state-sanctioned religious associations, including unregistered Protestant, Catholic, Muslim, and other groups. At times, authorities said the closures were because the group or its activities were unregistered or, at other times, because the place of worship lacked necessary permits. Some local governments continued to restrict the growth of unregistered Protestant church networks and cross-congregational affiliations. Authorities allowed some unregistered groups to operate but did not recognize them legally. In some cases, authorities required unregistered religious groups to disband, leaving congregants from these groups with the sole option of attending services under a state-sanctioned religious leader. According to <i>Union of Catholic Asian (UCA) News</i>, Article 34 of the new Administrative Measures for Religious Groups regulation, which governs money and finances, if enforced, “will halt the activities of house churches, dissident Catholic communities, and other unregistered religious bodies.”</p> <p>USSD, ‘2020 Report on International Religious Freedom: China’ (Section II), 12 May 2021, https://www.state.gov/reports/2020-report-on-international-religious-freedom/china/</p>	<p>Accepted. Thank you for source suggestion to use following the publication of the updated DFAT report. This will be looked at during the drafting of the revised CPIN. We will consider how we cite information provided by DFAT in future, including drawing distinction between COI and their policy position.</p>

2.3 State treatment of Muslims in the Xinjiang province

<p>Recommendation: since publication of the CPIN, sources including the Uyghur Tribunal have found that the treatment of the Uyghurs amounts to crimes against humanity and genocide. It is highly recommended to update the CPIN paying reference to this using the links below.</p> <p>Uyghur Tribunal, Uyghur Tribunal Judgment, 9 December 2021, https://uyghurtribunal.com/wp-content/uploads/2022/01/Uyghur-Tribunal-Judgment-9th-Dec-21.pdf</p> <p>BBC, China committed genocide against Uyghurs, independent tribunal rules, 9 December 2021, https://www.bbc.co.uk/news/world-asia-china-59595952</p> <p>The Guardian, Uyghurs subjected to genocide by China, unofficial UK tribunal finds, 9 December 2021, https://www.theguardian.com/world/2021/dec/09/uyghurs-subjected-to-genocide-by-china-unofficial-uk-tribunal-finds</p> <p>France 24, French lawmakers officially recognise China’s treatment of Uyghurs as ‘genocide’, 20 January 2022, https://www.france24.com/en/europe/20220120-french-lawmakers-officially-recognise-china-s-treatment-of-uyghurs-as-genocide</p> <p>House of Lords Library Briefing, Accusations of genocide against Uyghurs in Xinjiang, China, 25 November 2021, https://researchbriefings.files.parliament.uk/documents/LLN-2021-0032/LLN-2021-0032.pdf</p> <p>House of Commons Canada, ‘Opposition motion (religious minorities in China)’, 22 February 2021, https://www.ourcommons.ca/members/en/votes/43/2/56</p> <p>Eline Schaart, ‘Dutch Parliament declares Chinese treatment of Uighurs a ‘genocide’’, Politico, 25 February 2021, https://www.politico.eu/article/dutch-parliament-declares-chinese-treatment-of-uighurs-as-genocide/</p>	<p>Accepted. Thank you for the post- July 2021 references that were not available at the time of publication. We do note, however, that many of the sources appear to simply refer back to the original article.</p> <p>These, the earlier sources and any other available information will be considered during the drafting of the revised CPIN.</p>
--	---

Recommendation: the COI in the public domain points to a pattern of disappearances and the common enforced disappearances of detainees. It is recommended to include a sub section in Section 5 dedicated to disappearances. Sources to consult containing information pertaining to this topic include:

The Raoul Wallenberg Centre for Human Rights/ Newlines Institute, The Uyghur Genocide: An Examination of China's Breaches of the 1948 Genocide Convention, 8 March 202, <https://newlinesinstitute.org/wp-content/uploads/Chinas-Breaches-of-the-GC3-2.pdf> Section ii) Sexual Violence

Human Rights Watch, "Break Their Lineage, Break Their Roots", China's Crimes against Humanity Targeting Uyghurs and Other Turkic Muslims, 19 April 2021, <https://www.hrw.org/report/2021/04/19/break-their-lineage-break-their-roots/chinas-crimes-against-humanity-targeting> (Section: Enforced disappearances)

UHRP, Detained and Disappeared: Intellectuals Under Assault in the Uyghur Homeland

21 May 2019, <https://uhrp.org/report/update-detained-and-disappeared-intellectuals-under-assault-in-the-uyghur-homeland/>

UN News, Independent UN rights experts raise alarm over 'incommunicado detention' of Chinese scholar, 26 December 2019, <https://news.un.org/en/story/2019/12/1054311>

UN Human Rights Council, Enforced or involuntary disappearances, Report of the UN Working Group on Enforced or Involuntary Disappearances, 7 August 2020, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G20/202/90/PDF/G2020290.pdf?OpenElement> (Section: China)

House of Commons Library, 'China and the Xinjiang Uighur Autonomous Region', 20 April 2021, <https://researchbriefings.files.parliament.uk/documents/CDP-2021-0061/CDP-2021-0061.pdf>

Amnesty International, "Like We Were Enemies in a War", China's Mass Internment, Torture and Persecution of Muslims in Xinjiang, June 2021, https://xinjiang.amnesty.org/wp-content/uploads/2021/06/ASA_17_4137-2021_Full_report_ENG.pdf, (Sections: Obstacles to investigating the human rights situation in Xinjiang and Evidence of other crimes against humanity)

UHRP, The Disappearance of Uyghur Intellectual and Cultural Elites: A New Form of Eliticide, 8 December 2021, <https://uhrp.org/report/the-disappearance-of-uyghur-intellectual-and-cultural-elites-a-new-form-of-eliticide/>

Partially accepted. We do not consider there is a need for a distinct section on disappearances as it cuts across existing sections relating to detention, 're-education centres' and, families of those detained/abroad. However, we appreciate the additional source recommendations and will consider them for inclusion when we update this CPIN as a result of this review.

2.4 Mosques and Islamic spaces

Comment: The following report was available prior to publication and provides relevant information about the topic worth considering when updating the report.

ASPI, Cultural Destruction – Damaged or Destroyed Subset, 25 September 2020, <https://xjdp.aspi.org.au/data/#resources;cultural-destruction-damaged-or-destroyed-subset-v1-0> (database of damaged or destroyed cultural sites)

Not accepted. As explained in the Preface, this note provides country of origin information (COI) and analysis of COI for use by Home Office decision makers handling particular types of protection and human rights claims (as set out in the Introduction section). It is not intended to be an exhaustive survey of a particular subject or theme. The sources used give decision makers enough information on the topic.

2.5 Surveillance

<p>Suggestion: The following reports were available prior to publication and provide relevant information about the topic worth considering when updating the report.</p> <p>[40] (b) Reports of mass surveillance disproportionately targeting ethnic Uighurs, including through frequent baseless police stops and the scanning of mobile phones at police checkpoint stations. Additional reports of mandatory collection of extensive biometric data in XUAR, including DNA samples and iris scans, of large groups of Uighur residents (c) Reports that all XUAR residents are required to hand in their travel documents to police and apply for permission to leave the country, and that permission may not come for years. This restriction impacts most heavily on those who wish to travel for religious purposes; (d) Reports that many Uighurs abroad who left China have allegedly been returned to the country against their will. There are fears about the current safety of those involuntarily returned to China. (e) While acknowledging the State party's denials, the Committee takes note of reports that Uighur language education has been banned in schools in XUAR's Hotan (Hetian) prefecture(arts. 2 and 5).' UN Committee on the Elimination of Racial Discrimination, Concluding Observations on the Combined Fourteenth to Seventeenth Periodic Reports of China (including Hong Kong, China and Macao, China), 30 August 2018, https://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/CHN/CERD_C_CHN_CO_14-17_32237_E.pdf</p> <p>'The Ürümqi Police Database Reveals:</p> <ul style="list-style-type: none"> • How Chinese authorities collect millions of text messages, phone contacts, and call records, as well as e-commerce and banking records, from Muslim minorities in Xinjiang. • Invasive surveillance techniques watch for signs of religious enthusiasm, which are generally equated with extremism. • Evidence that biometric data collected under the "Physicals for All" health program feeds into the police surveillance system. • Police use community informants to collect massive amounts of information on Uyghurs in Ürümqi. • Applying for asylum abroad can result in being classified as a terrorist, as part of an initiative to prevent the "backflow" of foreign ideas.' <p>The Intercept, Revealed: Massive Chinese Police Database, Millions of leaked police files detail suffocating surveillance of China's Uyghur minority, 19 January 2021, https://theintercept.com/2021/01/29/china-uyghur-muslim-surveillance-police/</p> <p>BBC, AI emotion-detection software tested on Uyghurs, 26 May 2021, https://www.bbc.co.uk/news/technology-57101248</p>	<p>Partially accepted. We consider the 2018 source to be somewhat dated, but we will consider for inclusion the other suggested sources when we update the CPIN following this review.</p>
<p>Suggestion: For additional sources published after the publication date for consultation when updating this CPIN, please see the following:</p> <p>Human Rights Foundation, 100 years of suppression: the CCP's strategies in Tibet, the Uyghur region and Hong Kong, August 2021, https://hrf.org/wp-content/uploads/2021/08/CCP-REPORT-FINAL-VERSION.pdf</p> <p>The Guardian, 'There's cameras everywhere': testimonies detail far-reaching surveillance of Uyghurs in China, 30 September 2021, https://www.theguardian.com/world/2021/sep/30/uyghur-tribunal-testimony-surveillance-china</p> <p>War on the Rocks, TURNING GHOSTS INTO HUMANS: SURVEILLANCE AS AN INSTRUMENT OF SOCIAL ENGINEERING IN XINJIANG, 2 November 2021, https://warontherocks.com/2021/11/turning-ghosts-into-humans-surveillance-as-an-instrument-of-social-engineering-in-xinjiang/</p> <p>Amnesty, "Like we were enemies in a war": China's mass internment, torture and persecution of Muslims in Xinjiang, 10 June 2021, https://eurasia.amnesty.org/wp-content/uploads/2021/06/amnesty-international_china-report_finallow-res_embargoed-until-june-10th-at-3pm-gmt.pdf</p>	<p>Thank you for the post- July 2021 references, which were not available at the time of publication. These will be considered for inclusion, along with existing and additional sources during the drafting of the revised CPIN.</p>

2.6 Birth control and forced sterilisation

<p>Recommendation: 5.5.2 – recommend increasing the excerpt cited from AP to include the following which provides context with regards to the plummeting birth rate:</p> <p>‘[...] The result of the birth control campaign is a climate of terror around having children, as seen in interview after interview. Birth rates in the mostly Uighur regions of Hotan and Kashgar plunged by more than 60% from 2015 to 2018, the latest year available in government statistics. Across the Xinjiang region, birth rates continue to plummet, falling nearly 24% last year alone — compared to just 4.2% nationwide, statistics show. [...]’</p>	<p>Accepted. We will look to expand the excerpt to include the additional information as suggested.</p>
<p>Suggestion: 5.5.4 consider including more information from the ASPI report, namely:</p> <p>‘Family-planning officials in Xinjiang are told to carry out “early detection and early disposal of pregnant women found in violation of policy,” and women of childbearing age must be visited monthly and undergo quarterly pregnancy checks. Only those women who are willing to undergo long-term birth control measures are considered “trustworthy” citizens. The result, as Chinese government officials openly admit, is a significant decline in the minority birth-rate. [...] This is part of what Chinese scholar-officials call the “optimisation” of Xinjiang’s population structure and the gradual uplifting of its “bio-quality” (素质) which in practice means fewer “low-quality” Uyghur and other indigenous births.’</p>	<p>Accepted. We will look to expand the excerpt to include the additional information as suggested.</p>
<p>Recommendation: include more COI to highlight that there is a conclusive pattern of mass sterilisation, exemplified by IUD placements and evidence from the Qaraqash List, which showed a strong connection between the detention of Uyghur women and the campaign to reduce Uyghur birth rates. The following reports were available prior to publication and provide relevant information:</p> <p>Uyghur Human Rights Project (UHRP), LOI Submission to the UN Committee on the Elimination of Discrimination Against Women (80th Pre-Sessional Working Group), January 2021, https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/CHN/INT_CEDAW_ICO_CHN_44255_E.docx, (See paragraphs 13-17)</p> <p>Reuters, China policies could cut millions of Uyghur births in Xinjiang, 7 June 2021, https://www.reuters.com/world/china/exclusive-amid-accusations-genocide-west-china-polices-could-cut-millions-uyghur-2021-06-07/</p> <p>Radio Free Asia, Xinjiang Hospitals Aborted, Killed Babies Outside Family Planning Limits: Uyghur Obstetrician, 17 August 2020, https://www.rfa.org/english/news/uyghur/abortions-08172020144036.html</p> <p>Vice, Forced Abortions and Removing Wombs: A Uighur Doctor’s Chilling Account of What’s Happening in China, 3 September 2020, https://www.vice.com/en/article/v7g8m8/forced-abortion-and-removing-wombs-a-uyghur-doctors-chilling-account-of-whats-happening-in-china-xinjiang</p> <p>New Statesman, Forced abortion and secret sterilisation: how China has abused Uighur women for decades, 1 October 2020, https://www.newstatesman.com/world/asia/2020/10/forced-abortion-and-secret-sterilisation-how-china-has-abused-uyghur-women</p>	<p>Not accepted. We already include COI that leads to our assessment that there are reports of mass sterilisation, use of IUDs and detention of Uyghur women who have too many children.</p> <p>However, we will consider expanding the section and including the suggested sources, and others available when we update the CPIN following this review.</p>

2.7 Detention and ‘re-education centres’

<p>Comment: The following report was available prior to publication and provides relevant information about the topic:</p> <p>‘40. The Committee notes the delegation’s statements concerning the non-discriminatory enjoyment of freedoms and rights in XUAR. However, the Committee is alarmed by: (a) Numerous reports of detention of large numbers of ethnic Uighurs and other Muslim minorities held incommunicado and often for long periods, without being charged or tried, under the pretext of countering terrorism and religious extremism. The Committee regrets that there is no official data on how many people are in long-term detention or who have been forced to spend varying periods in political “re-education camps” for even nonthreatening expressions of Muslim ethno-religious culture like daily greetings. Estimates about them range from tens of thousands to upwards of a million. [...]’ UN Committee on the Elimination of Racial Discrimination, Concluding Observations on the Combined Fourteenth to Seventeenth Periodic Reports of China (including Hong Kong, China and Macao, China), 30 August 2018, https://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/CHN/CERD_C_CHN_CO_14-17_32237_E.pdf</p>	<p>Not accepted. We consider recency when selecting COI and, as newer information is available, we would not look to include the 2018 source any updated CPIN.</p>
--	---

<p>Suggestion: For additional sources published after the publication date for consultation when updating this CPIN, please see the following:</p> <p>Amnesty, “Like we were enemies in a war”: China’s mass internment, torture and persecution of Muslims in Xinjiang, 10 June 2021, https://eurasia.amnesty.org/wp-content/uploads/2021/06/amnesty-international_china-report_finallow-res_embargoed-until-june-10th-at-3pm-gmt.pdf</p> <p>Radio Free Asia, Video from Xinjiang provides fresh evidence of China’s Uyghur repression, 18 November 2021, https://www.rfa.org/english/news/uyghur/guanguan-video-11182021184058.html</p> <p>Xinjiang Victims Database, Detention Facilities in the Xinjiang Uyghur Autonomous Region, 24 February 2022, https://shahit.biz/xivictims_facilities.pdf</p> <p>ASPI, The architecture of repression, 19 October 2021, https://www.aspi.org.au/report/architecture-repression</p> <p>This report also sheds light on the rising numbers of Uyghers prison population:</p> <p>US Holocaust Memorial Museum, “To Make Us Slowly Disappear”: The Chinese Government’s Assault on the Uyghurs, November 2021, https://www.ushmm.org/m/pdfs/November_2021_Uyghur_Report.pdf (Section: Mass Incarceration)</p>	<p>Thank you for the post- July 2021 references. These will be looked at during the drafting of the revised CPIN.</p>
---	---

2.8 Torture and ill treatment in detention

<p>Suggestion: It is suggested to increase the excerpts cited as follows –</p> <p>5.7.2 consider extending the BBC excerpt to include:</p> <p>‘Tursunay Ziawudun, who fled Xinjiang after her release and is now in the US, said women were removed from the cells “every night” and raped by one or more masked Chinese men. She said she was tortured and later gang-raped on three occasions, each time by two or three men’.</p> <p>5.7.5 consider extending the excerpt to include:</p> <p>‘According to eyewitnesses, detainees can be tortured for failing to comply with strict military-style orders and rules or for simple everyday behavior, including speaking or whispering with each other, turning off the bright cell lights that remain permanently lit, or even smiling, crying, yawning, closing their eyes, eating too slowly, or exceeding the minimal time allotted for bathroom breaks. Former detainees have testified to designated “interrogation rooms” within the camps and detention centers, where there are no cameras and consistent brutal methods of torture are inflicted, sometimes lasting 24 hours and causing loss of consciousness.’</p>	<p>Accepted. We will look to expand the excerpts to include the additional information as suggested.</p>
<p>Suggestion: 5.8.2 this report by DFAT is no longer available – and there is evidence that shows that the government may subject Uyghurs to forced labour in rural areas. For information about hashar, please see:</p> <p>‘Though it is technically against the law, the cotton industry in the Uyghur Region has long been supported by involuntary labor. The historical “hashar” system has existed for generations. Hashar is a state-sponsored and -enforced conscripted labor program that compels rural adults and children to work picking cotton during the harvest season. In 2006, the Xinjiang government announced that it would stop conscripting elementary school children to pick cotton because of how labor intensive it is, but the government would continue to compel children of middle-school age and older to work in the fields during harvest. 23 Individuals have testified to having been forced to pick cotton and perform other manual labor for the state when they lived in the Uyghur Region. In the last several years, forced labor may have even expanded as large-scale cotton producers in the Uyghur Region have begun engaging more Uyghur workers, who represent a cost efficiency compared to migrant Han workers as they are “absorbed” through coercive state-sponsored labor programs that do not require funding for the long journey to the XUAR.’ Laura T. Murphy, et al. (2021). “Laundering Cotton: How Xinjiang Cotton is Obscured in International Supply Chains”, Sheffield Hallam University Helena Kennedy Centre, https://www.politico.com/f/?id=0000017d-3164-dddc-a77f-35f7068e0000</p>	<p>Accepted. Thank you for source suggestion to use following the publication of the updated DFAT report (which was not available at the time of drafting). This will be considered for inclusion during the drafting of the revised CPIN.</p>

Recommendation: The following reports were available prior to publication and provide relevant information about the topic with specifics noted about the types of torture deployed – please consider including when updating the report.

‘38. The Committee, while noting that according to the State party, these reports are false, is concerned by reports stating that [...] Uighurs [...] have been tortured or otherwise subjected to ill-treatment. It is further concerned by reports that certain Uighur detainees have been held incommunicado for prolonged periods, putting them at risk of torture and other ill-treatment.’ UN Committee on the Elimination of Racial Discrimination, Concluding Observations on the Combined Fourteenth to Seventeenth Periodic Reports of China (including Hong Kong, China and Macao, China), 30 August 2018, https://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/CHN/CERD_C_CHN_CO_14-17_32237_E.pdf

‘According to Government documents from as early as 2017 and 2018, including procurement requests related to the camps, local governments obtained lists of weapons and prison supplies to maintain strict control over detainees. The lists included: electric cattle prods, electric batons, Tasers, spiked clubs known as “wolf’s teeth,” spears, stun guns, net guns, tear gas, pepper spray, police uniforms, and handcuffs. Upon admission to the camps, detainees are reportedly subjected to full body examinations, including genitals, and transferred in shackles with sacks over their heads to the camps where they are forced to undress in front of guards and have their heads shaved. Those detainees tasked with “teaching” duties are reportedly forced to sign documents stipulating that failure to obey the rules will result in punishment. Guards monitor detainees’ every move through cameras covering the entirety of each cell and punish the slightest deviation from the military-style drills and indoctrination.[...] Sleep deprivation, starvation, and unsanitary, dangerous, and overcrowded conditions are commonly reported in the camps. According to eyewitness accounts, detainees are held in overcrowded cells that generally contain one shared plastic bucket or open toilet to which detainees are confined to strict one to three-minute bathroom breaks under surveillance cameras.[...] Detainees are either denied showers altogether, or only permitted showers on a weekly, monthly, or bimonthly basis, without privacy. Former detainees consistently testify to sleeping in two-hour shifts on the floor, on their sides or in shared beds. Witnesses also commonly describe detainees sitting on plastic chairs for 12-14 hours straight or with their hands and feet shackled at all times, save for writing exercises, but including during sleep... In the summer of 2020, during a COVID-19 outbreak, authorities subjected XUAR to harsher lockdown measures than elsewhere in China, and even forced residents to ingest medicine in unmarked bottles or face detention.’

[...] ‘According to eyewitnesses, detainees can be tortured for failing to comply with strict military-style orders and rules or for simple everyday behavior, including speaking or whispering with each other, turning off the bright cell lights that remain permanently lit, or even smiling, crying, yawning, closing their eyes, eating too slowly, or exceeding the minimal time allotted for bathroom breaks. Former detainees have testified to designated “interrogation rooms” within the camps and detention centers, where there are no cameras and consistent brutal methods of torture are inflicted, sometimes lasting 24 hours and causing loss of consciousness. [...] Detainees are also subjected to whippings and constant beatings by metal and electric prods or bare cords. Eyewitnesses have testified to seeing blood covering the floors and walls, and watching detainees emerge from the interrogation rooms, some without fingernails. Other eyewitnesses have reported being forced to ingest blackout-causing drugs, confined to nail-covered or electrified chairs, subjected to complete strip searches, or hung on walls and beaten with electrified truncheons.’

‘Other accounts testify to witnessing police take young girls into a closed room to “take turns with them,” with some never to return. Others have described female detainees forced to routinely undress, squat in the nude, and smear ground chili pepper paste on their genitals in the shower while filmed. During the height of China’s COVID-19 outbreak, detainees were reportedly forced to strip naked on a weekly basis as guards hosed them down with “scalding” and corrosive disinfectant’. [...]’ The Raoul Wallenberg Centre for Human Rights/ Newlines Institute, The Uyghur Genocide: An Examination of China’s Breaches of the 1948 Genocide Convention, 8 March 2021, <https://newlinesinstitute.org/wp-content/uploads/Chinas-Breaches-of-the-GC3-2.pdf> (Section 3)

‘Former Uyghur detainee Mihrigul Tursun said she witnessed nine deaths in three months of detention. [...] Mihrigul Tursun also told of being stripped naked, forced to undergo a medical examination, and being electroshocked and beaten while interrogated. She described how 40 to 68 women, chained at the wrists and ankles, were put in the same 420-square-foot underground cell in which they were expected to urinate and defecate. The cell had just one small hole in the ceiling for ventilation.

In the camps, in some cases, detainees were not permitted to talk; [...] A leaked CCP directive corroborates these allegations, ordering “full video surveillance coverage of dormitories and classrooms free of blind spots, ensuring that guards on duty can monitor in real time, record things in detail, and report suspicious circumstances immediately.”

Partially accepted. We consider recency when selecting COI and, as newer information is available, we would not look to include the 2018 source in any updated CPIN. However, we will consider including the other suggested sources when we update the CPIN following this review.

Some former detainees described overcrowding, having to share beds with others, and taking turns sleeping. [...] Detainees were forced to sing songs hailing the CCP and Xi Jinping. They were punished harshly for minor infractions of the camps' arbitrary rules; for example, authorities would deny food to those who resisted speaking Chinese. One former detainee recounted how, after resisting political education efforts, he was placed in solitary confinement in a two by-two meter cell where he was handcuffed, deprived of food and water, and forced to stand for 24 hours without sleep. [...] Human Rights Watch, "Break Their Lineage, Break Their Roots": China's Crimes against Humanity Targeting Uyghurs and Other Turkic Muslims, 19 April 2021, <https://www.hrw.org/report/2021/04/19/break-their-lineage-break-their-roots/chinas-crimes-against-humanity-targeting> (Section: Torture and Other Ill-Treatment in Custody)

'In internment camps, all detainees were subjected to a ceaseless indoctrination campaign as well as physical and psychological torture and other forms of ill-treatment. From the moment they entered a camp, detainees' lives were extraordinarily regimented. They were stripped of their personal autonomy, with every aspect of their lives being dictated to them. Detainees who deviated from the conduct prescribed by camp authorities – even in the most seemingly innocuous ways – were reprimanded and regularly physically punished, often along with their cellmates.

Detainees had no privacy. They were monitored at all times, including when they ate, slept, and used the toilet. They were forbidden to talk freely with other detainees. [...] Detainees were physically punished if they spoke in a language other than Mandarin. [...] There was insufficient food, water, exercise, healthcare, sanitary and hygienic conditions, fresh air, and exposure to natural light. Detainees had draconian restrictions placed on their ability to urinate and defecate. All detainees were required to "work" one- or two-hour shifts monitoring their cellmates every night. [...] At some point after arriving nearly all detainees were subjected to highly regimented classes. [...] Detainees were questioned or interrogated regularly. They were also frequently required to write letters of "confession" or "self-criticism". [...] Every former camp detainee Amnesty International interviewed was tortured or subjected to other cruel, inhuman, or degrading treatment or punishment (in this report referred to as "torture or other ill-treatment") during their internment. Torture and other ill-treatment are constitutive elements of life in the internment camps. The torture and other ill-treatment that detainees experience in the camps fall into two broad categories.

The first category included the physical and non-physical (that is, mental or psychological) torture and other ill-treatment experienced by all detainees as a result of the cumulative effects of daily life in the camps. The combination of these physical and non-physical measures, in conjunction with the total loss of control and personal autonomy in the camps, is likely to cause mental and physical suffering severe enough to constitute torture or other cruel, inhuman, or degrading treatment.

The second category of torture and other ill-treatment included physical torture and other ill-treatment that occurred during interrogations or as punishment for misbehaviour by specific detainees. Torture methods used during interrogations and as punishment included beatings, electric shocks, stress positions, the unlawful use of restraints (including being locked in a tiger chair), sleep deprivation, being hung from a wall, being subjected to extremely cold temperatures, and solitary confinement. Interrogations usually lasted an hour or more; punishments were often much longer. Amnesty International interviewed many former detainees who were tortured or subjected to other ill-treatment during interrogations or punishments in internment camps. Amnesty also interviewed many former detainees who witnessed the torture or other ill-treatment of other detainees or who spoke with other detainees – usually their cellmates – who informed them that they had been tortured or otherwise ill-treated during interrogations or as punishment. [...] Amnesty International, "Like We Were Enemies in a War", China's Mass Internment, Torture and Persecution of Muslims in Xinjiang, June 2021, https://xinjiang.amnesty.org/wp-content/uploads/2021/06/ASA_17_4137-2021_Full_report_ENG.pdf, (Section: Executive Summary)

<p>Recommendation: There is a need for this section to be updated to accurately reflect the systematic and organised nature of torture that is taking place. See for the sources below and in particular the Uyghur Tribunal’s findings on genocide.</p> <p>Xinjiang Victims Database, Victim-Centered Primary Evidence for the Mass Incarcerations and Immense Rights Violations in the Xinjiang Uyghur Autonomous Region, 28 February 2022, https://shahit.biz/xjvictims_primary.pdf</p> <p>Amnesty, “Like we were enemies in a war”: China’s mass internment, torture and persecution of Muslims in Xinjiang, 10 June 2021, https://eurasia.amnesty.org/wp-content/uploads/2021/06/amnesty-international_china-report_finallow-res_embargoed-until-june-10th-at-3pm-gmt.pdf</p> <p>CNN, ‘Some are just psychopaths’: Chinese detective in exile reveals extent of torture against Uyghurs, 5 October 2021, https://edition.cnn.com/2021/10/04/china/xinjiang-detective-torture-intl-hnk-dst/index.html</p> <p>US Holocaust Memorial Museum, “To Make Us Slowly Disappear”: The Chinese Government’s Assault on the Uyghurs, November 2021, https://www.ushmm.org/m/pdfs/November_2021_Uyghur_Report.pdf (Sections: Torture and Sexual Violence)</p> <p>Uyghur Tribunal, Uyghur Tribunal Judgment, 9 December 2021, https://uyghurtribunal.com/wp-content/uploads/2022/01/Uyghur-Tribunal-Judgment-9th-Dec-21.pdf (See especially paragraphs 19, 98, 181)</p>	<p>Accepted. Most of these sources were published after the publication of the CPIN. There is one source from prior to the publication of the CPIN, however due to our internal review process and external consultation process, there is a time lag between collection of information and publication of the report which may explain why this was not included. The suggested sources will be considered for inclusion during the drafting of the revised CPIN.</p>
---	---

2.9 Forced labour

<p>Recommendation: It is recommended to hyperlink Section 5.8 which details how Uyghurs from outside Xinjiang are transferred to other parts of China for the purposes of forced labour in Section 2.4b</p>	<p>Accepted. We will update the CPIN to include a hyperlink as suggested.</p>
<p>Suggestion: For additional sources published after the publication date for consultation when updating this CPIN, please see the following:</p> <p>Reuters, Biden signs bill banning goods from China’s Xinjiang over forced labor, 23 December 2021, https://www.reuters.com/world/us/biden-signs-bill-clamp-down-products-chinas-xinjiang-2021-12-23/</p> <p>ASPI and the International Cyber Policy Centre, Policy Brief Report No. 51/2021, The architecture of repression: Unpacking Xinjiang’s governance, October 2021, https://www.politico.com/f/?id=0000017c-a092-db91-affd-f99afc020000</p>	<p>Thank you for the post- July 2021 references (which were not available at the time of publication). These will be considered for inclusion, along with other sources during the drafting of the revised CPIN.</p>

2.10 Families of those detained or abroad

<p>Suggestion: 5.9.3 consider including some of the details about the boarding schools. For example, the NPR report referenced notes that children interviewed described “routine physical and emotional punishment”, being hit, put in stress positions and being locked in a basement.</p>	<p>Accepted. We will consider including the suggested sources when we update the CPIN following this review.</p>
--	---

<p>Comment: The following COI was available prior to publication and provides relevant information worth considering when updating the report.</p> <p>‘While Chinese authorities have engaged in systematic monitoring and harassment of the Uyghur diaspora in the past, PRC security organs have lately increased their pressure against Uyghurs abroad. [...] Blackmail by intimidating or holding hostage family members in Xinjiang is a common technique employed by the Chinese security apparatus to suppress the Uyghur diaspora’s political activism, to solicit specific information, or to induce long-term collaboration by the target. Several Uyghur persons in Istanbul stated in interviews with the author that they had been directly contacted by Chinese security personnel via remote communications. [...] In some cases, officials attempted to lure the target into cooperation by pretending to be concerned about their well-being, or that of their family. [...] In other cases, security authorities attempted to persuade the target to return home by threatening to arrest or otherwise persecute their relatives in Xinjiang.’ Jamestown Foundation, China’s tactics for targeting the Uyghur diaspora in Turkey, 1 November 2019, https://jamestown.org/program/chinas-tactics-for-targeting-the-uyghur-diaspora-in-turkey/</p> <p>‘New local government data from Yarkand (Xinjiang) shows over 10,000 mostly Uyghur children in “hardship” due to one or both parents detained. About 1,000 of these children have both parents in detention. A number of them have been put into state orphanages, some of which are directly next to schools. The number of students in Xinjiang who live in boarding facilities grew by over 380,000 between 2017 and 2019, from about 500,000 to just below 900,000.’ Zenz, A., Parent-Child Separation in Yarkand County, Kashgar, 13 October 2020, https://adrianzenz.medium.com/story-45d07b25bcad</p>	
<p>Suggestion: For additional sources published after the publication date for consultation when updating this CPIN, please see the following:</p> <p>UHRP, “Your Family Will Suffer”: How China is Hacking, Surveilling, and Intimidating Uyghurs in Liberal Democracies, 10 November 2021, https://uhrp.org/report/your-family-will-suffer-how-china-is-hacking-surveilling-and-intimidating-uyghurs-in-liberal-democracies/</p> <p>Sky News, How China is using black sites in the UAE as they target Uyghurs abroad, 9 February 2022, https://news.sky.com/story/how-china-is-using-black-sites-in-the-uae-as-they-target-uyghurs-abroad-12536140</p> <p>The New Yorker, China cannot silence me, 21 December 2021, https://www.newyorker.com/culture/personal-history/china-cannot-silence-me</p> <p>Safeguard Defenders, Involuntary Returns: China’s covert operation to force ‘fugitives’ overseas back home, January 2022, https://safeguarddefenders.com/sites/default/files/pdf/INvoluntary%20Returns.pdf</p> <p>US Holocaust Memorial Museum, “To Make Us Slowly Disappear”: The Chinese Government’s Assault on the Uyghurs, November 2021, https://www.ushmm.org/m/pdfs/November_2021_Uyghur_Report.pdf (Section: Transfer of Uygher Children)</p>	<p>Thank you for the post- July 2021 references. These will be looked at during the drafting of the revised CPIN.</p>

2.11 State treatment of Muslims outside Xinjiang

<p>Recommendation: 6.1.4 – The DFAT report cited is now out of date and the excerpt cited also includes DFAT’s policy assessment and therefore should not be used as objective COI.</p>	<p>Accepted. We will amend the references to the now superseded DFAT report (but which was current when we published the CPIN) when the CPIN is updated following this review.</p>
---	---

<p>Recommendation: This section should include more COI to better reflect the targeting of Muslims outside Xinjiang, particularly for Uyghurs, and could be hyperlinked to section 5.8 Forced labour. The COI shows that Uyghurs are often moved outside of Xinjiang province for the purposes of forced labour for example in factories where they are subject to a variety of ill treatment, including surveillance, forced labour and forced family separation. Sources to show this include:</p> <p>ASPI, Uyghurs for sale: ‘Re-education’, forced labour and surveillance ..., March 2020, https://www.aspi.org.au/report/uyghurs-sale (See especially sections: Rendering ‘Xinjiang Aid’, Xinjiang’s labour transfer program)</p> <p>Uyghur Human Rights Project (UHRP), LOI Submission to the UN Committee on the Elimination of Discrimination Against Women (80th Pre-Sessional Working Group), January 2021, https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/CHN/INT_CEDAW_ICO_CHN_44255_E.docx, (See paragraphs 10-11)</p> <p>BBC, China Uighurs ‘moved into factory forced labour’ for foreign brands, 2 March 2020, https://www.bbc.co.uk/news/world-asia-china-51697800</p> <p>End Uyghur Forced Labour, Call to action on human rights abuses in the Xinjiang Uyghur Autonomous Region, October 2021, https://enduyghurforcedlabour.org/call-to-action/</p>	<p>Accepted. We will consider including the suggested sources, along with all available information when we update the CPIN following this review.</p>
--	---

2.12 Freedom of Movement

<p>Recommendation: 7.1.1The DFAT report is now out of date and recommend replacing with the following excerpt from HRW:</p> <p>‘Depending on the level of threat authorities perceive—determined by factors programmed into the IJOP system—, individuals’ freedom of movement is restricted to different degrees. Some are held captive in Xinjiang’s prisons and political education camps; others are subjected to house arrest, not allowed to leave their registered locales, not allowed to enter public places, or not allowed to leave China.’ HRW, China’s Algorithms of Repression, 1 May 2019, https://www.hrw.org/report/2019/05/01/chinas-algorithms-repression/reverse-engineering-xinjiang-police-mass</p>	<p>Accepted. Thank you for source suggestion to use following the publication of the updated DFAT report (which was not available at the time of publication) . This will be considered for inclusion during the drafting of the revised CPIN.</p>
<p>Comment: The following report was available prior to publication and provides relevant information about the topic worth considering when updating the report.</p> <p>‘The MFA confiscated, cancelled, or refused to renew the passports of Uyghurs and other Turkic Muslims living abroad, including those with legal permanent resident status or citizenship in other countries, as a coercive measure to lure them back to Xinjiang and likely detain them within the camps. There were also reports that authorities threatened these individuals’ families in Xinjiang to force their return.’ USSD, 2020 Trafficking in Persons Report: China, 25 June 2020</p>	<p>Accepted. We will consider including the suggested source when we update the CPIN following this review.</p>

3. Review of responses to COI requests

3.1 COI request – China: Military service and women 04/21-029

Summary of request: Is military service compulsory for women in China? Can parents sign their adult children up for military service in China against their will? What are the exemptions?

Comment: The response is adequate concerning military service for women in China and is factually accurate.	Thank you for the positive review and suggestions. We will update the response as necessary.
Suggest opening section 1.1 with Article 3 of the Military Service Law which outlines that all citizens are obliged to undertake military service . China Daily, ' Military Service Law of the People's Republic of China ... ', 11 December 2018	
Suggest including in section 1.3 Article 16 of the Military Service Law: 'Article 16 The enlistment of a citizen eligible for enlistment may be deferred if he is the only labor force to support his family'. – China Daily, ' Military Service Law of the People's Republic of China ... ', 11 December 2018 Additionally in 1.3, it is worth considering including information related to conscientious objection and draft evasion.	

3.2 COI request – China: Manchu Buddhists 0620.005

Summary of request: Are Manchu Buddhists persecuted by the state?

Comment: This response regarding Manchu Buddhists in China is adequate. Where possible, using the most up to date information is recommended.	Thank you for the positive review and the additional sources which were published after the publication of this COI response. We will update the response as necessary.
---	---

<p>There is a lack of information available in the public domain on Manchu Buddhists. Therefore, recommend expanding the scope of the response in section 2 to the state treatment of Buddhists. See below for example information:</p> <p>‘Authorities censored online posts referencing Jesus or the Bible. There were numerous reports that authorities closed or destroyed Islamic, Christian, Buddhist, and Taoist houses of worship and destroyed public displays of religious symbols throughout the country. [...] Christians, Muslims, Tibetan Buddhists, and Falun Gong practitioners reported severe societal discrimination in employment, housing, and business opportunities. [...]</p> <p>According to <i>Bitter Winter</i>, on May 18, authorities assaulted several individuals who were protesting the demolition of a Buddhist temple in Shucheng County, Anhui Province, that authorities declared was “a dilapidated building.” [...]</p> <p>In July, <i>Bitter Winter</i> reported government restrictions on printing, copying, and mailing non-approved Buddhist literature increased throughout the country. A source in Chifeng City, Inner Mongolia Autonomous Region, said authorities confiscated thousands of Buddhist books and compact discs from at least 20 stores in the region. One store owner said authorities confiscated more than 2,000 Buddhist books and materials from the store.’</p> <p>USSD, 2020 Report on International Religious Freedom: China (Includes Tibet, Xinjiang, Hong Kong, and Macau), 12 May 2021, https://www.state.gov/reports/2020-report-on-international-religious-freedom/china/</p> <p>‘Authorities also increased restrictions on religious practice by Chinese Buddhists, Christians, and Muslims throughout China under 2018 regulations on religious affairs, and persecution of the banned spiritual movement Falun Gong continued unabated.’</p> <p>Freedom House, Annual report on political rights and civil liberties in 2020, 3 March 2021, https://freedomhouse.org/country/china/freedom-world/2021</p> <p>Other sources to consult include:</p> <p>USCIRF, Annual Report 2021, April 2021, https://www.uscifr.gov/sites/default/files/2021-05/China%20Chapter%20AR2021.pdf</p>	
--	--

3.3 COI request – China: Double Jeopardy 07/21-017

Summary of request: Fear of punishment for crimes for which the person was already charged in another country (‘Double jeopardy’ or re-prosecution)

<p>Comment: This IR is of good quality, clearly laying out the questions and answers clearly and succinctly, in relation to double jeopardy in China.</p>	<p>Accepted. Thank you for the positive review and suggestions. We will update the response as necessary.</p>
<p>Suggest referring to para 80 of the judgement YF (Double jeopardy – JC confirmed) China CG [2011] UKUT 32 (IAC), that lays out references to a wider number of factors as being potentially relevant.</p>	
<p>Recommend: Para. 3.2.1 refers to cases highlighted in JC of double jeopardy. The correct reference in the ruling is to Paragraph 240 (not 273) so should be amended.</p>	
<p>There are some inactive or incorrect links in the footnotes – recommend amending:</p> <ul style="list-style-type: none"> • 13 VOA, ‘Kenya Deporting More Taiwanese Citizens to China’, 12 April 2016 > correct link: https://www.voanews.com/a/kenya-deporting-more-taiwanese-citizens-to-china/3281036.html • 14 VOA, ‘Kenya Deports 8 Taiwanese to China’, 11 April 2016 > correct link: https://www.voanews.com/a/kenya-deports-eight-taiwanese-to-china/3279626.html <p>The hyperlink to the DFAT report in footnote 9 takes you to the latest report, published 22 December 2021, so the content will need updating. For reference, paragraph 5.30 states: ‘Double jeopardy, being prosecuted for a crime for a which a person has already been tried (in this case outside of China), is specifically allowed in China under the Criminal Law (article 10). Whether or not it occurs in practice is not clear. DFAT is aware of a very small number of reports of Chinese citizens who have murdered other Chinese citizens abroad being re-prosecuted in China.’</p>	

3.4 COI request – Hong Kong: Sexual orientation and gender identity or expression 07/21-057

Summary of request: What is the legal position for LGBTI/Q persons? Are LGBTI/Q persons persecuted by the state or subject to indiscriminate violence from the public? What support is available?

<p>Comment: adequate information using a variety of sources to provide information on sexual orientation and gender identity or expression. Several other sources were identified, detailed below that highlight for example levels of discrimination.</p>	<p>Accepted. Thank you for the suggested additional sources. We will update the response as necessary.</p>
<p>Recommendations:</p> <p>At 3.1.2 include into the Stonewall excerpt: ‘There is no comprehensive law prohibiting employment discrimination based on sexual orientation or gender identity.’</p> <p>At 4.1.3, reference can be made to the Stonewall list of LGBT groups and communities. Stonewall, ‘Stonewall Global Workplace Briefings 2018: Hong Kong’</p> <p>Footnote 15 – VOA, ‘Hong Kong Gay Rights Suffer Setbacks’, 17 June 2018 – link is inactive.</p> <p>Correct link: https://www.voanews.com/a/hong-kong-gay-rights-suffer-setbacks/4428279.html</p>	
<p>Suggestion:</p> <p>A wider variety of sources have been identified and are suggested for inclusion in Sections 2 and 3.</p> <p>Submission by 12 Hong Kong LGBTIQ+ organisations, The Situation of Lesbian, Gay, Bisexual, Transgender and Intersex Persons in Hong Kong For the List of Issues Submitted to the Human Rights Committee in relation to the consideration of the fourth ICCPR periodic report submitted by Hong Kong, China, 30 April 2020, https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/HKG/INT_CCPR_ICO_HKG_42056_E.pdf</p> <p>Submission of the Equal Opportunities Commission Report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, March 2021, https://www.eoc.org.hk/compass/wp-content/uploads/2021/10/Report-of-the-Independent-Expert-on-protection-against-violence-and-discrimination-based-on-sexual-orientation-and-gender-identity-Mar-2021.pdf</p> <p>Al Jazeera, LGBTQ in China lament ‘dark day’ after social media crackdown, 13 July 2021, https://www.aljazeera.com/news/2021/7/13/china-lgbtq</p> <p>HKFP, Pro-Beijing lawmaker claims hit Hong Kong TV show featuring same-sex romance violates China’s national security law, 19 July 2021, https://hongkongfp.com/2021/07/19/pro-beijing-lawmaker-claims-hit-hong-kong-tv-show-featuring-same-sex-romance-violates-chinas-national-security-law/</p> <p>ISSIA, Trapped: A Modern Account on the Livelihoods of LGBT Youth, 15 June 2020, https://issiahk.org/blog/trapped-a-modern-account-on-the-livelihoods-of-lgbt-youth.html</p> <p>Macao News, Target of abuse: Transgender individuals continue to battle sexual assault, psychological trauma, 10 October 2021, https://macaonews.org/deepdives/target-of-abuse-hong-kong-transgender-individuals-continue-to-battle-sexual-assault-psychological-trauma/</p> <p>ILGA, Trans legal mapping report, 2021, https://ilga.org/downloads/ILGA_World_Trans_Legal_Mapping_Report_2019_EN.pdf</p>	

3.5 COI request – China: Trafficking 09/20-009

Summary of request: Please provide information regarding the risk of a lone female being re-trafficked from Fujian Province. Could you confirm what the position of the state is on trafficking females. Would there be any support available e.g. Non-Governmental Organisations (NGOs)?

<p>Comment: This is a well structured response, providing adequate and factually accurate information on trafficking in China. It could benefit from additional sources as detailed below.</p>	<p>Accepted. Thank you for the positive feedback on this request. CPIT now have a CPIN on modern slavery in China so this COI request has been removed, however we will consider the suggested sources for inclusion in future</p>
<p>Suggestion: Section 1 would benefit from providing more contextual information with regards to the demand for bride and childrearing trafficking. Suggested sources include:</p> <p>HRW, China’s Bride Trafficking Problem, 31 October 2019, https://www.hrw.org/news/2019/10/31/chinas-bride-trafficking-problem</p> <p>SCMP, How China’s ‘missing women’ problem has fuelled trafficking and forced marriage, 13 January 2021, https://www.scmp.com/comment/opinion/article/3117253/how-chinas-missing-women-problem-has-fuelled-trafficking-and-forced</p> <p>Lhomme et al., Demi Bride T Demi Bride Trafficking: A Unique Trend of Human Trafficking from South-East Asia To China, Journal of International Women’s Studies Vol 22 Issue 3, April 2021, https://vc.bridgew.edu/cgi/viewcontent.cgi?article=2408&context=jiws</p> <p>John Hopkins, Estimating trafficking of Myanmar women for forced marriage and childbearing in China, December 2018</p>	

Recommendation: The report could be updated to bring it more up to date and the range of empirical evidence could benefit from additional sources. Please see below for suggested sources:

For more information on Fujian Province:

National Institute of Justice, Chinese Transnational Organized Crime: The Fuk Ching, 2001, <https://www.ojp.gov/ncjrs/virtual-library/abstracts/chinese-transnational-organized-crime-fuk-ching>

Irish Times, Dream of better life abroad feeds Chinese people-smuggling, 24 October 2019, <https://www.irishtimes.com/news/world/dream-of-better-life-abroad-feeds-chinese-people-smuggling-1.4061866>

The Guardian, China-UK people trafficking often driven by debt, experts say, 24 October 2019, <https://www.theguardian.com/uk-news/2019/oct/24/china-uk-people-trafficking-often-driven-by-debt-experts-say>

For more information on protection, prevention and prosecutions:

USSD, 2021 Trafficking in Persons Report: China, <https://www.state.gov/reports/2021-trafficking-in-persons-report/china/>

Asylos, China: Gaps in the criminalisation of human trafficking, 13 October 2018, https://resources.asylos.eu/available-research/information-about-the-report/?pdb=1656#mo_ga_sso_saml_login_widget-6

Zheng, T., Human trafficking in China, Journal of Historical Archaeology & Anthropological Sciences, Volume 3 Issue 2 – 2018, 27 February 2018, <http://medcraveonline.com/JHAAS/JHAAS-03-00080.pdf>

China Daily, Police increase crackdown to prevent human trafficking, 6 May 2021, <https://www.chinadaily.com.cn/a/202105/06/WS60934210a31024ad0babc18b.html>

HRW, China's Bride Trafficking Problem, 31 October 2019, <https://www.hrw.org/news/2019/10/31/chinas-bride-trafficking-problem>

SCMP, China crime: man who sold his 5 children to human traffickers sentenced to 10 years in jail, 15 December 2021, <https://www.scmp.com/news/people-culture/social-welfare/article/3159816/china-crime-man-who-sold-his-5-children-human>

CECC, 'Annual Report, 2020', December 2020, <https://www.cecc.gov/publications/annual-reports/2020-annual-report>

For more information on *hukou*:

Wenwen He, Unresolved Issues Regarding *Hukou* Registration Following Implementation of China's Universal Two-Child Policy, Human Rights Quarterly Vol. 43, 4 November 2021, <https://muse.jhu.edu/article/837785/summary>

'The government *hukou* (household registration) system continued to contribute to the vulnerability of internal migrants by reducing access to social services, particularly for Chinese national victims returning from exploitation abroad; however, the government relaxed some internal migration restrictions dictated by the *hukou* system during the reporting period.' [Emphasis added] USSD, 2021 Trafficking in Persons Report: China, <https://www.state.gov/reports/2021-trafficking-in-persons-report/china/>

Suggestion: information about state officials' collusion with criminal organisations could have been mentioned. See for example:

'Chinese media outlets occasionally published accounts of corrupt officials arrested for allegedly shielding or profiting from criminal organizations engaged in commercial sex rings known to perpetrate sex trafficking. In previous years, officials found guilty through this process reportedly faced expulsion from the Chinese Communist Party, termination of their official positions, fines, and referral to the judicial system. However, authorities did not provide statistics on the number of investigations, prosecutions, or convictions resulting from these efforts. Despite continued reports of law enforcement officials benefiting from, permitting, or directly facilitating sex trafficking and forced labor, the government did not report any investigations, prosecutions, or convictions of law enforcement officials allegedly involved in the crime.' USSD, 2021 Trafficking in Persons Report: China, <https://www.state.gov/reports/2021-trafficking-in-persons-report/china/>

'[...] many police and local government officials appropriate the crackdown campaigns as a means to extort handsome bribes from "offenders" such as the proprietors of entertainment industries. "Offenders" who regularly submit a considerable sum of bribery to the local police or government officials are informed of the time, date and place of these crackdowns ahead of time so that they can be prepared for it...' Zheng, T., Human trafficking in China, Journal of Historical Archaeology & Anthropological Sciences, Volume 3 Issue 2 – 2018, 27 February 2018, <http://medcraveonline.com/JHAAS/JHAAS-03-00080.pdf>

3.6 COI request – China: New child policy of 20 August 2021 10/21-037

Summary of request: Overview of the new child policy of 20 August 2021; Would women who have previously had two children be sterilised, fined or prevented from registering their children for a Hukou?

<p>Overall, this IR is well structured and factually accurate.</p>	
<p>Recommendation: it is recommended that the IR is updated to include the recent findings of the Uyghur Tribunal that China has committed genocide against the Uyghur people in Xinjiang. The Tribunal cited the birth control and sterilisation measures against the Uyghurs as the primary reason for reaching its conclusion. For further relevant COI on this topic and to show the systematic way in which these measures are against the Uyghurs, see the following sources:</p> <p>ASPI, Asymmetric deterrence, China’s three-child policy, women and leadership, 25 June 2021, https://www.aspi.org.au/news/asymmetric-deterrence-chinas-three-child-policy-women-and-leadership</p> <p>BBC, China committed genocide against Uyghurs, independent tribunal rules, 9 December 2021, https://www.bbc.co.uk/news/world-asia-china-59595952</p> <p>The Uyghur Tribunal Uyghur Tribunal Judgment, 9 December 2021, https://uyghurtribunal.com/wp-content/uploads/2021/12/UT-judgment-version-for-approval-by-GN-07.25-2.pdf</p> <p>Essex Court Chambers, International Criminal Responsibility For Crimes Against Humanity And Genocide Against The Uyghur Population In The Xinjiang Uyghur Autonomous Region, 26 January 2021, https://14ee1ae3-14ee-4012-91cf-a6a3b7dc3d8b.usrfiles.com/ugd/14ee1a_3f31c56ca64a461592ffc2690c9bb737.pdf</p>	<p>Accepted. Thank you for the recommendations. CPIT are currently working on a CPIN on the family planning policy so this COI request will be removed when that is published, however we will consider the suggested sources for inclusion in future.</p>
<p>Suggestion: Given the content of 2.1.7, which notes that ‘families who opted to have more children were still being encouraged by the Chinese government to register their new-borns’, it is important to add additional COI for context on this topic. See for example:</p> <p>‘Children born outside of two-child policy quotas often cannot be registered. Unregistered children could not access public services, including education, health care, identity registration, or pension benefits.’ USSD 2021, Annual report on human rights in 2020, 30 March 2021, https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/china/</p> <p>‘Based on a logit analysis of a sample of 2.5 million children from the 2000 census, I find that children born in violation of the one-child policy do have lower rates of registration and that children born to migrant mothers are four times more likely to be unregistered than registered.’ Vortherms, S., China’s Missing Children: Political Barriers to Citizenship through the Household Registration System, The China Quarterly, Volume 238, June 2019, pp. 309 – 330, https://doi.org/10.1017/S0305741018001716</p> <p>‘In more than 60% of cases, those without a hukou were victims of the one-child policy (others are those born out of wedlock or who are homeless).’ BBC, Why millions of Chinese are becoming official, 10 December 2015, https://www.bbc.co.uk/news/world-asia-35063788</p>	
<p>Suggestion: at 2.1.2, consider extending the cited excerpt to include:</p> <p>‘According to a report by the Associated Press published on Monday, women in Xinjiang have faced exorbitant fines and threats of internment for breaching childbearing limits.</p> <p>Gulnar Omirzakh, a Chinese-born Kazakh, was ordered to get an IUD inserted after having her third child, the AP reported. Two years later, in January 2018, four officials in military camouflage knocked at her door anyway and handed Omirzakh, the penniless wife of a detained vegetable trader, three days to pay a 17,5000 RMB (£2,000) fine for having more than two children. She was reportedly warned that she would join her husband in an internment camp if she refused to pay.’</p>	

Suggestion: 'CPIT was not able to find relevant information on whether women who previously had two children in contravention of the child-policy laws would be sterilised, fined or prevented from registering their children for a Hukou under the 2021 child policy in the sources consulted'. It is suggested that text is added noting that because information is not in the public domain does not mean it is not happening. Furthermore, evidence in the public domain shows that prior to this new policy, the Chinese authorities strongly enforced and penalised violations of the one and two child policy. See for example:

USSD 2021, Annual report on human rights in 2020, 30 March 2021, <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/china/>

Freedom House, Annual report on political rights and civil liberties in 2020, 3 March 2021, <https://freedomhouse.org/country/china/freedom-world/2021>

IRB, China: Whether Family Planning authorities, including in Guangdong and Fujian provinces, enforce the two-child policy through forced abortions, sterilization, and other birth control methods; information on measures taken against parents who fail to register additional children, including fines, 18 December 2019, <https://www.ecoi.net/en/document/2022833.html>

4. Information about the Reviewer

Natasha Tsangarides is a freelance Country of Origin Information (COI) researcher with over 10 years' experience of conducting COI research. Previously an Associate for the Asylum Research Centre (ARC), Natasha has reviewed Home Office CPINs and EASO country reports and has also drafted thematic or country specific COI reports for ARC, EASO and UNHCR. Prior to this, Natasha ran a project to improve the use of COI in the asylum determination process in the UK. In this role, she designed and delivered COI training to 250 lawyers, judges and Home Office staff.

