



Inspection of Country of Origin Information

December 2019 Report

David Bolt

Independent Chief Inspector of
Borders and Immigration

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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.

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Contents

Foreword	2
1. Scope	3
2. Reviewers' comments and recommendations and CPIT's response	4
3. Independent Chief Inspector's Comments and Recommendation	8
Annex A: Meeting of the Independent Advisory Group for Country Information 12 December 2019	10
Annex B: Biographies of the reviewers	17
Annex C: Review of the October 2018 Home Office Country of Origin Information on Albania: Blood Feuds	18
Annex D: Review of the October 2019 Home Office Country of Origin Information on Albania: People Trafficking	36
Annex E: Review of the 2019 Home Office Country of Origin Information on Christians and Christian Converts, Iran	61
Annex F: Revised Home Office response to review of the 2019 Home Office Country of Origin Information on Christians and Christian Converts, Iran	77
Annex G: Review of the September 2018 Home Office Country of Origin Information on Vietnam: Victims of Trafficking.	92

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).¹ A list of IAGCI members can be found on the Inspectorate’s website.

This report covers the reviews considered and signed off by the IAGCI at its December 2019 meeting, which related to Albania, Iran and Vietnam.

My covering report makes one recommendation. This is in addition to the recommendations contained in the individual reviews.

The report was submitted to the Home Secretary on 2 April 2020.

D J Bolt
Independent Chief Inspector of Borders and Immigration

¹ Previously the Country of Origin Information Service (COIS)

1. Scope

- 1.1** In October 2019, IAGCI sought tenders for reviews of the following Country Policy and Information Notes (CPINs):
- Albania
 - ‘Blood Feuds’ (October 2018)
 - ‘People Trafficking’ (October 2019)
 - Iran
 - ‘Christians and Christian converts’ (May 2019)
 - Vietnam
 - ‘Victims of Trafficking’ (September 2018)
 - plus, for each country, a selection of Country of Origin Information Requests (COIRs)
- 1.2** IAGCI chose these CPINs/COIRs for review having looked at CPIT’s forward programme of work and considered the countries and topics that were currently of particular interest.
- 1.3** Nine tenders were received, three for the Albania reviews; four for Iran; and two for Vietnam. These were assessed by the IAGCI Chair, with input from members, and the reviewer with the most relevant knowledge was selected.
- 1.4** The completed reviews were quality assured by the IAGCI Chair and members and sent to CPIT. CPIT added its responses. The reviews and the CPIT responses are at Annexes C to E and G.
- 1.5** IAGCI met on 12 December 2019 to go through the reviews and the CPIT responses. The agenda and minutes of the meeting are at Annex A.
- 1.6** Following the meeting, ICIBI asked CPIT to reconsider its response to ‘Iran: Christians and Christian converts’. CPIT provided IAGCI with a revised response on 6 January 2020. This is at Annex F.

2. Reviewers' comments and recommendations and CPIT's response

Albania

- 2.1** Dr Enkeleida Tahiraj² reviewed five Albania COIRs (one from 2018, and four from 2019), plus the CPINs entitled 'blood feuds' (October 2018) and 'People Trafficking' (October 2019). Her reviews are at Annexes C and D, along with CPIT's responses.
- 2.2** The COIRs covered:
- 'Investigative journalists' (October 2018)
 - 'Personal travel record' (April 2019)
 - 'Male Trafficking' (April 2019)
 - 'Religion and relationships between Muslims and Catholics' (May 2019)
 - 'Male victims of domestic violence' (September 2019)
- 2.3** The reviewer confirmed that the information quoted in the COIRs was accurate. In relation to 'Male Trafficking' and 'Male victims of domestic violence', the reviewer drew CPIT's attention to a May 2019 report from the Asylum Research Centre Foundation, 'Albania: Trafficked Boys and Young Men'.
- 2.4** For the 'Blood Feuds' CPIN, the reviewer made 14 recommendations to which CPIT responded (with two qualified acceptances, five partial acceptances and seven non-acceptances), plus two others which CPIT found unclear but, in effect, rejected. CPIT's responses reflected a difference of opinion about how much 'background' information needed to be included in the CPIN to set blood feuds in context in modern-day Albania, complicated by the fact that some of the suggested sources required translation. CPIT also took a different view from the reviewer regarding the reliability and effectiveness of Albanian law enforcement agencies.
- 2.5** CPIT published an updated version of 'blood feuds' in February 2020.³ Changes to the October 2018 version were relatively minor. As before, most of the CPIN comprises extensive extracts from a June 2017 report⁴ by Cedoca,⁵ based on the latter's fact-finding mission to Albania from 13-21 March 2017, with some earlier FCO material.
- 2.6** Most of the additions to the updated CPIN are from a December 2017 report from Operazione Colomba, self-described as the 'Nonviolent Peace Corps of the Associazione Comunità Papa Giovanni XXIII Association'. These provide further perspectives on how blood feuds have changed and continue to change. A July 2019 report from the Working Group on

² Biography at Annex B

³ [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/865400/Albania - Blood feuds - CPIN - v.4 .pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/865400/Albania_-_Blood_feuds_-_CPIN_-_v.4_.pdf)

⁴ https://www.cgra.be/sites/default/files/rapporten/blood_feuds_in_contemporary_albania_characterisation_prevalence_and_response_by_the_state.pdf

⁵ Cedoca is the Documentation and Research Department of the Office of the Commissioner General for Refugees and Stateless Persons for Belgium.

the United Nations Universal Periodic Review for Albania is also referenced regarding law enforcement initiatives.

- 2.7** The reviewer made substantially more recommendations in relation to the ‘People Trafficking’ CPIN and these were more positively received by CPIT. Of 37 recommendations, CPIT accepted 25, partially accepted 10 and rejected just two. Most of the acceptances referred to the consultation of sources or the inclusion of information “when we update the CPIN following this review”. As at the end of March 2020, the CPIN had not yet been updated.
- 2.8** The reviewer raised the issue of trafficking of men and children. CPIT confirmed that the CPIN was about “(potential) female victim[s] of trafficking for sexual exploitation” as explained in the opening ‘basis of claim’ paragraph. IAGCI believed the title of the updated CPIN should make this clear. CPIT commented that it was “currently undertaking detailed analysis into common claim types from Albania and should this indicate that we require a CPIN on male victims of trafficking then we will address this gap” – see Chapter 3.
- 2.9** The reviewer identified certain “weaknesses” with the CPIN, two of which were seen by IAGCI as particularly problematic: understatement of the role of organised crime, which feeds into the risks on return, including of being re-trafficked; and the lack of data about and evaluation of services, including shelters, for returnees. With regard to shelters, CPIT undertook to consult the further sources cited by the reviewer. However, reliable information about organised crime is harder to find, for obvious reasons.
- 2.10** The reviewer also referred to “a little over-reliance” on the Home Office fact-finding team’s (FFT) visit to Albania in 2017,⁶ drawing attention to the anecdotal and snapshot nature of data obtained during fact-finding missions and the need for this to be contextualised with information from other sources.

Vietnam

- 2.11** Linda Hitchcox⁷ reviewed ten Vietnam COIRs (two from 2018, eight from 2019), plus the CPIN entitled ‘Victims of Trafficking’ (September 2018). Her reviews are at Annex G, along with CPIT’s responses.
- 2.12** The COIRs covered:
- ‘Risks to Women’ (February 2018)
 - ‘Political Parties’ (February 2018)
 - ‘Corruption in the Military’ (March 2019)
 - ‘Freedom of Movement’ (March 2019)
 - ‘Political System and Affiliation’ (March 2019)
 - ‘Children’s citizenship’ (March 2019)
 - ‘Male Trafficking’ (April 2019)
 - ‘LGBTI Persons’ (May 2019)
 - ‘Religion; ethnicity’ (August 2019)
 - ‘Youth for Democracy’ (September 2019)

⁶ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/681071/Home_Office_FFM_Report_-_Albania.pdf

⁷ Biography at Annex B

- 2.13** For the most part, the review commented positively on the information within the COIRs. However, there were a few points of wider interest. Firstly, CPIT’s non-acceptance of the reviewer’s comments regarding violence against women and the risks to single mothers, as the reviewer did not provide a source. This raises the question of when, if ever, a reviewer’s personal knowledge and expertise should be considered sufficient, without other published sources. But, more generally, the reviewer undertook to provide CPIT with references to further sources where these existed.
- 2.14** Secondly, CPIT questioned the reliability of a document identified by the reviewer concerning Lao Don Viet (Viet Labor), without explaining its concerns. Thirdly, in relation to the ‘Youth for Democracy’ COIR, CPIT noted that “the purpose of the COIR is just to provide information: we do not provide analysis or position within them”. This goes to a recurring theme in COI inspections about whether CPIT has a realistic understanding of the needs of asylum decision makers and their ability to absorb and process COI.
- 2.15** Again, the reviewer commented positively about the ‘Victims of Trafficking’ CPIN, describing it as “reasoned” and the quality and balance of sources as “sound, in general”, although some of the source material was dated.
- 2.16** The reviewer made 15 recommendations, of which CPIT accepted six, partially accepted two, and did not accept seven. Three of the “Not accepted” recommendations concerned questions of format or style; one referred to material that CPIT considered was already covered; and another, which was about strategic engagement with the Vietnamese government to reduce illegal migration and trafficking, was correctly judged “not relevant to the purpose of the CPIN or role of CPIT” and passed on to Home Office colleagues responsible for Modern Slavery.
- 2.17** The remaining two rejections turned on whether the information identified by the reviewer was material to “the main areas of interest to decision makers when considering claims based on trafficking”. The reviewer was suggesting the inclusion of information that explained the principal drivers behind migration within Vietnam to the cities and abroad and actions to combat trafficking.
- 2.18** CPIT planned to update the ‘Victims of Trafficking’ CPIN in light of its 2019 fact-finding mission to Vietnam,⁸ and where it accepted the reviewer’s recommendations it undertook to incorporate the information. At the time of writing, the updated CPIN had not yet been published.

Iran

- 2.19** Dr Rebwar Fatah⁹ reviewed ten Iran COIRs (one from 2018, nine from 2019), plus the CPIN entitled ‘Christians and Christian converts’ (May 2019). His reviews are at Annex E.
- 2.20** The COIRs covered:
- ‘Kurdistan Freedom Party (PAK)’ (February 2018)
 - ‘Yarsani (also known as Yarsan of Ahle Haqq)’ (January 2019)
 - ‘Albinism and impaired vision’ (May 2019)
 - ‘Abortion house clinics’ (May 2019)

⁸ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/831143/VNM_FFM.pdf

⁹ Biography at Annex B

- ‘Cash, ammunition and weapons; Iraq and Syria’ (July 2019)
- ‘MEK (Mojahedin-e Kalq Organisation)’ (July 2019)
- ‘Atheism and publicity’ (August 2019)
- ‘Worker(s) – Communist Party of Iran’ (August 2018)
- ‘Tattoos’ (September 2019)
- ‘Afghan refugees’ (October 2019)

2.21 CPIT’s original response to the reviews is at Annex E. Following the IAGCI meeting, CPIT submitted a revised response to the ‘Christians and Christian converts’ CPIN. CPIT’s responses to the COIR reviews was unchanged. While some points were “accepted”, “partially accepted” or “not accepted” in the usual way, for the most part, CPIT’s response was that it was unclear what the reviewer was recommending or what sources he was suggesting. The difficulties stemmed from the reviewer’s view that the COIRs needed an introductory paragraph setting the context, a summary paragraph at the end of each section, and the contextualisation of the evidence provided. CPIT did not accept these “suggestions”, explaining that:

“COIRs are designed to provide quick information to decision makers on specific questions not covered by our Country Policy and Information Notes. We do not provide an analysis or position – and attempt to avoid anything that could be perceived as such – within them.”

2.22 IAGCI was unhappy with the original response to ‘Christians and Christian converts’, which repeatedly cited the IAGCI tendering instructions that “the review should focus exclusively on the country of origin information contained within the document, and not pass judgment on the policy guidance provided”. IAGCI felt CPIT had not engaged with the substance of the reviewer’s comments. In providing a revised response, CPIT explained that it felt that the reviewer was challenging the Home Office’s assessment and the caselaw, which it could not be seen to accept, but the meeting had clarified the former’s recommendations.

2.23 In its revised response, CPIT accepted three recommendations, partially accepted seven, and did not accept four, and agreed to include a number of additional sources suggested by the reviewer. The review discussed the types and degrees of risk faced by Christians and Christian converts. At several points, CPIT’s response argued that being “at risk” was “not the same” as being “at real risk”, which was “the test in refugee law”. However, IAGCI sympathised with the reviewer’s view that the position of Christians and Christian converts was precarious in law and in practice, and it was an oversimplification to imagine that only those who evangelise or openly practise their faith are “at real risk” and have cause to “fear persecution by the state”.

3. Independent Chief Inspector's Comments and Recommendation

“Background material”

- 3.1 The question of how much “background material” CPINs should contain, in order to set the particular country information in its proper context, is a recurring IAGCI theme. It came up again several times in relation to the December 2019 reviews.
- 3.2 Most CPINs are already long and contain a lot of detail, so CPIT is right to look to restrict “background material” to what decision makers require to reach an informed understanding of the issues of direct relevance to an asylum claim, while expert reviewers are always likely to encourage a wider perspective.
- 3.3 Each case will be a matter of judgment, but the Home Office should consider how it can best assure itself that CPIT’s judgments are correct, beyond the periodic reviews by IAGCI. The Home Office accepted the recommendation in the June 2019 COI inspection report that “effective ongoing feedback mechanisms” should be established, following a needs analysis involving Home Office ‘customers’ and external stakeholders. This should involve asking as a matter of routine whether the “background material” in CPINs is sufficient and developing a means of testing whether decision makers have correctly understood information and used it in context.
- 3.4 CPIT already uses COIRs as an indicator of possible gaps in existing COI products, but in some cases they may also point to a need for more “background material”. Meanwhile, there is risk that the information provided in a COIR is taken out of context. The turnaround time and specific nature of COIRs argue against including “background material”, but CPIT should make sure that COIRs include cross-references to further information that may help the decision maker’s understanding.

Trafficking and Modern Slavery

- 3.5 As at 30 March 2020, the hyperlink to ‘Victims of modern slavery – competent authority guidance’ in both ‘Albania: People Trafficking’ and ‘Vietnam: Victims of Trafficking’ was not functioning correctly. The hyperlink connected to over 100,000 search results on GOV.UK. It seems that the guidance had been superseded by new guidance ‘Modern Slavery Act 2015 – Statutory Guidance for England and Wales’, Version 1.0, published on 24 March 2020. This new guidance appeared on page 1 of the GOV.UK search result but may not always do so.

Recommendation

The Home Office should:

1. Ensure it has the means to track hyperlinks to guidance embedded within other guidance documents, including Country of Origin Information, so that these continue to function or are replaced when the hyperlinked guidance is amended.

D J Bolt

Independent Chief Inspector of Borders and Immigration

Annex A: Meeting of the Independent Advisory Group for Country Information

12 December 2019

Venue: Office of the Independent Chief Inspector for Borders and Immigration, 5th Floor, Globe House, Eccleston Square, London SW1V 1PN

IAGCI Members:

Laura Hammond (LH), School of Oriental and African Studies (Chair)
Prof Giorgia Dona (GD), University of East London
Julie Vullnetari (JV), University of Southampton
Katinka Ridderbos (KR), UNHCR, Geneva (by telecon)
Harriet Short (HS), Immigration Law Practitioners' Association
Sonia Lenegan (SL), Immigration Law Practitioners' Association
Judge Susan Pitt (SP), Upper Tribunal Judge

Apologies (Members):

Dr Ceri Oeppen (CO), University of Sussex
Patricia Daley (PD), University of Oxford
Mike Collyer (MC), University of Sussex
Dr Nando Sigona (NS), University of Birmingham

ICIBI representatives:

David Bolt (DB), Independent Chief Inspector
Hollie Savjani (HSa), Minute taker
Rebecca Mavin (RM), Minute taker

CPIT:

Martin Stares (MS), Head of CPIT
Robin Titchener (RT), CPIT
Samantha Collins-Hill (SCH), CPIT

Commissioned reviewers:

Dr Rebwar Fatah (RF)
Dr Enkeleida Tahiraj (ET) (by telecon)
Laura Hitchcox (LHx)

Agenda item	Discussion	Action
<p>1. Chair's Report</p>	<p>LH: Informed the group that she would be stepping down as Chair IAGCI when DB's term as ICIBI ended. She invited current members to consider if they wished to become the Chair and let her know.</p> <p><u>Note:</u> At the time of the meeting, DB was due to finish at the end of April 2020. His appointment has since been extended by up to six months, and LH has agreed to continue as Chair during this extension.</p> <p>DB: Updated IAGCI that six ICIBI reports were currently with the Home Secretary awaiting publication, including the report of the May 2019 meeting, which was sent to the Home Secretary on 29 July. The report makes one recommendation, which is that by end 2019-20 the Home Office should carry out a thorough user needs analysis and use this to "right-size" CPIT.</p> <p><u>Note:</u> The report was published on 11 February 2020. The recommendation was accepted.</p>	<p>IAGCI members to revert to LH if interested in becoming Chair</p>
<p>2. Iran reviews</p>	<p>LH: Thanked RF for his reviews and invited him to raise any particular points for discussion.</p> <p>RF: Explained that Christians in Iran are all registered with the authorities, who therefore know who and where you are. However, Christian converts cannot register. When you enrol at university, for example, you have to declare your religion. The problem arises if someone converts and does not declare their religious views. They end up lying about their beliefs on the record and practising their religion within the confines of their own home.</p> <p>For those who practise openly, it is hard to know what percentage of churches are under surveillance - there are no statistics on this. For decision makers, only a certain amount of information is reported. Iran is not an open country and information is not free.</p> <p>It is also hard to define what punishment an Iranian would suffer if they were caught with a bible. There have been cases where even the wife of a convert has been arrested, although this is not covered in Iranian law.</p> <p>If a person is removed to Iran they may be punished for coming to the UK, or for converting (either in the UK/Europe or Iran), or for being very active.</p> <p>People convert for many reasons. Decision makers need to understand an individual's motives. For some young people, who are fed up with Islam being used as a means of social oppression, conversion can be a form of political rebellion.</p>	

LH: Asked RF to clarify his comments about the need to contextualise the evidence provided.

RF: Understood that CPINs avoid offering an opinion, but what is meant by “visible” could be explained, using sources to paint a picture of the situation.

MS: COI has been criticised for mixing opinions, views and facts. While this would make for a much smoother report, conscious of the feedback CPIT has received from taking positions on sources, CPINs now state simply what he or she says.

LH: Clarified that IAGCI was not suggesting CPIT takes a position, but that it refers to additional or further evidence. In this case, most of the reviewer’s recommendations were not accepted because CPIT felt the comments were related to policy rather than country information, which was not IAGCI’s view.

LH: Asked about the threshold for determining risk. With sexual orientation and gender identity (SOGI), for example, people who were “private” were still at risk

MS: There is a vast spectrum between those practising their religion in private and missionaries. The motivation for practising in private is relevant: if it is out of fear of persecution the person is at risk, but they are not so if it is for cultural or personal reasons.

JV: Asked about individuals who do not go out to convert others and practise at home, or at home churches.

RF: Responded that attending a home church suggested the person is a convert and therefore at risk. There have been reports of home churches being targeted.

HS: The only reason listed for conversion is “false claim to asylum”, which is a false representation of the multiple reasons that MS accepted existed.

LH: Asked about “at risk” and “at real risk” and how CPIT tested this.

MS: Gave the example of being “at risk” of being hit by a bus when leaving building, but this was not a “real risk”. CPIT cannot prescribe everything. To try to do so could potentially direct individual cases. When drafting CPINs, CPIT tries to paint a picture of the general situation.

KR: UK case law relating to a well-founded fear of persecution held that it must be possible for a risk to materialise, which was a low bar. However, to require protection the persecution a person fears cannot be merely fanciful.

	<p>SP: In the way they are worded, CPINs need to avoid painting a picture suggesting there is no risk. The CPINs needs to be reworded to reflect this.</p> <p>MS: That is why CPIT uses words such as “likely” and “unlikely”.</p> <p>DB: Surprised to see so many recommendations “Not accepted”. CPIT needs to engage with the substance of a review rather than arguing that the reviewer has not stayed within the terms of their commission. The aim must be to produce the best possible account of the country situation. The form of the review is a secondary issue.</p> <p><u>Note</u>: MS agreed to revisit the CPIT response. A revised response was sent to LH and DB on 6 January 2020 and is at Annex F.</p>	
<p>3. Albania reviews</p>	<p>LH: Thanked ET for her reviews and invited her to raise any particular points for discussion.</p> <p>ET: The ‘blood feuds’ CPIN needs further citations to validate some of the statements made. It would benefit from the inclusion of media reporting of blood feuds and blood killings. It should explore the socio-economic factors and the protection of families involved in blood feuds.</p> <p>Culture is very important. It predates ‘Kanun’, which codified what already existed. While ‘Kanun’ as written may no longer be followed, blood feuds still exist in modern day Albania.</p> <p>MS: This cultural point is accepted, but the CPIN is not an academic review, rather a snapshot and general overview. The review provided too much context.</p> <p>LH: Even if all sources are not used or cited, it would be useful for researchers to read them for context.</p> <p>HS: Gave an example of a refusal letter stating: “you have been away from Albania for 5 years, so no-one will still have an interest in you”. But, because of ‘Kanun’ the interest can still exist. The sources provide context explaining why grudges can still be held decades later.</p> <p>JV: Believed the CPIN did not capture the complexity of the issues. The old ways of ‘Kanun’ are no longer; there are new interpretations of it. The report needs to acknowledge this, and the context is necessary in order to understand the complexity.</p> <p>MS: Considered that the CPIN set out enough of the detail the decision maker needed. If there was too much detail the decision maker would just ignore it because of the time pressures they are under.</p>	

LH: The feeling around the table from members was that more context should be included. The other comments are on the same point that they are just suggestions to benefit the report.

ET: The inclusion of previous reports helps to show a trend, to see if things are improving or not. Some kind of validation of sources is needed. The British Embassy is used as a source, but it has not worked on this issue.

The CPIN makes a number of generalisations (for example, about “a new generation” that is “eager to solve issues”) without cross-checking against contrary evidence.

MS: Acknowledged that CPIT’s responses have come across as a little prickly. Took the points about understanding context. Helpful to distinguish between sources and information missed at the time and new information.

There is a practical issue for CPIT. One person looks after all of Europe, so work on CPINs has to balance breadth and depth of research with what decision makers actually need.

JV: There needs to be consideration that these are decisions with real life consequences, especially in the case of blood feuds. There have been many reported cases of failed asylum seekers being killed upon return.

ET: The ‘People Trafficking’ CPIN relies on just a few sources. There is a large amount of news from Albania in English that could be referenced. This gives context to the country situation not found in government reports.

Organised crime is involved in people and drugs trafficking. There is no typical profile of trafficking across regions. There are connections between the socio-economic standing of women and domestic violence to becoming victims of trafficking.

The CPIN does not cover the trafficking of men, which is becoming more prevalent. The title should be amended.

LH: Agreed it would be sensible either to change the title of the CPIN or to add information on other trafficking of men and children, since it might suggest that this is not an issue.

HS: Section 4.2 is about the law relating to children, so it either needs more context or to be taken out and put elsewhere.

MS: The title can be changed, but the bulk of claims are from females and the caselaw relates to the trafficking of women. Further analysis is due to be completed at the end of December, looking at the key claims and what information exists and the knowledge gaps.

ET: Clarified the point about the stigma attaching to victims of trafficking. The latter are considered to be trafficked for prostitution, which has a very bad reputation. So, trafficking victims face prosecution in Albania, where prostitution is illegal, and need to show they did not engage in prostitution willingly.

The Home Office fact-finding mission was a “snapshot”. Some areas require more examination: employment standards and workplace discrimination; women living alone. The issue of re-trafficking has become more critical. There are sources, but in Albanian.

There is no real assessment of what happens in shelters. The Home Office should liaise with counterparts in Albania to get monthly updates of the situation in shelters.

MS: CPIT is not resourced to provide ongoing commentary if we were to get monthly updates. During the fact-finding mission, CPIT did speak to one of the independent shelters.

ET: While there is a hesitation about relying on media sources, they are quickest to report on the current situation. The media can be a reliable source when cross-referenced and should not be dismissed.

HS: The capacity of shelters is an issue, given the numbers of women being returned from the UK and Europe.

ET: There have been periods where the shelters were operating at over capacity. Despite the high number of returns, not everyone uses the shelters. The reasons for this are still being researched. In principle, everyone who returns and is accepted as a victim of trafficking should be accepted in the shelter. This depends on documentation at the border by Albanian authorities. An NRM referral merits a place in a shelter. In general, there is a lack of information on the level of reintegration for returnees.

<p>4. Vietnam reviews</p>	<p>LH: Thanked LH for her reviews and invited her to raise any particular points for discussion.</p> <p>Lx: The opening up of Vietnam’s economy and the postponement of the new Special Economic Zones is reducing opportunities in the north and highlands and more impoverished areas, reducing the ability of villagers to operate in local markets. Things are chaotic and this is pushing people to migrate to the cities and abroad. Many Vietnamese men and women would not see themselves as “victims”, having decided to migrate to support their families.</p> <p>GD: The title ‘Victims of Trafficking’ may need to be amended.</p> <p>MS: The CPIN will be updated in light of the IAGCI review and the fact-finding mission.</p>	
<p>7. Next meeting</p>	<p>The next meeting will be in March 2020. The only agenda item will be the SOGI reviews.</p>	

Annex B: Biographies of the Reviewers

Dr Enkeleida Tahiraj, MA (Sussex), PhD (York)

Dr Tahiraj is a Visiting Senior Fellow at the London School of Economics. Since 2004, she has provided country expertise on COI issues on Albania, including human rights, socio-economic development and rule of law. Dr Tahiraj has acted as a senior consultant for the UN, the European Commission, and various EU governments, and advised the EU delegation in Albania on Human Rights, Social Policy & Employment, including peer reviews on monitoring of rights protection and yearly contributions on EU Progress report. She led the drafting of the Albanian Strategy for Social Inclusion and Social Protection 2013-2020, and has authored two UNDP and UN Women studies on attitudes and behavioural change to reduce gender-based violence in Albania.

Laura Hitchcox, Ph.D. [D.Phil. Oxon] MSc

Until 2019, Laura Hitchcox worked as an anthropologist and economic development specialist, employed on a variety of programmes related to relief, recovery and development, mainly in Southeast Asia and the Pacific. A member of the Refugee Council and International Development Centre and St Antony's College in Oxford, Vietnam has been a particular focus of her published work. She has worked in Vietnam for the Red Cross, where she established a five-year programme, in Central Vietnam at Hue, mainly for returning Vietnamese refugees.

Dr Rebwar Fatah

Dr Fatah is director of Middle East Consultancy Services (MECS). He is a MENA specialist, who has worked as an expert witness since 2000, providing Country Expert Reports (including Country Guidance Report Cases); Nationality Assessments; and Document Authentication Reports, involving analysing, translating and accessing source material in Arabic, Dari, Farsi, Kurdish (Kurmanji and Sorani), and Pashto. From 2016 to 2019, Dr Fatah produced 126 reports on Iran.

Annex C: Review of the October 2018 Home Office Country of Origin Information on Albania: Blood Feuds

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

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Table of Contents

1. Introduction	20
1.1 Instructions	20
1.2 Methodology	21
1.3 Summary of Review	21
1.4 Understanding of the themes addressed in the CIG Reports	23
1.5 Quality and balance of sources	23
2. Review	24
2.1 Understanding Blood Feuds	24
2.2 Possible Characteristics of Contemporary Blood Feuds	26
2.3 Prevalence of Blood Feuds	29
2.4 State Protection	29
2.5 Preventative Action	31
2.6 Relocation	32
3. Review of responses to COI requests	33
4. Information about the Reviewer	35

1. Introduction

1.1 Instructions

Description of work

Country Policy and Information Notes on Blood Feuds aims to provide an accurate, balanced and up to date summary of the key available source documents regarding the human rights situation, with respect to the issues selected for coverage in Albania. The purpose and scope of the report is clearly set out in an introductory section of the document.

Reviewers should evaluate the reports in this context and seek to identify any areas where they can be improved. Specifically the review should entail:

- assessing the extent to which information from source documents has been appropriately and accurately reflected in the CPIN Report
- identifying additional sources detailing the current human rights situation in the country with respect to 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

Specific Guidelines

Reviewers should follow these specific guidelines:

- the review should focus exclusively on the country of origin information contained within the document, and not pass judgment on the policy guidance provided
- the CPIN should be reviewed in the context of its purpose as set out above. It should consider the situation in the country up to the stated 'cut off' date for inclusion of information
- when suggesting amendments, rather than 'tracking changes' on the original CPIN, a list of suggested changes should be provided as part of a stand-alone review paper, and each report should be reviewed separately. A reporting template will be provided to reviewers (for reference please refer to most recent reviews on the IAGCI webpage for examples of the template)

- any suggestions for additional information (or corrections to information in the document) must be referenced to a source document for the Home Office to be able to use it (preferably Open Source). The Home Office may use foreign language source documents, but only if the information is considered essential and is not available in English language source.

1.2 Methodology

The review was conducted through research of primary and secondary literature on the issue of Blood Feuds in Albania. The evidential basis for this review comes from publicly available country statistics, reports and publications on issues relevant to the CPIN under review. The main sources consulted include

1. Government institutions (strategy and policy documents, laws, regulations, statistics),
2. The People's Advocate and the Commissioner for Protection from Discrimination (reports and statements),
3. Local and International civil society organisations (research, reports, analysis, statistics)
4. Academic institutions (papers and reports).
5. Meetings with representatives from Government and civil society organisations

Original source material was examined to assess the accuracy of presentation in the CPIN. Updated or new information was noted and referenced where more recent reports are available.

Acknowledging the limitations of available official sources in providing information or evidence, some online reporting from established and reputable media were used to gather relevant background or contextual data, notably on government events and announcements. Where they are put forward they are available in the English language. In adherence to the Home Office requirements on foreign language sources, such information was not included here if it did not provide essential information and was also not available in English language source. This review is focussed on country of origin information only and neither intends nor attempts to assess Home Office policy.

1.3 Summary of Review

- Strengths
 - Generally, reflects a fair and accurate presentation of the source material.
 - Referencing is recent, with not much reliance on outdated information.

- Weaknesses
 - Sections do not provide a consolidated view on the topic based on source material
 - Reflects a confused understanding of the topic and the context in modern day
 - Sections are based on extracted paragraphs, in cases the argument does not flow, in other cases it is contradictory
 - Does not lead to a conclusive view
 - Does not question or investigate further the material presented
 - Poor data in particular on the reality of blood feuds
 - Generalised statements without qualification
 - Little presentation of factual evidence on current applications of blood feuds
 - Limited assessment of the progress in implementation of legal frameworks.
 - No focus on impact of policies and institutions vs tick-box reported performance

Recommendations

1. Examine adequately the role of culture in the applications of blood feuds in modern day Albania
2. Address the dichotomy between blood feuds and criminality
3. Explore the impact of blood feuds on the socio-economic situation of individuals and families affected
4. Contextualise and qualify data and information presented
5. Explore sufficiency of protection for people in blood feuds by checking on CPIN on Actors of Protection

<u>Main Suggestions relating to the COI Requests:</u>	
Responses to all COI requests rare mostly accurate and include updated information. Additional and recent information has been suggested where available.	

1.4 Understanding of the themes addressed in the CIG Reports

Overall the report reflects an appropriate usage of terminology. Specific aspects might benefit from further elaboration.

1. There are limitations especially as regards generalised statements and sub-referenced material from third sources.
2. The CPIN would benefit from a fuller treatment of cultural factors.
3. The CPIN might be strengthened from some critical assessment of the implementation and impact of the legal and policy frameworks.
4. Gaps in accurate statistics are not to be taken as an absence of the phenomenon.
5. Acknowledge that academic literature on Kanun and blood feud is typically historical and lacks analysis of its current applications.

1.5 Quality and balance of sources

- The CPIN attempts to present a fair coverage of the topic including academic and policy sources.
- Information is recent and has been drawn from credible sources, albeit not examined.
- There is however need to reflect a better analysis of the Kanun and Blood Feuds in how they relate to legacy of culture and tradition and current modus operandi, the context and the way they are developing

2. Review

2.1 Understanding Blood Feuds

<p>3.1 This section on Customary Law presents a good description of Kanun. It draws on three publications with further sub-referencing. It needs explaining however that, culture came before Kanun. Kanun simply codified what was already in existence.</p> <p>This is important to note, because, while Kanun is attributed to populations ‘inhabiting territories north of Shkumbin’ (3.2.2) it also applies to ‘the south and in the central parts too’ (3.1.3), therefore it is not to be understood as a geographically contained phenomenon. The ‘blood feud’, ‘retaliation’ or ‘revenge’ is a country wide phenomenon that finds roots in the Albanian culture, and it is not limited only to Kanun of Leke Dukagjini. This is important to note especially when assessing whether Kanun is still prevalent and relevant to life style in Albania, as the following sections will highlight.</p> <p>There are at least six more Kanuns along with the one that is often referred to which is Kanun of Leke Dukagjini, for example there is Kanun of Skenderbeg; Kanun of Miredita, Kanun of Laberia (in the south).</p> <p>Kanun states that ‘each man is equal, the good and the bad’ (Book 8: Article 594). Someone’s taken honour is never forgiven (Article:597). Honour cannot be repaid by things, only by spilling blood or by an acknowledged noble act of forgiveness via mediators (Book 8: article 598).</p> <p>https://en.wikipedia.org/wiki/Kanun_(Albania)</p>	<p>Partially accepted.</p> <p>We would need appropriate sources to provide such information. We do not consider Wikipedia to be a reliable source, but will review appropriate sources cited in the Wikipedia page(s).</p>
<p>3.2 Acknowledges the difference from the book of Kanun to the contemporary attitudes towards blood feuds. There is contradictory information presented in this section even when extracted from the same source, for example Cedoca report. While both arguments – first that younger generations have a different understanding of Kanun and blood feuds, and second, ‘murders have still been committed where Kanun was invoked’ – are correct, the section offers no context to help with understanding the co-existence of the diverging views of Kanun and blood feuds in modern day Albania and the continuation of blood feud based murders. Part of this is that fact finding reports typically are limited in how much they can explain compared to a fully researched paper, and extracted responses from interviewees, risk being lost in translation.</p> <p>For example, in order to clarify statements that M Kikia has made in the Cedoca report and which have been extracted and repeated in this section, I interviewed him in November 2019 as part of the work for this review. While he confirmed his view that most murders claimed to be based on Kanun, have not necessarily all been so, the explanation for this is not that Kanun no longer exist therefore and it is not applicable in Albania. The context to understand this is the following: Kanun based killings in modern day Albania are not carried in accordance and full respect to the rules of Kanun, including the articles on granting forgiveness, giving the honour word ‘Besa’ and respecting it, who can take blood to restore honour, who can be a target for a blood feud. This comes from superficial knowledge of the text of Kanun among younger generations – young people know of some Kanun rules but have not necessarily read the book. The application of it however is evident in the fact that children, women and priests have been killed in the name of Kanun, while the Kanun book states that they cannot be targets of blood feud. This explanation is crucial here, especially as in a climate of rising criminality, revenge of the type eye for an eye, where any offence can become a blood feud. And again, whether it is called a blood feud or revenge, it is part of a culture of solving conflict by killing and it is present throughout Albania. Having no respect for Kanun rules, means taking the law into one’s hands and killings for honour restoration has become an act of pure criminality, but it is an at that goes beyond Kanun and is part of a culture that dates back much longer in time and it is wider in extent.</p> <p>Despite the fact that Kanun exists as a written text, it is open to idiosyncratic interpretation and what it says is often not as important as what people think it does. In this way, the Kanun is used as a totem.</p> <p>Joireman, S. F., “Aiming for Certainty: The Kanun, Blood Feuds and the Ascertainment of Customary Law” (2014). Political Science Faculty Publications. Paper 61. http://scholarship.richmond.edu/polisci-faculty-publications/61</p> <p>Knowledge about Kanun can be compared to ‘knowledge about the Bible in Western culture where certain parables and metaphors are simply known, even to those who don’t read the Bible’.</p>	<p>Partially accepted.</p> <p>We think the CPIN draws out the tensions between what is stated in the Kanun and the possibility of a modern (mis)interpretation of the Kanun.</p> <p>If the reviewer has published the transcript of her meeting with M Kikia, then we could cite and reference it.</p> <p>However, the Preface to the CPIN clearly explains it is “... <i>not intended to be an exhaustive survey of a particular subject or theme.</i>” and therefore does not need to cover this distinction to this extent.</p>

<p>Arsovska, J. (2006) Understanding a 'Culture of Violence and Crime': the Kanun of Lek Dukagjini and the Rise of the Albanian Sexual-Slavery Rackets. <i>European Journal of Crime, Criminal Law & Criminal Justice</i> 14 (2):161-84.</p> <p>In the old days, the eldest members of the feuding clan or family would decide how the clan should act towards the other side that had caused offense, so that it would not turn into an individual act of pure revenge, but nowadays 'decisions to take revenge are also being made by young male members of the family' making it an act anyone from the affected clan would carry out without getting prior consent from the rest of the family or clan.</p> <p>Operazione Colomba 2017 Report on Blood Feuds.</p> <p>'Before 1950 we knew who would be a target...there were rules...nowadays, you can't tell, you don't know, because everyone does their own rule, as we say: They are neither with the Christ, nor with Mohamed.'</p> <p>https://www.youtube.com/watch?v=NHL5ZnPnIbk</p> <p>Therefore, any person could be targeted, at any time, and with or without prior information.</p> <p>The community pressure remains however, despite the 'modern in mentality' 3.2.1.</p> <p>Even where there is an attempt to not lead a life based on rules of Kanun and subsequently if one is to decide not to take action to restore honour, societal and community pressures would still have an influence.</p> <p>In the 2015-2016 study all men participants in one of the workshops in Diber, the northeast of Albania, stated that Kanun is law for them. This was extended also to family members who move away to Tirane and abroad. When one man said that, to him, both his 'daughter and son are the same', therefore he will give each of them equal shares from his property, the rest of participants in the workshop reminded him that he cannot do that: 'You cannot do as you please. Kanun doesn't allow you to do that'.</p> <p>Workshop on attitudes to Gender based Violence as part of a wider study supported by the UN in Albania. Tahiraj, E. (2016) Fjale Burri. Action Research Study on Engaging Men and Boys against GBV.UNDP, Tirana, Albania.</p>	
<p>3.3 This section highlights my point above, but makes no contextual explanations which are necessary when responses are extracted from other reports.</p>	
<p>3.4 Alston's classification of a blood feud in 3.4.3 is the closest description of what blood feuds are in modern day Albania, and it helps in understanding their current application. We can no longer rely on a historical understanding of the book of Kanun alone to explain modern day applications of it.</p>	

2.2 Possible Characteristics of Contemporary Blood Feuds

4.1.1. Confusion surrounds modern day application of self-confinement too. While as Kikia states sometimes a temporary truce may allow some members of the family to leave the house, the fact that such agreements no longer have the power they used to when Besa was given and are not necessarily respected, means that truce is no longer an option.

A peace missionary and head of the reconciliation in Shkoder was killed in 2004 because one of the parties that had granted forgiveness which he had facilitated, had not kept the word of honour of forgiveness and had killed afterwards. As a result the latest victim's family killed the mediator who had guaranteed the forgiveness and subsequently what would have been considered the ceasing of the blood feud.

<https://tirananews.al/lufta-mes-familjeve-vrasjet-me-te-bujshme-qe-tronditen-shkodren/>

On October 4, 2019 a 34 year old man was found killed. He had moved from Mirdita (north) to live in Tirana, in order to be safe from a blood feud in the place of origin, but the perpetrators found a way killed him.

<https://shqiptarja.com/lajm/34-vjecari-qe-u-vra-dy-dite-me-pare-po-shkonte-te-dajat-ne-mirdite-dyshohet-se-u-ndjek-nga-2-persona>

The origin of the feud that led to the first murder had escalated from a verbal dispute months earlier between his brother and another man for trivial reasons of the type: 'Why do you look at me?' (ibid.) Another man, 55 year old was killed by his cousin in Shkoder following old family rift.

<https://shqiptarja.com/video/zbardhet-vrasja-ne-dukagjin-dhe-kapet-autori-55vjecari-u-ekzekutua-nga-djali-i-xhaxhait>

Self-confinement is not necessarily a safe option from blood feuds or fear of revenge any longer as perpetrators have found novel ways to not be directly involved in such acts by paying others instead to blow up families they are in conflict with as happened in 2018.

<https://lapsi.al/2018/08/01/do-vendosesh-tritol-ketu-eshte-shtepia-ime-dhe-e-dua-per-azil/>

It was been reported that the 34 year old man killed in 2019 had no connection with the murder, and yet following threats made to him, he went into self-confinement, but was 'invited' to go on a 'safe' trip by his most trusted friend, who then handed him over to the killers.

<https://shqiptarja.com/lajm/nxorri-shokun-ne-priten-e-ekzekutoreve-burg-per-bashkepunitorin-e-vrasjes-se-eri-zefit>

On 6 September 2018, a 27 year old man was shot and killed by his childhood friend whom he was in a conflict with, few days after his return from Germany. Their conflict had started 6 years before, with mutual harming on both sides, and the family of the victim had been living in self-confinement in Albania for 6 years.

<http://shqiptarja.com/lajm/lajmi-i-fundit-vrasje-me-arme-zjarri-ne-mamur-ras-humb-jeten-26vjecari-emri>

An Italian TV investigation aired a documentary in January 2019 in regard to blood feud threats made by two Albanian parents against an Italian senior citizen. The mediator reiterates that once the feud has started, the paternal side of the perpetrators family all, without exception, should go into hiding or self-confinement. The mediator confirms that in Shkodra (north) there have been 12 killings for blood feud only in 2016, and four of them have been of children. The journalist goes to the house of a young man living in self-confinement because of fear due to his father's conflict with another family. The father had fled, the son as the only male heir, unable to escape, has lived within the four walls of his room for many years 'so many he cannot even remember', unable to get out even in the garden. 'He lives in permanent terror within his room with shut windows, even when outside his house there is no-one in view'. His mother says that threats were as recent as a few days earlier. The journalist meets the teacher Liljana Luani who goes to houses of self-confined children to teach them. She states: 'A pupil of mine who refused to live isolated, was killed on his way to school. "He was shot right here' and she points at her forehead".

Partially accepted.

As per the [IAGCI tendering instructions \(also summarised on p4-5\)](#), "The Home Office may use foreign language source documents, but only if the information is considered essential and is not available in English language source".

We do not feel it is necessary to explore this topic in this level of detail. As the Preface to our CPINs set out, they are "... not intended to be an exhaustive survey of a particular subject or theme."

<p>4.2 This section again extracts paragraphs from Cedoca report and sub-references their interviews without making a clear point about threats as they relate to blood feuds and conflicts more generally. Following from comments above, threats do not necessarily need to be present in the form of a stated message from the perpetrator. The threat is used to instil fear that anyone, at any point can be harmed, even when the target has no direct connection with the crime.</p> <p>For example a 28 year man was killed in 2018 few days after returning to Tirana following a failed asylum application in Sweden. He was killed in revenge for a crime his father had committed in 2000, a time when his mother had been separated from his father three years prior, and for which the father was serving a prison sentence.</p> <p>https://www.gazetaexpress.com/lajme-nga-shqiperia/suedia-i-refuzoi-azilin-jehone-ne-media-mario-thoshte-se-do-e-vrisnin-por-ne-s-e-besuam-523202/</p> <p>Others do not wait for direct threats to be made before self-confining or going into hiding elsewhere once a conflict has occurred. This is to be understood in a climate of confusion as regards who can be a target and who can retaliate.</p>	<p>Unclear what the recommendation is. However, we do not seek to “make a clear point” in the COI section of a CPIN; the purpose is to present information provided by other sources (usually quoted “as is”). Our evaluation of the evidence takes place in the Assessment section.</p>
<p>4.3 It is difficult to know the number of blood feud killings especially as cases of revenge killings are not recorded as blood feud killings. Taking into consideration modern day applications of blood feuds alongside rising criminality, a revenge killings even for minor offence could take place as a blood feud revenge, yet not appear in official statistics. It is difficult to distinguish blood feud killings from acts of pure criminality revenge. Evidence presented above on people being killed even when not directly related to an offence while also being unable to prove existence of a feud in the historical understanding of a blood feud as written in Kanun, highlights the issue that the number of blood feud killings is no longer as meaningful indicator as is the extent of killings generally. Blood feud killing certainly exist and against what is specified in Kanun, they take new forms, use other means and target more widely with or without prewarning and are prevalent throughout Albania, sometimes known as blood feuds and other times known as revenge killings. They are part of a conflict-resolution by direct retaliation.</p> <p>This needs to be understood also within wider societal attitudes to violence. In two UN action research studies I have led in 2013 and 2016 young men expressed a higher tolerance to violence than their parents’ generation. About 17% of boys in 2016 consider that ‘it is natural for a man to act aggressively’ compared to 11% in 2013, reflecting a wider societal norm of acceptance. A sharp rise in 2016 was noticed in the belief that ‘a man who doesn’t fight when he is pushed around, will lose respect’ with 65% of boys believing so in 2016 against just 46% in 2013. The study found that attitudes to violence have worsened among younger generations explained perhaps by increasing economic insecurities within the family.</p> <p>Tahiraj, E. (2013) Fjale Burri. UNDP. Tirane.</p> <p>Tahiraj, E. (2016) Fjale Burri. UNDP. Tirane</p>	<p>Accepted.</p> <p>The CPIN states that not all murders related to blood feuds may be recorded as such. However, Cedoca found that most interlocutors believed the police statistics to be reliable.</p>
<p>4.4 On November 29 2019 it was reported that the house of a family in blood feud had been destroyed from the earthquake of November 26, 2019. The woman asked for a house to keep her grandchildren safe from the family they were in conflict with so that ‘the grandchildren would not end up having to flee the country without a known location like her ten children have because of the fear of the blood feud’.</p> <p>https://shqiptarja.com/lajm/termeti-le-pa-cati-familjen-ne-gjak-hasmi-sna-ka-bezdisur-te-rroje-100-vjet-me-rindertoni-shtepine-qe-te-mos-me-ikin-niperit-si-10-femijet</p> <p>Impacts on the wider family when in fear of harm are not only related to safety but also to detrimental effects on the family’s economic survival given that the self-confined cannot go out to earn income for the family.</p>	<p>Unclear what the recommendation is.</p> <p>As per the IAGCI tendering instructions (also summarised on p4-5), <i>“The Home Office may use foreign language source documents, but only if the information is considered essential and is not available in English language source”</i>.</p> <p>Also, the section on Support services provides information about economic assistance for families affected by blood feuds.</p>

4.5 Reluctance to report a blood feud is not only related to lack of trust in institutions. Indeed, lack of trust in institutions comes from the inefficiencies of the system of justice. Corruption in the Albanian institutions of justice is widely documented.

The ombudsman reports that efforts of authorities to protect families or prevent blood feud killings were insufficient.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236492#wrapper>

Operazione Colomba 2017 report states that institutions' approach has been mainly that of dealing with crimes after they happen.

Seeking government protection has proved of very little help even for those with known and proven cases of conflicts such as people living in self-confinement because of fear from feuds. 'Mhilli can vouch for this—during my visit, he pulled out a pile of letters he has written over the years to various officials. The few who have replied haven't been sympathetic, and some even told him not to embarrass his nation with bad publicity and derail its bid to join the European Union'

Williams, S. (2014) How Albanian Lives Are Wrecked by Cycles of Vengeance. <https://www.vice.com/read/feudal-system-0000405-v21n8>

It is reported that 'well-off murderers who can afford to pay the judges often see their sentences reduced. According to unofficial reports, a little over \$6,000 will secure a year's reduction. "Increasing penalties is not enough. We also need 'clean hands' here in Albania in order to reform our corrupt justice system and to make the judges do their job," explains Milva Ekonomi former deputy Minister of Health and later Minister of Economy.

Mattei, V. (2015) KANUN-GJAKMARRJA: THE BLOOD BROTHERS. September 18, 2015.

The mother of the 28 year old killed in a blood feud accuses the police for the disappearance of the file evidence about the killers of her son.

<http://www.panorama.com.al/vrasja-e-28-vjecarit-pasi-u-kthye-nga-azili-apeli-pranon-lirim-e-te-dyshuarit-deklarata-e-fundit-e-nenes-se-tij/>

Reluctance to report a person to the police is evident in non-feud cases too. On July 9, 2019 the national broadcaster TopChannel aired an investigation on the case of a girl the police threatened with a criminal charge following her reporting of her father. She withdrew the statement, having had no proof of the abuse that had been going on for three years. The girl stated that she 'has no faith in any of the institutions. She had reported her father before, but the police officer happened to be an acquaintance of her father. The police called her father on the phone informing him of the reporting. Under pressure from the police officer she withdrew the statement'. Only after this was aired on national TV followed by a large coverage by all national media and a public outrage, that the police arrested the man. In an interview for the Voice of America on July 10, 2019 the girl stated that her father had links with the police, and 'they informed him of everything, who had made the reporting, the telephone number where the reporting was made from, the facebook contact.' The girl didn't trust the police because even when her father was reported for drug cultivation, he had been let free by the police.

<http://top-channel.tv/video/fiks-fare-babai-moster-abuzoi-seksualisht-me-vajzen-e-vet-per-tre-vite-resht-9-korrik-2019-pjesa-1/>

<http://top-channel.tv/video/fiks-fare-babai-moster-i-kerkon-marredhenie-seksuale-vajzes-9-korrik-2019-pjesa-2/>

<http://top-channel.tv/video/fiks-fare-vihet-ne-pranga-babai-perdhunues-10-korrik-2019-pjesa-1/>

<https://lapsi.al/2019/07/10/video-flet-serish-vajza-e-abuzuar-nga-i-ati-ka-miq-ne-polici-e-liruan-edhe-per-drogen/>

Partially accepted.

The section on the judiciary in the CPIN indicates that there are issues with corruption.

We would not use a USSD Human Rights Report for 2015; we would use the latest report which contains the most up-to-date information.

The link to the 'Vice' story is dated 2014, yet the CPIN indicates that Albania has made considerable progress in recent years ('Preventative action by the state').

The British Embassy further reported in 2016 that 'While it is true that Albania suffers from many of the issues that other transition countries experience, it is misleading to portray Albanian police and institutions as ineffective. Across a range of bilateral justice and home affairs work, Albanian law enforcement agencies and institutions have proven to be reliable partners.' ('Preventative action by the state.')

Other sources mentioned confirm that the state and the police are taking decisive action, both to prevent blood feuds and to deal with them if they arise. We therefore aim to give a balanced view in the CPIN.

The Cedoca fact-finding mission found that, although two sources expressed doubt about police effectiveness, '[...] multiple other non-governmental sources confirmed that the police forces have renewed and strengthened their attention to the phenomenon of contemporary blood feuds and have also acknowledged its effectiveness and impact on the decrease of the phenomenon: [...] ('The Police – effectiveness'). We aim to provide balanced reporting in the CPIN.

4.6 It would be useful to qualify general statements extracted from other reports, especially in absence of a context that explains these statements. For example the statement that ‘Albanian police have become more accessible to women over the last few years’ 4.6.1, needs to be assessed against evidence on efficiency of protection for women. The above statement is not to mean that any woman in a situation of blood feud can receive sufficient protection. This is insufficient also for women in situations of domestic violence when the violence is known and proved, and when women in receipt of a protection order, because police have no capacities to enforce POs. One case made headlines in September 2016, the killing of the judge and mother of two by her ex-husband, despite the fact that she had a protection order and had notified police and written many requests to the Prosecutor following repeated threats and attempts to kill her is another case of what the US Ambassador in Albania, Lu, called people ‘being failed by the very justice system’ that should be protecting them.

<http://shqiptarja.com/m/aktualitet/vritet-gjyqtarja-n-tiran--q-llohet-me-arm--nga-ish-burri-438584.html>

Donald Lu shocks with his speech: <http://sosnews.al/2017/10/02/donald-lu-trondit-drejtisine-shqiptare-me-fjalimin-e-tij-ne-20-vjetorin-e-shkolles-se-magjistratures/>

Not accepted.

The CPIN on domestic violence provides many positive examples of police interaction with women and reports increased levels of trust in the police (See section 5.3, ‘Police.’)

As per the [IAGCI tendering instructions \(also summarised on p4-5\)](#), “The Home Office may use foreign language source documents, but only if the information is considered essential and is not available in English language source”.

2.3 Prevalence of Blood Feuds

There is no concluding note on section 5 on what is the prevalence of blood feuds in Albania. Extracted paragraphs are contradictory. 5.1.1 notes that the embassy concludes that the ‘scale of blood feud is very limited’ and that a ‘recent OSCE report drew similar conclusions that the scale of the issue is very limited’, 5.1.2 states that ‘statistics about the number of people affected by blood feuds varies greatly’, while 5.1.4 quotes Cedoca: ‘An OSCE representative stated that blood feud remains an issue in Albania...the thing is not fading away here.’

Accepted.

The COI section intends to present contradictory statements as we aim to present a range of opinions from different sources – usually quoted “as is” (see, for example, §2.1.3, §5.4.1, p108 of the ACCORD COI training manual, which is referenced in the Preface to our CPINs). Similarly, We do not draw conclusions in the COI section; we draw our conclusions on prevalence and risk in the ‘Assessment’ part of the CPIN.

2.4 State Protection

7.2.2 ‘each police knows what to do’ and ‘different police structures are permanently collecting and updating all relevant information’ yet neither of these extracted abstracts qualifies these statements: What exactly do they know how to do? What do they do with the information gathered? Do they offer protection in cases of a potential threat or fear from a blood feud? Do they work in prevention? This section offers little if information is not qualified and contextualised.

Not accepted.

This statement was made by one of Cedoca’s interlocutors and the CPIN reports what he said.

There is a section on preventative action undertaken by the state, which includes information on police action if they think there is the potential for a blood feud to take place (section 8.1.4).

<p>7.3.1 reports two sources that consider police protection insufficient, while the local ombudsperson representative declared that ‘in the past blood feuds were not investigated at all’, nowadays ‘if something happens police will intervene...there is less space for taking the law in their hands’.</p> <p>Evidence from recent cases of blood feud killings however show that perpetrators are willing and able to take the law into their hands, they fear no repercussions and there is also evidence that they are developing novel ways to achieve their goal, to kill the intended target without their direct involvement.</p> <p>The same paragraph states that while ‘there is real improvement in the registration of complaints, a complaint is sometimes too vague for the police to react swiftly’. General statements like this are of little help in the assessment of whether reporting of a potential threat from a blood feud will receive sufficient protection or whether it will be considered too vague for the police to react.</p> <p>https://shqiptarja.com/lajm/mu-ne-mes-te-dites-deri-kur-keshtu-dom-gjergji-meta-denon-vrasjen-para-katedrales-se-rreshenit</p> <p>https://www.youtube.com/watch?v=8HqKlfgANq4</p> <p>https://shqiptarja.com/video/zbardhet-vrasja-ne-dukagjin-dhe-kapet-autori-55vjecari-u-ekzekutua-nga-djali-i-xhaxhait</p> <p>https://www.youtube.com/watch?v=4N-v49qwWSM</p> <p>https://www.youtube.com/watch?v=n3asGHMC81Q</p> <p>https://lapsi.al/2018/08/01/do-vendosesh-tritol-ketu-eshte-shtepia-ime-dhe-e-dua-per-azil/</p> <p>https://shqiptarja.com/lajm/nxorri-shokun-ne-priten-e-ekzekutoreve-burg-per-bashkepunetorin-e-vrasjes-se-eri-zefit</p>	<p>Not accepted.</p> <p>As per the IAGCI tendering instructions (also summarised on p4-5), “<i>The Home Office may use foreign language source documents, but only if the information is considered essential and is not available in English language source</i>”.</p> <p>We consider that section 7.3 provides a balanced view of police effectiveness, and therefore do not plan to commission translations here.</p>
<p>7.3.2 ‘there is a new generation now that is eager to solve issues’ yet, evidence from killings mentioned above all involve this new generation. Again, there should be crosschecking of such generalised statements against available evidence, otherwise they offer little in terms of assessment of the situation and risks arising.</p>	<p>Not accepted.</p> <p>In our view, the sections on contemporary attitudes to, and the evolution of, blood feuds to the present day provide a balanced view.</p> <p>Similarly, the purpose of the CPIN is to describe the situation in general.</p>
<p>7.5.1 Multiple interlocutors stated that the judiciary remains the weak point...many perpetrators live freely ...families pay to avoid heavy sentences...while poor citizens are not able to bribe a judge.’ It needs reiterating that until the vetting has been completed in all institutions of justice, vulnerable victims will continue to suffer from miscarriages of justice. Therefore, a vulnerable person in fear of blood feud cannot be expected have full recourse to law.</p>	<p>Not accepted.</p> <p>Although further improvements may be required, significant steps have been taken to improve the situation (see ‘The Judiciary – Initiatives,’ section 7.4).</p>

2.5 Preventative Action

8.1.1. British Embassy states that ‘it is misleading to portray Albanian police and institutions as ineffective’. Upon examination of evidence presented above, shortcomings of the justice system, widespread corruption, limitations of the police force in prevention, investigation, and protection, recent cases of blood feud killings, the above statement necessitates further investigation on ‘the effectiveness’ – as in being successful in producing the desired result. While it needs acknowledging that the Government has made efforts to eliminate blood feuds, there is need to assess the impact of legislative and policy measures and their efficacy.

Not accepted.

The CPIN describes the situation in general and provides a balanced view of the issues mentioned here by the reviewer.

The comments here do not appear to be an objective assessment of the COI provided; rather they appear to use one selected quote to ventilate their own conclusions from the evidence. It is unclear how those relate to the test for effective protection in the RSD context, which is set out in the Asylum Instruction on Assessing Credibility and Refugee Status.

We believe this highlights the importance of adhering to the [IAGCI tendering instructions \(also summarised on p4-5\)](#), ‘the review should focus exclusively on the country of origin information contained within the document, and not pass judgment on the policy guidance provided.’

8.2.1 NGO action while crucial to raising awareness and offering support, cannot be expected to substitute state protection. Furthermore, it needs noting that NGOs in Albania have only a short history with first organisations established in Albania in the period of post-communist transition after 1990. NGOs are completely donor dependent, and the culture of philanthropy in the civic sphere for supporting mission oriented NGOs is lacking in Albania, leading to the sector’s precariousness of work. The work of the civil society organisations was characterised by a wave of ‘projectisation’ and pilots.

For example, the website of the missionaries of peace states that ‘during 2004-2011 they had a project called ‘school comes to me’ to offer home schooling to children in blood feud self-confined homes residing in a local area. While it says the children even though ‘scared, are in schools’ it is not clear how would a new case be dealt with if the organisation has ceased to implement this project. Similarly, Operazione Colomba closed its activities in Albania in December 2019.

<https://ambasadoretapaqes.al/sermons/mbeshtetje-familjeve-ne-gjakmarrje/>

Partially accepted.

NGOs are not expected to be a substitute for state protection and nowhere in section 8.2.1 is this suggested.

NGOs may be donor-dependant, but it is not accepted that the fact that they may have been instituted after 1990 makes them ineffective.

2.6 Relocation

10.1.1 presents contradictory statements Cedoca reports ‘the example of a family that was moved out of Fushe Arrez in 2010 under police protection’...multiple sources acknowledge that risks do not subside with relocation, while the British Embassy states that ‘genuine victims of the practice would not be able to leave their homes let alone cross the continent.’ I find the latter statement to be ignorant of the facts: a 28 year old killed in Tirana in 2018 for a blood feud few days after return following a failed asylum application in Sweden where he claimed to be in fear of a blood feud; on 6 September 2018, a 27 year old man was shot and killed upon return to Albania following a failed asylum application in Germany on grounds of fear of the active feud. On October 4, 2019 a 34 year old man was found killed. He had moved from Mirdita (north) to live in Tirana, in order to be safe from a blood feud in the place of origin, but the perpetrators found a way killed him.

<https://shqiptarja.com/lajm/34-vjecari-ge-u-vra-dy-dite-me-pare-po-shkonte-te-dajat-ne-mirdite-dyshohet-se-u-ndjek-nga-2-persona>

On August 12, 2019 a 23 year old man was knifed to death in a village in Fier, in what is considered a revenge killing. He was originally from Tropoja (the north) and his family had relocated to Fier years ago.

<https://www.youtube.com/watch?v=8HqKlfgANq4>

Some additional resources to consider examining further for the CPIN on Blood Feuds:

https://www.cgra.be/sites/default/files/rapporten/blood_feuds_in_contemporary_albania_characterisation_prevalence_and_response_by_the_state.pdf

Kopsaj, V. (2016). Blood feud and its impact on the Albanian criminality. *Mediterranean Journal of Social Sciences*. 7(3), 88-93

Petrusich, A. (2017) In the land of vendettas that go on forever. *Virginia Quarterly Review*, 93(4), 82-96.

Joireman, S. F. (2014). Aiming for certainty, The Kanun, blood feuds, and the ascertainment of customary law. *The Journal of Legal Pluralism and*

Unofficial Law, 36(2), 235-248.

Republic of Albania. (2016, December 28). Statistics of 2 year expedition of reconciliation 2014-2016. Retrieved from

<http://www.pajtimi.com/Statistics-of-reconciliation-expedition.docx>

MEDIA

Smolar, P. (2011, July 5). Ancient blood feuds cast long shadow over hopes for a modern Albania. *The Guardian*. Retrieved from

<https://www.theguardian.com/world/2011/jul/05/albania-kanun-blood-fueds-smolar>

Mattei, V. (2016, May 14). Albania: The dark shadow of tradition and blood feuds. *Al Jazeera*. Retrieved from

<https://www.aljazeera.com/indepth/features/2016/03/albania-dark-shadow-tradition-blood-feuds-160318033023140.html>

Hosken, A. & Kasapi, A. (2017, November 12). The children trapped by Albania’s blood feuds. *BBC News*. Retrieved from <http://www.bbc.com/news/world-europe-41901300>

Not accepted.

The COI section intends to present contradictory statements as we aim to present a range of opinions from different sources – usually quoted “as is” (see, for example, §2.1.3, §5.4.1, p108 of the ACCORD COI training manual, which is referenced in the Preface to our CPINs). We then draw our own conclusions, based on all the evidence gathered, in the Assessment section.

Again we feel this highlights the importance of adhering to the [IAGCI tendering instructions \(also summarised on p4-5\)](#), that ‘*the review should focus exclusively on the country of origin information contained within the document, and not pass judgment on the policy guidance provided.*’

Thank you.

We believe it would be helpful for **all** review(er)s to list suggested new/updated source material separately in this way. It is helpful to see but would also help to distinguish it from material that was (or wasn’t) included the CPIN as drafted. This would be in line with the [IAGCI tendering instructions \(also summarised on p4-5\)](#), that ‘*the review should consider the situation in the country up to the stated ‘cut off’ date for inclusion of information.*’

3. Review of responses to COI requests

Each Information Request should be referred to by its title and Request Number.

The Reviewer should include a sentence or two summarizing the nature of the request. The reviewer should then respond, briefly, to the question of whether the response provided by the Home Office is, in their opinion, factually accurate, complete, well supported with empirical evidence. Responses to each information request need not be longer than one or two paragraphs.

1. COI request – Personal travel record 04/19-017

How to obtain a personal record of travel movements

Information is accurate.	
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2. COI request – Male Trafficking 04/19-029

What information is there regarding male victims on trafficking and modern slavery. What is Albania doing to help male victims of trafficking?

Information provided was accurate. The following was published after this COI request was addressed.	Source noted, thank you.
--	--------------------------

Albania: Trafficked Boys and Young Men. Asylos, May 2019.

https://www.ecoi.net/en/file/local/2009180/23_May_Albania_Trafficking_of_Boys_and_Young_Men.pdf

3. COI request – Investigative journalists 10/18-014

What information is there on:

- *The journalist Albert Miceli and his employment with Klan TV?*
- *Any details of an investigation publicised by Klan TV on 31 January 2017.*
- *Any details of the female judge Pajtime Fetahu who was allegedly taking bribes for favourable outcomes of defendants.*

Response covers available information found on public domain.	
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4. COI request – religion and relationships between Muslims and Catholics 05/19 -032

- *What available protection is there for Muslims and Catholics?*
- *What relationships are there between Muslims and Roman Catholics?*

Information provided is accurate.	
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5. COI request – Male victims of domestic violence 09/19-071

What support is there available to male victims of domestic abuse?

Response provided is accurate in that there is no information on domestic violence against males.	Partially accepted. The information at 1.2.3 is provided because victims of crimes other than trafficking can be referred to the shelter. Sources noted, thank you.
1.2.3 provides information on trafficking which is not relevant to the question.	

There is however some information on violence against males in the Asylum Research Centre (ASC) Foundation report, Albania: Trafficked Boys and Young Men, May 2019. This report is consulted in the references but not cited.

https://www.ecoi.net/en/file/local/2009180/23_May_Albania_Trafficking_of_Boys_and_Young_Men.pdf.

Two UN supported action research studies discuss findings related to gender based violence and violence among and from men and boys.

1-Tahiraj, E. 2013 Fjale Burri. UNDP. Tirane

<http://www.al.undp.org/content/albania/en/home/library/poverty/the-aim-of-this-study-is-that--through-content-analysis-of-the-a.html>

2-Tahiraj, E. (2016) Fjale Burri 2. Engaging men and boys against GBV. UNDP. Tirane. http://www.al.undp.org/content/dam/albania/docs/FjaleBurri2_ENG.pdf

Also, Tahiraj, E., Methasani, E., Cenko, E., Hysi, K. (2014) *Indicators of Violence against Children in Albania*. QFS, UNICEF. Tirane. Albania.

Children's Rights Centre (2014) study 'Violence against Children in Albania'

<https://www.alo116.al/sites/default/files/uploade/Raporti%20i%20te%20dhenave%20te%20ALO%20116.pdf>

4. Information about the Reviewer

Dr. Enkeleida Tahiraj, MA (Sussex), PhD (York)

Visiting Senior Fellow, LSEE, The London School of Economics

Provided country expertise on COI issues on Albania since 2004 and is author of Routledge Europa yearly review on Albania since 2007 including human rights, socio-economic development and rule of law. Senior consultant for international organisations including the United Nations and the European Commission, as well as various EU governments. Directed Alex Nash Program in Albanian Studies at University College London. Was adviser on Human Rights, Social Policy & Employment for the EU Delegation in Albania, including peer reviews on monitoring of rights protection and yearly contributions on EU Progress report. Led the drafting of the Albanian Strategy for Social Inclusion and Social Protection 2013-2020; authored two UNDP and UN Women studies on attitudes and behavioural change to reduce GBV in Albania. Was visiting scholar at University of California San Diego and Penn State University, USA. Lectured and researched at University College London (UCL), the London School of Economics and the University of Tirana, Albania. Was visiting Senior Lecturer at the University of Malta. Has presented internationally and published extensively on rights and vulnerable groups in Albania and SEE. Other research includes rights based policies in the EU countries.

Annex D: Review of the October 2019 Home Office Country of Origin Information on Albania: People Trafficking

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

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The London School of Economics¹¹

1 December 2019

¹¹ Visiting Senior Fellow.

Table of Contents

1. Introduction	39
1.1 Instructions	39
1.2 Methodology	40
1.3 Summary of Review	40
1.4 Understanding of the themes addressed in the CIG Reports	42
1.5 Quality and balance of sources	43
2. Review	44
2.1 Assessment: Introduction: Basis of Claim	44
2.2 Introduction	44
2.3 Children	45
2.4 Forced Labour	46
2.5 Tactics used and risk factors	47
2.6 Effectiveness of the police	49
2.7 Prosecution: General	50
2.8 The judiciary	50
2.9 Witness protection	51
2.10 Convictions for prostitution	51
2.11 Action to combat trafficking: Introduction	51
2.12 Training for officials	52
2.13 Government action	52
2.14 Standard Operating Procedures (adults)	52
2.15 Standard operating procedures (children)	53

2.16	National Referral Mechanism (NRM).....	53
2.17	Personal data and confidentiality.....	53
2.18	Shelters: introduction.....	54
2.19	Capacity of shelters.....	54
2.20	Funding and assistance for shelters	54
2.21	Phases of assistance.....	55
2.22	Procedures for entering government shelters.....	55
2.23	National Reception Centre for Victims of Human Trafficking (NRCVHT)	55
2.24	Employment in government shelters	56
2.25	NGO shelters	56
2.26	Children.....	56
2.27	Foreign victims	57
2.28	Security at shelters.....	57
2.29	Hotline.....	57
2.30	Compensation for victims	58
2.31	Reintegration: General	58
2.32	Education and young people.....	58
2.33	Stigma attached to victims of trafficking.....	58
2.34	Women living alone.....	59
2.35	Re-trafficking.....	59
2.36	Healthcare: General	59
2.37	Mental health referrals and access	59
3.	Review of responses to COI requests	60
4.	Information about the Reviewer	60

1. Introduction

1.1 Instructions

Description of work

Country Policy and Information Notes on People Trafficking aims to provide an accurate, balanced and up to date summary of the key available source documents regarding the human rights situation, with respect to the issues selected for coverage in Albania. The purpose and scope of the report is clearly set out in an introductory section of the document.

Reviewers should evaluate the reports in this context and seek to identify any areas where they can be improved. Specifically the review should entail:

- assessing the extent to which information from source documents has been appropriately and accurately reflected in the CPIN Report
- identifying additional sources detailing the current human rights situation in the country with respect to 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

Specific Guidelines

Reviewers should follow these specific guidelines:

- the review should focus exclusively on the country of origin information contained within the document, and not pass judgment on the policy guidance provided
- the CPIN should be reviewed in the context of its purpose as set out above. It should consider the situation in the country up to the stated 'cut off' date for inclusion of information
- when suggesting amendments, rather than 'tracking changes' on the original CPIN, a list of suggested changes should be provided as part of a stand-alone review paper, and each report should be reviewed separately. A reporting template will be provided to reviewers (for reference please refer to most recent reviews on the IAGCI webpage for examples of the template)

- any suggestions for additional information (or corrections to information in the document) must be referenced to a source document for the Home Office to be able to use it (preferably Open Source). The Home Office may use foreign language source documents, but only if the information is considered essential and is not available in English language source.

1.2 Methodology

The review was conducted through research of primary and secondary literature on the issue of People Trafficking in Albania. The evidential basis for this review comes from publicly available country statistics, reports and publications on issues relevant to the CPIN under review. The main sources consulted include

1. Government institutions (strategy and policy documents, laws, regulations, statistics),
2. The People's Advocate and the Commissioner for Protection from Discrimination (reports and statements),
3. Local and International civil society organisations (research, reports, analysis, statistics)
4. Academic institutions (papers and reports).
5. Meetings with representatives from Government and civil society organisations

Original source material was examined to assess the accuracy of presentation in the CPIN. Updated or new information was noted and referenced where more recent reports are available.

Acknowledging the limitations of available official sources in providing information or evidence, some online reporting from established and reputable media were used to gather relevant background or contextual data, notably on government events and announcements. Where they are put forward they are available in the English language. In adherence to the Home Office requirements on foreign language sources, such information was not included here if it did not provide essential information and was also not available in English language source. This review is focussed on country of origin information only and neither intends nor attempts to assess Home Office policy.

1.3 Summary of Review

Overall the CPIN Albania People Trafficking report has the following strengths and weaknesses:

- Strengths
 - Generally, the report reflects a fair and accurate presentation of the source material. Presentation of both positive and negatives on key issues demonstrates an attempt to offer a balanced view based on the available evidence.
 - There is a good coverage of the range of issues relating to People Trafficking in Albania.

- Referencing is comprehensive and recent, with no reliance on outdated information.
- The report reflects much of current knowledge of the rights situation for women who are the main casualty of trafficking.
- Weaknesses
 - The issue of trafficking of males is not adequately presented, in prevalence of the issue, patterns of trafficking and particularly availability of public services to trafficked male returnees, which appears to be assumed to be similar as for the female case.
 - The report understates the role of organised crime in trafficking in Albania, which role does much to explain its persistently high level. Due to this and the lack of outcome data for returnees, severally from Government sources and from the shelters, the level of re-trafficking risks being misjudged given high levels of internal trafficking as well as trafficking to EU states.
 - The report suffers limitations due to the poor evidence/statistical base that is available for Albania. This is shown in
 - Unavoidable reliance on the few available sources.
 - Limited information/data from Government channels, especially regarding evaluations of implementation of national policies.
 - Comparison/trend data is problematic due to the weak statistical standards and capacities in Albanian institutions.
 - Limited assessment of the progress in implementation of legal frameworks.
 - Lack of data/evaluation of returnee services for trafficked persons in Albania (from NRM to shelters).
 - Some lack of balance of information across source types is apparent
 - Heavy reliance on HO FFM that lacks however proper analysis of its somewhat mixed and sometimes unclear findings.
 - Reliance on information/opinion from International Organisations actively engaged with Albania.
 - Cross checking information and triangulation of data including not only official reporting but also civil society and organised individuals.
 - A large amount of Albanian national media is currently available in English language that might be drawn upon. These provide contextual/ country conditions and highlight current public concerns.

Recommendations

1. Adequately address the issue of trafficking of males and of children, in terms of prevalence of the issue, patterns of trafficking and recruitment as well as availability of protective and public services to returnees.
2. While there are no “typical profiles” of victims of trafficking, the report would benefit by identifying regions with higher incidence of trafficking activity and delineating more clearly the modes of trafficking and recruitment into, inside and out of Albania (in line with statement in 3.1.1 that “Albania is a source, transit and destination country.”)

3. Articulate more fully the connections between trafficking (for sexual exploitation and forced labour) and the operations of organised crime networks domestically and internationally.
4. Elaborate on the linkage between the socio-economic standing of women and issues of domestic violence as potential drivers of trafficking, including cross referencing Domestic violence CPIN.
5. To reduce risk of over reliance on HO FFT and to better contextualise and supplement its findings with other information sources.
6. To cross reference police effectiveness with CPIN on Actors of Protection

<u>Main Suggestions relating to the COI Requests:</u>	
COI requests have been dealt with in the review of CPIN on Blood Feuds	

1.4 Understanding of the themes addressed in the CIG Reports

How well does the report reflect prevalent legal usage and academic understandings of the themes under consideration?

The CPIN employs terminology and concepts used in Trafficking discourses both clearly and correctly. The report structure is logical and covers the key aspects of trafficking in Albania pertinent to the use case, leading from the general picture of trafficking and institutional mechanisms at state and community levels down, as well as addressing relevant issues to trafficking and returnee support where there is a focus on policy and services appropriate for use in legal contexts.

From an academic perspective there are some gaps. Firstly, there is a ‘data gap’ due to the relative lack of robust official statistics on the Albanian Governments part. This goes hand in hand with the immaturity and lack of capacities of Albanian institutions which are notoriously weak at internal monitoring and evaluation. More importantly it hampers external assessment. Secondly, there are thematic gaps such as the lack of treatment of male trafficking, a somewhat thin treatment of the situation for children and topics such as forced labour and criminality.

Academic literature has long acknowledged that these have been under-represented globally in discussions of human trafficking and exploitation (Braimah, 2013¹²; Alsop, 2018¹³). In the case of Albania this is also true:

¹² Braimah, T. (2013) ‘Sex trafficking in Edo State, Nigeria: Causes and Solutions’, *Global Journal of Human Social Science, Sociology and Culture*, Vol.13, pp.3, pp.16-29

¹³ Alsop, R. (2018) *Conference Paper: Breaking the Chains: Strategies to improve the prospects of Albanian children making successful protection claims. Portcullis House 1st June 2018*

“...there is a gap in understanding about the causes of trafficking of males or their support... Overall, the literature is focused on the trafficking of women, with very little, if any, reference to cases of young men or boys being trafficked.”¹⁴

This is understandable given that trafficking has been and continues to be predominantly a gendered issue, both in terms of sheer numbers and in the nature of trafficking being (primarily) for sexual exploitation.

1.5 Quality and balance of sources

In general, what is the quality and balance of the sources used? Are they generally of high quality and relevant to the time period covered by the CIG Report?

Sources utilised in the CPIN are of high quality and the evidence drawn from them is relevant and current. However, there is a little over-reliance on the HO FFT which, as is the nature of a fact-finding mission, offers many anecdotal data points pertinent to the time, but that would benefit from greater contextualisation from other sources.

¹⁴ University of Bedfordshire, IOM, Institute of Applied Social Research, 'VULNERABILITY' TO HUMAN TRAFFICKING: A STUDY OF VIET NAM, ALBANIA, NIGERIA AND THE UK: Report of Shared Learning Event held in Tirana, Albania: 24-26 October 2017, July 2018

2. Review

2.1 Assessment: Introduction: Basis of Claim

1.1.1 “Fear of persecution or serious harm by traffickers or other non-state actors because the person is a (potential) female victim of trafficking for sexual exploitation. “

Suggest that this also refers to child and male victims and widen the definition of trafficking to include non-sexual forms of exploitation (also updating the question of status for these cases in 2.2 Particular Social Group)

Not accepted.

As per the “basis of claim” section, the CPIN is about “(potential) female victim[s] of trafficking for sexual exploitation”; it does not purport to cover males or children (or trafficking for reasons other than sexual exploitation) therefore it would be misleading to include that within the basis of claim.

The [IAGCI tendering instructions \(also summarised on p3-4\)](#) set out that “The purpose and scope of the report is clearly set out in an introductory section of the document.” And “the CPIN should be reviewed in the context of its purpose as set out above.”

We are currently undertaking detailed analysis into common claim types from Albania and should this indicate that we require a CPIN on male victims of trafficking then we will address this gap.

2.2 Introduction

Suggestion to add USSD overview of outstanding issues: “The government continued to investigate, prosecute, and convict fewer cases, leading to the lowest level of reported law enforcement actions in four years. Additionally, the government lacked proactive identification efforts and law enforcement, in particular, did not consistently participate in mobile victim identification units or consistently screen vulnerable populations. The government continued to delay funding for NGO-run shelters and did not consistently apply victim-centered approaches to investigations and prosecutions.” (TIP 2019, p61)

Partially accepted.

This is not relevant to the Introduction, but we will include the information elsewhere when we update the CPIN following this review.

3.1.2 Recommend updating these statistics with 2019 TIP

“The government maintained victim protection efforts. The government and NGOs identified 95 official and potential victims (105 in 2017). Of these, 28 were adults and 67 were minors (49 adults and 56 children in 2017), 60 were female and 35 male (80 female and 25 male in 2017), and one was foreign (nine foreign victims in 2017). Authorities identified 93 as potential victims and two as official victims (79 potential victims and 26 official victims in 2017). The government could not provide details about the type of exploitation for all official and potential victims but at least 36 were subjected to sex trafficking, 25 to forced labor, and 27 to forced begging.”

(Page 62, Protection, USSD TIP 2019, available at: <https://www.state.gov/wp-content/uploads/2019/06/2019-Trafficking-in-Persons-Report.pdf>)

Accepted.

These statistics will be used when we update the CPIN following this review.

However, we quote the 2017 version because the 2019 version was published subsequent to publication of the CPIN. As per the [IAGCI tendering instructions \(also summarised on p3-4\)](#), “[The CPIN] should consider the situation in the country up to the stated ‘cut off’ date for inclusion of information”

<p>3.1.5 “...people may falsely claim to have been trafficked in the hope of being granted asylum when they have actually just migrated to Europe to get work”</p> <p>While I don’t doubt this may happen, I suggest this is presented in light of the fact that Albania is party to Schengen and there are low-ramp opportunities for Albanian citizens to enter EU States legitimately (language and recruitment programs for entry into work in Germany for instance).</p>	<p>Accepted.</p> <p>We will include this information when we update the CPIN following this review.</p>
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2.3 Children

<p>3.2.1 Suggest supplementing this information with the recent evaluation TIP 2019: “identification efforts for forced begging remained inadequate, particularly among unaccompanied children, street children, and children crossing borders for begging.” (Protection, p62)</p> <p>Suggest expanding the treatment with information from sources including</p> <p>ARC foundation https://asylumresearchcentre.org/wp-content/uploads/2019/05/23_May_Albania_Trafficking_of_Boys_and_Young_Men.pdf</p> <p>US Bureau of International Labour Affairs: https://www.dol.gov/agencies/ilab/resources/reports/child-labor/albania</p>	<p>Partially accepted.</p> <p>These sources will be consulted, alongside others to ensure balance, when we update the CPIN following this review, and we will expand section 3.2.1 if necessary.</p> <p>However, the IAGCI tendering instructions (also summarised on p3-4) set out that “<i>The purpose and scope of the report is clearly set out in an introductory section of the document.</i>” And “<i>the CPIN should be reviewed in the context of its purpose as set out above.</i>”</p> <p>The “basis of claim” section in the CPIN explains it is about “(potential) female victim[s] of trafficking for sexual exploitation”; it does not purport to cover males or children (or trafficking for reasons other than sexual exploitation).</p>
<p>“There continued to be numerous displaced and street children, particularly in the Romani community. Street children begged or did petty work. These children were at highest risk of trafficking, and some became trafficking victims.” (p. 19)</p> <p>Source: US Department of State (USDOS), <i>Country Report on Human Rights Practices 2017- Albania</i>, 20 April 2018</p>	
<p>“Since the law prohibits the prosecution of children younger than 14 for burglary, criminal gangs at times used displaced children to burglarize homes.” (p. 21)</p> <p>Source: US Department of State (USDOS), <i>Country Report on Human Rights Practices 2018 - Albania</i>, 13 March 2019</p>	
<p>A noteworthy number of males identified and assisted through D&E’s assistance program were children (i.e. under 18 years of age) when they were trafficked. Some were still children when assisted, while others were only identified and assisted later on in life (for example, when they were between 18 and 21 years of age). This is important not only in terms of highlighting that Albanian boys are at risk of trafficking, but also in terms of delays in receiving assistance. Going unassisted for a number of years extended the period of exploitation and further compromised the boy’s well-being. It also arguably compromised their reintegration process; the longer it takes for assistance to be received, the more difficult is the process of reintegration. (p. 14)”</p> <p>Source: Different and Equal: <i>Falling through the cracks! The trafficking of men and boys in Albania</i>, January 2015</p>	

<p>For children who are trafficked, there is focus on risk factors at the household and family level, such as a lack of stable family support – whether through family breakdown, abandonment or separation resulting from migration. The consequence of these is that children lack important protective structures.” (p. 19)</p> <p>University of Bedfordshire, IOM, Institute of Applied Social Research, ‘VULNERABILITY’ TO HUMAN TRAFFICKING: A STUDY OF VIET NAM, ALBANIA, NIGERIA AND THE UK: Report of Shared Learning Event held in Tirana, Albania: 24-26 October 2017, July 2018</p>	
<p>“The ONAC also outlined how the age of children varied between 4 to 18 years, with one unprecedented case of a newborn child reported as being sold. Other speakers outlined how children potentially constitute the largest number of victims, including how adult victims identified had been recruited as children.” (p. 23)</p> <p>University of Bedfordshire, IOM, Institute of Applied Social Research, ‘VULNERABILITY’ TO HUMAN TRAFFICKING: A STUDY OF VIET NAM, ALBANIA, NIGERIA AND THE UK: Report of Shared Learning Event held in Tirana, Albania: 24-26 October 2017, July 2018</p>	
<p>“Human trafficking of young women and girls, as well as boys under 18 years old, has been of the most serious human rights [sic] facing Kukes region. This category of population, willing to leave the country because of the domestic violence and unemployment, often is lured with false promises of jobs then forced into exploitative labour situations. Young people under 18 mostly are victims of trafficking to United Kingdom, believing that they will benefit for their age [sic].” (p. 125)</p> <p>UK Home Office, Report of a Home Office Fact-Finding Mission to Albania, Conducted 31 October to 7 November 2017, February 2018</p>	

2.4 Forced Labour

<p>3.3.1 Very thin treatment and reliance on a single source.</p> <p>Greta findings are supplemented with other more current assessments and fuller data, such as “the Labour Inspectorate lacked the training to identify victims of forced labor.” (TIP 2019, Protection p62)</p> <p>And “The government did not make efforts to regulate or punish labor recruiters for illegal practices that increase migrants’ vulnerability to exploitation abroad. Labor inspectors did not have authority to inspect informal work activities, including unregistered businesses.” (TIP 2019, Prevention p63) for more recent information on recruitment and forms of exploitation to use sources including</p> <p>the Anti-slavery commission (https://www.antislaverycommissioner.co.uk/media/1263/vulnerability-to-human-trafficking-albania.pdf)</p> <p>IOM UK https://unitedkingdom.iom.int/sites/default/files/publication/literature_review_final_pdf_0.pdf</p>	<p>Partially accepted.</p> <p>We will consult these sources when we update the CPIN following this review. However, we do not intend to provide detailed information on this subject because this section is purely providing background information about trafficking within Albania itself.</p>
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2.5 Tactics used and risk factors

<p>For further information see the Anti-slavery commission (https://www.antislaverycommissioner.co.uk/media/1263/vulnerability-to-human-trafficking-albania.pdf)</p>	
<p>3.4.1 Suggest updating with recent USSD overview of the situation which reflects some changes to trafficking patterns: “As reported over the past five years, human traffickers exploit domestic and foreign victims in Albania, and traffickers exploit victims from Albania abroad. Albanian women and children are subject to sex trafficking and forced labor within the country, especially during tourist season.</p> <p>Traffickers use false promises such as marriage or employment offers to force victims into sex trafficking. Children are commonly forced to beg or perform other types of compelled labor such as selling small items. Albanian children, mainly from the Romani and Balkan- Egyptian communities, are exploited regionally for seasonal work and forced begging. There are also instances of forced child labor in cannabis fields in Albania and some traffickers are likely involved in drug trafficking.</p> <p>Albanian victims are subject to sex trafficking in countries across Europe, particularly Kosovo, Greece, Italy, Belgium, Germany, Switzerland, North Macedonia, Norway, the Netherlands, and the UK. NGOs report an increase in the number of Albanian children subjected to forced labor in Kosovo and the UK. Albanian migrants who seek employment in Western Europe face forced labor and forced criminality.” (TIP 2019, People Trafficking p64)</p>	<p>Partially accepted.</p> <p>We will consult the sources suggested when we update the CPIN following this review, but not all the information suggested would be relevant to the section on tactics used and risk factors.</p> <p>Also, the report by Different and Equal is about men and boys. The IAGCI tendering instructions (also summarised on p3-4) set out that “<i>The purpose and scope of the report is clearly set out in an introductory section of the document.</i>” And “<i>the CPIN should be reviewed in the context of its purpose as set out above.</i>”</p> <p>The “basis of claim” section in the CPIN explains it is about “<i>(potential) female victim[s] of trafficking for sexual exploitation</i>”; it does not purport to cover males or children (or trafficking for reasons other than sexual exploitation).</p>
<p>“Typical women are 18-25 year olds, but there are also younger victims. Other than that, there is no typical profile. Ms Trimi explained that she had seen cases from all different types of background.” (p. 38)</p> <p>UK Home Office, Report of a Home Office Fact-Finding Mission to Albania, Conducted 31 October to 7 November 2017, February 2018</p>	
<p>The causes or drivers of human trafficking appeared to be broad, multiple and overlapping. Stakeholders highlighted multiple vulnerabilities to trafficking in Albania across the different levels of the Determinants of Vulnerability model. These included poverty, other economic factors, low levels of education, mental health issues, forced marriage arrangements and limited options for safe and legal migration. (p. 7)</p> <p>...Places of origin for people who had been identified within the ONAC figures were mainly Elbasani, Vlora, Tirana and Fieri districts. Limited numbers of people had been identified in Berat, Korçe, Durrës, Dibër and Shkodër districts. For the first time, Gjirokastër district had seen the identification of one person. Figures from a database from the Psycho - Social Centre ‘Vatra’ were presented at the SLE of 99 cases between 2015 and September 2017 which constitute part of 144 cases from 2014 to date. These figures represent both those formally identified as trafficked and potential cases. These cases illustrated an extensive range of places of origin, including: Vlorë, Fier, Berat, Tirana, Elbasan, Lushnjë, Shkodër, Tepelenë, Librazhd, Peshkopi, Burrel, Pogradec, Sarandë, Korçë, Skrapar, Gramsh and Durrës.</p> <p>University of Bedfordshire, IOM, Institute of Applied Social Research, ‘VULNERABILITY’ TO HUMAN TRAFFICKING: A STUDY OF VIET NAM, ALBANIA, NIGERIA AND THE UK: Report of Shared Learning Event held in Tirana, Albania: 24-26 October 2017, July 2018</p>	
<p>The 2016 USDOS report also identifies early and forced marriage in some Romani communities, especially in rural areas, as a risk factor for trafficking.</p> <p>“ARSIS claimed that, in certain Romani communities, girls as young as seven and boys as young as nine were considered married. Some NGOs reported that early and forced marriages occurred in rural communities as part of human trafficking schemes, with parents consenting to their underage daughters marrying older foreign men, who subsequently moved them to other countries.” (p. 21)</p> <p>Source: US Department of State (USDOS), <i>Country Report on Human Rights Practices 2016- Albania</i>, 3 March 2017</p>	

“Recruitment happened in different ways depending on the form of trafficking. Some young boys were engaged in begging, criminal activity and sexual exploitation, forced by the abuse and extreme neglect by their family members, left home in a very young age and found themselves homeless since they were 9-12 years old some of them, while others when they were 16-17 years old. Some of them got involved in begging and early forced labor (collecting irons and different recyclable materials), since in their early childhood as a need to be sheltered somewhere. This situation was used by third persons, who in exchange of housing or some economic profits (as much as to buy some food) exploited them for criminal activities, for example drug distribution, begging or even sexual exploitation. In some cases, begging is a form of exploitation that had begun earlier in the family. In the begging cases, they have started to beg first pushed or forced by their family members. Finding himself in the street most of the day, one of the boys got in touch with people, who moved him across Albania to beg. In other situations, exploitation for begging was organized directly by the family.

Also, some of the minors were used to distribute drugs, or to steal. While in a street situation, they were recruited by adults at the age of 12-13 years old...Also in some cases, falling into exploitation is a direct consequence of a broken family. Due to the lack of support in the family, some minors established relationships with dangerous people, who took advantage of their vulnerability.

As previously noted, in at least two cases, family members were directly responsible for the recruitment and exploitation of male trafficking victims.

[...] Recruitment of adult males exploited for labor was more formal. Each of the men sought to migrate abroad for work and they were indeed actively seeking these opportunities. (p. 22)

[...] The majority of men and boys (21) were exploited within Albania. This includes 19 boys and men trafficked internally for different forms of exploitation – sexual exploitation (5), begging (2), criminal activity (4), forced labor (2), multiple forms of trafficking (6).

In addition, two cases were trafficked from the Philippines, first to Kosovo and then to Albania, where they were forced to work as cooks. Two Albanian males were trafficked abroad – to Kosovo for forced begging and to Africa for labor in construction.

Trafficked men and boys were exploited for different forms of trafficking. While it is commonly assumed that males are primarily exploited for labor, the experiences of these men and boys reveal very diverse trafficking experiences. That is, in addition to five instances of labor trafficking, men and boys were also trafficked for sexual exploitation (5), criminal activity (4) and begging (3) (p. 24)”

Different and Equal: *Falling through the cracks! The trafficking of men and boys in Albania*, January 2015

“Between March 2012 and January 2015, D&E assisted 23 males who were trafficked to, from or within Albania.

[...] Of the 20 boys, 5 that were trafficked, 19 originated from family environments that could be described as abusive, neglecting or unsuitable to meet their needs. The environment in which these boys were raised was characterized by verbal and physical abuse. (p17)

... Of the 21 Albanian men and boys, twelve were ethnic Albanian and nine were of Roma or Egyptian ethnicity. This ethnic composition has changed over time, with the majority of male trafficking victims, who were first identified coming from Roma and Egyptian ethnicity, because the major part of the street kids belongs to this community. More recently though, ethnic Albanian males have been increasingly identified as trafficked cases. This shift may be due to the increased number of agencies and NGOs that take part in the process of referral, having a more comprehensive coverage of identification of diverse groups. As a result, the identification process is moving toward a more holistic and, arguably, more ‘astute’. Identification is now moving beyond the most obvious trafficking cases (e.g. street involved Roman children) to include the more opaque situations of trafficking (e.g. young men and boys generally, including ethnic Albanians). (p. 21)”

Source: Different and Equal: *Falling through the cracks! The trafficking of men and boys in Albania*, January 2015

2.6 Effectiveness of the police

<p>Suggest this section should cross-reference section 9 in CPIN on Actors of Protection.</p> <p>5.1.3 Suggest supplementing with USSD most recent assessment:</p> <p>“The government demonstrated overall increasing efforts compared to the previous reporting period; therefore Albania remained on Tier 2. These efforts included updating standard operating procedures (SOPs) for victim identification and referral, allocating funding for victim coordinators in every prosecution office starting in 2019, and institutionalizing training on trafficking within the Border and Migration Police (BMP).” (TIP 2019, p61)</p>	<p>Accepted.</p> <p>We will look at relevant cross-referencing when we update the CPIN following this review.</p>
<p>Supplementary information regarding police effectiveness</p> <p>“Law enforcement did not consistently offer sufficient security and support, and victims and their families received threats during court proceedings.” (TIP 2019, p63)</p>	
<p>Supplementary information regarding police effectiveness</p> <p>“Local police improved implementation of child- specific procedures, including consistently involving social workers and psychologists when taking official statements from children.” (TIP 2019, p63)</p>	
<p>Suggest adding data on police effectiveness in identifying victims</p> <p>“NGOs identified the majority of victims; the government identified only 33 of the 95 official and potential victims (60 in 2017), including only five identified by law enforcement (11 in 2017).</p> <p>NGOs, with the support of the government, maintained mobile victim identification units consisting of social workers and police in three regions, but the units’ sustainability was uncertain due to the lack of permanent staff, formalization, and resources. Mobile victim identification units identified 51 potential victims (26 in 2017).</p> <p>Experts reported police did not participate consistently in the mobile victim identification units despite signing a memorandum of understanding that formalized their participation. Law enforcement rarely initiated cases when civil society identified a potential victim, but ASP noted definitional differences with civil society on what constituted trafficking caused obstacles in identification.” (UUSD TIP 2019, Protection p62)</p>	
<p>“Statistics on serious crimes that are not linked to criminal organisations and structured criminal groups indicate an increasing trend of crimes related to the production and cultivation of narcotics: almost 54 % in 2015, 66.5 % in 2016 and 72.3 % in 2017. They are followed by money laundering, trafficking in vehicles, money counterfeiting and forgery, and trafficking in human beings. In these cases, too, there remains a serious gap between the numbers of final convictions and of finalised investigations.</p> <p>The government is making a concerted effort to improve the law enforcement capacity to tackle organised crime and has improved the law enforcement and security institutions through legal and institutional reforms. The quality of investigations in criminal proceedings has been improved through the use of special investigation techniques. However, the law enforcement authorities’ response to organised crime is often delayed and limited. This is due to a combination of factors: inadequate resources; undue influence and pressure on police and prosecution services; frequent and unjustified turnover of State Police personnel; low salaries; and the limited equipment made available to the judicial police. (pp. 33-4)”</p> <p>European Commission, <i>Albania 2018 Report</i>, 17 April 2018</p>	

2.7 Prosecution: General

<p>6.1.2 Suggest updating with this more recent information from USSD</p> <p>“The government decreased law enforcement efforts... The Albanian State Police (ASP) investigated 38 trafficking cases with 51 suspects (69 cases with 80 suspects in 2017); nine of these suspects were investigated for child trafficking (22 in 2017) and 42 for adult trafficking (58 in 2017).</p> <p>The ASP also investigated three suspects for knowingly soliciting or patronizing a sex trafficking victim to perform a commercial sex act (none in 2017). The Serious Crimes Prosecutor’s Office (SCPO) prosecuted two cases with six defendants (five cases with five defendants in 2017); three of these defendants were prosecuted for child trafficking (two in 2017) and three for adult trafficking (three in 2017).</p> <p>Courts convicted five traffickers (seven in 2017); four for child trafficking (one in 2018) and one for adult trafficking (six in 2017). All convicted traffickers received prison sentences; one trafficker received two years and eight months for adult trafficking and four traffickers received sentences between six years and eight months to eighteen years for child trafficking. The appeals court reviewed and confirmed decisions on five traffickers.” (TIP 2019, Prosecution p62)</p>	<p>Accepted.</p> <p>We will look at relevant cross-referencing and consult this source when we update the CPIN following this review.</p>
<p>“Law enforcement did not consistently offer sufficient security and support, victims and their families received threats during court proceedings, and some victims appeared in front of their traffickers in court proceedings, causing re-traumatization.</p> <p>[...] The government enacted judicial reforms that will eventually change court jurisdiction for trafficking cases; cases not related to organized crime will soon fall from the Serious Crimes Court to district courts, but authorities reported district prosecutors did not have the experience and capacity to adequately prosecute trafficking cases. The government operated a closed case task force to review successful and unsuccessful trafficking cases; so far the task force has only reviewed two cases. Observers reported limited resources and constant turnover within law enforcement created obstacles in maintaining capacity to investigate trafficking. The government, at times in cooperation with civil society, trained 20 police officers; 100 employees of local law enforcement; 40 border police officers; and 127 judges, prosecutors, and judicial police officers.”</p> <p>Source: US Department of State (USDOS), <i>US Department of State: Trafficking in Persons Report 2018</i>, 28 June 2018</p>	
<p>“Five victims cooperated with law enforcement in investigations and prosecutions (23 in 2017); however, the government did not consistently apply a victim-centered approach to investigations and prosecutions.” (TIP 2019, Protection p63)</p>	

2.8 The judiciary

<p>Suggest to cross-reference with section 10 in CPIN on Actors of Protection.</p> <p>6.2 Suggest adding USSD recent assessment of judicial reforms regarding trafficking:</p> <p>“The government continued judicial reforms that will eventually change court jurisdiction for trafficking cases, including transferring cases not related to organized crime from the Serious Crimes Court to district courts. However, SCPO reported district prosecutors did not have the experience and capacity to prosecute adequately trafficking cases. Authorities reported confusion between overlapping elements of exploitation of prostitution and trafficking and at times applied the lesser charge because it required less specialization and time, or due to the false belief that trafficking crimes required a transnational element. Limited resources and constant turnover within law enforcement created additional obstacles in maintaining capacity to investigate trafficking.” (TIP 2019, Prosecution p62)</p>	<p>Accepted.</p> <p>This source will be consulted when we update the CPIN following this review.</p>
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2.9 Witness protection

6.3.1 Updated information ““SCPO possessed equipment that allowed testimony via video conferences, which was used in one case. Victims who testified against traffickers had access to the witness protection program; none participated in the program (one in 2017).” (TIP 2019, p63)	Accepted.
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2.10 Convictions for prostitution

6.4 “Unlike some previous years, the government did not knowingly penalize victims, but may have penalized some trafficking victims due to inadequate identification efforts.” (TIP 2019, p63)	Accepted. This source will be consulted when we update the CPIN following this review.
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2.11 Action to combat trafficking: Introduction

7.1 Suggested update of USSD assessment of overall Albanian government efforts “The government continued to investigate, prosecute, and convict fewer cases, leading to the lowest level of reported law enforcement actions in four years. Additionally, the government lacked proactive identification efforts and law enforcement, in particular, did not consistently participate in mobile victim identification units or consistently screen vulnerable populations.” (TIP 2019, p61)	Accepted. This source will be consulted when we update the CPIN following this review.
7.1.3 Recommend update to Prioritized Recommendations “Vigorously investigate, prosecute, and convict traffickers— including complicit officials—under Articles 110(a) and 128(b) of the criminal code. • Institutionalize and provide training for law enforcement, prosecutors, and judicial officials, particularly district prosecutors, on investigating, prosecuting, and trying trafficking cases, including guidance on overlapping elements of exploitation of prostitution and trafficking. • Increase efforts to screen vulnerable populations and train police, labor inspectors, and other front-line officials on proactive identification of victims. • Create funding mechanisms that allocate adequate funding and resources on a consistent and regular basis to the government-run and NGO-run shelters for trafficking victims. • Expand the jurisdiction of labor inspectors to inspect businesses that are not legally registered. • Improve the sustainability of, and law enforcement participation in, mobile trafficking victim identification units. • Increase reintegration services, including access to education for child victims. • Implement victim-centered approaches and victim-witness protection measures during court proceedings.” (TIP 2019, p62)	
Suggest adding recent USSD data: “Observers reported ONAC coordinated anti-trafficking efforts but faced internal and external challenges. The government maintained a multi-disciplinary working group and a separate task force to develop and monitor anti-trafficking policies. Twelve regional anti-trafficking committees comprising local officials and NGOs worked on prevention and victim assistance. ONAC had not published regular activity reports on its website since 2017 but held four meetings with stakeholders involved in the NRM. Observers reported prosecutors rarely attended NRM meetings. ONAC, in cooperation with civil society, conducted awareness campaigns for students, teachers, and the general public. ONAC also conducted informational meetings with representatives from the Romani and Balkan Egyptian communities.” (TIP 2019, Prevention p63)	

2.12 Training for officials

<p>7.2 Suggest adding recent data on Government efforts to institutionalize anti-trafficking training: “The BMP institutionalized anti-trafficking training and the government, at times in cooperation with civil society, trained 59 police officers, 53 judges, 119 district prosecutors, and three Supreme Court inspectors.” (BMP – Border & Migration Police; TIP 2019, Prosecution p62)</p>	<p>Accepted. This source will be consulted when we update the CPIN following this review.</p>
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2.13 Government action

<p>7.3 Suggest adding USSD 2019 overall opinion on institutional performance “...the government did not meet the minimum standards in several key areas. The government continued to investigate, prosecute, and convict fewer cases, leading to the lowest level of reported law enforcement actions in four years. Additionally, the government lacked proactive identification efforts and law enforcement, in particular, did not consistently participate in mobile victim identification units or consistently screen vulnerable populations. The government continued to delay funding for NGO-run shelters and did not consistently apply victim-centered approaches to investigations and prosecutions.” (TIP 2019, p61)</p>	<p>Accepted. This source will be consulted when we update the CPIN following this review.</p>
<p>“Articles 110(a) and 128(b) of the criminal code criminalized sex trafficking and labor trafficking and prescribed penalties of eight to 15 years’ imprisonment for a trafficking offense involving an adult victim, and ten to 20 years’ imprisonment for an offense involving a child victim. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape.”(TIP 2019, p62)</p>	
<p>“The government increased efforts to prevent trafficking. The government adopted the 2018-2020 national action plan and committed 488.9 million <i>leks</i> (\$4.57 million) for its implementation. The government allocated 11.9 million <i>leks</i> (\$111,160) to ONAC, compared to 5.7 million <i>leks</i> (\$53,250) in both 2016 and 2017.” (TIP 2019, Prevention p63)</p>	

2.14 Standard Operating Procedures (adults)

<p>8.1 “BMP updated internal SOPs on identification and developed daily reporting requirements on trafficking victims; however, BMP could not consistently screen migrants due to increased migrant flows and a lack of BMP officers and interpreters.” (TIP 2019, Protection p62)</p>	<p>Partially accepted. This source will be consulted when we update the CPIN following this review. However, it may not be relevant to this CPIN to include all the information about children.</p>
<p>“Albania has adopted Standard Operating Procedures that set procedures on how a child (or adult) who is suspected of being trafficked anywhere in Albania is treated and referred for assistance and services by different agencies. In most cases, it has been reported, child victims of trafficking are referred for assistance to a specialist centre in Elbasan run by the NGO Tjetër Vizion. Over two years (2015–16) a Tjetër Vizion mobile team responsible for checking on children in street situations reportedly identified 33 children (aged 3 to 17) who may have been victims of trafficking.” (p. 44)</p> <p>Organization for Security and Cooperation in Europe (OSCE) - Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings Occasional Paper No.9 : <i>Child Trafficking and Child Protection: Ensuring that Child Protection Mechanisms Protect the Rights and Meet the Needs of Child Victims of Human Trafficking</i>, 3 December 2018</p>	

2.15 Standard operating procedures (children)

<p>8.2 Suggest adding: “identification efforts for forced begging remained inadequate, particularly among unaccompanied children, street children, and children crossing borders for begging.” (TIP 2019, Protection p62)</p>	<p>Accepted. This source will be consulted when we update the CPIN following this review.</p>
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2.16 National Referral Mechanism (NRM)

<p>8.3 “There is a gap between the number of Albanian nationals referred into the UK NRM and the numbers of people accessing support service for trafficked persons in Albania. The difference between the numbers of people referred into the UK NRM and the numbers of people identified as victims of trafficking or potential victims of trafficking within Albania was great. There is a need for further research into the reasons for such differences and potential challenges for reintegration and identification of people returning from the UK to Albania.” (p. 8)</p> <p>Source: University of Bedfordshire; IOM; Institute of Applied Social Research, ‘VULNERABILITY’ TO HUMAN TRAFFICKING: A STUDY OF VIET NAM, ALBANIA, NIGERIA AND THE UK: Report of Shared Learning Event held in Tirana, Albania: 24-26 October 2017, July 2018</p>	<p>Accepted. This source will be consulted when we update the CPIN following this review.</p>
<p>“NGOs reported police often associated trafficking with movement and were unlikely to identify victims recruited and exploited in the same region of the country. Observers reported cases of border guards and immigration officials not carrying out standard screening procedures.” (pp. 59-60)</p> <p>Source: US Department of State (USDOS), <i>Trafficking in Persons Report 2017 Country Narratives : Albania</i>, 27 June 2017</p>	
<p>“A multi-disciplinary national referral mechanism (NRM) provided standard operating procedures (SOPs) for identifying and referring victims to services. The government, with the support of NGOs, reactivated mobile identification units in three regions, but the unit’s sustainability was uncertain due to a lack of permanent staff, formalization, and resources; mobile identification units identified 26 potential victims. Additionally, the government referred 60 potential victims, civil society referred 16, and three self-identified. Observers reported police did not consistently identify trafficking victims among individuals in prostitution and the labor inspectorate lacked the training to identify victims of forced labor. Similarly, identification efforts for forced begging remained inadequate, particularly among unaccompanied children, street children, and children moving across the borders for begging. First responders referred potential trafficking victims to law enforcement and state social services who conducted a joint interview and provided official victim status. The law provided equal services for both potential victims and officially recognized victims. (pp. 67- 8)</p> <p>US Department of State (USDOS), <i>US Department of State: Trafficking in Persons Report 2018</i>, 28 June 2018</p>	
<p>“In addition, gaps exist in screening of minors, including migrants traveling to and from neighboring countries.” (p. 5) US Department of Labor (USDOL), <i>2017 Findings on the Worst Forms of Child Labor - Albania</i>, 20 September 2018</p>	

2.17 Personal data and confidentiality

<p>Cross reference also with section 8.7 on CPIN on Domestic Violence</p>	<p>Accepted.</p>
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2.18 Shelters: introduction

9.1.3 “The four shelters constituted the National Coalition of Anti-Trafficking Shelters (NCATS), and victims who required services not available in one shelter were referred to another shelter within the coalition.” (TIP 2019, Protection p63)

Accepted.

This source will be consulted when we update the CPIN following this review.

2.19 Capacity of shelters

9.2.3 Suggest updating with recent data: “NCATS and the government provided assistance to 78 official and potential victims (101 in 2017), including food, mental health counselling, legal assistance, medical care, educational services, employment services, assistance to victims’ children, financial support, long- term accommodation, social activities, vocational training, and post-reintegration follow-up.” (TIP 2019, p63)

Accepted.

This source will be consulted when we update the CPIN following this review.

2.20 Funding and assistance for shelters

It needs noting that aside from the state run shelter, the other three NGO members of the coalition are dependent on donor funding. If funding is withdrawn so are the services in the shelter, aside from food and some staff salaries. Thus shelter sustainability is precarious.

Suggest updating to 2019 data point: “The government operated one specialized shelter and supported three specialized NGO-run shelters. The government allocated 21.6 million *leks* (\$201,770) to NGO-run shelters to support 29 staff salaries, compared to 20.2 million *leks* (\$188,700) to support 29 staff salaries in 2017. The government provided an additional 5.2 million *leks* (\$48,580) for food support to NGO-run shelters, compared to 5.5 million *leks* (\$51,380) in 2017. The government allocated 22.5 million *leks* (\$210,180) to the government-run shelter, compared to 22.2 million *leks* (\$207,380) in 2017.

The government did not transfer resources to a fund of seized criminal assets for support services, compared to 4.7 million *leks* (\$43,900) in 2017.

Funding for NGO-run shelters steadily increased over the past four years; however, continued funding delays hindered shelter operations and the government decentralized funding mechanisms for all social programs to municipal governments starting in 2019. Municipality grants prioritized NGOs providing local assistance rather than the national scope needed for trafficking shelters, and experts alleged solicitation and bidding procedures at the municipal level were rife with nepotism and corruption. NGO- run shelters operated under financial constraints and relied on outside sources for operating costs.” (TIP 2019, p63)

Accepted.

This source will be consulted when we update the CPIN following this review.

2.21 Phases of assistance

Information to be updated on a regular basis from the shelter coalition.

It is unclear what the recommendation is, or what source(s) are suggested to support it.

2.22 Procedures for entering government shelters

9.6.1 Would benefit from description of Border procedures for returnees. Such information can be obtained via direct contact with Albanian counterparts. Section would benefit from presentation of entrance procedure for males

Partially accepted.

We will explore border procedures for female returnees, however the [IAGCI tendering instructions \(also summarised on p3-4\)](#) set out that *“The purpose and scope of the report is clearly set out in an introductory section of the document.”* And *“the CPIN should be reviewed in the context of its purpose as set out above.”*

The “basis of claim” section in the CPIN explains it is about *“(potential) female victim[s] of trafficking for sexual exploitation”*; it does not purport to cover males or children (or trafficking for reasons other than sexual exploitation).

We are currently undertaking detailed analysis into common claim types from Albania and should this indicate that we require a CPIN on male victims of trafficking then we will address this gap.

2.23 National Reception Centre for Victims of Human Trafficking (NRCVHT)

Would benefit from making clear whether provides shelter for males & children. Information to be obtained regularly from the shelter coalition.

Partially accepted.

The [IAGCI tendering instructions \(also summarised on p3-4\)](#) set out that *“The purpose and scope of the report is clearly set out in an introductory section of the document.”* And *“the CPIN should be reviewed in the context of its purpose as set out above.”*

The “basis of claim” section in the CPIN explains it is about *“(potential) female victim[s] of trafficking for sexual exploitation”*; it does not purport to cover males or children (or trafficking for reasons other than sexual exploitation).

We are currently undertaking detailed analysis into common claim types from Albania and should this indicate that we require a CPIN on male victims of trafficking then we will address this gap.

2.24 Employment in government shelters

Additional recent data from USSD: “Local Employment Offices collaborated with private businesses and NGOs to provide access to training and employment for trafficking victims.” (TIP 2019, Protection p63)

Accepted.

This source will be consulted when we update the CPIN following this review.

2.25 NGO shelters

Would benefit from elaborating services and accommodation for males & women with children. Such information should be updated regularly from direct contact with counterparts in Albania, including the shelter coalition, and the Coordinator against Trafficking. Donor dependency remains an issue and sustainability is precarious.

Accepted.

We will attempt to obtain further information on the position of children returned with their mothers and staying in shelters.

2.26 Children

9.10 Additional Data/Source

“Referral of victims can be to the National Reception Centre for Trafficking Victims (the only state run centre) supervised by MSWY. It accommodates trafficked women and girls, those at risk of trafficking, unaccompanied at-risk children, other sexually exploited young women who have returned to Albania and witnesses. However it is mainly an emergency reception centre and does not offer specialist integration services for children. Victims may also receive NGO support (eg. from Tjeter Vision, Psycho Social Center Vatra, Different and Equal) including accommodation, legal, health, education, counselling and vocational training services. Only Tjeter Vision in Elbasan offers targeted services (accommodation, legal aid, education, health, psycho-social support, family mediation and counselling, long term monitoring of case and follow up)...(p. 68)

Further support from the state for trafficking victims and to prevent trafficking also exists:

- The Ministry of Health ensures free health services for all trafficking victims.
- The Ministry of Social Welfare and Youth ensures the physical, psychological and

social rehabilitation of victims, the promotion and facilitation of their vocational training and involvement in the labour market, supports them in finding accommodation, and that all standards of care are followed.

- The Ministry of Foreign Affairs has the duty to facilitate the registration procedures for trafficking victims in cases where this is missing, registration of individuals, and to equip them with all necessary identification documents.
- The Ministry of Education ensures that children are enrolled in school, and offers anti-trafficking awareness and education through the compulsory curriculum. (p. 69)

[...] Settling after return:

Children and their families may settle wherever they wish and children returning alone can settle wherever their legal guardian lives.

Challenges related to access and quality of services are similar to those faced by other children and families (see 5. Basic rights and 6. Family environment and alternative care). This includes access to education, social protection and health care services, all subject to conformity with the approved regulations and providing appropriate documentation.” (p. 83) . UN Children’s Fund (UNICEF), *Child Notice Albania*, January 2015

Partially accepted.

This source will be consulted when we update the CPIN following this review, although note it is quite dated.

2.27 Foreign victims

<p>9.11 Suggest update to most recent data: “Foreign victims had access to the same services as domestic victims and the law provided foreign victims a three-month reflection period with temporary residency status and authorization to work for up to two years. The government granted or renewed residency to seven foreign victims (six in 2017).” (TIP 2019, Protection p63)</p>	<p>Accepted. This source will be consulted when we update the CPIN following this review.</p>
<p>Additional data point from USSD: “Foreign victims from European countries and the Philippines were subjected to sex trafficking and forced labor in Albania. Irregular migrants from Asia are employed as domestic workers by wealthy families and vulnerable to domestic servitude. Middle Eastern, Central Asian, and African migrants transit Albania to reach Western Europe and are vulnerable to trafficking.” (TIP 2019, Trafficking Profile p64)</p>	

2.28 Security at shelters

<p>9.12 Issues remain regarding safety of male VoTs when accommodated in subsidized apartments outside the shelter.</p>	<p>Partially accepted.</p> <p>The IAGCI tendering instructions (also summarised on p3-4) set out that “<i>The purpose and scope of the report is clearly set out in an introductory section of the document.</i>” And “<i>the CPIN should be reviewed in the context of its purpose as set out above.</i>”</p> <p>The “basis of claim” section in the CPIN explains it is about “<i>(potential) female victim[s] of trafficking for sexual exploitation</i>”; it does not purport to cover males or children (or trafficking for reasons other than sexual exploitation).</p> <p>We are currently undertaking detailed analysis into common claim types from Albania and should this indicate that we require a CPIN on male victims of trafficking then we will address this gap.</p>
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2.29 Hotline

<p>9.13 Suggest adding recent data point: “The State Police Directorate’s hotline received three trafficking-related calls, which were referred to the appropriate authorities.” (TIP 2019, Prevention p63)</p>	<p>Accepted. This source will be consulted when we update the CPIN following this review.</p>
<p>Additional Data/Source: “Albania does well to promote and highlight this every year. But the people who staff it are people on the verge of retirement etc. So you potentially have old men fielding calls from trafficking victims.” (p. 89)</p> <p>Source: UK Home Office, <i>Report of a Home Office Fact-Finding Mission to Albania, Conducted 31 October to 7 November 2017</i>, February 2018</p>	

2.30 Compensation for victims

9.14.1 Additional more recent data on provision of legal aid and victim compensation “The government issued implementing legislation on providing free legal aid and funded victim coordinators in every prosecution office starting in 2019; prosecution offices hired five victim coordinators. Victims could obtain restitution from the government or file civil suits against traffickers; no victims have received restitution.” (TIP 2019, Protection p63)

Accepted.

This source will be consulted when we update the CPIN following this review.

2.31 Reintegration: General

10.1 Explore impact of VET training and in maintaining longer term employment to achieve successful integration.

Accepted.

Assuming VET means vocational and educational training, we will look to include information on this when we update the CPIN following this review.

2.32 Education and young people

10.5 “...the Ministry of Health and Social Protection did not approve funds for the government-run shelter to hire a part-time teacher for victims unable to attend school. Similarly, the government provided free textbooks to children in “social economic difficulties,” which did not explicitly include trafficking victims, and some regional directorates of the Ministry of Education used that omission to exclude child victims from receiving free textbooks.” (TIP 2019, Protection p63)

Accepted.

This source will be consulted when we update the CPIN following this review.

2.33 Stigma attached to victims of trafficking

10.7.1 Stigma is not only from dishonour brought to families, but also due to stigma of association and potential discrimination with having been engaged in prostitution.

Unclear what the recommendation is or what source(s) are suggested.

10.7.4 “There are no problems for people who want to...” This ignores weak employment standards in Albania and widespread workplace discrimination which can be cross-referenced from CPIN Domestic Violence.

Not Accepted.

This is what the source said and it would not be appropriate to amend it.

2.34 Women living alone

10.8. Section heavily reliant on single source HO FFT. Would benefit from cross referencing DV CPIN where the Socio-economic situation of women is more fully treated.

Partially accepted.

We will cross-reference to the CPIN on domestic violence when the Trafficking CPIN is next updated.

We do not accept that it is over reliant on the HO FFM and/or that it is justified given the relevance of that mission. While conducting this primary research we spoke to 53 people in 22 face to face interviews and several of them are referred to in this section.

2.35 Re-trafficking

Selective treatment of the issue. Might consider issue/risks of re-exploitation domestically as well as re-trafficking out of Albania.

It is unclear what the recommendation is, or what source(s) are suggested to support it.

2.36 Healthcare: General

11.1 Suggest additional USSD data point: "The government provided free health care but access to education for child victims was inadequate." (TIP 2019, Protection p63)

Accepted.

This source will be consulted when we update the CPIN following this review.

2.37 Mental health referrals and access

11.4 Suggest cross-referencing information on mental health with 7.3 on CPIN on Domestic violence, 2018

Accepted.

This source will be consulted when we update the CPIN following this review.

3. Review of responses to COI requests

These were included in the review on Blood Feuds.

4. Information about the Reviewer

Dr. Enkeleida Tahiraj, MA (Sussex), PhD (York)

Visiting Senior Fellow, LSEE, The London School of Economics

Provided country expertise on COI issues on Albania since 2004 and is author of Routledge Europa yearly review on Albania since 2007 including human rights, socio-economic development and rule of law. Has been Senior consultant for international organisations including the United Nations and the European Commission, as well as various EU governments. Directed Alex Nash Program in Albanian Studies at University College London. Was adviser on Human Rights, Social Policy & Employment for the EU Delegation in Albania, including peer reviews on monitoring of rights protection and yearly contributions on EU Progress report. Lead the drafting of the Albanian Strategy for Social Inclusion and Social Protection 2013-2020; authored two UNDP and UN Women studies on attitudes and behavioral change to reduce GBV in Albania. Authored Commentary on 2012 Albania Country of Origin (COI) and Operational Guidance Note (OGN), for the UK Independent Chief Inspector of Borders and Immigration (2013). Was visiting scholar at University of California San Diego and Penn State University, USA. Lectured and researched at University College London (UCL) and the London School of Economics. Has presented internationally and published extensively on rights and vulnerable groups in Albania and SEE. Other research includes rights based policies in the EU countries.

Annex E: Review of the 2019 Home Office Country of Origin Information on Christians and Christian Converts, Iran

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

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November 2019

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Table of Contents

1. Introduction	63
1.1 Instructions	63
1.2 Methodology	63
1.3 Summary of Review	63
1.4 Understanding of the themes addressed in the CIG Reports	64
1.5 Quality and balance of sources	64
2. Review	65
2.1 Christians born in Iran (non-converts)	65
2.2 Christian conversion in Europe	65
2.3 Risk to Christian converts	66
2.4 House churches	69
2.5 Internal relocation	69
2.6 Grammar	69
2.7 Structure	70
3. Review of responses to COI requests	71
4. Information about the Reviewer	76

5. Introduction

5.1 Instructions

I have been instructed to review the Home Office country policy and information note: Christians and Christian Converts, Iran, May 2019. 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 human rights situation in Iran for Christians and Christian converts
- 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.

5.2 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.

5.3 Summary of Review

Overall, the report provides a detailed collation of objective evidence on the treatment of Christian converts in Iran. There are some issues with a small number of the sources, which have been highlighted in the review below.

Due to the lack of freedom of information in Iran, one of the major obstacles to this report is the number of conflicting sources provided in the objective evidence. In order to make sense of this, it is strongly suggested that an introductory paragraph is needed to explain why this is the case and the implications for the report.

Main Suggestions relating to the COI Requests:	
<ol style="list-style-type: none"> 1. An introductory paragraph contextualising the report 2. A summary paragraph at the end of each section 3. Contextualising the objective evidence provided 	<p>Not accepted.</p> <p>COIRs are designed to provide quick information to decision makers on specific questions not covered by our Country Policy and Information Notes. We do not provide an analysis or position – and attempt to avoid anything that could be perceived as such – within them.</p>

5.4 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, a greater contextualisation is needed. It is recognised that the shortcomings here may be due to the amount of time since a Country Guidance Case was conducted on the country.

5.5 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 issues with a few of the sources used. For example:

The Australian Institute of International Affairs (AIIA), ‘Iran Study Tour Report’, April 2018, <http://www.internationalaffairs.org.au/wp-content/uploads/2018/06/2018-Iran-StudyTour-Report.pdf>. This source is largely unreferenced and it is noted that the report was written and compiled by an intern “from information and reflections provided by Study Tour members”. It is unclear where the majority of this information has come from and is thus considered to be unreliable.

Moreover, it is considered that some of the sources have been taken out of context. These are provided in the table below.

6. Review

6.1 Christians born in Iran (non-converts)

This section addresses potential issues with the report’s depiction of Christians who are born into the religion in Iran.

2.4.2 (Comment) This paragraph states Christians born into the religion, who do not actively Evangelise, do not face a significantly serious level of discrimination resulting in persecution or serious harm. However, the objective evidence provides that even constitutionally recognised religious minorities in Iran (including Assyrian and Armenian Christians) face “official harassment, intimidation, discrimination, arrests, and imprisonment”. Source – USCRIF, ‘Iran’, 2017, <https://www.uscirf.gov/sites/default/files/Iran.2017.pdf>

Moreover, it has been reported that Christians born to the religion are treated as second-class citizens and are not allowed to conduct Church services in Farsi (the national language). Source – Open Doors USA, ‘Iran’, undated, <https://www.opendoorsusa.org/christian-persecution/world-watch-list/iran/>

Official Churches in Iran are also subjected to government raids and have been confiscated by the authorities. Source – Radio Farda, ‘Iranian intelligence shuts down church, removed cross’, 26 May 2019, <https://en.radiofarda.com/a/iranian-intelligence-shuts-down-church-removes-cross/29963987.html>

As noted later in the report (8.1.4), although Christians are a “protected minority”, they cannot practice their religion publicly or advocate for Christianity. Source – Congressional Research Service, ‘Iran: Internal Politics and US Policy and Options’, 20 November 2019 <https://fas.org/sgp/crs/mideast/RL32048.pdf>

Not accepted.

Our position is guided by caselaw which held that those who are not active evangelisers are unlikely to be at real risk of persecution or serious harm. The totality of the current information – including the selected quotes highlighted (which point to a level of treatment which does not meet the threshold) – is broadly consistent with the conclusions reached in that case.

We believe this highlights the importance of adhering to the [IAGCI tendering instructions \(also summarised on p2\)](#) that *‘the review should focus exclusively on the country of origin information contained within the document, and not pass judgment on the policy guidance provided.’*

6.2 Christian conversion in Europe

6.1 (Suggestion) This section provides objective evidence of Iranians converting to Christianity while in Europe. However, there are little to no sources here which provide reasons for the conversions. This has resulted in an unbalanced section in which it appears as though asylum is the primary motivating factor for conversion. Other reasons for conversion should be given here in order to give a fair assessment of the situation.

One reason given for converting is due to the way Iran’s interpretation of Islam treats women. Source – NPR, ‘Iranians are converting to evangelical Christianity in Turkey’, 14 December 2018, <https://www.npr.org/2018/12/14/669662264/iranians-are-converting-to-evangelical-christianity-in-turkey?t=1574685715029>

Another reason is due to disillusionment among the Iranian youth due to Iranian governance and the rise of Islamist movements elsewhere in the region. Source – Conservative woman, ‘Astonishing rise of Iran’s heroic Christians’, 25 August 2019, <https://www.conservativewoman.co.uk/astonishing-rise-of-irans-heroic-christians/>

Not accepted

The reasons for an individual converting to Christianity are unique to that person and are explored during the substantive interview stage of the asylum decision making process. We do not agree that the section is unbalanced nor that it gives the impression that asylum is the primary motivating factor for conversion; it is simply reflecting the available sources.

6.3 Risk to Christian converts

<p>2.4.7 (Suggestion) This paragraph states that the number of Christian converts being arrested are statistically very low in comparison to the overall number of Christian converts in Iran. Due to the nature of information gathering here, this paragraph is problematic. Freedom of information is largely restricted in Iran. Therefore, there are no accurate numbers of arrests here. Cases are largely drawn from media sources who may not report on these issues for a variety of reasons. Therefore, this paragraph needs to be contextualised.</p>	<p>Not accepted</p> <p>The IAGCI tendering instructions (also summarised on p2), <i>'the review should focus exclusively on the country of origin information contained within the document, and not pass judgment on the policy guidance provided.'</i></p> <p>The subsection in the COI containing the information from which this is assessment is made (8.2 Arrest and detention of Christians) is a long and detailed section with many varied sources.</p>
<p>2.4.7 (Comment) The same paragraph, provides that it is the leaders and organisers of house churches that are targeted by the Iranian authorities, rather than "ordinary converts". This conclusion is surprising. The objective evidence provided throughout the COI report is very mixed on this issue. Most of the sources agree that organisers and leaders of house churches face and increased risk. However, several sources state that while such persons are primarily targeted, the rest of the congregation are also at risk of arrest. (see section 8.2) Moreover please see the comment below for examples of house church members (not just leaders) being arrested and sentenced.</p>	<p>Not accepted</p> <p>Our assessment and that of the relevant caselaw is that those at real risk are those with the higher profile and role and that for the ordinary convert there is a risk, but not a real risk, of serious harm.</p> <p>Being "at risk" is not the same as being "at real risk", which is the test in refugee law.</p> <p>We believe this highlights the importance of adhering to the IAGCI tendering instructions (also summarised on p2), <i>'the review should focus exclusively on the country of origin information contained within the document, and not pass judgment on the policy guidance provided.'</i></p>

<p>2.4.13 (Comment) This paragraph appears to imply that only converts who evangelise or are previously known to the authorities are at real risk of persecution. This paragraph thus suggests that converts who attend house churches are not at risk unless they have the aforementioned profile. However, a number of sources suggest that members of house churches also face risk of detention and imprisonment.</p> <p>In October 2019, it was reported that 9 members of a house church (including a pastor) were arrested. Five were transferred to Evin Prison after the judge rejected the lawyer representing them and the remaining four were given five-year sentences for “acting against national security”. Source – Open Doors USA, ‘Police raid church in Iran, 9 Christians sentenced to five years’, 23 October 2019, https://www.opendoorsusa.org/christian-persecution/stories/police-raid-church-in-iran-9-christians-sentenced-to-five-years/</p> <p>In October 2018, Saheb Fadaie and Fatemeh Bakhteri, members of a house church, were sentenced to 18- and 12-months imprisonment for “spreading propaganda against the regime”. The court found that discussing Christianity in house churches amounts to an attack on Islam. Both Fadaie and Bakhteri were among a group of Christians arrested in Rasht in May 2017. Source - World Watch Monitor, ‘Iranian Christians sentenced, verdict says claiming Jesus is Lord is attack against Islam’, 02 October 2018 https://www.worldwatchmonitor.org/coe/iranian-christians-sentenced-verdict-says-claiming-jesus-is-lord-is-attack-against-islam/ Open Doors, ‘Two Iranian Christians sent to prison for “spreading propaganda against the regime’, undated, https://www.opendoorsca.org/real-people-stories/two-iranian-christians-sent-to-prison/</p> <p>Another source provides that Saheb Fadaie was given an additional sentence on 10 years, alongside fellow house church members Yasser Mossayebzadeh and Mohammadreza Omid. The three house church members were also sentenced to 80 lashes for consuming alcohol (communion wine) at the time of the raid. Source – Church in Chains, ‘Saheb Fadaie’, 04 September 2019 https://www.churchinchains.ie/prisoner-profiles/saheb-fadaie/</p> <p>In August 2018, it was reported that 12 members of a house church in Bushehr, south western Iran, were arrested and sentenced to one year in prison on charges of “propaganda activities against the system and in favour of Zionist Christianity through holding house meetings, evangelism, and invitation to Christianity and inclination to the land of Christianity. Source – Assist News Service, ‘House Church Members in Iran Sentenced to Year in Prison’, 18 August 2018, https://www.assistnews.net/house-church-members-in-iran/</p>	<p>Not accepted</p> <p>We acknowledge in section 2.4.4 that members of evangelical/house churches can be subject to harassment, arrest, close surveillance and imprisonment.</p> <p>Being “at risk” is not the same as being “at <i>real</i> risk”, which is the test in refugee law.</p> <p>We believe this highlights the importance of adhering to the IAGCI tendering instructions (also summarised on p2), ‘<i>the review should focus exclusively on the country of origin information contained within the document, and not pass judgment on the policy guidance provided.</i>’</p>
<p>2.4.15 (Comment) This paragraph states that those who do not make their faith public would likely be able to practice Christianity discreetly. However, it should be noted that attempting to practice the Christian faith, even in private, would, if discovered, amount to a serious offense in Iran.</p> <p>It is considered here that the premise of the paragraph relies of the convert not attending house churches and merely practicing Christianity alone and within the home.</p> <p>Moreover, it is acknowledged Christian converts are expected to marry according to Sharia law. Therefore, if they wish to establish family life, they are expected to do so according to Islamic teachings. It should be noted here that relations outside of marriage are illegal in Iran. Therefore, a Christian convert would be forced to adhere to Islamic doctrine in order to live a non-solitary life. Source – Danish Immigration Service, ‘Update on the Situation for Christian converts in Iran’, 2014, https://www.nyidanmark.dk/NR/rdonlyres/78D46647-A0AD-4B36-BE0A-C32FEC4947EF/0/RapportIranFFM10062014II.pdf</p> <p>Individuals are also required to declare their religious beliefs when filling out official forms and applying to university. This makes religious minorities vulnerable to discrimination. Therefore, many Iranians are forced to formally embrace Islam as a means to escape discrimination. Source – Sputnik, ‘Iranian Atheists Waiting to Come Out’, 19 March 2013, http://sputniknews.com/analysis/20130319/180108603/Iranian-Atheists-Waiting-to-Come-Out.html</p>	<p>Partially accepted</p> <p>The IAGCI tendering instructions (also summarised on p2), ‘<i>the review should focus exclusively on the country of origin information contained within the document, and not pass judgment on the policy guidance provided.</i>’</p> <p>Thank you for this information, we will consider including information about Christian converts having to adhere to Islamic doctrine when marrying when we update this CPIN.</p> <p>Sputnik news is, however, in our view a ‘questionable source’.</p>

<p>5.1.1 (Comment) This paragraph provides that the Iranian penal code specifies the death sentence for <i>moharebeh</i> (enmity against God), <i>fisad fil-arz</i> (corruption on earth) and <i>sabb al-nabi</i> (insulting the prophets. This paragraph is important as it provides the legal framework. However, it the paragraph does not explain the broadness of the terms. Articles 186, 187, 189, and 190 define the profile of a person who qualifies as “<i>moharebeh</i>”. However, a tangible description of what acts are encompassed by the term <i>moharebeh</i> is not given. This has resulted in various confusions as to what should be considered a crime of <i>moharebeh</i>. This has led to an emphasis on interpretation so that adjustments can be made on an <i>ad hoc</i> basis. It should be acknowledged here that judges and those in authority are given more power to discriminate with impunity here.</p>	<p>Thank you for this information, however we consider that the quote gives our decision makers sufficient information on this subject.</p>
<p>8.2.10 (Comment) This paragraph is not reliable. It casts general rules for Christian converts being arrested. However, there are many cases of Christian converts being arrested and treated differently to the rules laid out here. The paragraph is incompatible with the country information.</p> <p>One report detailing the arrest of a Christian convert provides that the convert was threatened at gunpoint for his religious beliefs. He was then arrested and subjected to a feigned public execution in which the trigger was pulled but the gun was not loaded. He was then transferred to a prison in Tehran in which he was subjected to physical torture. Source – DW, ‘What its like to be Christian in Iran’, 25 January 2016, http://www.dw.com/en/what-its-like-to-be-a-christian-in-iran/a-19002952</p> <p>Another report states that a Christian convert who was arrested in December 2017 was still in custody in February 2018. Source – Radio Farda, ‘Christian convert arrested in Tabriz still in jail’, 14 February 2018, https://en.radiofarda.com/a/iran-christian-convert-arrested/29039465.html</p>	<p>Not accepted</p> <p>The Danish Immigration Service and Danish Refugee Council are highly credible and reliable sources and this report is based on high standard primary research.</p> <p>The CPIN is also designed to cover the general situation; this is set out in the Preface.</p>
<p>8.3.5 (Comment) This paragraph provides that it is rare for Christian converts to be charged with apostasy. This is only partially correct. The objective evidence provides that it is rare for it to be <i>reported</i> that a Christian convert has been charged with apostasy. There is an important distinction here. Information in Iran is not free. Therefore, cases on Christian converts are taken from media sources. There is no document providing information on all cases against Christian converts in Iran.</p>	<p>Not accepted</p> <p>Landinfo is a highly credible and reliable organisation who have conducted numerous fact-finding missions to Iran. We are accurately reflecting what they are reporting (from at least 5 sources and their own primary research in-country).</p>
<p>8.5.3 (Comment) This paragraph states that being in possession of one bible is usually tolerated by the authorities. This is not in line with the country information.</p> <p>In August 2011, Iranian authorities seized 6,500 copies of the Bible in northwest Iran. In another incident, Iranian officials burned 300 bibles. Source – Belief Net, ‘Iranians seize 6,500 bibles’, undated http://www.beliefnet.com/columnists/pray_for_the_persecuted_church/2011/08/iranians-seize-6500-of-bibles-burn-300-claim-they-are-protecting-youth.html#ixzz3OY6prutw</p> <p>Publishing Christian materials (including the bible) is illegal in Iran. Source – Christian Post, ‘Farsi-speaking Iranian Christians banned from attending church’, 03 January 2014, https://www.christianpost.com/news/farsi-speaking-iranian-christians-banned-from-attending-church.html</p> <p>Another source highlights the importance of context regarding a Farsi bible. Here it is stated that “if the authorities are after you regarding your Christian activities and find your bible, then you could be arrested on the spot”. Source – Danish Refugee Council, ‘Iran: On conversion to Christianity’, 2013, https://www.nyidanmark.dk/NR/rdonlyres/A8C2C897-1CA9-49D1-BA32-EC3E599D646D/0/Iranendeligudgave.pdf</p>	<p>Partially accepted</p> <p>The information in this paragraph is taken from the Home Office’s primary research, interviewing two well-known Christian/ Religious human rights organisations in August 2017. We will reflect the COI suggested by the reviewer but would point out that (a) it is normal to have conflicting views – COI section intends to present contradictory statements as we aim to present a range of opinions from different sources, usually quoted “as is” (see, for example, §2.1.3, §5.4.1, p108 of the ACCORD COI training manual, which is referenced in the Preface to our CPINs) – without one necessarily being ‘right’ or ‘wrong’; (b) the sources suggested are very dated.</p>
<p>8.5.7 (Comment) This paragraph states that Christians who practice their religion privately are “largely left to their own devices”. The source referenced here is the Australian Institute of International Affairs’ ‘Iran Study Tour Report’. The report itself includes very little references. The entire section on religion in Iran is unreferenced. It is noted that the report was written and compiled by an intern “from information and reflections provided by Study Tour members”. It is unclear where the author got their information from for this section. As such, it is considered that this source is unreliable.</p>	<p>Partially accepted</p> <p>Although it appears the AIIA is respected institution, we agree this particular report contains information which is not fully sourced. That said, many organisations do not fully or clearly source information.</p>

6.4 House churches

7.1.3 (Comment) The source states that the increasing number of house churches in Iran provides evidence that although they are illegal, house churches “have a space to operate”. It is considered that this quote has been taken out of context. As an isolated quote, this implies that converts in house churches are relatively free to practice their faith. However, this is not the case. Later in the DIS-DRC report, it is noted that house churches are routinely monitored by the authorities who do not act immediately so as to collect information on the members. Moreover, the report goes on to state that house churches in Iran are “systematically raided”. (page 5) – Source – Danish Immigration Service and Danish Refugee Council: [https://www.nyidanmark.dk/-/media/Files/US/Landerapporter/Report---House-churches-and-Converts--- Page 33 of 36 220218.pdf?la=en-GB&hash=3A687E2BB8A90B45E253B94BE1AC49684E0A0375](https://www.nyidanmark.dk/-/media/Files/US/Landerapporter/Report---House-churches-and-Converts---Page%2033%20of%2036%20220218.pdf?la=en-GB&hash=3A687E2BB8A90B45E253B94BE1AC49684E0A0375)

Not accepted

The quote states that there has been an increase in house churches and that they are illegal so no such implication is made that they are free to practice their faith.

6.5 Internal relocation

2.6.1 (Comment) The paragraph finds that if a Christian convert does not actively proselytise and considers their religion to be private, internal relocation to an area where they are not known may be possible. It is unknown where the objective evidence for this has been found. If a Christian convert is known to the authorities, it is considered that the level of risk would be the same throughout Iran. It is not understood how internal relocation would impact the level of risk here as the threat would not be localised to a specific place.

Not accepted

Paragraph 2.6.1 states “Where the person has a well-founded fear of persecution from the state, in the majority of cases they will not be able to relocate to escape that risk.”

The objective basis for this is the leading caselaw (e.g. *Januzi*) and the Country Guidance case findings (at para 2.6.2).

We believe this highlights the importance of adhering to the [IAGCI tendering instructions \(also summarised on p2\)](#), ‘the review should focus exclusively on the country of origin information contained within the document, and not pass judgment on the policy guidance provided.’

6.6 Grammar

2.4.13 (Suggestion) Typo. The sentence should read: ... In addition, those who have previously come to the adverse attention of the authorities for other reasons, depending on the nature of the adverse attention, are likely to be at real risk of persecution (see Activities which could attract attention from the authorities).

Accepted

The paragraph will be updated to read “In addition, those who have previously come to the adverse attention of the authorities for other reasons are likely, depending on the nature of the adverse attention, to be at real risk of persecution”

6.1.8 (Suggestion) Grammar and Typo with full-stop. The sentence should read: <i>An</i> October 2018 article by Advancing Native Missions (ANM) reported on a number of Iranians converting to Christianity while in Serbia.22	<p>Accepted</p> <p>We will correct these typos when the CPIN is updated following this review</p>
8.5.2 (Comment) This paragraph is very difficult to read. I cannot make sense of what the author is trying to say. The phrase “people in Turkey” is also unclear.	
8.5.3 (Suggestion) Formatting of reference. Reference 77 appears enlarged.	
8.5.4 (Suggestion) This paragraph is difficult to read. It would be clearer to state: The Australian Government’s Department of Foreign Affairs and Trade (DFAT) Country Information Report on Iran, dated 7 June 2018 <i>is</i> based on a range of sources, information from their embassies in country, and visits to the country concerned. The report provides that ‘International observers advise that Iranians who convert to Christianity outside the country are unlikely to face adverse attention from the authorities upon return to Iran, provided they have not previously come to the attention of authorities for political activities conducted in Iran, maintain a low profile and do not engage in proselytization or political activities within the country’. ⁷⁸	

6.7 Structure

<p>(Firm Recommendation) Need for an introductory paragraph contextualising the issues of the country. As it stands, the document is comprised of contradictory sources with no explanation of why this is the case. Therefore, a paragraph is needed at the start to explain why so many sources contradict one another. This is largely due to limited freedom of information in Iran. Here, access to information is either illegal or very limited. Therefore, the majority of cases are taken from media outlets and may not be representative of actual convictions as there are no official statistics available. This should be provided at the start.</p> <p>Another point which should be raised as a means of contextualisation is that the crime of Christian conversion is not codified. This is unusual for Iranian law which is on the whole, well codified. In not providing explicit crime and punishment here, it allows for additional charges such as espionage and <i>moharebeh</i> (enmity against God). The lack of codification thus allows judges plenty of scope in order to prosecute Christian converts.</p> <p>The document does not outline the general oppressive environment in which Iranians live. This would better contextualise persecution for Christian minorities</p> <p>Additionally, it would be helpful to point out that there is no independent commission in Iran for securing and monitoring the rights of Christians and Christian converts. Here, the definition of “Christian” is a mandate of the government which is based on a very narrow interpretation of Islam. Here, the authorities impose a religion identity of Christianity onto groups of people (such as Mandeans who do not view themselves as Christians).</p>	<p>Not accepted.</p> <p>This CPIN is one of a series relating to Iran which also include a Background Note, so contextualisation of issues, if required, can be found within this body of CPINs.</p> <p>The Preface to the CPIN also explains the purpose and the limitations of the Note – specifically that it is not intended to be an exhaustive survey of a particular subject or theme.</p> <p>The structure of the CPIN is also specifically designed to separate the raw evidence base (the country information, which is clearly sourced and usually quoted “as is”) from the assessment (which is our analysis of the country information against the relevant legal and policy framework for considering protection claims). This is also explained in the Preface.</p>
<p>(Firm Recommendation) Building on the previous point, it would be helpful for each section to have a summary in order to give some coherency to the objective evidence which is largely comprised of conflicting sources. As it stands, due to the contradictory sources, it is difficult to read through the objective evidence. For example, Section 4 (Numbers of Christians in Iran): A summary paragraph at the end of this section could explain that the sources here contradict one another due to the failure of the Iranian government to provide statistics on Christian converts in Iran. Moreover, this has an impact on issues of protection. Providing such figures would be in line with guaranteeing protections found in the constitution.</p>	

7. Review of responses to COI requests

1. COI request – Iran: Kurdistan Freedom Party (PAK) 02/18-083

General information on PAK, including aims and objectives of the party. How do people join the party and what are members required to do once they have joined?

This source is suffering from some inaccuracy and lacking details	
1.1 (Suggestion) The first paragraph (1.1.1) should appear after paragraph 1.1.4, for clarity. This clearly shows that while a ceasefire was held in 2017, clashes continued in 2018. In the current order, it reads as though the last event to happen was the ceasefire.	Partially accepted – the opening few lines are a bit clunky and could be better worded but the COI that is quoted in the opening paragraph provides a brief background of the party to the requester.
1.1.1 (Comment) The Republic of Mahabad was a short-lived Kurdish self-governing unrecognized state in present-day Iran, from 22 January to 15 December 1946. It was not established in 1945. Al Qazi is the only son of the first and last president of the Republic of Mahabad	Thank you for this information.
1.1.4 (Comment) There was no statement between PJAK and Iran. It is based on analysis	Not accepted – The quote says that the information came from the Chairperson of the PJAK.
On 04 March 2017, the Revolutionary Union of Kurdistan (RUK) issued a statement declaring that they have reunited with PAK. As part of this reunion, they stated that the parties do not use the name RUK and that both parties now operate under the name PAK. Source - Roji Kurd (in Kurdish) RUK and PAK reunited, 04 March 2017, https://www.rojikurd.net/%DB%8C%DB%95%DA%A9%DB%8E%D8%AA%DB%8C-%D8%B4%DB%86%DA%95%D8%B4%DA%AF%DB%8E%DA%95%D8%A7%D9%86%DB%8C-%DA%A9%D9%88%D8%B1%D8%AF%D8%B3%D8%AA%D8%A7%D9%86-%D9%88-%D9%BE%D8%A7%D8%B1%D8%AA%DB%8C-%D8%A6%D8%A7/	Thank you for this information but we are unlikely to use non-English sources for COI Requests due to timescales, and the cost-benefit involved in obtaining an accurate translation.

2. COI request – Iran: Albinism and impaired vision 05/19-100

General information on Albinism and impaired vision including treatment and healthcare provisions and societal treatment.

The sources for this report are limited. It is recognised that this could be due to reliance on English language sources.	n/a
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3. COI request – Iran: Abortion house clinics 05/19 – 124

The penalties that a husband would face by the authorities after signing paperwork stating that he would take responsibility for his wife having an abortion in a house clinic at 19 weeks and 3 days over the legal limit.

<p>The law regarding abortion in Iran is problematic as Islamic teachings do not mention this issue. The Islamic Republic of Iran have attempted to relate abortion to murder and have divided the life of the foetus into two staged. Nonetheless, this is still problematic. Individual judges are able to make decisions on these cases.</p>	<p>It is unclear what the recommendation is, or what source(s) are suggested to support it.</p>
<p>The response would be made stronger by using examples of cases of women convicted of illegal abortion. It is also noted that none of the sources here make reference to the husband.</p>	<p>Partially accepted</p> <p>It could be stronger with more examples. However, para 1.2.1 outlined that CPIT was only able to find a small amount of relevant COI within the timeframes available.</p>
<p>In Iran, where laws are based on the Islamic Sharia, there is a slight difference regarding this issue. Based on the Islamic law, formation of the foetus' life is divided into two stages: before the foetus is infused with life and after it. Before the foetus has a soul, abortion is legal if pregnancy endangers the mother's life. The Head of the Guardian Council once inquired the view of Imam Khomeini (when he was alive) if abortion was legal (before the foetus has a soul) in cases where doctors are certain or when they fear that the continuation of pregnancy would kill the mother. In response to the question, Imam Khomeini said not only it is legal but it is also necessary. Even though in penal code, abortion is considered a crime, when it is done to save the mother's life (before the foetus is infused with life), it is regarded legal.</p> <p>Article 622 of the Islamic Punishment Law says: "Anyone who intentionally and by hitting, beating, and bothering a pregnant woman causes an abortion, should pay the blood money. Plus, he/she would face 1 to 3 years in prison."</p> <p>The blood money of foetus is determined in article 487 and depends on the life stages of the foetus.</p> <p>Article 624 describes the Islamic punishment for those who were involved in abortion: "If the doctor, the obstetrician, the pharmacist, the surgeon, or anyone who claims to be a doctor, an obstetrician, a pharmacist, and a surgeon provide the tools needed for abortion or become involved in the act of abortion, they will face 2 to 5 years in prison and they should also pay the blood money determined by the law."</p> <p>Article 623 describes another issue: "Anyone who causes abortion by giving spices or other stuff to a pregnant woman would face 6 months to 1 year in prison. If he/she does this intentionally, he/she would be jailed 3 to 6 months. However, if it is proved that this action was taken in order to save the mother's life, that individual should only pay the blood money." In this article the word "anyone" includes everyone. Yet it seems that it is for people other than doctors and obstetricians because their involvement has already been described in Article 624. By taking into consideration other articles regarding abortion, it becomes clear that Article 623 is about the time when the mother, herself, causes the abortion by using spices and drugs. In this case, others who are involved only provide the tools needed for abortion intentionally or they give advice or guide the pregnant women in carrying out the abortion. Source - Iran Chamber Society, Abortion in Iranian Law, January 2004, (Iran Persian Daily, http://www.iranchamber.com/society/articles/abortion_iranian_law.php)</p>	<p>Accepted</p> <p>We will include this COI in any future request on the same subject.</p>

4. COI request – Iran: Cash, ammunition, and weapons; Iraq and Syria 07/19 – 102

Whether the Iranian government is known for providing cash/ammunition/weapons to Iraq and Syria

The Iranian constitution clearly states that Iran would export their Islamic revolution. It has been doing this in two ways, assassination of potential oppositions abroad, and supporting local groups in the region. In this, Iran has not relied on its Shia identity, rather on effective partnership. Iran has been influencing Kurdish groups, Sunni Muslims and secular, alike. Iran brings stability to home by destabilising the region.

It is unclear what the recommendation is, or what source(s) are suggested to support it. In our view, the COIR provides a good level of detail relevant to the request, particularly in Syria.

5. COI request – Iran: MEK (Mojahedin-e Khalq Organisation) 07/19 – 101

Information regarding the online activity of MEK supporters outside Iran

The response does not fully explore the Iranian authorities' use of surveillance outside of Iran.

In 2013, there were a number of cyber-attacks on opposition websites outside of Iran. The attacks were reportedly found to have originated within Iran. Moreover, during the attacks, tens of thousands of Iranian users' Gmail accounts were targeted. Source - Centre to Protect Journalists, 'Iranian authorities target Internet, media before elections', 13 June 2013, <https://cpi.org/2013/06/iranian-authorities-target-internet-media-before-e.php> The Guardian, 'Iran accused of using online censorship and hacking to sway presidential poll', 31 May 2013, <https://www.theguardian.com/world/2013/may/31/iran-online-censorship-influence-election>

It is also noted that Iran has a Cyber Defence Command Unit which was established in 2009. The unit is responsible for hacking into various platforms and websites that they deem a threat to the stability of the Iranian government. Source - Immigration and Refugee Board of Canada, 'Responses to Information Requests: Iran', 16 January 2015, page 03, <https://www.justice.gov/sites/default/files/pages/attachments/2015/12/07/irn104972.e.pdf>

Objective evidence provides that the authorities monitor both students and dissidents abroad. It has been reported that Iranian security officials visited the family of a dissident after he took part in an anti-regime demonstration in Canada. Source - Open Canada, 'Michael Petrou on the Long Reach of Iran', 22 May 2013, <https://www.opencanada.org/features/michael-petrou-on-the-long-reach-of-iran/>

Moreover, it has been reported that Iranian authorities utilise human intelligence to monitor the activities of Iranian networks abroad. Here, activist groups abroad are infiltrated in order to gather information on the activists. Source - Immigration and Refugee Board of Canada, 'Iran: treatment of anti-government activists by authorities', 20 January 2014, <https://www.refworld.org/docid/533923f74.html>

In 2019, the German Federal Ministry of the Interior, stated in its annual report that Iran is one of the main countries that are engaged in espionage activities in Germany. Here, it is reported that Iranian intelligence services spy on and suppresses opposition movements abroad. The report also states that both the Ministry of Intelligence and the Quds Force are active in Germany. Source - Federal Ministry of the Interior, Building and Community, 'Brief summary 2018 report on the protection of the constitution', June 2019, <https://www.verfassungsschutz.de/en/public-relations/publications/annual-reports>

Not accepted

The request was for information about MEK, not the Iranian authorities' use of surveillance outside of Iran.

6. COI request – Iran: Atheism and publicity 08/19 – 033

State treatment towards atheists who share their beliefs and views on social media and in public

Conversion from Islam is not allowed and illegal, potentially punishable by death. This is covered in the response.

Thank you.

7. COI request – Iran: Worker(s) – Communist Party of Iran 08/19 – 056

Information on the Workers Communist Party of Iran including treatment by the authorities, membership, prominence, common activities.

The Community Party of Iran is mostly active abroad; either in the Kurdistan Region of Iraq, or elsewhere. However, they do coordinate their activities in Iran from abroad. The rise of the internet and new media technologies has provided Iranian oppositional groups abroad will a good opportunity to do so.

It is unclear what the recommendation is, or what source(s) are suggested to support it.

8. COI request – Iran: Tattoos 09/19 – 019

Whether there is any evidence of prosecution in Iran for having visible tattoos which could alert the Iranian authorities, if noticed, to the person being regarded as “Westernised”.

The response captures the Iranian state’s opinion on tattoos.

Tattoos represent another issue that is not explicitly addressed in Islamic teachings. However, it should be noted that Muslim men and women have been getting tattoos even before Islam and this was never an issue. That said, tattoos in Iran can be seen as opposition to Islamic rule as they can be seen to depict Western civil liberties. The Islamic Republic do everything to stop Western values impeding on its own culture which is fundamental to its existence.

It is unclear what the recommendation is, or what source(s) are suggested to support it.

9. COI request – Iran: Afghan refugees 10/19 – 008

Information on Afghan refugees and military service

Information about Afghan refugees is widely available.

Some Afghan refugees, in particular Hazara, were volunteered to fight in Syria. Whether they volunteered or were given promise of naturalisation it is not clear, but some sources stated that they volunteered due to a naturalisation promise.

It is unclear what the recommendation is, or what source(s) are suggested to support it.

10. COI request – Iran: Yarsani (Also known as Yarsan of Ahle Haqq) 01/19 – 008

Information about the Ahle Hagh faith and whether or not it is part of Islam. Treatment of the followers of Ahle Hagh faith and whether or not someone converting from Ahle Hagh to Christianity would be at risk.

Whether Ahle Hagh is Islamic or pre-Islamic faith with influence of Islam is open to debate. Whether Yarsani-Ahle Hagh faith, as known in Iran and Kakayy as known in Iraq are the same is also open to debate.

In early days of Islamic revolution, members of this faith badly oppressed. In recent years, practicing within their homes would not cause them trouble.

It is unclear what the recommendation is, or what source(s) are suggested to support it.

8. 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. From 2016 to 2019, Dr Fatah produced 126 reports on Iran; including Country Expert Reports, document authentications, and nationality assessments.

Annex F: Revised Home Office response to review of the 2019 Home Office Country of Origin Information on Christians and Christian Converts, Iran

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

Dr Rebwar Fatah, Middle East Consultancy Services¹⁶

November 2019

¹⁶ 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	79
1.1 Instructions	79
1.2 Methodology	79
1.3 Summary of Review	79
1.4 Understanding of the themes addressed in the CIG Reports	80
1.5 Quality and balance of sources	80
2. Review	81
2.1 Christians born in Iran (non-converts)	81
2.2 Christian conversion in Europe	81
2.3 Risk to Christian converts	82
2.4 House churches	84
2.5 Internal relocation	84
2.6 Grammar	85
2.7 Structure	85
3. Review of responses to COI requests	86
4. Information about the Reviewer	91

9. Introduction

9.1 Instructions

I have been instructed to review the Home Office country policy and information note: Christians and Christian Converts, Iran, May 2019. 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 human rights situation in Iran for Christians and Christian converts
- 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.

9.2 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.

9.3 Summary of Review

Overall, the report provides a detailed collation of objective evidence on the treatment of Christian converts in Iran. There are some issues with a small number of the sources, which have been highlighted in the review below.

Due to the lack of freedom of information in Iran, one of the major obstacles to this report is the number of conflicting sources provided in the objective evidence. In order to make sense of this, it is strongly suggested that an introductory paragraph is needed to explain why this is the case and the implications for the report.

Main Suggestions relating to the COI Requests:	
<ol style="list-style-type: none"> 1. An introductory paragraph contextualising the report 2. A summary paragraph at the end of each section 3. Contextualising the objective evidence provided 	<p>Not accepted.</p> <p>COIRs are designed to provide quick information to decision makers on specific questions not covered by our Country Policy and Information Notes. We do not provide an analysis or position – and attempt to avoid anything that could be perceived as such – within them.</p>

9.4 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, a greater contextualisation is needed. It is recognised that the shortcomings here may be due to the amount of time since a Country Guidance Case was conducted on the country.

9.5 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 issues with a few of the sources used. For example:

The Australian Institute of International Affairs (AIIA), ‘Iran Study Tour Report’, April 2018, <http://www.internationalaffairs.org.au/wp-content/uploads/2018/06/2018-Iran-StudyTour-Report.pdf>. This source is largely unreferenced and it is noted that the report was written and compiled by an intern “from information and reflections provided by Study Tour members”. It is unclear where the majority of this information has come from and is thus considered to be unreliable.

Moreover, it is considered that some of the sources have been taken out of context. These are provided in the table below.

10. Review

10.1 Christians born in Iran (non-converts)

This section addresses potential issues with the report’s depiction of Christians who are born into the religion in Iran.

2.4.2 (Comment) This paragraph states Christians born into the religion, who do not actively Evangelise, do not face a significantly serious level of discrimination resulting in persecution or serious harm. However, the objective evidence provides that even constitutionally recognised religious minorities in Iran (including Assyrian and Armenian Christians) face “official harassment, intimidation, discrimination, arrests, and imprisonment”. Source – USCRIF, ‘Iran’, 2017, <https://www.uscirf.gov/sites/default/files/Iran.2017.pdf>

Moreover, it has been reported that Christians born to the religion are treated as second-class citizens and are not allowed to conduct Church services in Farsi (the national language). Source – Open Doors USA, ‘Iran’, undated, <https://www.opendoorsusa.org/christian-persecution/world-watch-list/iran/>

Official Churches in Iran are also subjected to government raids and have been confiscated by the authorities. Source – Radio Farda, ‘Iranian intelligence shuts down church, removed cross’, 26 May 2019, <https://en.radiofarda.com/a/iranian-intelligence-shuts-down-church-removes-cross/29963987.html>

As noted later in the report (8.1.4), although Christians are a “protected minority”, they cannot practice their religion publicly or advocate for Christianity. Source – Congressional Research Service, ‘Iran: Internal Politics and US Policy and Options’, 20 November 2019 <https://fas.org/sgp/crs/mideast/RL32048.pdf>

Accepted.

Our position is guided by caselaw which also held that those who are not active evangelisers are unlikely to be at real risk of persecution or serious harm. The totality of the current information – including the selected quotes highlighted (which point to a level of treatment which does not meet the threshold for persecution) – is broadly consistent with these conclusions.

Nevertheless, we will include relevant extracts from the sources suggested to further illustrate the potential different forms of treatment to ensure the range of views are reflected.

10.2 Christian conversion in Europe

6.1 (Suggestion) This section provides objective evidence of Iranians converting to Christianity while in Europe. However, there are little to no sources here which provide reasons for the conversions. This has resulted in an unbalanced section in which it appears as though asylum is the primary motivating factor for conversion. Other reasons for conversion should be given here in order to give a fair assessment of the situation.

One reason given for converting is due to the way Iran’s interpretation of Islam treats women. Source – NPR, ‘Iranians are converting to evangelical Christianity in Turkey’, 14 December 2018, <https://www.npr.org/2018/12/14/669662264/iranians-are-converting-to-evangelical-christianity-in-turkey?t=1574685715029>

Another reason is due to disillusionment among the Iranian youth due to Iranian governance and the rise of Islamist movements elsewhere in the region. Source – Conservative woman, ‘Astonishing rise of Iran’s heroic Christians’, 25 August 2019, <https://www.conservativewoman.co.uk/astonishing-rise-of-irans-heroic-christians/>

Accepted

The reasons for an individual converting to Christianity are unique to that person and are explored during the substantive interview stage of the asylum decision making process. We do not agree that the section is unbalanced nor that it gives the impression that asylum is the primary motivating factor for conversion; it is simply reflecting the available sources.

Nevertheless, we will include the sources suggested to further illustrate that the reasons for converting a various.

10.3 Risk to Christian converts

2.4.7 (Suggestion) This paragraph states that the number of Christian converts being arrested are statistically very low in comparison to the overall number of Christian converts in Iran. Due to the nature of information gathering here, this paragraph is problematic. Freedom of information is largely restricted in Iran. Therefore, there are no accurate numbers of arrests here. Cases are largely drawn from media sources who may not report on these issues for a variety of reasons. Therefore, this paragraph needs to be contextualised.

2.4.7 (Comment) The same paragraph, provides that it is the leaders and organisers of house churches that are targeted by the Iranian authorities, rather than “ordinary converts”. This conclusion is surprising. The objective evidence provided throughout the COI report is very mixed on this issue. Most of the sources agree that organisers and leaders of house churches face and increased risk. However, several sources state that while such persons are primarily targeted, the rest of the congregation are also at risk of arrest. (see section 8.2) Moreover please see the comment below for examples of house church members (not just leaders) being arrested and sentenced.

Not accepted

Being “at risk” is not the same as being “at *real risk*”, which is the test in refugee law. Our assessment and that of the relevant caselaw is that those at real risk are those with the higher profile and role and that for the ordinary convert there is a risk, but not a real risk, of serious harm.

The subsection in the COI containing the information from which this is assessment is made (8.2 Arrest and detention of Christians) is a long and detailed section with many varied sources.

2.4.13 (Comment) This paragraph appears to imply that only converts who evangelise or are previously known to the authorities are at real risk of persecution. This paragraph thus suggests that converts who attend house churches are not at risk unless they have the aforementioned profile. However, a number of sources suggest that members of house churches also face risk of detention and imprisonment.

In October 2019, it was reported that 9 members of a house church (including a pastor) were arrested. Five were transferred to Evin Prison after the judge rejected the lawyer representing them and the remaining four were given five-year sentences for “acting against national security”. Source – Open Doors USA, ‘Police raid church in Iran, 9 Christians sentenced to five years’, 23 October 2019, <https://www.opendoorsusa.org/christian-persecution/stories/police-raid-church-in-iran-9-christians-sentenced-to-five-years/>

Partially accepted

We acknowledge in section 2.4.4 that members of evangelical/ house churches can be subject to harassment, arrest, close surveillance and imprisonment.

Being “at risk” is not the same as being “at *real risk*”, which is the test in refugee law.

We will nevertheless reference the sources suggested to further illustrate this point.

In October 2018, Saheb Fadaie and Fatemeh Bakhteri, members of a house church, were sentenced to 18- and 12-months imprisonment for “spreading propaganda against the regime”. The court found that discussing Christianity in house churches amounts to an attack on Islam. Both Fadaie and Bakhteri were among a group of Christians arrested in Rasht in May 2017. Source - World Watch Monitor, ‘Iranian Christians sentenced, verdict says claiming Jesus is Lord is attack against Islam’, 02 October 2018 <https://www.worldwatchmonitor.org/coe/iranian-christians-sentenced-verdict-says-claiming-jesus-is-lord-is-attack-against-islam/> Open Doors, ‘Two Iranian Christians sent to prison for “spreading propaganda against the regime”, undated, <https://www.opendoorsca.org/real-people-stories/two-iranian-christians-sent-to-prison/>

Another source provides that Saheb Fadaie was given an additional sentence on 10 years, alongside fellow house church members Yasser Mossayebzadeh and Mohammadreza Omid. The three house church members were also sentenced to 80 lashes for consuming alcohol (communion wine) at the time of the raid. Source – Church in Chains, ‘Saheb Fadaie’, 04 September 2019 <https://www.churchinchains.ie/prisoner-profiles/saheb-fadaie/>

In August 2018, it was reported that 12 members of a house church in Bushehr, south western Iran, were arrested and sentenced to one year in prison on charges of “propaganda activities against the system and in favour of Zionist Christianity through holding house meetings, evangelism, and invitation to Christianity and inclination to the land of Christianity. Source – Assist News Service, ‘House Church Members in Iran Sentenced to Year in Prison’, 18 August 2018, <https://www.assistnews.net/house-church-members-in-iran/>

<p>2.4.15 (Comment) This paragraph states that those who do not make their faith public would likely be able to practice Christianity discreetly. However, it should be noted that attempting to practice the Christian faith, even in private, would, if discovered, amount to a serious offense in Iran.</p> <p>It is considered here that the premise of the paragraph relies on the convert not attending house churches and merely practicing Christianity alone and within the home.</p> <p>Moreover, it is acknowledged Christian converts are expected to marry according to Sharia law. Therefore, if they wish to establish family life, they are expected to do so according to Islamic teachings. It should be noted here that relations outside of marriage are illegal in Iran. Therefore, a Christian convert would be forced to adhere to Islamic doctrine in order to live a non-solitary life. Source – Danish Immigration Service, ‘Update on the Situation for Christian converts in Iran’, 2014, https://www.nyidanmark.dk/NR/rdonlyres/78D46647-A0AD-4B36-BE0A-C32FEC4947EF/0/RapportIranFFM10062014II.pdf</p> <p>Individuals are also required to declare their religious beliefs when filling out official forms and applying to university. This makes religious minorities vulnerable to discrimination. Therefore, many Iranians are forced to formally embrace Islam as a means to escape discrimination. Source – Sputnik, ‘Iranian Atheists Waiting to Come Out’, 19 March 2013, http://sputniknews.com/analysis/20130319/180108603/Iranian-Atheists-Waiting-to-Come-Out.html</p>	<p>Partially accepted</p> <p>Thank you for this information. However, the point of this paragraph is to help decision makers consider how a person would practice their religion (broadly in line with the principles set out in <i>HJ (Iran)</i>) and to make a decision on risk associated to that.</p> <p>Nevertheless, we will consider including information about Christian converts having to adhere to Islamic doctrine when marrying when we update this CPIN.</p> <p>Sputnik news is, however, in our view a ‘questionable source’.</p>
<p>5.1.1 (Comment) This paragraph provides that the Iranian penal code specifies the death sentence for <i>moharebeh</i> (enmity against God), <i>fidar fil-arz</i> (corruption on earth) and <i>sabb al-nabi</i> (insulting the prophets). This paragraph is important as it provides the legal framework. However, the paragraph does not explain the broadness of the terms. Articles 186, 187, 189, and 190 define the profile of a person who qualifies as “<i>moharebeh</i>”. However, a tangible description of what acts are encompassed by the term <i>moharebeh</i> is not given. This has resulted in various confusions as to what should be considered a crime of <i>moharebeh</i>. This has led to an emphasis on interpretation so that adjustments can be made on an <i>ad hoc</i> basis. It should be acknowledged here that judges and those in authority are given more power to discriminate with impunity here.</p>	<p>Thank you for this information. We consider that the quote gives our decision makers sufficient information on this subject. However, we will include (and cite) the reviewer’s opinion on potential vagaries in the law.</p>
<p>8.2.10 (Comment) This paragraph is not reliable. It casts general rules for Christian converts being arrested. However, there are many cases of Christian converts being arrested and treated differently to the rules laid out here. The paragraph is incompatible with the country information.</p> <p>One report detailing the arrest of a Christian convert provides that the convert was threatened at gunpoint for his religious beliefs. He was then arrested and subjected to a feigned public execution in which the trigger was pulled but the gun was not loaded. He was then transferred to a prison in Tehran in which he was subjected to physical torture. Source – DW, ‘What its like to be Christian in Iran’, 25 January 2016, http://www.dw.com/en/what-its-like-to-be-a-christian-in-iran/a-19002952</p> <p>Another report states that a Christian convert who was arrested in December 2017 was still in custody in February 2018. Source – Radio Farda, ‘Christian convert arrested in Tabriz still in jail’, 14 February 2018, https://en.radiofarda.com/a/iran-christian-convert-arrested/29039465.html</p>	<p>Partially accepted</p> <p>The Danish Immigration Service and Danish Refugee Council are highly credible and reliable sources and this report is based on high standard primary research.</p> <p>We will include the sources suggested but note that the CPIN is also designed to cover the general situation; this is set out in the Preface. Drawing inferences from single incidences is not necessarily reflective of the general situation.</p>
<p>8.3.5 (Comment) This paragraph provides that it is rare for Christian converts to be charged with apostasy. This is only partially correct. The objective evidence provides that it is rare for it to be <i>reported</i> that a Christian convert has been charged with apostasy. There is an important distinction here. Information in Iran is not free. Therefore, cases on Christian converts are taken from media sources. There is no document providing information on all cases against Christian converts in Iran.</p>	<p>Not accepted</p> <p>Landinfo is a highly credible and reliable organisation who have conducted numerous fact-finding missions to Iran. We are accurately reflecting what they are reporting (from at least 5 sources and their own primary research in-country).</p>

<p>8.5.3 (Comment) This paragraph states that being in possession of one bible is usually tolerated by the authorities. This is not in line with the country information.</p> <p>In August 2011, Iranian authorities seized 6,500 copies of the Bible in northwest Iran. In another incident, Iranian officials burned 300 bibles. Source – Belief Net, ‘Iranians seize 6,500 bibles’, undated http://www.beliefnet.com/columnists/pray_for_the_persecuted_church/2011/08/iranians-seize-6500-of-bibles-burn-300-claim-they-are-protecting-youth.html#ixzz3OY6prutw</p> <p>Publishing Christian materials (including the bible) is illegal in Iran. Source – Christian Post, ‘Farsi-speaking Iranian Christians banned from attending church’, 03 January 2014, https://www.christianpost.com/news/farsi-speaking-iranian-christians-banned-from-attending-church.html</p> <p>Another source highlights the importance of context regarding a Farsi bible. Here it is stated that “if the authorities are after you regarding your Christian activities and find your bible, then you could be arrested on the spot”. Source – Danish Refugee Council, ‘Iran: On conversion to Christianity’, 2013, https://www.nyidanmark.dk/NR/rdonlyres/A8C2C897-1CA9-49D1-BA32-EC3E599D646D/0/Iranendeligudgave.pdf</p>	<p>Partially accepted</p> <p>The information in this paragraph is taken from the Home Office’s primary research, interviewing two well-known Christian/Religious human rights organisations in August 2017. We will reflect the COI suggested by the reviewer but would point out that (a) it is normal to have conflicting views – COI section intends to present contradictory statements as we aim to present a range of opinions from different sources, usually quoted “as is” (see, for example, §2.1.3, §5.4.1, p108 of the ACCORD COI training manual, which is referenced in the Preface to our CPINs) – without one necessarily being ‘right’ or ‘wrong’; (b) the sources suggested are very dated.</p>
<p>8.5.7 (Comment) This paragraph states that Christians who practice their religion privately are “largely left to their own devices”. The source referenced here is the Australian Institute of International Affairs’ ‘Iran Study Tour Report’. The report itself includes very little references. The entire section on religion in Iran is unreferenced. It is noted that the report was written and compiled by an intern “from information and reflections provided by Study Tour members”. It is unclear where the author got their information from for this section. As such, it is considered that this source is unreliable.</p>	<p>Partially accepted</p> <p>Although it appears the AIIA is respected institution, we agree this particular report contains information which is not fully sourced. That said, many organisations do not fully or clearly source information.</p>

10.4 House churches

<p>7.1.3 (Comment) The source states that the increasing number of house churches in Iran provides evidence that although they are illegal, house churches “have a space to operate”. It is considered that this quote has been taken out of context. As an isolated quote, this implies that converts in house churches are relatively free to practice their faith. However, this is not the case. Later in the DIS-DRC report, it is noted that house churches are routinely monitored by the authorities who do not act immediately so as to collect information on the members. Moreover, the report goes on to state that house churches in Iran are “systematically raided”. (page 5) – Source – Danish Immigration Service and Danish Refugee Council: https://www.nyidanmark.dk/-/media/Files/US/Landerapporter/Report---House-churches-and-Converts---Page 33 of 36 220218.pdf?la=en-GB&hash=3A687E2BB8A90B45E253B94BE1AC49684E0A0375</p>	<p>Not accepted</p> <p>The quote states that there has been an increase in house churches and that they are illegal so no such implication is made that they are free to practice their faith.</p>
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10.5 Internal relocation

<p>2.6.1 (Comment) The paragraph finds that if a Christian convert does not actively proselytise and considers their religion to be private, internal relocation to an area where they are not known may be possible. It is unknown where the objective evidence for this has been found. If a Christian convert is known to the authorities, it is considered that the level of risk would be the same throughout Iran. It is not understood how internal relocation would impact the level of risk here as the threat would not be localised to a specific place.</p>	<p>Not accepted</p> <p>Paragraph 2.6.1 states “Where the person has a well-founded fear of persecution from the state, in the majority of cases they will not be able to relocate to escape that risk.”</p> <p>The objective basis for this is the leading caselaw (e.g. <i>Januzi</i>) and the Country Guidance case findings (set out at para 2.6.2).</p>
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10.6 Grammar

<p>2.4.13 (Suggestion) Typo. The sentence should read: ... In addition, those who have previously come to the adverse attention of the authorities for other reasons, depending on the nature of the adverse attention, are likely to be at real risk of persecution (see Activities which could attract attention from the authorities).</p>	<p>Accepted</p> <p>Paragraph 2.4.13 will be updated to read <i>“In addition, those who have previously come to the adverse attention of the authorities for other reasons are likely, depending on the nature of the adverse attention, to be at real risk of persecution”</i></p> <p>We will correct the other typos when the CPIN is updated following this review</p>
<p>6.1.8 (Suggestion) Grammar and Typo with full-stop. The sentence should read: An October 2018 article by Advancing Native Missions (ANM) reported on a number of Iranians converting to Christianity while in Serbia.22</p>	
<p>8.5.2 (Comment) This paragraph is very difficult to read. I cannot make sense of what the author is trying to say. The phrase “people in Turkey” is also unclear.</p>	
<p>8.5.3 (Suggestion) Formatting of reference. Reference 77 appears enlarged.</p>	
<p>8.5.4 (Suggestion) This paragraph is difficult to read. It would be clearer to state: The Australian Government’s Department of Foreign Affairs and Trade (DFAT) Country Information Report on Iran, dated 7 June 2018 <i>is</i> based on a range of sources, information from their embassies in country, and visits to the country concerned. The report provides that ‘International observers advise that Iranians who convert to Christianity outside the country are unlikely to face adverse attention from the authorities upon return to Iran, provided they have not previously come to the attention of authorities for political activities conducted in Iran, maintain a low profile and do not engage in proselytization or political activities within the country’.78</p>	

10.7 Structure

<p>(Firm Recommendation) Need for an introductory paragraph contextualising the issues of the country. As it stands, the document is comprised of contradictory sources with no explanation of why this is the case. Therefore, a paragraph is needed at the start to explain why so many sources contradict one another. This is largely due to limited freedom of information in Iran. Here, access to information is either illegal or very limited. Therefore, the majority of cases are taken from media outlets and may not be representative of actual convictions as there are no official statistics available. This should be provided at the start.</p> <p>Another point which should be raised as a means of contextualisation is that the crime of Christian conversion is not codified. This is unusual for Iranian law which is on the whole, well codified. In not providing explicit crime and punishment here, it allows for additional charges such as espionage and <i>moharebeh</i> (enmity against God). The lack of codification thus allows judges plenty of scope in order to prosecute Christian converts.</p> <p>The document does not outline the general oppressive environment in which Iranians live. This would better contextualise persecution for Christian minorities</p> <p>Additionally, it would be helpful to point out that there is no independent commission in Iran for securing and monitoring the rights of Christians and Christian converts. Here, the definition of “Christian” is a mandate of the government which is based on a very narrow interpretation of Islam. Here, the authorities impose a religion identity of Christianity onto groups of people (such as Mandaeans who do not view themselves as Christians).</p>	<p>Partially accepted.</p> <p>This CPIN is one of a series relating to Iran which also include a Background Note, so contextualisation of issues, if required, can be found within this body of CPINs.</p> <p>The Preface to the CPIN also explains the purpose and the limitations of the Note – specifically that it is not intended to be an exhaustive survey of a particular subject or theme.</p> <p>The structure of the CPIN is also specifically designed to separate the raw evidence base (the country information, which is clearly sourced and usually quoted “as is”) from the assessment (which is our analysis of the country information against the relevant legal and policy framework for considering protection claims). This is also explained in the Preface.</p> <p>We can, and will, seek to explain and contextualise the COI where reasonable conclusions can be made; but we usually do this in the Assessment part to clearly separate this.</p>
<p>(Firm Recommendation) Building on the previous point, it would be helpful for each section to have a summary in order to give some coherency to the objective evidence which is largely comprised of conflicting sources. As it stands, due to the contradictory sources, it is difficult to read through the objective evidence. For example, Section 4 (Numbers of Christians in Iran): A summary paragraph at the end of this section could explain that the sources here contradict one another due to the failure of the Iranian government to provide statistics on Christian converts in Iran. Moreover, this has an impact on issues of protection. Providing such figures would be in line with guaranteeing protections found in the constitution.</p>	

11. Review of responses to COI requests

1. COI request – Iran: Kurdistan Freedom Party (PAK) 02/18-083

General information on PAK, including aims and objectives of the party. How do people join the party and what are members required to do once they have joined?

This source is suffering from some inaccuracy and lacking details	
1.1 (Suggestion) The first paragraph (1.1.1) should appear after paragraph 1.1.4, for clarity. This clearly shows that while a ceasefire was held in 2017, clashes continued in 2018. In the current order, it reads as though the last event to happen was the ceasefire.	Partially accepted – the opening few lines are a bit clunky and could be better worded but the COI that is quoted in the opening paragraph provides a brief background of the party to the requester.
1.1.1 (Comment) The Republic of Mahabad was a short-lived Kurdish self-governing unrecognized state in present-day Iran, from 22 January to 15 December 1946. It was not established in 1945. Al Qazi is the only son of the first and last president of the Republic of Mahabad	Thank you for this information.
1.1.4 (Comment) There was no statement between PJAK and Iran. It is based on analysis	Not accepted – The quote says that the information came from the Chairperson of the PJAK.
On 04 March 2017, the Revolutionary Union of Kurdistan (RUK) issued a statement declaring that they have reunited with PAK. As part of this reunion, they stated that the parties do not use the name RUK and that both parties now operate under the name PAK. Source - Roji Kurd (in Kurdish) RUK and PAK reunited, 04 March 2017, https://www.rojikurd.net/%DB%8C%DB%95%DA%A9%DB%8E%D8%AA%DB%8C-%D8%B4%DB%86%DA%95%D8%B4%DA%AF%DB%8E%DA%95%D8%A7%D9%86%DB%8C-%DA%A9%D9%88%D8%B1%D8%AF%D8%B3%D8%AA%D8%A7%D9%86-%D9%88-%D9%BE%D8%A7%D8%B1%D8%AA%DB%8C-%D8%A6%D8%A7/	Thank you for this information but we are unlikely to use non-English sources for COI Requests due to timescales, and the cost-benefit involved in obtaining an accurate translation.

2. COI request – Iran: Albinism and impaired vision 05/19-100

General information on Albinism and impaired vision including treatment and healthcare provisions and societal treatment.

The sources for this report are limited. It is recognised that this could be due to reliance on English language sources.	n/a
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3. COI request – Iran: Abortion house clinics 05/19 – 124

The penalties that a husband would face by the authorities after signing paperwork stating that he would take responsibility for his wife having an abortion in a house clinic at 19 weeks and 3 days over the legal limit.

<p>The law regarding abortion in Iran is problematic as Islamic teachings do not mention this issue. The Islamic Republic of Iran have attempted to relate abortion to murder and have divided the life of the foetus into two staged. Nonetheless, this is still problematic. Individual judges are able to make decisions on these cases.</p>	<p>It is unclear what the recommendation is, or what source(s) are suggested to support it.</p>
<p>The response would be made stronger by using examples of cases of women convicted of illegal abortion. It is also noted that none of the sources here make reference to the husband.</p>	<p>Partially accepted</p> <p>It could be stronger with more examples. However, para 1.2.1 outlined that CPIT was only able to find a small amount of relevant COI within the timeframes available.</p>
<p>In Iran, where laws are based on the Islamic Sharia, there is a slight difference regarding this issue. Based on the Islamic law, formation of the foetus' life is divided into two stages: before the foetus is infused with life and after it. Before the foetus has a soul, abortion is legal if pregnancy endangers the mother's life. The Head of the Guardian Council once inquired the view of Imam Khomeini (when he was alive) if abortion was legal (before the foetus has a soul) in cases where doctors are certain or when they fear that the continuation of pregnancy would kill the mother. In response to the question, Imam Khomeini said not only it is legal but it is also necessary. Even though in penal code, abortion is considered a crime, when it is done to save the mother's life (before the foetus is infused with life), it is regarded legal.</p> <p>Article 622 of the Islamic Punishment Law says: "Anyone who intentionally and by hitting, beating, and bothering a pregnant woman causes an abortion, should pay the blood money. Plus, he/she would face 1 to 3 years in prison."</p> <p>The blood money of foetus is determined in article 487 and depends on the life stages of the foetus.</p> <p>Article 624 describes the Islamic punishment for those who were involved in abortion: "If the doctor, the obstetrician, the pharmacist, the surgeon, or anyone who claims to be a doctor, an obstetrician, a pharmacist, and a surgeon provide the tools needed for abortion or become involved in the act of abortion, they will face 2 to 5 years in prison and they should also pay the blood money determined by the law."</p> <p>Article 623 describes another issue: "Anyone who causes abortion by giving spices or other stuff to a pregnant woman would face 6 months to 1 year in prison. If he/she does this intentionally, he/she would be jailed 3 to 6 months. However, if it is proved that this action was taken in order to save the mother's life, that individual should only pay the blood money." In this article the word "anyone" includes everyone. Yet it seems that it is for people other than doctors and obstetricians because their involvement has already been described in Article 624. By taking into consideration other articles regarding abortion, it becomes clear that Article 623 is about the time when the mother, herself, causes the abortion by using spices and drugs. In this case, others who are involved only provide the tools needed for abortion intentionally or they give advice or guide the pregnant women in carrying out the abortion. Source - Iran Chamber Society, Abortion in Iranian Law, January 2004, (Iran Persian Daily, http://www.iranchamber.com/society/articles/abortion_iranian_law.php)</p>	<p>Accepted</p> <p>We will include this COI in any future request on the same subject.</p>

4. COI request – Iran: Cash, ammunition, and weapons; Iraq and Syria 07/19 – 102

Whether the Iranian government is known for providing cash/ammunition/weapons to Iraq and Syria

The Iranian constitution clearly states that Iran would export their Islamic revolution. It has been doing this in two ways, assassination of potential oppositions abroad, and supporting local groups in the region. In this, Iran has not relied on its Shia identity, rather on effective partnership. Iran has been influencing Kurdish groups, Sunni Muslims and secular, alike. Iran brings stability to home by destabilising the region.

It is unclear what the recommendation is, or what source(s) are suggested to support it. In our view, the COIR provides a good level of detail relevant to the request, particularly in Syria.

5. COI request – Iran: MEK (Mojahedin-e Khalq Organisation) 07/19 – 101

Information regarding the online activity of MEK supporters outside Iran

The response does not fully explore the Iranian authorities' use of surveillance outside of Iran.

In 2013, there were a number of cyber-attacks on opposition websites outside of Iran. The attacks were reportedly found to have originated within Iran. Moreover, during the attacks, tens of thousands of Iranian users' Gmail accounts were targeted. Source - Centre to Protect Journalists, 'Iranian authorities target Internet, media before elections', 13 June 2013, <https://cpj.org/2013/06/iranian-authorities-target-internet-media-before-e.php> The Guardian, 'Iran accused of using online censorship and hacking to sway presidential poll', 31 May 2013, <https://www.theguardian.com/world/2013/may/31/iran-online-censorship-influence-election>

It is also noted that Iran has a Cyber Defence Command Unit which was established in 2009. The unit is responsible for hacking into various platforms and websites that they deem a threat to the stability of the Iranian government. Source - Immigration and Refugee Board of Canada, 'Responses to Information Requests: Iran', 16 January 2015, page 03, <https://www.justice.gov/sites/default/files/pages/attachments/2015/12/07/irn104972.e.pdf>

Objective evidence provides that the authorities monitor both students and dissidents abroad. It has been reported that Iranian security officials visited the family of a dissident after he took part in an anti-regime demonstration in Canada. Source - Open Canada, 'Michael Petrou on the Long Reach of Iran', 22 May 2013, <https://www.opencanada.org/features/michael-petrou-on-the-long-reach-of-iran/>

Moreover, it has been reported that Iranian authorities utilise human intelligence to monitor the activities of Iranian networks abroad. Here, activist groups abroad are infiltrated in order to gather information on the activists. Source - Immigration and Refugee Board of Canada, 'Iran: treatment of anti-government activists by authorities', 20 January 2014, <https://www.refworld.org/docid/533923f74.html>

In 2019, the German Federal Ministry of the Interior, stated in its annual report that Iran is one of the main countries that are engaged in espionage activities in Germany. Here, it is reported that Iranian intelligence services spy on and suppresses opposition movements abroad. The report also states that both the Ministry of Intelligence and the Quds Force are active in Germany. Source - Federal Ministry of the Interior, Building and Community, 'Brief summary 2018 report on the protection of the constitution', June 2019, <https://www.verfassungsschutz.de/en/public-relations/publications/annual-reports>

Not accepted

The request was for information about MEK, not the Iranian authorities' use of surveillance outside of Iran.

6. COI request – Iran: Atheism and publicity 08/19 – 033

State treatment towards atheists who share their beliefs and views on social media and in public

Conversion from Islam is not allowed and illegal, potentially punishable by death. This is covered in the response.

Thank you.

7. COI request – Iran: Worker(s) – Communist Party of Iran 08/19 – 056

Information on the Workers Communist Party of Iran including treatment by the authorities, membership, prominence, common activities.

The Community Party of Iran is mostly active abroad; either in the Kurdistan Region of Iraq, or elsewhere. However, they do coordinate their activities in Iran from abroad. The rise of the internet and new media technologies has provided Iranian oppositional groups abroad with a good opportunity to do so.

It is unclear what the recommendation is, or what source(s) are suggested to support it.

8. COI request – Iran: Tattoos 09/19 – 019

Whether there is any evidence of prosecution in Iran for having visible tattoos which could alert the Iranian authorities, if noticed, to the person being regarded as “Westernised”.

The response captures the Iranian state’s opinion on tattoos.

Tattoos represent another issue that is not explicitly addressed in Islamic teachings. However, it should be noted that Muslim men and women have been getting tattoos even before Islam and this was never an issue. That said, tattoos in Iran can be seen as opposition to Islamic rule as they can be seen to depict Western civil liberties. The Islamic Republic do everything to stop Western values impeding on its own culture which is fundamental to its existence.

It is unclear what the recommendation is, or what source(s) are suggested to support it.

9. COI request – Iran: Afghan refugees 10/19 – 008

Information on Afghan refugees and military service

Information about Afghan refugees is widely available.

Some Afghan refugees, in particular Hazara, were volunteered to fight in Syria. Whether they volunteered or were given promise of naturalisation it is not clear, but some sources stated that they volunteered due to a naturalisation promise.

It is unclear what the recommendation is, or what source(s) are suggested to support it.

10. COI request – Iran: Yarsani (Also known as Yarsan of Ahle Haqq) 01/19 – 008

Information about the Ahle Hagh faith and whether or not it is part of Islam. Treatment of the followers of Ahle Hagh faith and whether or not someone converting from Ahle Hagh to Christianity would be at risk.

Whether Ahle Hagh is Islamic or pre-Islamic faith with influence of Islam is open to debate. Whether Yarsani-Ahle Hagh faith, as known in Iran and Kakayy as known in Iraq are the same is also open to debate.

In early days of Islamic revolution, members of this faith badly oppressed. In recent years, practicing within their homes would not cause them trouble.

It is unclear what the recommendation is, or what source(s) are suggested to support it.

12. 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. From 2016 to 2019, Dr Fatah produced 126 reports on Iran; including Country Expert Reports, document authentications, and nationality assessments.

Annex G: Review of the September 2018 Home Office Country of Origin Information on Vietnam: Victims of Trafficking.

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

[Name of reviewer, affiliation]¹⁷ Linda Hitchcox Ph.D. [D.Phil. Oxon] MSc.

Vietnamese have a noticeable resilience and tenacity. A complexity of civil war, invasion, multi-layered ethnicity, religion, deep rooted cultural traditions, [particularly painting, drama and poetry] are set against years of violent conflict. At the start of my professional interest in Vietnam, I visited all the refugee camps for Vietnamese, in Southeast Asia and later in Britain for the 14,000 people that arrived here. I wrote frequently about my observations. It gave me my first glimpse of the complexity of being Vietnamese. When this task was complete, I moved to Vietnam for the Red Cross, and established a five-year programme, in Central Vietnam at Hue, mainly for returning Vietnamese.

The task was easily taken up and run by the Vietnamese team, [all lately, very young soldiers on the Ho Chi Minh trail] and trained by me. Their instant response to new ideas - working together in a tight knit team for their homeland - has remained with me as a high standard, to which my other future programmes elsewhere would be compared. For example, due to the team efforts, rotational funds which still continue, were locally organized for all members of the Vietnam Women's Union. Access to funds, provided the poorest with business income in villages devastated by Agent Orange chemicals.

My team went on to establish the first NGOs in Vietnam and was last heard of travelling to Cambodia and Laos to network and share ideas in equally war-crippled countries. Their determination resonates with those who nowadays attempt to make their own livelihoods abroad, at such great risk. But 'for the sake of the family, anything and everything must be possible'

Over those five years, working also with Vietnamese military commanders, and on return visits, I came to understand the power and reach of the State. It was more difficult to grasp the ability of the State¹⁸ to be both oppressive, [arising out of ideology and triumph] and compassionate comrades with villagers in deep economic and social distress. I was never in any doubt of the reach, control and powerful influence of the State to all levels of society. In successive visits, I found that the scale of State control has modified in recognition of peaceful, civilian life, but not in the extent and strength of its reach and vigilance.

¹⁷ This statement is written in a personal capacity. I have recently withdrawn from a 28 year career as an anthropologist working in practical development aid and the effects of migration. My retirement is partly due to family reasons as my son is registered disabled, and regularly needs support.

As an anthropologist and economic development specialist, I have been employed on a variety of programmes, related to relief, recovery and development, mainly in Southeast Asia and the Pacific, with some experience in Africa and a year in Afghanistan. Vietnam has been a particular focus of my published work, where I followed the extraordinary dynamics of a country putting together a political framework. I have followed these developments in the political and social life of Vietnam for more than a decade of my professional life.

¹⁸ The military may be presumed to be as the State, since they united Vietnam with the fall of Saigon, renamed Ho Chi Minh City in 1975.

Writers on Vietnam often talk about the cultural need of Vietnamese to find yin/yang balance and natural harmony, in a land that is absolutely not harmonious, but constantly challenging: weather, terrain, ethnicity, disasters, the threats of war.... Yet it remains a pervasive principle for living, alongside the looming influence of China, ever present and long seen as an enemy.

After leaving Vietnam, most of my later experience was also founded on long term contracts [usually two years plus] in situations of high tension, forced migration and recovery. My interest is still focused on people under stress and on the move. November 2019

Table of Contents

1.	Introduction	95
1.1	Instructions	95
1.2	Methodology.....	95
1.3	Summary of Review.....	95
1.4	Quality and balance of sources	97
2.	Review	98
2.1	Prevalence.....	98
2.2	Regional Movement	99
2.3	Vietnam Government: Action to Combat Trafficking	100
3.	Review of responses to COI requests	102
3.1	Corruption in the military	102
3.2	0218-029, Risks to Women	104
3.3	02/18-062 Political Parties.....	105
3.4	03/19-007 Freedom of Movement	105
3.5	03/19-013 Political System and Affiliation.....	106
3.6	03/19-062 Children’s citizenship	106
3.7	04/19-083 Male Trafficking.....	107
3.8	05/19-114 LGBTI Persons	107
3.9	08/19-014 Religion; ethnicity.....	108
3.10	0919-074 Youth for Democracy.....	108
4.	Information about the Reviewer.....	109

1. Introduction

1.1 Instructions

This document is focussed on country of origin information, No reference or comment refers to Home Office policy.

GUIDELINES:

- The review focuses exclusively on the country of origin information contained within the document, and does not, nor is intended to pass judgment on the policy guidance provided.
- The Country Policy and Information Notes [CPIN] are reviewed in the context of their purpose as set out above. They consider the situation in the country up to the stated 'cut off' date for inclusion of information.
- Amendments are suggested. A list of suggested changes is provided as part of a stand-alone review paper, and each report should be reviewed separately. A reporting template will be provided to reviewers (for reference please refer to most recent reviews on the IAGCI webpage for examples of the template)
- Any suggestions for additional information (or corrections to information in the document) must be referenced to a source document for the Home Office to be able to use it (preferably Open Source). The Home Office may use foreign language source documents, but only if the information is considered essential and is not available in English language source

1.2 Methodology

The Review was conducted by making an in-depth search of all recent documents related to the issues contained in the research instructions. The compilation of information was drawn from references contained in the CPIN and also checked from further documentation drawn from the web, or held by the reviewer. The research was next compared to field notes and published work on Vietnam, particularly related to the economy, trade relations and population movements.

1.3 Summary of Review

Summary of the most important findings, listed for each CIG Report reviewed, separately.

The CPIN for *'Vietnam: Victims of Trafficking* provides a reasoned and pertinent update on the circumstances of movements from Vietnam. The Country of Origin Information relates to particular types of protection and human rights claims, as an assistance to Home Office decision makers.

Some of the material would suggest that the word ‘victim’ may not be appropriate, since in many cases, the person is likely to be complicit in making plans to leave Vietnam [unlike the China border]. After leaving, events frequently take a different turn for the worse, and exploitation begins. Journeys become nightmares and some find themselves as slave labourers. There are numerous reasons for departure, but in order of importance, the evidence points to extreme poverty as the fundamental driving force.

The CPIN research is considered within the context of protection issues: whether there is a real risk of persecution, lack of protection from the State, a reasonable ability to relocate and associated protection issues, according to human rights and refugee law; in particular, Section 94 of the Nationality, Immigration and Asylum Act 2002. It is appreciated that multiple sourcing methods were used to provide accurate and balanced accounts that also provide a range of views and opinions. These are reflective of a very turbulent reality.

In relation to the overall usefulness of the Review, occasionally, there are references that provide outdated information of limited relevance. An example is *Human Trafficking and Modern-day Slavery related to Vietnam* [SRV] 2015, where three quarters of the references are more than six years old. However, it is also recognised that it is very difficult to obtain recent reliable facts, given the Vietnamese general reticence to share bad news. Also the rate of change is an important issue. Vietnam is a swiftly changing country, with a slowly growing economy and a rising population.

It is noted that reputable sources can be sought from articles written by known journalists, by international agencies, researchers and charities working in country. Their cross-referenced findings can then be approximately assessed in regard to Vietnamese law and Government operational standards.

Understanding of the themes addressed in the CIG Reports	Home Office response
<p>How well does the report reflect prevalent legal usage and academic understandings of the themes under consideration?</p> <p>1. In broad terms, the Report provides the main legal points related to movements of Vietnamese. If required, there is scope to relate this information more closely to a recent understanding of the situation in Vietnam, that seems set to expand trafficking trends and opportunities.</p> <p>In the CPIN document to date, this influential background is scattered in following sections, until raised more clearly in <i>Section 2.4 Assessment of Risk</i> and comprehensively in <i>Part 3 - Country Information</i>.</p> <p>2. The most recent evidence states that trafficking is steadily worsening in Vietnam [see ref: Bedfordshire University below, IRIN 2016 and IOM 2018]. Possibly, in order to consider this trend, it might be helpful to link two topics: Law: [Section 2.1.-2.7.2 and Response: 4.1-4.15]. Then assessments concerning victims of trafficking are considered alongside in-country assessments on the challenges, attitudes and governance related to trafficking in Vietnam.</p> <p>3. It might also prove worthwhile to provide an addition to the CPIN – a following section which brings together updates on Vietnam’s current position, with reflection related to migration flows and legislated policy. The aim would be to increase overall understanding of the inter-relationships between economy, movement and the policies of the Vietnam Government, with the positive outcome of sharpening process and legislation in the UK.</p> <p>4. An example of the kind of outputs that could be utilised, is the academic, investigative work by Bedfordshire University, in liaison with the Home Office, IOM and the Government of Vietnam, which might indicate a route. [<i>Vulnerability to Human Trafficking: A Study of Vietnam, Albania, Nigeria and UK 2018.</i>]</p>	<p>Thank you for your positive review of the CPIN.</p> <p>The CPIN does not claim to be an all-encompassing academic review of the situation of trafficking in Vietnam, but an exploration of the issues pertaining to those who come to the UK and claim asylum based on a fear on return of their traffickers or of re-trafficking. This is explained in the Preface.</p> <p>The structure of the CPIN is also specifically designed to separate the raw evidence base (the country information, which is clearly sourced and usually quoted “as is”) from the assessment (which is our analysis of the country information against the relevant legal and policy framework for considering protection claims). This is also explained in the Preface.</p> <p>We plan to update the CPIN in line with the recommendations from the reviewer and will include, alongside findings from our own fact-finding mission to Vietnam, relevant and up-to-date material.</p>

1.4 Quality and balance of sources

In general, what is the quality and balance of the sources used? Are they generally of high quality and relevant to the time period covered by the CIG Report?

The quality and balance of the sources is sound, in general. The bibliography and references are quite comprehensive, although occasionally a little early in date [circa 2015], to serve the purposes intended.

As a general comment, sometimes, the balance between text, context and reference appears to go astray. The reason may be because of the date of the reference, and because there is no summary section which brings law, country and analysis together. The items are occasionally closely related and difficult to analyse in some of the compartmentalised sections.

2. Review

2.1 Prevalence

<p>It is recommended that more recent information is sought out from the Vietnam Government and the UN/Red Cross network of agencies related to the ongoing trafficking problems</p>	<p>Accepted.</p> <p>We will update the CPIN following this review and incorporate information from the suggested sources that was gathered during our recent fact-finding mission to Vietnam.</p>
<p>The suggestion is to clarify distinctions between the kinds of voluntary and involuntary movements taking place, regarding ethnicity, location and related criminality. For example, cases of some Vietnamese economic migrants who find themselves trafficked and others who cannot remain in an impoverished region. Holmes describes trafficking as a form of slavery in <i>'Trafficking in Human Beings: Learning from Asian and European Experiences' 2014 Konrad Adenaver, EU</i>. See also: <i>Palermo Protocols</i> [3] UNODC 2004 and discussion of trafficking.</p>	<p>Accepted.</p> <p>We will update the CPIN following this review and include additional information regarding ethnicity and location of those trafficked which was gathered during our fact-finding mission to Vietnam and the material suggested.</p>
<p>The main need is to continue to encourage the Government of Vietnam to foster an international network of undertakings/laws/reports that help to build close international cooperation for the reduction of widespread illegal migration and trafficking. Economic factors play a central role. In the process of sharing the resulting issues, there should develop better preparedness to confront a growing international problem of criminality, related to migration. All partners in the field are aware that harm is caused not only to the individual but also to family life and economic stability.</p>	<p>Not Accepted.</p> <p>This is not relevant to the purpose of the CPIN or the role of CPIT. However, we have referred the recommendation to colleagues in the Home Office.</p> <p>The Home Office has a Modern Slavery Action Plan delivering in Vietnam as one aspect of it's international strategy to stop modern slavery. At a high level this is trying to achieve: strengthening Vietnamese political will to address the issue; improving the evidence base in both countries for policy and operational response; capacity building of the Vietnamese Government and NGOs; and prevention through targeted information campaigns.</p> <p>As part of this The Home Office has invested in Vietnam including a £3,000,000 programme which focuses on these objectives.</p> <p>The UK Government signed a Memorandum of Understanding with Vietnam in November 2018 to allow for greater collaboration around intelligence sharing, supporting victims and prevention.</p> <p>Delegations from the Ministry of Public Security (MPS) visited the UK in 2016, 2017 and 2018. This has included best practice sharing with the Vietnamese People's Police Academy (PPA) on police training. In February 2019 two UK police officers were seconded for 2 months to Vietnam, working alongside the PPA assisting them improve their training curriculum covering modern slavery.</p>

<p>The organisation of this section I suggest, leads to overlap and repetition of similar messages without a purpose or conclusion becoming clear. The rise in trafficking might be tracked in a table with graph lines related to the various routes and size of movement. Alternatively, a summary paragraph would help to make explicit: the strong presence of trafficking from Vietnam, the wide range of authorities ready to confront and the willingness of the Vietnam Government to see it eradicated, even at some loss of revenue to the State. The summary paragraph might also clarify the clear link between poverty within a family group and lack of representation [especially ethnic groups] leading to the will to migrate, at whatever cost.</p>	<p>Not Accepted.</p> <p>This section is merely to provide sourced country information on the prevalence of trafficking, so no conclusions are drawn. This information does feed into the assessment section in the CPIN where summaries of the information are made.</p>
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2.2 Regional Movement

<p>Country Information Section: - To consider regional movement, the suggestion is the following: a search for connections between impoverished areas inhabited by ethnic minorities and out migration [IOM in country reports; Yuk Wah Chan, or '<i>Vulnerability to Human Trafficking; At Study of Vietnam, Albania, Nigeria and the UK</i>' pub.2018 Univ of Bedfordshire. Vietnam authorities are aware of the extent of the problem as noted in the CPIN with the Report by Professor Thanh Van Trinh. Impoverishment and marginalisation in Vietnam is pushing people to migrate to the cities or abroad, by any means they can. It is also a traditional, familiar approach to solving problems, not just in Vietnam but also Cambodia, Laos and Thailand. [see also; Chinese Vietnamese Diaspora: Yuk Wah Chan, 2007, Routledge [as proof of the long established pattern of migration from the region]</p>	<p>Not Accepted.</p> <p>Whilst the suggested material is interesting and provides a background to the drivers behind why people migrate it is not relevant to the purpose of the CPIN., which is to cover the main areas of interest to decision makers when considering claims based on trafficking.</p>
<p>2. In section 4 -7 is a discussion of trafficking.</p> <p>My comment is that it seemed mainly composed of a list of reported incidents of trafficking with less emphasis on analysis of cause, conduct, effect and response. The result was that there is a tendency to repetition of life stories, as reported mainly in articles. The suggestion is to employ more tables and subheadings to bring data together, with timeframe, concluding with any further comment. Subheadings might also be useful to sort out causes /outcomes/ long term effects/responses – as required.</p>	<p>Partially accepted.</p> <p>We will update the CPIN following this review and include additional information gathered during our fact-finding mission. As stated on page 4, we do not provide analysis within the country information section.</p>
<p>If improved access, planning and decision-making, related to Vietnamese is a focus, then it might be more helpful to improve linking between these ideas and the backup information. The tendency was towards information being provided according to source.</p>	<p>Not accepted.</p> <p>Thank you for the suggestion but CPINs on the same thematic areas follow a similar layout to maintain consistency.</p>
<p>Also, consider dropping down all the refs and keeping them below the page line, so that the whole may be read as one section/ theme/argument? Suggestions only!</p>	<p>Not accepted.</p> <p>Thank you for the suggestion but all our CPINs follow the same chosen house-style.</p>

2.3 Vietnam Government: Action to Combat Trafficking

<p>Although Vietnam may be described as a State-controlled country, it is actively working alongside partner agencies such as IOM, together with other international operational services mainly connected to the UN. The 2016-2020 strategy is a significant commitment to cooperation. The context might be more comprehensively understood with many more references from, and cooperation with, aid agencies and IOM, in addressing the main problems in poverty-stricken areas from which people are trafficked.</p> <p>For example, British aid agency reports – Oxfam, Save the Children, Water Aid [e.g. https://www.oxfam.org/en/what-we-do/countries/vietnam] together with other multilateral agencies who have collected such information regularly from ordinary citizens, who are their close contacts/partners on the ground.</p>	<p>Accepted.</p> <p>We will update the CPIN following this review and incorporate the suggested information and additional information gathered during our fact-finding mission regarding the work of the state and NGO’s action to combat trafficking.</p>
<p>It is suggested that agencies could be listed alongside each agenda and targets /results of operation, for relative ease of comprehension/comparison on key matters of interest to the IAGCI. Feedback can be sought from voluntary sector staff, to bring towards tentative conclusions on roles and influence related to addressing the main drivers of trafficking, particularly in central and northern Vietnam.</p>	<p>Not Accepted.</p> <p>Thank you for the suggestion but the CPIN covers the main areas decision makers need to address when considering claims based on trafficking and this is not relevant to the purpose of the CPIN.</p>
<p>Suggestion is that focus is brought to the activities of the Vietnam Government, and the efforts it makes to reduce trafficking, and gain closer understanding on its precise goals in the long term. Is it to contain the problem or deal with the root causes? The Vietnam Government needs the flow of remissions home from its large numbers of migrant workers and at the same time, State governance demands that disorder of any kind be addressed.</p> <p>The more information the State can obtain to explain movements [e.g. criminal, social, financial, duty to family, persecution based on ethnicity, total impoverishment etc.] the more it will seek to establish order with a relative increase in success.</p> <p>There are increasing efforts being made to overcome severe lack of coordination and move towards cooperation. [ref. section 6]. Section 6 includes reference to difficulties the VN Government has in enforcing the legal code and maintaining movement laws, but refers little to ethnic diversity, remoteness and poverty of the main outflow regions. The migration phenomenon forced or otherwise, is a basic indicator of the condition of the economy and social provision.</p>	<p>Accepted.</p> <p>We will update the CPIN following this review and incorporate additional information gathered during our fact-finding mission regarding the activities of the government to reduce trafficking. If the reviewer is able to provide some additional source suggestions this could be very useful.</p>
<p>It is important that the scrapping of the Ho Khau registration is mentioned. Its replacement is likely to be more efficient in insuring that all citizens are recorded on a national data base. My suggestion is that the watchfulness and control of the State is not likely to be reduced, but may be more efficiently and fairly administered in the future, than relying on the duty of local village guards and military patrols to keep records.</p>	<p>Accepted.</p> <p>We will update the CPIN following this review and incorporate additional information about the Ho Khau system which was gathered during our recent fact-finding mission to Vietnam.</p>

<p>7. Vietnam Government - Response:</p>	
<p>The impression is [see also 6] that it is important to recognise the wide-reaching efforts that Vietnam Government is making alongside other partner agencies such as IOM and other international operational services/organisations, connected to the UN.</p>	<p>Accepted. We will update the CPIN following this review and incorporate additional information gathered during our fact-finding mission regarding the work of the state and NGO's.</p>
<p>The suggestion is that Vietnam Government and international agencies might be compared in an encompassing diagram, itemised as agenda and targets /results of operation. The aim is ensure comprehension/comparison of various areas of interest and overlap on – for example, operation, shelters, economic support, women's union, social protection centres; migration and population movements [or other overlapping issues that have arisen in recent years].</p>	<p>Partially accepted. We will update the CPIN following this review and incorporate additional information about government assistance which was gathered during our fact-finding mission. This information is currently provided in one section so will be separated from the assistance provided by NGO's, by subheading, when the CPIN is updated.</p>
<p>A following suggestion is that the Vietnam Government is allocated separate coverage of its efforts to tackle the trafficking issues. It will also demonstrate the increasing resources that are being put in place to overcome severe lack of coordination and perhaps stimulate more movement towards forms of partnering with NGOs and related others.</p> <p>A section should include reference to the challenges that the VN Government faces related to enforcement of the legal code. In Vietnam Army magazines, the role of the military is implied as being to back up and influence the role of the Government in keeping order and control. <i>[Note the references were not obtained as the site sparked off virus warnings and the site closed.4/11/19!]</i></p>	<p>Not accepted. The CPIN already has a separate section detailing the action to combat trafficking that the government is undertaking and includes a section of the difficulties in enforcing the law.</p>

The CPIN for Vietnam 2018 is factual, interesting and relevant to an understanding of the whole situation. The comment is that more information might be contained, [of the type touched on above] if tabled together with size, duration, impact etc, to demonstrate both the complexity of the task and the range of the Government response, which needs to be brought to the pervasive problems of movement and poverty. Against this background, the lives of individual Vietnamese might be accurately judged.

3. Review of responses to COI requests

[Note to reviewer: Reviewers will be given up to ten Information Requests to consider. These are short (usually not more than 2-3 pages each) requests about the bases for asylum claims that are not included in CIG Reports.]

Each Information Request should be referred to by its title and Request Number.

The Reviewer should include a sentence or two summarizing the nature of the request. The reviewer should then respond, briefly, to the question of whether the response provided by the Home Office is, in their opinion, factually accurate, complete, well supported with empirical evidence. Responses to each information request need not be longer than one or two paragraphs.

1-10. COI request – [Response to an Information Request: Vietnam: Corruption in the Military] [Request number 03/19-089]

3.1 Corruption in the military

Summary of Request: Is there any evidence to demonstrate corruption in the military in the Vietnamese military around 2008-9?

Reviewer's determination of the quality of the response, using the above criteria. Any supplementary information should be cited as completely as possible.	Home Office Response
<p>The MPS mentioned in the Report section 2.1.5 para.4, refers either to Ministry of Public Security [formed in 1953] or else to Military Police [closely linked to the armed forces of Vietnam]. In either case, the main concerns will be around sedition and anti-patriotic behaviour. Disloyalty to the Party carries serious risks of losing rights to movement, employment and potentially imprisonment. This is particularly true of military personnel.</p> <p>In 2008, there were major efforts made to deal with problems of corruption. <i>e.g. mddb.apec.org/documents/2008/ACT/ACT1/08_act1_024.doc · DOC file ·</i></p> <p>A 'Recent Progress of Anti-Corruption Work of Viet Nam in 2007' submitted to the 6th Anti-Corruption and Transparency Task Force Meeting in Lima, Peru, 28-29 Feb. 2008 states:</p> <p><i>'From 01/10/2006 to 31/8/2007, reviews of ministries, branches and localities have shown 441 cases, in which 406 cases and 826 accusants have been prosecuted for committing corruption, 306 accusants have been punished with administrative disciplines. Total value of damages caused by corruption is 286 billion dongs in which 70 billion dongs have been seized. People's procuracy of all levels have prosecuted 397 cases with 1030 accusants (including cases and accusants of the previous period). People's courts of all levels have trialed 345 cases with 785 accusants.</i></p> <p><i>'The number of detected corruption cases takes about 5% of economic violations cases. Among those corruption offences which have just been prosecuted, embezzlement takes big share (51.6% of the cases and 55% of the accusants); abusing power to appropriate assets (16.7% of the cases and 11.7% of the accusants); taking bribery (13% of the cases and 14.5% of the accusants); taking advantages of job position and mandates while conducting public tasks (11% of the cases and 15.6% of the accusants), and the remaining is other kinds of corruption.</i></p> <p><i>'Among 8 serious cases detected in 2006, 5 have been trialed with supports of the citizen; the investigation and prosecution of the remaining 3 have been finalized and it is expected to be taken to court in December 2007.'</i></p> <p>https://view.officeapps.live.com/op/view.aspx?src=http%3A%2F%2Fmddb.apec.org%2Fdocuments%2F2008%2FACT%2FACT1%2F08_act1_024.doc</p> <p>The above figures are referring to a major assault on corruption at all levels, including the military [although regarding the military, I was not able to find any specific case history].</p> <ol style="list-style-type: none"> 1. I am reasonably sure that it did apply to the military, since they were involved from the start and ostensibly supported the introduction of the clampdown on corruption. The context seems to have been of the Party, the Military and Ministries re-asserting their grip on management and status, after a phase of economic expansion and some settling down in Vietnam international relations. The plans introduced in 2008 were meant to be held in place until 2020, This does have some relevance to expanding relations with the international community and USA. IOM and others had placed some importance on the presence of corruption in the country and how it can affect programmes. From the Vietnamese point of view, it is probable that the movement was much about reinforcing government control and order, after <i>Doi Moi</i> policies were introduced, together with the opening up of Vietnam to the West, in the 1990s. 2. To finalize the findings of the research, in August 2008, the Government Inspectorate organized the international workshop titled: "Vietnam and the ratification of the UN Convention Against Corruption" with broad participation of representatives of Ministries, governmental agencies, the National Assembly and its affiliates, Supreme People's Court, Supreme People's Procuracy, Party's central agencies, etc.... see below: 	<p>Accepted.</p> <p>We will update the COI following this review and incorporate suggested material.</p>
<p>It is difficult to find watertight evidence of the judicial activities of the military in any area of Vietnamese life. However, the context of the above actions, [described in pp 12-13] makes it almost certain that the military played a central part in confronting anti-corruption activities.</p>	<p>We will also reflect this.</p>

<p>Anti-Corruption Law under Vietnam’s New Penal Code [Related Reference] https://www.tilleke.com/sites/default/files/2018_Feb_Anti_Corruption... · PDF file</p> <p>References to development of the new penal code were probably linked to the corruption responses mentioned above. The most significant corruption-related change in the ‘New Penal Code’ involves the criminalization of private-sector bribery. Individuals working for corporations, charities, and other nongovernmental organizations can now be criminally liable for bribery offences, even when those offences do not involve government officials.</p>	<p>Accepted.</p> <p>We will update the COI following this review and incorporate suggested material.</p>
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3.2 0218-029, Risks to Women

Summary of request: Is there a risk to lone women without family support on return to Vietnam? Is there any support for lone females in Vietnam? Is there sufficiency of protection from the authorities in Vietnam?

Reviewer’s determination of the quality of the response, using the above criteria. Any supplementary information should be cited as completely as possible.	Home Office Response
<p>Comment on Section on Violence Against Women: Violence against women is a problem that will not be easy to solve and is still a fact of life particularly for women in rural Vietnam. However, the body of law is moving towards the protection of women and should with better administration bring such laws down to the village level</p>	<p>Not accepted as no source given</p>
<p>Comment on Single Mothers section: The comments above must apply to single mothers who lack the protection of a husband and are not well regarded in the villages and small towns. Again, because business skills are highly rated, if such a woman has the capacity to earn a living, her status will be much increased. The laws giving equality to women are in place, as stated earlier, but their implementation in Vietnam overall is still a long way from complete.]</p>	<p>Not accepted as no source given</p>
<p>COMMENTS on sections on Single Mothers and Domestic Violence</p> <p>Refs checked. The coverage of this paper was accurate and to the point. I would only add that Vietnamese women are generally strong and independent, which is the tradition in Vietnam, but the power of the State does affect how women are able to build confidence and have leadership roles in their own towns and villages.</p> <p>[There is a tough willingness to learn and acquire skills outside of the home. Business women are commonly found in Vietnam, maybe created out of sheer need and lack of support but nowadays finding that they can make their way alone [at least in the cities..] Family is very important, and networks are usually large. A wife still should always honour her husband, but increasingly, be proud and capable as a woman. There are in 2019, more opportunities for professional jobs for women in the towns, but in rural areas, educational access is less readily available. In the rural areas, living alone has been described as a depressing and isolating experience. It is true that the number of single women overall has increased, even since the war with its huge number of war widows and malformed births.</p> <p>Government Statistics 2018 support this assumption.] Women also have been included in the Party system and usually worked in the Government Ministries e.g. MOLISA.</p>	<p>Thank you for the positive comment.</p>

3.3 02/18-062 Political Parties

Summary of request: *What is the political status/existence of other political parties currently in Vietnam?*

Reviewer's determination of the quality of the response, using the above criteria. Any supplementary information should be cited as completely as possible.	Home Office Response
<p>I could not find any reference to other parties that are fully functioning with political power in Vietnam. Although there are leagues, ministries and associations for youth and for women. It is a one party state and although there may be those who oppose it, [particularly from minorities], the opposition, such as it is, seems to come from individuals or groups of individuals with a grievance e.g. loss of land due to government building of a dam for water supply; soldiers who are believed to have disobeyed their superiors, artists whose paintings are too western, and criminals of all kinds. Teachers will naturally gather respect, but only if they recognise the importance and need for a one party system. Members of the Party are most respected.</p>	<p>Thank you.</p>

3.4 03/19-007 Freedom of Movement

Summary of Request: *Would a person returning to Vietnam have significant difficulties accessing healthcare, social support and education for her children without a Ho Khau? Is there is a system for temporary registration? Would be forced to return to their home area to start the Hu Khau process?*

Reviewer's determination of the quality of the response, using the above criteria. Any supplementary information should be cited as completely as possible.	Home Office Response
<p>This Response to an Information Request has covered the civil registration situation in Vietnam. The references are correct, useful and appropriate.</p> <p>It is worth noting that Ho Khau is being replaced because it wasn't functioning evenly throughout the country and was subject to local control and misuse.</p> <p>There is a likelihood that the changeover to a national identity system will be facing similar problems in terms of delivery, registration, and regulation of its application and corruption, at least in the first phase. Regulation of inhabitants in remote or ethnic areas may still be open to corrupt and improper use for at least the next few years. Registration of citizenship in any form, is vital for access to protection by the State – work, movement, land and taxes etc.</p>	<p>Thank you for the positive comment. It appears as though the reviewer is agreeing the information was correct at the time of publication but there are changes/updates pending. Therefore, we will reflect that in any future publications.</p>

3.5 03/19-013 Political System and Affiliation

Summary of Request: Can you please provide information about Lao Don Viet (Viet Labor)?

Reviewer's determination of the quality of the response, using the above criteria. Any supplementary information should be cited as completely as possible.	Home Office Response
1.1.3 Further information can be found on the Lao Don Viet (Viet Labor) can be found on the English document Which describes further their roles. (Note: it would be interesting to investigate more what work reps do in the UK.)	Partially accepted. Whilst the information appears to come "from the horse's mouth", we have concerns about the reliability of the document.

3.6 03/19-062 Children's citizenship

Summary of Request: Information about the citizenship of a child born to Vietnamese parents outside Vietnamese territories.

Reviewer's determination of the quality of the response, using the above criteria. Any supplementary information should be cited as completely as possible.	Home Office Response
I don't think that I can make any further comment regarding citizenship of a child born outside of Vietnam to Vietnamese parents. Article 16 of the Law on Nationality is quite clear [see above: item1.1.2.]. This ruling may possibly be challenged in court in Vietnam, if the parents had committed such crimes as to render them formally not of Vietnamese nationality.	Thank you for the comments.
Regarding item 1.1.3., I agree that ethnic minorities are permitted to register as Vietnamese citizens usually for education and health care, but may choose not to register in order to prioritise their own ethnicity.	
Regarding preventing children from registering to discourage migration [USSD 2018], I have not heard or read of such incidents. As a personal comment, it would appear to be an unusual route to follow, since the children are likely to be disadvantaged in the home location [as unregistered] with reduced attachment to that place. The chance of such children migrating may possibly be increased.	

3.7 04/19-083 Male Trafficking

Summary of request: Are there any support mechanisms in place for lone men who have been victims of trafficking?

Reviewer’s determination of the quality of the response, using the above criteria. Any supplementary information should be cited as completely as possible.	Home Office Response
<p>The recent references on this important topic are very valuable.</p> <p>The Meetings that were held with the FFM are sound confirmation of the willingness of Vietnam to address the problem of trafficking and attempt to tackle the problem. Until recently, there was little interest in those who were trafficked, unless there was a criminal connection.</p> <p>The interests of the Government are to portray an active workforce seeking broader horizons, rather than a vulnerable and illicit movement, tacitly encouraged and supported by China.</p>	Thank you for the positive comment.
<p>The economic situation in Vietnam, particularly in the countryside is at least partly responsible for people borrowing large sums of money which they hope to pay back with work abroad.</p>	
<p>IOM, is working in partnership with MoLISA to encourage a supportive approach to a limited group identified as trafficked victims, and not involved in any kind of criminal activity. However, this move should encourage a more planned approach to movements generally, by the Vietnam Government. It should be noted that IOM is talking about men who have returned to Vietnam as illegal migrants, a limited group. IOM also does not conduct long term follow-up, which could be a check and feedback on progress.</p>	

3.8 05/19-114 LGBTI Persons

Summary of Request: What is the situation in Vietnam with regards to LGBT persons?

Reviewer’s determination of the quality of the response, using the above criteria. Any supplementary information should be cited as completely as possible.	Home Office Response
<p>The general assessment of this paper provides clear guidance on a generally improving situation for LGBTI which gives some hope of legitimacy and acceptance. The references are accurate and demonstrate an improving situation which still has some progress to make from the fringes of society.</p>	Thank you for the positive comment.

3.9 08/19-014 Religion; ethnicity

Summary of request: Information on the Hoa Hao and how they are treated in Vietnam and whether a follower of the Hoa Hao can return to Vietnam?

Reviewer's determination of the quality of the response, using the above criteria. Any supplementary information should be cited as completely as possible.	Home Office Response
<p>A very detailed and interesting compilation of the situation of the Hoa Hau that after reading all the references seems to me to be generally accurate. The three orders within Hao Hau indicate that there may have been some adaptation of faith in relation to government over the years.</p> <p>It seems Hoa Hau has in part, both overcome the negative impression it created during the war years, and compromised its own resistance following their leaders murder by the Viet Minh. This information might demonstrate an increased flexibility on behalf of the Government, together with a willingness on the part of Hao Hau to compromise.</p> <p>References were found to be useful and valuable additions to understanding the Vietnam Government current stance towards religious groups.</p>	<p>Thank you for the positive comment.</p>

3.10 0919-074 Youth for Democracy

Reviewer's determination of the quality of the response, using the above criteria. Any supplementary information should be cited as completely as possible.	Home Office Response
<p>This article relates to the previous topic of political opposition. Opposition is willingly channelled as described in the above information. The image of democracy is carefully nurtured and most readily achieved when an organisation can be welcomed into the State – as above. Youth groups are quite numerous and may be described as democratic. They are 'of the people' but have almost no political power. They exist as an arm of the State. Such youth groups were commonly formed during war to prepare young men and encourage loyalty. In a similar way the Vietnam Government would consider itself to be socialist and democratic.</p>	<p>Thank you for the positive comment.</p>
<p>I suggest that VYD must be a political unit, at least in unofficial terms, because it claims to represent civil society. It's goals are to democratise..which can be also interpreted as bringing balance and harmony [yin and yan together] for fruitful economic development. But it would need the blessing of the State in some form.</p> <p>The Youth Movement is an extremely important opportunity to strengthen political allegiance into the next generation. Alternatively, it can generate the power, skills and mobility for responding to economic opportunities inside and outside of Vietnam.</p> <p>I suspect that we may be talking here about an economic democracy with equality of rights for those who are loyal to the State....equality of incomes and opportunities...Here, there is a possible bridge between the two ideologies:democracy and communism, which may be allowing both to thrive.</p> <p>I notice that the objectives include encouraging youth to join democratic parties and at the same time 'Patriotic Youth' However, the bridge between them is extremely rickety, and I also notice that at least one prison sentence has been served.</p>	<p>Whilst we are inclined to agree, the purpose of the COIR is just to provide information; we do not provide an analysis or position within them.</p>

4. Information about the Reviewer

Include a paragraph summarising the reviewer's expertise with respect to the subject of the review.

Please see career outline on page 1 of introduction. I am an anthropologist and before retirement, lecturer and aid worker [manager of recovery programmes]. After I last left Vietnam in 2004, I kept an interest in events relating to the establishing regime, especially in Thua Tinh Hue and surrounding provinces. I was working with returnees and also with many Vietnamese who were struggling to re-establish themselves after the war was over. In the UK, my interest in migration at that time was encouraged by membership of the Refugee Council and International Development Centre and St Antony's College in Oxford. Research led to publication of a number of items on the subject I also maintained some small links with the Vietnamese community in the UK.

