



# Inspection of Country of Origin Information Report

June 2019

**David Bolt**

Independent Chief Inspector of  
Borders and Immigration



# **Inspection of Country of Origin Information Report**

**June 2019**



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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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# 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).<sup>1</sup> 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 May 2019 meeting, which related to Ethiopia and Jamaica.

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 29 July 2019.

**D J Bolt**  
**Independent Chief Inspector of Borders and Immigration**

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<sup>1</sup> Previously the Country of Origin Information Service (COIS)



# 1. Scope

**1.1** In March 2019, IAGCI sought tenders for reviews of the following CPIT Country of Origin Information Requests (COIRs) and Country Policy and Information Notes (CPINs):

- Ethiopia
  - Country of Origin Information Requests (COIRs)
  - Opposition to the government (October 2017)
  - Oromos including the “Oromo Protests” (November 2017)
- Jamaica
  - Homeless Shelters (COIR) (March 2019)
  - Fear of organised criminal gangs (March 2017)
  - Background information, including actors of protection, and internal relocation (March 2018)
- Thematic
  - Sexual Orientation and Gender Identity (24 reports)

**1.2** Ethiopia and Jamaica were chosen because neither had previously been reviewed by IAGCI and because CPIT was planning to update the CPINs. The Sexual Orientation and Gender Identity (SOGI) thematic review was chosen because a significant number of CPINs are on this topic, raising the question of consistency. This review will be considered by IAGCI in September 2019.

**1.3** Two tenders were received for the Jamaica reviews and for the Sexual Orientation and Gender Identity (SOGI) thematic review. These were assessed by the IAGCI Chair, with input from members, and the reviewer with the most relevant knowledge was selected. No tenders for the Ethiopia review were received by the initial deadline, following a small extension a single tender was submitted and appointed.

**1.4** The completed reviews for Ethiopia and Jamaica 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.

**1.5** IAGCI met on 3 June 2019 to go through the reviews and the CPIT responses. The agenda and minutes of the meeting are at Annex A.

## 2. Reviewers' comments and recommendations

### Ethiopia

- 2.1** Stephanie Huber<sup>2</sup> reviewed nine Ethiopia COIRs (one from 2016, one from 2017, four from 2018 and three from 2019), plus the CPINs entitled 'Opposition to the government' (October 2017) and 'Oromos including the "Oromo Protests"' (November 2017). Her reviews are at Appendices x to y, along with CPIT's responses.
- 2.2** The COIRs covered:
- Religious minorities – Treatment of Pentecostals (September 2016)
  - Treatment of homosexual men (September 2017)
  - Residency in Ethiopia (March 2018)
  - Relocation and forced marriage (June 2018)
  - Politics – political groups (August 2018)
  - Political groups: ethnic minorities (November 2018)
  - Nationality laws (January 2019)
  - Land and political disputes (March 2019)
  - Treatment – Oromo Liberation Front (April 2019)
- 2.3** CPIT "Accepted" most of the reviewer's recommendations/suggestions in respect of the ten COIRs. It did not plan to update the COIRs from 2016 and 2017 as these were now dated but undertook to assess the user demand for a COI product on Pentecostals and on LGBT+ persons. The remaining COIRs would either be updated or the additional information and references would be included in the planned updates of the 'Opposition to the government' or 'Oromo' CPINs.
- 2.4** The "partial acceptances" and other CPIT comments of note related to methodology rather than substance. They all spoke to the relationship between CPIT and the users of its products and raised questions about how well each understood the other and how effectively they communicated. For example, where the reviewer observed that it would have been helpful to know the nationality of the claimant's husband, CPIT responded that it was unable to compel the (COIR) requestor to provide this information. While this may be true, it is clearly in both parties' interests to ensure the request and the response are as detailed as they need to be.
- 2.5** At another point, defending its use of a secondary source (whose reliability was not in question), CPIT noted that the requestor could follow the references provided by that source if they wished to read the primary source material. This suggests a wholly unrealistic view of the capacity and competence of a significant proportion of asylum decision makers. Elsewhere,

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<sup>2</sup> Biography at Annex B

CPIT accepted that where it had not found any information in respect of an aspect of the COIR request it needed to say so.

- 2.6** This is important, but more broadly, given its time constraints (1-5 days to provide a response), CPIT needs to ensure that the requestor and any subsequent readers are made fully aware of the limitations of each COIR. Its response to one of the COIRs indicated that it has recognised this and that CPIT staff were being encouraged to “include a short paragraph explaining the scope of his/her research results”. However, this is slightly undermined by the comment “where feasible”, without explaining why this might not be the case.
- 2.7** The reviewer found both the ‘Opposition to the government’ CPIN and the ‘Oromos including the “Oromo Protests” CPIN to be “balanced and well-researched”.
- 2.8** However, the reviewer contended that the title of the first CPIN was misleading in that it dealt with political opponents rather than broader opposition, for example, from journalists, human rights defenders and civil society activists. CPIT disagreed, suggesting that the non-prescriptive title allowed to add material about other forms of opposition (which it would consider doing based on the number of claims received) and that a new section on journalists/bloggers had already been drafted.
- 2.9** CPIT “Accepted” all of the reviewer’s recommendations in respect of the contents of the CPIN, although commenting in several places that the source material the reviewer had referenced would be “considered for inclusion in the forthcoming CPIN update alongside a range of other sources, to ensure balance”, which while perfectly reasonable could be read as suggesting that the reviewer’s comments and references lacked balance.
- 2.10** The same comment appeared in relation to some of the reviewer’s recommendations for the ‘Oromos including the “Oromo Protests” CPIN, all of which were “Accepted”. Apart from improving the cross-referencing between this and other CPINs, the reviewer’s main points concerned the inclusion of more information in particular about arrests, detentions and prison conditions and treatment. During the meeting, IAGCI noted that the situation for Oromos was “dynamic” and that the President had recently ordered the release of some of the detainees.

## Jamaica

- 2.11** Dr Joanne van Selm<sup>3</sup> reviewed one Jamaica COIR: ‘Homeless Shelters’ (March 2019), plus the CPINs entitled ‘Fear of organised criminal gangs’ (March 2017) and ‘Background information, including actors of protection, and internal relocation’ (March 2018). Her reviews are at Appendices x to y, along with CPIT’s responses.
- 2.12** The reviewer noted that the information about the funding and status of the Open arms Shelter in Kingston appeared to be correct. She provided some additional open source references for the Shelter, some quite dated. The key point from these was that, because of its location (in a dangerous downtown neighbourhood) and basic facilities the Open Arms Shelter cannot be fully protective of those (men) staying there. CPIT accepted the suggested material and undertook to update the COI to incorporate it.
- 2.13** The reviewer found that the ‘Background information, including actors of protection, and internal relocation’ CPIN, gave a “solid broad overview” of the situation in Jamaica and appropriately highlighted women and children as vulnerable groups, though the latter needed

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<sup>3</sup> Biography at Annex B

strengthening with regard to the extent of abuse and violence. However, she argued that the CPIN should also include the LGBT+ community as a vulnerable group, especially homosexual males, who suffer discrimination and a lack of protection from the state. She also drew attention to police corruption and the intractable nature of the many problems.

- 2.14** The reviewer made 28 recommendations/suggestions. CPIT “Accepted” 25 of these, undertaking to incorporate the suggested material in an updated CPIN. Three recommendations were “Partially accepted”. One concerned climate change and related issues and their impact on public health. CPIT agreed to include the latter point in the updated CPIN. The second concerned LGBT+ persons. CPIT noted that there was a separate CPIN covering sexual orientation and gender identity but undertook to include the reviewer’s points in the update to that CPIN with a link to the ‘Background’ CPIN.
- 2.15** The third partial acceptance concerned the level of violence against women. Here, the recommendation was to include some text from the referenced material. CPIT’s response was that it had changed the style of its ‘Background’ CPINs, which now had “more links and less text”. This raises a concern about whether busy decision makers open the links and, if so, how they will evaluate what is there.
- 2.16** The reviewer made ten recommendations/suggestions in relation to the ‘Fear of organised criminal gangs’ CPIN, nine of which were “Accepted” by CPIT and one “Partially accepted”, the latter for technical reasons (two of the recommended links were inaccessible).
- 2.17** However, the reviewer’s comments raised a more fundamental question about the CPIN’s scope and the nature and extent of crime (theft, robbery, assault, rape, murder) in Jamaica and what this meant for the way people lead their lives – house alarms, compounds, private guards (because of police corruption), dogs, not walking on the street. CPIT responded that the CPIN was focused on “gang related crime” (rather than the general level of crime) and “fear” in the context of the Refugee Convention’s “well-founded fear of persecution”. It is at least debatable whether such distinctions are meaningful for anyone removed to Jamaica from the UK.
- 2.18** The reviewer also drew attention to the inadequacy of the witness protection programme in Jamaica, due in part to the size of the island, which is also a factor in whether relocation on Jamaica is a realistic option for anyone who is at risk.

## 3. Independent Chief Inspector's Recommendation

### CPIT and its “customers”

- 3.1 ‘An inspection of the Home Office’s production and use of Country of Origin Information (April – August 2017), published in January 2018, made a number of findings and recommendations concerning the relationship between CPIT and the Home Office users (“customers”) of COI, principally though not exclusively asylum decision makers.
- 3.2 The recommendations included moving CPIT under the management of UKVI to achieve better alignment (Not accepted) and carrying out a thorough and open needs analysis for COI, involving internal and external stakeholders, and ensuring effective ongoing feedback mechanisms (Partially accepted).
- 3.3 This latest set of reviews, in particular the references to the process of requesting and responding to Country of Origin Information Requests (COIRs), the notion that decision makers could pursue references to primary sources should they wish to do so, and CPIT’s reported change of style for its ‘Background’ CPINs to include “more links and less text”, again raise questions about how closely CPIT engages with its customers and how well each understands the other’s needs.
- 3.4 In July 2019, ICIBI learned that the management of CPIT was moving to another part of the BICS Policy and Strategy Group. While this was not what ICIBI recommended, it will take time to see if this move produces a closer working relationship between CPIT and its customers.
- 3.5 In the meantime, I am repeating my recommendation about carrying out a needs analysis and using the results to ensure that CPIT has the resources and the feedback loops it requires. The Home Office “closed” this recommendation in 2018. For the avoidance of doubt, I believe the original response did not satisfactorily address the concerns raised and do not regard this recommendation as “closed”.

### Recommendation

#### The Home Office should:

1. By the end of 2019-20, carry out a thorough and open needs analysis for Country of Origin Information (COI), involving both Home Office ‘customers’ and external stakeholders, and use the results to ‘right-size’ CPIT and resource it appropriately, and to establish effective ongoing feedback mechanisms.

**D J Bolt**  
**Independent Chief Inspector of Borders and Immigration**

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

## 3 June 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)  
Dr Ceri Oeppen (CO), University of Sussex  
Patricia Daley (PD), University of Oxford  
Julie Vullnetari (JV), University of Southampton  
Katinka Ridderbos (KR), UNHCR, Geneva

### **Apologies (Members):**

Mike Collyer (MC), University of Sussex  
Prof Giorgia Dona (GD), University of East London  
Judge Susan Pitt (SP), Upper Tribunal Judge  
Dr Nando Sigona (NS), University of Birmingham  
Harriet Short (HS), Immigration Law Practitioners' Association

### **ICIBI representatives:**

David Bolt (DB), Independent Chief Inspector  
Hollie Savjani (HSa), Minute taker  
Rebecca Mavin (RM), Minute taker  
Katie Kennedy (KK), Observer  
Chris Thompson (CT), Observer  
Tessa Wilson (TW), Observer  
Joy Worrell (JW), Observer

### **CPIT:**

Jennifer Bradley (JB), SCS for CPIT (telecon)  
Robin Titchener (RT), Manager Africa Teams  
Jacqueline Niven (JN)

### **Home Office:**

Jaskaran Braich (JBr), Pre-Inspection Team

### **Commissioned reviewers:**

Stephanie Huber (SH), Ethiopia reviewer (telecon)  
Joanne van Selm (JvS), Jamaica reviewer (telecon)

Agenda item	Discussion	Action
<p><b>1. Chair's Report</b></p>	<p>LH: Welcome and explanation that the meeting would consider only the Ethiopia and Jamaica reviews as the reviewer selected for the Pakistan reviews had yet to submit all of them. IAGCI resolved to set a deadline for their completion and if not met to re-tender.</p> <p>DB: Informed the meeting that the January 2019 COI report was with the Home Office awaiting publication.</p> <p>RT: Responded that the Home Office was going through the process of publication and the report should be laid in parliament soon.</p> <p>Note: The report was laid on 18 June 2019</p>	<p>LH to revert to the Pakistan reviewer and report back</p>
<p><b>2. Ethiopia reviews</b></p>	<p>LH: Thanked SH for her reviews and invited her to raise any particular points for discussion.</p> <p>SH: Reiterated that she was not an Ethiopia country expert but had completed numerous country reviews. She reviewed two CPINs and nine COIRs, analysing the source material and comparing this with information in the public domain.</p> <p>Overall, the quality of the products was good. They were well-balanced and well researched but the analysis could have been expanded to include non-political critics of the regime e.g. journalists, bloggers and treatment of political detainees.</p> <p>SH was pleased that most of her recommendations had been taken on board.</p> <p>LH: Highlighted the fact that there had been a change of government in Ethiopia since the report was written and asked how CPIT could capture the current state of flux, especially as there was now an Oromo President, which had changed the “dynamic”, but not so much that you could say that all asylum claims are now unfounded.</p> <p>RT: Acknowledged that this was a challenge for the Home Office. Reports can be updated and changed but this can be difficult and the Home Office must be careful not to respond too quickly to events and produce new COI that is not backed up by facts and analysis. The Home Office had taken a “conservative” approach to assessing risk in relation to Ethiopia.</p> <p>SH: Asked if the Home Office could perhaps publish an acknowledgement of the fact that the CPINs were out of date and that things were changing in Ethiopia, perhaps linking to current information.</p>	

Agenda item	Discussion	Action
	<p>RT: Said this was something CPIT could think about.</p> <p>JN: Noted that CPIT’s resources were limited so this could delay publication of the next review. Caseworkers were able to contact CPIT if the situation in a country was changing.</p> <p>LH: Acknowledged that COI was often out of date but it was more of an issue in certain circumstances, such as when there was large-scale political change as in Ethiopia.</p> <p>LH: In light of the political changes, IAGCI might wish to come back to this review sooner rather than later.</p> <p>RT: Agreed.</p> <p>CO: Asked SH if she was content with the response to the one recommendation that was not accepted (regarding whether the CPIN would be more accurately entitled ‘Political opponents of the government’).</p> <p>SH: Did was not but understood that the COI was driven by what decision makers needed and was reassured that the Home Office planned to include a section on non-political actors, such as journalists and bloggers.</p> <p>CO: Assumed the CPIN was about opposition parties rather than opposition to the government more generally.</p> <p>RT: Shorthand in the title of a CPIN is fine provided decision makers are clear who and what is being referred to.</p> <p>SH: The information in the nine COIRs was mostly relevant, reliable and accurate. Proposals concerned additional sources of information but SH recognised that CPIT was under time constraints. The inclusion in the March 2019 COIR (on Land and political disputes) of a short paragraph explaining the scope of the research done to produce the COIR was a positive development.</p> <p>DB: Noting it had said it could not compel the requestor, did CPIT nonetheless ask for contextual information, since this could be relevant to how best to respond?</p> <p>SH: Agreed. Provided the applicant could not be identified, information about gender, race, religion, or relevant time period, for example, could be helpful in ensuring that country information is tailored to the specific case.</p>	



Agenda item	Discussion	Action
	<p>RT: The request form invited requesters to provide context but this was voluntary as this was helpful.</p> <p>JN: Although CPIT cannot compel caseworkers they can ask and there is no reason why a caseworker would not comply.</p> <p>LH: Asked about response based on information from the Canadian Immigration and Refugee Board, which was an “interpretative document” and therefore not wholly objective. The reviewer recommended use of primary sources, which was only partially accepted.</p> <p>RT: The principle of using primary sources was understood and stressed but it was not always practical. CPIT’s position was that provided the Home Office was transparent use of secondary sources was acceptable.</p> <p>DB: Questioned whether caseworkers would ever actually look at the notes and footnotes.</p> <p>CO: The recommendation in relation to ‘Relocation and forced marriage’ was that regional information would be useful. How easy was this to find?</p> <p>SH: It was niche and there was not much information but this should be made explicit.</p> <p>SH: Could interviewers and caseworkers consult experts when information was not in the public domain?</p> <p>RT: This could be useful but, generally, the timescales did not allow it, but if a case hinged on it the FCO could be consulted.</p>	
<p><b>3. Jamaica reviews</b></p>	<p>LH: Thanked JvS for her reviews and invited her to raise any particular points for discussion.</p> <p>JvS: Background CPIN provided a solid overview, if slightly dated. The LGBTQI+ aspect was important for human rights cases and JvS hoped her comments could be worked into the planned LGBTQI+ CPIN. JvS was content with the CPIT responses, which were understandable. Good cross-referencing between reports was important, to ensure caseworkers were aware that information exists.</p> <p>LH: Any update to Jamaica COI to reflect the LGBT issues should perhaps wait until after IAGCI’s September meeting to discuss the thematic review of SOGI COI.</p>	

Agenda item	Discussion	Action
	<p>JvS: The ‘Organised crime’ CPIN also needed updating to note lottery scamming and the connections with the dancehall scene. Also, it was important to note the shift in how the government in Jamaica was dealing with organised crime. However, most crime in Jamaica was not gang crime, for example petty theft, violence against children, and fear of violence and fear of persecution were not always separate, and the extent to which fear affected everyday life did not come across well in the report.</p> <p>JN: The CPIN was focused on organised crime, not other issues such as general levels of fear and other types of crime.</p> <p>RT: Agreed. Crime in general might be covered in the background in order to provide the context, but the CPIN was about organised crime.</p> <p>LH: In Jamaica, crime and organised crime were often linked.</p> <p>JvS: Agreed, it was hard to distinguish between them. The COI needed to cover both, otherwise someone who feared repeat “generalised” crime would not be covered.</p> <p>JN: “General” crime did not need a separate CPIN as this one could be expanded to stress the relationships between organised crime, international crime, domestic crime etc.</p> <p>RT: Agreed. Something about “general” crime should be included but for Jamaica the COI needed specific information about organised crime.</p> <p>DB: How was CPIT defining “organised crime”? The UK (NCIS/SOCA) definition used to be two or more people engaged in criminal activity on a continuing basis – so a low threshold. Was it different from gang-related crime? Was CPIT consulting the relevant agencies e.g. the NCA?</p> <p>JVS: From the CPIN, JVS understood organised crime to be more than just a few people engaging together in crime, but something at a higher level of organisation. Spoke with representatives at the British Embassy in Washington who did not regard most crime in Jamaica as organised crime, even if it was linked to organised crime.</p>	

Agenda item	Discussion	Action
	<p>JN: The CPIN needed to be linked to the question of how someone could make a claim based on the Refugee Convention and it was difficult to see how “general” non-organised crime could be the basis of a claim.</p> <p>JvS: Described the problems with the witness protection programme in Jamaica, which applied whether or not the person was involved with organised crime. The programme worked on paper but not in practice and people were not adequately protected. The CPIN needed to cover this.</p> <p>KR: Asked whether the reason so few people fall victim to crime was because Jamaicans take so many measures to avoid it. They were aware of crime to such an extent that they had adjusted their daily lives. If so, did the Home Office need to adjust its guidance?</p> <p>JvS: The CPIN did not capture the extent of fear in daily life in Jamaica, not specifically fear of persecution. But what level of fear warranted humanitarian protection?</p> <p>RT: Acknowledged this was complex. Fear was subjective. CPIT could only present the objective evidence, showing the landscape and context, and enabling a determination of whether a person is at risk, the test for risk in humanitarian protection cases was very similar to the Refugee Convention test. The Home Office needed to think about how best to present information about a country to encompass risks and fears. Meanwhile, very few claims were received in respect of Jamaica.</p>	
<p><b>4. Pakistan reviews</b></p>	<p>LH: Reported that the Pakistan reviewer had proven unreliable and hard to contact.</p> <p>The reviewer was commissioned to review two CPINs (‘Background information, including actors of protection, and internal relocation’ (June 2017) and ‘Land disputes’ (January 2017) and a selection of COIRs. To date only one CPIN review and one COIR review had been submitted. However, the reviewer had promised to submit the remaining reviews by 20 June. As a result, it would not be possible to consider the Pakistan reviews before the next meeting, in September, at the earliest.</p>	<p>LH update DB after 20 June.</p> <p>ICIBI to terminate contract if reviews not submitted by that date</p>

Agenda item	Discussion	Action
	<p>JN: Noted that CPIT had been waiting for the reviews and that Martin Stares (Head of CPIT) was not keen for this to drag on until September and CPIT might go ahead and update the Pakistan CPINs without waiting for the reviews. He would also prefer for the September meeting to focus solely on the SOGI thematic review since this entailed a lot of work.</p> <p>LH: The SOGI thematic will review 24 CPINs.</p> <p>All: The September meeting should focus solely on the thematic review. The Pakistan reviews should be dealt with in a different way?</p> <p>DB: It looked unlikely that the Pakistan reviewer would deliver what was required. If necessary, another reviewer could be commissioned and the current contract terminated.</p> <p>JN: CPI had an issue with the review that had been submitted in that it provided suggestions but did not provide sources or links.</p>	
<p><b>5. Discussion of DRC FoIA and media coverage</b></p>	<p>LH: Asked whether the Home Office had any knowledge of the risks to persons returned to the DRC or outcomes in these cases prior to the FoIA request and resultant press coverage.</p> <p>RH: Explained that the FoIA request was made by a journalist in June 2018. It covered the period January 2016 to May 2018 and requested correspondence between FCO and Home Office regarding returns to the DRC. The article in the Guardian took this information out of context. It was hard to verify reports from the DRC. The Home Office tries to investigate cases, often in conjunction with the FCO. But obtaining or verifying information is difficult.</p> <p>LH: Asked if the CPIN was in line with the reality.</p> <p>RT: The CPIN says there are allegations into the treatment of people who have been returned to the DRC, which is true. It also sets out the sorts of circumstances where the Home Office would return someone to the DRC. And it cites parliamentary statements to support returning people to the DRC, and information gained from consulting the Belgians, who return the greatest numbers to the DRC.</p> <p>LH: Given the allegations, is this enough?</p> <p>RT: Home Office believes it has acted appropriately and investigated as far as it can. Hard to track down anonymous case studies. DRC is complicated country.</p>	

Agenda item	Discussion	Action
	<p>LH: Acknowledged that anonymity made it difficult to obtain information about individual cases, but was this different from an Amnesty report that would also anonymise victims?</p> <p>KR: Acknowledged DRC was a difficult country from a COI perspective but there were some particular difficulties in assessing risk of return. It was no accident allegations kept resurfacing in relation to the DRC. The risk should be taken seriously to avoid returnees being arrested, which is a huge problem. What more could the Home Office do?</p> <p>RT: The Home Office can talk again to FCO about facts on the ground and to UNHCR colleagues. It might perhaps revise the CPIN.</p> <p>KR: It was best to err on the side of caution. Unless the Home Office can identify what would expose someone to risk, it should reconsider returning people to the DRC. Hard to be sure otherwise.</p> <p>DB: Asked what responsibility the Home Office had in relation to the outcomes for people who have been returned. At what point does the Home Office cease to be responsible?</p> <p>RT: Home Office responsibility ceases once the person arrives in their home country. It cannot follow someone around in a foreign country to check on their progress. This was consistent with other EU states.</p>	
<b>6. Suggestions for future reviews</b>	<p>KR: Proposed that IAGCI consider a thematic review on children’s asylum claims (similar to the SOGI review).</p> <p>LH: This could be done for the end of 2018, alongside a country review (tba).</p>	
<b>7. Next meeting</b>	<p>The next meeting is provisionally agreed for September. The only agenda item will be the SOGI reviews.</p>	

## Annex B: Biographies of the Reviewers

### **Stephanie Huber (Ethiopia)**

Stephanie Huber is a specialist Country of Origin Information (COI) researcher with over 12-years experience of conducting COI research for individual asylum and human rights claims, including on Ethiopia. Stephanie has provided COI research for a number of Country Guidance (CG) cases and, since 2010, has reviewed the case law and COI content of Country Policy and Information Notes (CPINs). She also undertakes thematic and country-specific COI research on behalf of the United Nations High Commissioner for Refugees (UNHCR) to assist the refugee determination process.

Stephanie is co-author of two Asylum Research Centre (ARC) Query Responses on Ethiopia, commissioned by UNHCR's Division of International Protection, which focused on The Master Plan, the treatment of Oromo Liberation Front members and their family members, the treatment of Oromos who are not politically active, the treatment of members of the Ethiopian Federal Democratic Unity Forum (Medrek), the treatment of members of the Southern Ethiopia People's Democratic Coalition (SEPDC), and the situation in Hosaena and Kembata.

### **Dr Joanne van Selm (Jamaica)**

Dr Joanne van Selm is an Independent Consultant on Migration and Refugee policies. She lived in Kingston, Jamaica from 2013-2016. During part of her time in Jamaica, Dr van Selm undertook a consultancy with UNHCR-RO Washington to look at the systems and organisations in place to work with asylum seekers and refugees in Jamaica. One element of that consultancy was sitting in on regular UN country team meetings. This consultancy also entailed meetings with a range of domestic and international actors in the human rights and migration related fields in Kingston.

Dr van Selm is a member of the Migration and Development Cluster at SALISES, the University of the West Indies – Mona. She has also written for IOM/Eurasylum's Migration Policy Practice journal on migration in the Caribbean.

# **Annex C: Review of the Home Office Country of Origin Information (COI) on Opposition to the government (October 2017); Oromos including the ‘Oromo Protests’ (November 2017); and 10 responses to Information Requests**

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

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# 1. Introduction

## 1.1 Instructions

This review has been undertaken as per the purpose of the Country Policy and Information Notes (CPINs), which is to “provide an accurate, balanced and up to date summary of the key available source documents regarding the human rights situation”.<sup>4</sup> Whilst the CPINs provide “country of origin information (COI) and policy guidance to Home Office decision makers on handling particular types of protection and human rights claims”<sup>5</sup>, it is understood that this review “should focus exclusively on the country of origin information contained within the document, and not pass judgement on the policy guidance provided”.<sup>6</sup> The review has also been conducted in the context of the CPINs stated ‘cut off’ date for inclusion of information and according to the following Terms of Reference:

- (i) Assessing the extent to which information from source documents has been appropriately and accurately reflected in the CPIN Reports.
- (ii) 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).
- (iii) Noting and correcting any specific errors or omissions of fact.
- (iv) Making recommendations for general improvements regarding, for example, the structure of the report, its coverage or its overall approach.
- (v) Ensuring no reference is made to an individual source which could expose them to risk.<sup>7</sup>

## 1.2 Methodology

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

First an analysis of all of the sources and information cited in the two CPINs and nine of the 10 Information Requests has been undertaken<sup>8</sup>. This comprised a cross-check of each excerpt included in the ‘Country information’ sections against the original source of information, and a comparison

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<sup>4</sup> Taken from the ‘Description of work’ guidelines provided by the IAGCI for this review.

<sup>5</sup> See CPIN’s ‘Preface’. For example, Home Office, [Country Policy and Information Note, Ethiopia: Opposition to the government](#), October 2017, *Preface*, p. 2

<sup>6</sup> Taken from the ‘Description of work’ guidelines provided by the IAGCI.

<sup>7</sup> Taken from the ‘Description of work’ guidelines provided by the IAGCI.

<sup>8</sup> One of the Information Requests sent to the reviewer accidentally related to a different country.

of the excerpts included in that section to other publicly available sources at the time of writing the two CPINs<sup>9</sup>. The reviewer is mindful that the sign-off date of the two CPINs was 9 October 2017 and 1 November 2017 respectively. Selected sources published after this date have been presented where it was considered relevant to highlight key developments or particular reports and which should be considered for inclusion when the CPINs are updated. The CPINs and Information Requests were also checked for errors, omissions and inconsistencies and their structure and general user-friendliness were assessed.

Additional sources of information considered useful for inclusion in updated versions of these two CPINs and any future Information Requests on the selected topics have been presented based on sources known to the reviewer in the course of her previous research on Ethiopia and by consulting a variety of publicly available sources including governmental, online libraries of human rights organisations, NGOs, think-tanks and the media.

## 1.3 Summary of Review

### 1.3.1 October 2017 CPIN on Ethiopia: Opposition to the government

From a COI viewpoint this is a balanced and well-researched report on the situation and treatment of political opponents in Ethiopia in 2017. It covers the main armed and non-armed opposition groups, their respective treatment and the overall situation with regards to political rights and freedoms at the time of drafting the CPIN. In light of the political situation in Ethiopia in 2017 and the curtailment of civil and political rights and freedoms, as well as the lack of a CPIN specifically addressing the situation and treatment of critics to the regime such as journalists, bloggers, human rights defenders, civil society actors and ordinary citizens, and the lack of a CPIN focusing on prison conditions and treatment of detainees, the CPIN would have benefitted from sub-sections covering these additional issues in order to provide as accurate and comprehensive a picture as possible. In view of this it is recommended that any future update of this CPIN either addresses these additional issues or separate CPINs be produced that focus on the situation and treatment of critics to the Ethiopian government and separately on prison conditions and treatment of political detainees.

Suggested sources for an updated CPIN and general suggestions for improvement are presented by section heading of the CPIN further below in section 2 of this review.

#### Summary of recommendations

- Change the title of the CPIN to 'Political opponents of the government' **Not accepted. See 2.1**
- Ensure a consistent approach when referencing sources throughout the CPIN and where possible refer to the original source weblink. **Accepted. Since publication of this CPIN we have updated how we reference sources. In addition, a complete bibliography of sources cited and those considered but not cited, is included at the end of the report. This has improved accuracy, traceability and clarity.**

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<sup>9</sup> Note that the reviewer focused on sources published between 1 January 2016 and the respective sign-off dates of the two CPINs.

- Include an additional section or publish a new CPIN specifically addressing the situation and treatment of critics of the government, including journalists, bloggers, human rights defenders, and persons perceived to oppose the government but not (perceived or) aligned to a political group (e.g. protesters). **Accepted, see section 2.1**
- Include a section or publish a new CPIN specifically addressing the situation and conditions in prisons and the situation and treatment of detainees.  
**Accepted. See 2.3. Although it is not considered necessary to produce a CPIN on prison conditions generally, it is accepted that it would be useful to include information in the forthcoming updated CPIN in relation to the treatment of political detainees.**

### 1.3.2 November 2017 CPIN on Ethiopia: Oromos including the ‘Oromo Protests’

From a COI viewpoint this is a balanced and well-researched report on the situation and treatment of Oromos, including laying out the treatment of protesters during the unrest and protests in April 2014, November 2015 – October 2016, and more sporadically throughout 2017. The CPIN would have benefitted from additional cross-linkages to other existing CPINs on Ethiopia, notably the one issued in October 2017 on ‘Opposition to the government’, and from additional information on the treatment of Oromos and members of the Oromos Peoples’ Democratic Organisation (OPDO) and the Oromo Liberation Front (OLF). The CPIN further lacked information or a specific section dedicated to prison conditions and treatment of detainees of this profile as highlighted in the above review of the CPIN on ‘Opposition to the government’.

Suggested sources for an updated CPIN and general suggestions for improvement are presented by section heading of the CPIN further below in section 3 of this review.

#### Summary of recommendations

- Increase cross-referencing amongst CPINs on Ethiopia – **Accepted. See 3.2**
- Include additional information on the treatment of Oromos and those perceived to be or real members of the Oromos Peoples’ Democratic Organisation (OPDO) and the Oromo Liberation Front (OLF) **Accepted. See 3.2**
- Include a section or publish a new CPIN specifically addressing the situation and conditions in prisons and the situation and treatment of Oromo detainees  
**Accepted. See 3.3. Although it is not considered necessary to produce a CPIN on prison conditions generally, it is accepted that it would be useful to include information in the forthcoming CPIN update in relation to the treatment of Oromo detainees.**

### 1.3.3 Responses to Information Requests

In general, the COI included in the Information Requests reviewed were both relevant, reliable and mostly accurate. Specific concerns and recommendations for additional source materials have been included in section 4 under each Information Request review.

Main Suggestions relating to the COI Requests:	
<ol style="list-style-type: none"><li>1. Present the COI under each of the individual questions posed.</li><li>2. Ensure that each question posed is specifically addressed. If no COI was found on a particular issue, this should be mentioned, ideally together with a list of sources consulted.</li><li>3. Ensure additional and corroborative sources of COI are included.</li><li>4. The drafter of the COI request should share the relevant demographic circumstances of the applicant (age/gender/ethnicity/religion etc) and be more specific in their request for information (e.g regarding time frame), in order that the author can appropriately direct their research.</li></ol>	<p><b>Accepted.</b></p> <p><b>Accepted.</b></p> <p><b>Accepted, although time constraints with the COIR service (usually a 1-5 day turnaround) mean it is not always possible to achieve the same level of in-depth research as in CPINs.</b></p> <p><b>Partially accepted. Further liaison and discussion between the requestor and COI researcher will help focus research, but we cannot compel or force the requestor to do this.</b></p>

## 1.4 Understanding of the themes addressed in the CPINs

### 1.4.1 October 2017 CPIN on Ethiopia: Opposition to the government

From a COI viewpoint it is considered that this is a balanced and well-researched report on the situation and treatment of political opponents in Ethiopia in 2017. It covers the main armed and non-armed opposition groups, their respective treatment and the overall situation with regards to political rights and freedoms.

It is considered though that section *10.4 Arbitrary arrest, detention and abuse* could be strengthened by including more information on the conditions in prisons and the situation and treatment of detainees, particularly those perceived to be politically active, in light of the information included on mass and arbitrary arrests and detention, and in light of the absence of a CPIN specifically focusing on these issues.

See response in sections 1.3.1 and 2.3

### 1.4.2 November 2017 CPIN on Ethiopia: Oromos including the ‘Oromo Protests’

From a COI viewpoint this is a balanced and well-researched report providing relevant background information on the Oromos, their situation and grievances, as well as the outcome of their involvement in the 2014, 2015/16 and 2017 protests.

It is considered that the CPIN could have benefitted from additional sources found in the public domain on the treatment of Oromos and those who are members of the Oromos Peoples' Democratic Organisation (OPDO) and the Oromo Liberation Front (OLF). Moreover, as highlighted above the CPIN could have been strengthened by including information on the conditions in prisons and the situation and treatment of Oromo detainees in light of the information included on mass and arbitrary arrests and detention, and in light of the absence of a CPIN specifically focusing on these issues.

See response in sections 1.3.2 and 3.2-3.3

## 1.5 Quality and balance of sources

### 1.5.1 October 2017 CPIN on Ethiopia: Opposition to the government

#### *Range and reliability*

In general and given the serious curtailment of freedom of expression in Ethiopia around the time the CPIN was drafted, the CPIN included a range of reliable sources covering government sources, international NGO and media sources.

#### *Currency & relevance*

The majority of sources were published in 2016 and 2017 and all of these were relevant to the specific sections.

#### *Transparency and traceability*

Out of 169 footnotes included in the CPIN, 45 footnotes [covering 80 publications] had inaccuracies which potentially impacts on the traceability of the sources or the transparency of the information included. These footnotes were either inaccurate or incomplete in their referencing (16), the URL inactive or inaccurate (11), or the direct weblink to the PDF version of the report or the website of the authored sources was not provided (18) as follows [highlighted in blue the suggested corrections and amendments]:

**Thank you, we will check that all footnotes are accurate and functioning correctly in the updated CPINs. We also agree with the principle that footnotes should contribute to the requirement that COI is traceable and transparent. However, we do not agree that all of the below do not meet that requirement (ditto at 1.5.6). Links and titles of documents/articles change from publication, but does not mean they were incorrect at the time of release. Moreover, we do not always consider it necessary to include some of the fuller titles (e.g. It is clear to us from HRW's "Such a Brutal Crackdown ..." or Amnesty's "Because I am Oromo ..." which article is being referred to).**

**Also, since publication of this CPIN we have updated how we reference sources. In addition, a complete bibliography of sources cited and those considered but not cited, is included at the end of the report. This has improved accuracy, traceability and clarity.**

***To note – In the following text the reviewer has put a line through text she considers incorrect and highlighted the correct text or additions.***

### Inaccurate/incomplete referencing

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### 1.5.2 November 2017 CPIN on Ethiopia: Oromos including the 'Oromo Protests'

#### *Range and reliability*

In general the CPIN included a range of reliable sources covering government sources, international NGO and media sources to present background information and information on the situation of Oromos in 2017, as well as presenting information on the 2014, 2015/16 and 2017 protests.

It is good practice to observe at footnote 23 to include information about a source's background or remit to aid assessment of a source, especially for lesser known sources or sources with a specific aim and focus such as the Joshua Project.

However, it is considered that including assessments and policy guidance provided by another state involved in refugee status determination (RSD) procedures should be avoided unless it is clearly marked and referenced as such. For example at paragraphs 7.1.9 and 7.1.10 the Australian's Department of Foreign Affairs and Trade (DFAT) assessment of the protests and the risk this may entail for anyone opposed to the Ethiopian government has been included without further clarification that this is not country information but an assessment by a party involved in the RSD process.

**Source assessment will be included, where appropriate, in the updated version. Additionally, it is agreed it would add clarity and transparency to explicitly note the inclusion of any assessment provided by other parties within the COI sections, though many sources include their assessment, analysis or views alongside the 'objective' information.**

#### *Currency & relevance*

The majority of sources were published in 2016 and 2017 and most of these were relevant to the specific sections.

#### *Transparency and traceability*

Out of 147 footnotes included in the CPIN, 41 footnotes [from 82 publications] had inaccuracies which potentially impacts on the traceability of the sources or the transparency of the information included. These footnotes were either inaccurate or incomplete in their referencing (14), the URL inactive or inaccurate (10), or the direct weblink to the PDF version of the report or the website of the authored sources was not provided (17) as follows [highlighted in blue the suggested corrections and amendments]:

**See also comments at 1.5.2, which apply equally here.**

### *Inaccurate/incomplete referencing*

- 4 Human Rights Watch, 'Such a Brutal Crackdown' – Killings and Arrests in Response to Ethiopia's Oromo Protests', (page 13, footnote 1), June 2016, [https://www.hrw.org/sites/default/files/report\\_pdf/ethiopia0616web.pdf](https://www.hrw.org/sites/default/files/report_pdf/ethiopia0616web.pdf). Accessed: 28 June 2016
- 46 Human Rights Watch, 'Such a Brutal Crackdown' – Killings and Arrests in Response to Ethiopia's Oromo Protests' (page 16), June 2016, [https://www.hrw.org/sites/default/files/report\\_pdf/ethiopia0616web.pdf](https://www.hrw.org/sites/default/files/report_pdf/ethiopia0616web.pdf). Accessed 28 June 2016
- 54 Human Rights Watch, 'Such a Brutal Crackdown' – Killings and Arrests in Response to Ethiopia's Oromo Protests' (footnote 24, page 19), June 2016, [https://www.hrw.org/sites/default/files/report\\_pdf/ethiopia0616web.pdf](https://www.hrw.org/sites/default/files/report_pdf/ethiopia0616web.pdf). Accessed 28 June 2016
- 68 Human Rights Watch, 'Such a Brutal Crackdown' – Killings and Arrests in Response to Ethiopia's Oromo Protests' (page 14), June 2016, [https://www.hrw.org/sites/default/files/report\\_pdf/ethiopia0616web.pdf](https://www.hrw.org/sites/default/files/report_pdf/ethiopia0616web.pdf). Accessed 28 June 2016
- 11 International Business Times, 'Addis Ababa master plan: Who are the Oromo people, Ethiopia's largest ethnic group?', 12 February 2016, <http://www.ibtimes.co.uk/addis-ababa-master-plan-who-are-oromo-people-ethiopias-largest-ethnic-group-1533664>. Accessed 13 March 2016
- 17 International Business Times, 'Addis Ababa master plan: Who are the Oromo people, Ethiopia's largest ethnic group?', 12 February 2016, <http://www.ibtimes.co.uk/addis-ababa-master-plan-who-are-oromo-people-ethiopias-largest-ethnic-group-1533664>. Accessed 11 October 2017
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- 48 Amnesty International, 'Because I am Oromo': Sweeping repression in the Oromia region of Ethiopia', (page 22), October 2014, <https://www.amnesty.org/download/Documents/4000/afr250062014en.pdf>. Accessed 5 July 2016
- 93 Amnesty International, 'Because I am Oromo': Sweeping repression in the Oromia region of Ethiopia', (page 27), October 2014, [https://www.amnesty.org.uk/files/webfm/Documents/issues/repression\\_in\\_omoria\\_-\\_amnesty\\_international\\_report\\_-\\_28\\_oct\\_14.pdf](https://www.amnesty.org.uk/files/webfm/Documents/issues/repression_in_omoria_-_amnesty_international_report_-_28_oct_14.pdf) Date accessed: 1 November 2017
- 105 UNPO, Human Rights Timeline: Human Rights situation in Ethiopia, 30 October 2017, <http://unpo.org/article/19573> Accessed 2 November 2017 (regularly updated)
- 120 HRW, Fuel on the Fire: Security Force Response to the 2016 Irreecha Cultural Festival, 19 September 2017, <https://www.hrw.org/report/2017/09/19/fuel-fire/security-force-response-2016-irreecha-cultural-festival>. Accessed 19 September 2017.
- 121 HRW, Fuel on the Fire: Security Force Response to the 2016 Irreecha Cultural Festival, 19 September 2017, <https://www.hrw.org/report/2017/09/19/fuel-fire/security-force-response-2016-irreecha-cultural-festival>. Accessed 19 September 2017
- 123 Africa News, Ethiopia's Oromos celebrate, protest, , mourn at Irreecha 2017, 3 October 2017, <http://www.africanews.com/2017/10/03/photos-ethiopia-s-oromos-celebrate-protest-mourn-at-irreecha-2017/>. Accessed 4 October 2017
- 138 Africa News, Ethiopia's Oromos celebrate, protest, , mourn at Irreecha 2017, 3 October 2017, <http://www.africanews.com/2017/10/03/photos-ethiopia-s-oromos-celebrate-protest-mourn-at-irreecha-2017/>. Accessed 4 October 2017

*Inactive or inaccurate URL* – note that for some the original source could no longer be located

7 Ethiopia Government Portal – regional states, [http://www.ethiopia.gov.et/en\\_GB/regional-states](http://www.ethiopia.gov.et/en_GB/regional-states)  
[http://www.ethiopia.gov.et/en\\_GB/regional-states1](http://www.ethiopia.gov.et/en_GB/regional-states1). Accessed 12 July 2017

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34 Abyssinia Law, 'Constitution of the Federal Democratic Republic of Ethiopia Proclamation No. 1/1995', 21 August 1995, <http://www.abysinnialaw.com/constitutions?download=1214:the-1995-ethiopian-constitution-english-and-amharic-version>. Accessed 1 July 2016.

61 OHCHR, 'UPR review – Ethiopia – A/HRC/WG.6/19/ETH/3' (paragraph 63), 27 January 2014, <http://www.ohchr.org/EN/HRBodies/UPR/Pages/ETSession19.aspx>, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G14/105/67/PDF/G1410567.pdf?OpenElement>, Accessed 5 August 2016

75 OHCHR, 'UPR review – Ethiopia – A/HRC/WG.6/19/ETH/3' (paragraph 13, page 3), 27 January 2014, <http://www.ohchr.org/EN/HRBodies/UPR/Pages/ETSession19.aspx>, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G14/105/67/PDF/G1410567.pdf?OpenElement>, Accessed 1 July 2016

101 ACLED, Country Report: Popular Mobilisation in Ethiopia: An Investigation of Activity from November 2015 to May 2017, June 2017, [http://www.acleddata.com/wp-content/uploads/2017/06/ACLED\\_Africa\\_Country-Reports\\_Ethiopia\\_June-2017\\_pdf.pdf](http://www.acleddata.com/wp-content/uploads/2017/06/ACLED_Africa_Country-Reports_Ethiopia_June-2017_pdf.pdf) Accessed 4 October 2017. Accessed 4 October 2017

*Direct hyperlink to either PDF version of report or website of authored source, where possible, not provided*

9 Department of Foreign Affairs and Trade (DFAT), Country Information Report – Ethiopia (para 3.6), 28 September 2017, <http://dfat.gov.au/about-us/publications/Pages/country-information-reports.aspx> <https://dfat.gov.au/about-us/publications/Documents/country-information-report-ethiopia.pdf>. Accessed 2 October 2017

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- 60 Department of Foreign Affairs and Trade (DFAT), Country Information Report – Ethiopia (para 2.5), 28 September 2017, <http://dfat.gov.au/about-us/publications/Pages/country-information-reports.aspx><https://dfat.gov.au/about-us/publications/Documents/country-information-report-ethiopia.pdf>. Accessed 2 October 2017
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- 98 Department of Foreign Affairs and Trade (DFAT), Country Information Report – Ethiopia (para 3.36), 28 September 2017 <http://dfat.gov.au/about-us/publications/Pages/country-information-reports.aspx><https://dfat.gov.au/about-us/publications/Documents/country-information-report-ethiopia.pdf>. Accessed 2 October 2017
- 108 Department of Foreign Affairs and Trade (DFAT), Country Information Report – Ethiopia (para 3.7), 28 September 2017 <http://dfat.gov.au/about-us/publications/Pages/country-information-reports.aspx><https://dfat.gov.au/about-us/publications/Documents/country-information-report-ethiopia.pdf>. Accessed 2 October 2017.
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- 111 Department of Foreign Affairs and Trade (DFAT), Country Information Report – Ethiopia (para 3.40), 28 September 2017 <http://dfat.gov.au/about-us/publications/Pages/country-information-reports.aspx><https://dfat.gov.au/about-us/publications/Documents/country-information-report-ethiopia.pdf>. Accessed 2 October 2017
- 115 Department of Foreign Affairs and Trade (DFAT), Country Information Report – Ethiopia (para 3.8), 28 September 2017, <http://dfat.gov.au/about-us/publications/Pages/country-information-reports.aspx><https://dfat.gov.au/about-us/publications/Documents/country-information-report-ethiopia.pdf>. Accessed 2 October 2017.
- 117 Department of Foreign Affairs and Trade (DFAT), Country Information Report – Ethiopia (para 3.40), 28 September 2017, <http://dfat.gov.au/about-us/publications/Pages/country-information-reports.aspx><https://dfat.gov.au/about-us/publications/Documents/country-information-report-ethiopia.pdf>. Accessed 2 October 2017
- 127 Department of Foreign Affairs and Trade (DFAT), Country Information Report – Ethiopia (para 3.39), 28 September 2017, <http://dfat.gov.au/about-us/publications/Pages/country-information-reports.aspx><https://dfat.gov.au/about-us/publications/Documents/country-information-report-ethiopia.pdf>. Accessed 2 October 2017.
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- 143 UNPO, Human Rights Timeline of Ethiopia, 30 October 2017, <http://unpo.org/article/19951>. <http://unpo.org/downloads/2162.pdf>. Accessed 2 November 2017 (regularly updated).

## 1.6 Structure of the report

### 1.6.1 October 2017 CPIN on Ethiopia: Opposition to the government

It is recommended that information presented under the topic headings be presented in chronological order to ease user-friendliness and understanding of developments in the country.

**Partially accepted. Generally, sources are included within each sub-heading in publication date order, with the older information appearing first in the section. This is an approach that is used across all CPIN products to ensure consistency. However, sources do not always present their information in a way that makes this straightforward to do. Therefore, where the section would benefit from having information presented in chronological order, for example, in the new CPIN when explaining the resignation of Hailemariam Desalegn and the appointment of Abiy Ahmed as prime minister, then this can be done to ease user-friendliness.**

Additional sub-sections recommended for inclusion in order to provide a fuller picture for an assessment of the situation of opponents to the government have been suggested further below in section 2.

**Accepted. Further subsections will provide clarity.**

### 1.6.2 November 2017 CPIN on Ethiopia: Oromos including the ‘Oromo Protests’

It is recommended that information presented under the topic headings be presented in chronological order to ease user-friendliness and understanding of developments in the country.

**See point above in section 1.6.1**

An additional sub-section recommended for inclusion to provide a fuller picture for an assessment of the situation of Oromos has been suggested further below in section 3.

## 2. Review – October 2017 CPIN on Ethiopia: Opposition to the government

### 2.1 Title

It is recommended to amend the title of the CPIN from ‘Opposition to the government’ to ‘Political opposition of the government’.

The way the title is currently phrased is slightly misleading, suggesting that all profiles opposing the Ethiopian government are addressed e.g. critical citizens, journalists, bloggers, human rights defenders and other civil society activists. Yet, this CPIN refers only to the situation and treatment of political opponents (both armed and non-armed) as specified in paragraph 1.2.1 of the CPIN.

In the absence of a CPIN particularly addressing the situation of critics to the government ranging from ordinary civilians, to journalists, human rights defenders and civil society activists, it would have been highly recommended to include such information in either a separate CPIN specifically focusing on those profiles, or adding such information into the current CPIN.

The following sources provide useful information on the current situation of critics to the government since Ethiopia’s Prime Minister Abiy Ahmed came to power in April 2018, suggested for inclusion in a CPIN on this profile group:

- Reporters Without Borders, [Ethiopian government unblocks 264 websites and blogs](#), 26 June 2018
- Amnesty International, [Ethiopia: Investigate police conduct after deaths of five people protesting ethnic clashes](#), 17 September 2018
- ACLED, [Change and Continuity in protests and Political Violence PM Abiy’s Ethiopia](#), 13 October 2018
- Amnesty International, [Ethiopia: Release of human rights defender welcome but end to arbitrary detentions must follow](#), 18 October 2018
- Human Rights Watch, [Mass Arrests, ‘Brainwashing’ Threaten Ethiopia’s Reform Agenda](#), 20 October 2018
- Human Rights Watch, [Tackling Hate Speech in Ethiopia](#), 3 December 2018
- Article 19, [Ethiopia: Joint UPR finds civic space remains constricted](#), 12 December 2018
- BBC, [Protesting Ethiopian soldiers given jail terms](#), 16 December 2018
- Human Rights Watch, [World Report 2019 – Ethiopia](#), 17 January 2019
- Freedom House, [Freedom in the World 2019 – Ethiopia](#), 4 February 2019
- World Organisation Against Torture (OMCT), [Ethiopia: A new era for human rights organisations?](#), 8 February 2019
- UN Human Rights Council, [Compilation on Ethiopia](#), 1 March 2019
- UN Human Rights Council, [Summary of Stakeholders’ submissions on Ethiopia](#), 4 March 2019
- US Department of State, [2018 Country Reports on Human Rights Practices – Ethiopia](#), 13 March 2019
- OHCHR, [UN human rights experts welcome legal reforms improving conditions for civil society organisations](#), 4 April 2019

**Not Accepted. We do not agree that the title is misleading. There is not much distinction between opposition and *political* opposition (and arguably begs the question of what other form of opposition to the Govt. is there?)**

**Moreover, if we leave it more open, we can we can add/remove/amend claim profiles in subsequent drafts as necessary, in line with the reviewer’s suggestion.**

**When updating the CPIN we will consider the need for inclusion of the other groups (depending on analysis of the number of claims we get on that basis). A section on journalist / bloggers has already been drafted.**

**Thank you for the source recommendations. They will be considered for inclusion in the forthcoming CPIN update.**

- Amnesty International, [Death Sentences and Executions 2018](#), 10 April 2019
- Amnesty International, [OPED Ethiopia: Fragile new-found press freedom must be buttressed in law and practice](#), 3 May 2019

Note that the UN’s Universal Periodic Review (UPR) process reviewed civil and political rights in Ethiopia at its May 2019 meeting. All documents submitted in advance to the meeting by civil society and the concluding guidelines issued after the meeting are available [here](#).

## 2.2 10. Treatment of opposition groups

It is recommended that an additional sub-heading be added including information on the use of anti-terrorism legislation to curtail the opposition.

Such information is already included in the current CPIN but might easily be overlooked as it is currently scattered across the report at for example paragraphs 5.1.2, 5.1.3, 10.3.1, 10.4.5, 10.4.8 and 10.4.9 as follows [emphasis added]:

[...] 5.1.1 The United States Department of State Country Reports on Terrorism 2016, published 19 July 2017, noted in its African overview that five groups were designated by the Ethiopian parliament as terrorist organizations in 2011:

- Patriotic Ginbot-7
- the Ogaden National Liberation Front (ONLF)
- the Oromo Liberation Front (OLF)
- al-Qa’ida
- Al Shabaab<sup>24</sup>

5.1.2 The report also went on to note that the **government uses the Anti-Terrorism Proclamation (ATP), implemented in 2009, to prosecute activities it considers terrorism**<sup>25</sup>. [...]

5.1.3 The Freedom House report 2017 noted that, ‘**Authorities frequently invoke antiterrorism legislation against dissenters.**’<sup>26</sup> [...]

10.3.1 The DFAT 2017 report repeated the 2016 assessment:

‘Opposition groups and independent commentators such as journalists and bloggers who oppose the government’s policies are regularly harassed and detained. **While Ethiopia’s ATP [anti-terrorism proclamation] is similar in wording to legislation in some western countries such as the UK and Australia, its implementation is significantly more restrictive of political freedoms...the government has been criticised for perceived breaches of human rights. These alleged breaches include restrictions on freedom of expression, freedom of association and the activities of civil society organisations and journalists, as well as more serious allegations of extrajudicial killings, torture, arbitrary detention, harassment and abuse, particularly against political opponents** and independent journalists and bloggers. There are reports of public servants who are not EPRDF members having their career progression curtailed.’<sup>145 146</sup> [...]

10.4.5 The USSD report for 2016 noted, ‘**Authorities arrested and prosecuted political opposition members including under allegations of terrorism.**’<sup>152</sup> [...]

10.4.7 The DFAT 2016 report noted, ‘Government security forces reportedly regularly detain and torture – and sometimes commit extrajudicial killings of – vocal opponents of government policies.’<sup>153</sup>

**Accepted. This sub-section will be added in the updated version.**

10.4.8 The report continued:

**‘Prominent members of all opposition groups—including legal opposition groups not classified as terrorist organisations—are regularly monitored, harassed, arrested and either charged under the ATP (Anti-Terrorist Proclamation) or held without charge.** Periods of detention can vary from a few days to several years. There were reports of a crackdown in the lead-up to the 2015 elections. For example, on 8 July 2014, four prominent members of three opposition parties, the Unity for Democracy and Justice, the Arena Tigray Party and the Blue Party, were arrested and held in the Maekelawi detention facility. At least one of those arrested claimed to have been tortured in detention, and all were reported to have been denied access to lawyers and family members. The four were charged in October 2014 under the ATP. In August 2015, more than 12 months after their arrest (and several months after the 2015 elections) the Federal Court found no evidence that these individuals had links to terrorist acts or organisations.’ 154

10.4.9 Amnesty International stated in July 2014 that **Ethiopia has used alleged contact with Ginbot 7 as a reason to imprison dissenting voices on allegations of terrorism**<sup>158</sup>.

Also available at the time of publication of the CPIN were the following useful sources (some of which were referenced under other headings in the CPIN) on this specific issue to elaborate on the use of anti-terrorism legislation to curtail freedom of expression and arrest political opponents:

- USA Today, [Ethiopia, a basic cry for basic freedoms](#), 27 July 2015
- Anuradha Mittal (Oakland Institute), [Time to Repeal Anti-Terrorism law in Ethiopia](#), 25 January 2016, published by Inter Press Service (IPS)
- Dutch Council for Refugees, [Country of Origin Information Report Ethiopia](#), 18 May 2016
- Amnesty International, [Ethiopia: End use of counter-terrorism law to persecute dissenters and opposition members](#), 2 June 2016
- Amnesty International, [Report 2016/17: The state of the world’s human rights](#), 22 February 2017, *Ethiopia, Freedom of expression & assembly*, p. 156
- Freedom House, [Freedom in the World 2017 – Ethiopia](#), 3 May 2017, *Overview and Executive Summary*
- ACLED, [COUNTRY REPORT: Popular Mobilisation in Ethiopia: An Investigation of Activity from November 2015 to May 2017](#), June 2017, *No space for political opposition*

**Thank you for the source recommendations. They will be considered for inclusion in the forthcoming CPIN update alongside a range of other sources, to ensure balance.**

Additional COI available in the public domain on the treatment of political opponents at the time of publication of the CPIN (some of which were referenced under other headings in the CPIN) and which would have been useful to include on this issue are:

- Amnesty International, [Urgent Action: Detained opposition members risk ill-treatment](#), 14 October 2016
- Immigration and Refugee Board of Canada, [Ethiopia: Information on the Sidama Liberation Movement \(SLM\), including history, goals, and methods; whether the group uses violence and has participated in armed conflict; treatment of members by the authorities \(2012-October 2016\)](#), 2 November 2016
- Immigration and Refugee Board of Canada, [Ethiopia: Treatment of ethnic Amharas; the All Ethiopian Unity Party \(AEUP\), including treatment of its members and supporters by authorities \(2014-November 2016\)](#), 21 November 2016
- ACLED, [COUNTRY REPORT: Popular Mobilisation in Ethiopia: An Investigation of Activity from November 2015 to May 2017](#), June 2017, *No space for political opposition*
- Asylum Research Centre (ARC), [Ethiopia: Query Response, The Ethiopian Federal Democratic Unity Forum \(Medrek\); The Southern Ethiopia People’s Democratic Coalition \(SEPDC\); The situation in Hosaena and Kembata in the Southern Nations, Nationalities and Peoples’ Region \(SNNPR\) region](#), 14 July 2017
- Human Rights Watch, [The Long Arm of Ethiopia Reaches for Those Who Fled](#), 20 September 2017

**Accepted: Thank you for the source recommendations. They will be considered for inclusion in the forthcoming CPIN update alongside a range of other sources, to ensure balance.**



<p>The following sources provide useful information on the current situation of opponents to the government since Ethiopia's Prime Minister Abiy Ahmed came to power in April 2018, suggested for inclusion in an updated CIPN:</p> <ul style="list-style-type: none"> <li>• Al Jazeera, <a href="#">Ethiopia removes OLF, ONLF and Ginbot 7 from terror list</a>, 5 July 2018</li> <li>• Danish Immigration Service, <a href="#">Ethiopia: Political situation and treatment of opposition</a>, September 2018</li> <li>• ACLED, <a href="#">Change and Continuity in protests and Political Violence PM Abiy's Ethiopia</a>, 13 October 2018</li> <li>• Immigration and Refugee Board of Canada, <a href="#">Ethiopia: Treatment of members of opposition parties, particularly those of the Blue Party, the Oromo Federalist Congress (OFC), and the Oromo Liberation Front (OLF) (2017-December 2018)</a>, 17 December 2018</li> <li>• Human Rights Watch, <a href="#">World Report 2019 – Ethiopia</a>, 17 January 2019</li> <li>• Freedom House, <a href="#">Freedom in the World 2019 – Ethiopia</a>, 4 February 2019</li> <li>• International Crisis Group, <a href="#">Managing Ethiopia's Unsettled Transition</a>, 21 February 2019</li> <li>• UN Human Rights Council, <a href="#">Compilation on Ethiopia</a>, 1 March 2019</li> <li>• UN Human Rights Council, <a href="#">Summary of Stakeholders' submissions on Ethiopia</a>, 4 March 2019</li> <li>• US Department of State, <a href="#">2018 Country Reports on Human Rights Practices – Ethiopia</a>, 13 March 2019</li> <li>• Amnesty International, <a href="#">Death Sentences and Executions 2018</a>, 10 April 2019</li> </ul> <p>Note that the UN's Universal Periodic Review (UPR) process reviewed civil and political rights in Ethiopia at its May 2019 meeting. All documents submitted in advance to the meeting by civil society and the concluding guidelines issues after the meeting are available <a href="#">here</a>.</p> <p>It is also highly recommended to make a thorough search for information on all major political parties as some have changed their names, others have been dissolved, whilst new ones have been created or merged together. See for example Africa News, <a href="#">Ethiopia's Ginbot 7 dissolves, transforms into new 'united' party</a>, 10 May 2019</p>	<p><b>Accepted: Thank you for the source recommendations. They will be considered for inclusion in the forthcoming CPIN update alongside a range of other sources, to ensure balance.</b></p>
<p>Additional sources recommended to check when updating this CPIN which may have issued relevant publications since drafting this CPIN are:</p> <ul style="list-style-type: none"> <li>• <a href="#">Addis Standard</a></li> <li>• <a href="#">Africa News</a></li> <li>• <a href="#">Association for Human Rights in Ethiopia</a></li> <li>• <a href="#">Capital Ethiopia</a></li> <li>• <a href="#">Consortium of Ethiopian Rights Organizations (CERO)</a></li> <li>• <a href="#">Ethiopian Human Rights Commission</a></li> <li>• <a href="#">Ethiopian Satellite Television and Radio (ESAT)</a></li> <li>• <a href="#">Ethiomediam.com</a></li> <li>• <a href="#">Ethiopian Human Rights Council</a></li> <li>• <a href="#">International Federation for Human Rights (FIDH)</a></li> <li>• <a href="#">UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression</a></li> </ul>	<p><b>Accepted. An update on the major political parties will be included in the forthcoming CPIN, subject to an assessment of the profile of claims we receive.</b></p> <p><b>Thank you for the source recommendations. They will be considered for inclusion in the forthcoming CPIN update alongside a range of other sources, to ensure balance.</b></p>

## 2.3 10.4 Arbitrary arrest, detention and abuse

<p>Only limited information is included on prison conditions and the treatment of (political) detainees despite no CPIN specifically addressing this issue and COI included in this CPIN reporting on the widespread number of arbitrary arrests and detention of opponents and critics to the government.</p> <p>Sources included in the CPIN, but from which relevant information on prison conditions and treatment of detainees was not cited, include:</p> <ul style="list-style-type: none"> <li>• Dutch Council for Refugees, <a href="#">Country of Origin Information Report Ethiopia</a>, 18 May 2016, 3.3.4 Prison/detention conditions</li> <li>• Human Rights Watch, <a href="#">“Such a Brutal Crackdown”: Killings and Arrests in Response to Ethiopia’s Oromo protests</a>, June 2016, <i>Torture, Ill-Treatment, and Sexual Assault in Detention</i></li> <li>• Freedom House, <a href="#">Freedom in the World 2016 – Ethiopia</a>, 14 July 2016, <i>F. Rule of Law</i></li> <li>• Human Rights Watch, <a href="#">World Report 2017 – Ethiopia</a>, 12 January 2017, <i>Torture and Arbitrary Detention</i></li> <li>• U.S. Department of State, <a href="#">2016 Country Reports on Human Rights Practices – Ethiopia</a>, 3 March 2017, section 1. c. <i>Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment</i></li> <li>• Australian Government, Department of Foreign Affairs and Trade (DFAT), <a href="#">Country Information Report – Ethiopia</a>, 28 September 2017, <i>Deaths in Custody: para. 4.4, Torture: paras. 4.7 and 4.8, Cruel, inhuman or degrading treatment or punishment: para. 4.11, Detention and prison: paras. 5.13 and 5.14</i></li> </ul> <p>Available at the time of publication of the CPIN include the following useful sources documenting the situation and treatment of political detainees in prisons:</p> <ul style="list-style-type: none"> <li>• Amnesty International, <a href="#">Ethiopia: Detainees beaten and forced to appear before court inadequately dressed</a>, 3 June 2016</li> <li>• Human Rights Watch, <a href="#">Dispatches: Ethiopia’s Opposition Leaders on Hunger Strike</a>, 28 July 2016</li> <li>• Association for Human Rights in Ethiopia (AHRE), <a href="#">Ethiopia: Political prisoners and their accounts of Torture</a>, 28 October 2017</li> </ul>	<p><b>Accepted. Thank you for the source recommendations. They will be considered for inclusion in the forthcoming CPIN update alongside a range of other sources, to ensure balance. Although we did include information on prison conditions and the treatment of political detainees, we will look to include further information in the forthcoming CPIN update.</b></p>
<p>The following sources are recommended to check when researching the current situation of prison conditions and treatment of detainees since Ethiopia’s Prime Minister Abiy Ahmed came to power in April 2018:</p> <ul style="list-style-type: none"> <li>• Human Rights Watch, <a href="#">“We are Like the Dead”: Torture and other Human Rights Abuses in Jail Ogaden, Somali Regional State, Ethiopia</a>, July 2018</li> <li>• Human Rights Watch, <a href="#">World Report 2019 – Ethiopia</a>, 17 January 2019, <i>Impunity, Torture, and Arbitrary Detention</i></li> <li>• UN Human Rights Council, <a href="#">Compilation on Ethiopia</a>, 1 March 2019, para. 23</li> <li>• UN Human Rights Council, <a href="#">Summary of Stakeholders’ submissions on Ethiopia</a>, 4 March 2019, paras. 17, 18 and 26</li> <li>• US Department of State, <a href="#">2018 Country Reports on Human Rights Practices – Ethiopia</a>, 13 March 2019, section 1., c. <i>Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment</i> and e. <i>Denial of Fair Public Trial</i></li> </ul> <p>Additional sources recommended to consult when updating this CPIN which may have issued relevant publications on this issue since drafting this CPIN include:</p> <ul style="list-style-type: none"> <li>• <a href="#">Association for the Prevention of Torture</a></li> <li>• <a href="#">Atlas of Torture</a></li> <li>• <a href="#">International Rehabilitation Council for Torture Victims (irct)</a></li> <li>• <a href="#">Penal Reform International</a></li> <li>• <a href="#">UN Committee Against Torture</a></li> <li>• <a href="#">UN Committee on Enforced Disappearances</a></li> <li>• <a href="#">UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment</a></li> <li>• <a href="#">World Organisation Against Torture (OMCT)</a></li> <li>• <a href="#">World Prison Brief</a></li> </ul>	<p><b>Thank you for the source recommendations. They will be considered for inclusion in the forthcoming CPIN update alongside a range of other sources, to ensure balance.</b></p>

# 3. Review – November 2017 CPIN on Ethiopia: Oromos including the ‘Oromo Protests’

## 3.1 Introduction

<p>Paragraph 1.1.1 would have benefitted from including reference to the 2017 protests to ensure that information contained in section 9 is not overlooked.</p> <p>The introductory paragraph at 1.1.1 suggests that this CPIN mainly focussed on the protests that erupted in 2014 and 2015/16. Yet, section 9 deals with the 2017 protests and violence, which though less violent in nature, still continued to highlight ongoing human rights violations and attacks by state and paramilitary forces, especially in the case of the Oromia region.</p>	<p><b>Accepted. Consideration as to the wording used to explain the basis of claims put forward by claimants will be given in the updated CPIN.</b></p>
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## 3.2 7.1 Politics and association

<p>It is highly recommended to add a link to section 10. <i>Treatment of opposition groups</i> of the CPIN on ‘Ethiopia: Opposition to the government’ published in October 2017, which details, though not exclusively specific to Oromos, the curtailment of freedom and rights of opposition groups and its members.</p>	<p><b>Accepted. We do link between CPINs where there are common themes, and this will be added in the updated version.</b></p>
<p>It is further recommended to add the following excerpts from sources already included in this section setting out further the treatment of Oromos as reported by Amnesty International and Human Rights Watch:</p> <ul style="list-style-type: none"> <li>Amnesty International, <a href="#">‘Because I am Oromo’: Sweeping repression in the Oromia region of Ethiopia</a>, October 2014              [...] Summary: Repression of dissent in Oromia [...]              Between 2011 and 2014, at least 5,000 Oromos have been arrested as a result of their actual or suspected peaceful opposition to the government, based on their manifestation of dissenting opinions, exercise of freedom of expression or their imputed political opinion. These included thousands of peaceful protestors and hundreds of political opposition members, but also hundreds of other individuals from all walks of life – students, pharmacists, civil servants, singers, businesspeople and people expressing their Oromo cultural heritage – arrested based on the expression of dissenting opinions or their suspected opposition to the government. Due to restrictions on human rights reporting, independent journalism and information exchange in Ethiopia, as well as a lack of transparency on detention practices, it is possible there are many additional cases that have not been reported or documented. In the cases known to Amnesty International, the majority of those arrested were detained without charge or trial for some or all of their detention, for weeks, months or years – a system apparently intended to warn, punish or silence them, from which justice is often absent [...]</li> <li>Human Rights Watch, <a href="#">“Such a Brutal Crackdown”: Killings and Arrests in Response to Ethiopia’s Oromo Protests</a>, June 2016              [...] Patterns of repression and control in Oromia [...]              Government officials often cite OLF presence, activities, and links to justify acts of repression of Oromo individuals. Tens of thousands of Oromo individuals have been targeted for arbitrary detention, torture and other abuses even when there is no evidence linking them to the OLF [...]</li> </ul>	<p><b>Accepted. These sources were used in the CPIN but further information as detailed here could also have been included.</b></p>

<p>Available at the time of publication of the CPIN were the following useful sources providing some further insights into the composition and aims of the Oromo Peoples’ Democratic Organisation (OPDO), the treatment of Oromo Liberation Front (OLF) members and their family members, and ordinary Oromos who are not politically active:</p> <ul style="list-style-type: none"> <li>• Asylum Research Centre (ARC), <a href="#">Ethiopia: Query Response, The Master Plan; OLF members and their family members; Ill-treatment by State agents of Oromo persons who are not politically active</a>, 7 September 2016</li> <li>• Peace Insight, <a href="#">Ethiopia on the brink? Politics and protest in the horn of Africa</a>, 2 November 2016</li> <li>• Armed Conflict Location &amp; Event Dataset, <a href="#">COUNTRY REPORT: Popular Mobilisation in Ethiopia: An Investigation of Activity from November 2015 to May 2017</a>, June 2017, <i>Limits of the federal system</i> and <i>The Ethiopian Government</i></li> </ul>	<p><b>Accepted: Thank you for the source recommendations. They will be considered for inclusion in the forthcoming CPIN update alongside a range of other sources, to ensure balance</b></p>
<p>The following sources are recommended to consult when researching the current situation of Oromos and those Oromos politically active through membership of the Oromo Peoples’ Democratic Organisation (OPDO), now renamed Oromo Democratic Party (ODP), since Ethiopia’s Prime Minister Abiy Ahmed came to power in April 2018: [Note though that Prime Minister Abiy Ahmed is chairman of both the ruling Ethiopian people’s Revolutionary Democratic Front (EPRDF) and the Oromo Democratic Party (ODP), which is one of the four coalition parties of the EPRDF]:</p> <ul style="list-style-type: none"> <li>• Stiftung Wissenschaft und Politik, (German Institute for International and Security Affairs), <a href="#">Abiy Superstar – Reformer or Revolutionary?</a>, July 2018</li> <li>• AfricaNews, <a href="#">Ethiopia’s Oromo party changes name, logo ahead of 2020 vote</a>, 21 September 2018</li> <li>• Immigration and Refugee Board of Canada, <a href="#">Ethiopia: Treatment of members of opposition parties, particularly those of the Blue Party, the Oromo Federalist Congress (OFC), and the Oromo Liberation Front (OLF) (2017-December 2018)</a>, 17 December 2018</li> <li>• International Crisis Group, <a href="#">Managing Ethiopia’s Unsettled Transition, A. Calming Ethnic and Communal Conflict</a>, 21 February 2019</li> <li>• The Advocates for Human Rights, <a href="#">Ethiopia’s compliance with the Convention on the Elimination of All Forms of Discrimination Against Women</a>, January 2019, para. 12</li> </ul> <p>Additional sources recommended to consult when updating this CPIN which may have issued relevant publications on this issue since drafting this CPIN are:</p> <ul style="list-style-type: none"> <li>• <a href="#">Addis Standard</a></li> <li>• <a href="#">Association for Human Rights in Ethiopia</a></li> <li>• <a href="#">Capital Ethiopia</a></li> <li>• <a href="#">Consortium of Ethiopian Rights Organizations (CERO)</a></li> <li>• <a href="#">Ethiopian Human Rights Commission</a></li> <li>• <a href="#">Ethiopian Satellite Television and Radio (ESAT)</a></li> <li>• <a href="#">Ethiomediam.com</a></li> <li>• <a href="#">Ethiopian Human Rights Council</a></li> <li>• <a href="#">International Federation for Human Rights (FIDH)</a></li> <li>• <a href="#">UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression</a></li> </ul> <p>Note that the UN’s Universal Periodic Review (UPR) process reviewed civil and political rights in Ethiopia at its May 2019 meeting. All documents submitted in advance to the meeting by civil society and the concluding guidelines issues after the meeting are available <a href="#">here</a>.</p>	<p><b>Accepted: Thank you for the source recommendations. They will be considered for inclusion in the forthcoming CPIN update alongside a range of other sources, to ensure balance</b></p>

### 3.3 8.6 Arrests and detentions during and following the 2015/16 protests

<p>This section fails to include information on prison conditions and the treatment of Oromo detainees despite such information being crucial for a thorough assessment on the situation of the thousands of arrested and detained Oromo demonstrators. As highlighted further above in the review of the other CPIN on ‘Opponents to the government’, given a lack of CPIN specifically addressing this issue and a lack of COI included in this CPIN on prison conditions and treatment in prison important information available in the public domain has been omitted for consideration by decision-makers.</p> <p>Sources included in the CPIN, but from which relevant information on prison conditions and treatment of detainees was not cited, include:</p> <ul style="list-style-type: none"> <li>• Human Rights Watch, <a href="#">“Such a Brutal Crackdown”: Killings and Arrests in Response to Ethiopia’s Oromo protests</a>, June 2016, <i>Torture, Ill-Treatment, and Sexual Assault in Detention</i></li> <li>• Freedom House, <a href="#">Freedom in the World 2016 – Ethiopia</a>, 14 July 2016, <i>F. Rule of Law</i></li> <li>• Human Rights Watch, <a href="#">World Report 2017 – Ethiopia</a>, 12 January 2017, <i>Torture and Arbitrary Detention</i></li> <li>• U.S. Department of State, <a href="#">2016 Country Reports on Human Rights Practices – Ethiopia</a>, 3 March 2017, <i>section 1. c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment</i></li> <li>• Australian Government, Department of Foreign Affairs and Trade (DFAT), <a href="#">Country Information Report – Ethiopia</a>, 28 September 2017, <i>Deaths in Custody: para. 4.4, Torture: paras. 4.7 and 4.8, Cruel, inhuman or degrading treatment or punishment: para. 4.11, Detention and prison: paras. 5.13 and 5.14</i></li> </ul>	<p><b>Accepted: Thank you for the source recommendations. They will be considered for inclusion in the forthcoming CPIN update alongside a range of other sources, to ensure balance</b></p> <p><b>We will look to include information on the treatment of Oromo detainees in prisons in the forthcoming CPIN update.</b></p>
<p>Available at the time of publication of the CPIN were the following useful sources documenting the situation and treatment in prisons:</p> <ul style="list-style-type: none"> <li>• Dutch Council for Refugees, <a href="#">Country of Origin Information Report Ethiopia</a>, 18 May 2016, <i>3.3.4 Prison/detention conditions</i></li> <li>• Amnesty International, <a href="#">Ethiopia: Detainees beaten and forced to appear before court inadequately dressed</a>, 3 June 2016</li> <li>• Human Rights Watch, <a href="#">Dispatches: Ethiopia’s Opposition Leaders on Hunger Strike</a>, 28 July 2016</li> <li>• Association for Human Rights in Ethiopia (AHRE), <a href="#">Ethiopia: Political prisoners and their accounts of Torture</a>, 28 October 2017</li> </ul>	<p><b>See above</b></p>

<p>The following sources recommended to check when researching the current situation of prison conditions and treatment of (Oromo) detainees since Ethiopia's Prime Minister Abiy Ahmed came to power in April 2018 are:</p> <ul style="list-style-type: none"> <li>• Human Rights Watch, <i>"We are Like the Dead": Torture and other Human Rights Abuses in Jail Oqaden, Somali Regional State, Ethiopia</i>, July 2018</li> <li>• Human Rights Watch, <i>World Report 2019 – Ethiopia</i>, 17 January 2019, <i>Impunity, Torture, and Arbitrary Detention</i></li> <li>• UN Human Rights Council, <i>Compilation on Ethiopia</i>, 1 March 2019, <i>para. 23</i></li> <li>• UN Human Rights Council, <i>Summary of Stakeholders' submissions on Ethiopia</i>, 4 March 2019, <i>paras. 17, 18 and 26</i></li> <li>• US Department of State, <i>2018 Country Reports on Human Rights Practices – Ethiopia</i>, 13 March 2019, <i>section 1., c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment and e. Denial of Fair Public Trial</i></li> </ul> <p>Additional sources recommended to consult when updating this CPIN which may have issued relevant publications on this issue since drafting this CPIN are:</p> <ul style="list-style-type: none"> <li>• <a href="#">Association for the Prevention of Torture</a></li> <li>• <a href="#">Atlas of Torture</a></li> <li>• <a href="#">International Rehabilitation Council for Torture Victims (irct)</a></li> <li>• <a href="#">Penal Reform International</a></li> <li>• <a href="#">UN Committee Against Torture</a></li> <li>• <a href="#">UN Committee on Enforced Disappearances</a></li> <li>• <a href="#">UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment</a></li> <li>• <a href="#">World Organisation Against Torture (OMCT)</a></li> <li>• <a href="#">World Prison Brief</a></li> </ul>	<p><b>See above.</b></p>
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### 3.4 9. 2017 protests and incidents

<p>It is recommended to remove paragraph 9.1.9 as the source included does not add substance as to an assessment on the 2017 protests and its consequence. It merely highlights an (high-profile) individual protest at the 2016 Olympic Games in Brazil.</p>	<p><b>Accepted. Although, this subsection also covers incidents in 2017 and this is a reported incident. The source is considered a reputable one and its inclusion provides information on the Ethiopian Embassy's response to the event. However, it is not considered necessary to include this in the forthcoming update.</b></p>
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## 3.5 10. Oromia/Somali (Ogaden) state border

It is highly recommended to include a link to section 10.6 *The Liyu Police and their treatment of people in the Ogaden (Somali) and eastern Oromia regions* of the CPIN on ‘Ethiopia: Opposition to the government’ published in October 2017, which details further the violations and abuse committed by the Liyu police at that time.

The following source would also have been a useful inclusion for this particular section in order to provide more specific background to the situation in Ogaden:

- Rift Valley Institute, [Talking Peace in the Ogaden: The search for an end to conflict in the Somali Regional State in Ethiopia](#), June 2014

**Accepted. We do link between CPINs where there are common themes, and this will be added in the updated version.**

**Accepted. Thank you for the source recommendations. They will be considered for inclusion in the forthcoming CPIN update alongside a range of other sources, to ensure balance (in particular, more recent sources may now be more appropriate).**

The following sources are recommended to consult when researching the current situation in Oromia/Somali (Ogaden) state border, as well as the treatment reported by the Liyu Police, since Ethiopia’s Prime Minister Abiy Ahmed came to power in April 2018 :

- Amnesty International, [Ethiopia: Police unit unlawfully killing people must be stopped](#), 31 May 2018
- Amnesty International, [Ethiopia: Government must protect victims of escalating ethnic attacks](#), 8 June 2018
- Unrepresented Nations and Peoples Organization (UNPO), [Alternative report to the Committee of the United Nations’ Convention on the Elimination of All Forms of Discrimination against Women \(CEDAW\): Federal Democratic Republic of Ethiopia](#), 11 June 2018
- Amnesty International, [Ethiopia: Abusive police unit must be stopped](#), 11 June 2018
- Human Rights Watch, [“We are Like the Dead”: Torture and other Human Rights Abuses in Jail Ogaden, Somali Regional State, Ethiopia](#), July 2018
- Human Rights Watch, [Ethiopia: Violence A Concern Despite Reform Promises: Government Should Address Killings in Somali and Oromia Regions](#), 15 August 2018
- Doctors Without Borders, [Ethiopia: Aid needed for more than 900,000 displaced by violence in the south](#), 23 August 2018
- Danish Immigration Service, [Ethiopia: Political situation and treatment of opposition](#), September 2018
- UNHCR, [Displaced Ethiopians, returnees need continued support](#), 7 September 2018
- ACLED, [Change and Continuity in Protests and Political Violence PM Abiy’s Ethiopia](#), 13 October 2018
- BBC News, [Ethiopia police find mass grave of 200 people](#), 8 November 2018
- Refugees International, [The crisis below the headlines: Conflict displacement in Ethiopia](#), November 2018
- Human Rights Watch, [World Report 2019 – Ethiopia](#), 17 January 2019, *Internal Displacement*
- The New Humanitarian, [Power shift creates new tensions and Tigrayan fears in Ethiopia](#), 14 February 2019
- International Crisis Group, [Managing Ethiopia’s Unsettled Transition](#), A. *Calming Ethnic and Communal Conflict, 1. Restoring order, containing disorder*, 21 February 2019

**Accepted: Thank you for the source recommendations. They will be considered for inclusion in the forthcoming CPIN update alongside a range of other sources, to ensure balance.**

- The New Humanitarian, [Ethiopia's neglected crisis, No easy way home for doubly displaced Gedeos](#), 28 February 2019
- US Department of State, [2018 Country Reports on Human Rights Practices – Ethiopia](#), 13 March 2019

Additional sources recommended to consult when updating this CPIN which may have issued relevant publications on this issue are:

- UN Office for the Coordination of Humanitarian Affairs (UNOCHA), [Humanitarian Bulletin/Situation Reports/Flash Updates](#) [published on a regular basis]

Note that the UN's Universal Periodic Review (UPR) process reviewed civil and political rights in Ethiopia at its May 2019 meeting. All documents submitted in advance to the meeting by civil society and the concluding guidelines issues after the meeting are available [here](#).



## 4. Review of responses to Information Requests

### 4.1 Response to an information request – [Residency in Ethiopia: 15 March 2018] [03/18-041]

- *How difficult is it to get a residence permit in Ethiopia?*
- *What are the criteria for gaining this?*
- *What reasons are given for refusing residence permits in Ethiopia?*
- *Is it likely for a Sudanese national to get residency in Ethiopia if they are married to an Ethiopian woman and have two children there?*
- *Is there a way of checking whether the applicant has genuinely applied for a residency permit in Ethiopia?*
- *Do Sudanese nationals ever suffer persecution in Ethiopia that would amount to a breach of human rights if they were returned there?*

Generally, relevant and reliable sources have been included in this Information Request.

**Thank you for the positive comment.**

<p>However, only three paragraphs of COI are presented in total on these six questions and thus some issues remained unaddressed.</p> <p>It would have been useful for point 1 if additional information on the process for obtaining a permanent residence permit would have been included. See for example:</p> <p>UN Human Rights Committee, <a href="#">Consideration of reports submitted by States parties under article 40 of the Covenant First periodic report of States parties Ethiopia*</a>, 28 July 2009</p> <p>[...]<u>114. Foreigners residing in Ethiopia shall be registered by the National Intelligence and Security Service with the exception of diplomats and international civil servants and members of their families residing in Ethiopia and foreigners who are recognized as refugees by the Government of Ethiopia and the UNHCR. A foreigner who is registered with the Immigration and Nationality Main Department will be issued with a temporary or permanent residence permit.</u></p> <p>115. A permanent residence permit is issued for a foreigner who enters into the country with an immigrant visa, has a domicile in Ethiopia and lived in Ethiopia for at least three years preceding the submission of his application, is married to an Ethiopian national, is engaged in investment or humanitarian activities in Ethiopia or has made or is expected to make outstanding contributions in the interest of Ethiopia. A temporary residence permit is valid for one year and is issued for a person registered with the Immigration and Nationality Main Department and who is not entitled to a permanent resident permit. [...]</p> <p>It is considered that the following relevant excerpt from one of the sources cited was omitted, which would have been useful to answer point 3 above (presented in bold underlined text) given that work permits are first required in order to obtain a residence permit:</p> <p>1.1.2 The fragomen website provided the following information:</p> <p>‘Foreign nationals who intend to engage in active, productive work in Ethiopia must obtain a Work Permit and a Residence Permit. The Work Permit and Residence Permit applications are filed and processed in Ethiopia upon arrival. Work permits are ordinarily valid for a period of up to three years, but must be renewed each year prior to expiry. To work beyond three years, the foreign national must leave Ethiopia and apply for a new business visa abroad, and apply for a work permit in Ethiopia. <b><u>Note that immigration officers have discretionary powers to deny a work authorization application even if it meets all relevant criteria.</u></b>’</p>	<p><b>Accepted. More COI would have been useful in responding fully to the questions raised. However, the time constraints on COI requests (decision makers usually require a 1-5 day turnaround) mean that they are not as detailed or have the same depth as our CPINs.</b></p> <p><b>Additional information on the process for obtaining a permanent residence permit would be useful although this source is 10 years old and we ideally look to sources that are as recent as possible (last 2 years).</b></p> <p><b>Accepted. This additional sentence could have been used.</b></p>
<p>The following paragraph provides a link to a visa company providing information about Ethiopia visas for a Sudanese passport holder living in United States of America:</p> <p>Visas</p> <p>Sudanese nationals need passports and visas to enter Ethiopia – see <a href="https://ethiopia.visahq.com/requirements/sudan/">https://ethiopia.visahq.com/requirements/sudan/</a>.</p> <p>Rather than provide details from a private company, it is considered more reliable to have included information from the Ethiopian government directly i.e. from the Main Department for Immigration and Nationality Affairs, located at the following link: <a href="https://www.evisa.gov.et/#/home">https://www.evisa.gov.et/#/home</a>.</p> <p>The Henley &amp; Partners Passport Index is a useful tool to ascertain which of the countries you can access visa-free, with an electronic visa (e-Visa), with a visa on arrival, or with a normal visa, depending on which passport you hold: <a href="https://www.henleypassportindex.com/passport">https://www.henleypassportindex.com/passport</a></p>	<p><b>Accepted.</b></p> <p><b>Thank you for the source recommendation.</b></p>
<p>The Response to the Information Request details that ‘CPIT also could not find information about the treatment of Sudanese nationals in Ethiopia.’ However, it is considered that it would have been relevant to include information on the Sudanese refugee population in Ethiopia. For example, the following source details that there were 44,620 Sudanese refugees living in Ethiopia as of December 2018 and provides information about their situation on page 9:</p> <ul style="list-style-type: none"> <li>UNHCR, <a href="#">Ethiopia Country Refugee Response Plan</a>, January 2019-December 2020</li> </ul> <p>That report also details that “To date, a modest number of registered refugees have been provided with temporary residence status by virtue of their marriage to Ethiopian spouses” relevant to point 4.</p>	<p><b>Accepted.</b></p>

## 4.2 Response to an information request – [Land and political disputes: 19 March 2019] [0319.044]

- *Information needed about the activities of Colonel Demeke*
- *Information needed about the treatment from government officials towards Amhara people and those who tried to prevent Colonel Demeke being detained*
- *Information needed about the problems between the Amharas and Tigranyans over Welkait land*
- *Information needed about demonstrations that took place due to this dispute*

Generally, relevant and reliable sources have been included in this Information Request.	<b>Thank you for the positive comment.</b>
It is a positive development that the researcher of this Information Request included a short paragraph explaining the scope of his/her research results. It is recommended that such practice be included for all Information Requests.	<b>Thank you for the positive comment. We are encouraging this, where feasible, in all COIR responses.</b>
The instructions provided to the researcher do not specify the time frame for research i.e. which year the information requested for should relate to. As a COI researcher myself I would have wanted more information as to the exact time period the user was looking to get information from in order to tailor my response accordingly.	<b>Partially accepted. There is scope for discussion with requestors about exactly what information is required, but we cannot compel them to provide it.</b>
In relation to point 1, only two sources published in February 2018 have been included that inform that charges against Colonel Demeke have been dropped and that he has been released from prison, following his arrest in 2016. No additional COI has been included about more recent activities of Colonel Demeke despite this being requested in point 1. The reviewer acknowledges that very limited COI is available but found one source that highlights Colonel Demeke’s ongoing activities and interest in the Wolkait region: <a href="#">Borkena.com</a> , <a href="#">Wolkait Identity Question Committee pleading for Federal gov.t intervention</a> , 3 March 2019. The availability of limited current COI on this particular issue should be highlighted nonetheless in the Information Request.	<b>Accepted. We shall update the request with this information and highlight the limited availability of current COI on this particular issue.</b>

The second research heading deals with the treatment of Amharas. Only one source of COI was included namely a Research Response produced by the Canadian Immigration and Refugee Board. Whilst this source addresses the question posed in this Information Request by including information from a range of sources, including expert contributions, it is recommended that Information Requests cite the original source materials referred to in such COI compilations. For example the Research Response by the Canadian Immigration and Refugee Board refer to an Amnesty International report published in August 2016 and two news articles published in August and October 2016 respectively by the Huffington Post and The Guardian. Ideally the researcher of this Information Request would have gone back to the original sources quoted in the Canadian Research Response and extracted the relevant information directly from those sources.

The Information Request also does not include any more current information as to the treatment of Amharas since 2016 and fails to include any information about the changes to the political space since Prime Minister Abiy Ahmed came to power in April 2018. Relevant and more current information on the situation and treatment of Amharas and those living in Amhara available at the time this Information Request was drafted include, but are not limited to, the following:

- Amnesty International, [ETHIOPIA: DRACONIAN STATE OF EMERGENCY MEASURES](#), 10 February 2017
- Society for Threatened Peoples, [Written statement submitted by the Society for Threatened Peoples, a non-governmental organization in special consultative status](#), 20 February 2017
- Women’s News Network, [ETHIOPIA: Merciless land grab violence hits women who want peace](#), 5 April 2017
- Tewodrose G. Tirfe, Board Member, Amhara Association of America, [Democracy Under Threat in Ethiopia](#), 9 March 2017, as presented to the U.S. House of Representatives Committee on Foreign Affairs, Africa, Global Health, Global Human Rights, and International Organizations
- Inter Press Service (IPS), [“We Can’t Protest So We Pray”: Anguish in Amhara During Ethiopia’s State of Emergency](#), 17 April 2017
- ACLED, [COUNTRY REPORT: Popular Mobilisation in Ethiopia: An Investigation of Activity from November 2015 to May 2017](#), June 2017
- Amnesty International, [ANNEX: COMMENTARY ON THE ETHIOPIAN STATE OF EMERGENCY](#), 1 March 2018
- Amnesty International, [Ethiopia: Government must protect victims of escalating ethnic attacks](#), 8 June 2018
- Thomson Reuters Foundation, [FEATURE-Driven away by conflict, thousands of Ethiopians stranded without a home](#), 21 June 2018
- Danish Immigration Service, [Ethiopia: Political situation and treatment of opposition](#), September 2018
- ACLED, [ETHIOPIA, FIRST QUARTER 2018: Update on incidents according to the Armed Conflict Location & Event Data Project \(ACLED\) – Updated 2nd edition](#), 20 December 2018
- ACLED, [ETHIOPIA, SECOND QUARTER 2018: Update on incidents according to the Armed Conflict Location & Event Data Project \(ACLED\) – Updated 2nd edition](#), 20 December 2018
- ACLED, [ETHIOPIA, THIRD QUARTER 2018: Update on incidents according to the Armed Conflict Location & Event Data Project \(ACLED\) – Updated 2nd edition](#), 20 December 2018
- International Crisis Group, [Managing Ethiopia’s Unsettled Transition](#), 21 February 2019

**Partially accepted. It is not always feasible or necessary to do this. In the example given, we have no reason to doubt or mistrust the Canadian IRB or their methodology. Moreover, the CIRB include a source list at the end of their responses, so the reader can undertake that exercise if they needed to.**

**Accepted. Thank you for the source suggestions. More COI would have been useful in responding fully to the question. However, the time constraints on COI requests (decision makers usually require a 1-5 day turnaround) mean that they are not as detailed or have the same depth as our CPINs. These sources shall be considered, and the response updated accordingly.**

<p>The third research heading deals with the Amharas and Tigranyans dispute over the Welkait land, also referred to as Waldiya, Wolkait etc. Only two COI sources have been included – a The Guardian article from December 2016 and a commentary published in the Addis Standard in May 2018 despite more recent sources being available at the time this Information Request was drafted:</p> <ul style="list-style-type: none"> <li>• Amnesty International, <a href="#">Ethiopia Offline: Evidence of Social Media Blocking and Internet Censorship in Ethiopia</a>, 14 December 2016</li> <li>• BBC News, <a href="#">Ethiopia Waldiya: Five killed by police at religious festival</a>, 21 January 2018</li> <li>• ACCORD, <a href="#">ETHIOPIA, YEAR 2017: Update on incidents according to the Armed Conflict Location &amp; Event Data Project (ACLED)</a>, 18 June 2018</li> <li>• <a href="#">Borkena.com</a>, <a href="#">Demonstrations took place across many towns in Tigray</a>, 26 November 2018</li> <li>• <a href="#">Borkena.com</a>, <a href="#">Wolkait Identity Question Committee pleading for Federal gov.t intervention</a>, 3 March 2019</li> </ul>	<p>As above.</p>
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### 4.3 Response to an information request – [Treatment – Oromo Liberation Front: 1 April 2019] [0319.102]

- *Information needed about the state treatment of the Oromo Liberation Front (OLF)*
- *An update needed on the ceasefire between the OLF and the Ethiopian government*
- *Information needed about the treatment of the Gummi Draggootaa Oromo group*

<p>Generally, relevant and reliable sources have been included in this Information Request.</p>	<p>Thank you for the positive comment.</p>
<p>Three questions are posed in the information request, but limited information is provided on the details of ceasefire between the OLF and the Ethiopian government, such as the date it came into effect or the planned phases. This is despite the wide reporting of the January 2019 ceasefire:</p> <ul style="list-style-type: none"> <li>• Addis Standard, <a href="#">NEWS: BREAKTHROUGH AS GOVERNMENT, OLF-SG AGREE ON IMMEDIATE CEASEFIRE, ENCAMPMENT OF REBEL ARMY IN 20 DAYS</a>, 24 January 2019</li> <li>• Africa News, <a href="#">Ethiopia's Oromia state signs ceasefire deal with OLF</a>, 25 January 2019</li> <li>• International Crisis Group, <a href="#">Managing Ethiopia's Unsettled Transition</a>, 21 February 2019</li> </ul>	<p>Accepted. Thank you for the source recommendations. We will not update this response but will incorporate it, and the reviewer's suggestions, in to the forthcoming 'Opposition to the government' CPIN update.</p>

<p>It is considered that the three sources cited in response to point 1 about the state treatment of the Oromo Liberation Front (OLF) describe the June 2018 decriminalisation of the OLF, and the February 2019 disarmament of the OLF. However information on state treatment of the OLF has been omitted, for example:</p> <ul style="list-style-type: none"> <li>Africa News, <a href="#">Ethiopia nabs over 800 returnee OLF fighters disturbing Oromia</a>, 1 January 2019</li> </ul> <p>The following source also documented that despite the January 2019 ceasefire, “fighting continued”.</p> <ul style="list-style-type: none"> <li>International Crisis Group, <a href="#">Managing Ethiopia’s Unsettled Transition</a>, 21 February 2019, p.26</li> </ul>	<p><b>Accepted. Thank you for the source recommendations. We will not update this response but will incorporate it, and the reviewer’s suggestions, in to the forthcoming ‘Opposition to the government’ CPIN update.</b></p>
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## 4.4 Response to an information request – [Relocation and forced marriage: 1 June 2018] [05/18-091]

- How viable is it for a Somali-speaking Ethiopian to relocate somewhere else in the country, somewhere other than the Ethiopian Somali state?*
- As far as I know she only speaks Somali but is there any background information on any risk to a lone woman potentially in this situation of having to relocate outside the state?*
- Also, is there any further information on forced marriage in Ethiopia and whether it is common?*

<p>Generally, relevant and reliable sources have been included in this Information Request.</p>	<p><b>Thank you for the positive comment.</b></p>
<p>However, it is considered that as well as detailing the size of the Somalia speaking population of Ethiopia, that it would have been helpful to also detail in which states it is spoken.</p> <p>This is documented in the following source, for example:</p> <ul style="list-style-type: none"> <li>Ethnologue, <a href="#">Languages of the World: Ethiopia, Languages</a>, 2019 [earlier editions were available]</li> </ul>	<p><b>Accepted. We shall update the response with this information.</b></p>
<p>Similarly it would have been helpful to have included information available at the preparation of the response on the prevalence of forced marriage by region in Ethiopia. On this point, see the following source which details that in the Somali region 50% of young women or higher were married in childhood.</p> <ul style="list-style-type: none"> <li>Bill &amp; Melinda Gates Foundation; CIFF – Children’s Investment Fund Foundation; Global Partnership for Education; ICRW – International Center for Research on Women; The World Bank (Author), published by ReliefWeb: <a href="#">Economic Impacts of Child Marriage; Ethiopia Synthesis Report</a>, March 2018, p.36</li> <li>UNICEF, <a href="#">Ending Child Marriage A profile of progress in Ethiopia</a>, January 2018, p.5</li> </ul> <p>The following source usefully cites the drivers of forced marriage in Ethiopia:</p> <ul style="list-style-type: none"> <li>Girls Not Brides, <a href="#">Ethiopia</a>, undated [accessed 8 May 2019]</li> </ul>	<p><b>Accepted. We shall update the response with this information.</b></p>

<p>In relation to point 2, 'is there any background information on any risk to a lone woman potentially in this situation of having to relocate outside the state?' only one source is cited which details economic factors and language barriers as acting as a barrier to relocation. It is considered relevant to have included other risks women might face, particularly single or lone women, such as violence and ill-treatment. Relevant information was available from the Also see the following sources available at the time of preparation of the information request, for example:</p> <ul style="list-style-type: none"> <li>• UNHCR, Ethiopia <a href="#">Sexual and Gender based Violence (SGBV) Fact Sheet</a>, September 2016</li> <li>• Dutch Council for Refugees, <a href="#">Country of Origin Information Report Ethiopia</a>, 18 May 2016</li> </ul> <p>[...] 4.7.3 Domestic violence</p> <p>[...] Victims of domestic violence have very few possibilities of escaping the violence. Moving elsewhere or to a large city often is no viable alternative, as it is hard for single women to start a life. Accommodation and work are often difficult to come by. If work is found, it is often as a domestic worker or in prostitution. In these positions, women are at risk of falling victim to (sexual) violence again. [...]</p>	<p><b>Accepted. We shall update the response with this information.</b></p>
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## 4.5 Response to an information request – [Military service: 5 July 2017] [06/17-092]

- *Ethiopian-born but with Eritrean parentage: As he has never technically left Eritrea (he has never been there before), is there anything which covers those who have converted to Eritrean nationality and the risk they face if returned to Eritrea in relation to the military service?*

<p>As this Information request dealt with an individual's return to Eritrea, this review did not consider the responses provided by the Home Office Country Policy and Information Team (CPIT).</p>	
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## 4.6 Response to an information request – [Treatment of homosexual men: 4 September 2017] [08/17-052]

- *Are homosexual men discriminated against in Ethiopia by the authorities? I have information that it is illegal but would like some information on if this is upheld by the authorities?*
- *Are men routinely detained by the authorities?*
- *Are the wider community known to discriminate against the LGBT community?*

<p>Generally, relevant and reliable sources have been included in this Information Request.</p>	<p><b>Thank you for the positive comment.</b></p>
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<p>However, only two excerpts of COI are included on the subject of ‘State treatment of homosexual men’, which is intended to cover both points 1 and 2. No information is included on the state’s ability and willingness to protect LGBTIQ claimants from societal violence, which is highly relevant to whether homosexual men face discrimination. The fact that no law prohibits discrimination against the LGBTIQ community is stated in the excerpts of COI, but this is not mentioned in the summary of the evidence. Again, this is relevant to the ability of the state to protect, as explained by the following source, available at the time of preparation of the information request:</p> <ul style="list-style-type: none"> <li>Dutch Council for Refugees, <a href="#">Country of Origin Information Report Ethiopia</a>, 18 May 2016 [...] 4.6.2 Treatment by State actors [...] The Dutch Ministry of Foreign Affairs states that because of the lack of protective legislation and formal and informal acceptance, it is not likely that homosexuals will receive state protection when they are discriminated against by fellow citizens, the police, or other state bodies. [...]</li> </ul> <p>This source explains that even if same-sex relations are not prosecuted, its criminalisation drives social, economic and human rights abuses of the LGBTIQ community:</p> <ul style="list-style-type: none"> <li>IDS, <a href="#">BOOSHTEE! SURVIVAL AND RESILIENCE IN ETHIOPIA</a>, April 2015, p.4</li> </ul>	<p><b>Accepted. As this response is now dated, we will not update it but will assess the need / demand from caseworkers to provide an inspired response on LGBTI issues.</b></p>
<p>One of the two sources cited on ‘State treatment of homosexual men’ cites a government spokesman as stating that an anti-gay rally was cancelled by the government, and that the government is not ready to further ‘demonise homosexuals’. It is considered that the voice of this individual government representative should have been balanced against other sources, which document for example state interference with access to websites supporting LGBTI rights:</p> <ul style="list-style-type: none"> <li>Amnesty International, <a href="#">ETHIOPIA OFFLINE: EVIDENCE OF SOCIAL MEDIA BLOCKING AND INTERNET CENSORSHIP IN ETHIOPIA</a>, 16 December 2016, p.7 &amp; 18</li> </ul>	<p><b>Accepted. It is acknowledged that the use of multiple sources provides balance.</b></p>

## 4.7 Response to an information request – [Politics – political group: 15 August 2018] [0818.051]

- Please provide updated information as to the risk profiles of Ginbot 7 supporters who have engaged in non-violent activities on behalf of the party in both the United Kingdom and Ethiopia*

<p>Generally, relevant and reliable sources have been included in this Information Request.</p>	<p><b>Thank you for the positive comment.</b></p>
<p>The Information Request has been divided by the researcher into two sections: ‘State treatment of Ginbot 7 activists’ and ‘Suspension of armed operations’. The first section only contains one source, a BBC article, highlighting the arrest, prosecution and conviction of dozens of Ginbot 7 members and supporters at the end of 2017 and early 2018. No additional COI had been included putting better into context that in April 2018 a new Prime Minister, Abiy Ahmed, came to power who put into place political reforms and freed many, if not all, political prisoners. See for example:</p> <ul style="list-style-type: none"> <li>Quartz Africa, <a href="#">Ethiopia will end its state of emergency early, as part of widening political reforms</a>, 4 June 2018</li> <li>Reuters, <a href="#">Ethiopia offers amnesty to recently freed political prisoners</a>, 20 July 2018</li> </ul> <p>Also, available at the time this Information Request was drafted was news that Ginbot 7 had been declassified as a terrorist organisation in July 2018. See for example Al Jazeera, <a href="#">Ethiopia removes OLF, ONLF and Ginbot 7 from terror list</a>, 5 July 2018.</p>	<p><b>Accepted. Thank you for the source recommendations. We will not update this response but will incorporate it, and the reviewer’s suggestions, in to the forthcoming ‘Opposition to the government’ CPIN update.</b></p>



<p>The Information Request also asked for information about the situation for Ginbot 7 supporters active in the UK who would be returned to Ethiopia implying a possibility of risk on return for <i>sur place</i> activities. No COI to that effect has been included nor has an explanation by the CPIT researcher been included as to whether or not he/she researched this issue and what the outcome was.</p> <p>As a matter of principle, it is recommended that all parts of the research question posed be addressed and if no information be located this be made clear in the Information Request.</p>	<p><b>Accepted. Although we do not respond with assessment on risk on return, it is accepted that it would be useful to research the question on <i>sur place</i> activities in the UK and the Ethiopian state's interest in those. It is accepted that where information is not found, this should be explicitly stated in the response.</b></p>
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## 4.8 Response to an information request – [Religious minorities – Treatment of Pentecostals: 28 September 2016] [09/16-053]

- *Can you provide some information on Pentecostal Christians in Ethiopia?*
- *Is the religion widely practised in Ethiopia?*
- *Is she at risk on return as a Pentecostal Christian?*

<p>Generally, relevant and reliable sources have been included in this Information Request.</p>	<p><b>Thank you for the positive comment.</b></p>
<p>The COI included is also representative of the available information as of September 2016, apart from in respect to documented violence between Orthodox Christians and Pentecostal-Evangelical Christian groups as well as clashes between Orthodox Christians and Sufi Muslims, see:</p> <p>Bertelsmann Stiftung: <a href="#">BTI 2014; Ethiopia Country Report</a>, 2014, p.7 &amp; 29</p> <p>Human Rights Council, <a href="#">Summary prepared by the Office of the United Nations High Commissioner for Human Rights in accordance with paragraph 15 (b) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21</a>, 27 January 2014, para 39</p> <p>International Crisis Group, <a href="#">Ethiopia: Governing the Faithful</a>, 22 February 2016, p.8</p>	<p><b>Accepted. As this response is now dated, we will not update it but will assess the need / demand from caseworkers to provide information on these issues.</b></p>
<p>N.B. the Institute on Religion and Public Policy report is cited as 'undated', but when searched for, the date of 29 September 2014 is clearly available.</p>	<p><b>Noted.</b></p>

## 4.9 Response to an information request – [Political groups; ethnic minorities: 30 November 2018] [1118.078]

- *Current situation regarding state treatment of the Oromo people, members of the OLF and Ginbot 7*
- *Information regarding the release of former political prisoners*

Generally, relevant and reliable sources have been included in this Information Request.	Thank you for the positive comment.
<p>Whilst COI is included on the situation and treatment of members of the OLF and Ginbot 7, no specific COI was included on recent treatment of its wider supporters or the Oromo people more generally despite sources documenting the death of at least five people and arrest of at least 1,000 people, including many Oromos, in September 2018:</p> <ul style="list-style-type: none"> <li>• Amnesty International, <a href="#">Ethiopia: Investigate police conduct after deaths of five people protesting ethnic clashes</a>, 17 September 2018</li> <li>• BBC, <a href="#">Ethiopia detains 1,200 after deadly Addis Ababa clashes</a>, 25 September 2018</li> <li>• Bundesamt fuer Migration und Fluechtlinge, <a href="#">Briefing Notes</a>, 1 October 2018, <i>Violent disturbances – around 1,200 arrests</i></li> </ul>	<b>Accepted. Thank you for the source recommendations. We will not update this response but will incorporate it, and the reviewer's suggestions, in to the forthcoming 'Opposition to the government' and 'Oromo' CPIN updates.</b>
<p>Whilst the one source included to answer point 2 covers most of the information it is desirable to always include 2-3 sources in order to ensure validation of information. For example the following sources could have also been included providing contextual background information as to the earlier release of former political prisoners during 2018:</p> <ul style="list-style-type: none"> <li>• Quartz Africa, <a href="#">Ethiopia will end its state of emergency early, as part of widening political reforms</a>, 4 June 2018</li> <li>• Reuters, <a href="#">Ethiopia offers amnesty to recently freed political prisoners</a>, 20 July 2018</li> </ul>	<b>Accepted. See above.</b>

## 4.10 Response to an information request – [Nationality laws: 4 January 2019] [1218.058]

- *If an Ethiopian national brings her husband to Ethiopia, how easy is it for him to obtain legal status?*
- *If an Ethiopian national brings her children to Ethiopia, can they get status?*
- *If so, what is the process of obtaining this status?*
- *Will the children be able to access services such as healthcare and education?*

Generally, relevant and reliable sources have been included in this Information Request.	Thank you for the positive comment.
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<p>In relation to point 1, it would have been very useful to include the nationality of the husband in the instructions to the researcher.</p>	<p><b>Accepted. There is scope for discussion with decision makers about exactly what information is required, but we cannot compel the requestor to provide it.</b></p>
<p>Only one source of COI is provided in response to point 1; the 2003 Ethiopian Nationality law which sets out the conditions for acquiring Ethiopian nationality by naturalisation. This is relevant legislation but it answers the question rather narrowly in terms of citizenship, and not whether an Ethiopian national's husband would be able to get settled status via another route, for example, a residence permit. Perhaps this was not addressed in light of an information request already existing on this topic; that list above as '1. Response to an information request – [Residency in Ethiopia: 15 March 2018] [03/18-041]'. However it is expected that this would still be made clear in the response.</p>	<p><b>Accepted.</b></p>
<p>In relation to point 2, CPIT's response is that 'CPIT was not able to find information about the precise process and procedures that need to be followed to obtain Ethiopian nationality.'</p> <p>Information on how to apply for citizenship is provided on the website of the Ethiopian Main Department for Immigration and Nationality Affairs, located at the following link: <a href="https://www.evisa.gov.et/#/home">https://www.evisa.gov.et/#/home</a></p>	<p><b>Accepted.</b></p>
<p>In relation to the third point, CPIT's response is that it was 'was not able to find information about how foreign-born children can access healthcare and education services in Ethiopia.'</p> <p>However, COI could have been included on the requirement for children's births to be registered and how a lack of registration affects access to healthcare and education, or what other barriers might exist. See for example:</p> <ul style="list-style-type: none"> <li>• UNICEF, <a href="#">Child Notice Ethiopia</a>, 2018, 2.9 Birth registration, 5.2 Health, 5.3 Education</li> <li>• US Department of State, <a href="#">Country Report on Human Rights Practices 2017 – Ethiopia</a>, 20 April 2018, 6. Birth Registration</li> <li>• UNICEF Ethiopia, <a href="#">Child Birth Registration Sets Hope for Protecting Children's Basic Rights</a>, 19 July 2017</li> </ul>	<p><b>Accepted. Thank you for the source recommendations. This response will be updated.</b></p>

## 5. Information about the Reviewer

As a specialist country of origin information (COI) researcher, Stephanie Huber has over 12 years experience of conducting COI research for individual asylum and human rights claims, including on Ethiopia, for use in representations to the Home Office, the Immigration and Asylum Chambers and to international refugee decision making bodies. Ms Huber has also provided COI research for a number of Country Guidance (CG) cases both in her current position as co-Director of Asylum Research Centre (ARC), previously Asylum Research Consultancy, and in her former role as Research Officer at the Immigration Advisory Service (IAS). Since 2010 she has reviewed the case law and COI content of country specific asylum policy documents, now known as Country Policy and Information Notes (CPINs). She is in her seventh year of undertaking thematic and country-specific COI research on behalf of the United Nations High Commissioner for Refugees (UNHCR) to assist the refugee determination process.

She is also the co-author of two ARC Query Responses on Ethiopia, commissioned by UNHCR's Division of International Protection, which focused on *The Master Plan, the treatment of Oromo Liberation Front members and their family members, the treatment of Oromos who are not politically active, the treatment of members of the Ethiopian Federal Democratic Unity Forum (Medrek), the treatment of members of the Southern Ethiopia People's Democratic Coalition (SEPDC), and the situation in Hosaena and Kembata*.<sup>10</sup> In addition, ARC has previously won four tenders to review Home Office COI products for IAGCI for which she co-reviewed the Home Office country reports on Gambia (2011) and Sudan (2012) in conjunction with a country expert, and in 2013 took the lead in reviewing the Syria country report and Operational Guidance Note. In 2016 she was personally commissioned to review two Country Information Guidance reports and eight (8) Responses to COI Requests on Sudan for the IAGCI. Since 2018 ARC has a framework agreement to undertake internal reviews of COI products by the European Asylum Support Office (EASO), and she was recently commissioned to co-review a draft COI report on Afghanistan.

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<sup>10</sup> See ARC, [Ethiopia: Query Response, The Master Plan; OLF members and their family members; Ill-treatment by State agents of Oromo persons who are not politically active](#), September 2016; and ARC, [Ethiopia: Query Response, The Ethiopian Federal Democratic Unity Forum \(Medrek\); The Southern Ethiopia People's Democratic Coalition \(SEPDC\); The situation in Hosaena and Kembata in the Southern Nations, Nationalities and Peoples' Region \(SNNPR\) region](#), July 2017

# Annex D: Review of the March 2018 Home Office Country of Origin Information on Jamaica

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

Joanne van Selm, Independent Consultant on International Migration and Refugee Policy<sup>11</sup>

May 2019

The review is written in a personal capacity.

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<sup>11</sup> Please see biographical statement at the end of this review.

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# 1. Introduction

## 1.1 Instructions

This review evaluates the Country Policy and Information Note Jamaica: Background information, including actors of protection, and internal relocation (March 2018) and the Country Policy and Information Note Jamaica: Fear of organized criminal gangs (March 2017)

The evaluation is to:

- assess the extent to which information from source documents has been appropriately and accurately reflected in the CPIN report
- identify additional sources detailing the current human rights situation in the country with respect to main grounds for asylum claims as noted in the CPIN report.
- Note and correct any specific errors or omissions of fact
- Make recommendations for general improvements regarding structure, coverage or overall approach
- Ensure no reference is made to an individual source which could expose them to risk.
- Focus exclusively on country of origin information and not to pass judgement on the policy guidance;
- Consider the situation until the 'cut off date';
- Make a list of suggested changes, and to reference open source documents which the Home Office could use.

## 1.2 Methodology

The methodology used for this review has involved:

- Following the links and citations in the report, examining the source documents for accuracy of citation and to assess whether the most pertinent aspects have been drawn out.
- Pursuing additional relevant sources where useful and appropriate to support and expand the relevant points
- Reflection on the reviewer's experience in and knowledge of Jamaica to investigate through publicly available materials to add those sources/ citations in review where relevant.

## 1.3 Summary of Review

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

- The CPIN gives a solid broad overview of the background situation in Jamaica with regard to history, geography, economics and politics. It appropriately highlights two specifically vulnerable groups (women and children), but the fact that it does not reference a third, particularly vulnerable group in Jamaica, the LGBTQ community is a weakness. The report strongly exposes the situation with regard to crime, broadly and gang-on-gang, several government efforts to deal with crime, and notes problems in the police force. However the report does not bring out the intractable nature of those problems, or specifically the fears among the population due to the high level of police shootings, as well as crime.
- A number of improvements, replacements, and additional information are recommended, and sources for such information are cited in the review below.
- A range of recommendations are made. It is recommended that an additional section should be included in the CPIN, on the situation of, discrimination towards and lack of (state) protection for LGBTQ Jamaicans, including very explicitly homosexual males. It is further recommended that the sections on police corruption, impunity and in particular (beyond what is included in the CPIN) police shootings leading to injuries and fatalities, as well as Witness Protection, be more concentrated and thereby brought out for the very serious situation that it presents with regard to official protection and opportunities for internal relocation. A further structural and substantive recommendation relates to strengthening the information on children in Jamaica, highlighting the significant extent of abuse, murders, beatings, sexual exploitation and hardship. The issue of trafficking could usefully be brought out in this CPIN. Additional recommendations and suggestions are made to, within the cut off date, or in a further update, include full information on government approaches to combating crime (Zones of Special Operations and changes to the legal system) and economic growth (which is/was stronger than suggested in the relevant section).

### Main Suggestions relating to the COI Requests:

The information on funding and the legal nature of the Open Arms Shelter in Kingston appear to be correct based on publicly available documents cited below.

Information online about conditions at the facility suggest they are basic, that it is in a dangerous neighbourhood, that residents are stigmatized, but that the director and other staff are offering the best support they can in difficult circumstances. The centre is supported by various local fundraising efforts, but clearly in need of greater financial and practical support.

**See the Home Office response in section 3.**



## 1.4 Understanding of the themes addressed in the CIG Reports

The report generally reflects prevalent legal usage and academic understandings of the themes under consideration.

## 1.5 Quality and balance of sources

The sources used in the reports are generally of appropriate quality, although in some areas they appear limited and could cast wider for greater balance. For example, in the section on Security apparatus, international sources are broadly used, but there are just two references to the Jamaica Constabulary Force website, and none to other domestic sources of information on this subject. Similarly the History and Economic sections would benefit from a broader range of sources (some suggestions are indicated below).<sup>12</sup>

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<sup>12</sup> Please note that sources are indicated by hyperlink in the text below, and not fully spelled out in a bibliography for the sake of space. The connections should, however, be easily accessible.

## 2. Review: Country Policy and Information Note Jamaica: Background information, including actors of protection and internal relocation

### 2.1 History

This section gives a necessarily brief overview, with just two sources. These are accurate, but it is suggested that the section could be slightly expanded, while remaining appropriately brief.

#### Comment and suggestion

3.1.1 and 3.1.2

The sources cited (Encyclopedia Britannica in text citation at 3.1.1, and reference at 3.1.2 to the BBC website) while appropriately succinct, omit the 17<sup>th</sup> and 18<sup>th</sup> centuries, and in particular the Maroon uprisings and issues surrounding sugar plantations and slavery. This is a relevant period of the island's history in relation to Jamaican cultural life and national identity, and with impact on the structure of society today. An additional source could be the Commonwealth's history of Jamaica <http://thecommonwealth.org/our-member-countries/jamaica/history>.

**Accepted.** We will update the CPIN following this review and incorporate suggested material.

## 2.2 Geography

This section considers the physical and human geography of the island. The section on physical geography (4.1) is accurate. The section on human geography (4.2) considers administrative divisions on the island, the ethnic composition of the population and the linguistic background. It is suggested that the ethnic composition be drawn from an alternative or additional source. The current source (CIA World Factbook) does not break down the ethnicities in a way that reflects life on the island. In addition, to add to the strength of this overview, it could be useful to refer to some essential climate and environmental issues.

### Comment and suggestion

4.2.2 Although relatively small, and decreasing, noting the self-reported white population size has relevance to an overview of the life of the island, particularly with connection to the socio-economic situation of population groups.

Population – [http://www.oxfordaasc.com/public/samples/sample\\_country.jsp](http://www.oxfordaasc.com/public/samples/sample_country.jsp) Oxford African American Studies Centre gives a slightly different breakdown of ethnic population: **ETHNIC GROUPS:** Jamaicans are 90.9 percent black, 1.3 percent East Indian, 0.2 percent white, 0.2 percent Chinese, 7.3 percent mixed ethnicities, and 0.1 percent other ethnicities.

**Accepted.** We will update the CPIN following this review and incorporate suggested material.

### Comment/Suggestion

It might be appropriate to add a brief note to this section on climate change and the environment. Jamaica is vulnerable to hurricanes and increases in rainfall, and attempts are being made through policy and international projects to manage the island's approach to potential natural disasters and their impacts <http://www.cep.unep.org/eu-climate-change>. The island population is therefore also vulnerable to mosquito borne viruses such as dengue, chikungunya <http://iris.paho.org/xmlui/handle/123456789/34102> and zika <https://www.paho.org/hq/dmdocuments/2017/2017-phe-zika-situation-report-jam.pdf> . However, management of linked issues, such as waste disposal, is complex given the relative poverty of the island. For example, the Riverton dump, an enormous mountain of rubbish from all Kingston and environs, including household, commercial, vehicular waste, is regularly set alight. This has immense health implications as the toxic smoke sometimes covers the whole of Kingston, and is a result both of poor public policy and of criminal activities. See [http://www.jamaicaobserver.com/news/Report--March-fire-at-Riverton-dump-most-detrimental-in-history\\_18885503](http://www.jamaicaobserver.com/news/Report--March-fire-at-Riverton-dump-most-detrimental-in-history_18885503), <http://jamaica-gleaner.com/article/commentary/20150319/march-2015-riverton-fire---disaster-historic-proportions>.

### Partially accepted.

The information is designed to give caseworkers an overview of whether effective state protection is available to those at risk of persecution or serious harm and whether internal relocation is a viable alternative. We believe that information on climate change is not necessary to achieve this. However, we note your comments on the impact of certain issues and their health implications. We will therefore update the CPIN following this review and incorporate suggested material.

## 2.3 Economy

While the information presented is accurate in the timeframe of the report, there have been significant advances due to major reforms of the Jamaican economy. Some of those were starting already at the March 2018 cut off date, and further progress has been made since. It would be useful to update this section of the review, but also to supplement with additional sources. The World Bank updated its Overview most recently on 1 April 2019 <https://www.worldbank.org/en/country/jamaica/overview>. In particular the IMF, given the centrality of its programme to Jamaica's recent reforms and recovery, that could usefully be referenced alongside the World Bank and IDB but are missing from the report. In addition, specific aspects of the economy related to establishing the context of the later information on crime and politics, should be added, most notably the informal economy and inequality.

### Recommendation

5.1.1 While the World Bank report cited on the economy is accurate, it could usefully be updated (as indeed the source has been) and supplemented by more 'real-time' updates, such as IMF staff statements at the conclusion of quarterly missions to the island.

Keeping within the March 2018 cut off, for example, in September 2017, the IMF noted <https://www.imf.org/en/News/Articles/2017/09/15/pr17351-jamaica-imf-staff-concludes-visit-to-jamaica-to-discuss-progress-of-economic-program> that

"The Jamaican economy is rebounding, despite the impact of weather swings in 2017. Growth has been positive for 9 consecutive quarters, with strong performances especially in tourism, construction, and manufacturing. Unemployment reached 12.2 percent in April 2017, a 7-year low, along with a sustained expansion in the labor force. For FY17/18, economic activity is projected to expand by 1.6 percent, slightly lower than anticipated, as flooding adversely impacted agriculture. Over the medium-term, economic expansion is expected to be around 2½-3 percent, as sustained reforms yield higher investment and productivity dividends."

Meanwhile, at the end of its staff review in November 2017, the IMF summarized: "Stable macroeconomy but growth continues to underperform. After nearly six years of economic reforms, unemployment is at an almost 11-year low, poverty is at a 9-year low, inflation is low, public debt is firmly on a downward trajectory, and international reserves are at historically high levels. Still, growth remains lackluster. Private investment has not fully taken advantage of the unprecedented opportunities presented by macroeconomic stability and strong fundamentals. Structural impediments need to be quickly addressed to foster capital formation. Sustained weak growth risks impeding reform momentum and could make achieving the government's policy objectives more difficult."

<https://www.imf.org/en/Publications/CR/Issues/2018/11/07/Jamaica-Fourth-Review-Under-the-Stand-By-Arrangement-Request-for-Modification-of-Performance-46334>

There are more recent IMF reports that could also be drawn upon in updating beyond March 2018 the review on these points.

**Accepted.** We will update the CPIN following this review and incorporate suggested material.

<p><b>Recommendation</b></p> <p>5.2 Government social support</p> <p>The report cites a US Social Security Office summary from 2014-15.</p> <p>The Jamaican government announced a new approach to Social Services in 2017 (after the date of the US Social Security Office summary) – called Project Hope (Housing, Opportunity, Prosperity Employment) <a href="https://jis.gov.jm/project-hope-assist-poor-vulnerable/">https://jis.gov.jm/project-hope-assist-poor-vulnerable/</a> The US Social Security Office summary was also updated for 2016-17. <a href="https://www.ssa.gov/policy/docs/progdesc/ssptw/2016-2017/americas/jamaica.html">https://www.ssa.gov/policy/docs/progdesc/ssptw/2016-2017/americas/jamaica.html</a></p>	<p><b>Accepted.</b> We will update the CPIN following this review and incorporate suggested material.</p>
<p><b>Recommendation</b></p> <p>5 generally:</p> <p>The overview of the economy in the report, limited to two sources (World Bank and CIA) does not adequately portray the complexities of the economic environment which underlies both the crime and corruption context in Jamaica, and the political environment in which that flourishes.</p> <p>The report could usefully include information on the informal economy, which is significant in Jamaica, and which naturally lends itself to the crime and corruption context.</p> <p>The ILO noted in a 2014 report <a href="https://www.ilo.org/wcmsp5/groups/public/---americas/---ro-lima/documents/publication/wcms_245888.pdf">https://www.ilo.org/wcmsp5/groups/public/---americas/---ro-lima/documents/publication/wcms_245888.pdf</a> a) that informal employment was falling gradually in absolute terms, but estimates of its volume remained steady as a proportion of total employment and b) that the informal economy is very diverse ranging from illegal activities (related to marijuana and prostitution for example) to various services for tourists (eg hairbraiding) and much of the music industry on the island, as well as the very large proportion of the lower income female population engaged in housekeeping services. The reasons for informal employment range, according to the ILO, from lack of education, to lack of knowledge about taxation, to absence of property and more. See also Wedderburn, Chiang and Rhodd, <b>The informal economy in Jamaica: Is it feasible to tax this sector?</b> <a href="https://www.aabri.com/manuscripts/11886.pdf">https://www.aabri.com/manuscripts/11886.pdf</a> which notes that the informal economy represents 40% of the GDP of the island.</p>	<p><b>Accepted.</b> We will update the CPIN following this review and incorporate suggested material.</p>
<p><b>Comment/Recommendation</b></p> <p>5 generally</p> <p>Although inequality is not a purely economic issue, this section might be the place to most usefully bring in the significant inequality on the island. This is not only in terms of income, although that is significant on the island, but also issues such as life expectancy or schooling. One source on this would be the UNDP Human Development Index <a href="https://www.undp.org/content/dam/jamaica/docs/HDR/JM-Jamaica_Country%20Explanatory%20Note_HDR2016.pdf">https://www.undp.org/content/dam/jamaica/docs/HDR/JM-Jamaica_Country%20Explanatory%20Note_HDR2016.pdf</a></p>	<p><b>Accepted.</b> We will update the CPIN following this review and incorporate suggested material.</p>

## 2.4 Political System

The portrayal of the political system is accurate in terms of the layers of government and election results. It could, however, usefully include some information on the inter-play between the political system and gang violence.

### Comment/recommendation

Section 6 is accurate in its broad overview of the political system. It could perhaps be added that the JLP has won some by-elections since the 2016 election and now has a slightly larger majority (33 to 30).

It would also be appropriate to explain the garrison community concept in this section (it arises in the CPIN report “Fear of Organized Crime” also reviewed at this time), as it is a fundamental element in the way the political system operates, and gives context to some of the issues on the security apparatus, policing and widespread crime that follow in subsequent sections. This citation, for example:

“In Jamaica a political garrison is an area where at least 90% of the eligible votes are cast for either the PNP or JLP. Those votes are usually secured by way of coercion, intimidation (both implicit and explicit) or through bribery. Another distinct characteristic of political garrisons is the refusal of many residents to pay utility bills. There is minimal investment in the area by the established private sector and whatever infrastructure is still standing is decayed and there is usually an absence of civic pride.” <https://jamaicans.com/garrisondismantle/>

**Accepted.** We will update the CPIN following this review and incorporate suggested material.

## 2.5 Security Apparatus

The crime/security/policing situation in Jamaica is very active, evolving and important in terms of information about life in the country. There are several updates that could usefully be incorporated, in particular the legal reforms to allow the declaration of Zones of Special Operation and their implementation. The law was changed prior to the March 2018 cut off date of this report, and ZOSOs have been implemented since then.

This section is rather lengthy, and complex, which is the nature of the subject matter. While evidently efforts have been made in drafting the CPIN to separate out issues, there is overlap. The comments below sometimes therefore refer to multiple subsections, and a suggestion for re-structuring is made, in part to highlight the particular situation of the high rate of police shootings and consequent fatalities among the public, whether in pursuit of criminals or otherwise.

### Recommendation

#### 7.1 Government strategies for managing crime

This section omits the important 2017 law on Zones of Special Operations [https://www.japarliament.gov.jm/attachments/article/339/The%20Law%20Reform%20\(Zones%20of%20Special%20Operations\)%20\(Special%20Security%20and%20Community%20Development%20Measures\)%20Act,%202017.pdf](https://www.japarliament.gov.jm/attachments/article/339/The%20Law%20Reform%20(Zones%20of%20Special%20Operations)%20(Special%20Security%20and%20Community%20Development%20Measures)%20Act,%202017.pdf) This law allows the government to declare an area of the country as a Zone of Special Operations, due to a high crime rate, and to then bring in a strong Jamaica Defense Force and Jamaica Constabulary Force presence to take a hard approach to tackling crime. The law reform has been criticized domestically for its harsh approach and the failure to tackle the underlying problems (see eg [http://www.jamaicaobserver.com/columns/zones-of-special-operations\\_105609?profile=1096](http://www.jamaicaobserver.com/columns/zones-of-special-operations_105609?profile=1096)) The first such zone was declared in September 2017 in Mount Salem, St James parish (Montego Bay) <https://jis.gov.jm/pm-declares-mount-salem-first-zone-special-operations-2/> The potential for abuse was noted by the Prime Minister in declaring the zone “Mr. Holness noted that while the joint forces will have special power under the law, it is not to be arbitrarily used, and measures to prevent abuse of citizens are in the legislation governing the operation of the zones. He called on all citizens to fully cooperate, noting that no community will be allowed to operate as a safe haven for criminals.” This concern was clearly connected to the history of extra-judicial killings (see 7.2 on Police) and in particular the findings of the experiences in Tivoli Gardens in 2010, and the government commissioned report’s findings in 2016, noted at point 7.6.2 in the CPIN.

Although the ZOSOs remain to be evaluated, the Prime Minister says they are proving effective <https://opm.gov.jm/news/parliament-approves-extension-of-zones-of-special-operations/>.

It is **recommended** that information on Zones of Special Operation, both the law and the experience of them, be included in this section.

**Accepted.** We will update the CPIN following this review and incorporate suggested material.



### Recommendation, comment and suggestion

Referring to subsections 7.2.1 (under police), 7.6 (police abuse), 7.11 (impunity) and 7.12 (police oversight)

The text at 7.2.1 cites the US Department of State 2016 Country Report on Human Rights published in March 2017. That text references the Independent Commission of Investigations – INDECOM, which is referred to directly, and its documentation used, in the report at 7.12 only.

It is **recommended** that information directly from INDECOM be included at 7.2.1, or in a new section drawing the strands on police shootings, injuries, fatalities and investigation and lack of criminal prosecution of the officers involved.

For example, INDECOM’s Review of 2017 <https://www.indecom.gov.jm/wp-content/uploads/2018/03/The-INDECOM-Quarterly-Oct-Dec-2017-4th-Quarter-Revised.pdf> reveals that in the course of that year there were 38 reported fatalities as a result of police shootings, and that the number of such fatal police shootings had risen from 2015-2016 and again 2016-2017, following an earlier decrease in the rate. There were also 59 reported assaults, and 19 reported shooting injuries. A chart in that document reveals, over time, a ‘norm’ or 10-15 fatalities resulting from police shootings *per month*. Off duty police shootings resulting in death make up 13-17% of all cases annually.

INDECOM produces quarterly updates. The information here pertains to the last one available prior to the March 2018 cut off date, but others could also be referred to in a revised report.

This information from INDECOM suggests that the population cannot simply trust the Jamaican police: in 2017 47% of the people shot and either killed or injured by police were not in possession of a firearm themselves. The report says: “These findings reveal a pattern and practice which is indicative of a disproportionate use of force against citizens who are unarmed.” In particular, none of the women shot and injured or killed by police in 2016-2017 was armed.

In spite of the statistics and the commentary in the report, in the vast majority of cases, the Commission recommends no criminal action against the police involved. It is **recommended** that this point be made with the text currently at 7.12.1 – there might be opportunities to report police shootings and the resulting injuries and fatalities, and they might be investigated. However, the investigations most frequently lead to decisions not to prosecute the police involved. Changes in behaviour, decision-making and responsibility are therefore not forthcoming.

As noted, these issues recur in four separate subsections. It is **suggested** that either these sections be combined, or that those elements related to police shootings (extrajudicial, accidental, leading to fatalities and/or injuries, and the persistent high rate of these, without criminal proceedings being brought against the police involved even if there is an INDECOM investigation) be brought out in one separate section to emphasize this important point for the background information in terms of ‘agents of protection’.

**Accepted.** We will update the CPIN following this review and incorporate suggested material.

<p>This being the case, the evidence of the report, plus these additional public pieces of information, indicate that reliance on the security apparatus of the state for citizen safety is not productive, and, although beyond the remit of this review to suggest actual changes, it is <b>suggested</b> that the policy guidance may need revision in this light.</p>	
<p><b>Comment and Suggestion</b></p> <p>7.2.3 – the discrepancies in the numbers of members of the JCF and other forces may be due to high attrition rates <a href="http://jamaica-gleaner.com/gleaner/20100321/news/news1.html">http://jamaica-gleaner.com/gleaner/20100321/news/news1.html</a> (so the higher number may be the ‘official’ size, and the lower numbers the actual size. See also <a href="https://anniepaul.net/2018/02/19/jamaica-constabulary-force-under-pressure/">https://anniepaul.net/2018/02/19/jamaica-constabulary-force-under-pressure/</a> for commentary on this point.</p>	<p><b>Accepted.</b> We will update the CPIN following this review and incorporate suggested material.</p>
<p><b>Suggestion</b></p> <p>The second paragraph of 7.3.1, describing “how for decades... high levels of policy brutality and extra-judicial killings” have been identified, coming in a section on the merging of the Island Special Constabulary Force into the JCF seems to imply that the brutality and killings were somehow dealt with by this merger. This is, as set out above, inaccurate. It might be useful to incorporate section 7.3 into 7.2 on the policy generally, and then expand on the brutality, police killings through the INDECOM documents as indicated above.</p>	<p><b>Accepted.</b> We will update the CPIN following this review.</p>
<p><b>Recommendation</b></p> <p>7.4 The Centre for the Investigation of Sexual Offences and Child Abuse (NB the report says ‘Investigation and Sexual Offences)</p> <p>The report treats this Centre as an administrative matter within the JCF. That has its uses, but the issues with which the Centre is dealing could also usefully be brought out as being of concern themselves. That could be done in this section by making it an issue sub-section, with an institutional element, or in the section on children below (although then the institutional element would still stand alone, separate from the issue).</p> <p>A useful additional publication on the subject of child abuse is The Ministry of National Security’s 2011-2015 report on Children and Violence, published by UNICEF. <a href="https://www.unicef.org/jamaica/Final_JCO_Bulletin_Jan-Dec_2011-2015_(Aug_3_2016)_amended_FINAL(1).pdf">https://www.unicef.org/jamaica/Final_JCO_Bulletin_Jan-Dec_2011-2015_(Aug_3_2016)_amended_FINAL(1).pdf</a> This report breaks down data over the stated period by gender and type of crime committed against children.</p>	<p><b>Accepted.</b> We will update the CPIN following this review and incorporate suggested material.</p>

<p><b>Recommendation</b></p> <p>It is <b>recommended</b> that section 7.4 (or any changed section dealing with child abuse, sexual offences against children and the murdering of children) should point to the sequences of crimes that frequently occur where children are concerned. When a child is murdered or raped in Jamaica, there is often recourse to revenge actions, what is locally termed as ‘Jungle Justice’, whereby suspected perpetrators or their family members are attacked, and often killed, by relatives and family friends of the initial child victim. See, for example, <a href="http://jamaica-gleaner.com/article/lead-stories/20170409/hell-bent-revenge-pastor-stops-father-murdered-14-year-old-carrying">http://jamaica-gleaner.com/article/lead-stories/20170409/hell-bent-revenge-pastor-stops-father-murdered-14-year-old-carrying</a>; <a href="http://www.loopjamaica.com/content/murder-suspect-bull-chopped-death-angry-mob-st-ann">http://www.loopjamaica.com/content/murder-suspect-bull-chopped-death-angry-mob-st-ann</a>; <a href="http://jamaica-gleaner.com/gleaner/20120925/lead/lead1.html">http://jamaica-gleaner.com/gleaner/20120925/lead/lead1.html</a>; <a href="http://rjnnewsonline.com/local/jungle-justice-in-trelawny-results-in-death-of-innocent-man">http://rjnnewsonline.com/local/jungle-justice-in-trelawny-results-in-death-of-innocent-man</a>. Although authorities call for people not to undertake such revenge actions, as they are themselves crimes, often target innocent people, and avoid the rule of law and appropriate trials, there is little or no protection for the victims of this ‘mob justice’. In fact, in many cases the police are found to have indicated who they suspect in a child murder or rape case, and the ‘jungle justice’ follows that suggestion.</p>	<p><b>Accepted.</b> We will update the CPIN following this review and incorporate suggested material.</p>
<p><b>Recommendation</b></p> <p>7.6 Abuse and 7.10 Corruption</p> <p>While the picture of abuse and corruption in the Police Force is sketched, an additional clarification to reinforce the extent of this corruption is that it has been suggested that only 20% of the JCR is not open to corruption or prepared to act in a corrupt way <a href="http://jamaica-gleaner.com/article/lead-stories/20181026/no-shield-cops-mark-goes-hard-corrupt-criminal-beyond-help-jcf">http://jamaica-gleaner.com/article/lead-stories/20181026/no-shield-cops-mark-goes-hard-corrupt-criminal-beyond-help-jcf</a>. This figure was given by a widely respected and authoritative figure, Mark Shields. He was sent from the London Metropolitan Police Department to help reform the JCF in the mid-2000s and became the Deputy Police Commissioner <a href="https://www.theguardian.com/world/2012/jun/07/british-officer-changed-jamaican-policing">https://www.theguardian.com/world/2012/jun/07/british-officer-changed-jamaican-policing</a>. Further, the INDECOM documentation should be used to further elaborate these issues, and due attention paid to any consequent changes required in the Policy Guidance.</p>	<p><b>Accepted.</b> We will update the CPIN following this review and incorporate suggested material.</p>

<p><b>Comment and Recommendation</b></p> <p>7.9.3 on crime rates, the report cites the IADB 2016 report, among others. However, the cited section, reporting on decreasing homicide, is further elaborated in the original with doubt cast on the nature of data collection and classification, and the report could usefully include this clarification:</p> <p>“The motives of murder suspects are an important concern of homicide investigators. The JCF classifies motives as gang-related; criminal (not gang-related), which includes robbery; mob killings; domestic; and not yet established (which has replaced “undetermined”) (Figure 2.14). The classifications are constantly changing in the direction of revealing less. During the period under review (2009-2013), for example, some of the categories that capture conflict-related murders were removed. The current focus of the JCF is on gangs, which seems to be the reference point for categorizing the motivations of homicides (gang and non-gang are thus the main groupings). We will return to the problems with the definition of “gang-related” later in this section. According to the JCF, in 2013, gang-related motives accounted for 79 per cent of all murders, non-gang criminal motives (including robbery-related deaths) accounted for 14 per cent, and domestic conflicts accounted for 6 per cent (Figure 2.14). The non-gang criminal category may become problematic, as it conceals many details. Interestingly, robbery and extortion-related killings are not given independent classifications and so are now invisible to research.”</p>	<p><b>Accepted.</b> We will update the CPIN following this review.</p>
<p><b>Recommendation</b></p> <p>7 generally: This section should include information on the massive private security industry in Jamaica. Private security companies not only install and monitor alarm systems, but they send out their own, private, armed guards to investigate any alarm event, including the activation of personal panic buttons as well as house and vehicle alarms. The private security ‘forces’ are estimated to be larger than the police force (about 20,000 guards employed by 200 registered companies in Kingston alone <a href="https://www.tandfonline.com/doi/full/10.1080/1369801X.2019.1585906?af=R">https://www.tandfonline.com/doi/full/10.1080/1369801X.2019.1585906?af=R</a>). They are regulated under a 1992 act, and there is a Private Security Regulatory Authority <a href="http://www.psra.gov.jm/index.html">http://www.psra.gov.jm/index.html</a> operated by the government. The inter-play between police and private security is significant (eg private guards being recruited to deal with attrition and low numbers of police officers; security guards themselves being targeted by criminals etc), as is the reliance by the general public on private over public security forces. (This is mentioned in citation at 7.7.2 in the reference from the Overseas Security Advisory Council, but too briefly given the impact of the focus on private security and what that means for public policing).</p>	<p><b>Accepted.</b> We will update the CPIN following this review and incorporate suggested material.</p>

## 2.6 Judiciary

This section gives an overview of the legal system. It is broadly correct in terms of what is included. It is recommended that it be updated to reflect changes in the Justice of the Peace and Lay Magistrate system, as well as on the issues of its effectiveness (which is perceived to have improved). The section on the Witness Protection Programme is weak, given its fundamental nature in the offering of an internal relocation option. The programme is characterized by various sources as ambitious and desirable, but not totally effective.

<p><b>Recommendation</b></p> <p>8.1 and/or 8.2</p> <p>This section should include a description/mention at least of the Justice of the Peace system. This was reformed in February 2018 see <a href="https://jis.gov.jm/bills-passed-expand-justices-peace-functions/">https://jis.gov.jm/bills-passed-expand-justices-peace-functions/</a> and <a href="https://jis.gov.jm/justices-peace-bill-passed-senate/">https://jis.gov.jm/justices-peace-bill-passed-senate/</a> . The reforms included the establishment of a new Lay Magistrates Court, at which the Justices of the Peace may sit. They also serve a community based legal function across the country.</p>	<p><b>Accepted.</b> We will update the CPIN following this review and incorporate suggested material.</p>
<p><b>Suggestion</b></p> <p>8.3 Effectiveness</p> <p>Freedom House <a href="https://freedomhouse.org/report/freedom-world/2018/jamaica">https://freedomhouse.org/report/freedom-world/2018/jamaica</a> cited elsewhere in the report includes the following, which could usefully be added:</p> <p><b>F. RULE OF LAW: 8 / 16 (+1)</b></p> <p><b>F1. Is there an independent judiciary? 3 / 4 (+1)</b></p> <p>Judicial independence is guaranteed by the constitution, though corruption is a problem in some lower courts. The judicial system is headed by the Supreme Court and includes a court of appeals and several magistrates’ courts. The Trinidad-based Caribbean Court of Justice is the highest appellate court.</p> <p>There were several high-profile convictions during 2017, including in July of a policeman for his involvement in shooting and killing a teenager in 2007. According to a May 2017 report published by the Office of the Contractor General, 68 percent of respondents believed judges had integrity.</p> <p>Score Change: The score improved from 2 to 3 because the judiciary has established a record of independent decisions, and is regarded as independent by much of the public.</p>	<p><b>Accepted.</b> We will update the CPIN following this review and incorporate suggested material.</p>

## Recommendation

8.3.2 On the Witness Protection Programme: as noted in the review of the CPIN Jamaica: Fear of Organized Crime, the Witness Protection Programme is not as successful as the citation in this section would suggest (citation of US State Department report says: “There is a Witness Protection Program, but many eligible witnesses either refused protection or violated the conditions of the program. According to the JCF, no participant who abided by the rules of the program has ever been killed”.)

The US State Department’s 2017 report, updating the 2016 report cited in the CPIN used different language on witness protection:

“There is a witness protection program, but many eligible witnesses either refused protection or violated the conditions of the program. While the JCF reported that no participant in the witness protection program was ever killed, the program suffered from a number of problems. The government allocated approximately \$1 million in additional funds for the program in February.” <https://www.state.gov/documents/organization/277587.pdf>

The Director of Public Prosecutions had lamented the lack of funding for and difficulties of the Witness Protection Programme. [http://dpp.gov.jm/news/dpp\\_laments\\_lack\\_of\\_resources](http://dpp.gov.jm/news/dpp_laments_lack_of_resources). In February 2017 the government made additional funds available for Witness protection (12 million JMD, approximately US\$1 million) <http://jamaica-gleaner.com/article/news/20170220/government-pump-12m-witness-protection-programme-jfj-welcomes-move>

Among reported problems: In late 2017 a woman and her daughter were reportedly excluded from the witness protection programme after the trial in which the mother was to testify (against the killer of the girl’s father/her partner) concluded. The women told her story to the media – giving rise to questions about the protection she needed, if she could talk publicly about it – but the story itself opens questions about how well the programme is operating, and whether it can be relied upon.

<http://jamaica-star.com/article/news/20171208/desperate-find-home-woman-child-evicted-after-being-taken-witness-protection> –

There are also stories that suggest that the witness protection programme suffers in part due to the size of the island. For example, one man says he was kicked off the programme for returning to Kingston – which he did as a truck driver delivering goods, because without work he could not feed his family – whereas the programme required him to stay away as he had testified against his nephew in a gang shooting case. [http://www.jamaicaobserver.com/front-page/kicked-out-man-slams-witness-protection-programme-for-removing-him-after-working-to-feed-family\\_130590?profile=&template=PrinterVersion](http://www.jamaicaobserver.com/front-page/kicked-out-man-slams-witness-protection-programme-for-removing-him-after-working-to-feed-family_130590?profile=&template=PrinterVersion)

In sum the information available suggests that, at best, while the Witness Protection Programme sometimes works for some people, it is not totally safe or supportive for every witness, or every case. The Canadian IRB indicates that the Executive Director of the NGO Jamaicans for Justice said: “the witness protection programme is “ineffective” and “not trusted” (JFJ 14 Dec. 2012).” <https://www.ecoi.net/en/document/1174103.html>

**Accepted.** We will update the CPIN following this review and incorporate suggested material.

## 2.7 Women

While gang-on-gang violence and killings in Jamaica make up a significant number of the annual statistics, the level of ‘femicide’, rape and domestic/intimate partner violence is also amongst the highest in the Caribbean/Latin America region and the world. This could be more clearly reflected in the report. The current simple listing of sources, as compared to full citations in earlier sections, is a weakness in the CPIN.

<p><b>Recommendation</b></p> <p>11.1.2 It would seem appropriate to use some language taken from the texts, particularly giving more clarity on the level of violence against women, as has been done in previous sections of the report. These should specifically include information from reports indicated in the report on the nature of domestic/intimate partner abuse, level of murders of women, rapes and other issues impacting women.</p>	<p><b>Partially accepted.</b> We will update the CPIN following this review and try to incorporate some direct quotes. However, we are now presenting all our new backgrounders in a different style with more links and less text.</p>
<p><b>Recommendation</b></p> <p>For inclusion under point 11 generally: Trafficking for labour and sexual exploitation is an issue in Jamaica, which is both a source and destination country. There is information in the US State Department’s Annual Trafficking in Person’s report <a href="https://www.state.gov/j/tip/rls/tiprpt/countries/2018/282679.htm">https://www.state.gov/j/tip/rls/tiprpt/countries/2018/282679.htm</a> Jamaica is classed as Tier 2 – with more effort needed on protection and prosecution of trafficking crimes.</p>	<p><b>Accepted.</b> We will update the CPIN following this review and incorporate suggested material.</p>
<p><b>Suggestion</b></p> <p>At 11.1.2 An additional literature suggestion would be the IDB/UN Women 2016 report on Women’s Health in Jamaica, which includes references to femicide, the increase in the rate of rapes between 2009 and 2013, and identifies gaps in information, knowledge, data collection and policy approaches. It also includes background evidence on the causes of crimes against women in the country. <a href="https://publications.iadb.org/en/womens-health-survey-2016-jamaica-final-report">https://publications.iadb.org/en/womens-health-survey-2016-jamaica-final-report</a>.</p>	<p><b>Accepted.</b> We will update the CPIN following this review and incorporate suggested material.</p>

## 2.8 Children

This section describes the situation for children in terms of laws, policies and broad practices, but it does not explain how widespread child abuse, corporal punishment, sexual abuse of children and murder are. Nor does it point to the long-term consequences of the amount of violence encountered in childhood for these individual's and the country's future.

### Recommendation/suggestions

Section 12 as a whole is descriptive of policy and law, but does not really portray the extent of the situation of violence and abuse for children in Jamaica, or the lack of protection for very many children, in particular, but not exclusively, those from a poorer socio-economic environment. It is **recommended** that more quantitative data and context be included.

UNICEF report [https://www.unicef.org/jamaica/media\\_37374.html](https://www.unicef.org/jamaica/media_37374.html) that in 2017 8 in 10 children aged 2-14 in Jamaica experienced some form of violent discipline, whether at home, at school or in the community. 24 per cent of Jamaican girls aged 10-14 indicated that their first sexual encounter was rape. 47 children were murdered in Jamaica in the first 10 months of the year.

An overview of childhood in Jamaica [https://www.unicef.org/jamaica/UNICEF\\_20180618\\_SituationAnalysis\\_web.pdf](https://www.unicef.org/jamaica/UNICEF_20180618_SituationAnalysis_web.pdf) shows, of relevance to this section of the CPIN:

In a climate of high crime and violence, 68 of every 100,000 Jamaican children are victims of violent crimes. Approximately 80 per cent of Jamaican children experience some form of psychological or physical violence administered as discipline, about 65 per cent of students are bullied at school and 79 per cent of children witness violence in their community or at home.

School attendance is lowest in rural areas and amongst the poor

It is **suggested** that this section of the report show the quantitative picture of life for Jamaica's children, and their relative lack of protection in society at large, as well as the qualitative description, which could suggest that the hardships impact just a few.

**Accepted.** We will update the CPIN following this review and incorporate suggested material.



## Suggestions

In line with the comment above, it is **suggested** that consideration be given to the fact that the high level of community violence in Jamaica is likely to expose Jamaican children to violence, even if they are not direct victims, as this exposure is also a lack of protection. One source says:

“There has been no detailed study of the exposure of Jamaican children to violence in their daily lives. Some 1674 urban 11-12-year-old children, previously part of a national birth cohort study, completed a questionnaire detailing their exposure to violence as witnesses, victims and aggressors. Their parents completed a socio-economic questionnaire.

Jamaican children had high levels of exposure to physical violence. A quarter of the children had witnessed severe acts of physical violence such as robbery, shooting and gang wars, a fifth had been victims of serious threats or robbery and one in every twelve had been stabbed. Children reported being least exposed to sexual violence and to being shot at. Robbery was an almost universal experience affecting children from all schools and socio-economic groups. The single commonest experience as a victim of violence was the loss of a family member or close friend to murder, affecting 36.8% of children. Children’s experiences of witnessing violence occurred chiefly in their communities but their personal experiences of violence occurred at school. Boys and children attending primary school had greater exposure to violence as witnesses and victims. Socio-economic status discriminated exposure to physical violence as witnesses but not as victims. Intervention strategies to reduce children’s exposure to violence should include community education on the impact of exposure to violence on children, particularly the loss of a significant person, and the development of a range of school-based violence prevention programmes.”

(11) (PDF) *Urban Jamaican children’s exposure to community violence*. Available from: [https://www.researchgate.net/publication/7849736\\_Urban\\_Jamaican\\_children%27s\\_exposure\\_to\\_community\\_violence](https://www.researchgate.net/publication/7849736_Urban_Jamaican_children%27s_exposure_to_community_violence) [accessed May 02 2019].

**Accepted.** We will update the CPIN following this review and incorporate suggested material.

<p><b>Recommendation</b></p> <p>This section should also include mention of missing girls, many of whom are presumed to become victims of trafficking <a href="https://sta.uwi.edu/crgs/december2016/journals/CRGS_10_Pgs_127-136_THill_InvestigationHumanTrafficking.pdf">https://sta.uwi.edu/crgs/december2016/journals/CRGS_10_Pgs_127-136_THill_InvestigationHumanTrafficking.pdf</a> The nightly news in Jamaica includes a bulletin on people who are missing – everyday there are dozens of individuals, the majority children, whose information comes up on the screen, including when they were last seen, where, their age and a photograph. Although reported missing, and obviously looked for in this way, many are never seen again. Some are probably escaping violence by running away, but even they may become victims of traffickers, or exploited (including for sexual purposes) and hidden within Jamaica. The US signed an agreement with Jamaica in 2014 to fight child trafficking, the fourth such agreement worldwide signed by the US, showing that the level of child trafficking in and from Jamaica must be taken seriously. <a href="https://www.theepochtimes.com/us-jamaica-sign-agreement-to-fight-child-trafficking_2549466.html">https://www.theepochtimes.com/us-jamaica-sign-agreement-to-fight-child-trafficking_2549466.html</a></p>	<p><b>Accepted.</b> We will update the CPIN following this review and incorporate suggested material.</p>
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## 2.9 Citizenship and nationality

<p>The information in this section appears to be accurate. Reference could, it is <b>suggested</b>, usefully also be made to the Passport, Immigration and Citizenship Agency, which administers these matters.</p>	<p><b>Accepted.</b> We will update the CPIN following this review and incorporate suggested material.</p>
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## 2.10 Freedom of movement

<p>The information in this section appears to be accurate.</p>	
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## 2.11 Official documents

<p>There is some progress on NIDS including a 2017 Act introducing the system. See <a href="https://opm.gov.jm/portfolios/national-identification-system/">https://opm.gov.jm/portfolios/national-identification-system/</a></p>	<p><b>Accepted.</b> We will update the CPIN following this review and incorporate suggested material.</p>
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## 2.12 LGBT rights

LGBT rights are not included in the report, but are very important in assessing the background in Jamaica relating to actors of protection and internal relocation for an unknown proportion of the population, as reflected in a separate Home Office CPIN on Jamaica (Sexual Orientation and Gender Identity, February 2017). It is recommended that they be included in this Background Information CPIN, as this is a very important aspect of the human rights and societal situation in Jamaica, where there is some improvement and gradually increasing tolerance, but where intolerance and discrimination prevail.

### Recommendation

A particular group who suffer discrimination, intolerance and harassment by non-state actors, as well as little protection from the state in those situations, are LGBT persons. It would seem appropriate to include this group and some context in the report. Some of this can be drawn from the information included in The Home Office Country Policy and Information Note Jamaica: Sexual Orientation and Gender Identity of February 2017 (which was not included in the request for review). [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/594901/Jamaica - SOGI - CPIN - v2 0.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/594901/Jamaica_-_SOGI_-_CPIN_-_v2_0.pdf)

This document states, for example, that:

LGBT persons who live openly will be at risk of discrimination, intolerance, harassment, ill-treatment and violence by non-state actors which will, in many cases, amount to persecution.

Consensual sex between adult males is proscribed by law; prosecutions are rarely pursued although no official statistics are available. Jamaican law does not criminalize sexual orientation or changes to gender identity itself, nor does the government condone discrimination or violence against LGBT persons (see [Legislation](#)).

In general there is no real risk of state persecution as the authorities do not actively seek to prosecute LGBT persons and there is no real risk of prosecution even when the authorities become aware of such behaviour. Each case must however be considered on its facts with the onus on the person to demonstrate that they would be at real risk on return.

Jamaica is a deeply homophobic society and there are reports of LGBT persons facing a high level of both physical and sexual violence from non- state agents (and some rogue state agents) and many live in constant fear. LGBT persons are targeted for mob violence, 'corrective rape', extortion, harassment, forced displacement and discrimination, and are taunted, threatened, fired from their jobs, thrown out of their homes, and suffer ill-treatment including being beaten, stoned, raped, or killed (see [Treatment by, and attitudes of, state authorities](#) and [Societal treatment and attitudes](#)).

**Partially accepted.** As the reviewer notes, we have a separate CPIN on sexual orientation and gender identity which covers the recommendation. This bespoke CPIN covers the subject in much more detail than we would be able to in a background note and also provides analysis for decision makers. However we will provide a link within the background note to the sexual orientation and gender identity CPIN and update that CPIN to take account of your suggestions and incorporate updated material.

In addition, in the case DW (Homosexual Men – Persecution – Sufficiency of Protection) Jamaica v. Secretary of State for the Home Department, CG [2005] UKAIT 00168, United Kingdom: Asylum and Immigration Tribunal / Immigration Appellate Authority, 28 November 2005, available at: [https://www.refworld.org/cases,GBR\\_AIT,46836aa80.html](https://www.refworld.org/cases,GBR_AIT,46836aa80.html) it was concluded that:

“Men who are perceived to be homosexual and have for this reason suffered persecution in Jamaica are likely to be at risk of persecution on return. Men who are perceived to be homosexual and have not suffered past persecution may be at risk depending on their particular circumstances. The Secretary of State conceded that, as a general rule, the authorities do not provide homosexual men with a sufficiency of protection. There are likely to be difficulties in finding safety through internal relocation but in this respect no general guidance is given.”

Additional sources on these points could include:

Freedom House: “The LGBT community experiences harassment and violence, and this impacts the ability of LGBT people to engage in political and electoral processes.” – <https://freedomhouse.org/report/freedom-world/2018/jamaica>

Human Rights Watch: “High levels of violent crime, public mistrust of police, low levels of crime reporting, low prosecution rates, and a perception that the criminal justice system is skewed against the poor are widespread in Jamaican society. However, LGBT Jamaicans—especially those who are poor and unable to live in safer, more affluent areas—are particularly vulnerable to violence. Many live in constant fear. They are taunted; threatened; fired from their jobs, thrown out of their homes; beaten, stoned, raped, and even killed”. <https://www.hrw.org/report/2014/10/21/not-safe-home/violence-and-discrimination-against-lgbt-people-jamaica>

US Department of State <https://www.state.gov/documents/organization/265810.pdf>:

“The law prohibits “acts of gross indecency” (generally interpreted as any kind of physical intimacy) between persons of the same sex, in public or in private, and provides a penalty of two years in prison for the offense. There is also an “antibuggery” law that criminalizes consensual and nonconsensual anal intercourse, punishable by up to 10 years in prison. During the year the law was enforced only in cases of sexual assault and child molestation and was not used to prosecute consensual same-sex sexual conduct between men. Homophobia was widespread in the country.

The NGO J-FLAG reported that through June there were 53 incidents of physical and verbal assault against 35 LGBTI persons, including 24 cases of physical assault, 11 of verbal assault, 12 involving threats and intimidation, one case of arson, and one case of harassment by a police officer. The JCF reports that most incidents involving the LGBTI population are not reported to police.”

CBS news: International advocacy groups often portray this Caribbean island as the most hostile country in the Western Hemisphere for gays and transgendered people. After two prominent gay rights activists were murdered, a researcher with the U.S.-based Human Rights Watch in 2006 called the environment in Jamaica for such groups “the worst any of us has ever seen.”

Local activists have since disputed that label, but still say homophobia is pervasive.”

<https://www.cbsnews.com/news/transgender-teen-stabbed-shot-and-run-over-by-jamaican-mob/>

Effi Booth, ‘The Most Homophobic Place on Earth? A Look Into the Anti-Homosexuality Culture of Jamaica’

“Mob violence, denied access to basic rights and services, and dancehall music that promotes the killing of gay and lesbian individuals are a few of the backlashes homosexual Jamaicans face everyday. Jamaican culture forces homosexuals to decide between living a life masking who they really are, or facing the consequences of being their true selves.” <https://tuljournals.temple.edu/index.php/perceptions/article/view/109/116>

Note: this addition to the Country Information may necessitate changes to the Policy Guidance, but that is beyond the remit of this review.

### 3. Review of responses to COI requests

#### COI request – Jamaica Homeless Shelters 03/19-024

*Summary: Condition of Open Arms Shelter for the Homeless, and whether it is supported by the British High Commission*

<p>With regard to the question of whether the shelter is currently supported by the British High Commission, the reviewer has no detailed knowledge or information on that point other than what the COI request indicates was said by the British High Commission in an email response, namely that it financially supports the Shelter.</p>	
<p>In terms of background to the Centre, the Bellevue Hospital (where it is located) website gives some background to the opening of a 28 bed wing within the Open Arms Shelter, supported by the British and Jamaican governments, for support and rehabilitation of returnees, deported persons and people with mental health concerns. The item is undated <a href="http://www.bellevuehospital.org.jm/news/govt-opens-28-bed-rehab-for-deportees-and-ex-offenders">http://www.bellevuehospital.org.jm/news/govt-opens-28-bed-rehab-for-deportees-and-ex-offenders</a> but does talk of the opening being on Wednesday February 23, which suggests this was 2011.</p>	<p><b>Accepted.</b> We will update the COI following this review and incorporate suggested material.</p>
<p>With regard to conditions at the Centre the reviewer has no direct information.</p> <p>Web searches indicate that conditions at the shelter are basic, and, due to location and circumstances, cannot be fully protective of those staying there, in spite of best efforts being made.</p> <p>Open Arms Facebook page has not been updated since 2015. Prior to that it shows projects to develop life skills and employment opportunities. It is not clear when the shelter’s own website was last updated.</p> <p><a href="https://openarmscentre.wixsite.com/communtiy-action-gro/photo-gallery?fbclid=IwAR1Q1c9hq10foGLHoOAnfZFYTOUzwHW_zcpk96q8v0GTobqFscyRkDNtbml">https://openarmscentre.wixsite.com/communtiy-action-gro/photo-gallery?fbclid=IwAR1Q1c9hq10foGLHoOAnfZFYTOUzwHW_zcpk96q8v0GTobqFscyRkDNtbml</a>. There is a December 2017 article on the centre’s programmes in the Jamaica Observer – <a href="http://www.jamaicaobserver.com/news/open-arms-centre-8212-120429?profile=1373">http://www.jamaicaobserver.com/news/open-arms-centre-8212-120429?profile=1373</a>. A 2017 IOM profile of Migration in Jamaica, written by highly respected local academic Elizabeth Hope-Thomas, suggests greater support for Open Arms Shelter in connection with the role they could play with victims of trafficking <a href="https://publications.iom.int/system/files/pdf/mp_jamaica_2018.pdf">https://publications.iom.int/system/files/pdf/mp_jamaica_2018.pdf</a> p.132</p>	<p><b>Accepted.</b> We will update the COI following this review and incorporate suggested material.</p>

A 2011 Georgetown University Law Center paper, investigating the US return programme to Jamaica, said of conditions at the centre: “The Open Arms Drop-in Centre provides slightly more comfortable accommodations and has a day program that provides employment services and skills training. However, the shelter is surrounded by a cage-like fence and is located in a dangerous neighborhood in downtown Kingston.” [https://scholarship.law.georgetown.edu/cgi/viewcontent.cgi?article=1005&context=hri\\_papers](https://scholarship.law.georgetown.edu/cgi/viewcontent.cgi?article=1005&context=hri_papers) p.51 According to that same report, the shelter, in 2011, was open in the day for both men and women, but has beds only for men (p.86). The same report details difficulties people at the shelter have in obtaining documentation and how they are often exploited and stigmatized as homeless, with mental health issues, and deportees.

Conditions are also described in a 2016 newspaper article, reporting on complaints from a resident and an unannounced visit. This also indicates only men live at the facility, which is basic, has difficulties and needs constant funding, but has a strong director. <http://jamaica-gleaner.com/article/news/20160131/army-eight-fixing-frail-and-protecting-homeless>

## 4. Information about the Reviewer

Dr Joanne van Selm is an Independent Consultant on Migration and Refugee policies. She lived in Kingston, Jamaica from 2013-2016. During part of her time in Jamaica, Dr van Selm undertook a consultancy with UNHCR-RO Washington to look at the systems and organizations in place to work with asylum seekers and refugees in Jamaica. One element of that consultancy was sitting in on regular UN country team meetings. This consultancy also entailed meetings with a range of domestic and international actors in the human rights and migration related fields in Kingston. Dr van Selm is a member of the Migration and Development Cluster at SALISES, the University of the West Indies – Mona. She has also written for IOM/Eurasylum's Migration Policy Practice journal on migration in the Caribbean.



# Annex E: Review of the March 2017 Home Office Country Policy and Information Note Jamaica: Fear of Organized Criminal Gangs

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

Joanne van Selm, Independent Consultant on International Migration and Refugee Policy<sup>13</sup>

May 2019

The review is written in a personal capacity.

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<sup>13</sup> Please see biographical statement at the end of this review.

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# 1. Introduction

## 1.1 Instructions

This review evaluates the Country Policy and Information Note Jamaica: Background information, including actors of protection, and internal relocation (March 2018) and the Country Policy and Information Note Jamaica: Fear of organized criminal gangs (March 2017)

The evaluation is to:

- assess the extent to which information from source documents has been appropriately and accurately reflected in the CPIN report
- identify additional sources detailing the current human rights situation in the country with respect to main grounds for asylum claims as noted in the CPIN report.
- Note and correct any specific errors or omissions of fact
- Make recommendations for general improvements regarding structure, coverage or overall approach
- Ensure no reference is made to an individual source which could expose them to risk.
- Focus exclusively on country of origin information and not to pass judgement on the policy guidance;
- Consider the situation until the 'cut off date';
- Make a list of suggested changes, and to reference open source documents which the Home Office could use.

## 1.2 Methodology

The methodology used for this review has involved:

- Following the links and citations in the report, examining the source documents for accuracy of citation and to assess whether the most pertinent aspects have been drawn out.
- Pursuing additional relevant sources where useful and appropriate to support and expand the relevant points

- Reflection on the reviewer’s experience in and knowledge of Jamaica to investigate through publicly available materials to add those sources/ citations in review where relevant.

## 1.3 Summary of Review

The CPIN on fear of organized crime in Jamaica sets out a broad scene, but treats the actual ‘fear’ in a relatively mundane way. That Jamaicans fear crime – be it theft, robbery, assault, rape or murder – is evident primarily in the adjustments that have taken place in people’s lifestyles, and been incorporated into the day-to-day, but which stand out to a person who is not used to living their life with that same level of fear. House alarms are commonplace in much of the world, but in Jamaica they don’t link to a company which calls the police if necessary, they link to a locally stationed crew of armed private guards on motorbikes who arrive seconds after the alarm goes off, ready to deal with any imposter. The homes they arrive at are grilled, locked and often have guard dogs or a security guard at the gate. Jamaicans of middle to high income do not walk on streets, they drive from guarded compound to guarded compound to shop, eat out, go to school, play sports etc. Poorer Jamaicans arrive home on taxibuses to find that the roof supplies they’ve been gradually buying ready to hire a neighbour to fix the leak have all been stolen and they must start over. Crime is everywhere, and fear of that crime is part of life. This could be more robustly conveyed in the CPIN.

**HO comment: This arguably goes beyond the scope of the review which is to “• Focus exclusively on country of origin information and not to pass judgement on the policy guidance”. See also comment under 1.4 about “fear” and the context in which that is addressed and the purpose of the CPIN.**

Key recommendations in the review are:

Information on Lottery Scamming, the major form of gang activity giving rise to turf wars and gang-on-gang violence and killings since 2015 should be included.

- Information on the connections between Dancehall and gangs should be included, including the motivation to violence expressly contained in Dancehall lyrics and the specific and notorious case of Vybz Kartell.
- Additional sources on gangs/posses should be included.
- The impact of the garrison communities phenomenon on the links between gangs and national politics should be included.
- The government strategy, started in early 2017, of Zones of Special Operations should be included and explained.
- The problems with the Witness Protection Programme should be included and drawn out.
- The prevailing fear of crime in which Jamaicans live should be explicitly brought out.

## 1.4 Understanding of the themes addressed in the CIG Reports

The report generally reflects prevalent legal usage and academic understandings of the themes under consideration. However, the way in which ‘fear’ is described does not do justice to the reality of everyday Jamaican life and adaptations to deal with the prevailing crime and violence.

**HO comment: “Fear” in the CPIN is in the context of whether it is a well-founded fear of persecution for the purposes of the Refugee Convention.**

## 1.5 Quality and balance of sources

There is heavy reliance on one single source in several sections – Dr Enrique Desmond Arias, ‘Getting Smart and Scaling Up: The Impact of Organised Crime on Governance in Developing Countries, A Desk Study of Jamaica’ II. The Nature of Organized Crime in Jamaica, June 2013 [http://cic.nyu.edu/sites/default/files/kavanagh\\_crime\\_developing\\_countries\\_jamaica\\_study.pdf](http://cic.nyu.edu/sites/default/files/kavanagh_crime_developing_countries_jamaica_study.pdf),

In general, however, the quality of the sources is good, and additional sources are suggested below to supplement in different sections.<sup>14</sup>

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<sup>14</sup> Please note that sources are indicated by hyperlink in the text below, and not fully spelled out in a bibliography for the sake of space. The connections should, however, be easily accessible.

## 2. Review

### 2.1 Crime levels

The information presented on crime levels gives overall statistics, but without context either as to the level of violence in a comparative context or to what ‘organized crime’ or gangs really mean. The suggestions relating to how Jamaicans live with fear in their day to day lives rather play down the cautions they generally take in terms of not walking in the streets; securing houses with all windows grilled, alarm systems, the use of ferocious guard dogs etc. The major gang/organized criminal activity since 2015 has been lottery scamming, giving rise to violence between rival gangs. This activity is not mentioned in the CPIN.

#### Suggestion

##### 4.1 Rate of Murder and other serious crime

It could be useful to add context to the rate of murder and other serious crime.

A column in one of the main national newspapers noted in 2018 (about 2016, so within the date of the report):

“In 2016 Jamaica had the world’s highest violent death rate for females, and the sixth highest in total ([www.smallarmssurvey.org/fileadmin/docs/U-Reports/SAS-Report-GVD2017.pdf](http://www.smallarmssurvey.org/fileadmin/docs/U-Reports/SAS-Report-GVD2017.pdf)). Our paradise island ranked overall below Syria, Venezuela, El Salvador, Honduras, Afghanistan, and above Iraq, Libya, Somalia. But we were easily number one for slaughtering women, and remain so. Our 1,615 murders last year equals 59 per 100,000. The global average is about six. So we kill each other 10 times as often as the rest of the world ( [https://en.wikipedia.org/wiki/List\\_of\\_countries\\_by\\_intentional\\_homicide\\_rate](https://en.wikipedia.org/wiki/List_of_countries_by_intentional_homicide_rate)).” [http://www.jamaicaobserver.com/the-agenda/the-crime-statistics-speak-for-themselves\\_130574?profile=1096](http://www.jamaicaobserver.com/the-agenda/the-crime-statistics-speak-for-themselves_130574?profile=1096)

**Accepted.** We will address this point when we update the CPIN following this review and incorporate suggested material. We would, however, be wary of using information directly from Wikipedia, although we may be able to use one of the sources cited – however this link does not open so we were unable to ascertain which sources they had used.

**Comment**

## 4.2 Prevalence of organized crime

Although the theoretical notion that gangs can be organized and then labelled ‘organized crime’ is understandable, the sense when living in Jamaica is not that the problem for Jamaicans in their day to day life is specifically or only organized crime, or even gangs. The citation of the Acting Commissioner of Police (at 4.2.8) that 65% of murders in 2016 were attributable to gang activities also means that 35% of the murders are not gang related, so about 475 in 2016. In a population of under 3 million that is still a high rate of murder. Also at 4.2.8, a security expert Jason McKay (owner of a security company, and a Tae Kwando artist) is cited as saying that the average law-abiding citizen is not at a very high risk of being killed if not involved in gang activities. While that might, in principle be true, the average law-abiding Jamaican citizen (and non-Jamaican resident) does their best not to walk through the streets, even, or particularly, of “upper class” neighbourhoods, due to the prevalence of muggings and other criminal attacks, which are certainly not gang-on-gang, even if they might be perpetrated by gang members, and will often involve a knife or gun and potentially result in serious injury or death. Anecdotally, for example, Jamaican household helpers and gardeners would not walk from our compound to a taxi stand at the bottom of the hill because other helpers had been mugged walking that route: they would order taxis to drive up, even if that was more expensive. In three years in Jamaica we never walked more than a block on the open street in Kingston. Shops, cinemas, restaurants, schools are all on compounds, gated malls or campuses, with secure entrances and (armed) security staff. So, the average person in Jamaica (or certainly Kingston) might not be at very high risk of being killed, but that is partly because of all the security and most people certainly behave as if they might be at least attacked if not in a protected space. Additional to this, people walking on streets in many of the more upscale Kingston neighbourhoods would be at risk from escaped and ‘highly sensitive’ guard dogs, or even just these ferocious animals scrambling up trying to get over high walls. Other precautions widely taken include locked grilles on all windows and doors, security guards located at complexes, shopping centres and middle/upper-class homes, alarms, panic buttons etc.

**Accepted.** We will address this point when we update the CPIN following this review, however this CPIN is focussing on gang related crime.

<p><b>Recommendation</b></p> <p>The rise in murders in 2015 was in large part attributable to violence between gangs participating in lottery scamming. This aspect of organized criminal activity is not mentioned in the report and should be included both at 4.1 or 4.2 and within Section 5.</p> <p>“Authorities <a href="#">have attributed</a> Jamaica’s dramatic increase in homicides in 2015 to clashes between <a href="#">rival lottery scam rings</a> on the Caribbean island nation. Lottery scamming is a form of advance fee fraud that involves contacting victims via phone or email with the bogus promise of a lottery win, which can be collected only after the victim has sent money in advance.</p> <p>In Jamaica, rival scam rings are reportedly competing for control of money and “lead lists,” which contain the contact details of thousands of potential targets, mainly in the United States.”</p> <p><a href="https://www.insightcrime.org/news/brief/jamaica-homicide-spike-fuelled-by-lottery-scam/">https://www.insightcrime.org/news/brief/jamaica-homicide-spike-fuelled-by-lottery-scam/</a></p>	<p><b>Accepted.</b> We will address this point when we update the CPIN following this review and incorporate suggested material.</p>
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## 2.2 Nature of Organized Crime

This section of the CPIN covers several of the long-standing areas in which organized criminal activities take place. However, it omits information on lottery scamming and on the links between gang violence and Dancehall, both of which should be included to present a fuller picture.

<p><b>Recommendation</b></p> <p>As noted above, lottery scamming should be included in this section as its prevalence and the rivalries between gangs have driven a lot of the gang-on-gang violence, particularly in St James (Montego Bay) since 2015.</p>	<p><b>Accepted.</b> We will address this point when we update the CPIN following this review.</p>
<p><b>Recommendation</b></p> <p>This section should also include information on the links between Dancehall and gang violence. For example The Economist, writing on the murder trial of Dancehall star Vybz Kartel (who was found guilty, and continues to prolifically produce music from jail), noted that “In September [2013] the police commissioner Owen Ellington told the Jamaican parliament that “intelligence and evidence” show that some entertainers have been co-opted by criminal gangs, and use songs to promote killing, intimidation and a code of silence that allows wrongdoers to operate at will. Academics link violent lyrics to the marginalisation of young working-class males. On March 7th [2014] Parliament passed legislation prohibiting any “audio, visual or audiovisual communication” that promotes killing or violence. There is plenty to ban. “They’ll have to keep on locking them up,” says one Jamaican musician.”</p> <p><a href="https://www.economist.com/americas-view/2014/03/17/bad-vybz">https://www.economist.com/americas-view/2014/03/17/bad-vybz</a></p>	<p><b>Accepted.</b> We will address this point when we update the CPIN following this review and incorporate suggested material.</p>



## 2.3 Organized Gangs ('posses')

This section is accurate, and usefully conveys that the number and nature of gangs/posses is unclear – and therefore the nature of the 'organized' factor is unclear.

### Recommendation

A useful source to supplement this section, which currently draws heavily on a single source, would be Ioan Grillo 'Jamaican Organized Crime after the Fall of DUDUS COKE', (2014) <https://ctc.usma.edu/jamaican-organized-crime-after-the-fall-of-dudus-coke/>

"Following the "Dudus affair," Jamaican traffickers have splintered into smaller groups to avoid detection and conspiracy charges. These groups have been effective at smuggling, and the Caribbean has become more important as a corridor for cocaine heading to the United States. The loss of Coke, however, has left a power vacuum in certain Jamaican ghettos. A new strongman may arise to fill this space unless the fundamental causes of crime and violence in these areas are resolved.

The unrest in Jamaica around the arrest of Coke also showed how criminal gunmen can unleash violence that surpasses public security to become a national security issue, threatening the state itself as it has in other countries including Mexico. Jamaican politicians appear to have learned from this confrontation and backed away from their historic links to criminal gangs in the last three years. Nevertheless, these links have deep roots, and it remains to be seen whether Jamaican politicians avoid turning back to gang leaders to deliver them votes in the future."

**Accepted.** We will address this point when we update the CPIN following this review and incorporate suggested material.

## 2.4 Organised crime and national politics

The CPIN correctly draws attention to links between political leaders and gangs/gang leaders, however the explanation of the connections and their historic and pervasive nature is not explicit or stark enough to convey the reality of what this means for continuing violence and crime, and the paucity or complexities of the responses to the time of the CPIN.

<p><b>Suggestion</b></p> <p>A relatively recent source on this subject (after the cut off date, but if the paper were to be updated) is <a href="http://www.jamaicaobserver.com/the-agenda/what-really-is-the-opposition-pnp-fighting-to-achieve-_131101">http://www.jamaicaobserver.com/the-agenda/what-really-is-the-opposition-pnp-fighting-to-achieve-_131101</a></p>	<p><b>Accepted.</b> We will update the CPIN following this review and incorporate suggested material.</p>
<p><b>Comment/Recommendation</b></p> <p>The notion or concept of the garrison community could be made more explicit, for example:</p> <p>“In Jamaica a political garrison is an area where at least 90% of the eligible votes are cast for either the PNP or JLP. Those votes are usually secured by way of coercion, intimidation (both implicit and explicit) or through bribery. Another distinct characteristic of political garrisons is the refusal of many residents to pay utility bills. There is minimal investment in the area by the established private sector and whatever infrastructure is still standing is decayed and there is usually an absence of civic pride.” <a href="https://jamaicans.com/garrisondismantle/">https://jamaicans.com/garrisondismantle/</a></p> <p>Kevin Edmonds <a href="https://www.researchgate.net/profile/Kevin_Edmonds3/publication/299420350_Guns_gangs_and_garrison_communities_in_the_politics_of_Jamaica/links/5b59f5420f7e9bc79a6681fe/Guns-gangs-and-garrison-communities-in-the-politics-of-Jamaica.pdf">https://www.researchgate.net/profile/Kevin_Edmonds3/publication/299420350_Guns_gangs_and_garrison_communities_in_the_politics_of_Jamaica/links/5b59f5420f7e9bc79a6681fe/Guns-gangs-and-garrison-communities-in-the-politics-of-Jamaica.pdf</a> describes the interplay of politics, society, economics and the garrison/gang culture”</p> <p>“The ultimate goal of such relationships is to maintain the status quo of a ‘relative social peace’ in which political demands fall short of calls for a transformation of society through the introduction and implementation of policies based upon social justice. Rather, the marginalised settle for immediate material promises of jobs, housing, infrastructure, peace and protection for loyal communities. Granting short-term material benefits to communities which remain otherwise alienated and marginalised dampens demand for political and economic reform.”</p> <p>The idea that these garrisons need to be dismantled in order to truly get crime under control has been around for at least two decades, but the interplay of power, status, wealth and crime appears to be too strong. In other words, the answer to the problems is in large part political – but a step that politicians are not (yet) willing to take.</p> <p>““This is bigger than police and soldiers. They can’t stop this. Only politicians can stop this because here is a garrison,” one resident told the Jamaica Gleaner.” <a href="https://www.insightcrime.org/news/brief/jamaica-brings-back-security-force-occupation-violence-rises/">https://www.insightcrime.org/news/brief/jamaica-brings-back-security-force-occupation-violence-rises/</a> (2018 – so outside the cut off date of the paper)</p>	<p><b>Partially accepted.</b> The first two links are inaccessible. However, we will update the CPIN following this review and incorporate the other material.</p>

Further, there are suggestions that the Zones of Special Operations (ZOSOs) could help bring an end to the garrison 'tradition' and its outcome of human and civil rights violations. [http://www.jamaicaobserver.com/news/zoso-could-be-the-beginning-of-the-end-of-garrison-rule\\_145564?profile=1444](http://www.jamaicaobserver.com/news/zoso-could-be-the-beginning-of-the-end-of-garrison-rule_145564?profile=1444)

## 2.5 Government Response

This section presents some of the measures taken by the PNP government (2012-2017), but does not include the March 2017 law creating Zones of Special Operations, which is the strongest push yet to get control over certain high crime neighbourhoods, although it is not without criticism on the level of (potential) rights violations.

### Recommendation

This section should include the Zones of Special Operations law of March 2017 (coinciding with the cut off date) and, if updating, the subsequent and on-going implementation. [https://www.japarliament.gov.jm/attachments/article/339/The%20Law%20Reform%20\(Zones%20of%20Special%20Operations\)%20\(Special%20Security%20and%20Community%20Development%20Measures\)%20Act,%202017.pdf](https://www.japarliament.gov.jm/attachments/article/339/The%20Law%20Reform%20(Zones%20of%20Special%20Operations)%20(Special%20Security%20and%20Community%20Development%20Measures)%20Act,%202017.pdf)

**Accepted.** We will address this point when we update the CPIN following this review and incorporate suggested material.

## 2.6 Witness protection

The information in the CPIN on the Witness Protection programme is somewhat basic, and gives the impression, not entirely accurate, that the programme is running, and has always, run well. This section should be strengthened to reflect the problems with the programme, and the efforts to improve it.

## Recommendation

This section should reflect the problems with the Witness Protection Programme, the challenges it faces and the efforts to improve it. Some examples of useful information:

The Office of the Director of Public Prosecutions (DPP) sets out the background to witness protection. [http://dpp.gov.jm/witness\\_intimidation](http://dpp.gov.jm/witness_intimidation) The programme of witness protection and relocation in Jamaica is grounded in a 2001 law, and provides that the situation for the witness and dependent family members will be no worse than that from which they move (eg schools of same or better calibre for children of the witness etc). <https://jis.gov.jm/witness-protection-programme-solid-and-effective/>. Problems with the programme of various sorts have regularly been reported (eg on actually getting welfare payments to participants), <http://rjrnews.com/local/cracks-in-the-witness-protection-programme>.

The Director of Public Prosecutions had lamented the lack of funding for and difficulties of the Witness Protection Programme. [http://dpp.gov.jm/news/dpp\\_laments\\_lack\\_of\\_resources](http://dpp.gov.jm/news/dpp_laments_lack_of_resources). In February 2017 (at the cut off date of the CPIN) the government made additional funds available for Witness protection (12 million JMD, approximately US\$1 million) <http://jamaica-gleaner.com/article/news/20170220/government-pump-12m-witness-protection-programme-ifj-welcomes-move>

The US State Department's 2017 report, updating the 2016 report cited in the CPIN used different language on witness protection:

“There is a witness protection program, but many eligible witnesses either refused protection or violated the conditions of the program. While the JCF reported that no participant in the witness protection program was ever killed, the program suffered from a number of problems. The government allocated approximately \$1 million in additional funds for the program in February.” <https://www.state.gov/documents/organization/277587.pdf>

The shift is from “no participant in the witness protection program who abided by the rules of the program has ever been killed” (as cited in the CPIN) – the notion that the programme had problems was only introduced in the 2017 report.

**Accepted.** We will address this point when we update the CPIN following this review.

Thank you for the additional sources, which we will review and consider for the next update.

The Canadian IRB indicates that the Executive Director of the NGO Jamaicans for Justice said: “the witness protection programme is “ineffective” and “not trusted” (JFJ 14 Dec. 2012).” <https://www.ecoi.net/en/document/1174103.html>

In late 2017 (after the cut off date of the CPIN) a woman and her daughter were reportedly excluded from the witness protection programme after the trial in which the mother was to testify (against the killer of the girl’s father/ her partner) concluded. The women told her story to the media – giving rise to questions about the protection she needed, if she could talk publicly about it – but the story itself opens questions about how well the programme is operating, and whether it can be relied upon.

<http://jamaica-star.com/article/news/20171208/desperate-find-home-woman-child-evicted-after-being-taken-witness-protection> –

There are also (later than the cut off date) stories that suggest that the witness protection programme suffers in part due to the size of the island. For example, one man says he was kicked off the programme for returning to Kingston – which he did as a truck driver delivering goods, because without work he could not feed his family – whereas the programme required him to stay away as he had testified against his nephew in a gang shooting case. [http://www.jamaicaobserver.com/front-page/kicked-out-man-slams-witness-protection-programme-for-removing-him-after-working-to-feed-family\\_130590?profile=&template=PrinterVersion](http://www.jamaicaobserver.com/front-page/kicked-out-man-slams-witness-protection-programme-for-removing-him-after-working-to-feed-family_130590?profile=&template=PrinterVersion)

In sum the information available suggests that while the Witness Protection Programme sometimes works for some people, it is not totally safe or supportive for every witness, or every case.

### 3. Information about the Reviewer

Dr Joanne van Selm is an Independent Consultant on Migration and Refugee policies. She lived in Kingston, Jamaica from 2013-2016. During part of her time in Jamaica, Dr van Selm undertook a consultancy with UNHCR-RO Washington to look at the systems and organizations in place to work with asylum seekers and refugees in Jamaica. One element of that consultancy was sitting in on regular UN country team meetings. This consultancy also entailed meetings with a range of domestic and international actors in the human rights and migration related fields in Kingston. Dr van Selm is a member of the Migration and Development Cluster at SALISES, the University of the West Indies – Mona. She has also written for IOM/Eurasylum's Migration Policy Practice journal on migration in the Caribbean.



