



Inspection report on Home Office country of origin information, Albania and Pakistan

October 2023

David Neal

Independent Chief Inspector of
Borders and Immigration

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Foreword

Section 48(2)(j) of the UK Borders Act 2007 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 convened by the Independent Chief Inspector to assist him in this task. The IAGCI commissions and considers reviews of the country of origin information (COI) that is produced by the Home Office’s Country Policy and Information Team (CPIT) and referred to by officials when making decisions on asylum and protection claims. A list of IAGCI members can be found on the inspectorate’s website.

This report covers reviews of selected country information on Albania and Pakistan that the IAGCI considered at its meeting on 2 October 2023. In consultation with the IAGCI, I chose COI on these two countries for review not only because they account for a significant number of asylum claims, but also because I judged that political developments in Pakistan and recent revisions of the Home Office’s country policy and information notes (CPINs) on Albania made an examination of these materials timely.

The expert reviewers highlighted, and the IAGCI discussed, both strengths and weaknesses in the country information under review. I was encouraged that the reviewer of COI on Albania found that the CPINs on that country on the whole reflected an improved understanding of the context there following a recent Home Office fact-finding mission, even as her reviews identified themes that could be more fully developed. The reviewer of COI on Pakistan judged that Home Office CPINs drew on a balanced range of reliable sources and broadly reflected a good understanding of the issues covered, with his review also offering important comments and clarifications on specific empirical points.

In its response to these reviews, the Home Office invited me to remove comments by the reviewers on the ‘assessment’ section of its CPINs, as it is agreed that the policy judgements presented there are out of scope for IAGCI review. The IAGCI discussed this issue, noting that ‘assessments’ in CPINs often do contain reference to factual points and that a mechanism may be needed for comment on the accuracy of those points, while respecting the exemption from review that is provided for policy material. I have therefore not removed those comments on this occasion, in order to highlight this issue, and I have recommended that CPIT explore how it might make the delineation between country information and policy guidance clearer.

I am grateful to the expert reviewers for their work on these reviews, to the members of the IAGCI for their advice, and to CPIT staff for their engagement with the process.

I make two recommendations in addition to the recommendations and suggestions contained in the individual reviews.

This report was submitted to the Home Secretary on 15 December 2023.

A handwritten signature in black ink, appearing to read 'David Neal', with a horizontal line underneath the signature.

David Neal
Independent Chief Inspector of Borders and Immigration

1. Scope

- 1.1** In May 2023, the Independent Advisory Group on Country Information (IAGCI) sought tenders for reviews of the following country policy and information notes (CPINs) and country of origin information requests (COIRs):
- Albania
 - CPIN: blood feuds (January 2023)
 - CPIN: human trafficking (February 2023)
 - Six COIRs on conditions in Albania
- 1.2** These country information products were selected for review in part on the basis that Albania has, in recent years, been a significant source country for asylum applications, with a sharp increase in the number of claims from Albanians recorded in 2022. That year, the 15,070 claims lodged by Albanian nationals made it the top source country for asylum applications.
- 1.3** A further consideration in the selection of these country of origin information publications for review was the fact that the Home Office's CPINs on Albania had recently been revised. The reissuing of these documents followed a statement by the Prime Minister to Parliament in December 2022, in which he announced the government's intention to detain and return more Albanians without a legal basis to remain in the UK, and to "issue new guidance for our case workers" to "make it crystal clear that Albania is a safe country".¹
- 1.4** In June 2023, the IAGCI sought tenders for the reviews of the following CPINs and COIRs:
- Pakistan
 - CPIN: actors of protection (May 2023)
 - CPIN: political parties and affiliation (May 2023)
 - CPIN: internal relocation (April 2023)
 - Six COIRs on conditions in Pakistan
- 1.5** These country information products were selected for review on the basis that Pakistan is a significant source country for asylum claims, having consistently featured among the top ten nationalities for asylum applications over the past decade.
- 1.6** The tenders were assessed by the IAGCI Chair, with input from the Independent Chief Inspector, and the reviewer with the most relevant knowledge and expertise was selected in each case.

¹ Prime Minister's Office, 'PM statement on illegal migration' (published 13 December 2022). <https://www.gov.uk/government/speeches/pm-statement-on-illegal-migration-13-december-2022#:~:text=It%20is%20unfair%20that%20people,countries%20that%20are%20perfectly%20safe>

- 1.7** The completed reviews were quality assured by the IAGCI Chair and sent to the Home Office's Country Policy and Information Team (CPIT), which added its responses, forming a single document for each country review.
- 1.8** The IAGCI met virtually on 2 October 2023 to consider the reviews and CPIT's responses.

2. Consideration by the Independent Advisory Group on Country Information

- 2.1 The Independent Advisory Group on Country Information (IAGCI) met virtually on 2 October 2023 to consider reviews of selected Home Office country of origin information (COI) on Albania and Pakistan.
- 2.2 The meeting was led by the IAGCI Chair, Michael Collyer (University of Sussex), and was attended by IAGCI members Katinka Ridderbos (UNHCR Geneva), Julie Vullnetari (University of Southampton), Resident Judge Roxanne Frantzis (First-tier Tribunal, Immigration and Asylum Chamber), Larry Bottinick (UNHCR London), Nando Sigona (University of Birmingham), Zoe Bantleman (Immigration Law Practitioners' Association), and Ceri Oeppen (University of Sussex).
- 2.3 Apologies were received from Judge Sue Pitt (Upper Tribunal, Immigration and Asylum Chamber) and Giorgia Dona (University of East London).
- 2.4 Other participants in the meeting included the Independent Chief Inspector of Borders and Immigration, David Neal, and members of his team; staff of the Home Office's Country Policy and Information Team (CPIT); and the country experts commissioned to carry out the review of each COI, Dr Enkeleida Tahiraj (Albania) and Matthew Nelson (Pakistan).

Review of COI on Albania

- 2.5 Dr Tahiraj began by commending the Home Office for the CPINs, which she said came closer than previous versions to reflecting an understanding of the context in Albania, especially thanks to the fact-finding missions that had served as the basis for much of the most recent update. She went on to address some of the suggestions in her review that CPIT had either not accepted, or only partially accepted.
- 2.6 The reviewer made several suggestions throughout her reviews relating to the use of "subjective" statements or quotes. She argued that the statement of one individual should not be used to reflect the official view of an institution or country, and that unqualified comments could be confusing to a reader unfamiliar with the cultural context in Albania. She suggested statements from individuals should be qualified by information on what expertise they had to be commenting on a particular issue; specifying in what capacity they were making the statement (as a professional or as a citizen), with accompanying data or evidence to triangulate the statement; or simply by clarifying that something is a personal opinion.
- 2.7 Dr Tahiraj made similar suggestions for references to information provided by organisations, and suggested they be qualified by some reference to their geographical remit, for example, to qualify their evidence.
- 2.8 Her comments and suggestions relating to qualifying sources prompted lengthy discussion, with CPIT stating that most COI is anecdotal by nature, with media organisations transmitting information based on what someone told them. Some IAGCI members agreed that, if this were

CPIT's position, they should be consistent in their treatment of all testimonies, including those provided by the reviewer (as an Albanian expert). On this topic, one of the IAGCI members encouraged CPIT to revisit some of the recommendations it had partially accepted, to see whether some imbalance had crept into the report.

- 2.9** Dr Tahiraj reiterated her suggestion within the review that the most up-to-date information on modern-day issues and attitudes in Albania is often found in media reports or on social media. She offered to provide sources if the Home Office would accept evidence in these mediums. CPIT responded that in principle the team would be happy relying on such media, but the challenge for them is where material is not in English, as CPIT does not have a translation budget. The desirability of expanding CPIT's capacity to engage with foreign-language material – a theme that has arisen in previous IAGCI reviews and ICIBI inspection reports – was revisited.
- 2.10** Following this meeting, the reviewer provided further sources for CPIT to consider. Citations for these sources can be found at section 3 of the review of the blood feuds CPIN.

Review of COI on Pakistan

- 2.11** Prof. Nelson then presented his overarching comments pertaining to CPIT's response to his reviews.
- 2.12** One of the main suggestions he had made in his review of the 'Actors of protection' CPIN was to include greater appreciation for military interference in Pakistan within ordinary courts, military courts, and other tribunals. CPIT had not accepted this suggestion, on the basis that the reviewer had not provided a source. He clarified in the meeting that the Overseas Security Advisory Council (OASC) report, referred to at several stages of the CPIN, contained useful information relating to the risk military interference creates. CPIT agreed during the meeting that a subsequent CPIN could bring out this general point but would need to strike a balance with the level of detail required for time-pressed decision makers.
- 2.13** He had also suggested that the use of quantitative data should be improved, including that relating to crime data which, while official, may not be credible. He suggested the Home Office use comparative data from different countries or omit data entirely where it is not credible.
- 2.14** The reviewer highlighted some points of empirical inaccuracy in the 'assessment' in the 'political parties and affiliation' CPIN, which he had suggested CPIT amend. One example was a reference to Azad Jammu and Kashmir (AJK) being a 'self-governing state', which he said was not true, or in keeping with what the Foreign, Commonwealth & Development Office would say about the status of AJK. In its response, CPIT said: "The Assessment is out of scope so we respectfully request these comments are removed from the formal review." This led to discussion on what constituted a comment on policy guidance, when information presented within it was factually inaccurate.
- 2.15** Although Prof. Nelson acknowledged the 'cut off' date for inclusion of information in reviews, he said he could not ignore the riots that took place on 9 May 2023, which had significant ramifications for the political situation in Pakistan. He therefore provided suggestions for changes relating to these events. CPIT agreed to include any information that it found to be useful, but asked for future reviews to be clear on the delineation, so it did not appear that the CPIN had missed information when it was published.

Further discussion

- 2.16** Significant discussion took place between CPIT and IAGCI members on the distinction between what constitutes Home Office policy, and what is objective COI; what is a policy decision and what is an empirical question.
- 2.17** CPIT maintained that the executive summary is a one-page summary of the assessment and therefore should remain outside the remit of the IAGCI review to comment on. IAGCI members questioned why the review should exclude the executive summary if it contained reference to factually inaccurate country information. CPIT stated that the team was looking to use less COI in its assessment.

3. Recommendations

The Home Office's Country Policy Information Team (CPIT) should:

1. Consider how the delineation between country information and policy guidance in its country of origin information (COI) can be made as clear as possible, and what mechanism might be agreed with ICIBI and the Independent Advisory Group on Country Information to allow for comment on objective factual material wherever it might appear in a COI publication.

The Home Office should:

2. Support CPIT by expanding its capacity to engage with foreign language material, giving consideration to the allocation of additional resources for translation services and to engaging staff with language expertise relevant to selected key source countries for asylum claims.

Annex A: Review of selected Home Office country of origin information on Albania

Review of the January 2023 Home Office country policy and information note on Albania: blood feuds

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

Dr Enkeleida Tahiraj¹

31 August 2023

¹ Dr Enkeleida Tahiraj is a professional academic and consultant with specialisms in social sciences, with a geographic focus on South-East Europe and the European Periphery. Her academic and consulting work on Albania encompasses advisory roles to Government and INGOs on socio-economic development, governance and human rights. Dr Tahiraj has previously reviewed the Albania HO CPINs on 'Blood Feuds', 'Human Trafficking', 'Ethnic minorities' and 'Sexual Orientation and Gender Identity'. Dr Tahiraj holds a PhD in Social Policy from the University of York and an MA from the University of Sussex.

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1. Introduction

1.1 Instructions

Country Policy and Information Notes, Albania: Blood Feuds January 2023 aims to provide ‘an accurate, balanced and up-to-date COI and clear guidance’ with respect to the issue of blood feuds in Albania. The purpose and scope of the report is clearly set out in an introductory section of the document. *‘It is not intended to be an exhaustive survey of a particular subject or theme.’*

Reviewers should evaluate the extent to which the publications under review provide an accurate, balanced and up-to-date summary of the key available sources regarding conditions in the country covered, seeking to identify any areas where the publications can be improved.

- assessing the extent to which information from source documents has been appropriately and accurately reflected in the CPIN Report
- identifying additional sources detailing relevant aspects of current conditions in the country
- noting and correcting any specific errors or omissions of fact
- making recommendations for general improvements regarding, for example, the structure of the report, its coverage or its overall approach
- ensuring no reference is made to an individual source which could expose them to risk

In performing the review, the following guidelines should be followed:

- the review should focus exclusively on the country-of-origin information contained within the document, and not pass judgment on the policy guidance provided
- the CPIN should be reviewed in the context of its purpose as set out above. It should consider the situation in the country up to the stated ‘cut off’ date for inclusion of information (though information and sources on the country situation that post-date the publication of the COI under review may be brought to the attention of the Home Office in a dedicated section of the review template)
- when suggesting amendments, rather than ‘tracking changes’ on the original CPIN, a list of suggested changes should be provided as part of a stand-alone review paper, and each report should be reviewed separately. A reporting template will be provided to reviewers (for reference please refer to most recent reviews on the IAGCI webpage for examples of the template)
- any suggestions for additional information (or corrections to information in the document) must be referenced to a source document for the Home Office to be able to use it (preferably open source). The Home Office may use foreign language source documents, but only if the information is considered essential and is not available in English language source.

This review therefore is focussed on country-of-origin information only and neither intends nor attempts to assess Home Office policy.

HOME OFFICE COMMENT: It is respectfully pointed out that the final sentence – whilst clear in the Terms of Reference when tendering for the review – is not adhered to in practice. The first six responses in this review are examples of this. If reviewers insist on commenting on the sections in CPINs that are clearly Home Office policy – i.e. the Assessment and the Executive Summary – their experience and expertise on refugee status determination (particularly in respect of understanding the law and caselaw) should be clearly set out. Otherwise, such comments should be removed by the IAGCI given these are, ultimately, reviews commissioned on their behalf.

1.2 Methodology

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

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

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

This review is focussed on country-of-origin information only and neither intends nor attempts to assess Home Office policy.

Acknowledging the limitations of available official sources in providing information or evidence, some online reporting from established and reputable media inform the commentary on relevant background or contextual data, notably on government events, public information and announcements. Where they are put forward, they are available in the English language. In adherence to the Home Office requirements on foreign language and media sources, such information was not included here if it did not provide essential information and was also not available in English language source. This review acknowledges that media is a platform used by Government and other state institutions, local and international organisations to disseminate information further among the public, as preference for the source of information varies by age, gender, education, location etc. As such, media sources consulted here, are included to the degree of their usefulness in explaining particular circumstances.

Should the HO approach on the reliability of sources change to consider such platforms as valuable evidence, these sources can be provided to assist in strengthening the evidential basis of the CPIN.

1.3 Summary of Review

- Strengths
 - Generally, reflects a fair and accurate presentation of the source material.
 - Referencing is recent, with main reliance on FFM 2022.
 - Includes a variety of sources and information
- Weaknesses
 - Sections do not provide a consolidated view on the topic based on source material
 - At times, reflects a confused understanding of the topic and the context in modern day
 - Sections are based on extracted paragraphs at times from secondary or third party sourced, in cases the information is contradictory
 - Information within the same paragraph does not lead to a conclusive view or assessment
 - Does not question or investigate further the material presented, which as times has relied on erroneous citation
 - Poor data in particular on the reality of blood feuds, as much individual accounts of BF are discounted as reliable sources
 - Generalised statements without qualification
 - Little presentation of factual evidence on current applications of blood feuds (to a degree explained by limited research)
 - Lack of cross-referenced analysis of the sources consulted to avoid erroneous information
 - Limited assessment of the progress in implementation of legal frameworks.
 - No focus on impact of policies and institutions vs tick-box reported performances
 - No further deconstruction of statements to provide accurate data and qualitative assessments

Recommendations

These are summarised recommendations. Detailed considerations are provided in the relevant sections in the CPIN.

1. Provide a summary analysis of the quotes/paras cited to link the information
2. Acknowledge the role of culture in the applications of blood feuds in modern day Albania, as evidenced by published cases.
3. Address the dichotomy between blood feuds and criminality based on reported cases

4. Explore the impact of blood feuds on the socio-economic situation of individuals and families affected
5. Contextualise and qualify data and information presented
6. Explore sufficiency of protection for people in blood feuds by cross-checking references on CPIN on Actors of Protection
7. Provide more factual detail to enable an accurate assessment of the reality on the ground
8. Include reputable media reporting as a reliable source that up to date provides ground information on cases of blood feuds

Note: In the recent months July and August 2023, following investigations carried out by authorities in EU countries, factual evidence was published that proved the existing links of organised crime with the system of justice and corrupt individuals within the Government. SPAK issued several arrests letters including for the former Deputy PM who fled the country before the arrest. Other data from 85,000 pages of investigations contain information on the power of organised crime. These are highly pertinent to VoTs on return as regards sufficiency of protection. As this information was made available after the date this CPIN was published, they are not added here, but suggest including this factual evidence.

1.4 Understanding of the themes addressed in the CPIN Reports

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

1.5 Quality and balance of sources

1. The CPIN does not explain where the source refers to a personal opinion of one person, who may happen to be an employee, or whether it is the official position of the institution or organisation.
2. The CPIN attempts to present a fair coverage of the topic including academic and policy sources.
3. Information is recent and has been drawn from credible sources, albeit not examined.
4. There is however need to reflect a better analysis of the Kanun and Blood Feuds in how they relate to legacy of culture and tradition and current modus operandi, the context and the way they are developing
5. There is need for sections to be coherent, rather than a mix of extracts from different personal opinions that leave the user of this document confused.

2. Review

2.1 Legal Context

	Home Office response
<p>1. This part accurately reports the changes in the law respectively: The Albanian Penal Code Article 78/a & 78/b.</p> <p>This section does however include contradictory subjective interpretation of the impact of the law Para 3.1.6. <i>‘Today there is no duality between Kanun [customary law] and state law because it is now the state law that operates.’</i> This statement is unqualified, and unclear to which time-period the respondent is referring to, ‘today there is not’ versus which time was there a duality?</p> <p>The statement is misleading as since after 1945 there has not been a duality as regards the rule of law and operation of the state law. The response seems to be related to the historical context of Kanun, which is not relevant to the legal context.</p>	<p>1. Not accepted. The statement implies that although there may have been some duality between Kanun and state law in the past, this is not the case now. The interlocutor makes clear that the rule of law now prevails in Albania. We do not agree that this is misleading.</p>
<p>2. Issues arise on the implementation of the law which in contradiction to the above (3.1.6) is presented in the following paragraph 3.1.7: <i>‘This amendment in the law brought 2 results: first it decreased the number of BF killings, and second, the lawyers of people who commit those offences hide that it is a BF killing to reduce the punishment. They declare it as a simple killing and not BF killing because of the harsh punishment.’</i></p> <p>This statement is contradictory – the numbers of BF killing ‘decreased’ while ‘the blood feud killings were not declared as blood feuds’. We can make sense of this statement, which is a response from officials in the Prosecutors office in Shkoder, in acknowledging that the real numbers of blood feuds, active or dormant, are not known with accuracy, also because of this reason. If so, this should be reflected on the section on prevalence of blood feuds.</p>	<p>2. Partially accepted. The statement indicates that the number of BF killings was reduced AND that some lawyers may hide BF killings. It is possible that both are true, so we do not accept that this is necessarily contradictory.</p> <p>The Prevalence section states, ‘An official from the Prosecutor’s Office in Shkodër told the HO BF FFM 2022 team that they do not have an accurate number for the amount of families affected by blood feuds.’ (para 5.1.20) – although an alternative reason is given for this. It is accepted that the additional reason of BFs being hidden could be included in the Prevalence section.</p>
<p>This statement also indicates that that legislative measures to tackle BF have not led to the intended result. Instead of seeing a reduction in the number of blood feuds because of the legal repercussions of engaging in a BF, we have seen a ‘dressing’ of BF cases as other crimes therefore escaping the legal punishment for BFs. As such these crimes are not reported as BFs. This has led to the false conclusion that the law has been successful in reducing the blood feuds. This needs to be acknowledged in the CPIN on effectiveness of measures taken to tackle blood feuds. While some degree of impact is to be expected, especially as a first barrier to carrying such crimes, it cannot be concluded that the based on such statistics the number of blood feuds has been reduced. In this regard, statistics on the numbers of blood feud crimes are not to be taken as accurate. Corroboration with published evidence on media on cases of blood feuds, even when these are not reported as blood feud crimes in official statistics, would be helpful.</p>	<p>3. Partially accepted. The statement indicates that the number of BF killings was reduced AND that some lawyers may hide BF killings. It is possible that both are true, so we do not accept that this is necessarily contradictory.</p> <p>The ‘Prevalence’ section includes statistics and estimates from a variety of sources. We accept that the exact number of blood feuds is not known. We are happy to consider further sources that that reviewer may wish to provide, but they must be in English.</p>
<p>3.1.6 (official from the GDSP) and 3.1.7 (Official from the Prosecutor’s Office in Shkoder) are contradictory also because, while the <i>‘rule of law prevails’</i> and legislation is in place to <i>‘give harsher punishment’</i> for people committing blood feud crimes, the deterrent effect of the law is weakened because <i>‘the lawyers hide it’</i> and therefore the law has not necessarily led to the intended goal which was to reduce/eliminate the number of blood feuds. This needs to be acknowledged in the relevant section on assessing the impact of legislation.</p>	<p>4. Partially accepted. The statement indicates that the number of BF killings was reduced AND that some lawyers may hide BF killings. It is possible that both are true, so we do not accept that this is necessarily contradictory.</p>

Suggest: as the subheading is 'Legal Context' this section could focus on the legal context as a matter of fact alone. Therefore:

- a. remove these subjective interpretations from this section and leave here only relevant legislation.
- b. The quotes above from are from FFR 2022² interviews with officials from the General Director of the State Police and Prosecutors' Office. When quoting such statements, there need to be a qualification of the source, whether the response represents an official view, the view of a Kanun expert, police expert, legal expert or whether that is the subjective view of an individual that happens to be an official. For example, an official of the GDSP is not necessarily an expert on 'Kanun' or on the 'historical context' of blood feuds therefore subjective views are his personal views not necessarily based on research or required expertise. Therefore, if quoted, they should be placed under the relevant section in the CPIN, and accompanied by a qualification of the statement, so that it is not misleading and taken to be an authority in the field.

5. **Accepted.** We will divide the legislation and interpretations of the legislation into different sections.

6. **Partially accepted.** We do not accept that the interlocutor from the General Directorate of State Police needed to be an expert in the Kanun in order to find that it is the rule of law which predominates in Albania, rather than the Kanun.

2.2 Customary Law

1. Good overall presentation of sources on Kanun.

However, it risks limiting the understanding of the culture by linking it only to Kanun of Leke Dukagjini, and therefore geographically as an issue only relevant to the north of the country. There are several Kanuns that have similar origins and cover different regions in Albania. The common factor is culture. A culture that is based on honour and it is relevant across the country. Kanuns therefore codified the existing culture in different regions. There is little research carried out on the other Kanuns. While their names have faded over time, their application has not.

Defining it as limited to one region alone does not help in understanding the complexity of this issue, why it is still prevalent and how it fuels acts of self-justice across the country. An acknowledgment that Kanun is related to the prevailing culture of honour present throughout Albania and codified in several Kanuns is needed in this section. This will help in understanding the prevalence of similar attitudes and behaviours that can be found across the country, that are not limited to Kanun of Leke Dukagjini alone.

The sources referred in the CPIN are not to be taken as absolute representation, because they are either based on a one-week country mission (CEDOCA) or their findings are based on the region where the NGO was located and the population it covered (Operazione Colomba), the latter acknowledging that honour based conflicts affect the whole country.

Suggested sources:

<https://lup.lub.lu.se/luur/download?func=downloadFile&recordId=8975275&fileId=8975372>
<https://www.ijsr.org/paper/Legal-property-relations-of-the-spouses-in-the-Albanian-Customary-law.html>
<https://core.ac.uk/download/pdf/11870995.pdf>
<https://scholarship.richmond.edu/cgi/viewcontent.cgi?article=1055&context=polisci-faculty-publications>
<https://www.cceol.com/search/article-detail?id=152315>
<https://www.cceol.com/search/article-detail?id=263257>
[https://www.academia.edu/9239979/Albanian Communist and Legal Pluralism The Question of Kanun Continuity](https://www.academia.edu/9239979/Albanian_Communist_and_Legal_Pluralism_The_Question_of_Kanun_Continuity)
[https://www.academia.edu/63366939/The Reform of the Albanian Legal System Between Challenges and Problems With Particular Focus on the Criminal Justice Issues](https://www.academia.edu/63366939/The_Reform_of_the_Albanian_Legal_System_Between_Challenges_and_Problems_With_Particular_Focus_on_the_Criminal_Justice_Issues)

Accepted. We will clarify that the Kanun and equivalents can affect the whole country. Thank you for the sources you have provided. Some of these are significantly older than sources which we would normally use (2004, 2013, 2014) but if the information is still relevant we will consider them.

2 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1131798/ALB_FFM_report_on_Blood_feuds.pdf

2. “So BF in Kanun law is considered as a punishment for the people who followed this law.” 3.2.4

This is inaccurate – it may be either due to translation or the wrong interpretation. Blood feud retaliation is the reaction to an offence and aims to restore the loss of an asset, property or honour. For a better understanding of Kanun see comment 1 above.

So is the following statement: “According to Kanun law, BF is when you kill someone who has killed someone of your own family.” This is only partially correct, a blood feud doesn’t have to involve a killing. It can start from an offence and could relate also to property and assets. (acknowledged in 4.2.1)

Also, these statements are by an official GDSP, hence not an expert on Kanun, therefore, a subjective view. So are 3.2.3; 3.2.4 and 3.2.5.

Suggest: as this section is about understanding what Kanun is, present here only references and interpretations by experts on Kanun, as partially accurate information could be misleading.

Accepted. We will seek, where possible, to indicate that the interlocutors are providing their personal views/interpretations. However, our starting position is that persons are speaking in a professional capacity unless they explicitly state otherwise.

2.3 Background to Blood Feuds

1. Para 4.1.1 addresses who could be affected in a BF and acknowledges that ‘other family members may be at risk’. It is not clear whether the FFM collected data from the police on the officially reported cases where family members have also been killed. While academic studies have dealt with the issue and the interpretation of the text of Kanun, the applications of such in modern day Albania can be found in the media reports and if the HO will consider such mediums as sources, they can be provided. It is the application of Kanun that is relevant to the CPIN as a present day issue, therefore these sources could be useful.

Accepted. We would be happy to consult any further sources recommended but they must be in the English language.

2. Para 4.1.2 cites a Global Initiative publication which also in the original source³ confuses ‘gjakmarrja’ with ‘hakmarrja’ as it is the former that is related to ‘honour’ not the latter.

“In Albania, a blood feud is called gjakmarrja, which means “blood-taking” or “blood feud”. Revenge or vendetta, on the other hand, is called hakmarrja. The latter is the obligation to “take life to right an earlier wrong, to salvage honour”.

Accepted. If the reviewer is able to provide a suitable source which clarifies this, we will consider it.

3. The same source incorrectly states that ‘The terms are used interchangeably and sometimes can be confusing, as in both cases the killing is made to restore justice and honour’.

While it is correct that the terms are used interchangeably in daily lexicon, hakmarrja is not made ‘to restore honour’. For example, killings by organized crime. This follows from the notes on previous sections above which call for a necessary understanding of the culture in which gjakmarrja and hakmarrja continue to survive at such a scale. The previous CPINs have had these sources which focussed on the understanding Kanun. The current CPIN, which is rightly focussed on the issue at present perhaps might benefit from acknowledgment of ‘self-justice’ to restore honour.

Accepted. If the reviewer is able to provide a suitable source which clarifies this, we will consider it.

Para 4.2.1 presents some sources which refer to actions that have led to a BF including human trafficking, debt, kidnap etc. While this list is useful, it is not exhaustive of the potential reasons that could lead to a BF.

This para therefore needs to explain that “any” reason could lead to a blood feud – if it causes or is perceived as an offence to the person, be that material or of honour. Cases have been reported in the media of BF starting even for minor offences, such as being overtaken in the road, which perceived as an offence can lead to retaliation to settle one’s standing and by that a full blood feud of ‘honour restoration’ could initiate. It is important to acknowledge this that reasons for the applications of modern day Blood Feuds are not static, and limited to some reasons alone.

Accepted. If the reviewer could provide a suitable source which clarifies this, we will consider it.

3 <https://riskbulletins.globalinitiative.net/see-obs-011/03-blood-feuds-in-albania-exploited-by-criminal-groups.html>

Para 4.2.6 needs corroboration against earlier statements 3.1.7 by the same source – the Prosecutor’s Office in Shkoder, as ‘verification’ process in 4.2.6 is undermined by ‘hiding the BF’ and not declaring it to be a BF as stated in 3.1.7. This gap in accuracy needs to be acknowledged in the CPIN.	Accepted. We will provide a link between these statements.
Para 4.2.8 is a very good example by a reliable source such as the pastor’s wife – in explaining the start, continuation and the ending of a blood feud and the core of it – honour restoration, and cultural and societal reasons behind its prevalence in modern days.	Noted, thank you.

2.4 Contemporary Attitudes

Para 4.3.1 quotes an OC monthly report of 2019, however, this generalised summary ‘of many families’ is not very useful unless some numbers are reported – how many families are many in a localised community where OC was operating. This same report in the original website states that ‘a difficult situation was found in one family’ and ‘two women were escorted to prison to meet their husbands’. It would be useful for the CPIN if these data were qualified to give a better representation of the tendency or willingness to change the attitudes. For example, BF killings in the last few years have shown that support for retaliation is wider than anticipated. This has been evidenced mediums like social media where people tend to express their real views. While they are not academic references, which are few to start with, they are the closest mechanism to gauge the reality as regards changing attitudes. If these are sources that HO could take into account, they can be provided.	Partially accepted. We agree that more exact statistics would be more useful, but we can only use the information available. We would be happy to look at other sources the reviewer can provide, including social media, but it must be in English.
4.3.2 OC closed its operations in 2020. It needs noting that it was due to shortage of funding and not because of BF no longer being a concern.	Not accepted. OC gives the reason for closure as follows: ‘It is important to stress that the decision to close the presence ... is the result of positive outcomes achieved in many years of intervention, especially in northern Albania. This does not mean that the phenomenon was stopped, but it means that the path taken by Operazione Colomba, in these 10 years, can show a direction to follow, in order to overcome this practice, throughout the country.’
4.3.3 Useful statement on ‘social norms’ but not complete. Honour is of such importance, that ‘restoring honour’ will be done at all costs, and not only ‘sometimes’.	Accepted. If the reviewer is able to provide a suitable source, we will consider it.
4.3.4 Useful information, however, the ‘not going against the word of parents or grandparents’ is not a feature of the north alone. It is a norm, based on a culture of ‘honouring’ the elderly that is prevalent across the country. This qualification is needed to avoid misinterpretations that this norm is only applicable to the north.	Accepted. If the reviewer is able to provide a suitable source, we will consider it.
4.3.6 This statement by officials in the GDSP is a generalisation of the respondent’s personal view on ‘the attitudes of younger generations’. There has not been a survey on the topic. We can surmise an opinion based on social media analysis of people’s reactions to BF retaliation, which is contrary to what this source states. Again, if HO would consider this medium in the Albanian language, they can be provided. Also the correct ref for these joint statements are: pages 29 and 30 in FFR.	Partially accepted. This comment seems to refer to para 4.3.5 (not 4.3.6). Yes, the interlocutor was providing his personal view. We will consider further information on the subject if the reviewer is able to provide suitable sources. We will correct the page number used in the reference, thank you.
Para 4.3.6 highlights an important feature of BF – pride of not asking for protection but relying on self-justice. This aspect is important to be acknowledged in understanding the culture.	Noted, thank you.

Para 4.3.7 is relevant to 4.1.2 in understanding the interchangeability of the terms, actions and perpetrators.	Accepted. We will insert a link between these 2 paragraphs.
<p>Para 4.3.8 is true that ‘poverty’ is present in most cases of BF, but this is not to be taken as exclusive. The most recent killings in 2023, revealed that both the perpetrators and the victims were wealthy.</p> <p>There is need to separate the sections that reveal hopes and wishes “<i>younger generation will change this</i>” from those that ought to present a realistic assessment of the country context and particular attitudes that are fuelled by ‘<i>a mindset</i>’. This para is one example of this as the following paragraph 4.3.9 contradicts statements joint in 4.3.8</p>	<p>Accepted. If the reviewer could provide a source indicating the wealth of those involved in the recent blood feud, we will consider it.</p> <p>Not accepted. The interlocutor was expressing her opinion, and this is acceptable for a section on contemporary attitudes.</p>
<p>4.3.9 highlights 2 issues:</p> <p>a. the denial of local governments to accept prevalence of BF and attempt to accurately measure BF.</p> <p>b. breakdown of social norms – anomie (societal attitudes change with a strong cohesive society with shared values)</p> <p>These are important when attempting to understand why BF persist.</p>	Noted, thank you.

2.5 Blood Feuds

5.1 Prevalence and Location	
<p>5.1.3 ‘<i>mainly limited to the north</i>’ – this extract does not acknowledge that ‘honour’ as the core of individual and family relations and standing in a community is part of a culture where ‘restoring honour’ is of utmost importance across the country. This source reflects an incomplete knowledge and understanding of the country context due to issues raised in section 3.2 above on customary law. For example, 5.1.4 quotes UNHCR that ‘Durres’ is also one of the areas most affected.</p>	Partially accepted. The interlocutor stated that blood feud is ‘mainly,’ not ‘only,’ limited to the north.
<p>5.1.5 is not clear the no mention was ‘<i>as a result</i>’ of what?</p> <p>Why was there no mention?</p> <p>Could this be related to what 4.3.9 above also stated that authorities did not acknowledge BF for a long time?</p>	None of the sources stated why they did not include the issue of blood feud in the reports mentioned.
<p>Para 5.1.7 quotes Global Initiative bulletin⁴ that in the original source states: ‘<i>according to a report from 2018, the problem is mostly concentrated in the Shkodra district in northern Albania</i>’, referencing: ‘Operazione Colomba, Descriptive document on the phenomenon of ‘hakmarrja’ and ‘gjakmarrja’ to raise awareness among Albanian and international institutions’.⁵</p> <p>The OC report was published in 2017 and launched in 2018. The finding that GI attributes to the OC report is incorrect. There is nowhere in the OC report that such conclusion has been reached. Quite the contrary, data presented by OC (see paragraph above) explicitly state that reported cases show a country wide prevalence. While OC based its office and activities in the north mainly for logistic and financial reasons as they couldn’t expand with more than one office due to shortage of funds, they also monitored the reported cases in the daily media which gave a fuller picture of the issue. OC closed its operations due to shortage of funds, while acknowledging bf prevalence across Albania (unpublished interview).</p>	Accepted. We will add a clarification concerning distribution of blood feuds.

4 <https://riskbulletins.globalinitiative.net/see-obs-011/03-blood-feuds-in-albania-exploited-by-criminal-groups.html>

5 https://www.operazionecolomba.it/docs/Report_ING-2017.pdf

5.1.8 presents data from the GI report, which refers to OC report. Again, these data, while useful, are only reflecting limited capacities of the NGO to be country wide representative. Therefore, an explanation might be needed here to acknowledge that this is not the total number of known cases in the country, but only those known to the NGO which operated in the north.	Not accepted. This section of the CPIN makes clear that estimates vary.
5.1.9 GI again here makes a statement based on the OC report. The CPIN could refer to OC report directly rather than quote a quote on a third-party report that as shown above could be mis-quoted and wrongly interpreted. For example, the statement here is only partially accurate, if we accept that OC data only reflect the number of those BFs known to them.	Partially accepted. We agree that it is better to go to the primary source, but it is not clear in this instance that GI are quoting from the OC report.
5.1.10 quotes a GoA reporting to the UNCAT – this citation should acknowledge shortcomings in the accuracy of the real scale of BF prevalence and the number of families involved. (as mentioned in sections above). It also needs to acknowledge that a considerable number of families have moved abroad to seek safety which means that the data are only an estimation. It would be useful if the FFM team was provided with the official data from this register, to publish them, if that database is still functional, which I am told it is not. 5.1.13 also states there are no accurate data and it cannot be correct to state that ‘BF numbers are in decline’ which is the official view, something also confirmed by 5.1.14 ‘in absence of official statistics’.	Partially accepted. The official was referring to the data available to him. However, we will provide a link to the sections on the law and emigration. Not accepted. Interlocutors provided their view on prevalence according to the data available to them.
5.1.12 CPIN quotes GI report which quotes OC report. Also, an analysis or comment on the considerable data discrepancy between numbers of quotes by OC ‘An NGO’ 591 and ‘State Police’ 75. If such a database was maintained it would be expected that the numbers would be even larger than those by OC as the police would have data country-wide. Possible explanations here may help, for example police collect data after a crime has been committed, for example a killing. But as explained earlier, a BF does not necessarily start with a killing or because of a killing.	It is not clear that the GI report was quoting the OC report. It is also not clear what recommendation the reviewer is making.
5.1.17 His view on the likely confusion of between revenge murder and BF murder is correct if one is to expect that BF application is done according to the text of Kanun, which is not necessarily so. The application varies and at times it is only reduced to direct ‘self-justice’ rather than respecting the rules of what one ought to do when an offence has happened according to Kanun. This would enable the other party to be aware, know what to expect and prepare to protect himself and his family. As the account of the Pastor shows (as presented in the FFR also), such rules are not respected: A. he was killed even though according to Kanun, he should have been excluded as he was a man of God. B. He was shot once and then, because he survived, he was chased and shot dead, which again is against the Kanun. This is an example of the difficulty in measuring the modern-day applications of BF. A strict interpretation of BF according to Kanun is no longer the case (which R.Gjoka states) and that BF continue, irrespective of whether it is done according to Kanun as such appears to be a self-interpretation of what consists an offence.	Accepted. (We think this comment refers to paragraph 5.1.15, not 5.1.17.) We will insert a link to the section on contemporary attitudes.
5.1.16 refers to a PA official stating that ‘they also believe it is in decline’. It needs noting that the PA institution has not carried out any assessment on BF from 2015 which was during the previous Ombudsperson’s tenure. Yet, the PA is quoted saying that data on BF is ‘unreliable’. Hence the conclusion is based on a personal view of the respondent. It is not clear what the CPIN highlights with the quote ‘not a national issue but a local one’. a. Is it by %? b. Is it by location?	Not accepted. We do not accept that the PA’s conclusion was based on a personal viewpoint, as they had made reference to data from civil society and the police. We have quoted the interlocutor verbatim.

The same view is given in 5.1.7 by Shkoder Regional Police Directorate, but there is no corroboration of the data here whether that is as a result of families relocating within Albania or fleeing abroad (5.3.6), not reporting BF as noted earlier, or simply because the local police will only gather data once a crime has been committed.

Accepted. We will insert a link to the relevant sections.

Indeed 5.1.8 acknowledging that there are still cases, states that local police make a database of 'families in isolation'.

In addition to 5.1.10 – 5.1.15 para 5.1.20, the Prosecutor's office, also confirms that '*they do not have an accurate number of families affected by BF*' because it is common for families to say they were not being threatened' and as a result the PO are unable to investigate.

5.1.21 'Since 2017 have been more killings and aggression' and in 5.1.22 'if one man is killed then by default more than 10 families are involved'.

Partially accepted. We accept that the exact number of blood feuds is not known. We do not accept that, in general, the police are unable to provide protection. This also amounts to a comment on the Home Office's policy, so would respectfully ask – in line with the instructions to reviewers – that this is removed from the final draft.

These statements put together with other responses in the CPIN undermine the claims that:

- there is accurate data or database on BF
- that cases of BF are declining
- that it is isolated and remains local
- that prevalence of BF is what is claimed to be officially, when media reports indicate a much larger scale
- that institutions are coordinated in their efforts to tackle BF
- that the police are able to provide protection in cases of BF.

Efforts made to tackle blood feuds, while acknowledged, are not necessarily as effective as intended.

Recent data on BF killings published on media can be provided if such sources would be accepted by the HO.

2.6 Targets of a Blood Feud

5.2.4 cites a AHC source that erroneously states that women and minors are excluded'. This is correct if it is clarified that this is according to the original book of Kanun. In reality, as indeed 5.2.1, 5.2.2, 5.2.5 and 5.3.4 state, the opposite is the case. Country evidence published indicates this is the case as also as is the case of the Pastor. (Accounts of minors and women killed in BF are available on media sources mostly in Albanian language, and references can be provided if they will be acceptable by the HO). Some of the respondents asked by the FFT also have such information.

Accepted. This sub-section contains quotes from other sources who state that both women and children may be affected by blood feud. We weigh all the evidence received before reaching a conclusion. We are happy to consider further sources provided by the reviewer, but we would need English translations.

5.2.6 While the PA official response refers only to data till 2015, it is not clear how far back do their data go, given that he/she is not aware that children or women have been killed, as certainly this is not accurate to mean in the last 30 years.

In fact para 5.3.8 that cites the PA official contradicts this very statement by the same respondent: 'there have been cases of women and girls who are subject to blood feud'.

Accepted. However, this sub-section also contains quotes from interlocutors who provide differing views. We weigh all evidence received before reaching a conclusion.

Equally the testimony of the Pastor's wife in 5.2.7 and 5.2.8 indicates that the PA's information needs to be qualified, time referenced and cross-checked for inaccuracies.

2.7 Self-Isolation

<p>5.3.2 Again cities GI which refers to OC. You could use the direct source.</p>	<p>Not accepted. The source of this information is not clear. OC's Report_ENG.pdf (operazionecolomba.it) stated that 48 families were isolated in Shkoder, not 37, which was the figure given by Global Initiative.</p>
<p>5.3.9 reflects lack of a coordinated effort by institutions:</p> <p>The teacher employed to teach self-isolated children at their homes, Liliana, is tasked by the Ministry of Education. The respondent by the SACRP states that aside from an isolated child, 'no families approached them for help and support'. Their information 'comes from the municipality' so, this either indicates that there is no such information sharing among these institutions bottom-up or across line Ministries, or that local Government (as was noted earlier) do not really have a good grasp of the realities on the ground, as at least cross Ministerial efforts would have been coordinated and they would have responded to the same number of families with isolated children.</p>	<p>Not accepted. The interlocutor from the SACRP stated that there had been just one denouncement to the police (p.37 of the ALB FFM report on Blood feuds (publishing.service.gov.uk)).</p>
<p>5.3.10 confuses the line of information sharing, as the SACRP official is quoted saying 'if the family does not denounce there is nothing we can do'. So data come only after a denouncement is made and institutions work with different sources of data collection, that are not aligned (see also 5.3.17; 5.3.18). Para 5.3.19 presents a picture of a coordinated mechanism but all the referred paragraphs here illustrate the opposite.</p> <p>Suggest corroboration of such information, or a summary explanation.</p>	<p>Accepted. We accept that the exact number of blood feuds is not known and we make this clear in the Assessment of the country information.</p>
<p>5.3.14 presents '<i>just a perception</i>' by a psychologist in Shkoder who provides instead a sociological investigation stating that 'the number of children and families in isolation is quite small...I believe it is not a big problem, not a priority...there are other priorities we need to focus on'. The risk with such statements is, as noted earlier in the report, that a personal view can be taken as a professional objective assessment of the situation to those that do not know the country context. It would have been useful if this respondent was asked questions that fall within the remit of a psychologist, which could have been:</p> <ul style="list-style-type: none"> -the number of children and families he has provided therapy or counselling for -the range of issues they present with -the impact of isolation in their mental health -the available therapies (CBT etc..) -the longer term impact -the outcome of therapy -the risks arising from BF and isolation in regard to these patients according to age <p>Similar detailed information could have been obtained in 5.3.15</p> <p>Suggest: to remove such statements when they are just personal views unless they provide useful and professional assessments of the situation on the ground according to the field of expertise that they cover, or qualify them in a separate section clearly explained.</p>	<p>Not accepted. It is not clear how suggesting potential questions for a retrospective interview is helpful or relevant to this review.</p>

2.8 Number of Blood Feud Murders

Data in section 5.4 is to be understood in light of earlier sections that these are not accurate, but sporadic collections of various sources.

Accepted. We accept that the exact number of blood feuds is not known.

Para 5.4.5 which presents GoA data to UNCRC with '41 suspects found guilty of blood feud murders' between 2012-2019 contradicts para 5.4.4 where the GoA data reported to UNCAT 2012-2019 is 17 cases, while para 5.4.7 which reports GDSP data given to HO FFM team report 16 cases of BF murders for the same period.

Suggest: Corroborate these data and provide the correct information. If not, then an explanation on the discrepancy of data by the same source – the GoA-, is needed.

Not accepted. Paragraph 5.4.4 records the number of murders from 2012 to 2020, while paragraph 5.4.5 records the number of suspects found guilty, and paragraph 5.4.7 records the number of murders from 1998 to 2022. Therefore, they are not referring to the same thing.

However, paragraph 5.4.4. indicates that there were 18 murders from 2012 to 2020. Paragraph 5.4.7 indicates that there were 17 murders from 2012 to 2020, so the discrepancy between the two sources is relatively small.

2.9 Organised Criminal Groups

5.5.2 again quotes the GI, which refers to sources of reported cases criminality in the Albanian media and in Albanian language. If such sources are acceptable, and reliable enough to be quoted in the CPIN as this secondary source is– hence not academic but closer to reality than the official reports,- then the CPIN could accept all media sources in Albanian language to be equally reliable, especially when they are the first source.

If that is acceptable to the HO then, reports of activities of organised criminal groups published in reputable media organisations and companies can be provided. They can be in the text or video link formats in Albanian language.

Partially accepted. One of the sources in GI's report is Fabian Zhilla, of GI, writing for the Journal of Financial Crime. We are happy to look at other sources provided by the reviewer, but they must be in English.

Paras 5.5.3, 5.5.4 present personal views of respondents that contradict the personal view in 5.5.6 in regard to whether BFs are related to organised crime.

Aside from throwing together extracts from the different responses, which as shown here, contradict each other even in the same section, it is difficult to see the logic of this. It is even more difficult to gauge what is the core finding and assessment of the situation. Someone who is not familiar with the Albanian country context could be left confused by contradicting personal views, which do not add anything in terms of expert assessment.

It could have been beneficial to ask each respondent for their expert opinion within the realm of their expertise: for example,

-for the UNICEF respondent:

the number of children affected by BF that they have worked with;

The kinds of programs they deliver

Whether they provide family-wide assistance in line with other UN sister programs like UNDP, UN Women etc;

Whether they have carried out any studies in this topic

- For the state police respondent:

The exact process of case work starting from identification to protection

The cases of identified links with organised crime

The particulars and prevalence of these cases versus other BF ones

-For the journalist respondent

the source of information

the process of verification of the news

the prevalence of BF and organised crime cases worked on

Suggest: Unless information is digested, coherent and provided in a way that it gives a clear assessment of the situation according to respondent's expertise, such generalised 'personal views' do not add value to the section and ought to be removed as they can mislead readers that are not well-versed in the country context.

Not accepted. It is not clear how suggesting potential questions for a retrospective interview is helpful or relevant to this review.

5.5.6 provides some information that is useful on appreciating that a journalistic reporting could provide a faster, well-researched and analytical piece of country information to be relied upon. As such, a consideration that reputable media reports can be useful sources for the CPIN could enrich the CPIN evidential basis.

Accepted. We are happy to consider English-language media sources.

2.10 Police

<p>6.1.1 – criminal code and resolution by the Parliament refers to legislative measures, not police actions.</p> <p>The report on the establishment of the coordinating council is not backed up by evidence whether this council did function.</p> <p>The same applies to 6.1.2 about the database, 6.1.3 for the Action plan and 6.1.4 for the declared objectives in the action plan, for 6.1.6 on the roles and responsibilities of coordination which all need to be backed by evidence, if there is any, of these initiatives and structures functioning and being applied.</p> <p>Suggested source: The previous PA called on the President in 2016 to call the council.⁶</p>	<p>Partially accepted. We will move this information to a more suitable section.</p> <p>The database is referred to in paras 5.1.10, 5.3.12, 6.1.6, which indicate that, as of 2022, the database was in place and in use. We will include a link/note to bring these references together.</p> <p>The action plan is referred to in paras 6.1.10 and 6.2.6, which indicate that the plan is still in place and in use. We will provide a link/note to bring these references together.</p>
<p>6.1.19 <i>BF ‘is not mentioned in policy and strategic documents’</i> – this relates to inaccurate data on its prevalence as earlier noted.</p>	<p>Accepted. We think the reviewer is referring to para 6.1.9 (not 6.1.19). We accept that the exact number of blood feuds is not known.</p>
<p>6.1.10 the GDSP official presents a picture of a functioning mechanism, but information by other institutions (as examined above) shows that it is not necessarily the case.</p> <p>Increased number of blood feuds killings in 2023 is an indicator of this.</p> <p>Suggested</p> <p>https://www.youtube.com/watch?v=l6of9QWOdVg</p> <p>https://www.youtube.com/watch?v=WeJm_P84hZE</p> <p>https://www.oranews.tv/vendi/prenci-instituti-i-pajtimet-te-gjaqeve-eshte-braktisur-nga-shteti-vrasja-e-i1087610</p>	<p>Accepted. We accept that sources give differing views on how well various institutions work together. We will consider English-language sources provided by the reviewer.</p>

2.11 Protection

<p>6.2.4 this section needs clarification otherwise risks remaining a generalisation:</p> <ul style="list-style-type: none"> -what is the length of time the family monitoring services are provided for? -how many BF cases have the police provided this service for? 	<p>Accepted. If the reviewer is able to suggest relevant sources, we will consider these.</p>
<p>6.2.5 contradicts 6.2.4</p>	<p>Not accepted. Para 6.2.5 states that the police can get involved if a person has been threatened. It is also the nature of country information that people can give contrasting views, since they often touch on subjective matters.</p>

⁶ https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwjPhPed-oWBAXUxh_OHHb39AtYQFnoECA4QAQ&url=https%3A%2F%2Ftop-channel.tv%2Fenglish%2Fombudsman-president-must-gather-coordinating-council-for-blood-feuds%2F&usg=AOvVaw0WW3195RofOPbaYndiQhj7&opi=89978449

Contrary to para 6.2.4, para 6.2.9 the PA states that blood feud families do not benefit from a special protection	Partially accepted. Para 6.2.9 states that the police response is the same, whether the situation is revenge or blood feud, and that the courts decide whether it is a question of revenge or blood feud. Therefore, the police may provide special protection without yet knowing whether they are dealing with revenge or blood feud.
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2.12 Judiciary

7.1.2 and 7.1.3 refer again to GI secondary source which refers to OC data.	Not accepted. The info in paras 7.1.2 and 7.1.3 is footnoted by GI to the General Prosecution Office, not OC. The GPO reports are in the Albanian language, not in English.
7.1.5 can be linked with information on section 5.5 on links with organised crime,	Accepted. We will insert a link.
7.1.8 GPO notes that they were unable to provide information in the sentences given for BG killings and 7.1.10 that they did not hold stats on how many BF crimes resulted in a conviction. This ought to be cross-referenced when subjective views are presented.	<p>Partially accepted. At para 7.1.8 the report stated, 'In general, [the GPO] said that the sentences for the above cases were for life or the maximum terms allowed.' While not exact, this provides a general picture.</p> <p>At para 7.1.9 (not 7.1.10) the GPO in Tirana said that they did not hold statistics to show how many BF crimes resulted in a conviction.</p> <p>We will provide links to other sections if relevant.</p>

2.13 Corruption

<p>Corruption remains an issue for the Judiciary. It is difficult however to assess the 'progress' made by the reforms only in terms of restructuring of the system, unless its efficacy is also assessed in terms of delivering justice to citizens is also reported.</p> <p>It needs noting here also that there is difficulty in assessing the success of the reform relying on data – by comparison the numbers of those detained and arrested versus the numbers of those prosecuted. As such is not enabled by examining official data, we can rely on publication of individual accounts which reveal the scale of corruption. If these sources in Albanian language (maybe were possible in English too) published in the media can be considered useful to include in the CPIN, evidence of such can be provided. Otherwise, the risk for this section is that it remains neutral and unable to offer the reader an accurate assessment of the reality.</p>	We are happy to consider further English-language sources the reviewer may wish to provide.
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2.14 Non-governmental organisations support

<p>This section would benefit from concrete data, if the FFR team collected this information during the country mission, for example, in 9.1.2: how many of them assisted with free legal aid by AHC were involved in blood feuds? What types of assistance did they seek and access? What was the outcome of such?</p> <p>Otherwise a generalised statement as in 9.1.2 cannot tell us if such free legal aid is indeed accessible to those involved in blood feuds.</p>	<p>Accepted. We accept that further information about legal aid, if available, would be beneficial.</p>
<p>9.1.3 same comment – which NGO? What was the outcome?</p> <p>Such generalised statements are not useful to readers that are not familiar with the country context and an opinion will therefore be difficult to reach based on that.</p>	<p>Accepted. We agree that information about the outcome of the actions taken, if available, would be beneficial.</p>
<p>9.1.4 needs acknowledging here or somewhere in the report that</p> <ul style="list-style-type: none"> -the capacities of the PA office are limited to be able to assist with all cases presented to them, therefore their assessment of the country situation is curtailed. -the PA can only recommend. <p>This para would also benefit from concrete information (if such was provided to the FFM team) on the number of recommendations made to the state police and PO and if they have been accepted and acted upon. As noted earlier the PA latest data on BF is in 2015.</p>	<p>Accepted. We agree that further information about recommendations made by the PA and whether or not they were accepted would be beneficial.</p>

2.15 Conflict resolution, negotiation, mediation and education

<p>Para 10.1.1 shows that where generalised statements were made earlier in the CPIN of the inter-institutional collaboration for a coordinated effort to curb BFs, in reality this was problematic: ‘they rarely refer for mediation’ ‘we had to beg prosecutors’.</p> <p>The same is valid for 10.1.3 ‘the GPO confirmed that the police do not have oversight of the reconciliation councils’</p>	<p>Partially accepted. We accept that sources give differing views on how well various institutions work together. However, the interlocutor makes clear that ‘reconciliation councils’ are organised by elders in communities; they are not connected to the police.</p>
<p>10.1.2 is not clear whether this program still continues.</p> <p>Their reported impact of 2 cases is indicative when assuming that there is NGO assistance available.</p>	<p>Accepted. We agree that it is not clear whether the programme is continuing.</p>

2.16 Attestation letters and BF documentation

<p>11.1.1 This section needs to acknowledge the difficulties that exist in the PO obtaining accurate data in order to release certificates, because of the nature of blood feuds:</p> <ul style="list-style-type: none"> -not necessarily being declared publicly -not being accepted that crimes are based on BF from fear of harsher sentencing -not seeking help but relying on self-protection <p>Therefore, these letters can only be released for cases as also noted in 11.1.3 once a crime has taken place, a complaint has been filed and the perpetrators have been found guilty, excluding so all BFs where a crime has not been recorded. Equally, there is no data to assess the difference in numbers from GPO letters noting the filing of a complaint to one confirming that a person is in a BF (11.1.4) given issues noted in the CPIN under the section on legislation at the start of the document, where blood feuds are not being recorded and sentenced as blood feuds.</p>	<p>Partially accepted. The issues listed have already been set out earlier in the CPIN; we will provide a link to the relevant parts of the CPIN.</p> <p>However, the FFM team were told that the PO will issue a document stating that a complaint about a blood feud has been filed; this is not done only when proceedings have been brought to a close (see paras 11.1.3 and 11.1.4).</p>
<p>Para 11.1.2 cites a Refugee Board of Canada 2021 response, which itself refers to EU sources from 2016, including a perception of an employee of the embassy. No factual data have been provided that would validate such 'opinion' and enable as assessment of the current situation (post 2016) especially in regard to information in 10.1.3 in regard to information provided by the council of elders, and this statement remains just a personal view and not an expert opinion.</p>	<p>Not accepted. The Immigration and Refugee Board of Canada stated that this comment was made by an officer at the US Embassy in Tirana on 2 September 2021 (see References), not in 2016. There is no information which would justify an assumption that the officer involved did not have expertise in this matter.</p>
<p>There is contradictory information in 11.1.1 that PO release 'certificates on BFs and 11.1.10 saying 'we do not release a statement or documents saying this individual is involved or threatened because of a BF...we release documents providing information about a case, whether it is investigated or gone to Court...</p> <p>If the latter information in 11.1.10 and 11.1.11 is accurate, it means that there is no particular certification service for people in blood feuds, it is simply the right of information applied to all citizens, among them also those involved in a blood feud. This needs clarifying, as it can be misleading.</p>	<p>Accepted. We accept that clarification would be helpful.</p>
<p>Following from the above, para 11.1.15 states the HO team were unable to obtain a copy of the document. Could this be related to the above that there is no such service dedicated only to people in BF?</p>	<p>Unclear what, if any, recommendation the reviewer is making here.</p>

2.17 Relocation

<p>Information in 12.1.5, 12.1.6, 12.1.7, 12.1.9, 12.1.11, 12.1.12 and 12.1.13 confirm safety issues remain even upon relocation, while 12.1.10 states 'there were cases of families safely relocating' but without qualifying the opinion.</p> <p>Suggest: either provide the level of detail as regards successful cases and how were they achieved if they were or remove 12.1.10 as it does not offer any validity to the issues of safety on relocation vis-à-vis the other sections which state the opposite.</p>	<p>Not accepted. We do not agree that we should remove this statement as it is relevant to the issue of relocation.</p>
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2.18 Emigration

There have been a number of BF killings in 2023, and some other ones reported to be cases of BF and criminality. However, official police data do not disaggregate statistics and they simply report that a killing took place. Useful information has been published in the media in Albanian language and if these sources are accepted by the HO, they can be provided.

Partially accepted. We are happy to consider further sources but they must be in English.

3. Sources provided by the reviewer following CPIT's response

2.3 Background to Blood Feuds

In addition to suggestion 1 (relating to paragraph 4.1.1):

<https://albaniandailynews.com/news/blood-feud-in-lezha-17-year-old-perpetrator-shows-no-remorse-1-1>

<https://albaniandailynews.com/news/23584>

<https://www.bbc.co.uk/news/world-europe-41901300>

In addition to suggestion 2 and 3 (relating to paragraph 4.1.2):

<https://www.ohchr.org/sites/default/files/Documents/HRBodies/HRCouncil/AdvisoryCom/TechnicalAssistance/APG23.pdf>

In addition to the suggestion relating to paragraph 4.2.1:

https://www.researchgate.net/publication/303094509_Blood_Feud_and_Its_Impact_on_the_Albanian_Criminality

2.4 Contemporary Attitudes

In addition to the suggestion relating to paragraph 4.3.1, the reviewer said in her update: "As these are not static data, periodical reporting from daily media in English language might prove useful":

<https://www.tiranatimes.com/?s=blood+feuds>

<https://albaniandailynews.com/index.php>

<https://euronews.al/en/?s=blood+feuds>

<https://en.ata.gov.al>

2.9 Organised Criminal Groups

In addition to the suggestion relating to paragraph 5.5.2:

https://www.researchgate.net/publication/303094509_Blood_Feud_and_Its_Impact_on_the_Albanian_Criminality

Review of the February 2023 Home Office country policy and information note on Albania: human trafficking

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

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31 August 2023

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1. Introduction

1.1 Instructions

The reviewer should evaluate the extent to which the publications under review provide an accurate, balanced and up-to-date summary of the key available sources regarding conditions in the country covered, seeking to identify any areas where the publications can be improved.

- assessing the extent to which information from source documents has been appropriately and accurately reflected in the CPIN Report
- identifying additional sources detailing relevant aspects of current conditions in the country
- noting and correcting any specific errors or omissions of fact
- making recommendations for general improvements regarding, for example, the structure of the report, its coverage or its overall approach
- ensuring no reference is made to an individual source which could expose them to risk

In performing the review, the following guidelines should be followed:

- the review should focus exclusively on the country-of-origin information contained within the document, and not pass judgment on the policy guidance provided
- the CPIN should be reviewed in the context of its purpose as set out above. It should consider the situation in the country up to the stated 'cut off' date for inclusion of information (though information and sources on the country situation that post-date the publication of the COI under review may be brought to the attention of the Home Office in a dedicated section of the review template)
- when suggesting amendments, rather than 'tracking changes' on the original CPIN, a list of suggested changes should be provided as part of a stand-alone review paper, and each report should be reviewed separately.
- any suggestions for additional information (or corrections to information in the document) must be referenced to a source document for the Home Office to be able to use it (preferably open source). The Home Office may use foreign language source documents, but only if the information is considered essential and is not available in English language source.

1.2 Methodology

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

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

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

This review is focussed on country-of-origin information only and neither intends nor attempts to assess Home Office policy.

Note: Acknowledging the limitations of available official sources in providing information or evidence, some online reporting from established and reputable media inform the commentary on relevant background or contextual data, notably on government events, public information and announcements. Where they are put forward, they are available in the English language. In adherence to the Home Office requirements on foreign language and media sources, such information was not included here if it did not provide essential information and was also not available in English language source. This review acknowledges that media is a platform used by Government and other state institutions, local and international organisations to disseminate information further among the public, as preference for the source of information varies by age, gender, education, location etc. As such, media sources consulted here, are included to the degree of their usefulness in explaining particular circumstances.

Should the HO approach on the reliability of sources change to consider such platforms as valuable evidence, these sources can be provided to assist in strengthening the evidential basis of the CPIN.

1.3 Summary of Review

- Strengths
 - Generally, the report reflects a fair and accurate presentation of the source material. Presentation of both positive and negatives on key issues demonstrates an attempt to offer a balanced view based on the available evidence.
 - There is a good coverage of the range of issues relating to Human Trafficking in Albania.
 - Referencing is comprehensive and recent, with no reliance on outdated information.
 - The report reflects much of current knowledge of the rights situation for male and female, children and adults as victims of trafficking.
 - Acknowledges for the first-time prevalence of male trafficking and issues affecting it
- Weaknesses
 - The issue of trafficking of males is still addressed as a minor issue possibly due to under-reporting.
 - The report understates the role of organised crime in trafficking in Albania, especially as this is relevant to the risks on return.
 - The report suffers limitations due to the poor evidence/statistically comparable base that is available for Albania. This is shown in
 - Limited information/data from Government channels, especially regarding evaluations of implementation of national policies.
 - Comparison/trend data is problematic due to the weak statistical standards and capacities in Albanian institutions.
 - Limited assessment of the progress in implementation of legal frameworks.
 - Lack of data/evaluation of returnee services for trafficked persons in Albania (impact from NRM to shelters).
 - Underreporting of trafficking due to stigma, lack of periodical data gathering, fear and distrust in the protection system, as well as prevalence of organised crime
 - Over reliance on outputs versus outcome assessments
 - Some lack of balance of information across source types is apparent.
 - Heavy reliance on HO FFM that lacks however proper analysis of its somewhat mixed and sometimes unclear findings or conclusions.
 - Putting together extracts from various respondent can create confusion at times as regards the HO standing of the particular section.
 - At times personal opinions can be mistaken as official view on the topic.

Recommendations

These are summarised recommendations. Details are provided in the relevant sections in the document.

1. Adequately address the issue of trafficking of males in terms of prevalence of the issue, patterns of trafficking and recruitment as well as availability of protective and public services to returnees.
2. Adequately address the issue of trafficking of males and of children
3. Address the issue of under-reporting for both male and female trafficking and reasons behind it
4. Articulate more fully the connections between trafficking (for sexual exploitation and forced labour) and the operations of organised crime networks domestically and internationally.
5. Provide more critical assessment on statements and personal views rather than simply present them without a coherent line of thinking – where is it leading and what is it telling the reader.
6. Provide analysis of the impact of policy and legislation rather than rely on acceptance that they exist
7. Include sources of individual accounts that reveal the realities on the ground prior and post trafficking for longer term assessment and sustainability.
8. Needs cross checking of information and triangulation of data including not only official reporting, civil society and individual accounts.
9. Sources in Albanian language and also in other formats (video, text) could be useful to include as they counterbalance to assumptions

Note: In the recent months July and August 2023, following investigations carried out by authorities in EU countries, factual evidence was published in the media showing the existing links of organised crime with the system of justice and corrupt individuals within the Government. SPAK issued several arrests letters including for the former Deputy PM who fled the country before the arrest. Other data from 85,000 pages of investigations contain information on the power of organised crime. These are highly pertinent to VoTs on return as regards sufficiency of protection and risks to trafficking and harm on return. As this information was made available after the date this CPIN was published, they are not added here, but suggest including this factual evidence and examine the potential impact on the VoTs.

1.4 Understanding of the themes addressed in the CPIN Reports

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

From an academic perspective there are some gaps.

Firstly, there is a 'data gap' due to the relative lack of robust official statistics on the Albanian Government's part. This goes hand in hand with the immaturity and lack of capacities of Albanian institutions which are notoriously weak at internal monitoring and evaluation. More importantly it hampers external assessment.

Secondly, there are thematic gaps such as the lack of treatment of male trafficking, a somewhat thin treatment of the situation for children and topics such as forced labour and criminality.

Academic literature has long acknowledged that these have been under-represented globally in discussions of human trafficking and exploitation (Braithwaite, 2013⁸; Alsop, 2018⁹). In the case of Albania this is also true:

"...there is a gap in understanding about the causes of trafficking of males or their support... Overall, the literature is focused on the trafficking of women, with very little, if any, reference to cases of young men or boys being trafficked."¹⁰ This CPIN however for the first time acknowledges prevalence of male trafficking, but downplays the real scale of the problem, which is larger than officially reported. Reasons for such gaps in data need to be explicitly acknowledged to avoid errors and assumptions.

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

8 Braithwaite, T. (2013) 'Sex trafficking in Edo State, Nigeria: Causes and Solutions', Global Journal of Human Social Science, Sociology and Culture, Vol.13, pp.3, pp.16-29

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

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

1.5 Quality and balance of sources

- The CPIN presents a fair coverage of the topic including academic and policy sources.
- Information is recent and has been drawn from credible sources, albeit not examined.
 - Sources utilised in the CPIN are of high quality and the evidence drawn from them is relevant and current.
 - Analytical sources and assessments is weak.

2. Review

2.1 Executive Summary

	Home Office comment
Suggest: The CPIN would benefit from a critical monitoring of the implementation of the Joint Communiqué ¹¹ to ensure that progress, where there is, is noted, assessed, critiqued and re-addressed for continuous improvements in the proposed areas and actions.	Not accepted. We accept that including a note on progress in implementing the Joint Communiqué would be helpful, but it was too soon to do so in a report published in February.
The summary refers to the country guidance AT&AD but adds no contribution based on the findings from the FFM 2022, which do not always support the statement that there is ' <i>a general standard sufficiency of protection</i> ' or that ' <i>female victims of trafficking may be able to internally relocate</i> ' the latter leading to the assumption that relocation equals safety.	<p>Unclear what the recommendation is here. A consideration of progress made since TD and AD was promulgated is set out in the sections on Risk to female victims of trafficking and Protection.</p> <p>All our CPINs go through a rigorous quality assurance process involving a vast array of internal and external stakeholders prior to publication. The comments obtained, including those of different perspectives, allow us to provide a balanced assessment of the COI. Therefore, we have confidence that the position outlined reflects the country situation at the time of publication.</p> <p>We also respectfully point out that some of the comments on the Assessment are simply the personal opinions of the reviewer. However, this appears to be outside of their expertise (or, at the very least, their expertise in the law, caselaw and other elements of the refugee status determination is not outlined). As such, we request removal of these comments.</p>

¹¹ https://www.gov.uk/government/publications/uk-albania-joint-communicue-enhancing-bilateral-cooperation-in-areas-of-common-interest/uk-albania-joint-communicue-enhancing-bilateral-cooperation-in-areas-of-common-interest#_blank

2.2 Male Victims of Trafficking

3.3.1 and 3.3.4 suggest that male victims of trafficking are not at risk of harm on return, yet, 3.3.2 suggests that *‘there is limited information about male victims of trafficking’* and *‘those trafficked may not accept or recognise that they have been exploited’*. The former statement is questioned in light of acknowledged limited information and lack of reporting to form such an opinion. Furthermore, there are sources in the FFR that acknowledge the opposite.

10.4.6 Refers to Asylos report citing that ‘many of the boys didn’t understand trafficking’ and therefore didn’t report it, confirmed by other sources in 10.7.4; and *‘few adult males seek protection’*.

12.3.2 states that short-term project funding nature of support affect the outcomes of reintegration. This remains an issue and elaboration with the shelters might help in providing the necessary level of detail on how exactly this works to ensure that VoTs are supported in the longer term.

These sources together should inform the section on male trafficking in absence of accurate data, but not of the phenomenon.

It was not known if *‘specific training was delivered to the police officers to identify male VOTs’* and *‘not a lot of cases are identified or referred by the police’* 10.4.7

Suggest: review of FFR material to acknowledge that limited information could affect the ability to gain an accurate assessment of the situation, prevalence and risks associated with return. External sources of published individual accounts could also help in a better assessment of the situation.

Not accepted. Section 3 is part of the Assessment, and is therefore outside the scope of this review.

Accepted. We note that some funding is short-term and that therefore we need to monitor ongoing provision.

We would not expect an official from UNICEF to know much about police training (para 10.4.7).

2.3 Country Information: Drivers

7.2.8 and 7.2.9 should make the link that the absence of data on male trafficking is related to cultural aspects of males not reporting trafficking rather to avoid assumptions that there is less male trafficking.

Accepted. The word ‘However’ at the start of para 7.2.9 indicates that we have linked the information in the 2 paragraphs.

2.4 Numbers and Victims

This section acknowledges with various sources referenced that statistical data on prevalence of trafficking is lacking and available studies are based on selective interviews with some VoT returnees.

7.3.7 states that not all those assisted in programs are VoTs – data disaggregation therefore would be useful to understand the real impact of assistance and the number of beneficiaries. An assessment of the data on the real impact of ‘vocational training’ is needed. Unpublished research with the shelters (findings that can be provided) show that training delivered is not necessarily translated in longer term reintegration.

12.1.12 states that reintegration lasts 5 years – this however is not elaborated for example, where are they reintegrated/how is protection guaranteed? Is support for reintegration free from constraints of funding which all shelters face? Does this affect the VoTs? ‘how many have remained reintegrated after ten years?

As financial assistance is ‘insufficient’ para 12.2.1 and cost of living is high – para 12.2.7, how are they supported to make ends meet outside of the shelter?

Suggest: to acknowledge here the uncertainty of the situation.

Accepted. We accept that further data would be helpful. However, para 12.1.2 makes the point that the various sub-sections on assistance and reintegration must be read together. Further information about training is provided in the section on Employment.

2.5 Risk of Re-trafficking

7.4.2 states ‘there are no data on re-trafficking’, therefore the real scale of risk and prevalence of it cannot be known with accuracy. As shelters have no capacities to carry out research on prevalence of re-trafficking their data relies on those victims they have sheltered.

7.4.9 however provides a contradictory view from the GDSP however. An explanation might be beneficial here that police deal only with reported cases, rather than actively carry out situational analysis and assessment of risks, therefore such statements are not to be taken as factual evidence, but rather a personal view of the official interviewed. It may be better understood to mean that they have only dealt with a few cases rather than generalised assumptions on the scale of re-trafficking being ‘rare’.

The same para also reports that according to the respondent from Caritas ‘sometimes re-trafficking is the choice...when re-integration process is not going well’. It would be useful if more information was corroborated on this from this source – crosschecking with shelter data, on the outcome of reintegration process.

Published individual accounts however in addition to data from shelters and other NGOs like Caritas may provide a better assessment of the risks.

There appear to be no specific recommendations here, nor sources we can use.

2.6 Discrimination and stigma

While this section reports on prevalence of discrimination and stigma against both male and female VoTs in sections 8.1.1.-8.1.10. Section 8.1.11 reports that MSF program planned to address the issue by developing a new communication strategy. Cultural change however cannot be expected to be achieved in communication strategy or awareness campaigns as previous studies have shown.¹²

As over 8 months have passed since when the communication strategy was planned, a monitoring report might assist better on the impacts of such measures.

Para 10.7.10 also highlights that discrimination against VoTs exists among law-enforcement agents.

There appear to be no specific recommendations here, nor sources we can use.

12 Dr E Tahiraj – two UN supported action research studies in 2013 and 2016 on engaging men and boys in addressing Gender Based Violence.

2.7 Legislation

Suggest: It may be worth considering here that, as acknowledged by experts working in the field of anti-trafficking in Albania “does not have a one law against human trafficking with all parts of the law that protect the victim, which are human rights-based”.¹³

Not accepted. This level of detail is not necessary given the caselaw.

2.8 Protection

In light of the above, it is not clear which particular law does para 10.1.4 citing Asylos/ARC report is referring to. It needs clarification. Indeed, the rest of the paragraphs indicate that failures on implementation. This needs to be asserted.

Not accepted. With all due respect, we would point out that the Assessment is outside the scope of this review. We therefore request removal of these comments.

2.9 Anti-Trafficking efforts

3.2.4 and 4.1.2 state that Albania ‘has made good ongoing progress in implementation of reforms and measures to tackle trafficking in general.’ This statement is not supported by evidence and does not explain why the USSD assessment of Albania as remained in Tier two since early years.

Suggest: corroboration of evidence

Not accepted. 4.1.2 explicitly cites Freedom House and the USSD (which are both quoted, amongst others, in section 10.1). We also respectfully point out that this appears to be the reviewer offering their personal opinion on the Home Office’ policy position which is not supported by the reviewer’s expertise (RSD law, caselaw and practice). We therefore request removal of these comments.

10.3.7 refers to intended efforts to curb trafficking. However upon investigation of Annex A in the CPIN the following issues need addressing: 4.2.3 reports on implementation of the MSF programme with 57% successful reintegration.

Rather than relying on ‘quantitative outputs’ a qualitative assessment of outcomes and elaboration of findings might be more beneficial as research on the ground does not provide the same optimistic achievements as this assessment by the British Embassy does. A better assessment of the real impact on the shelters would provide more solid evidence with periodical responses by the shelters.

The key outcome ‘of a stronger whole system approach to develop a NAP against HT 2021-2023’ links to a DCM about NAP added to the strategy against organised crime.¹⁴

-Disaggregated data on KO 2- long term integration of 57% VoT are lacking from the source, hence the real impact is difficult to gauge.

Also, it is not clear how was ‘the long-term’ period was assessed when the MSF program covers years 2019-2022 and the Joint Communiqué was only signed in December 2022.

Re. KO 2: Further, full information on reintegration is provided in the relevant section of the CPIN.

Annex A makes clear that the timeframe referred to is December 2019 to September 2022.

¹³ <https://youtu.be/1jF1qttnsPDw?t=851>

¹⁴ <https://mb.gov.al/wp-content/uploads/2022/02/VKM-nr-670-date-10.11.2021-Plani-Kombetar-Antitrafik-2021-2023.pdf>

KO 3 ¹⁵ – increased understanding – is not adequately reflected in the CPIN, in particular the challenges and risks.	Re. KO 3: Various difficulties in accessing support (finances, accommodation, employment, healthcare) are noted in the section on reintegration.
KO 4 ¹⁶ - shared understanding – is not crosschecked with data to analyse if there is a shared understanding why do the numbers of young people falling victim to HT continue to rise. This is an issue that awareness campaigns over the years have not been able to change the culture, but simply have transferred information without knowledge. The conclusion that <i>‘attitudes are gradually improving’</i> do not explain the rise in trafficking activities.	Re. KO 4: the section on re-trafficking provides information about some of the attitudes which may be held by victims of trafficking. However, we will include information from the relevant UNICEF reports (First Wave Survey Study on Youth Knowledge, Attitudes and Practices with Regard to Human Trafficking, in Four Regions in Albania UNICEF Albania and Survey on youth knowledge, attitudes & practices regarding human trafficking in 4 regions of Albania UNICEF Albania).
KO 5 – findings need to be presented in the CPIN. ¹⁷	Re. KO 5: the CPIN includes information about relationships between traffickers and their victims, but we will include information from the relevant UNICEF report (Trafficked by Someone I Know UNICEF Albania).
<p>KO 6 is misleading: Out of 475 people at risk of trafficking provided with vocational training, note here these are not necessarily VoTs, 78 of them have been supported with employment opportunities. This KO does not tell us:</p> <p>How many of the 475 were VoTs?</p> <p>How many were women and girls?</p> <p>How many were children?</p> <p>How long was their employment monitored to make sure, as it has happened in the past, that they have lost the job when employer support has ended?</p> <p>How was long term integration measured?</p> <p>How long were the 41 engaged in starting a business monitored for?</p> <p>What happened to the rest of them 358 of them?</p> <p>What were the distinguishing risks for a VoT versus a PVoT?</p> <p>If such data were collected, this would enable a fair assessment of the situation rather than relying on the number of trainings delivered and the number of participants that attended workshops.</p>	Re. KO 6: we do not agree that the information is misleading; it states clearly that it refers to people at risk of trafficking, and not only to those who have been trafficked. Other sections of the CPIN provide information on issues such as gender and longer-term support.
KO7 – what happened with the identified PVoTs?	Re. KO 7: the relevant section in the CPIN provides information about victim identification and referral to the appropriate assistance.

15 <https://www.unicef.org/albania/reports/economic-reintegration-trafficking-survivors-albania>

16 <https://www.unicef.org/albania/documents/first-wave-survey-study-youth-knowledge-attitudes-and-practices-regard-human-trafficking>

17 <https://www.unicef.org/albania/reports/trafficked-someone-i-know>

<p>KO 8 – How many sensitive interviewing and safer case handling were carried out and what did that involve, and what was the impact vis-à-vis other police stations and methods.</p>	<p>Re. KO 8: there is information about the treatment of VOTs by the police and justice system elsewhere in the CPIN.</p>
<p>KO9 – what was the measured impact (outcome – cases dealt differently) of the revised material versus the output (number of materials and judges receiving them)?</p> <p>Suggest seeking if these are measured and to reflect this analysis in the CPIN. Otherwise this remains a typical reporting of the theory and not practice.</p> <p>Suggest: incorporate findings from the November 2022 final evaluation of the program.¹⁸</p>	<p>Re. KO 9: there is further information about training provided and its effectiveness throughout the CPIN.</p> <p>Accepted. We will include information from this report in the CPIN.</p>

2.10 Barriers to Protection

<p>Risks of denouncing the traffickers are related to fear of corrupt justice system – para 10.7.7.</p> <p>During research and roundtable meetings in March 2023 with shelters and NGOs operating in Albania (unpublished) on anti-trafficking, I was informed of one example:</p> <p>A former VoT informed the shelter that she was fleeing the country because the trafficker she had denounced 10 years before was being released from prison and he had already managed to trace her and send threats that he was going to kill her. Not trusting the system of protection, she was forced to flee the country. The shelters could not provide protection.</p> <p>This ought to be considered also as paras 10.9-10.9.3 report on witness protection, which do not provide information on what happens once the VoTs are outside of the shelter, as the case above indicates they are not provided with protection. This information can be further corroborated with the shelters on a regular basis to keep the CPIN up to date.</p>	<p>We do not accept that one anecdotal example is indicative of a systemic failure of the state to afford effective protection. There is no evidence supplied here that the person sought to engage the protection of the authorities; rather defaulted to a belief that they would not. The person had <i>already (apparently)</i> been arrested, prosecuted and imprisoned for ten years – implying a previous offering of effective protection by the state in this specific example.</p>
<p>10.7.5 while the level of awareness is higher than prior to campaigns, this is not to be taken as indicator that the ‘culture’ has changed, until the pre-conditions that lead to trafficking also change. Therefore, while such findings ought to be taken as positive, their impact is yet to be assessed.</p>	<p>Not accepted. This comment was relevant to a section on barriers to protection.</p>

2.11 Children

<p>There are many issues that affect lack of data on child trafficking and the fact that they are not reported, one of them being lack of proper cross-border checks, which can be evidenced by published cases of individual accounts.</p>	<p>There appear to be no specific recommendations here, nor sources we can use.</p>
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18 <https://www.unicef.org/albania/reports/2022-human-trafficking-evaluation>

2.12 Housing and Accommodation

Apartments in residential building subsidised by shelters in collaboration with local authorities for a temporary period to support VoTs do not offer a long terms solution in light of life risks such as loss of employment or shortage of funding for support, or ‘prejudice’ (12.3.11)

Suggest: explore the practicalities of this with the shelters. This requires regular communication and consultation with shelters and in the absence of such consultation it would be best to delete the comment from the report.

Not accepted. The information included in this paragraph is relevant to the subject.

2.13 Employment

While this section reports on the ‘existence’ of support services for employment, in reality the practice and impact of it for VoTs is not expected to be better than it is for the general population, which is poor. Para 12.4.5 provides responses by VoTs themselves and this is the core of this section. Along with employment exploitation and lack of sustainable programs, (12.4.6), data need to be further elaborated with the shelters, employment programs and municipal offices on the real impact of such measures. If these data were provided during the FFM, they can be added here, or be further explored with continued contact with these offices.

NAES states they ‘*do not have many VoTs declared in labour offices*’ (12.4.8) which contradicts previous statements that VoTs receive employment support.

While fear of ‘judgement’ was dismissed in para 12.4.14, interviews with VoTs indicate that ‘VoTs were refused by employers upon finding about their trafficking (para 12.4.15).

There appear to be no specific recommendations here, nor sources we can use.

These statements are not contradictory. NAES stated they do not have *many*; not that they don’t have *any*.

We do not accept that fear of judgement was dismissed in para 12.4.14; the interlocutors described the experiences they were aware of, and these are just as valid as any other. We are aware that sources may provide contradictory information, and this is in line with their own experiences.

2.14 Health Care

Availability, accessibility, quality and real cost of health provision and mental health is fairly presented here. Assumption therefore that VoTs can access the level of support for their mental health issues ought to be examined here in view of these issues that undermine the assumption that VoTs can access mental health care support at no cost to them.

There appear to be no specific recommendations here, nor sources we can use.

2.15 Additional Information

Additional findings from periodic Country Research: January, March and July-August 2023	
<p>Government anti-trafficking efforts</p> <p>NAP 2021-2023</p> <p>As of August 2023, ‘no concrete steps have been taken to implement NAP activities for example measure 1.1.9.</p> <p>Objective 1.1.1: no changes have been made to the Penal Code, but the Ministry of Justice is working on drafting a new Penal Code to reflect the changes proposed by NAP 2021-2023 with participation of NGOs.</p> <p>Objective 1.1.9: no significant is noted in the development of the processing and exchange of information for criminal proceedings. Information on criminal proceedings and traffickers is processed by the Justice Institutions, including the police, as for all other criminal offenses. They refer information according to the relevant articles that provide for criminal offenses, including THB criminal offenses (article 110/a and 128/b of CC).</p> <p>Objective 1.1.2: was proposed by D&E, considering the initiative for a new law against THB and for the protection of victims of trafficking as a necessity to improve the legislation and ensure more effective protection for victims of trafficking. Despite extensive lobbying, no concrete steps have been taken by the Ministry of the Interior to start the procedure of drafting the law yet. The proposal of the new anti-trafficking law relies on a study by D&E.¹⁹</p>	<p>Thank you for the suggested additional material. We will critically evaluate the extent to which each suggestion is relevant and necessary when we update this CPIN as a result of this review.</p>
<p>Awareness Campaigns</p> <p>Shelters have no information on increasing capacities for the use of the free national line 116-006 and the application “Report and save” (measure 3.1.2).</p> <p>Shelters have no information on activities undertaken or delivered to inform and raise awareness among hotel and tourism employees about the identification and reporting of VT/PVT, mainly during the summer season (measure 3.1.2).</p> <p>No Fundamental changes were informed since the pandemic as regards THBs.</p>	<p>There appear to be no specific recommendations here, nor sources we can use.</p>

19 <http://differentandequal.org/en/raport-studimor-mbi-nevojen-e-hartimit-te-nje-ligji-te-vecante-per-mbrojtjen-e-viktimave-te-trafikimit-ne-shqiperi/>

<p>Accessibility of Data on THBs</p> <p>Based on SOPs, the Decision of the Council of Ministers Nr. 499, dated 29.8.2018, article 4 “definitions”, “The database for the victims of trafficking SIVET” is a database integrated into the TIMS system, which is the only one official source for statistics about victims/potential victims of trafficking.</p> <p>As a rule, ONAC publishes annual reports on the THB situation in Albania, but to the shelter’s knowledge there is still no report published for 2022. The last report published on the website of the Ministry of the Interior is from 2018.²⁰</p> <p>When shelters need statistical information, they ‘consult international reports, especially the USSD TIP report’.</p> <p>USSD Albania TiP Report 2023:</p> <ul style="list-style-type: none"> • The government and NGOs identified 110 potential victims and two official victims, a decrease compared with 154 potential victims and five official victims in 2021. • The Albanian State Police investigated 85 new cases with 112 suspects, an increase compared with 61 cases with 27 suspects in 2021 (71 suspects for sex trafficking and 41 suspects for unspecified forms of trafficking). • The General Prosecution Office (GPO) prosecuted 54 cases with eight defendants, compared with 60 cases with 19 defendants in 2021. Separately, the Special Structure against Corruption and Organized Crime (SPAK) initiated two new investigations and continued to investigate two cases initiated and registered in 2021. • Courts did not convict any traffickers, a significant decrease compared with 11 traffickers in 2021, but the same as no convictions in 2020. 	<p>It is not clear whether the reviewer is making a recommendation here. The USSD TiP Report 2023 was published in June 2023, and so was not available at the time the CPIN was written. However, we referred to the 2022 report, which was available.</p>
<p>Recent data on the proportion of child victims of THB</p> <p>NCATS statistics of new cases assisted during 2022: 56% of the cases were boys and girls (minors) and 44% were women and men. Compared to the GRETA report for Albania 2020, there is an increase of the number of child victims from 48% to 56%.</p> <p>NACTS statistics 2022: 73% of the new cases assisted during 2022 were females and 27% were males. Males were exploited mostly for forced criminal activities (drug distribution and stealing); begging and forced labour.</p> <p>Young women and girls remain the most vulnerable to trafficking.</p> <p>D&E cases 2022: 70% of treated cases are under the age of 21 and of the new cases referred during the year 2022, 56% of them are children under 18.</p> <p>Re-trafficking rate is around 5%</p>	<p>It is not clear whether the reviewer is making a recommendation here. The information provided is noted.</p>
<p>NRM</p> <p>The agreement for the establishment of the National Referral Mechanism for the identification, referral and protection of the victims of trafficking was signed in 2005. ‘It was renewed and enhanced in 2012 and recently on 26 June 2023.’</p> <p>Male Trafficking</p> <p>Socio-economic factors that make male victims vulnerable to trafficking networks such as:</p> <ul style="list-style-type: none"> • Males who come from vulnerable home situations – poor families, families with domestic violence, families with unemployed parents, addicted to narcotics or alcoholics. • Males who are homeless and leave social care institutions, have no family or relatives they can rely on after leaving the institution. • Males who are vulnerable due to health problems, addicted to drugs or alcohol use and suffer from mental health issues. • Males who do not have a degree, skills or profession. 	<p>The reviewer does not seem to be making a recommendation here. The information provided is noted, but the source of much of it is not clear.</p>

²⁰ <https://mb.gov.al/raporte-kombetare-e-nderkombetare/>

Shelters

There are 87 new cases assisted by the Shelters in the first 6 months of 2023

Number of VoTs in shelters: 87

Number of female VOTs: 60

Number of Male VoTs: 27

Number of Children: 55

TiP Report 2023: the government denied the shelters' request for increased funding to enable standard overtime or weekend/holiday pay or to increase staff salaries above minimum wage to assist with retaining and attracting staff.

The budget increase in 2022 was insufficient.

The reviewer does not seem to be making a recommendation here. The information is noted but the source of some of it is not clear.

Low Conviction Rates

Factors that influence it:

- difficulty in obtaining evidence to convict traffickers;
- lack of capacities dedicated to the investigation and trial of THB cases.
- VoTs lack of trust in the justice system
- After changes in the Criminal Procedure Code in 2017, THB cases that are not considered 'organised crimes' are under the jurisdiction of the Prosecutor's Office and Courts at the District level, who do not have much experience in THB cases.

The reviewer does not seem to be making a recommendation here. The information provided is noted, but its source is not clear.

Review of country of origin information requests on Albania

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

Dr Enkeleida Tahiraj²¹

31 August 2023

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

²¹ Dr Enkeleida Tahiraj is a professional academic and consultant with specialisms in social sciences, with a geographic focus on South-East Europe and the European Periphery. Her academic and consulting work on Albania encompasses advisory roles to Government and INGOs on socio-economic development, governance and human rights. Dr Tahiraj has previously reviewed the Albania HO CPINs on 'Blood Feuds', 'Human Trafficking', 'Ethnic minorities' and 'Sexual Orientation and Gender Identity'. Dr Tahiraj holds a PhD in Social Policy from the University of York and an MA from the University of Sussex.

1. COI request – Albania: State attitudes towards Gulenists

Reference number: 05/23-009

19 May 2023

Sources are accurate.

Accepted. Further information noted, thank you.

Since the date this response was written there have been some developments in regard to this issue.

On 20 June 2023 the police entered in the Manza camp to carry out inspections according to the decision of the Special Court against Corruption and Organized Crime and the execution order of the Prosecution before this Court.

"In implementation of the decision of the Special Court against Corruption and Organized Crime and the execution order of the Prosecutor's Office before this Court, for the control of all premises and offices where they live for humanitarian purposes, the State Police, within the framework of an operational plan started checking all premises and offices in the MEK camp, in Manez, Durrës.

Pursuant to the control orders issued by the Court, the State Police has taken measures for their implementation, with the control plan of the premises in the territory of the MEK camp, rigorously applying ethics and communication and respecting the fundamental rights and freedoms of all citizens and the community that lives in this camp."

One a resident of the ASHRAF camp lost his life and several others were injured after clashes with the State Police inside the MEK camp in Manze, Durrës.

The fight started after the members of the camp resisted and did not allow the police to carry out checks.²²

A day after the Albanian police burst in the Iranian camp Ashraf 3 in Manez of Durrës, the authorities said that the police have prosecuted 6 Iranian mujahedin between the ages of 61 and 73 for minor criminal offenses such as "Disobedience to the order of the police officer", "Opposition of the police officer", "Destruction of property" and "Obstacles to the execution of the court decision".²³

The person who died inside the Iranian opposition camp earlier was hospitalized due to heart problems.

2. COI request – Country: Albania: Treatment of protesters

Reference number: 02/23-023

22 February 2023

Accurate information.

Comment noted, thank you.

²² <https://albaniandailynews.com/news/mek-member-caught-in-drone-footage-while-burning-sensitive-documents>

²³ <https://top-channel.tv/english/the-police-investigate-the-iranian-opposition-members-after-riots-during-police-search/>

3. COI request – Albania: Albanian Roma

Reference number: 01/23-028

17 February 2023

Up to date information and representative of the issues affecting Roma community in Albania.

Comment noted, thank you.

There face challenges of exclusion in the field of health, education, employment, discrimination and stigma and remain the poorest community in the country.

They remain 'in extreme informality, not even 3% of them are employed via dedicated local employment programs'.²⁴

4. COI request – Albania: Jehovah's Witnesses and religious conversion

Reference number: 02/23-013

17 February 2023

While sources can be found on general situation of religious groups in Albania, not much information can be found on this very specific topic of Jehovah's Witnesses and religious conversion into it.

Accepted. Further information noted, thank you.

The USSD 2022 report on religious freedom²⁵ uncovered that 'JW filed a lawsuit against the Albanian Government after they refused to support JW financially like they do for four other religious groups'.²⁶

A mother and daughter died in 2020 after they were self-sacrificed as JW followers. The information was obtained by the other sister that survived the act.²⁷

²⁴ <https://boldnews.al/2023/08/16/romet-dhe-egjiptianet-ne-informalitet-ekstrem-zyrat-e-punes-nuk-punesojne-as/>

²⁵ <https://www.state.gov/wp-content/uploads/2023/04/441219-ALBANIA-2022-INTERNATIONAL-RELIGIOUS-FREEDOM-REPORT.pdf>

²⁶ <https://www.voxnews.al/english/aktualitet/deshmitaret-e-jehovait-ngriten-nje-padi-gjygesore-kunder-qeverise-shq-i39901>

²⁷ <https://albaniandailynews.com/news/-kombinat-self-sacrifice-sole-survivor-reveals-why-authorities-weren-t-called>

5. COI request – Albania: Money lenders

Reference number: 12.22 – 018

13 December 2022

Informal money lending is an activity that has operated 'under the radar'. They have flourished because of the difficulties people face in being able to lend from banks due to requirements for collateral.

Accepted. Further sources noted, thank you.

Accounts of people falling victim to money lenders are starting to be published on media.²⁸ Reports of extortionate rates, violence and even threats are published. These however are individual anecdotal accounts.

A documentary on the killing of a man in Shkoder shed light into his money lending activities which are thought to be enabled by or carried out in collaboration with organised criminal groups.^{29, 30, 31, 32, 33.}

6. COI request – Albania: Democratic Party (DP) and treatment of persons connected to dissident poet Havzi Nela

Reference number: 09/22-022

6 October 2022

Available sources on Havzi Nela have been consulted in the response.

Comment noted, thank you.

28 <https://www.youtube.com/watch?v=Fx03etUhrIY>

29 <https://www.youtube.com/watch?v=B0L8kKN5bSg>

30 <https://www.youtube.com/watch?v=QX2A8E-ZQko>

31 <https://www.youtube.com/watch?v=dZZh5TCEfz4>

32 <https://www.youtube.com/watch?v=84np0B7BTBk>

33 <https://www.youtube.com/watch?v=m7QOpQZ1lzM>

7. COI request – Albania: Male victims of domestic violence and freedom of internal movement

Reference Number: 11/21-030

7 December 2021

This issue is underreported also because of cultural factors. Males tend to not report violence. They are brought up to be strong and face violence with violence. Culturally, violence is tolerated as the expression 'the one that beats you, loves you'. For two studies on violence see the UN supported publications.³⁴

Furthermore, reporting domestic violence carries the risk of alienation from family and community.

Accepted. Further information noted, thank you.

³⁴ Tahiraj, E. 2013 Fjale Burri: Engaging men and boys against violence on women. UN/UNDP. Tirane.
Tahiraj, E. 2016 Fjale Burri II: Engaging men and boys against violence on women. UN/UNDP. Tirane

Annex B: Review of selected Home Office country of origin information on Pakistan

Review of the May 2023 Home Office country policy and information note on Pakistan: actors of protection

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

Matthew J. Nelson, SOAS University of London¹

September 2023

¹ Matthew J. Nelson serves as a Professor of Politics and Head of Department (Politics and International Studies) at SOAS University of London. This review was prepared in his personal capacity. Professor Nelson's research focuses on law and politics in the Muslim world, with a focus on South Asia. He has spent several years living and working in Pakistan. He is often invited to share his views concerning Pakistan with HMG officials.

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1. Introduction

1.1 Instructions

This review examines the degree to which the Country Policy and Information Note (CPIN) concerning Actors of Protection in Pakistan is relevant, accurate, balanced, traceable, and up-to-date. I have not been asked to comment on the Assessment contained in this Note (i.e. Sections 1-2 of the Note).

1.2 Methodology

To complete this review, I examined every empirical reference in the CPIN alongside its footnoted source material.

Where items were irrelevant, or affected by a possible lack of balance or objectivity, I have pointed this out (including reasons for concern about any possible lack of objectivity). Where an item was empirically inaccurate, I have corrected it with reference to a new source. Where source links failed, I have noted this (see for example footnotes 3, 5, 10, 28, 29, 113, 118, 122, 150, and 155).

HO comment: we will check all footnotes when we update the CPIN as a result of this review.

1.3 Summary of Review

This Review focuses on two main issues, namely (a) the accuracy of information presented (including up-to-date legal information and various forms of quantitative data) as well as (b) the presentation of information (for example, where a re-sequencing of information might facilitate a more accurate understanding).

With respect to general (overarching) recommendations, four issues stand out:

Main Suggestions relating to the COI	HOME OFFICE RESPONSE
<p>1. The Note's summary of Pakistan's constitution (ref. 3.1.1.) is exceedingly brief, even with reference to enumerated fundamental rights, mentioning only state protection of (a) people's property (subject to law) (Articles 23-24), (b) lives (subject to law) (Article 9), (c) places of worship and religious beliefs (subject to law, public order, and morality) (Article 20), (d) fair trial and due process (Article 10A and, with reference to protection against retrospective punishment, double punishment, and self-incrimination, Articles 12-13), as well as (e) equal protection of law for each person (Article 25A, including non-discrimination as per Articles 26-27).</p> <p>The Note's constitutional summary does not mention—but <i>should</i>—constitutional safeguards with respect to (a) torture during the extraction of evidence (Article 14), (b) freedom of movement, assembly, and association (Articles 15-17, subject to law and other limitations tied to public order/national security/defence, or, in the case of association, morality), and (c) freedom of speech (Article 19, subject to limitations associated with incitement/public order/national security/defence, morality, contempt of court, and/or 'the glory of Islam').</p> <p>Nor does the constitutional summary mention key <i>limitations</i> on the judiciary's protection of fundamental rights (a) in cases where the state invokes public order and/or national security and defence (see first paragraph, above) or matters covered in the constitution's First Schedule as well as (b) with reference to preventive detention (Article 10, subject to law), or with respect to child labour (Article 11), ref. https://na.gov.pk/uploads/documents/1333523681_951.pdf.</p> <p><i>To facilitate understanding and contextualise the legal context within which actors of protection operate, these constitutional elements could be included.</i></p>	<p>Accepted. We will add further references to relevant sections of the constitution</p>
<p>2. The Note lacks sufficient appreciation for military interference in Pakistan: within ordinary courts, military courts, NAB tribunals, other tribunals, and various instances of harassment/disappearance/extrajudicial killing, military interference is well documented. See for example 8.1.7: "The OSAC report noted that, 'While military and intelligence services officially report to civilian authorities, the military and intelligence services operate independently and without effective civilian oversight. Members of the security forces have committed numerous abuses, often going unpunished.'"</p> <p><i>With specific reference to the focus of this CPIN (the work/effectiveness associated with Actors of Protection), this constraint merits highlighting.</i></p>	<p>Not accepted</p> <p>Without COI to support this we cannot consider whether it is appropriate to include. It would be helpful if the reviewer could point to accessible sources which elaborate on military interference</p>

<p>3. At various points in this Note, information regarding torture and deaths in custody has been rendered out-of-date by the promulgation of Pakistan’s Torture and Custodial Death (Prevention and Punishment) Act 2022; see https://hrqp-web.org/hrqpweb/wp-content/uploads/2020/09/2023-LWC03-Torture-and-Custodial-Death-Prevention-and-Punishment-Act-2022.pdf; also https://www.dawn.com/news/1716092.</p>	<p>Accepted</p> <p>See comments at 2.2 of this review. We will update the CPIN as a result of this review and include material (where suggested) to reflect the promulgation of the aforementioned Torture and Custodial Death (Prevention and Punishment) Act 2022</p>
<p>4. The use of quantitative data should be improved. This includes the presentation of crime data and figures regarding the number of actors of protection in Pakistan. Where crime data are provided, they could include comparisons to other national jurisdictions (see for example https://www.unodc.org/documents/data-and-analysis/Crime-statistics/International_Statistics_on_Crime_and_Justice.pdf). Where figures regarding the number of actors of protection are included, the Note could place these alongside relevant population data (to facilitate ‘per capita’ comparisons). These adjustments will help to contextualise the data.</p>	<p>Partially accepted.</p> <p>See comments at 2.3 of this review. We agree that figures regarding the number of actors of protection cited alongside relevant population data is useful context. However, the 2010 UNODC source, which cites crime statistics from 2000, is considered dated for our purposes as we consider risk on return to Pakistan now.</p>

1.4 Understanding of the themes addressed in the CPIN Reports

This Note offers a reasonably good understanding of prevalent legal usage and academic understandings concerning the themes under discussion. However, the constitutional background information is insufficient, some legal information is out-of-date, and in some cases greater familiarity with relevant academic literature would be helpful. Above and below, I offer suggestions to facilitate improvements.

1.5 Quality and balance of sources

The quality and balance of sources is generally strong. However, some key information is out-of-date and the data regarding crime statistics are weak.

2. Review

2.1 Police and Paramilitary Forces (Section 4)

<p>The following points aim to address shortcomings related to the organisation/presentation, currency, and empirical accuracy of the information, as well as the reliability of the quantitative data presented in the Note.</p>	<p><u>HOME OFFICE RESPONSE</u></p>
<p>SUGGESTION – 4.1.1 (“The US Department of State noted in its human rights report for 2022 (USSD HR Report 2022) that: ‘Police have primary domestic security responsibility for most of the country. Local police are under the jurisdiction of provincial governments. Paramilitary organizations, including the Frontier Corps that operates in Balochistan, Khyber Pakhtunkhwa, and the former Federally Administered Tribal Areas, as well as the Rangers that operate in Sindh and Punjab, provide security services under the authority of the Ministry of Interior. The Frontier Corps’ primary mission is security of the border with Afghanistan, and the corps reports to the Ministry of Interior in peacetime and the army in times of conflict.’) should be followed immediately by 4.1.4 (“On paramilitary groups operating in the country, the January 2022 Australian Department of Foreign Affairs and Trade (DFAT) report noted that: ‘In addition to provincial police forces, several paramilitary forces operate in Pakistan. These include the Pakistan Rangers, which mainly operate in Punjab and Sindh provinces. The Rangers are notionally under the authority of the Ministry of the Interior but are headed by an army general and are, in practice, under the control of the military. The Rangers undertake border security operations along the Indian border, as well as internal law-and-order operations. The Frontier Corps perform a similar role to the Rangers in western border regions, including Balochistan, Khyber Pakhtunkhwa and the former FATA.’”).</p> <p><i>Rationale:</i> This sequencing may enhance the presentation/clarity of the material and facilitate understanding.</p>	<p>Accepted. We will rearrange the order of paragraphs when we update the CPIN as a result of this review.</p>
<p>SUGGESTION – 4.2.6: “Some groups are denied adequate state protection on discriminatory grounds... Despite measures introduced to curb violence across the country under the NAP [National Action Plan] – including strengthened powers for military and paramilitary security forces and the establishment of military courts – successful prosecution for politically motivated, [ADD: ethnic, religious] or sectarian violence is rare. This is due to ineffective police investigations, a lack of forensic capabilities and prosecution and judicial legal understanding, and threats against judges, lawyers, witnesses and their families.”</p> <p><i>Rationale:</i> With respect to discrimination, the NAP (2014, 2021) is not limited to politically motivated or sectarian violence; it also mentions ethnic and (very broadly defined) religious violence, ref. https://nacta.gov.pk/revised-national-action-plan-2021-2/</p>	<p>Not accepted. The sentence is a direct quote and cannot be changed without reference to source(s) indicating that successful prosecutions for ethnic and religious violence are also rare. It would be helpful if the reviewer could direct us to relevant, accessible sources or agree to be cited as the source of this information</p>

2.2 Torture and Ill-Treatment (Section 5.4)

RECOMMENDATION – 5.2.6: “In October 2022 Dawn reported that the National Assembly passed a bill criminalising enforced disappearances. The Senate is required to pass the bill to make it law. ~~At the time of writing, the bill had yet to be passed by the Senate.~~” and 5.4.1: “Torture by police and other law enforcement agencies is so endemic and systematic in Pakistan that it is largely a common practice. Torture is accepted as an inevitable part of law enforcement in Pakistan, and perpetrators of torture are granted impunity through a combination of socio-cultural acceptance, lack of independent oversight and investigation mechanisms, widespread powers of arrest and detention, procedural loopholes and ineffective safeguards, ~~including Pakistan’s failure to criminalise torture.~~”

Rationale: In both excerpts, the final phrase has been rendered out of date by the promulgation of the Torture and Custodial Death (Prevention and Punishment) Act 2022, ref. 5.4.5 and <https://www.dawn.com/news/1716092> and <https://hrcp-web.org/hrcpweb/wp-content/uploads/2020/09/2023-LWC03-Torture-and-Custodial-Death-Prevention-and-Punishment-Act-2022.pdf>

Partially accepted.

Paragraph 5.2.6: The (second) passing of the bill by the NA criminalising enforced disappearances relates to the proposed removal of Section 514 of the Criminal Laws (Amendment) Act 2022 ([1666329282_161.pdf \(senate.gov.pk\)](https://www.senate.gov.pk/uploads/documents/1666329282_161.pdf)) and not the Torture and Custodial Death (Prevention and Punishment) Act 2022.

Paragraph 5.4.1 will be revised to reflect the promulgation of the aforementioned Torture and Custodial Death (Prevention and Punishment) Act 2022

RECOMMENDATION – 5.2.7: ~~“The HRCP expressed its concern at the bill, noting that it did not provide for civilian oversight.”~~

Rationale: This element should be replaced with more recent HRCP comments following the promulgation of the Torture and Custodial Death (Prevention and Punishment) Act 2022, ref. <https://hrcp-web.org/hrcpweb/wp-content/uploads/2020/09/2023-LWC03-Torture-and-Custodial-Death-Prevention-and-Punishment-Act-2022.pdf>

Not accepted. See comment re paragraph 5.2.6

RECOMMENDATION – 5.4.5 (“As reported by Dawn, The Torture and Custodial Death (Prevention and Punishment) Bill was passed by the Senate in October 2022 and aims to criminalise and protect against ‘acts of torture, custodial death and custodial rape committed against persons held in custody by public officials, and to provide redress to the victims of such acts...’”) and 5.4.6 (“In its second periodic report on the implementation of the International Covenant on Civil and Political Rights (ICCPR), the GoP referred to The Torture and Custodial Death (Prevention and Punishment) Bill and stated that ‘The Bill stipulates that any public servant involved in torture would face up to 10 years imprisonment and a fine of up to PKR 2 million. If a public servant, whose duty it is to prevent torture, either intentionally or negligently fails to prevent it, he/she will face up to five years imprisonment and a fine of up to PKR 1 million.’”)

Rationale: These two elements have been rendered out of date by the promulgation of the Torture and Custodial Death (Prevention and Punishment) Act 2022, <https://hrcp-web.org/hrcpweb/wp-content/uploads/2020/09/2023-LWC03-Torture-and-Custodial-Death-Prevention-and-Punishment-Act-2022.pdf>. Both elements should be replaced with <https://www.dawn.com/news/1716092> and/or <https://hrcp-web.org/hrcpweb/wp-content/uploads/2020/09/2023-LWC03-Torture-and-Custodial-Death-Prevention-and-Punishment-Act-2022.pdf>

Partially accepted.

Paragraph 5.4.5: the source cited in the CPIN is the same source suggested by the reviewer, so does not need to be replaced (<https://www.dawn.com/news/1716092>)

Paragraph 5.4.6: we will refer to the act and the HRCP report when we update the CPIN as a result of this review.

2.3 Crime Rates (Section 6)

SUGGESTION – 6.1.2: “The January 2022 DFAT report noted that ~~violent crime was lower in rural areas. The same source stated that~~ ‘There are no centralised or national law enforcement databases or criminal records, which makes it hard to track or locate offenders.’

Rationale: Without more detailed evidence underpinning the claim that violent crime has been lower in rural areas, this point could be cut out, ref. earlier U.K. Home Office CIG – Pakistan (Land Disputes) http://azil.rs/azil_novi/wp-content/uploads/2018/07/Land-disputes.2014.Home-Office.pdf

Partially accepted. We will qualify the statement unless we can evidence it when we update the CPIN as a result of this review

RECOMMENDATION – 6.2.3. “The following table, reproduced from the HRCP report 2021, gives the total number of crimes against persons in the ICT in 2021, according to data provided by the ICT Police, in response to HRCP’s request for information.”

Rationale: These data—reflecting the ‘total number of crimes against persons’ (including, oddly, ‘blasphemy’ as a ‘crime against persons’)—are incredibly low: 239 crimes against persons for a city of at least 2 million inhabitants should be more fully contextualised; for example, one might consider including data from Pakistan alongside crime figures from other countries, ref. https://www.unodc.org/documents/data-and-analysis/Crime-statistics/International_Statistics_on_Crime_and_Justice.pdf.

Not accepted. We consider the 2010 UNODC source, which cites 2000 statistics in relation to Pakistan, to be dated. However, we will consider including some further context on crime data when we update the CPIN following this review.

RECOMMENDATION – 6.3.1: “According to the OSAC, referring to Punjab province: ‘In 2020, the overall reports of criminal activity in Lahore increased by approximately 59%. There were approximately 133,000 crimes of all kinds reported to or cited by the police in 2020, compared to approximately 84,000 in 2019: Carjacking, assaults, armed robberies, home/shop invasions, and other violent crimes are prevalent in many major urban areas; petty crime, such as theft of personal property, is also widespread” and 6.3.3 “The following table, reproduced from the HRCP report 2021, gives the total number of crimes against persons in Punjab in 2021, according to data provided by the Punjab Police, in response to HRCP’s request for information:” and 6.3.4 “According to data from the Punjab Police crime statistics, from 1 January 2022 to 31 December 2022 there were 760,371 reported and registered crimes in Punjab province, of which 201,202 were ‘Under Investigation’. The police data recorded 69,953 crimes ‘Against Person’, which included 4,628 murders, 7,826 attempted murders, 16,744 cases of ‘hurt’, 21,773 kidnapping/abductions, 62 kidnapping/ransom, 3,642 rapes, 309 gang rapes and 14,969 ‘other’ cases.”

Rationale: The first quotation points to 133,000 ‘crimes of all kinds’ in the Punjab (2020). The table mentioned in the second quotation mentions just 11,454 ‘crimes against persons’ (+ blasphemy) in the Punjab (2021). The third quotation mentions 760,371 registered crimes in the Punjab (2022), with 69,953 ‘against persons’. The year-on-year data are so erratic as to lack credibility (or reliability); they obscure more than they reveal, and they confuse more than clarify.

These problems raise doubts about the value of the HRCP tables presented for each jurisdiction: 6.2.3, 6.3.3, 6.4.3, 6.5.3, and 6.6.1.

Accepted. We will consider including some context/qualifying statement on crime data when we update the CPIN following this review.

2.4 Rule of Law and the Judiciary (Section 7)

7.2.1: “The Bertelsmann Stiftung Transformation Index (BTI), which ‘... analyzes and evaluates whether and how developing countries and countries in transition are steering social change toward democracy and a market economy’, noted in its BTI 2022 for Pakistan, covering the period from 1 February 2019 to 31 January 2021, that ‘The constitution mandates a separation of powers between the judiciary, legislature and executive, but this division is often blurred in practice.’”

COMMENT: Without further detail spelling out, specifically, how this blurring might occur, this quotation is overly vague. More relevant information is provided in the following para 7.2.2.

Accepted. We will remove this paragraph when we update the CPIN as a result of this review.

7.2.3: “According to the Freedom House report, Freedom in the World 2022, covering 2021 events, ‘The judiciary is politicized and ~~has~~ [ADD: factions within the judiciary have] a history of involvement in the power struggles between the military, the civilian government, and opposition politicians. Judges have often aligned rulings with the priorities of the military.’”

COMMENT: It is more accurate to say that Pakistan’s higher judiciary contains internal factions on each court, and these may split on politically significant cases including those where the military has an interest (ref. Paula Newberg, *Judging the State: Courts and Constitutional Politics in Pakistan*, Cambridge 1995; Moeen Cheema, *Courting Constitutionalism: The Politics of Public Law and Judicial Review in Pakistan*, Cambridge 2021; Yasser Kureshi, *Seeking Supremacy: The Pursuit of Judicial Power in Pakistan*, Cambridge 2022).

Not accepted. Thank you for the recommended sources. While we agree a wide range of sources helps strengthen the COI, our ability to access some academic literature is restricted by limits in our available resources. Furthermore, CPINs are not intended to be an exhaustive survey of a particular subject or theme. Consequently, the suggested material is likely to be a level of detail that is not required for decision makers bearing in mind the scope and purpose of the CPIN.

<p>7.2.6: “The USSD HR Report 2022 stated that ‘Reports of corruption in the judicial system persisted, including reports that court staff requested payments to facilitate [ADD: or obstruct] administrative procedures.’</p> <p>COMMENT: Empirical research indicates that payments are frequently made not merely to facilitate procedures, but also to <u>delay</u> procedures so as to create pressure for out-of-court settlements, ref. Matthew J. Nelson, <i>In the Shadow of Shari’ah: Islam, Islamic Law, and Democracy in Pakistan</i>, Columbia 2011).</p>	<p>Not accepted. Thank you for the recommended source. However, we respectfully note it is from 2011 and therefore dated for our purposes. It would be helpful if the reviewer could direct us to relevant, recent, accessible sources or agree to be cited as the source of this information (therefore confirming it remains an accurate reflection of the current situation).</p>
<p>SUGGESTION – 7.3.4: “Where available, the HRCP reported the number of new, pending and disposed of case across the provincial courts in 2021 (figures reproduced in a graph by CPIT).”</p> <p><i>Rationale:</i> The numbers in this table are incomplete/do not ‘add up’ across columns. To merit inclusion, further contextualising detail is needed.</p>	<p>Accepted. We will check the data and consider including some context/qualifying statement on crime data when we update the CPIN following this review.</p>
<p>7.5.2-4: The data in 7.5.2. and 7.5.3 show death row numbers declining from 2020 to 2021 (7.5.2), then declining further in 2022 (7.5.3), before climbing dramatically in 2023 (7.5.4).</p> <p>COMMENT: These data require additional contextualising detail to illuminate/explain the trends they reveal; without this, the data lack credibility.</p>	<p>Not accepted. The data at 7.5.2 and 7.5.3 relates to the decline in death sentences awarded, rather than the number of people on death row per se. Whilst it might be interesting to include contextual data and trends on death row data, this level of detail is not required for decision makers bearing in mind the scope and purpose of the CPIN.</p>
<p>SUGGESTION – 7.5.5: “The United Nations country team raised the issue of the execution of juveniles and persons with mental illness in Pakistan.”</p> <p><i>Rationale:</i> This reference to ‘execution of ... persons with mental illness in Pakistan’ should be reconciled with the information provided in 7.5.1 regarding the Pakistan Supreme Court decision (February 2021) outlawing such executions.</p>	<p>Accepted. We will remove this sentence when we update the CPIN as a result of this review.</p>

2.5 Oversight and Complaint Mechanisms (Section 8)

<p>SUGGESTION – 8.1.8: “The CPLC, which had ‘6 District Offices in Karachi, 1 District office in Hyderabad, Head office in Sindh Governor House and soon to start a District office Sukkur’, noted that it ‘... played a pivotal role in ensuring that no innocent person/suspect without registration of FIR is kept under illegal detention by any police official and in many cases have resulted in release of detainee from police stations wherever found that mal practices were being employed.’</p> <p><i>Rationale:</i> The issue addressed here (FIRs and ‘illegal detention’) could be reiterated in Section 5.1 concerning Arbitrary Arrest and Detention.</p>	<p>Accepted. We will cross reference the sections when we update the CPIN as a result of this review.</p>
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3. Review of responses to COI requests

N/A (COIR have been reviewed separately.)

4. Suggestions for sources which post-date publication of country of origin information

See above.

Review of the May 2023 Home Office country policy and information note on Pakistan: political parties and affiliation

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

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September 2023

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1. Introduction

1.1 Instructions

This review examines the degree to which the Country Policy and Information Note (CPIN) concerning Political Parties and Affiliation in Pakistan is relevant, accurate, balanced, traceable, and up-to-date.

I have not been asked to comment on the Assessment contained in this Note (Sections 1-6 of the Note). With respect to basic structure/organisation *throughout* the Note, however, the sequencing of political parties and affiliations could start with parties before turning, separately, to movements. And, with respect to empirical accuracy, two points could be considered.

3.1.9: “Political parties operating in Azad Jammu and Kashmir (AJK – ~~a self-governing state in Pakistan~~) face ~~tighter~~ restrictions on their freedom of expression ~~than elsewhere in Pakistan~~.”

In place of ‘a self-governing state in Pakistan’, it would be more accurate to say ‘a semi-autonomous territory administered by Pakistan’.

Further, given restrictions facing Baloch nationalists, Pashtun movements, and Sindhi protesters, all of which contain ‘pro-autonomy’ or ‘pro-independence’ elements, the Note could avoid asserting that pro-independence parties in AJK face tighter restrictions than others, or that the restrictions faced by pro-independence AJK parties *within* AJK are tighter than the restrictions they face *outside* AJK.

3.1.9: “Candidates for the legislative assembly of the AJK government must swear an oath to support accession (being part of) to Pakistan [ref. 12.1.6] and ~~it is reported that~~ [as such] pro-independence parties are barred from participating in elections and have limited influence.”

In place of ‘candidates for’, the Note could say ‘members of’, ref. Azad Jammu and Kashmir Interim Constitution (1974), First Schedule: <https://ajkassembly.gok.pk/wp-content/uploads/2022/04/Act-1974.pdf>; also <https://www.hrw.org/reports/2006/pakistan0906/6.htm>

HO comment: Thank you for your suggestions on structure, which will be considered when we update the CPIN as a result of this review. As noted in the Terms of Reference though, the Assessment is out of scope so we respectfully request these comments are removed from the formal review.

1.2 Methodology

To complete this review, I examined every empirical reference in the CPIN alongside its footnoted source material.

Where items were irrelevant or affected by a possible lack of balance or objectivity, I have pointed this out (including reasons for concern about any possible lack of objectivity in source material). Where an item was empirically inaccurate, I have corrected it with reference to a new source. Where source links failed, I have noted this (see for example footnotes 46, 68, and 75). Note, also, that the 2019 IDSA report by Sharma et al. (footnotes 181, 195, 197-203, 210, 212-14, 220, 223) is not available online. And, finally, footnote 249 refers to an Amnesty International Report focused on ‘Pakistan 2022’ (not ‘Pakistan 2021’).

HO comment: we will check all footnotes when we update the CPIN as a result of this review. To note, the report by Sharma et al is available to download via the website provided in the footnote and bibliography [Pakistan Occupied Kashmir: Politics, Parties and Personalities](https://idsa.in/) (for ease, see [Pakistan Occupied Kashmir: Politics, Parties and Personalities \(idsa.in\)](https://idsa.in/)).

The specific subject matter of this CPIN (political parties and affiliation) is also closely related to a significant change that unfolded one week after the Note’s cut-off date of 2 May 2023 (Report, page 56); the change unfolded after 9 May 2023. Specifically, the leader of a politically important party—Imran Khan of the Pakistan Tehreek-e-Insaaf (PTI)—was arrested, prompting PTI party members to riot (including attacks on military sites). Thereafter, both elected and non-elected (military) officials cracked down on PTI, leading hundreds if not thousands of members to be detained and many party leaders to defect in favour of other parties.

Whilst I understand that information surfacing after the CPIN cut-off date is not to be considered, I have explained the implications of these events where they pertain to specific parts of the Note—see portions highlighted in yellow, below.

1.3 Summary of Review

This Review focuses on two main issues, namely (a) the accuracy of information presented and (b) the presentation of information (for example, as noted above, where a re-sequencing of information might facilitate a better understanding).

With respect to general (overarching) recommendations, two issues stand out:

<u>Main Suggestions relating to the COI</u>	<u>HOME OFFICE RESPONSE</u>
<p>1. Elected and non-elected officials (including military officials) holding power in Pakistan often tilt their prosecutions towards opposition forces, leading to allegations of ‘partisan’ prosecution.</p> <p>See for example 3.1.11: “Following the 2018 elections, [ADD: which produced a PTI-led government], the central leadership of the PML-N and the Pakistan People’s Party (PPP) were subject to corruption charges. [ADD: As] opposition parties, [PML-N and PPP] claim the charges are politically motivated and selectively target leaders.”</p> <p><i>Throughout, it would be helpful if political parties were introduced with general background information outlining their periods in/out of government; this will allow specific instances of arrest, detention, harassment, disappearance, extrajudicial killing, etc. to be presented with reference to periods when affiliated parties were in/out of power.</i></p>	<p>Accepted. We will amend this when we update the CPIN as a result of this review</p>
<p>2. As outlined in this CPIN (ref. 4.1.8 and Section 15) as well as the CPIN regarding ‘Actors of Protection’ (5.2.1 and 5.2.3), it is not unusual for family members to be arrested as a way to pressure particular individuals in Pakistan.</p> <p>See for example 15.4.1: “[A]n EFSAS contact who was publicly critical of the Kashmir government and who fled abroad for political asylum several years ago, had returned to Pakistan since his family faced ‘harass[ment]’ and his brother was subjected to ‘tortur[e]’ in his absence due his political activism.”</p> <p>See also CPIN (Actors of Protection) 5.2.1: “The same source [USSD HR Report 2022] noted that: ‘Police reportedly detained individuals to extort bribes for their release or detained relatives of wanted individuals to compel suspects to surrender.’”</p> <p>Also CPIN (Actors of Protection) 5.2.3: “According to the USSD HR Report 2022, ‘Human rights organizations reported authorities arrested and caused the disappearance of Pashtun, Sindhi, and Baloch human rights activists, as well as Sindhi and Baloch nationalists, without cause or warrant. They also alleged children were detained to pressure their parents.’”</p> <p>This element (Section 15) could be highlighted, throughout, in greater detail.</p>	<p>Partially accepted.</p> <p>We will cross-reference to section 15.4.</p> <p>Where CPINs on discrete subjects are available, for succinctness and consistency we point the reader to those CPINs rather than repeat the information. As such, we have already directed the user to the CPIN on Actors of protection.</p>

1.4 Understanding of the themes addressed in the CPIN Reports

This Note offers a reasonably good understanding of prevalent legal usage and academic understandings concerning the themes under discussion.

Below, I offer suggestions to facilitate improvements.

1.5 Quality and balance of sources

The quality and balance of sources is generally strong. However, Australian DFAT sources tend to be weaker than the others used in this Note.

As noted above (1.2), this Note could be updated in light of events pertaining to political parties (e.g. Pakistan Tehreek-e-Insaaf) after 9 May 2023.

2. Review

2.1 Executive Summary

The following points aim to correct conceptual and interpretive errors as well as inconsistencies (ref. content) within the Note as a whole.	<u>HOME OFFICE RESPONSE</u>
<p>RECOMMENDATION – Paragraph 1: “Opposition parties hold power or significant shares of assembly seats at the national and provincial level.” (Also 3.1.6: “Opposition parties hold power or significant shares of assembly seats at the national and provincial level.”)</p> <p><i>Rationale:</i> Opposition parties may hold ‘significant shares of assembly seats’, but by definition they do not ‘hold power’. This error appears to be drawn from a Freedom House report (cited in footnote 14): “national opposition parties hold power or significant shares of assembly seats at the provincial level” (‘Freedom in the World 2022 – Pakistan’ Section B2, 28 February 2022).</p>	<p>Not accepted.</p> <p>As noted above, the Assessment is out of scope so we respectfully request these comments are removed from the formal review.</p> <p>All our CPINs go through a rigorous quality assurance process involving a vast array of internal and external stakeholders prior to publication. The comments obtained, including those of different perspectives, allow us to provide a balanced assessment of the COI. Therefore, we have confidence that the position outlined reflects the country situation at the time of publication.</p>
<p>SUGGESTION – Paragraph 2: “Political parties operating in Azad Jammu and Kashmir (AJK), particularly pro-independence parties, face tighter restrictions on their freedom of expression than elsewhere in Pakistan.”</p> <p><i>Rationale:</i> Given restrictions on freedom of expression facing Baloch nationalists, Pashtun movements, and Sindhi protesters, the assertion that pro-independence parties in AJK face “tighter” restrictions (or that restrictions faced <i>within</i> AJK by pro-independence AJK parties are tighter than restrictions faced <i>outside</i> of AJK) is not substantiated.</p>	

Paragraph 3: “In general, low-level members and activists of opposition political parties, or their family members, are unlikely to be of interest to the authorities and/or non-state actors and subject to treatment that is sufficiently serious, by its nature or repetition, to amount to persecution. Some senior party members may – depending on the party, their location, the person’s profile, views expressed and previous activities, and difficulties with the state, particularly in relation to corruption charges – be subject to treatment, including harassment, arrest, arbitrary detention and criminal charges by the security forces, which amounts to persecution.”

COMMENT – A limited focus on ‘senior party members’ is not justified in light of the evidence presented throughout this Note.

COMMENT – Killing, affecting large numbers, may be considered serious both ‘by its nature’ (killing) and by its ‘repetition’ (large numbers).

See for example:

Awami National Party (ANP) – 10.1.5: “In June 2019, local ANP leader, Sartaj Khan, was shot and killed by unknown assailants in Peshawar. Radio Free Europe Radio Liberty (RFERL) reported on the death of Khan and noted that, although no one had claimed responsibility, ‘ANP members have frequently been attacked by the Tehrik-e-Taliban Pakistan (TTP) in recent years.’ The ANP claimed ‘hundreds’ of its leaders and activists had been killed since 2007”.

10.1.4: “While security operations have weakened the TTP [i.e. ‘Pakistan Taliban’] in recent years, they retain the capacity and intent to target ANP members and leadership”.

Muttahid Qaumi Movement (MQM-P) – 10.2.10 Bullet Point 4: “On 9 and 23 December 2018 and 11 February 2019 there were 3 attacks in Karachi on Muttahida Qaumi Movement-Pakistan (MQM-P) and Pak Sarzameen Party’s (PSP) workers and leaders [...]”

Muttahid Qaumi Movement (MQM-L) 10.2.8 The USSD HR Report 2020 noted ‘The Muttahida Qaumi Movement-London alleged that security forces abducted its members and others expressing support for their founder, Altaf Hussain.’”

3.1.14 “[...] there have been a number of arrests and killings by the authorities of MQM-L members, described by security forces as ‘hitmen’ or ‘target killers’, and of those holding significant positions within the organisation in 2019, 2020 and 2021.”

Pashtun Tahaffuz Movement (PTM) – 13.1.7: “According to the USSD HR Report 2019: ‘Authorities continued their efforts against members of PTM. ... [S]ecurity officials killed 13 PTM protesters during a clash at a military checkpoint in the Khar Qamar area of Waziristan. The military alleged the protesters attacked the checkpoint, but video on social media and eyewitness accounts appeared to corroborate PTM’s assertion the protesters were peaceful. Following the events at Khar Qamar, the government cracked down on PTM, arresting or detaining many of the group’s senior leadership as well as rank-and-file supporters. PTM activists successfully challenged dozens of arrests in court, only to have some of those arrested go missing following their release from jail. [...]’”

We also respectfully point out that some of the comments on the Assessment are a misunderstanding of the claim types we receive, how the HO consider asylum claims and the wider directions given to decision makers. As this appears to be outside of the reviewer’s expertise, we also request removal of these comments._

Paragraph 7: "... despite some failings, the state is both willing and able to offer sufficient protection from non-state actors, including 'rogue' state actors (see CPIN Pakistan: Actors of Protection)"

COMMENT: With reference to political party affiliates, specifically, the risk is not limited to non-state or 'rogue' state actors; it extends to mainstream state authorities as noted throughout this Note—ref. 4.1.2 ("where the person has a well-founded fear of persecution from the state they will not, in general, be able to obtain protection from the authorities") and 5.1.4 ("where the person has a well-founded fear of persecution or serious harm from the state, they are unlikely to be able to relocate to escape that risk.")

See for example:

Pakistan Tehreek-e-Insaaf (PTI) – 8.1.1: "[Imran] Khan stated his march to Islamabad was impeded due to barriers imposed by the federal government, and participants were subjected to tear gas and arrests. Two participants reportedly died, and thousands were arrested by security forces."

Baloch parties/student movements – 8.1.1: "'In Balochistan, however, there were reports security agencies and separatist groups harassed local political organizations, such as the Balochistan National Party and the Baloch Students Organization'."

Pashtun Tahaffuz Movement (PTM) – 13.1.7: '[S]ecurity officials killed 13 PTM protesters during a clash at a military checkpoint in the Khar Qamar area of Waziristan. [...] Following the events at Khar Qamar, the government cracked down on PTM, arresting or detaining many of the group's senior leadership as well as rank-and-file supporters. [...]'

13.1.8 '[...] The government has cracked down on PTM members and supporters, using arbitrary arrests, intimidation, and surveillance as instruments of coercion.'

Muttahid Qaumi Movement (MQM) – 10.2.8 The USSD HR Report 2020 noted 'The Muttahida Qaumi Movement-London alleged that security forces abducted its members and others expressing support for their founder, Altaf Hussain.'

10.2.9 The January 2022 DFAT report noted that following Altaf Hussain's 2016 speech: '... , the paramilitary Rangers commenced operations in Karachi that significantly reduced political violence, but which MQM claims involved arbitrary arrests, extrajudicial killings and enforced disappearances of its members. These abuses allegedly still occur.'

Journalists – 15.2.1 "[T]he USSD HR Report 2022, [...] added that 'Journalists experienced physical threats, economic coercion, harassment, and violence when reporting on sensitive topics critical of the government, ruling political party, and military establishment.' The same source stated that 'The constitution provides for freedom of peaceful assembly and association, but the government restricted these rights.'²⁷¹

15.4.1 The military's structures are "very efficien[t]" in tracking someone across the country, and leaders or members of political parties in any region may leverage the resources of other parties with which they are allied, or those of the police, military, or local government to track someone.

Paragraph 9: "In general a person fearing 'rogue' state actors and non-state actors is likely to be able to internally relocate to another area of Pakistan, particularly larger urban areas and cities such as (but not limited to) Karachi, Lahore, and Islamabad."

COMMENT – This statement is qualified/contradicted by a more accurate statement in the Assessment, i.e. 5.1.4: "Where the person has a well-founded fear of persecution or serious harm from the state, they are unlikely to be able to relocate to escape that risk." In some cases, U.K. officials warned Pakistani dissidents located *outside* Pakistan of extra-territorial risks associated with Pakistani state actors, ref. <https://www.theguardian.com/world/2021/aug/07/dissident-pakistani-exiles-in-uk-on-hit-list>

2.2 Political System (Section 7) and Party System (Section 8)

SUGGESTION – 7.1.3 “[ADD: The President of Pakistan is indirectly elected by an electoral college that includes the members of both parliamentary chambers as well as the members of each provincial assembly (ref. Constitution of Pakistan, Article 41; ref. <https://na.gov.pk/uploads/documents/1333523681951.pdf>.)] Dr. Arif Alvi was sworn in as the 13th President of Islamic Republic of Pakistan on 9th September 2018 ...”

Rationale: Without this clarification, readers might assume the President of Pakistan is directly elected.

Not accepted. The suggested amendment is a level of detail that is not required for decision makers bearing in mind the scope and purpose of the CPIN.

RECOMMENDATION – 7.1.4. “Pakistan’s ~~political regime~~ [government] changed on 11 April 2022 ...’

Rationale: It was not the ‘political regime’ that changed in 2022 (say, from a democratic/elected to an authoritarian/military regime), but rather the ‘government’ (from a PTI-led government under Prime Minister Imran Khan to a PML-N-led government under Prime Minister Nawaz Sharif).

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

SUGGESTION – 7.2.2: “[...] Elections are more competitive in KP and Punjab; ~~the PTI has emerged as the dominant party in KP after displacing the Awami National Party (ANP) and JI, and the PTI and PML-N enjoy roughly equal levels of support in Punjab following the collapse of the vote banks previously held by the PPP and the Pakistan Muslim League – Quaid (PML-Q).~~ Voter volatility is often determined by the shifting allegiances of local leaders heading vote blocs built around clientelism and kinship.”

Rationale: This BTI 2022 description of PTI, PML-N, PPP, and PML-Q has been rendered out-of-date following the riots on 9 May 2023 and the subsequent crackdown on PTI. It is by no means clear that PTI will remain a ‘dominant party in KP’ and, in the Punjab, it is not clear that PTI will retain ‘equal levels of support’ (when compared to PML-N). Nor is it clear that, in the Punjab, the description of PPP and PML-Q support as ‘collapse[d]’ will persist. [Note: This point concerns empirical developments after the Note’s cut-off date.]

N/A – As pointed out by the reviewer, this point concerns empirical developments after the Note’s cut-off date and changes in the political arena since are noted and will be reflected when we update the CPIN as a result of this review.

RECOMMENDATION – 8.2.1: “The 2019 DFAT report noted that ~~‘Pakistanis have historically tended to vote more according to ethnic, local or feudal ties rather than ideological, religious or sectarian allegiances.~~ The political system includes representation from a broad range of political, ethnic and religious interests. ~~Local sources observed in early 2018 that religion and conservatism appeared to dominate the election campaign process, fostering religious intolerance at the community level.”~~

Rationale: Apart from its own internal contradiction—last sentence (“religion and conservatism appeared to dominate the election campaign process”) vs. first sentence (“Pakistanis have historically tended to vote more according to ethnic, local, or feudal ties rather than ideological, religious, or sectarian allegiances”)—the view that religion and [religious] conservatism tend to dominate election campaigns in Pakistan is not correct, ref. Matthew J. Nelson, *In the Shadow of Shari’ah: Islam, Islamic Law, and Democracy in Pakistan* (Columbia, 2011).

Niche religious parties, however, may emphasise religious conservatism in a (generally unsuccessful) effort to expand their vote share.

Not accepted. Thank you for the recommended source. Our ability to access some academic literature is restricted by limits in our available resources. We also respectfully note the reviewer’s book is from 2011 and therefore dated for our purposes. It would be helpful if the reviewer could direct us to relevant, recent, accessible sources or agree to be cited as the source of this information (therefore confirming it remains an accurate reflection of the current situation)

2.3 Ousting of former Prime Minister Imran Khan (Section 9)

SUGGESTION – 9.1.2: “PML-N President Shehbaz Sharif was elected prime minister after 174 MPs voted in his favour ~~and he can remain in office until elections are due in 2023.”~~

Rationale: Apart from elections due in 2023, a vote of no confidence could have (hypothetically) removed Prime Minister Shehbaz Sharif; further, elections take place after a period in which the existing government steps down (in this case, the government of Prime Minister Shehbaz Sharif) and a caretaker government is installed (in this case, the government of interim Prime Minister Anwar-ul-Haq Kakar): Constitution of Pakistan (Article 224), https://na.gov.pk/uploads/documents/1333523681_951.pdf; see also <https://www.theguardian.com/world/2023/aug/12/pakistan-appoints-little-known-senator-as-caretaker-prime-minister-anwaar-ul-haq-kakar>. [Note: Some of this point concerns empirical developments after the Note’s cut-off date.]

N/A. As pointed out by the reviewer, this point concerns empirical developments after the Note’s cut-off date. However, changes in the political arena since the cut-off date of this CPIN are noted and will be reflected when we update the CPIN as a result of this review

SUGGESTION – 9.1.3: “The Economist Intelligence Unit (EIU) noted that, “Mr Sharif will head a new coalition government comprising multiple political parties and independents, with little common agenda other than Mr Khan’s ouster, suggesting that political risk will remain high.”

Rationale: This (editorialised) quotation is unnecessary; the same point is made more effectively in the following para 9.1.4: “Shehbaz Sharif was sworn in on 19 April 2022 alongside coalition partners, which included the Pakistan People’s Party (PPP), Jamiat Ulema-e-Islam-Fazl (JUI-F), Muttahida Qaumi Movement-Pakistan (MQM-P), Balochistan Awami Party (BAP), Pakistan Muslim League-Quaid (PML-Q) and Jamhori Watan Party (JWP).”

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

2.4 Awami National Party (ANP) (Section 10.1)

SUGGESTION – 10.1.2: “The January 2022 DFAT report noted: ‘The Awami National Party (ANP) is a secular Pashtun nationalist political party. It was formed in 1986 and enjoys strong support in Khyber Pakhtunkhwa and [ADD: Pashtun-majority parts of] Balochistan. Between 2008 and 2013, the ANP governed Khyber Pakhtunkhwa province and was a junior partner in the federal coalition government. Since 2018, ANP members have participated in large-scale demonstrations led by the PTM against human rights abuses against Pashtuns in the tribal regions of Pakistan’.”

Rationale: ANP is a Pashtun ethnic party; within Balochistan, its support is generally linked to Pashtun-majority areas (not Baloch-majority areas).

Partially accepted. We will amend this paragraph to reflect the reviewer’s suggestion if he is able to provide recent, relevant, accessible sources, or agrees to be cited as the source of the information when we update the CPIN as a result of this review.

SUGGESTION – 10.1.3: “A prominent anti-Taliban party, ANP members have been attacked by the Tehrik-e-Taliban Pakistan (TTP) for its secular ideology [ADD: and] for openly supporting the counter-insurgency operations in the former Federally Administered Tribal Areas (FATA) and Khyber Pakhtunkhwa, as well as for its work to improve the Pakistan-Afghanistan relations.”

Rationale: The final phrase, drawn from DFAT (2022, para 3.74), is misleading. TTP militants do not target ANP leaders and/or members for their efforts to improve Pakistan-Afghanistan relations in a general sense; rather, the TTP targets the ANP for its “anti-Taliban” politics—that is, for working with the (anti-Taliban) Afghan government *before* August 2021 and, then, against the (Taliban) Afghan government *after* the Taliban takeover in August 2021.

The DFAT source could be removed; the other sources cited in this sentence are more accurate.

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

2.5 Muttahida Qaumi Movement (MQM) (Section 10.2)

SUGGESTION – 10.2.4: “The MQM-P won 7 National Assembly seats [ADD: in 2018] and became a member of Pakistan’s governing coalition. The National Assembly website listed the seats held by the MQM-P. The MQM-P [ADD: then] became a coalition partner of the PML-N following the ousting of Imran Khan and the resignation of the PTI in April 2022.”

Rationale: Information about the sequence of governments (2018, 2022) is needed to show that MQM-P joined a series of coalition governments; those governments were led by political parties that generally oppose one another (e.g. PTI vs. PML-N).

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

SUGGESTION – 10.2.4: All MQM-P material (ref. 10.2.4) should be listed after the MQM-L material (10.2.5 – 17).

Rationale: MQM-P is a breakaway faction of the MQM(-L); it make more sense to address MQM(-L) first.

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

<p>SUGGESTION – 10.2.10: MQM-P elements should <u>not</u> appear in the section concerning MQM-L. (Instead, MQM-P elements should be listed under [a re-sequenced] part 10.2.4.)</p> <p>For example, the following bullet points should be re-located:</p> <p>10.2.10 Bullet Point 4: “On 9 and 23 December 2018 and 11 February 2019 there were 3 attacks in Karachi on Muttahida Qaumi Movement-Pakistan (MQM-P) and Pak Sarzameen Party’s (PSP) workers and leaders, Pakistan newspaper Dawn reported on 25 February 2019.”</p> <p>10.2.10 Bullet Point 5: “Arrests in Karachi on 25 February and 6 March 2019 of suspected MQM-L members allegedly responsible for the attacks against MQM-P and PSP workers were reported.”</p>	<p>Accepted. We will amend this when we update the CPIN as a result of this review</p>
<p>SUGGESTION – 10.2.10 (Bullet Point 12): “On 7 May 2021, Dunya News, a privately owned Pakistani Urdu language news and current affairs television channel, reported on the arrest of an MQM-London target killer following an attack on a police van.”</p> <p><i>Rationale:</i> This description of Dunya News as ‘privately owned’ departs from the general format, which does not mention that most other news outlets in Pakistan are also privately owned.</p>	<p>Accepted. We will amend this when we update the CPIN as a result of this review</p>
<p>SUGGESTION – 10.2.10: To aid understanding, the list of evidence might be expected to follow a common format throughout, e.g. X source reported that Y was targeted by Z actor.</p>	<p>Accepted. We will amend this when we update the CPIN as a result of this review</p>
<p>SUGGESTION – 10.2.8: To aid chronology, 10.2.8 should appear <u>after</u> 10.2.9 and 10.2.10.</p> <p>SUGGESTION – 10.2.6: Similarly, 10.2.6 should appear <u>after</u> 10.2.15.</p>	<p>Accepted. We will amend this when we update the CPIN as a result of this review</p>
<p>RECOMMENDATION – 10.2.12: “On 2 August 2019 a Karachi Anti-Terrorism Court (ATC) sentenced 2 MQM-L workers to 11 years’ imprisonment for possessing illegal weapons and engaging in police encounters.”</p> <p><i>Rationale:</i> The reference to ‘engaging in police encounters’ is not accurate; the phrase ‘police encounters’ describes a pattern in which the police (<u>not</u> party-based actors like MQM-L) perpetrate extrajudicial killings. (See, for example, CPIN Actors of Protection Paras 2.1.13 and 5.3.2-4.)</p>	<p>Accepted. We will amend this when we update the CPIN as a result of this review</p>

2.6 Pakistan Muslim League – Nawaz (PML-N) (Section 10.3)

<p>10.3.1: “The PML-N was formed in 1992 and led by Nawaz Sharif [ADD: grew out of the Pakistan Muslim League, which led the political movement underpinning the creation of Pakistan in 1947. The ‘Nawaz Sharif’ faction (a.k.a. PML-Nawaz or PML-N) emerged in 1992, following the dissolution of a multi-party right-wing alliance known as the Islami Jamhoori Ittehad that had been brought together to resist Benazir Bhutto and the left-of-centre Pakistan People’s Party following the death of Pakistan’s right-wing dictator General Zia-ul-Haq in 1988]. Nawaz Sharif was elected Prime Minister in [ADD: 1991, 1997, and again in 2013], but [RECOMMENDATION] <u>resigned in 2017 following disqualification by the Supreme Court over corruption charges</u> [ADD: he was disqualified from parliament and <u>removed</u> from his seat by the Supreme Court in 2017 after a conviction on corruption charges], which the PML-N claimed [was] politically motivated.”</p> <p>COMMENT: The suggested description (above) provides a more accurate background summary introducing PML-N.</p>	<p>Partially accepted. We will amend this paragraph to reflect the reviewer’s recommendations if he is able to provide recent, relevant, accessible sources, or agrees to be cited as the source of the information when we update the CPIN as a result of this review.</p>
<p>SUGGESTION – 10.3.3. “Nawaz, who had travelled to London to receive treatment, remained there as of 30 September 2020 [ADD: 2 May 2023].”</p> <p><i>Rationale:</i> Empirical updating (within the timeframe of the Note).</p>	<p>Accepted. We will amend this when we update the CPIN as a result of this review</p>

SUGGESTION – 10.3.6: “[ADD: Under the government led by Imran Khan], [o]n 19 October 2020 Muhammad Safdar, the son-in-law of exiled ex-Prime Minister Nawaz Sharif, was detained ‘... after he led a crowd in chanting against the military at the tomb of the country’s founder. ... Demonstrators say Khan’s two-year tenure has seen mounting censorship and a crackdown on dissent, critics, and opposition leaders. Safdar’s arrest drew condemnation from the opposition, which accused the authorities of targeting Sharif’s family. ... Chanting political slogans at Jinnah’s tomb is widely considered taboo. Police say they arrested Safdar, himself a member of the Pakistan Muslim League, after receiving a complaint from a private citizen.’ Safdar was released on bail a few hours later.”

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

Rationale: The added phrase is needed to clarify the context, namely, that PML-N was targeted (at the time) as an opposition party.

SUGGESTION – 10.3.6: To aid chronology (and, thus, understanding), 10.3.6 (above) should appear before 10.3.5 (“On 28 September 2020, Shehbaz Sharif was arrested after the Lahore High Court rejected his bail plea in a money laundering case. Senior leaders said the case was politically motivated.”).

Not accepted. The chronological order of these paragraphs is correct

2.7 Pakistan Muslim League – Quaid-e-Azam (PML-Q) (Section 10.4)

10.4.1: “The PML-Q is [ADD: was] a coalition partner of the PTI. The PML-Q [ADD: then] became a coalition partner of the PML-N following the ousting of Imran Khan and the resignation of the PTI in April 2022.”

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

COMMENT: For empirical accuracy, each phrase should refer to the past.

2.8 Pakistan People’s Party (PPP) (Section 10.5)

SUGGESTION – 10.5.2: “The independent Human Rights Commission of Pakistan (HRCP) noted in its 2019 report that, ‘Several members of the central leadership of the Pakistan People’s Party (PPP), from the chairman of the party to the Chief Minister [ADD: of Sindh] as well as scores of party leaders are facing corruption charges and money laundering cases initiated by the National Accountability Bureau (NAB) in Sindh.’”

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

Rationale: Without this clarification, it is somewhat unclear which province’s Chief Ministership is being described.

2.9 Pakistan Tehreek-e-Insaaf (PTI) (Section 10.6)

SUGGESTION – 10.6.1: “The 2019 DFAT report noted: ‘PTI is a centrist political party led by former cricketer Imran Khan. Formed in 1996, PTI is Pakistan’s third-largest party and currently leads a coalition government in Khyber Pakhtunkhwa. PTI has frequently criticised what it describes as the systemic exploitation, corruption and prejudice in Pakistan’s politics. ~~Unlike most other major parties in Pakistan, PTI has not engaged in political violence outside of minor altercations with security forces during otherwise peaceful protests.~~

N/A – As pointed out by the reviewer, this point concerns empirical developments after the Note’s cut-off date. However, changes in the political arena since the cut-off date of this CPIN are noted and will be reflected when we update the CPIN as a result of this review

Rationale: The final sentence became out of date following significant riots associated with PTI members (9 May 2023). These riots led to multiple criminal charges. [Note: This point concerns empirical developments after the Note’s cut-off date.]

10.6.4: “In October 2019, an official from the PTI was killed in Karachi by unknown assailants. According to the victim’s family, the PTI activist had been receiving threats to his life in the days prior to his death.”

COMMENT: This example does not provide sufficient context or detail to merit inclusion as a case of persecution based on political ideas or affiliation.

2.10 Pakistan Democratic Movement (Section 10.7) and Muttahida Majlis-e-Amal (Section 11.4)

SUGGESTION – 10.7: PDM does not merit a separate section; if necessary, it could be mentioned in conjunction with each of the individual political parties that constitute the PDM membership.

Not accepted. CPINs are designed to support Home Office officials handling common types of claim in the UK and this section is deemed relevant for inclusion.

SUGGESTION – 11.4: MMA does not merit a separate section; if necessary, it could be mentioned in conjunction with each of the individual political parties that constitute the MMA membership, including the Jama’at-e-Islami and the erstwhile (Shi’i) Tehreek-e-Jafria (renamed) (n.b. Tehreek-e-Islami is not synonymous with Islami Tehreek Pakistan).

Not accepted. CPINs are designed to support Home Office officials handling common types of claim in the UK and this section is deemed relevant for inclusion

SUGGESTION: If the MMA is kept, I would suggest the following change to introduce its background – “The MMA was founded prior to the general election in 2002, which was conducted under military ruler General Pervez Musharraf. It comprised more than two dozen extremist religious parties from various sects. [ADD: In 2002] the alliance won enough seats to form the government in Pakistan’s northwestern province of Khyber Pakhtunkhwa, and promoted a harsh brand of sharia, or Islamic law.”

2.11 Ahl-e-Sunnat-wal-Jama’at (ASWJ) (Section 11.1)

RECOMMENDATION – 11.1.1: ‘Legal status: Banned for being the political wing of sectarian militant group Lashkar-e-Jhangvi (LeJ), which has been allied with al-Qaeda and Islamic State and responsible for the killing of hundreds of minority Shi’ite Muslims. The party denies links with LeJ.”

Accepted. We will amend this when we update the CPIN as a result of this review. Thank you for the suggested source

Rationale: Since the change of government (and regime) in Afghanistan after August 2021, Lashkar-e-Jhangvi links to both al-Qaeda and Islamic State (Khorasan Province) have become more complex, with ties that lean somewhat more in the direction of ISKP (n.b. currently, ISKP remains a rival of al-Qaeda), ref. <https://www.crisisgroup.org/327/asia/south-asia/pakistan/new-era-sectarian-violence-pakistan>. The sentence is more accurate without any reference to AQ or ISKP.

RECOMMENDATION – 11.1.1: ‘Background: The banned ASWJ is another name for the Sipah-e-Sahaba Pakistan (SSP), founded in 1985, which belongs to [the] Deobandi school of Islam, which in turn was carved out of pro-Taliban Jamiat-e-Ulema Islam (JUI) party.”

Accepted. We will look again at this when we update the CPIN as a result of this review. However, rather than always omitting references to what other sources are saying, we believe we should present contrasting views and explain which source is preferred and why.

Rationale: The phrasing here is awkward (leaning towards inaccuracy). The Deobandi School of Islam was not ‘carved out’ of the JUI. Rather, JUI emerged as an early/mid-twentieth-century political movement linked to ‘Deobandi’ clerics associated with a madrasa known as Dar-ul-Uloom based in Deoband (India), est. 1867. The JUI movement, based in Deoband, later split into pro-India and pro-Pakistan factions. During the 1960s, the Pakistan side of this movement decided to contest elections as a political party, ref. Sayyid A.S. Pirzada, *The Politics of the Jamiat Ulema-i-Islam Pakistan 1971-1977* (Oxford, 2000). Later still, the “SSP” broke away from the JUI in Pakistan. And, finally, some of those affiliated with the SSP (banned in 2002) formed ASWJ, ref. <https://www.crisisgroup.org/327/asia/south-asia/pakistan/new-era-sectarian-violence-pakistan>. In short, this sentence will be more empirically accurate without its final phrase.

2.12 Jamiat Ulema-i-Islam (Fazlur Rahman) (JUI-F) (Section 11.2)

Section 11.2 (JUI-F) could be located after Section 11.1 (ASWJ)

COMMENT: As noted above (2.11), ASWJ broke away from JUI. As such, discussing JUI before this breakaway group may be helpful.

SUGGESTION – 11.2.1: “Dawn noted in an undated profile on the JUI-F that it was formed in 1988. The same source noted ‘JUI-F has been a consistent PML-N ally since 2013. However, it has also formed coalitions with [ADD: the Pakistan People’s Party (e.g. 1988-90, 1993-97) (ref. Matthew J. Nelson, ‘Regime Types, Regime Transitions, and Religion in Pakistan’, *Oxford Handbook of Politics in Muslim Societies*, 2020) and] religio-political parties. In the 2018 election, the party again became part of the broader MMA alliance of religious parties.”

Rationale: This adjustment is needed to clarify that, beyond right-wing coalitions, JUI-F has joined coalition governments with parties from across the full spectrum of Pakistani politics.

Partially accepted. Our ability to access some academic literature is restricted by limits in our available resources. If the reviewer is able to provide an accessible recent, relevant source, or agrees to be cited as the source of the information, we will amend this paragraph when we update the CPIN as a result of this review.

SUGGESTION – 11.2.3: “Radio Free Europe Radio Liberty (RFERL) reported on [ADD: PDM] protests led by Fazlur Rehman, which began in October 2019 with an Azadi (Freedom) March from the southern city of Karachi to Islamabad.”

Rationale: This adjustment is needed to clarify that the protests mentioned here were not JUI-F protests; instead, they were PDM protests led by Fazlur Rahman (who, simultaneously, led both the JUI-F party and the PDM as a cross-party coalition).

Not accepted. The RFERL article does not mention the PDM and, according to paragraph 10.7.1 of the CPIN, the PDM was not officially formed until September 2020

11.2.4 and 11.2.5: CUT.

COMMENT: This information is sufficiently—and more accurately—conveyed in (the amended version of) 11.2.3.

Not accepted. For the reasons stated above – wherever possible, multiple sourcing is used to ensure that the information is compared and contrasted. By its nature, it can often be contradictory.

2.13 Milli Muslim League (MML) (Section 11.3)

SUGGESTION – 11.3.1: The Note could point out that the MML ‘spiritual leader’, Hafiz Saeed, was arrested and jailed in July 2019; his sentence was then extended in 2022, ref. <https://www.aljazeera.com/news/2022/4/9/pakistan-hafiz-saeed-gets-31-years-in-jail-for-terror-financing>

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

2.14 Tehreek-e-Labbaik Pakistan (TLP) (Section 11.5)

RECOMMENDATION – 11.5.1: Party leader: ~~Khadim Hussain Rizvi~~ [Saad Hussain Rizvi, ref. 11.5.5]

Rationale: Khadim Hussain Rizvi died in November 2020; thereafter, he was succeeded by his son Saad Hussain Rizvi.

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

RECOMMENDATION: ‘Legal status: ~~Registered with Election Commission~~ [TLP was banned in 2021, ref 11.5.6]

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

2.15 Pakistani Kashmir Parties – Political System (Section 12.1)

12.1.11: “On 5 February 2023, Anadolu (news) Agency, [ADD: which is based in Turkey (where the government led by President Erdogan has often supported Pakistan’s position on the disputed territory of Kashmir, ref. <https://www.dw.com/en/indians-reject-divisive-erdogans-lecture-on-kashmir/a-38654129>)], reported on the observance of Kashmir Solidarity Day, noting that ‘In Muzaffarabad, Bagh, Rowlakot, Kohlu, Mirpur, and other districts of Islamabad-administered Kashmir, also known as Azad Kashmir, human chains were formed to express solidarity with the pro-freedom struggle [ADD: of Kashmiris in Indian-administered Kashmir]. Prime Minister Shehbaz Sharif expressed support for Kashmiris, referring to the ‘oppressive Indian occupation’. The day is a public holiday in Pakistan.

COMMENT: Additional contextualisation will help to illuminate the meaning of this example and its source.

Partially accepted. We will clarify that Anadolu Agency is a Turkish state-run news agency when we update the CPIN as a result of this review. However, we must balance contextual information with a clear ask from our primary users (HO decision makers) for a shorter, more precise and concise report. Consequently, the suggested material is a level of detail that is not required for decision makers bearing in mind the scope and purpose of the CPIN.

2.16 Pashtun Tahaffuz Movement (PTM) (Section 13.1)

SUGGESTION – 13.1.5: “In March 2019, a former police officer was charged with the murder of ethnic Pashtun, Naqeebullah Mehsud, whose death prompted nationwide protests by the PTM” ... should appear before 13.1.4: “Mohsin Dawar and Ali Wazir were arrested following a clash between PTM members and the army on 26 May 2019 in North Waziristan. The USSD HR Report 2019 noted ‘Authorities released the two parliamentarians on bail after nearly four months in jail; however, they still face capital charges in relation to the military’s claim that PTM protesters assaulted security officers.’ The USSD HR Report 2022 noted ‘Ali Wazir... remained in police custody in Karachi. He was arrested in Peshawar in 2020 and extradited by Sindh police on charges of criminal conspiracy and defamation of state institutions and the army. As of October, he had not been released on bail.”

Rationale: Chronological sequence.

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

13.1.1: “The PTM, established in 2018, a non-violent social group, based in Khyber Pakhtunkhwa (KP) and Balochistan, campaigns for civil rights for Pashtuns and against violence by both the state and Islamist militants in ethnic Pashtun areas. The HRCP report 2019 noted ‘The activities of the Pashtun Tahafuz Movement (PTM) are mostly concentrated in Khyber Pakhtunkhwa, but their leaders often visit and hold meetings in Karachi, which has a large Pashtun population, larger than any other city” ... should appear immediately before 13.1.6: ““The movement alleges grave human rights violations by Pakistan’s military against Pashtuns in the country’s northwest. It says that Pashtuns have been the target of violence at the hands of both the Taliban and the Pakistani military for two decades. The movement claims that the military has killed innocent civilians in its operations against the Pakistani Taliban, and that it needs to answer for “missing persons.” It also contends that Pashtuns are regularly harassed at checkpoints and treated with suspicion”

COMMENT: The suggested sequence will aid understanding.

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

2.17 Student Politics

RECOMMENDATION – 14.1.7: “A mob of students stripped, beat up and shot Mashaal Khan, a 23-year-old student, at Wali Khan University in Mardan in April 2017 for committing “blasphemy.”

Rationale: There is no evidence of blasphemy committed by Mashaal Khan; the allegation of blasphemy was, instead, related to Mashaal Khan’s effort to expose corruption within his university, ref. <https://www.rferl.org/a/student-lynching-for-blasphemy-still-haunts-pakistani-university/31203447.html>

Partially accepted. Rather than delete the sentence, we will cite the suggested source to provide a more balanced view of events when we update the CPIN as a result of this review.

RECOMMENDATION – 14.1.7: ~~“Although many religious schools (known as madrassas) in Pakistan have been accused of promoting radical ideologies and having links with terrorist networks, law enforcement agencies in recent years have arrested just two students, Saad Aziz and Naureen Leghari, in separate raids for their alleged role in terrorist activities.”~~

Rationale: This example makes an incorrect association. Saad Aziz was not a madrasa student; he was a student at an elite private business school in Karachi (Institute of Business Administration) who later moved towards terrorism via affiliates of Tanzeem-e-Islahi and al-Qaeda in the Indian Subcontinent (i.e. AQIS), ref. <https://herald.dawn.com/news/1153209>. Similarly, Naureen Leghari was not a madrasa student; she was a medical student who joined Islamic State, ref. <https://www.dawn.com/news/1327753>

Partially accepted. Rather than delete the sentence, we will cite the suggested sources to provide a more balanced view of events when we update the CPIN as a result of this review.

2.18 Treatment of Political Opponents (Section 15)

RECOMMENDATION – 15.1.1: “The [National Accountability Bureau] NAB focuses on cases against politicians and senior officials, which tend to be protracted. [ADD: The military lies outside of NAB’s formal jurisdiction, ref. https://nab.gov.pk/Downloads/nao.asp#Application_2] The military and judiciary have their own disciplinary systems for corruption.”

Rationale: For clarity, it is worth noting that NAB is barred from investigating serving military officers.

Not accepted. The source is clear that the military has its own disciplinary system for corruption.

15.2 Freedom of Expression and Assembly

COMMENT: Given the risks faced by journalists in Pakistan (ref. 15.2.1. and 15.2.4), this section deserves greater attention (or a separate CPIN), ref. <https://rsf.org/en/country/pakistan> (“Pakistan is one of the world’s deadliest countries for journalists [...]. Any journalist who crosses the red lines dictated by Inter-Services Public Relations (ISPR) – an intelligence agency offshoot – is liable to be the target of in-depth surveillance that could lead to abduction and detention for varying lengths of time in the state’s prisons or less official jails.”)

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

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

RECOMMENDATION – 15.3.1: “while there was a spike in deaths around the 2018 election, since Operation Zarb-e-Azb, [ADD: R]add-ul-Fasaad, and the NAP [National Action Plan], violence by groups linked to political parties has generally reduced.”

Rationale: Correction of a minor spelling error.

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

RECOMMENDATION – 15.3.5: CUT.

Rationale: The 15.3.5 PIPS data focusing on ‘ethnic’ violence would seem to be irrelevant for this Note focusing on persecution based on ‘political ideas’; this data regarding ethnic violence may be more useful for the separate CPIN focusing on persecution of ethnic minorities.

Not accepted. PIPS data records incidents of ‘ethno-political’ violence. However, we will qualify the nature of this violence where PIPS has provided details of the incident(s).

3. Review of responses to COI requests

N/A (COIR have been reviewed separately.)

4. Suggestions for sources which post-date publication of country of origin information

See above.

Review of the April 2023 Home Office country policy and information note on Pakistan: internal relocation

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

Matthew J. Nelson, SOAS University of London³

September 2023

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1. Introduction

1.1 Instructions

This review examines the degree to which the Country Policy and Information Note (CPIN) concerning Internal Relocation in Pakistan is relevant, accurate, balanced, traceable, and up-to-date.

I have not been asked to comment on the Assessment contained in this Note (ref. Sections 1-2 of the Note).

1.2 Methodology

To complete this review, I examined every empirical reference in the CPIN alongside its footnoted source material.

Where items were irrelevant, or affected by a possible lack of balance or objectivity, I have pointed this out (including reasons for concern about any possible lack of objectivity). Where an item was empirically inaccurate, I have corrected it with reference to a new source. Only one weblink failed (ref. footnote 15).

1.3 Summary of Review

<u>Main Suggestions relating to the COI</u>	<u>HOME OFFICE RESPONSE</u>
1. Focusing on ‘internal relocation’, the <u>Assessment</u> (2.1.4) notes that more detailed information about the possibility, practicality, and/or security associated with internal relocation for those facing threats from state and non-state actors—particularly those facing threats owing to their political views, ethnicity, religious or sectarian beliefs (or non-belief), gender, sexuality, and so on—is available in separate CPINs. This point could be reiterated in the <u>Country Information</u> as well.	Not accepted. We do not consider it necessary to reiterate this in the country information

Understanding of the themes addressed in the CPIN Reports

This Note offers a reasonably good understanding of prevalent legal usage and academic understandings concerning the themes under discussion. However, the range of themes is very narrow.

1.4 Quality and balance of sources

The quality of sources is adequate.

2. Review

2.1 Freedom of Movement (Section 3)

The following points aim to address shortcomings related to the organisation/presentation of relevant material.		<u>HOME OFFICE RESPONSE</u>
<p>SUGGESTION – 3.2.1: “The US Department of State human rights report for 2022 (USSD HR Report 2022) indicated that the government limited rights on foreign travel, emigration and repatriation and added, in regard to internal travel, that ‘Citing security concerns, government restrictions on access to certain areas of the former FATA and Balochistan hindered freedom of movement. The government required an approved NOC [ADD: No Objection Certificate] for travel to areas of the country designated “sensitive.”’</p> <p><i>Rationale:</i> Minor amendment to spell out an acronym.</p>		Accepted. We will amend this when we update the CPIN as a result of this review.
<p>3.3.2 The same source [DFAT Report January 2022] stated that ‘Large urban centres such as Karachi, Islamabad and Lahore have ethnically and religiously diverse populations, and offer some anonymity for people fleeing violence by non-state actors.</p> <p>COMMENT: It may be helpful to add a source explaining that people fleeing violence by state actors face greater constraints, ref. CPIN Pakistan – Political Parties and Affiliation 5.1.4 (“where the person has a well-founded fear of persecution or serious harm from the state, they are unlikely to be able to relocate to escape that risk.”)</p>		Not accepted. Paragraph 2.1.3 of the assessment notes ‘where the person has a well-founded fear of persecution or serious harm from the state, they are unlikely to be able to relocate to escape that risk’.

2.2 Humanitarian Situation – Floods (Section 4.2) and Internally Displaced Persons (Section 4.3)

<p>4.2: “Floods”</p> <p>COMMENT: Section 4.3.1 concerns IDPs affected by <u>militancy</u>. The material regarding IDPs affected by <u>floods</u> (4.2 + 4.3.2 and 4.3.3) could be brought together in one IDP sub-section.</p>		Accepted. We will revise the sections on floods and IDPs when we update this CPIN as a result of this review.
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3. Review of responses to COI requests

N/A (COIR have been reviewed separately.)

4. Suggestions for sources which post-date publication of country of origin information

N/A

Review of country of origin information requests on Pakistan

Matthew J. Nelson

8 September 2023

This review considers a selection of country of origin information requests (COIR)—all concerning Pakistan—from 2022 and 2023.

1. Mixed Marriages (India/Pakistan) (16 June 2022)

Note: The following footnote weblinks do not work: fn1, fn12, fn17

Section 2.1.1: *“CIPT could not find any information specifically about mixed nationality marriages in Pakistan but sources do report about how love marriage (a marriage outside the consent of their families) are perceived by society.”*

COMMENT: On a mixed-nationality marriage in Pakistan, please note the following source (dated **after** this COIR) <https://indianexpress.com/article/pakistan/pak-extends-visa-indian-woman-marry-her-facebook-friend-8882684/>

Section 4.1.1: *‘Pakistani law on jirgas is murky. The country’s Supreme Court and other review courts have issued rulings that deem jirgas illegal, but those rulings don’t lay out what constitutes a jirga and don’t establish penalties for taking part in one. Pakistan’s legal code has no specific law banning jirgas.’*

COMMENT: On the legality of jirgas/panchayats in Pakistan (and which practices associated with them may be construed as illegal or legally void), see the following Pakistan Supreme Court judgment: https://www.supremecourt.gov.pk/downloads_judgements/Const.P. 24 2012.pdf

Section 4.1.4: *“In May 2022 France 24 reported: ‘In Muslim-majority Pakistan, a British common law-based system uses interpretations of Islamic law, particularly in cases dealing with gender-based violence and family disputes. In rural areas, women victims often do not get the opportunity for a trial at all. Justice can [ADD: also] be meted out through village councils comprising local elders -- always men – that operate extrajudicially and often order abuse against women as a means of upholding “honour”. Although supported by many Pakistanis for their swiftness, these tribunals offer no means of appeal.’¹⁹*

SUGGESTION: The formal judicial system should be distinguished from informal village councils (jirgas and panchayats).

HO RESPONSE: Thank you for your comments and suggested sources. Given the nature of COIRs (which are requests for information to help with individual cases) we do not plan to update this. We will, however, add a link to this review so users can see the additional material, if necessary.

2. Inter-Caste Marriages (18 August 2022)

Section 1.1.3: *“Traditionally land-owning and agriculturally based castes (‘zamindars’) include Jatts, Rajputs and Awans; these are the ‘higher castes’. Service-providing castes (‘kammi’), whose ancestors may have had occupations such as barber, cobbler, potter, carpenter, blacksmith, labourer or weaver include, for example, the Arain.”*

COMMENT: The word (‘zamindari’, not zamindars) should appear after the words ‘agriculturally based’ and before the word ‘castes’. Zamindari is not a caste name; it is an adjective that means landowning. Similarly, the word (‘kammi’) should appear after the phrase ‘servicing-providing’ and before the word ‘castes’. Kammi is not a caste name; it is an adjective that means labouring/working. [N.b. Unlike for example Jats, the Arain caste, traditionally speaking, is not a landowning caste so much as a peri-urban market-gardening caste.]

HO RESPONSE: Thank you for your comments and for clarifying the terminology, which we will amend.

3. Pakistan Nationals Employed in the British Army (15 September 2022)

No review comments.

4. Treatment for Burn Victims (16 December 2022)

The subject of this COIR lies outside my area of expertise.

5. Polio Immunisation Workers (30 March 2023)

Section 2.2: Areas of Activity

This section highlights risks located in the provinces of Khyber Pakhtunkhwa and Balochistan; however, risks also extend to Sindh (e.g. Karachi) and the Punjab. See for example:

<https://www.science.org/content/article/three-more-polio-workers-killed-pakistan>

<https://www.theguardian.com/world/2012/dec/18/polio-vaccination-workers-shot-pakistan>

<https://www.reuters.com/article/us-pakistan-attack-polio-idUSKCN0XH18Q>

<https://www.globsecint.org/posts/analysis-of-attacks-on-polio-workers-in-pakistan>

HO RESPONSE: Thank you for your comments and suggested sources. Given the nature of COIRs (which are requests for information to help with individual cases) we do not plan to update this. We will, however, add a link to this review so users can see the additional material, if necessary.

6. Pakistan: Alcoholism (22 June 2023)

Note: The following footnote weblinks do not work (I've provided the working links here):

fn1 (https://www.thefridaytimes.com/2023/04/25/pakistans-brewing-hypocrisy-muslim-alcohol-consumption-and-persecution-of-christians/?utm_source=flipboard&utm_content=other)

fn3 (<https://tribune.com.pk/story/2398156/elahis-driver-gunman-arrested-for-carrying-liquor-bottles>)

fn4 (<https://www.dnaindia.com/world/report-pakistan-pm-imran-khan-stepson-immediately-released-after-arrest-for-alcohol-possession-2935708>)

fn5 (<https://www.samaaenglish.tv/news/2050226>)

fn7 (<https://www.gov.uk/foreign-travel-advice/pakistan/local-laws-and-customs>)

fn8

fn9 (<https://www.dw.com/en/pakistans-alcohol-prices-surge-during-coronavirus-pandemic/a-57286530>)

fn11 (https://ircl.pk/alcohol_addiction_treatment_islamabad/)

fn13 (<https://www.islamabadrehab.com/about-us/>)

HO RESPONSE: thank you for providing working footnotes.

Section 1.1.1: “Article 37 of the Constitution of Pakistan labels alcohol as a “social evil,” mandating that the state “prevent the consumption of alcoholic liquor except for medicinal purposes or, in the case of non-Muslims, religious purposes.” “However, the Prohibition Hadd Ordinance states that anyone found in possession of intoxicants can face imprisonment up to two years, whipping not exceeding thirty stripes, and a fine. This law does not apply to non-Muslims and foreigners who possess “a reasonable quantity of intoxicating liquor” for use in religious ceremonies.”

COMMENT: Article 37 is part of the constitution’s ‘Principles of Policy’. These principles are advisory. They are not enforceable by Pakistani courts.

https://na.gov.pk/uploads/documents/1333523681_951.pdf

COMMENT: The relevant Hadd Ordinance (1979) mentions 80 stripes (not 30); https://www.pakistani.org/pakistan/legislation/zia_po_1979/po4_1979.html

HO RESPONSE: The Hadd Ordinance (1979) mentions 30 stripes for possession and drinking liable to tazir (Articles 4 and 11), and 80 stripes for drinking liable to hadd (Article 8).

Section 1.3.1: *“The UK Foreign Office in their Report Pakistan travel advice noted: ‘Consumption of alcohol is illegal for Muslims. Public consumption and drunkenness are illegal and can lead to detention.’”*

COMMENT: Beyond detention, public consumption even for non-Muslim non-Pakistanis can also lead to whipping; see https://pakistani.org/pakistan/legislation/zia_po_1979/po4_1979.html

HO RESPONSE: Thank you for your comments and suggested sources. Given the nature of COIRs (which are requests for information to help with individual cases) we do not plan to update this. We will, however, add a link to this review so users can see the additional material, if necessary.

