

IAGCI REVIEW OF THE USE OF COI IN OPERATIONAL GUIDANCE NOTES

Country	Conclusions/ Recommendations	Response/Comment
Eritrea	<p>1. <i>General comments</i></p> <p>(i) <i>“Urge OGN authors to refer directly to the original source available ---“</i></p> <p>(ii) <i>The OGN can benefit greatly by referring to the National Service in practice section of the COIS report of August 2012.</i></p> <p>(iii) <i>That the OGN be published some weeks after the COI report.</i></p> <p>(iv) <i>Provide page or paragraph number of quotes if found in large reports.</i></p> <p>2. <i>Specific comments</i> 3. <i>Diversity of sources</i></p>	<p>We welcome the comment by the reviewers that the most up to date information provided by the COI service is adequately reflected.</p> <p>We fully accept this comment. We have moved to citing original sources within OGNs and only refer to the COI report where necessary, such as when its source can not be readily accessed, e.g. subscription publications, though the original source will be cited in the OGN text.</p> <p>Accepted.</p> <p>We try to aim for OGNs to be produced soon after publication of a COI report. However practicalities such as customer demand for up to date guidance, as well as revisions for new case law, often means a misalignment of the publications.</p> <p>Accepted – this is something we have now tried to implement.</p> <p>We thank the researchers for these useful comments, which will be taken into account when the OGN is next revised.</p>
Somalia	<p>V Conclusion <i>I consider that the Operational Guidance Note: Somalia dated 23 October 2012 is generally accurate, unbiased and up-to-date; and it relies on reputable and accessible sources. It is therefore an effective publication. In my opinion, it could be improved if the matters I raised above, particularly in the sections III and IV of my report, were addressed.</i></p>	<p>We welcome the reviewer’s conclusion concerning the general accuracy, currency etc of the OGN and that it is an effective publication.</p> <p>The comments/corrections in <u>Section III</u> are essentially concerned with the need to include additional COI to clarify or in some cases update that which is already included. We welcome the additional sources suggested and these will be considered for inclusion when the OGN is next updated which will be shortly following publication of the new COI report.</p> <p><u>Section IV</u> raised the question as to whether it was necessary to quote at length caselaw dating several years back, particularly with regard to questions of security and clan dynamics where things have changed considerably over the past few years.</p>

		<p>We consider that it is important to continue to cite these cases. The caselaw concerned is still extant and is often referred to by claimants or their representatives, it is therefore necessary to flag the caselaw to decision makers whilst at the same time making it clear in the conclusions as to whether or not the caselaw findings should still be adhered to or not.</p>
<p>Sudan</p>	<ol style="list-style-type: none"> 1. <i>Different sources COI report to OGN</i> 2. <i>OGN does not address all the issues set out in the COI report, for example there is no section on women.</i> 3. <i>Incorrect link for the FCO Annual Report on Human Rights</i> 4. <i>Why the FCO country profile and Human Rights reports are cited with links when these appear in the COI report.</i> 5. <i>3.6 South Sudan civilians</i> 6. <i>Sections 2.3, 3.8, 3.9</i> 7. <i>3.7 SPLM/N</i> 	<p>The OGN was produced before the COI report as there was a customer demand for urgent guidance on the handling of asylum claims from nationals of the Republic of Sudan (aka North Sudan) following the cessation of the South to form the new Republic of Southern Sudan. COIS were consulted in the drafting of the OGN as were Still Human Still Here, a well respected external partner to UKBA. Ideally we aim for synergy in the production of COI reports and OGNs but customer demand and the need to update for new important case law often necessitates a variance from the production programme.</p> <p>The sections in the OGN give guidance on the common categories of claim for international protection as highlighted by case owners. The purpose of the OGN is not to duplicate the COI report and consequently there is no section on categories such as women or LGBT applicants as these have not been identified as common categories of claim</p> <p>We thank the researchers for noticing this error, which will be corrected in the next update.</p> <p>The OGN is a stand alone document providing guidance to UKBA decision makers and we feel it is essential to make a general reference to these important FCO publications. They are of course also cited within specific categories when providing data of direct relevance.</p> <p>This OGN only covers North Sudan but of course references overlapping issues which are still to be formally settled between the two countries, such as citizenship. Overlapping conflict will also be covered, but not specific South Sudan issues, as research indicated that at present an OGN is not warranted for the new Republic of South Sudan.</p> <p>We thank the researchers for their comments.</p> <p>We will discuss this comment with COIS colleagues</p>

	<p>8. 3.10: 3.11 and 3.12</p> <p>9. 4.3 Minors</p> <p>10.4.4. Medical</p> <p>11.5. Returns</p>	<p>We thank the researchers for these useful comments, which will be considered more fully when the next OGN is drafted.</p> <p>The purpose of this section is not to provide COI on the position for minors in Sudan, rather it is to highlight to case owners the handling of UASC claims in respect of the discretionary leave provision.</p> <p>We thank the researchers for these useful comments, which will be considered more fully when the next OGN is drafted. The issue highlighted of 27.35 will be discussed with COIS colleagues.</p> <p>We only became aware of the Waging Peace report after publication of the OGN and intend to include this in the next OGN after discussion with COIS colleagues.</p> <p>On a general point regarding timescales, there is a delay between the drafting of an OGN, the consultation and clearance processes and the final product being sent for publication. This would account as to why on occasions some recent COI data might not be included.</p>
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