



Inspection of Country of Origin Information

May 2018 Report

David Bolt

Independent Chief Inspector of
Borders and Immigration

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Our purpose

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

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Foreword

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

The Independent Advisory Group on Country Information (IAGCI) is a panel of experts and practitioners, created to assist the Chief Inspector in this task. The IAGCI commissions and quality assures reviews of country information produced by the Home Office’s Country Policy and Information Team (CPIT).¹ A list of IAGCI members can be found on the Inspectorate’s website.

This report covers the reviews considered and signed off by the IAGCI at its May 2018 meeting, which relate to the Democratic Republic of Congo (DRC), Iran and Turkey.

My covering report makes 3 recommendations. These are in addition to the recommendations contained in the individual reviews.

The report was submitted to the Home Secretary on 1 August 2018.

D J Bolt

Independent Chief Inspector of Borders and Immigration

¹ Previously the Country of Origin Information Service (COIS).

1. Scope

- 1.1 In April 2018, IAGCI sought tenders for reviews of the following CPIT Country of Origin Information Requests (COIRs) and Country Policy and Information Notes (CPINs):
- Democratic Republic of Congo (DRC)
 - Country of Origin Information Requests (COIRs)
 - ‘Opposition to the government’ (November 2016)
 - ‘Women fearing gender-based harm or violence’ (June 2017)
 - Iran
 - Country of Origin Information Requests (COIRs)
 - ‘Background information, including actors of protection and internal relocation’ (December 2017)
 - Turkey
 - Country of Origin Information Requests (COIRs)
 - ‘Kurdish political parties’ (August 2017)
 - ‘Kurdish Workers’ Party’ (August 2017)
- 1.2 These countries and topics were chosen because they had not been reviewed by IAGCI for some time (the last DRC review was published in September 2010, and the last Iran review was published in July 2016), or not at all (Turkey), and because of the numbers of asylum applications and high refusal rates.
- 1.3 IAGCI received 2 tenders each for the DRC, Iran and Turkey reviews. These were assessed by the Chair, with input from members, and the reviewer with the most relevant, country-specific knowledge selected in each case.
- 1.4 The completed reviews were quality assured by the IAGCI Chair and members and sent to CPIT. CPIT added its responses, forming a single document for each country review.
- 1.5 IAGCI met on 10 May 2018 to go through each review and the CPIT responses. The agenda and minutes of this meeting are at Annex A.

2. Reviewers' comments and recommendations

Democratic Republic of Congo (DRC)

- 2.1 Jane Freedman² reviewed 10 DRC COIRs (all from 2017-18), plus the CPINs entitled 'Opposition to the government' (November 2016) and 'Women fearing gender-based harm or violence' (June 2017). Her reviews are at Annexes A to B, along with CPIT's responses.
- 2.2 CPIT "Accepted" all of the reviewer's comments on the 2 CPINs, and on 2 of the 10 COIRs: 'Bundu dia Mayala' and 'Minority Ethnic Groups'. CPIT "Partially accepted" the comments on 3 other COIRs: 'Political System and Affiliation', 'Treatment of Radio Broadcasters', and 'Single Women'.
- 2.3 However, CPIT's acceptance of the bulk of the reviewer's comments, and of all 6 of her recommendations, was conditional in that the sources quoted were non-English language (French) and CPIT preferred to rely on English language sources.
- 2.4 The remaining 5 COIRs were marked "N/A [No Action]. Thanks for the confirmation that no further relevant material is readily available". These concerned: 'Treatment of the Bundu dia Kongo', 'LGBT General Kanyama', 'Assassination of Laurent Kabila', 'Support for Minors', and 'Treatment of Rwandan Tutsis'.
- 2.5 Two key themes emerged from the reviews. Firstly, the speed with which the situation in DRC was changing. Secondly, the availability of other, more accurate and up-to-date sources of information, particularly some French language sources, and what the reviewer described as "an over-reliance on sources such as the CIA factbook which tend to over-simplify the political situation in the DRC".

Iran

- 2.6 Dr Ghoncheh Tazmini³ reviewed 10 Iran COIRs (1 from March 2017, the rest from 2017-18), plus the CPIN entitled 'Background information, including actors of protection and internal relocation' (December 2017). Her review is Annex C, along with CPIT's responses.
- 2.7 CPIT "Accepted" 24 of the reviewer's comments on the CPIN, "Partially accepted" 20, and marked another 20 "Not accepted". CPIT's response to the reviews of the COIRs followed the same pattern: 3 were "Accepted", with a fourth marked "N/A" where the substance was accepted, 3 were "Partially accepted", and 3 "Not accepted".
- 2.8 The reviewer identified the structure, coherence and scope of the CPIN as strengths, but was concerned about the "qualitative depth" of the data presented, and the fact that some of it was dated. She questioned the reliability of some source material, in particular the lengthy quotations

² Biography at Annex B.

³ Biography at Annex B.

from US State Department (USSD) reports, noting that USSD reports “are seldom neutral or balanced”, and that the US has no diplomatic relations with Iran and limited access to Iranian sources. She also challenged the depictions of Iran as a “backward, repressive country rather than an evolving society” from other sources that were “biased in nature or agenda-driven”.

2.9 CPIT responded:

“We do not accept that simply because a source is US-based or is US (or Israeli) that it cannot be used. This is not to say that we endorse everything these particular sources may say, but we generally consider them meeting the Common EU Guidelines for Processing Country of Origin Information (COI)⁴ in relation to the ‘Quality criteria for evaluating and validating information’, i.e. relevance, reliability, balance, accuracy, currency, transparency and traceability.”

- 2.10 The IAGCI meeting was told that UNHCR was reviewing reports issued by the USSD under the current administration. So far, UNHCR’s analysis had shown a shift in how the reports deal with certain issues, for example, freedom of expression, reproductive rights, and gender-based violence. For IAGCI this raised the question of whether USSD reports should be CPIT’s ‘go to’ source.

Turkey

- 2.11 Yasin Duman⁵ reviewed 8 Turkey COIRs (4 from 2016-17 and 3 from 2017-18), plus the CPINs entitled ‘Kurdish political parties’ (August 2017) and ‘Kurdish Workers’ Party’ (August 2017). His review is Annex D, along with CPIT’s responses.
- 2.12 CPIT “Accepted” 20 of the reviewer’s comments on the CPINs, “Partially accepted” 6 and marked 1 “Not accepted”. Similarly, CPIT “Accepted” the reviewer’s comments on 6 of the COIRs: ‘Citizenship, Statelessness’, ‘Legal system: Judiciary’, ‘LGBTI persons’, ‘Freedom of movement – Illegal exit from Turkey’, ‘Treatment of Alevi Kurd DHKP-C supported’, and ‘Treatment of associates of ‘Revolutionary Headquarters’”.
- 2.13 For the other 2 COIRs, ‘Political affiliation’ and ‘Religion, Ethnicity – Treatment of Kurds’, CPIT contended that the reviewer’s comments had included speculation about what might happen to the claimant were they to return to Turkey and assessments of risk that were matters for the asylum decision maker to consider based on the full facts of the case.
- 2.14 The reviewer considered that both CPINs contained a “balance of reliable sources”, but these were “second-hand”. First-hand sources were available, particularly in Turkish or Kurdish language, and these were also more up-to-date, which was important as “the political dynamics in Turkey change very fast”.
- 2.15 CPIT responded that “we prefer to use primary sources when possible”, but referred to the difficulty of using non-English language material.

4 Common EU Guidelines for Processing Country of Origin Information (COI).

<http://www.refworld.org/docid/48493f72.html>

5 Biography at Annex B.

3. Independent Chief Inspector's Recommendations

Use of non-English language sources

3.1 This round of reviews again highlighted the problems with country of origin products where the most reliable and up-to-date information is not readily available in English.

3.2 In my 'Inspection of Country of Origin Information: May 2016 Report', published in July 2016, I recommended that:

"The Home Office should ensure that the Country Policy and Information Team (CPIT) is resourced to fund the translation into English of information that IAGCI has recommended and CPIT has 'accepted' should be included in a Country Information and Guidance (CIG) report and is not available from any other source."

3.3 The Home Office "rejected" this recommendation, stating in its official response that:

"We will continue to decide on a case-by-case basis whether a translation is necessary, balancing the value of the information to the understanding of the country situation and the cost of translation."

3.4 Responding to the May 2018 reviews, CPIT informed IAGCI:

"In the reviews on DRC and Turkey in particular, the reviewer recommends a number of documents or websites that are not in English. As we have explained to the IAGCI previously, we must provide information in English (or officially translated to English).

We may, in some circumstances, be able to translate non-English language material. However, before doing so, we always consider if there are alternative English-language sources. If not, we must weigh up the cost of translation against whether it is likely to have a significant impact.

The difficulty is determining which non-English information is essential and which is simply contextual, or adds more detail without changing our fundamental understanding of the country situation and therefore will not make a material contribution to end product or what it is used for. Add to this the volume of potentially translatable material relative to our finite resources.

In the specific recommendations, it would be helpful if the reviewer is able to suggest (an) alternative English-language source(s) or, if not, provide a view on whether (and why) a recommended source is 'essential' or 'desirable', which would help inform our decision making."

- 3.5 While the practical difficulties that CPIT highlights are real, it is not good enough for the Home Office to leave it there. As the current round of reviews has shown, the problem of not using non-English language sources is not simply that more up-to-date and first-hand information is omitted, but also that the available English-language sources can assume more weight than they merit.
- 3.6 The current approach is not in the spirit of the Immigration Rules (339JA), which state that “Reliable and up-to-date information shall be obtained from various sources”. Nor is CPIT’s argument that the Tribunal has made it clear that the onus is on individuals to provide translations, if necessary. While this may be the Tribunal’s view in respect of cases that come before it, it is unreasonable for asylum claimants and for decision makers for this to be the default position in respect of initial claims, not least as it seems guaranteed to increase the number of decisions that are appealed.
- 3.7 The proposal that reviewers indicate whether they believe a recommended non-English language source is “essential” or “desirable” is sensible, and IAGCI will ensure that, in future, reviewers are instructed to do so. But, this needs to be matched, as a minimum, by acceptance by the Home Office of the recommendation from the May 2016 inspection report, so that where the reviewer indicates that the source is “essential” the Home Office pays to have it translated.
- 3.8 However, this does not go far enough, not least because IAGCI is able to review only a small percentage of COI products over the course of a year. On the face of it, CPIT’s claim to “continue to decide on a case-by-case basis whether a translation is necessary ...” is the pragmatic solution. But, from the responses to the DRC reviews in particular, CPIT’s threshold would appear to be set far too high. As a Francophone country, CPIT might have predicted that the most relevant, comprehensive and up-to-date information about DRC would be in French. This is hardly the most exotic of foreign languages, so it is not unreasonable to expect that some facility in it should exist within the Home Office and that French language sources would be readily accessible.
- 3.9 CPIT referred to looking to reports from European counterpart organisations where the latter may be better-placed in particular countries. This should be routine. Another idea that IAGCI discussed was the creation of a panel of country experts that CPIT could consult, including about up-to-date, non English language sources, when drafting new CPINs. This could also help with ensuring CPINs remained as up-to-date as possible in rapidly-moving country situations, such as DRC and Turkey. However, these were not alternatives to CPIT being ready and having the means to pay for translations where they were required.

Recommendations

The Home Office should:

1. Reconsider its response to the May 2016 recommendation from ICIBI that it “should ensure that the Country Policy and Information Team (CPIT) is resourced to fund the translation into English of information that IAGCI has recommended and CPIT has ‘accepted’ should be included in a Country Information and Guidance (CIG) report and is not available from any other source.”
2. Indicate within future COI products where CPIT is aware of and has considered non-English language sources, but has decided that it is unnecessary to have them translated, giving the reasons.

3. Ensure that full account is taken of the review by UNHCR of US State Department (USSD) reports issued under the current administration when deciding what reliance to place on particular USSD reporting, including how to present such material in COI products so that users are made aware of any UNHCR caveats.

D J Bolt

Independent Chief Inspector of Borders and Immigration

Annexes

Annex A

Review of the November 2016 Home Office Country of Origin Information on Democratic Republic of Congo: Opposition to the Government, March 2018 by Jane Freedman.

Annex B

Review of the June 2017 Home Office Country of Origin Information on Democratic Republic of Congo (DRC): Women fearing gender-based harm or violence, March 2018 by Jane Freedman.

Annex C

Review of the December 2017 Home Office Country Policy and Information Note on Iran: Background information, including actors of protection and internal relocation, (Version 4.0), March 2018 by Dr. Ghoncheh Tazmini.

Annex D

Review of the August 2017 Home Office Country of Origin Information on Turkey: Kurdish political parties; August 2017 Turkey Kurdistan Workers' Party; and responses to COI requests, April 2018 by Yasin Duman.

Annex E

Minutes of the Independent Advisory Group for Country Information meeting held on 10 May 2018.

Annex F

Biographies of the Reviewers

Annex A

Review of the November 2016 Home Office Country of Origin Information on Democratic Republic of Congo: Opposition to the Government

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

Jane Freedman, Université Paris 8, CRESPPA-GTM¹

Researcher on gender equality and sexual and gender-based violence in the Democratic Republic of Congo, author of *Gender, Violence and Politics in the Democratic Republic of Congo* (Routledge, 2015). Review conducted in an individual capacity.

March 2018

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1 Introduction

1.1 Instructions

This review of the Country Policy and Information Note on the Democratic Republic of Congo (DRC): Opposition to the government has been undertaken with the purpose of evaluating the accuracy and relevance of the information it contains, and of suggesting any additional information and sources which may be relevant in evaluating protection claims of women from the DRC. The review is focussed on country of origin information provided, and does not contain any comment on Home Office policy guidance.

The review has been conducted in line with the Terms of Reference provided which include:

- Assessing the extent to which information from source documents has been appropriately and accurately reflected in the CPIN Reports.
- Identifying additional sources detailing the current human rights situation in the country with respect to main grounds for asylum claims (which are noted in each CPIN Report).
- Noting and correcting any specific errors or omissions of fact.
- Making recommendations for general improvements regarding, for example, the structure of the report, its coverage or its overall approach.

1.2 Methodology

The review was conducted with reference to the Common EU Guidelines for Processing Country of Origin Information (COI) in relation to the Quality criteria for evaluation and validating information ie relevance, reliability, accuracy, currency, transparency and traceability.

1.3 Summary of Review

The major problem with this report is that given the very rapidly evolving political situation in the DRC much of the information contained within the report is now outdated and needs to be updated using more recent sources. The information provided was reasonably accurate at the time of writing, although it might be argued that an over-reliance on sources such as the CIA factbook has led to an over-simplified account of the DRC's political situation. For example, the list of political parties provided in the report might lead to the mistaken belief that there are only seven parties when in fact there are over 400 parties, with over 30 political groupings. More accurate information can be found from the DRC's national electoral commission, the CENI. Similarly, the description of the major coalition which is in opposition to President Kabila is out of date given recent political developments which have led to a reconfiguration of the Rassemblement against him. Finally, since the report was published, the violence and repression against opposition demonstrations has intensified. This is not captured fully in the report and would benefit from updating with more recent sources.

Recommendations

Reviewer's recommendations	HO response
Update the information regarding political opposition to President Kabila.	Accepted. As the reviewer notes, the situation in the DRC is volatile and dynamic which makes it challenge to map. We will update the CPIN following this review, which will include use of material recommended by the reviewer.
Local sources such as the Congolese electoral commission, CENI, could provide more accurate information about the various political parties which exist in the country.	Accepted. However, see covering response re: our use of non-English language material.

1.4 Understanding of the themes addressed in the CIG Reports

The report accurately reflects prevalent legal usage and academic understandings of the themes of political opposition, freedom of expression, arbitrary arrest and detention.

1.5 Quality and balance of sources

The sources used in the report are reliable, however it might be argued that there is an over-reliance on sources such as the CIA factbook which tend to over-simplify the political situation in the DRC.

2 Review

2.1 Political System

This section reviews the political system of the DRC with a particular focus on Joseph Kabila and his ruling political party. The section includes information on Kabila's role in delaying elections in the DRC, but due to the date at which it was published, does not contain information on the latest developments with regard to the postponement of elections.

Reviewer's comments	HO response
<p>4.3.6 The report quotes a UN press conference "The head of the United Nations mission the Democratic Republic of Congo says he does not believe the country will be able to hold its presidential elections as scheduled in November"</p> <ul style="list-style-type: none">• It would be useful to update information on the latest schedule for the DRC's elections. They are now scheduled to be held on 23 December 2018. http://www.rfi.fr/afrique/20171105-rdc-elections-fixees-23-decembre-2018-annonce-ceni• It is also useful to note that Kabila has said that he will not be standing for election https://www.theguardian.com/world/2018/feb/07/joseph-kabila-will-not-stand-in-next-drc-elections-aide-says	<p>Accepted.</p> <p>We will update the CPIN following this review and include both of these suggestions by the reviewer.</p>
<p>4.3.8 Information relating to the "leading personalities" in the G7. Four of the leaders are listed, but it would be more accurate to refer to the website of the party which contains a full list of all party leaders http://g7-rdc.info/presidium/</p>	<p>Partially accepted.</p> <p>We will be updating this information, but see the covering response re: our use of non-English language material.</p>

2.2 Opposition parties in DRC

Reviewer's comments	HO response
<p>5.1.2 There is a list of nine political parties which is drawn from the CIA World Factbook, presented as though this was the comprehensive list of political parties in the DRC. This is a misleading presentation. In fact there are far more political parties than this in the DRC. The CENI (Commission électorale nationale indépendante) lists 480 individual political parties and 39 major political groupings</p> <p>https://www.ceni.cd/partis_et_regroupements_politiques</p> <p>The large number of political parties and shifting groupings between different smaller parties adds to the political instability in the country.</p>	<p>Partially accepted.</p> <p>We'll clarify that that there are more than 9 parties – the CIA Factbook appears to be referring to the main groupings. However, para 5.1.3, also citing the CIA Factbook, notes that there was a 'large diversity' of parties during 2011 elections which goes some way to indicating that there are many parties in the DRC.</p> <p>Also, the CENI website is in French. See the covering response re: our use of non-English language material.</p>
<p>5.2 An update on information on the UDPS should mention the death of Etienne Tshisekedi in February 2017. His death and succession by his son have been argued to have further destabilised the political situation</p> <p>https://www.theguardian.com/world/2017/feb/02/etienne-tshisekedi-death-drc-opposition-leader-political-deal</p>	<p>Accepted.</p> <p>We will update the CPIN following this review, and include this point.</p>

5.5.1 This point states that “leading opposition parties in the Democratic Republic of Congo say they have organized themselves under one umbrella called “Rassemblement” or “Rally” to force President Joseph Kabila to leave power ... the new coalition was formed last week in Belgium and includes the Union for Democracy and Social Progress ... and the G7 which recently chose the governor of Katanga Province, Moise Katumbi, as its presidential candidate”

This is now no longer the case. Moise Katumbi has formed his own political movement, “Ensemble pour le changement”. This movement includes parties from the G7 and the Alternative, but the UDPS is not part of the movement and is not supporting Katumbi.

The UNC is also absent from this coalition, and is expected to form an alliance with the MLC

<http://www.rfi.fr/afrique/20180312-rdc-lancement-nouveau-mouvement-politique-soutenir-moise-katumbi>

Katumbi is currently in exile, and faces a challenge to his candidacy as it has emerged that he has dual Italian citizenship – which is not permitted in the DRC

<http://www.africanews.com/2018/04/04/dr-congo-presidential-aspirant-katumbi-held-italian-citizenship-town-confirms/>

Accepted.

These points will be addressed when we update the CPIN after the IAGCI meeting. An English language alternative the rfi article would be welcome.

2.3 Opposition Groups outside of the DRC

Reviewer’s comments

6.1.4 The CPIN reports that “the main party website www.apereco-rdc.com, out of action at the time of writing this report” APARECO now has a functioning website at <https://www.info-apereco.com/> which is regularly updated and contains information about the party, statements and videos.

HO response

Accepted.

This will be included when we update the CPIN after the IAGCI meeting.

2.4 Treatment of Opposition Groups

Reviewer's comments	HO response
<p>7.1.3 The situation has worsened since the Amnesty International report of 15 September 2016 which is cited here.</p> <p>A more recent Amnesty International report of 16 October 2017 talks about the magnitude and brutality of the repression of peaceful protests and demonstrations across the country and reports that:</p> <p>“Whether it is opposition supporters or pro-democracy activists demanding respect for the Constitution and the holding of elections, children condemning the loss of their school or even public servants demanding payment of their salary arrears, protests are rarely tolerated.</p> <p>The authorities use every means available: arrests and restrictions of movement, all manner of intimidation, switching off of radio signals, cutting telephone communications and shutting down the internet. When these measures are not enough to stop the protests, the police and the army are called in to put them down, often using excessive force and lethal weapons. The United Nations estimates that at least 300 people were killed by security forces in protests in the DRC between January 2015 and July 2017 while thousands of others were injured or arrested, and public as well as private property of considerable value was destroyed.</p> <p>A government measure introduced in September 2016 barred all political protests across the country “until further notice”. Although never made public, the measure is regularly cited by mayors, governors and police officials to prevent all protests other than those organized by supporters of the government. »</p> <p>https://www.amnesty.org/en/latest/campaigns/2017/10/dr-congo-dont-let-violence-triumph-free-speech-now/</p>	<p>Accepted.</p> <p>The suggested report post-dates the CPIN, but we will address this when we update it after the IAGCI meeting.</p>
<p>7.1.7 The Freedom House report cited states that “freedoms of speech and of the press are limited”.</p> <p>This situation has also worsened since the publication of this report. For example, the Report of Civil Society to the Human Rights Commission of October 2017 states that:</p> <p>“Depuis la veille de la fin du mandat du chef de l’Etat, c’est à dire au mois de novembre 2016, les libertés d’expression, de reunion et d’association ont fait l’objet des restrictions graves en RDC. Cela se constate notamment par des mesures de suspension des programmes télévisuels ainsi que le brouillage des fréquences radio dirigées spécialement vers les medias taxes d’appartenir à l’opposition, sur ordre du</p>	<p>Accepted.</p> <p>The country situation has changed since the CPIN was published. We will address these points when we update the CPIN after the IAGCI meeting.</p> <p>However, see the covering response re: our use of non-English</p>

<p>ministère des communications et medias.”</p> <p>Rapport de la société civile au Comité des droits de l’homme, Examen du 4ème rapport de la République Démocratique du Congo, Octobre 2017.</p> <p>http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/COD/INT_CCPR_CSS_COD_29123_F.pdf</p> <p>Similarly the Report of the UN High Commission on Human Rights, September 2017 notes that:</p> <p>“Les medias et les journalistes ont également été particulièrement visés par les autorités congolaises dans le cadre de restrictions disproportionnées à la liberté d’expression, comme la suspension du signal de Radio France Internationale à partir du 5 novembre 2016.”</p> <p>Rapport du Haut-Commissaire des Nations Unies aux droits de l’homme, Situation des droits de l’homme et activités du Bureau conjoint des Nations Unies aux droits de l’homme en République démocratique du Congo, 4 septembre 2017</p> <p>http://www.refworld.org/docid/59bfbc0b4.html</p>	<p>language material.</p>
<p>7.1.9 The Human Rights Watch report cited here describes the fact that security forces brutally suppressed demonstrations in Kinshasa and other cities in January 2015. Since then, there has been a continuing escalation of brutality and repression of demonstrations. A Monusco report on unjustified and disproportionate use of force against public demonstrations from January 2017 to January 2018 states that:</p> <p>“En cherchant à tout prix à faire appliquer les restrictions au droit de reunion pacifique, les autorités congolaises ont ignore ce principe de precaution. Non seulement toutes les mesures nécessaires pour éviter l’utilisation de la force par les agents responsables du maintien de l’ordre public n’ont pas été prises, mais la volonté de repression systématique a été manifeste. Le déploiement massif d’agents des services de sécurité et des forces de défense souvent équipés d’armes à feu, le recours aux militaires des FARDC sans formation au maintien de l’ordre public en plus des unites de la police, et, plus généralement, l’hostilité des autorités politico-administratives et des membres des services de sécurité et des forces de défense à l’égard des manifestants, ainsi que l’impunité dont ont joui les auteurs présumés des violations commises auparavant, ont largement contribué à la commission de graves violations des droits de l’homme lors de plusieurs manifestations”.</p> <p>MONUSCO, March 2018, Recours illégal, injustifié et disproportionné à la force lors de la gestion des manifestations publiques en République Démocratique du Congo de Janvier 2017 à Janvier 2018.</p>	<p>Accepted.</p> <p>We will update the CPIN following this review, which will include use of material recommended by the reviewer.</p> <p>However, see the covering response re: our use of non-English language material.</p>

http://www.ohchr.org/Documents/Countries/CD/BCNUDH-Report_March2018.pdf

7.2.5 Human Rights Watch provides updated information on the DRC in their 2018 World Report:

“Security forces killed at least 62 people and arrested hundreds of others during protests across the country between December 19 and 22, 2016, after Kabila refused to step down at the end of his second term. In total, security forces killed at least 171 people during protests in 2015 and 2016.

Human Rights Watch research found that senior Congolese security force officers had mobilized at least 200 and likely many more former M23 rebel fighters from neighboring Uganda and Rwanda in late 2016 to protect Kabila and quash anti-Kabila protests, after they had integrated into Congolese military and police units. M23 fighters were again brought into the country between May and July 2017 to prepare for “special operations” to protect the president.

Throughout 2017, government officials and security forces repeatedly and systematically banned opposition demonstrations, shut media outlets, and prevented opposition leaders from moving freely. They jailed more than 300 opposition leaders and supporters, journalists, and human rights and pro-democracy activists, most of whom were later released. Many were held in secret detention facilities, without charge or access to family or lawyers. Others have been tried on trumped-up charges. Many were arrested while planning or starting peaceful protests, which often prevented the protests from going forward. When larger protests were organized, security forces fired teargas and in some cases live bullets to disperse the demonstrators. Security forces killed five people, including an 11-year-old boy, and wounded 15 others during a protest in Goma on October 30.

Security forces killed at least 90 people as part of a crackdown against members of the Bundu dia Kongo (BDK) political religious sect in Kinshasa and Kongo Central province between January and March, and in August. Some of the BDK members also used violence, killing at least five police officers.

In July in Lubumbashi, unidentified armed men shot and nearly killed a judge who refused to rule against opposition leader and presidential aspirant Moïse Katumbi. »

<https://www.hrw.org/world-report/2018/country-chapters/democratic-republic-congo>

Accepted.

This will be addressed when we update the CPIN after the IAGCI meeting.

3 Information about the Reviewer

Jane Freedman is a Professor at the Université Paris 8 and member of the Centre de recherches sociologiques et politiques de Paris (CRESPPA). She has carried out in depth research in the Democratic Republic of Congo, working with colleagues from the University of Kinshasa to organise several conferences on gender-based violence in the country. Her publications include a book entitled *Gender, Violence and Politics in the Democratic Republic of Congo* (Aldershot, Ashgate, 2015). She has also carried out research on women seeking asylum in Europe, including Congolese women asylum seekers. In addition to her academic work, she has worked as a consultant for international organisations including UNESCO and the UNHCR. Whilst working for UNHCR she helped to establish a research centre on women and peacebuilding in Kinshasa, and organised training and education programmes on prevention of gender-based violence in Goma and Bukavu.

Annex B

Review of the June 2017 Home Office Country of Origin Information on Democratic Republic of Congo (DRC): Women fearing gender-based harm or violence

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

Jane Freedman, Université Paris 8, CRESPPA-GTM¹

Researcher on gender equality and sexual and gender-based violence in the Democratic Republic of Congo, author of *Gender, Violence and Politics in the Democratic Republic of Congo* (Routledge, 2015). Review conducted in an individual capacity.

March 2018

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1 Introduction

1.1 Instructions

This review of the Country Policy and Information Note on the Democratic Republic of Congo (DRC): Women fearing gender-based harm or violence has been undertaken with the purpose of evaluating the accuracy and relevance of the information it contains, and of suggesting any additional information and sources which may be relevant in evaluating protection claims of women from the DRC. The review is focussed on country of origin information provided, and does not contain any comment on Home Office policy guidance.

The review has been conducted in line with the Terms of Reference provided which include:

- Assessing the extent to which information from source documents has been appropriately and accurately reflected in the CPIN Reports.
- Identifying additional sources detailing the current human rights situation in the country with respect to main grounds for asylum claims (which are noted in each CPIN Report).
- Noting and correcting any specific errors or omissions of fact.
- Making recommendations for general improvements regarding, for example, the structure of the report, its coverage or its overall approach.

1.2 Methodology

The review was conducted with reference to the Common EU Guidelines for Processing Country of Origin Information (COI) in relation to the Quality criteria for evaluation and validating information ie relevance, reliability, accuracy, currency, transparency and traceability.

1.3 Summary of Review

Overall, this report provides accurate information on gender-based harm and violence against women in the Democratic Republic of Congo. In particular the section on sexual violence against women in conflict is well documented and provides up to date information on this violence, although even more recent statistics and reports from international organisations such as MONUSCO could have been integrated. However, as the conflict situation in the DRC is changing so rapidly, and as all the evidence contained in this report points to ongoing and widespread sexual violence, it is perhaps not critical to understanding of this violence to have a continual update of the situation.

Other sections of the report are less comprehensive, and it would be preferable to strengthen the sections which deal with other forms of sexual and gender-based violence outside of conflict. The sections on domestic violence, for example, or on other societal forms of violence are relatively short,

and could be backed up with further evidence on the extent of these forms of violence against women. There is no mention of forced marriage as a form of violence although this is quite prevalent in the DRC.

The report could also benefit from using a wider range of sources. It is overly reliant on the USSD Country Human Rights Report for the DRC of 2016, and the SIDA Country Report on the DRC from 2014. Both of these reports are cited repeatedly, and other sources are cited through these reports as secondary sources, rather than being consulted and cited as primary sources themselves.

Recommendations:

Reviewer's comments	HO response
<p>More information could be incorporated into this report on forms of gender-based violence other than sexual violence in conflict. In particular it would be useful to include more information on domestic violence, forced marriage, child soldiers, rape outside of conflict.</p>	<p>Accepted.</p> <p>We will update the CPIN following this review, which will include revising the Terms of Reference (though are likely to exclude child soldiers, given this feels distinct from GBV directed towards women) and, where possible, using the material recommended by the reviewer. However, see the covering response re: our use of non-English language material.</p> <p>This also suggests, perhaps, that we may have provided much of the available English language material and any limits in the range and depth of material in the CPIN reflect its limited availability in English.</p>
<p>There is no reference in the report to customary law and to the way in which this comes into conflict with national legislation and policy. A consideration of the role of customary law in creating situation of gender-based violence and in impeding the implementation of more progressive reforms on women's rights would be welcome.</p>	<p>Accepted.</p> <p>We will include this in the Terms of Reference when we update the CPIN following this review.</p>
<p>Information on the current situation for women in the DRC can be found in various reports by NGOs and women's rights associations which could be consulted and cited. The Ministry for gender, family and children also has various statistics and reports on SGBV.</p>	<p>Accepted.</p> <p>However, see the covering response re: our use of non-English language material.</p>
<p>The statistics and information on rape and sexual violence in conflict areas could be kept more up to date through consultation of the regular Humanitarian Response Reports available from Monusco.</p>	<p>Accepted.</p> <p>However, see the covering response re: our use of non-English language material.</p>

<p style="text-align: center;"><u>Main Suggestions relating to the COI Requests:</u></p> <ol style="list-style-type: none"> 1. In general, the responses to COI requests were reasonably accurate and up to date. 2. However, there is still an over-reliance on certain sources such as the USSD Country Human Rights Report 3. The sources used to respond to COI requests could be widened. More use of French language sources would enable the responses to access a wider range of information and respond more accurately to requests. 	<p>Partially accepted.</p> <p>We note that for a number of responses that the reviewer was not able to find any additional information on the subject of the particular request, and has stated so. We have generally responded with 'n/a' to these observations as there is no recommendation to respond to. We are nevertheless grateful for the reviewer's comments which are endorsement of the robustness of our research and usefulness of those responses.</p> <p>Time-pressures often mean that our responses to COI requests use a narrower range of sources that we would ideally like.</p> <p>In terms of using more French language sources, see the covering response re: our use of non-English language material.</p>
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1.4 Understanding of the themes addressed in the CIG Reports

This report reflects the prevalent usages and academic understandings of gender-based violence, and attempts to ensure that a range of different forms of gender-based violence such as female genital mutilation or domestic violence are included (and not merely sexual violence and rape). It is notable, however, that the main part of the report is concentrated on sexual violence against women in conflict situations, as this is the type of violence about which it is easiest to find information as it is most widely reported. However, whilst the prevalent international definitions of gender-based violence also include economic and psychological forms of violence against women, these are not mentioned in the CIG report. This could, however, be attributed to a lack of reliable sources on these types of violence (which is true for other countries as well as for the Democratic Republic of Congo).

1.5 Quality and balance of sources

The sources used for the CIG report are generally reliable and high quality. There are some instances where the sources used are several years old, for example the DRC Gender Country Profile from 2014, but this could be explained by the fact that there are in some cases no

more recent data on these issues. However, in some cases more recent data does exist and can be found, for example, in the UN's humanitarian response reports for data on sexual and gender-based violence in areas of the DRC affected by conflict.

One criticism which could be made of the report is the over reliance on one or two sources – the USSD Country Report on Human Rights Practices 2016, and the DRC Gender Country Profile 2014. These sources are cited repeatedly and quite frequently they are used to re-cite data from other reports in a second-hand fashion, rather than citing these secondary sources themselves.

Some suggestions regarding more recent reports or some more varied sources of data, particularly on forms of violence other than sexual violence, are indicated in the main body of this report.

2 Review

2.1 4. Legal Context

This section concentrates mainly on the Family Code of the DRC and highlights the main ways in which this allows discrimination against women. More recent sources could be utilised to underline the fact that recent reforms of the family code in July 2016 and a new Parity Law of 2015, have in fact had little impact on improving this legal context because of failure of implementation, and persistent application of customary law.

It would also be useful to mention in this section that the DRC has no law on trafficking, and although there are few data on the subject, some cases have been documented recently by NGOs.

Reviewer's comments	HO response
<p>4.2.1 This paragraph contains information from the OECD stating that the minimum age for marriage has been increased from 14 for females and 18 for males, to 18 for both sexes. However, there is evidence that despite this change in the law, there are still high rates of child and early marriage in the DRC. It should be noted that child and early marriage is still frequent in the country.</p> <ul style="list-style-type: none"> UNICEF reported in December 2016 that 40% of girls in the DRC are married before the age of 18. These girls abandon their education, and often suffer from mistreatment or violence from their husbands. <p>UNICEF (2016), Situation des enfants en RDC: Note d'information https://www.unicef.org/drcongo/french/Factsheet(1).pdf</p>	<p>Accepted.</p> <p>We will include this information where we can find English material. See the covering response re: our use of non-English language material</p>
<p>4.2.4 Comment: It would be useful to break down this point and to treat the law on parity of August 2015 and the amendment of the family code of July 2016 separately, although they are treated together in the paragraph cited</p>	<p>Accepted.</p> <p>This will be amended in the</p>

from the USSD Country Report of 2016.

The USSD Country Report of 2016 is cited to say that: 'The law on parity designed to operationalize the articles of the constitution that provide for equal representation and participation of women at decision-making levels and processes was adopted and promulgated in August 2015. In June and amended family code was adopted and signed by the president. Implementation of the legislation including promulgation of the text, had not begun by year's end'

Further information on the non-implementation of both of these pieces of legislation is available and could be cited from other sources.

- There is recent evidence that the 2015 parity law is not being implemented. For example, UN ICCPR Human Rights Committee, Concluding observations on the fourth periodic report of the Democratic Republic of the Congo (CCPR/C/COD/CO/4):

"The Committee is concerned about the low representation of women in political and public life, including at the highest levels of Government and in the judicial system. Other matters of ongoing concern are the persistence of gender stereotypes and the application of rules of customary law that perpetuate discrimination and certain traditions that are harmful to women (arts. 3, 7, 23, 25 and 26)."

- The Civil Society Report to the Human Rights Committee of October 2017, also reports on the non-effectiveness of the parity law, and refers to the fact that the law does not include any penalties for parties that do not respect parity when they compose their electoral lists.

"La loi no. 105/013 portant modalités d'application des droits de la femme et de la parité énonce, voire précise, certains principes sans formaliser concrètement ni les mesures, ni les délais, ni indiquer les chiffres. De ce fait, elle ne constitue pas, en l'état, l'instrument juridique contraignant espéré permettant d'atteindre la participation égalitaire des hommes et des femmes à tous les niveaux de décision du pays."

Rapport de la société civile au Comité des droits de l'homme. Examen du 4ème rapport de la République Démocratique du Congo.
http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/COD/INT_CCPR_CSS_COD_29123_F.pdf

- The Civil Society Report also reports that the reformed family code is not being implemented, that the

updated CPIN.

However, see the covering response re: our use of non-English language material.

<p>population is unaware of the reform and that some administrators, and civil officers are continuing to use the old version:</p> <p>“Cependant, il y a un besoin urgent de vulgariser le Code de la famille révisé auprès des acteurs politico administratifs et de la population, car jusque-là certains officiers de l’Etat-civil continuent à utiliser l’ancienne version”.</p> <p>Rapport de la société civile au Comité des droits de l’homme. Examen du 4ème rapport de la République Démocratique du Congo.</p> <p>http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/COD/INT_CCPR_CSS_COD_29123_F.pdf</p> <p>4.2.5 The CIG cites a UNICEF reporting that “many widows were unable to inherit their late husbands’ property’. This point is reinforced in a report by the Ministry of gender, family and children on the review of the Beijing +20 Plan of Action. The report shows that Congolese property law which recognises equal access to property for men and women, comes up against customary law and patriarchal practices which prevent women from accessing their inheritance, and particularly in the case of rural women from inheriting land. This is a problem not only for widows, but for all women.</p> <p>« De même, le Code foncier congolais reconnaît aux hommes et femmes un droit d'accès égal à la propriété foncière. Cependant, son application se heurte aux coutumes et pratiques patriarcales qui empêchent aux femmes de jouir de leur droit successoral et d'accès à la terre et plus particulièrement les femmes rurales »</p> <p>Ministère du genre, de la famille et de l’enfant (2014), Rapport national sur la revue et l’évaluation du plan du Beijing +20,</p> <p>https://www.uneca.org/sites/default/files/uploaded-documents/Beijing20/NationalReviews/drc_beijing_review_report.pdf</p>	
<p>Section 4 Additions.</p> <p>It would be useful to add that there is no law against trafficking although episodes of trafficking have been reported in the DRC</p> <p>Source: IOM in DRC, www.drcongo.iom.int/pbn/la-traite-d'êtres-humains-un-fléau-à-combattre</p>	<p>Accepted.</p> <p>This will be included in the updated CPIN.</p> <p>We are unable to open this link, but the point is covered by</p>

2.2 5. Violence against women

This section contains detailed information concerning the prevalence of sexual violence in conflict areas. There is less information about violence against women outside of conflict areas, and the sections on societal and domestic violence could be strengthened.

Reviewer's comments	HO response
<p>5.1 Surveys and statistics.</p> <p>Additional statistical sources could be added. These could include</p> <ul style="list-style-type: none"> National statistics produced by the national institute of statistics, Annuaire statistique de la RDC 2015 http://www.ins-rdc.org/sites/default/files/Montage%20AnnuStat%20FINAL%202%20From%20VEROUILLE%20_0.pdf which contains province by province statistics on violence against women, including information on the status of the perpetrators of violence. The most recent statistics on gender-based violence are collected by UNFPA through their GBVIMS system. Direct access to the GBVIMS system is limited through subscription, but the statistics produced are available through the regular Humanitarian Response Reports, available at https://www.humanitarianresponse.info/fr/operations/democratic-republic-congo/fr The Ministry of Gender, Family and Children has recently established a statistical database on SGBV which can be consulted at: http://data.snvsbq.org:888/ 	<p>Accepted.</p> <p>We accept in principle but most of the suggested sources are in French. However, see the covering response re: our use of non-English language material.</p>
<p>5.1.6 The UNFPA figures for 2014 are quoted through the report of the UN Office of the Special Representative for Sexual Violence in Conflict, DRC. 'From January to September 2014, the United Population Fund (UNFPA) recorded 11,769 cases of sexual and gender-based violence in the provinces of North Kivu, South Kivu, Orientale, Katanga and Maniema'. More recent statistics are available in the Humanitarian Response reports published by OCHA. These reports give the total number of incidents of GBV as 15500 in the provinces of North Kivu, South Kivu, Maniema and Ituri and show that 96% of these incidents of GBV were committed against women and girls. Rape is the most frequent form of GBV, with a total of 69% of all incidents being rape.</p>	<p>Accepted.</p> <p>As above, we accept that it will be useful to include relevant data. However, see the covering response re: our use of non-English language material.</p>

- ‘Selon la base de données nationale sur les VBG près de 15 500 incidents ont été pris en charge entre janvier et décembre 2016, dont plus de 60 pour cent au Nord Kivu, Sud-Kivu, Maniema et Ituri (GBVIMS, 2016). Les femmes et les filles sont les plus exposées : elles représentent 96 pour cent des incidents. Même si plus d’un quart des incidents ont lieu au domicile de la survivante ou de l’auteur, elles sont particulièrement exposées aux agressions durant leurs activités quotidiennes sur la route, en brousse dans le chemin de l’école ou dans les champs.’
- ‘Le type de VBG le plus fréquent et le viol et équivaut à 69 pour cent des incidents Source : www.humanitarianresponse.info/files/documents/files/drc_hno_2017_1.pdf

5.2.9 In the information relative to conflict related sexual violence against girls, it would be useful to integrate more information on girl soldiers who are victims of rape, forced marriage and sexual slavery when they are enrolled into armed groups, usually by force.

- A MONUSCO report published in November 2015 estimates that girls make up a total of 30-40% of all children associated with armed groups in the DRC, but many of these remain invisible because they are hidden by group leaders. ‘Les commandants des groupes armés cacheraient les filles au cours des redditions et des processus de DDR. Ces jeunes filles ne bénéficieront donc pas des programmes de réinsertion.’
- Girls find it hard to escape from the armed groups, particularly when they are pregnant or have children. Some of them feel obliged to rest with the armed groups because they fear the social stigma to which they would be exposed if they return to their community. ‘Les filles éprouvent des difficultés à s’enfuir, particulièrement lorsqu’elles sont enceintes ou ont des enfants. Certaines filles sont obligées de rester avec des groupes armés pour éviter la stigmatisation sociale liée à leur association avec des rebelles lorsqu’elles retournent dans leurs communautés.’

MONUSCO (2015), Les rescapées invisibles: Les filles dans les groupes armés en République Démocratique du Congo: 2009 à 2015. <https://childrenandarmedconflict.un.org/wp-content/uploads/2015/11/rapport-monusco-filles-dans-les-groupes-armes-rescapees-invisibles.pdf>

- Child Soldier International produced a report on Girl Soldiers in the DRC in 2016, based on interviews with these girls once they had left the armed groups. It states that ‘Most girls told us

Accepted.

We will include the Child Soldiers International source in the updated CPIN. We are also happy to include more information on girl soldiers if English language sources can be found. See the covering response re: our use of non-English language material.

they had been repeatedly raped, often by different men’.

Child Soldiers International (2016), What the Girls Say: Improving practices for the demobilisation and reintegration of girls associated with armed forces and armed groups, <https://www.child-soldiers.org/Handlers/Download.ashx?IDMF=e57e9cb2-cd70-4dc2-8681-e29bc6f3622b>

5.3 Societal and domestic violence

There are some more in-depth reports on societal and domestic violence in the DRC, which provide more detail than those cited in the CIG.

- A mapping study carried out by CERED-GL (a research centre established by UNESCO and UN Women) which outlines all of the different forms of gender-based violence. The report is useful in that it contains information on domestic violence, but also emotional/psychological violence. According to this report:

- 43% of women have experienced domestic violence in their lifetime
- 36.6% of women have experienced emotional/psychological violence

CERED-GL (2017), Typologie et cartographie des violences sexuelles et basées sur le genre en RD Congo, http://www.cered-gl.org/page_publication.php

- A qualitative study carried out by the Ministry for gender, family and children, on gender-based violence outside of conflict zones which reports on persistent social attitudes and beliefs that men are justified in violence against women, in various forms, including
 - Denial of violence if a man beats his wife within the home: “Battre sa propre femme n’est pas une violence, la battre dans la maison ce n’est pas une violence, mais c’est une violence si vous la battez dehors”
 - The idea that a man can beat his wife as a sign of love, “frappes d’amour”

Ministère du genre, de la famille et enfant (2012), Enquête qualitative sur les violences basées sur le genre dans les zones hors conflits en RDC, http://drc.unfpa.org/sites/default/files/pub-pdf/ETUDE_QUANTITATIVE_SUR_LES_VIOLENCES_BASEES_SUR_GENRE_EDITION_31_102012.pdf

Accepted.

We accept in principle but most of the suggested sources are in French. However, see the covering response re: our use of non-English language material.

5.4 Sexual harassment and rape

5.4.2 More information could be provided on the widespread prevalence and acceptability of spousal rape in the DRC. This point mentions that spousal rape is not criminalised, but there is further evidence to point to the fact that it is a common form of violence against women.

- In a 2014 report for UNESCO, B. Kalambayi states that: ‘un homme considère le sexe de son épouse comme étant sa propriété privée. De ce fait, il peut jouir d’elle comme il veut.’ Kalambayi (2014), Les liens entre les violences basées sur le genre et le VIH dans la région des Grands Lacs. République démocratique du Congo.
<http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/BSP/GENDER/PDF/HIVGBVRDC.pdf>
- A qualitative study carried out by the Ministère du genre, de la famille et enfant on gender-based violence outside of conflict zones also reveals the attitudes that men believe women are their property, and should be able to have sex with them whenever they want. One man is quoted as saying : « La femme est comparable à un habit, on peut la porter quand on veut. L’homme peut se fatiguer, pas la femme ».

Ministère du genre, de la famille et enfant (2012), Enquête qualitative sur les violences basées sur le genre dans les zones hors conflits en RDC, http://drc.unfpa.org/sites/default/files/pub-pdf/ETUDE_QUANTITATIVE_SUR_LES_VIOLENCES_BASEES_SUR_GENRE_EDITION_31_102012.pdf

Accepted.

We accept in principle but most of the suggested sources are in French. See the covering response re: our use of non-English language material.

5.4 Rape as torture outside of conflict settings. The CIG does not refer to instances of rape used outside of conflict settings as a form of torture. There is evidence that rape is used against women who are detained for their political activities by the DRC security forces.

- A report by the NGO Freedom from Torture on the DRC: “The report provides evidence of the torture of women by state security forces in the DRC, mainly in non-conflict contexts. It indicates the extensive use of rape and other forms of sexual torture against women detained mostly for political reasons, and the use of a variety of other torture methods including beating, burning and psychological and environmental forms of torture. It highlights the lack of access to justice, including due process, and appropriate services for women victims of torture in the DRC; as well as the impunity of suspected perpetrators. »

Freedom from Torture (2014), *Rape as torture in the DRC: Sexual Violence beyond the Conflict*

Accepted.

This source, however, needs to be contextualised since it is an analysis by Freedom from Torture of medical assessments of 34 Congolese women who made asylum claims in the UK prior to 2014.

The English version is available on the FforT website:
https://www.freedomfromtorture.org/rape_as_torture_in_the_drc_sexual_violence_beyond_the_conflict_zone

<p>Zone, https://www.freedomfromtorture.org/sites/default/files/final_web_-_a4.pdf</p>	
<p>5.5 Female genital mutilation</p> <p>Further information on FGM:</p> <ul style="list-style-type: none"> • A report for health professionals in Belgium notes that the practice of FGM in the DRC is marginal, and concentrated in the areas which border other countries where FGM is more widely practiced ie Central African Republic and Sudan: “En RDC on ne retrouverait l’excision que dans les régions frontalières du pays qui la pratiquent (la République Centrafricaine et le Soudan)”. It may be worth considering that women coming from these specific regions could be at risk of FGM. <p>Service public fédéral santé publique (2013), Mutilations génitales féminines, guide à l’usage des professions concernées, http://www.strategiesconcertees-mgf.be/wp-content/uploads/guide-mgf-fr_web.pdf</p>	<p>Accepted.</p> <p>More recent information will be included in the updated CPIN, if there are available English language sources.</p>
<p>5. Additions to this section</p> <p>It would be useful to add information to this section concerning the question of forced marriage, which is still a prevalent form of GBV in the DRC, both for girls and for women over the age of 18. Practices of forced and early marriage are supported by customary law, and according to some reports have worsened due to the impacts of conflict, which mean that families may force their daughters to marry in situations of economic hardship.</p> <ul style="list-style-type: none"> • An Oxfam report in Kasai found that: ‘En outre, la plupart des filles risquent d’être mariées de manière précoce, et les femmes et les filles risquent d’être mariées de force. La communauté était déjà confrontée aux mariages précoces avant la crise. Comme nous l’avons déjà mentionné, le droit coutumier et les traditions vont dans le sens de cette pratique et les familles la considèrent souvent comme un moyen de sortir de la pauvreté. Cependant, certains sondés ont fait valoir que les cas de mariages précoces avaient augmenté à la suite de la crise, peut-être en raison de la pauvreté et de la vulnérabilité accrues de la population. Le nombre de mariages forcés a aussi beaucoup augmenté depuis le début de la crise’. <p>Oxfam (2017): Kasai : la province oubliée de la RDC : Évaluation des questions liées au genre Octobre–novembre 2017 https://policy-practice.oxfam.org.uk/publications/kasai-the-forgotten-province-of-drc-gender-assessment-620410</p>	<p>Accepted.</p> <p>We accept in principle but most of the suggested sources are in French. See the covering response re: our use of non-English language material.</p>

2.3 6. State response to violence

Reviewer's comments	HO response
<p>6.2 Implementation of the law.</p> <ul style="list-style-type: none"> A more recent source highlighting the failure to implement laws on sexual and gender-based violence is the 2017 Report of Civil Society to the Human Rights Committee <p>Rapport de la société civile au Comité des droits de l'homme, Examen du 4ème rapport de la République Démocratique du Congo, October 2017. “ En ce qui concerne la protection des victimes de violences sexuelles, l'agence nationale de lutte contre les violences faites aux femmes et aux filles a été créée en 2010. Cependant, plusieurs textes légaux consacrant la protection des victimes ne sont pas d'application stricte”.</p> <p>http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/COD/INT_CCPR_CSS_COD_29123_F.pdf</p>	<p>Accepted.</p> <p>We accept in principle but the suggested source is in French. See the covering response re: our use of non-English language material.</p>
<p>6.4 Access to justice</p> <p>In addition to the barriers to access to justice listed in the citations in this section, FIDH has also pointed out the financial costs which are prohibitive for many victims of violence:</p> <ul style="list-style-type: none"> « A toutes les étapes de la procédure, les victimes doivent payer pour obtenir des copies afin de connaître le contenu de chaque décision à chaque nouvelle étape. A titre d'exemple, pour avoir la copie d'un document confirmant l'existence d'un appel, la FIDH a dû payer 105 Euros, en avril 2013. Ces coûts prohibitifs sont de véritables obstacles à l'exercice du droit à un recours et à réparation pour les victimes. La FIDH a ainsi pu constater durant ses missions que de nombreux avocats des victimes de violences sexuelles ne se sont pas engagés pour continuer cette procédure d'exécution et payer eux-mêmes les coûts. En conséquence, les victimes (et souvent aussi leurs avocats) ignorent souvent l'existence de recours, du résultat final du jugement et des réparations auxquelles elles ont droit et qu'elles ne reçoivent de toute façon jamais. » « L'exécution du jugement doit être mise en œuvre par le demandeur qui pour ce faire doit payer des droits au greffier du tribunal. Ces frais incluent un pourcentage de la 	<p>Accepted.</p> <p>We accept in principle but the suggested source is in French. See the covering response re: our use of non-English language material.</p>

réparation totale accordée qui s'élève à 6% (« droits proportionnels ») auxquels s'ajoutent les frais de justice. Conformément au code de procédure pénale, ces frais doivent être payés au greffier dans les huit jours qui suivent la date à laquelle la condamnation est réputée définitive. Le greffier ne peut pas fournir une copie de la décision ordonnant le paiement de dommages et intérêts avant que les droits proportionnels aient été payés. Or ce montant prohibitif empêche de fait l'exécution des jugements et le versement des indemnités dues aux victimes. »

Fédération internationale des droits de l'Homme (2013) RDC: Les victimes de crimes sexuels obtiennent rarement justice et jamais réparation,
https://www.fidh.org/IMG/pdf/rapport_rdc.pdf

2.4 7. Societal response to violence

This section contains only one paragraph and one sources for a problem which is nevertheless important, namely the reject or stigmatisation of victims of sexual violence by their families and communities. The impacts and consequences of this stigma merit further emphasis.

7.1.1 'Survivors of SGBV faced significant social stigma'. Further sources could be mobilised to support this claim and to elaborate on the consequences of stigmatisation:

- A report from the Harvard Humanitarian Initiative details the impacts of stigma on survivors of sexual violence : « Survivors of conflict-related sexual violence in eastern Democratic Republic of the Congo (DRC) report that the social stigma they face as a result of rape can sometimes be as traumatic as the attack itself. Women who have been raped are often looked upon as morally and physically “tainted” and can face subtle and overt ridicule from family members, friends, and the community at large (Albutt et al. 2013). Survivors report they may be called “wives” of their rapists, perceived as carriers of sexually transmitted infections (STIs), including human immunodeficiency virus infection/acquired immunodeficiency syndrome (HIV/AIDS), and face an underlying assumption that they can no longer be productive members of the community . This perception can lead to intense social isolation that, at its most extreme, involves women being made to physically leave their own homes or communities or being abandoned by their families. The phenomenon of stigma and rejection impact a survivor’s psychological

Accepted.

We will include this and other appropriate English sources as available in the updated CPIN.

We do not have access to most academic journals (i.e. we do not subscribe to journals directly or have access via university or public libraries), unless the articles are made available for free to all.

GBV takes many forms, we would welcome suggestions for other publicly available sources that consider the treatment of women who victims of violence in non-conflict areas too.

health, as well as their physical, economic, and social wellbeing ».

Harvard Humanitarian Initiative (2014), Assessing the Impact of Programming to Reduce the Stigmatization of Survivors of Sexual Violence in Eastern Democratic Republic of the Congo, <http://hhi.harvard.edu/sites/default/files/publications/women-in-war-stigmatization.pdf>

- See also : Kelly J, Kabanga J, Cragin W, Alcayna-Stevens L, Haider S & VanRooyen M (2012), “If your husband doesn’t humiliate you, other people won’t”: gendered attitudes towards sexual violence in eastern Democratic Republic of Congo’, Global Public Health: An International Journal for Research, Policy and Practice, vol. 7, no. 3, pp. 285-298

2.5 8. International and non government organisation initiatives to combat sexual violence

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3 Review of responses to COI requests

1-10. COI request – Treatment of the Bundu dia Kongo, 08/17-036

The request asks for information provide information on the legal status of, the treatment of both supporters and members of, the protection and ability to relocate of, the number and location of followers of the Bundu dia Kongo, now the Bundu dia Mayala political/religious group.

Reviewer's comments	HO response
<p>The response to this request provides sufficient accurate information on the legal status of the Bundu dia Kongo group and their treatment by the DRC government and security forces. The information provided is based on a variety of news sources, and reports by MONUSCO. The only point on which the response is less comprehensive is on the issue of the ability to relocate, where the USSD report on Human Rights Practices for 2016 is quoted in general terms, but there is no specific information relating to the members of the BDK group.</p>	<p>n/a. Thanks for the confirmation that no further relevant material is readily available.</p>

1-10. COI request – Bundu dia Mayala, 10/17-013

The request asks for specific information relating to the situation of a claimant who claims to be the daughter of a BDM leader killed by the government. The request asks for more information about the BDM, about her father Raymond Modirisi Bavento , and about government repression and violence against BDM members in 2017.

<p>The response does not provide all of the information asked for in the request. There is little additional information provided on the BDM (although this information is available from various news sources and NGOs eg Human Rights Watch).</p>	<p>Accepted. We accept in principle but the suggested source is in French. See the covering response re: our use of non-English language material.</p>
<p>The response provides no information concerning the claimant's father Raymond Modirisi Bavento. But I could find no information on this person available. So the lack of information in the response is justified.</p>	<p>n/a. Thanks for the confirmation that no further relevant material is readily available.</p>

<p>The response provides two sources of information on the violent clashes between BDM members and police in 2017. These sources are Capital FM, Kenya and the German Federal Office for Migration and Refugees. The sources attest to the arrest of the leader of BDM, but do not give much more information on the treatment of BDM supporters.</p> <p>Further information could be found on the site of Radiookapi (Monusco) https://www.radiookapi.net/2017/02/03/actualite/securite/kongo-central-12-morts-dans-les-affrontements-entre-forces-de-lordre</p>	<p>We accept in principle but the suggested source is in French. See the covering response re: our use of non-English language material.</p>
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1-10. COI request – LGBT General Kanyama 12/17-080

The request asks for information about the sexual orientation of General Kanyama

<p>The response does not answer the question, but this is justified by the fact that there is no information available on General Kanyama’s sexual orientation, or on any rumours about his sexual orientation which may have been used against him.</p>	<p>n/a. Thanks for the confirmation that no further relevant material is readily available.</p>
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1-10. COI request – Minority Ethnic Groups, 09/17-039

The request asks for information on the current situation of members of the Luba Katanga. Are they at risk of persecution in Katanga? Can they live safely in Kinshasa?

<p>The response provides accurate and up to date information from various sources concerning the violence against the Luba in Katanga.</p> <p>Additional information could be provided on recent outbreaks of violence against the Luba in the Kasai Province as well https://news.un.org/fr/story/2017/08/361942-rdc-lonu-sinquiete-de-la-dimension-ethnique-croissante-des-massacres-au-kasai</p>	<p>Accepted.</p> <p>However, see the covering response re: our use of non-English language material.</p>
<p>The response states that there has not been reported violence against the Luba in Kinshasa, and it is correct that there is no information on any violence directed against them here.</p>	<p>N/a. Thanks for the confirmation that no further relevant material is readily available.</p>

1-10. COI request – Political System and Affiliation, 05/17-011

This is a request for information on the MDCO political party. The claimant was Undersecretary General of this party and information on his possible risks in case of return are requested.

Reviewer's comments	HO response
<p>The response is insufficient as it does not contain any information about the MDCO. In the response it is stated that "CPIT was only able to find information about political parties in general in the DRC but could not find anything about the MDCO"</p> <p>In fact, information about the MDCO is available. It is the Mouvement des Démocrates Congolais, an opposition party, led by Gabriel Mokia.</p> <p>News sources mentioning MDCO include: http://www.adiac-congo.com/content/mdco-la-formation-politique-exclue-du-jeu-electoral-29564 https://www.radiookapi.net/sans-categorie/2010/01/07/kinshasa-debut-du-proces-gabriel-mokia-au-tripaix-de-la-gombe-2</p>	<p>Partially accepted.</p> <p>See the covering response re: our use of non-English language material.</p>

1-10. COI request – Treatment of Radio Broadcasters, 02/18-044

The request asks for information on the following:

1. *Did the RCVA broadcast any reports about the abuse of children in Kasai on or about 20 November 2015?*
2. *Is there evidence of reporters/journalists being targeted in the DRC for reporting on wrongdoing by state agents?*
3. *Is there any evidence of a Denis Kasango being a Pastor in Lubumbashi in November 2015? If so is there any evidence to support that he has been kidnapped/gone missing since then?*
4. *Is there any evidence to show that state actors or rogue actors from the DRC pursue opponents in exile, in particular in South Africa? If there is, can you specify what sort of actions they take against those opponents?*
5. *Is there any evidence available to demonstrate the effectiveness of South African police (Cape Town in particular) in relation to protection/investigation regarding incidents involving foreign nationals?*

Reviewer's comments	HO response
<p>The response is not comprehensive and does not reply to most of the questions asked in the request. It is</p>	<p>Partially accepted.</p>

<p>based on only one source, the USSD Country Report on Human Rights Practices 2016 for the DRC. The information contained in the response is general information taken from this USSD report on harassment and abuse of journalists.</p> <p>More detailed information on the repression of journalists in DRC can be found here: La repression se banalise: RDC, Journalistes en Danger http://jed-afrique.org/wp-content/uploads/2017/11/JED-RAPPORT-2017.pdf</p>	<p>We provided what information we were able in the specific circumstances of the request to obtain in English.</p> <p>However, we do not generally routinely conduct research in other languages and therefore accept that any given response may not be comprehensive of all information available.</p> <p>See the covering response re: our use of non-English language material.</p>
<p>The response does not provide any information on Radio RCVA or on Denis Kasango, but this is justified because no information is available on these particular points</p>	<p>N/A. Thanks for the confirmation that no further relevant material is readily available.</p>
<p>The response does not provide any information in regard to questions 4 and 5 regarding the pursuit of opponents in exile in South Africa or the responsiveness of the South African politics regarding incidents involving foreign nationals.</p> <p>There is little information available about the pursuit of political opponents outside of DRC.</p> <p>There are reports of violence against Congolese refugees in South Africa, but this violence is mainly xenophobic violence committed by South Africans and so does not answer the question.</p>	<p>N/A. Thanks for the confirmation that no further relevant material is readily available.</p>

1-10. COI request – Assassination of Laurent Kabila, 01/18-037

The request asks for a list of those who were convicted in relation to the Laurent Kabila assassination, whether there are any ongoing arrests or suspicion in relation to the Laurent Kabila assassination, and how former Mobutu employees and associates are treated.

Reviewer’s comments	HO response
This response provides accurate and relatively comprehensive information in response to the request,	n/a. Thanks for the confirmation that no

supported by various sources. No additional information is required.

further relevant material is readily available.

1-10. COI request – Single Women, 02/18-031

How are young single women treated on return to the DRC, especially if they claim to have been a victim of trafficking? Are people who are accused of being witches able to relocate and do they have any protection?

The information on the treatment of young women victims of trafficking on their return to the DRC is relatively minimal, citing just the USSD Trafficking in Persons Report, 2017 which mixes information on victims of trafficking and victims of sexual violence. However, there is little specific information available on the return of single young women, and those who claim to have been victims of trafficking.

One report on single women in Kinshasa reports on the vulnerable status of these women: “Déjà vulnérable en tant que femme, une femme seule sans réseau familial ou social l’est d’autant plus si elle reste privée de moyens. ». The report adds that there are no NGOs who give specialised help to single women who return from migration.

Sécretaire d’Etat aux Migrations, Switzerland (2015), Femmes seules à Kinshasa. <https://www.sem.admin.ch/dam/data/sem/internationales/herkunftslander/afrika/cod/COD-alleinst-frauen-f.pdf>

Partially accepted.

We provided information in English that is relevant but accept that more informational may be available in French. As noted above, we’ll include material on trafficking in the revised CPIN on GBV (women).

See the covering response re: our use of non-English language material.

The request does not respond comprehensively to the question concerning the protection of those accused of being witches in the DRC. The response includes information on freedom of movement in general, but no information on the treatment of young people accused of witchcraft. Reports have shown that in general these young people do not have any effective protection.

A note by the French Office de Protection des Réfugiés et des Apatrides (Ofpra) in 2015 summarises the situation of these young people:

“Bien que le gouvernement ait élaboré un cadre législatif afin de protéger les enfants, il semble que celui-ci ne soit que théorique En outre, si de nombreuses ONG, notamment internationales, interviennent sur cette thématique, elles abordent souvent la question des enfants sorciers comme un élément du problème des enfants des rues et négligent les implications culturelles de la question de la sorcellerie, point pourtant clé

We accept in principle but the suggested source is in French. See the covering response re: our use of non-English language material.

de la réinsertion de ces enfants dans leurs familles »

Ofpra (2015), Les enfants accusés de sorcellerie à Kinshasa,
https://www.ofpra.gouv.fr/sites/default/files/atoms/files/1511_cod_enfants_sorciers_0.pdf

1-10. COI request – Support for Minors, 02/18-071

What is the general situation/treatment for minors in Congo who have no family? Is there any state or NGO support available, such as shelters, access to health care, schooling, for minors with no family? What is the level of state protection, in general, for minors with no family? Is there any treatment for failed (minor) asylum seekers with no family support?

Reviewer's comments

The response is accurate and contains information from a variety of sources on the situation of minors in the DRC. There is no information in response to the request concerning failed minor asylum seekers with no family support, but this information is not available.

HO response

N/A. Thanks for the confirmation that no further relevant material is readily available.

1-10. COI request – Treatment of Rwandan Tutsis, 10/17-060

Is it safe to return a person to Kinshasa who claims his father was a Rwandan Tutsi supporter and was abducted for this reason?

Reviewer's comments

The response contains accurate information on the persecution faced by Rwandan Tutsis in the DRC, drawn from a Canadian Immigration and Refugee Board response to an information request. This information does not pertain directly to the situation of Rwandan Tutsis in Kinshasa, but most of the information on discrimination and violence against the Banyamulenge is focused on the Eastern Provinces (Kivus) where this is much more prevalent.

HO response

N/A. Thanks for the confirmation that no further relevant material is readily available.

4 Information about the Reviewer

Jane Freedman is a Professor at the Université Paris 8 and member of the Centre de recherches sociologiques et politiques de Paris (CRESPPA). She has carried out in depth research in the Democratic Republic of Congo, working with colleagues from the University of Kinshasa to organise several conferences on gender-based violence in the country. Her publications include a book entitled *Gender, Violence and Politics in the Democratic Republic of Congo* (Aldershot, Ashgate, 2015). She has also carried out research on women seeking asylum in Europe, including Congolese women asylum seekers. In addition to her academic work, she has worked as a consultant for international organisations including UNESCO and the UNHCR. Whilst working for UNHCR she helped to establish a research centre on women and peacebuilding in Kinshasa, and organised training and education programmes on prevention of gender-based violence in Goma and Bukavu.

Annex C

Review of the December 2017 Home Office Country Policy and Information Note on Iran: Background information, including actors of protection and internal relocation (Version 4.0)

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

By Dr. Ghoncheh Tazmini, Associate Member, Centre for Iranian Studies, London Middle East Institute, School of Oriental and African Studies, University of London, an Iran country expert and a political scientist with two decades of scholarly experience. Review conducted on an individual capacity.

March 2018

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1 Introduction

1.1 Instructions

I have been instructed to conduct a review of the Country of Origin Information (COI) on Iran, in order to ensure that the COI is accurate, up to date, objective, authoritative, and supported with evidence from reliable primary, secondary and original sources. The review does not offer the Home Office policy advice, nor does it comment on policy orientation, but concentrates exclusively on validating the quality of the research and content in the COI. The review will carry out the following:

- Ensure the quality and integrity of the full document;
- Check if the conclusions are well-founded, sufficiently evidence-based and drawn are based on the data presented and are not extrapolated beyond that;
- Scrutinise the objectivity of the literature references and recommend additional/ or substitute literature and sources;
- Assess the scholarly and technical language and grammar used; check if the text flows, if there is connectivity, coherence and clarity.
- Check the in-line and full citations used for sources;
- Spot flaws, correct any errors or omission of facts;
- Identify strengths and weaknesses and make recommendations for overall improvement.

1.2 Methodology

The review has been conducted by adhering to the [Common EU Guidelines for Processing Country of Origin Information \(COI\)](#) in relation to the 'Quality criteria for evaluating and validating information', i.e. relevance, reliability, balance, accuracy, currency, transparency and traceability. I also follow the stringent guidelines and methods typically set out for general scholarly peer review process as outlined in: Chenail, R. (2008). Peer review. In L. M. Given (Ed.), *The SAGE encyclopedia of qualitative research methods* (pp. 605-606). Thousand Oaks, CA: SAGE Publications Ltd. doi: [10.4135/9781412963909.n313](#); Constantine, N. (2008). Peer review process. In S. Boslaugh (Ed.), *Encyclopedia of epidemiology* (Vol. 2, pp. 795-796). Thousand Oaks, CA: SAGE Publications Ltd. doi: [10.4135/9781412953948.n343](#); Mark, M. & Chua, P. (2005). Peer review. In S. Mathison (Ed.), *Encyclopedia of evaluation* (pp. 299-299). Thousand Oaks, CA: SAGE Publications Ltd. doi: [10.4135/9781412950558.n404](#)

1.3 Summary of Review

The strength of the COI is its structure, its coherence and the impressive scope of themes covered in just under 70 pages. The themes presented flow in an objective and consistent manner, and the sections link up organically. The data presented in each section is quantitatively comprehensive, there is no shortage of detail, however, the data lacks qualitative depth.

The quality of the report is undermined with its references, in particular, to US state department reports (including the CIA Factbook) for crucial background material. The issue with reports drawn up by the US state department is that they are seldom neutral or balanced – this relates to the fact that Iran and the US are politically, ‘arch-enemies’. It is important to consider that since the advent of the Iranian revolution of 1979, the US has been perceived and portrayed as the ‘Great Satan’ and in turn, the US has engaged in regime change efforts and levelled sanctions against Iran. Thus, they have no diplomatic relations, and as a result, the US has limited access to Iranian sources. To a trained eye, some of the paragraphs citing ‘USSD reports’ are impaired by the partial tone of the material cited – especially larger excerpts that are quoted directly. In these instances, which I have noted throughout the review, I have made recommendations on alternative sources.

The same applies to non-Iranian NGOs, which are also under scrutiny. Iran accuses these organisations of colluding with the US with the aim of bringing about regime change in Iran. Therefore, they are also under the radar, and limited in their access to data ‘on the ground’. For this reason, I do not necessarily recommend relying on NGO material, although they are far more objective than state department reports. Instead, I would recommend relying on long-term research conducted by academics who have specialised on specific topics, such as Dr. Ziba Mir-Hosseini who has concentrated on family law and women’s rights (I have provided the link to her works). Scholarly material is solid and reliable as researchers and academics often devote their entire careers to specific theme using rigorous research methodologies that rely on primary material, and ethnographic and archival/statistical research. This type of research is usually assessed through a peer-review process, ensuring the high quality of the research.

The report references sometimes dated material, which I have flagged. For instance, I have provided updates on bills and initiatives advanced by lawmakers to reflect the shifts that are taking place in Iranian society – even the initiatives have not been fully implemented. For instance, the case of a Zoroastrian serving as a city councillor demonstrates the subtle changes in minority rights. The point that needs to be made is that although the Iranian state appears monolithic, society is not static and there is a dialectic between state and society, which in the long-run can elicit piecemeal changes.

I have cited current and reliable news media sources for updates on new initiatives or cases that reflect subtle shifts in practices and policies.

Throughout the review I have recommended more up to date, scholarly references to strengthen the validity and factual depth of the report. For most of the sections, I have recommended alternative scholarly references and research that can be considered ‘authoritative’. In order to facilitate access to some of the sources that are available online, I have added website links. At the time of submitting this report, all website links have been double-checked for access.

Another issue is that some material referenced in the report is not traceable – I have indicated the cases where there is a broken link, or an article is not accessible, or only available on request.

As indicated above, the data and the assertions need to be backed up by balanced and objective references. The data needs to be updated to demonstrate an informed understanding of the shifts taking place in Iranian society. Some material is stereotypical and formulaic with some sections portray Iran as a backward, repressive country rather than an evolving society. The sources of these depictions are biased in nature or agenda-driven (e.g. Freedom House and Iran Primer). There are too many direct, bulk quotes from unreliable sources or references that are not traceable. Some minor grammatical errors were spotted, in particular, quotation marks that are not closed or verb tenses that need to be adjusted. These have all been noted in the review.

<p>1. <u>Main Suggestions relating to the COI Requests:</u></p> <p>1. In most cases, COI requests include several issues or queries: e.g. treatment of National Front party members/ how are party members viewed? In the interest of clarity, it would be better to place the corresponding response directly under the specific COI query.</p>	
<p>2. If there is insufficient or inconclusive material on a COI request/ or a specific issue, this should be mentioned.</p>	<p>Accepted. We do now say whether we are unable to find information. However, whether information is “insufficient” or “inconclusive” is a slightly different issue, and arguably more for the decision maker to decide.</p>
<p>3. The COI response needs to mention when it is not possible to establish a conclusive response on an issue or query, and that it is merely presenting evidence from the research and leaving the conclusions to be drawn by the author of the COI request.</p>	<p>Not accepted. This is clearly understood amongst our end users and what distinguishes COI responses from CPINs.</p>
<p>4. The material presented needs to be richer in terms of quality as the sources and references cited are often problematic. This is the case with the US State Department reports, the Congressional Research Service reports, or the Israel-based MERIA think tank reports. These institutions are political in nature and do not present objective, balanced and neutral reports. In the feedback, I have cited some scholarly references for additional background information.</p>	<p>Partially accepted. We do not accept that simply because a source is US-based or is a US (or Israeli) means that it cannot be used. This is not to say that we endorse everything these particular sources may say, but we generally consider them meeting the</p>

	<p>Common EU Guidelines for Processing Country of Origin Information (COI) in relation to the ‘Quality criteria for evaluating and validating information’, i.e. relevance, reliability, balance, accuracy, currency, transparency and traceability</p>
<p>5. The data needs to be balanced with non-western sources. In my feedback, I have referenced the ‘Tehran Times’ or ‘Radio Farda’, for example. Given the sensitivity of the themes in the COI requests, and indeed the subjective or discretionary position of the Iranian state and society on a particular theme, it is not unusual that there are no official, formal statements on the themes in the COI requests.</p>	<p>Accepted.</p> <p>As stated in the main body of the response, we do aim to use a broad range of sources to obtain balance and reflect different perspectives. However, time-pressures often mean that our responses to COI requests use a narrower range of sources that we would ideally like. The same applies to contacting experts. We are grateful for the suggestions the reviewer has made.</p>
<p>6. Given the paucity of information available on the themes in the COI requests, it would be useful to solicit Iranian news media. News stories often provide useful evidence and give the author of the COI request more material from which to draw his/her conclusions. This was the case with the COI requests concerning tattoos in Iran and the acceptance of musicians.</p>	<p>Accepted.</p> <p>However, see the covering response re: our use of non-English language material.</p>

1.4 Understanding of the themes addressed in the CIG Reports

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

The information presented on the themes is rudimentary. There are far too many direct quotes referencing questionable sources from either politically-motivated think tanks or US state departments. For example, section 16.1.3 on ‘Corruption’ cites the ‘Freedom House report’, which is

politically-driven, as it known to rate countries that are aligned with the US interests more favourably. More information on the problems with this reference is presented in the review. Another example is section 9.1.1 on 'Internal movement', which relies on a country report on human rights compiled by the US State Department (USSD) linked to a website called, 'US Department of State: Diplomacy in Action'. As noted in the review, the US and Iran have not engaged in diplomatic relations since 1979: essentially there has been no 'diplomacy in action' for years. Therefore, it is misleading to adopt large segments of these questionable reports as core material for the themes covered.

The stronger points of the report are the direct references to articles of the Civil Code of Iran, and information provided by the Iran-based legal expert that was referenced in section 14.1 on the organisation of the 'Judiciary' and in section 23.1.2. on 'Forged Documents'. The report also references to 'al-Monitor', which is an excellent not-for-profit forum that features topical themes and subjects by country experts.

Academically speaking, what is lacking is consideration that Iran is not static but a complex, evolving society. This is evidenced by the range of presidential candidates since the 1979 revolution, ranging from hardliner to reformist. Under the moderate presidencies, there are subtle shifts that are reflected in legislation or in the enforcement of for example, Islamic dress. There are by far fewer 'morality police checks' monitoring proper hijab under the moderate presidency of Hassan Rouhani. Certainly, there are fewer cases of 'flogging' as stated in 19.7.4 under 'Dress Code and Gender Segregation'. More research is required for a broader and more balanced representation of themes that are legal, social and religious in nature. Iran has a *sui generis* understanding of Islamic themes, such as dress code, which makes the country very different from neighbouring countries.

1.5 Quality and balance of sources

The sources are not 'high quality' and not always up to date. For example, there are some glaringly dated materials such as the 'Linguistic Composition Map' referred to in item 6.3.4 under section 6 in 'Demography', drawn up in Moscow in 1964. As I have mentioned throughout, the sources are not entirely balanced or neutral and the study would benefit from academic research and data and statistics from reliable sources, like the 'Iran Portal', which I have recommended throughout the review.

2 Review

2.1 4. History

In section 4 on 'History', item 4.1.1 states that 'A full timeline of Iran's history can be found on the BBC's Iran profile.'. This website, although updated, when accessed, does not present any sources for the timeline it has compiled. Simply because it is the BBC does not ensure that the facts are entirely historically accurate. Given that so much of Iran's political makeup today is a reflection of its turbulent and complex history, I recommend giving the author the option of referring to the works of the following scholars: Michael

Partially accepted.

We consider the BBC a reliable source. This particular link is to a timeline that chronicles factual events. We accept that a timeline cannot reflect the

Axworthy's, 'Iran; what Everyone Needs to Know' (Oxford, Oxford University Press, 2017) or Abbas Amanat's, 'Iran: a Modern History (Oxford: Oxford University Press, 2017). These works are up to date, well-researched and comprehensive.

complexities of Iran's history, but it is included here as a basic overview.

We do accept the suggested alternative sources and will include these in the next iteration.

2.2 5. Geography

In section 5 on 'Geography', item 5.1.1 states: 'According to the CIA World Factbook, updated in June 2017 ...'. Citing an intelligence agency source is problematic as seldom are such agencies neutral. Seldom do these agencies open access to Iranian data, statistics, archives or research centres. In this section, I suggest including an impartial source such as: S. Soucek, & V. V. Barthold, 'An Historical Geography of Iran', (Princeton: Princeton University Press, 2014).

Not accepted.

The CIA World Factbook provides data on matters of fact (population, major cities etc) so we do not consider that it is problematic to use this source. We do not accept that simply because the CIA World Factbook is a US source means that it cannot be used.

2.3 6. Demography

In the section 'Population', item 6.1.1 refers to the 'CIA World Factbook' to cite Iran's estimated population; item 6.1.2 cites the population of the capital of Tehran, and item 6.1.3 cites Iran's age structure. As indicated above, using an intelligence agency that has not had diplomatic relations with Iran since 1979 as the sole reference for these statistics compromises the validity of the data. While the data accuracy is not the issue at hand, I would strongly suggest complimenting these statistics by using data from the 'Statistical Centre of Iran'. A 2016 census table on the 'Population of the Country in Rural and Urban Areas and by Sex and Province', and a table on the 'Population by Type of Household, Sex, and Province', are both available in English in pdf on their official website.

Available from: <https://www.amar.org.ir/english/Population-and-Housing-Censuses/Census-2016-General-Results>.

Not accepted.

We do not accept that simply because the CIA World Factbook is a US source means that it cannot be used.

We accept the other suggested sources and will include this in the new iteration.

<p>Under section 6.2 on 'Ethnic/Tribal/Religious Make-up', items 6.2.1 and 6.2.2 cite different sections of the 'CIA World Factbook'. Again, this over-reliance on data gathered by an American intelligence agency compromises the validity of the document.</p>	<p>Not accepted. See above.</p>
<p>Under the section 6.3 on Languages, item 6.3.1 cites the 'CIA World Factbook'. I recommend the following alternative reference: Gary F. Simons & Charles D. Fennig (eds.), 'Ethnologue: Languages of the World', Twenty-first edition (Dallas, Texas: SIL International, 2018).</p> <p>Available online from: https://www.ethnologue.com/country/IR/languages</p>	<p>Partially accepted. See above. We do accept the suggested alternative sources and will include these in the next iteration.</p>
<p>Item 6.3.3 refers to "An updated entry in the Encyclopaedia Britannica on 'Iran-languages'". On the website, there is no source reference for the text presented nor is there an entry/publication date.</p>	<p>Not accepted. We have already indicated in the footnote that the source is undated. Since this piece of information is about languages and not subject to much change, we do not consider that the date of the source.</p>
<p>Item 6.3.4 cites, 'The Farsinet website maps the linguistic composition of Iran'. The website features the dated map compiled by S. Bruk Largely & V. Apenchenko, 'Atlas Narodov Mira, compiled in Moscow in 1964. I would suggest referring to the alternative document: Sekandar Amanolahi, "A Note on Ethnicity and Ethnic Groups in Iran', Iran and the Caucasus, Vol. 9, No. 1 (2005), pp. 37-41. I would also recommend the forthcoming (July 2018) reference edited by leading Persian linguistic experts, Anousha Sedighi & Pouneh Shabani-Jadidi (eds.), 'The Oxford Handbook of Persian Linguistics' (Oxford Handbooks) (Oxford, Oxford UP, 2018).</p> <p>For further information, refer to: https://global.oup.com/academic/product/the-oxford-handbook-of-persian-linguistics-9780198736745?cc=us&lang=en&</p>	<p>Accepted. In weighing up the reliability of a source, the fact that it may be fifty years old may be relevant for some subjects such as politics or the security situation, but less so for anthropological subjects such as language, which does not change as quickly. Nevertheless, we accept that, in this case, there are other sources, including your suggested source, that can be better used instead.</p>

2.4 7. Constitution

The reference for this section 7.1.1 is comprehensive and well-sourced.	n/a
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2.5 8. Iranian calendar

The sentence, 'The Iran Chamber Society, <i>stated</i> that: The Iranian calendar (also known as the Persian calendar or the Jalaali Calendar) is a solar calendar currently used in Iran and Afghanistan', should use to the present tense instead: 'The Iran Chamber Society <i>states</i> that: The Iranian calendar (also known as the Persian calendar or the Jalaali Calendar)...'. This is to ensure the document is current. The Iran Chamber reference is up to date.	Not accepted. Our 'house style' is to refer to information in the past tense because it was compiled in the past. We do not believe that this implies that the source is not up-to-date.
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2.6 9. Freedom of movement

Item 9.1.1, on 'Internal Movement', relies on a country report on human rights compiled by the 'US State Department (USSD)'. The corresponding hyperlink provided in footnote #14 takes us to the website called, 'US Department of State: Diplomacy in Action'. As noted earlier, any report compiled by any US state department is unreliable as the US and Iran have not have diplomatic relations since 1979. There has been no 'diplomacy in action' for years.	Partially accepted. We will correct the footnoting but, as above, we do not consider that the US State Department human rights reports are unreliable. This is not to say that we endorse everything the US State Department says, but we consider the source as well researched and generally reliable.
Item 9.2.1 on 'Freedom of Movement for Women' cites the March 2013 report 'Gender Inequality and Discrimination: The Case of Iranian Women' compiled by the 'Iran Human Rights Documentation Centre': 'Under Iranian laws, a woman, if married, needs her husband's consent to obtain a passport and travel outside the country. Husbands can forbid their wives from leaving the country by refusing to sign the papers that will allow them to apply for a passport and travel'.	Accepted. We will include the suggested additional paragraph. We also note your other observations. That sources within the CPIN may disagree does not mean that either one

While this suggests that an Iranian husband can bar his wife and their children from leaving the country if there is a disagreement or they are estranged. In practice, if there is no dispute, a wife is able to freely exit the country. She does not need a document or letter of consent to leave the country. However, I am unable to provide a reference for this - it is an empirically-based observation.

This diverges from the statement citing the 'Danish Refugee Council' in item 9.2.2: "Regarding the permission a woman has to have from her husband in order to travel, a well-educated Iranian woman with links to international communities explained that her husband would sign a form before a notary public. The husband would consent to either a single exit or unlimited exits by ticking either the 'one time only' box or the box 'permanently'. But even if consent was given 'permanently', it would only take a phone call to the Airport Security or a letter to prevent the wife from exiting Iran. The husband could call any level of Airport Security, be directed to the right person, revoke the consent and prevent his wife from leaving. He would be asked to send in a handwritten statement as well as a copy of his identification card (Kart e- Melli). This could be arranged from the time the wife left the house to before she had arrived to the airport. She would be denied exit at the passport control and told to get the issues sorted out before she could leave."

It is rare that a married female (who is not in a marital dispute) has had to present a notarised document with her husband's consent to the airport authorities upon exit. Again, this is an informal, empirically-based observation.

or others should not be used. The CPIN aims to present a range of sources, which can then be assessed in the round.

It is important to note the caveat that a court can overrule a husband's decision relating to his wife's exit. This is embedded in the rather convoluted paragraphs of item 9.2.2: 'it was further explained that a husband that has an outstanding issue with his wife has the option of going to the courts in order to get the consent annulled...'

My suggestion would be to begin a new paragraph stating this option clearly and perhaps citing the most recent case that was reported in a May 2017 press release from the 'Center for Human Rights in Iran (CHRI)' quoting the 'Iranian Students News Agency (ISNA)' on the case of female Paralympic athlete Zahra Nemati whose estranged husband sought to prevent her from travelling to competitions abroad: 'For the second time, Iranian authorities have allowed two-time Iranian Paralympic gold medalist Zahra Nemati to travel abroad to compete despite her estranged husband's attempts to force her to stay home'.

See: <https://www.iranhumanrights.org/2017/05/iranian-authorities-block-attempts-by-gold-medalists-husband-to-stop-her-from-competing-abroad/>

<p>The hyperlink referenced in the footnote #19 for section 9.2.5 citing the ‘Finnish Immigration Service report’ is invalid or broken.</p> <p>See: http://migri.fi/download/61597_Suuntaus-raportti_VakivaltainIran_finalFINAL_kaannosversio_EN.pdf?96fa691925bfd288</p>	<p>Accepted.</p> <p>We will fix this when we update the CPIN(s) following, and incorporating suggested material in, this review.</p>
<p>Item 9.2.6 refers to the ‘US State Department (USSD) report for 2016’, which as discussed earlier, cannot be considered a reliable source. This section states a single phrase, ‘Married women were not allowed to travel outside the country without prior permission from their husbands’. More detail and contextual information is required.</p>	<p>Not accepted.</p> <p>We do not consider the USSD to be generally unreliable.</p> <p>Paragraph 9.2.6 is one of six paragraphs in this section all giving information on this subject.</p>
<p>Item 9.3 on ‘Entry and Exit Procedures’ also refers to the ‘US State Department (USSD) report for 2016’. A more objective and balanced reference is required – for example, I would recommend soliciting the expertise of an Iranian lawyer or legal expert or the Consulate in the Iranian Embassy in London who could corroborate the facts. This is not to say there are factual errors, rather that the weight of the section could be boosted.</p>	<p>Not accepted.</p> <p>We do not consider the USSD to be generally unreliable.</p> <p>The CPIN links to another CPIN on illegal exit that has more information on entry-exit procedures.</p>

2.7 10. Economy

<p>Item 10.1 – ‘Overview’ – refers to the “The Australian Government’s Department for Foreign Affairs and Trade’s (DFAT) ‘Country Report for 2016’” as a reference, which is only available on demand, therefore I could not check the source of the data. Instead, I would recommend using the ‘World Bank’ as reference.</p> <p>See: http://www.worldbank.org/en/country/iran/publication/iran-economic-outlook-october-2017 and https://data.worldbank.org/country/iran-islamic-rep</p>	<p>Accepted.</p> <p>We will include data from the World Bank in the update.</p>
<p>Item 10.1.1 states: ‘Iran faces a difficult economic situation, due to a combination of past economic mismanagement and international sanctions. The economy has been hit in recent years by high inflation,</p>	<p>Accepted.</p>

the high cost of Government subsidies, significant currency depreciation and an increase in the cost of food and imported goods. Business costs also rose due to devaluation and sanctions. The Rouhani Government reduced inflation from around 40 to 15 per cent at the end of 2014 through tighter monetary and fiscal policies. Following weak growth in 2015 because of the drop in oil prices and the on-going effects of sanctions, Iran's economy is projected to resume growth of approximately 4-5 per cent per annum over 2016-17. GDP per capita was US\$17,800 (PPP) in 2015'.

In the last line: 'GDP per capita was US\$17,800 (PPP) in 2015'. '(PPP)' refers to 'Purchasing Power Parity,' which is a technical reference that should be spelled out in the first instance. Furthermore, this figure should be updated. According to the 'World Bank', the GDP per capita estimate was US\$19,948.8 (PPP) in 2016.

See: <https://data.worldbank.org/indicator/NY.GDP.PCAP.PP.CD?locations=IR>

Item 10.1.3 cites the 'CIA World Factbook': 'Iran's economy is marked by statist policies, inefficiencies, and reliance on oil and gas exports, but Iran also possesses significant agricultural, industrial, and service sectors. The Iranian government directly owns and operates hundreds of state-owned enterprises and indirectly controls many companies affiliated with the country's security forces. Distortions - including inflation, price controls, subsidies, and a banking system holding billions of dollars of non-performing loans - weigh down the economy, undermining the potential for private-sector-led growth. 'Private sector activity includes small-scale workshops, farming, some manufacturing, and services, in addition to medium-scale construction, cement production, mining, and metalworking. Significant informal market activity flourishes and corruption is widespread.'

'A banking system holding billions of dollars of non-performing loans' – is a statement, which in order to be balanced needs to mention that there are billions of dollars in frozen assets seized by the US. See: <https://financialtribune.com/articles/economy-business-and-markets/65461/remaining-frozen-assets-insignificant>

The first note is that overview needs to state the economic effects of US-led sanctions in the past decade – one of the fundamental issues with Iran's economy. Therefore, I would strongly advise against the 'CIA World Factbook' as a reference. See note #30 on p.17.

The second note is that there should be no apostrophe before 'Private' as this is one bulk quote. The third note is the vagueness and generality of statements such as 'affiliated with the country's security forces' –

We accept that we should have attempted to include a more up to date source for this information and this will be rectified in the next version.

We will include the other suggested source and explain technical terms.

Not accepted.

We do not think we need to include information about the USA freezing Iranian assets. This section is about the economy and how it is performing, for whatever reason. The background CPIN is intended to provide an overview for asylum decision-makers. We do not think that it is necessary to examine every point in great detail.

We do not accept that we should spell out what exact part of the security forces the term 'security forces' refers to, unless it is clear, whereupon we can include an explanation in square brackets. The CPIN aims to present what sources have actually said. That they may not be as detailed as they can be does not mean that the objectivity of

<p>which section of the security forces? If referring to the Iranian Revolutionary Guard Corps (IRGC), then that must be spelled out. The opaqueness of these statements compromises the objectivity of the report.</p>	<p>a source is necessarily compromised, nor that it should be excluded.</p> <p>The apostrophe is at the beginning of a new paragraph of quoted material so is appropriate.</p>
<p>Item 10.2.1 in the section on ‘Employment’ references the ‘Australian Department for Foreign Affairs and Trade report’ – available only on demand. Instead I would use the World Bank as a reference for more consistently throughout this section. See http://www.worldbank.org/en/country/iran/publication/iran-economic-outlook-october-2017</p>	<p>Not accepted.</p> <p>We already quote the World Bank in this section and that the DFAT report is (currently) only available on demand does not diminish its accuracy.</p>
<p>Item 10.2.3 refers to the ‘USSD report for 2016’, noting that:</p> <p>‘The constitution bars discrimination based on race, gender, disability, language, and social status “in conformity with Islamic criteria,” but the government did not effectively enforce these prohibitions. According to the constitution, “everyone has the right to choose any occupation he wishes, if it is not contrary to Islam and the public interests, and does not infringe the rights of others.” ‘(sic the quotation mark is not required here) According to the Iranian High Labor Council, the minimum wage is more than 8 million rials (around \$259) per month; this figure does not include supplemental allowances for housing, groceries, and child benefits. The minimum wage represented a 14 percent increase in 2015; it did not keep pace with inflation, which was estimated at 35 percent for the same year, according to the Central Bank of Iran. Domestic labor organizations published reports stating workers’ purchasing power eroded during the past few years as yearly increases in the minimum wage did not kept pace with inflation.</p> <p>‘(sic the quotation mark is not required here) The law establishes a maximum six-day, 44-hour workweek with a weekly rest day, at least 12 days of paid annual leave, and several paid public holidays. Any hours worked above that amount entitles a worker to overtime. The law mandates a payment above the hourly wage to employees for any accrued overtime. The law provides that overtime work is not compulsory. The law does not cover workers in workplaces with fewer than 10 workers, nor does it apply to noncitizens. Employers sometimes subjected migrant workers, most often Afghans, to abusive working conditions, including below-minimum wage salaries, non-payment of wages, compulsory overtime, and summary deportation without access to food, water, or sanitation facilities during the deportation process. ‘(sic the</p>	<p>Partially accepted.</p> <p>It is our ‘house style’ to put a quotation mark at the beginning of every new paragraph within a quote. Double quotation marks are used within the quote where the quote itself is quoting something.</p> <p>Regarding use of the US State Department report, see earlier responses.</p> <p>We will consider the other sources when we update this version.</p>

quotation mark is not required here) Many workers continued to be employed on temporary contracts under which they lacked protections available to full-time, noncontract workers and could be dismissed at any time without cause. Large numbers of workers employed in small workplaces or in the informal economy similarly lacked basic protections. Low wages, non-payment of wages, and lack of job security due to contracting practices continued to be major drivers for strikes and protests.’

The first note that the paragraph cited in 10.2.3 appears to be one bulk excerpt and the quotation marks need to be adjusted to reflect that.

The second note is that the ‘USSD report for 2016’ is not a credible source. For instance, the statement ‘inflation, which was estimated at 35 percent for the same year, according to the Central Bank of Iran’, is factually incorrect. World Bank calculations and Central Bank of Iran data set the rate for 2015 at 11.9%.

See: <http://pubdocs.worldbank.org/en/847041492266021115/Iran-MEM2017-ENG.pdf>

The updated figure is 9%, ending on 20 March 2017. See: <https://financialtribune.com/articles/economy-domestic-economy/61635/central-bank-of-iran-puts-inflation-at-9>

For item 10.2 on ‘Employment’, I would recommend the data from <http://irandataportal.syr.edu/labor-conditions>. This information is found on the ‘Iran Social Science Data Portal’, an English- and Persian-language internet portal that hosts social science data on Iran. The project has been funded by the [Social Science Research Council](#), Princeton University and Syracuse University, which makes is a reliable source.

Item 10.5 on ‘Land Ownership’ can benefit from reliable background information on restrictions to the right to private property in the Iranian Legal System,

See: <https://www.ijhcs.com/index.php/ijhcs/article/download/2364/2178>

Item 10.5.1 cites the ‘USSD report for 2016’: ‘The constitution allows the government to confiscate property acquired illicitly or in a manner not in conformity with Islamic law. The government appeared to target ethnic and religious minorities in invoking this provision.’

Accepted.

We will include this when we update the CPIN(s) following, and incorporating suggested material in, this review.

Accepted.

We will include this when we update the CPIN(s) following, and incorporating suggested material in, this review.

Accepted.

We will include this when we update the CPIN(s) following, and incorporating suggested material in, this review.

<p>It should be mentioned that the Iranian government has confiscated property when it has been suspicious of espionage activities that are considered a risk to national security. An example is the case of the Protestant Church confiscated in 2016 under suspicion on being linked to the CIA.</p> <p>See: https://www.iranhumanrights.org/2016/12/church-siege-tehran/</p> <p>Note that Iran has fallen victim to covert CIA activities in its modern history – the best example being the CIA-MI6 orchestrated coup in the 1953. This background information has not been factored in by the USSD report, which makes the generalisation: ‘The government appeared to target ethnic and religious minorities in invoking this provision’.</p>	
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2.8 11. Political system

<p>Item 11.1.1 on the ‘Supreme Leader’ under section 11. on the ‘Political System’ should also mention that the Supreme Leader’s mandate is under the scrutiny of the ‘Assembly of Experts’, a deliberative body empowered to designate and dismiss the Supreme Leader (Articles 107 and 111 of the Iranian Constitution).</p> <p>See: https://www.constituteproject.org/constitution/Iran_1989.pdf?lang=en</p> <p>It would be preferable to cite a reference other than the ‘Freedom House’, which scholars believe is politically-charged.</p>	<p>Partially accepted.</p> <p>We will include this when we update the CPIN(s) following, and incorporating suggested material in, this review.</p> <p>However, as with the US State Department, this is not to say that we endorse everything Freedom House says or believe that it is not without its limitations, but we do not believe that it should simply not be used.</p>
<p>Item 11.2.1 states: ‘The constitution describes him [The President] as the second-highest ranking official in the country. He is head of the executive branch of power and is responsible for ensuring the constitution is implemented. (sic the quotation mark is not required here) In practice, however, presidential powers are circumscribed by the clerics and conservatives in Iran’s power structure, and by the authority of the Supreme Leader. It is the Supreme Leader, not the president, who controls the armed forces and makes decisions on security, defence and major foreign policy issues. (sic the quotation mark is not required here). All presidential candidates are vetted by the Guardian Council, which banned hundreds of hopefuls from standing in the 2005 elections.’</p>	<p>Partially accepted.</p> <p>See previous comments about ‘house style’</p> <p>We will look for further sources on the Guardian Council when we update.</p>

<p>The first note is that the quotation marks should begin at the start and at end of the section as this is one bulk citation.</p> <p>The second note is that it should be noted that the ‘Guardian Council’, the vetting agency that filters presidential candidates is comprised of ‘traditionalists’ and ‘conservatives’ – like the Supreme Leader. All the same, they have approved a ‘moderate’ or ‘reformist’ candidate in the presidential elections since 1997. Thus, the dichotomy is not as clear cut as the section has portrayed.</p>	
<p>Item 11.2.3 cites the ‘2017 Freedom House report’, which as I have noted is not a neutral source. Although the data is correct, the reference compromises the validity and accuracy of the statements.</p>	<p>Not accepted. See above re: US-based sources.</p>
<p>Item 11.3.1 cites the ‘2017 Freedom House report’, which as I have explained, is not a neutral source. The item states: ‘The Guardian Council, controlled by hard-line conservatives, vets all candidates for the parliament, presidency, and the Assembly of Experts—a body of 86 clerics who are elected to eight-year terms by popular vote. The council has in the past rejected candidates who are not considered insiders or deemed fully loyal to the clerical establishment, as well as women seeking to run in the presidential election. As a result, Iranian voters are given a limited choice of candidates.’</p> <p>The word ‘limited’ in the last sentence needs to be qualified, as in practice, the choice of candidates has been varied: compare the presidencies of reformist Seyyed Mohammad Khatami, with the hardliner, Mahmoud Ahmadinejad – poles apart.</p>	<p>Not accepted. See above re: US-based sources. We do not believe we need to qualify the word ‘limited’ as these are not our words – the COI part of the CPIN is there to reflect what different sources have said.</p>
<p>Item 11.4.1. in the section 11.4 on ‘Elections’, cites the ‘CIA World Factbook’, which is not a reliable source. Furthermore, the correct spelling is Hassan Rouhani not ‘Ruhani’.</p>	<p>Not accepted. See above re: US-based sources. It appears that various sources spell Hassan Rouhani’s name differently.</p>
<p>Item 11.4.2 cites the ‘2017 Freedom House report’: ‘Elections in Iran are not free and fair, according to international standards’. Given the prevalence of reference to the ‘Freedom House’, it is important to consider that several scholars have asked whether countries incorrectly receive better ratings and reviews by the Freedom House if have stronger political ties with the United States. The answer was affirmative given a peer-reviewed article by Nils D. Steiner, ‘Comparing Freedom House Democracy Scores to Alternative Indices and Testing for Political Bias: Are US Allies Rated as More Democratic by Freedom</p>	<p>Partially accepted. See above re: US-based sources. All source have their biases, but that does not necessarily mean they should</p>

<p>House?', Journal of Comparative Policy Analysis: Research and Practice, Vol. 18, No. 4 (2014), pp. 329-349.</p> <p>Iranian elections are for the most part free and fair (a notable exception being the 2009 elections, where the regime was accused of rigging votes in favour of hardline conservative Mahmoud Ahmadinejad). As undemocratic and restrictive as the system may seem, it has not deterred most Iranians from voting. For a more reliable reference on the nature of the post-revolutionary Iranian electoral system and voting habits, see: Nader Ghobadzadeh & Lily Zubaidah Rahim, 'Electoral Theocracy and Hybrid Sovereignty', Contemporary Politics, Vol. 22., No. 4 (2016), pp. 450-468.</p>	<p>be excluded. The CPIN aims to use a range and balance of sources.</p> <p>We will consider your other suggestion for inclusion in the next iteration.</p>
<p>In general, section 11 on the 'Political System' could benefit from reference to the 'Iran Portal', which describes Iran's power structure and political institutions.</p> <p>See: http://irandataportal.syr.edu/irans-power-structure and http://irandataportal.syr.edu/political-institutions</p>	<p>Accepted.</p> <p>We will include this when we update the CPIN(s) following, and incorporating suggested material in, this review.</p>

2.9 12. Political parties

<p>Item 12.1.2 cites the 'CIA World Factbook', as a reference for a 'list of political parties and political pressure groups, together with their leaders'. The CIA is not a neutral source and reference to material drawn from their 'factbook' compromises the neutrality and objectivity of the report.</p>	<p>Not accepted.</p> <p>See above re: US-based sources.</p>
<p>Item 12.1.2 cites the 'CIA World Factbook': 'Practitioners of religions other than Shia Islam are barred from serving as supreme leader or president and from membership in the Assembly of Experts, the Guardian Council, or the Expediency Council. The law reserves five seats in parliament for members of recognized minority religious groups, although minorities can also be elected to non reserved seats. The five reserved seats were filled by one Zoroastrians, one Jew, and three Christians. There were no non-Muslims in the cabinet or on the Supreme Court'.</p> <p>There needs to be an update here. It should be noted that for a Zoroastrian, Sepanta Niknam is serving his second term as Yazd city councillor. On 13 December, nearly two-thirds of Iran's Parliament passed an amendment allowing minorities to run in local council elections. Niknam was first suspended in September 2017 when he beat a conservative rival and was barred from serving a second term. The decision was</p>	<p>Partially accepted.</p> <p>See above re: US-based sources. However, we will include the reviewer's suggestion in the forthcoming update.</p>

<p>revoked by the Parliament and the Judiciary reached a consensus over the Niknam’s controversial case and reinstated his position.</p> <p>See: https://en.radiofarda.com/a/iran-zoroastrian-allowed-to-serve-yazd/28842931.html</p>	
<p>Item 12.1.3 cites the ‘USSD report for 2016’, which is not a reliable source for the reasons mentioned above.</p>	<p>Not accepted. See above re: US-based sources.</p>
<p>In general, section 12 would benefit from data available on the Iran Portal, which profiles of the major political parties and factions in Iran. Parties profiled here only include those competing in elections in Iran:</p> <p>See: http://irandataportal.syr.edu/political-parties</p> <p>As mentioned earlier, ‘Iran Portal’ has reliable data as it is a project funded by the Social Science Research Council, Princeton University and Syracuse University, which makes it a credible source.</p>	<p>Accepted. We will include this when we update the CPIN(s) following, and incorporating suggested material in, this review.</p>

2.10 13. Law enforcement agencies

<p>Item 13.3 states that the ‘Iran Revolutionary Guard Corps (IRGC also known as Pasdaran)’. In fact, they are more commonly known as ‘Sepah’ rather than ‘Pasdaran’.</p>	<p>Accepted. We will include this note in explanatory square brackets when we update the CPIN(s) following, and incorporating suggested material in, this review.</p>
<p>Item 13.3.3 is problematic as it uses the ‘Iran Primer’ as a reference – a think tank grade report compiled solely by regime critics. It states that the Islamic Revolutionary Guard Corps, ‘would most likely command a nuclear arsenal, if the regime chooses to develop a nuclear weapons capability’ – a speculative and hypothetical remark.</p>	<p>Partially accepted. We do not consider that the source should be excluded on the basis that it is compiled by “regime critics”. A CPIN aims to present a range and balance of sources and assess the evidence in the round. However, we accept that we should provide more information about</p>

	<p>this source, and include for the next iteration.</p> <p>However, we do accept that some of this quote is possibly highly charged and speculative and we will consider removing it for the next iteration.</p>
<p>Item 13.4.1 cites the 'Iran Primer' as a reference (corresponding footnote #62). As mentioned in the row above, this reference is problematic.</p>	<p>Not accepted.</p> <p>See above.</p>
<p>The tone/language in sections 13.3.3, 13.3.4, 13.3.5, and 13.4.6 is hyperbolic. The fact is that the IRGC is a multi-layered political, ideological, and security institution, which acts as a support base to the Supreme Leader. The IRGC has steadily acquired an increasing role in Iran's economy in recent years.</p> <p>More objective information about the IRGC can be accessed in Hesam Forozan & 'Afshin Shahi, 'The Military and the State in Iran: The Economic Rise of the Revolutionary Guards', The Middle East Journal, Vol. 71, No. 1 (2017), pp. 67-86. This article analyses the growing economic and business involvement of the IRGC in the broader context of Iranian state society relations in general, and its civil-military dynamics in particular. Reference to this scholarly, peer-reviewed article would add credibility to this section.</p>	<p>Partially accepted.</p> <p>The inclusion of a source does not mean that we necessarily endorse what it says. A CPIN aims to present a range and balance of sources, and assess the evidence in the round.</p> <p>We will consider inclusion of the suggested other source in the new iteration.</p>

2.11 14. Judiciary

<p>Section 14 would benefit from more varied sources. 'Globalex', the 'United Nations Human Rights Council', and 'Amnesty International' are sound sources, however, the USSD report and the Australian Department for Foreign Affairs and Trade Country Report (which is not accessible) are not the most reliable sources. The USSD report is politically-driven and biased in tone, while the Australian reference is too general and not authoritative enough.</p>	<p>Partially accepted.</p> <p>We will look to include more sources in the next iteration.</p> <p>However, we do not believe that we should not include the US State Department and the DFAT reports for the reasons already outlined.</p>
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<p>Item 14.6.4 cites the 'USSD report for 2016': "The government often charged political dissidents with vague crimes, such as antirevolutionary behaviour, corruption on earth, siding with global arrogance, moharebeh, and crimes against Islam".</p> <p>The USSD report does not mention that given this knowledge, the US has a sizeable annual budget devoted to stirring unrest in Iran, funding opposition activists, lionising dissidents and supporting political critics in US-led 'democracy promotion' campaigns. The US has full knowledge of the risks associated with political opposition (including the death penalty). Citing a US State Department as a reference, especially in this context, compromises the integrity of the report.</p> <p>See: https://medium.com/insurge-intelligence/trumps-state-department-spent-over-1m-in-iran-to-exploit-unrest-c8878ec7fa2a</p>	<p>Not accepted.</p> <p>See above re: US-based sources.</p> <p>For the purposes of a CPIN, designed to be used by asylum decision-makers, the important point is about the treatment of particular groups. If treatment amounts to serious harm or persecution then a person may be entitled to refugee status. This is the relevant legal and policy test. If the regime treats people in such a way that amounts to serious harm or persecution, the reasons why will not alter that position</p>
<p>As a whole, section 14 would benefit from more objective references.</p> <p>I recommend Adineh Abghari, 'Introduction to the Iranian Legal System and the Protection of Human Rights in Iran' (London: British Institute of International and Comparative Law, 2008) and Ronda Cress, Catherine Kent & Mohammad Nayyeri, 'Rule of Law in Iran: Independence of the Judiciary, Bar Association, Lawyers and Iran's Compliance with International Human Rights Obligations' (Human Rights in Iran Unit, University of Essex, March 2014). The latter is available online at: https://www1.essex.ac.uk/hri/documents/rule-of-law-in-iran.pdf</p>	<p>Accepted.</p> <p>We will include this when we update the CPIN(s) following, and incorporating suggested material in, this review.</p>

2.12 15. Death penalty

<p>No issues were observed in Section 15.</p>	<p>n/a</p>
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2.13 16. Corruption

<p>Section 16.1.2 cites the ‘USSD report for 2016’, which as I have mentioned earlier is not a reliable source and the description of corruption in Iran is one-sided. That is, it portrays corruption as rampant and institutionalised but fails to mention the causes of corruption (low pay, inflation, sanctions). Nor does it mention President Hassan Rouhani’s anti-corruption campaign.</p> <p>In March 2016, Iran’s billionaire tycoon Babak Zanjani was sentenced to death for corruption. Accused of fraudulently pocketing \$2.8 billion, Zanjani acted as a middleman who organised oil deals for then-president Mahmoud Ahmadinejad’s government, evading sanctions while accumulating a great deal of wealth for himself in the process. Thus, corruption is not taken lightly.</p> <p>See: http://www.middleeasteye.net/columns/corruption-has-become-way-life-iran-1127296548</p>	<p>Not accepted.</p> <p>See above re: US-based sources.</p> <p>We will consider including the suggested source in the next iteration.</p>
<p>Item 16.1.3 cites the ‘2017 Freedom House report’. The Freedom House is considered biased and politically-driven by most Iran-scholars/experts.</p>	<p>Not accepted.</p> <p>See above re: US-based sources.</p>
<p>Overall, section 16. would benefit from more balanced references to the challenge of curbing grand and petty corruption in Iran.</p> <p>See: Bijan Khajepour, ‘How do Iran’s Corrupt Networks Operate?’ AI-Monitor, 13 February 2018.</p>	<p>Accepted.</p> <p>We will include this when we update the CPIN(s) following, and incorporating suggested material in, this review.</p>

2.14 17. Civil society groups and NGO’s

<p>No issues were observed in Section 17.</p>	<p>n/a</p>
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2.15 18. Freedom of speech and the media

<p>No issues were observed in Section 18.</p>	<p>n/a</p>
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2.16 19. Societal position of Women

<p>Item 19.1.2 in section 19. on the 'Societal Position of Women', cites a reference that is broken and inaccessible: Suuntaus Project, Finnish Immigration Service- Country Information Service, 'Violence against women and honour-related violence in Iran' (3. Marriage and divorce p. 8-8), 26 June 2015. http://www.migri.fi/download/61597_Suuntaus-raportti_Vakivaltairan_finalFINAL_kaannosversio_EN.pdf?96fa691925bfd288</p>	<p>Accepted.</p> <p>We will correct this when we update the CPIN(s) following, and incorporating suggested material in, this review.</p>
<p>Item 19.1.3 cites the 'USSD 2016 report', which as noted earlier, is not a credible reference.</p> <p>The item states: 'The law permits a man to have as many as four wives and an unlimited number of 'sigheh' (temporary wives), based on a Shia custom under which couples can enter into a limited time civil and religious contract, which outlines the union's conditions. The law does not grant temporary wives and any resulting children rights associated with traditional marriage, but the contract is enforceable, and recognized children can obtain documentation and have limited rights. '(sic the quotation mark not required here) Women may not transmit citizenship to their children or to a noncitizen spouse. The government does not recognize marriages between Muslim women and non-Muslim men, irrespective of their citizenship.' The first note is that that the quotation mark is not required where indicated in bold in the line above as this is one bulk citation. If it is not, then it should open and close citations with quotations marks.</p> <p>The second note concerns content. Article 993 of the Civil Code actually requires the registration of temporary marriages: 'The following events must be notified to the Census Office during the proper period and in the way stipulated by special laws and regulations 1 - All births and all abortions which may occur after the 6th month from the date of conception. 2- Marriages, whether permanent or temporary'. See: 'The Civil Code of the Islamic Republic of Iran', Book 4, 'Sijill' (Documents of Identity) p. 97. Available from: http://www.alaviandassociates.com/documents/civilcode.pdf</p> <p>Furthermore, children born from a temporary marriage have legal legitimacy but are socially stigmatised. Although they are 'legitimate', they do not share the privileges of siblings born into a permanent marriage. See: Sen McGlinn, 'Family Law in Iran', University of Leiden, 2001, pp .58-60. Available from: https://www.researchgate.net/publication/237543374_Family_Law_in_Iran</p>	<p>Partially accepted.</p> <p>See above re: US-based sources and also in respect of our 'house style'.</p> <p>We will consider the other sources when we update the CPIN.</p>

<p>Item 19.2.1 cites the ‘Suuntaus project report compiled by the Finnish Immigration Service on ‘Violence against women and honour- related violence in Iran’ dated 26 June 2015’ – a broken and inaccessible link. For a more reliable reference on ‘Divorce and child custody’, see Sen McGlinn, ‘Family Law in Iran’, University of Leiden, 2001, pp. 60-75.</p> <p>Available from: https://www.researchgate.net/publication/237543374 <u>Family Law in Iran</u></p>	<p>Accepted.</p> <p>We will correct this when we update the CPIN(s) following, and incorporating suggested material in, this review.</p>
<p>Item 19.2.2 cites the ‘USSD report for 2016’, which is not a reliable reference.</p> <p>Instead I would recommend referring to works of Dr. Ziba Mir-Hosseini is a leading authority of family law and gender issues.</p> <p>More information on Dr. Mir-Hosseini’s research is available on the following website: http://www.zibamirhosseini.com/publications/books/</p>	<p>Partially accepted.</p> <p>See above re: US-based sources but we appreciate the link to the other source.</p>
<p>Items 19.3.3 and 19.4.2 cite the ‘USSD report of 2017’, an unreliable reference that compromises the validity and authority of the rest of the paragraphs in section 19.</p>	<p>Not accepted.</p> <p>See above re: US-based sources.</p>
<p>Items 19.4.2 and 19.4.3, respectively, refer to the ‘USSD 2017 report’, an unreliable reference, and the ‘Suuntaus project report’, which is a broken link.</p> <p>While the data is not incorrect, it could be supported by more credible, scholarly references, such as Arzoo Osanloo, ‘The Politics of Women’s Rights’ (NY: Princeton, 2009).</p>	<p>Not accepted.</p> <p>See above re: US-based sources.</p>
<p>Section 19.4 on ‘Inheritance’ would benefit from reference to Sen McGlinn, ‘Family Law in Iran’, University of Leiden, 2001, pp. 77-82.</p> <p>Available from: https://www.researchgate.net/publication/237543374 <u>Family Law in Iran</u></p> <p>The Iranian Inheritance Law in the Civil Code of Iran, including the 2009 and 2010 amendments, is available on ‘Iran Portal’.</p> <p>See: http://irandataportal.syr.edu/inheritance-law</p>	<p>Accepted.</p> <p>We will include this when we update the CPIN(s) following, and incorporating suggested material in, this review.</p>
<p>Item 19.5.2 on ‘Education’ states: ‘Conservative circles view the high number of female students as a threat to Iran’s male-dominated social order’. Although ‘World Education Services’ is referenced, there is</p>	<p>Partially accepted.</p>

<p>insufficient evidence to support what appears to be a subjective, unsupported, claim – especially given the fact that there are more female students entering and graduating from university than male students. This would not be the case if the conservatives formally objected to the high number of female students as virtually every political institution in Iran is dominated by conservatives who would have no qualms in restricting the numbers of females in Iranian universities.</p> <p>I would recommend referring to the authoritative study compiled by Stanford University on ‘Iran’s Population Dynamics and Demographic Window of Opportunity’.</p> <p>See: https://iranianstudies.stanford.edu/sites/default/files/publications/irans_population_dynamics_and_demographic_window_of_opportunity_1.pdf</p>	<p>The World Education News and Reviews is an established and reasonable source to use, and this quote is from a larger article which in turn references other research.</p> <p>We will consider including the suggested source in the next iteration.</p>
<p>The data presented in item 19.5.3, citing the ‘USSD 2016 report’ is misleading and lacking in evidence: ‘According to 2012 UN statistics, the female youth literacy rate was 98.5 percent, and the adult female literacy rate was 90.3 percent. Women had access to primary and advanced education, although the percentage of female students entering universities decreased from 62 percent in 2007-2008 to 42 percent in the current year as a result gender-rationing policies implemented in 2012. Quotas and other restrictions, which varied across universities, limited women’s undergraduate admissions to certain fields, as well as to certain master’s and doctoral programs.’</p> <p>According to the study compiled by Stanford University on ‘Iran’s Population Dynamics and Demographic Window of Opportunity’, which cites the Persian website, ‘Institute for Research and Planning in Higher Education’, http://irphe.ac.ir, ‘In 2016, women constituted 50% of students enrolled in programs that offer a bachelor’s degree or higher and 46% of student enrolments in all higher education programs (associate’s degree and higher) combined. The engineering field is dominated by male students, whereas female students are the majority in all the other major fields of study, especially in medicine and the basic sciences, where they have accounted for upward of 65% of students enrolled in these fields for almost two decades.’</p> <p>See pp. 21-22: https://iranianstudies.stanford.edu/sites/default/files/publications/irans_population_dynamics_and_demographic_window_of_opportunity_1.pdf</p>	<p>Partially accepted.</p> <p>We do not accept that the US State Department’s claim that 42% of women entered university in 2016 is ‘misleading’ when compared to the suggested source’s figure of 46%, as the figures are not significantly different.</p> <p>However, we will consider including the suggested source in the next iteration.</p>
<p>Item 19.6 on ‘Employment’ cites the ‘USSD 2016 report’, which is misleading and inaccurate for reasons reiterated throughout this review. According to the Head of the Statistical Centre of Iran, Omidali Parsa, the</p>	<p>Partially accepted.</p>

number of employed people in the country over the first nine-month period, starting from 20 March 2017, increased by 3.6 percent compared to the same period of last year.

See: 'Unemployment rate drops in Iran -Statistical Centre', 8 March 2018.

Available from: <https://www.azernews.az/region/128458.html>

While the jobless rates among women have increased in the past decade, the low numbers cannot be reduced to a question of discrimination. According to the Minister of Labour, Ali Rabiei, the rates relate to the growing number of women entering universities, and the improvement of the working environment for women, which has made its number relatively higher than the unemployment rate for men. He adds that women's unemployment rate in 1996 was 4 percent while it reached to 20 percent in 2016. The unemployment rate is much higher among educated women and it has reached to 31 percent, according to Rabiei.

See: 'Iranian job market shifting toward female workers', 4 September 2017.

Available from: <http://www.tehrantimes.com/news/416519/Iranian-job-market-shifting-toward-female-workforce>

See above re: US-based sources but we appreciate the link to the other sources.

Item 19.7.1 on 'Dress Code and Gender Segregation' states: 'According to Islamic sources, women are required to cover their whole bodies with the exception of their face and their hands from the wrist and their feet from the ankle'.

This is an inaccurate portrayal of the Islamic dress code in Iran and more typical of Afghanistan or Saudi Arabia – a common generalisation. While there is no clear legal definition of what constitutes 'hijab' in Iran, in practice, what is mandatory is a veil covering the hair, and a 'manteau', a coat or tunic that reaches down to mid-thigh, worn over regular clothes covering legs and arms.

According to Faegheh Shirazi, 'The unorthodox hijab has also two basic parts: a piece of clothing that covers the head, neck and shoulders (headscarf) and a stitched outfit like a long coat, known as manteau. Headscarf is a piece of clothing, usually in various colors and styles, which is worn loosely over the head and fastened with a tie. Since it is loose, it does not guarantee full coverage of hair and upper shoulders. Manteau is also loosely worn. Although it has long sleeves and is usually buttoned in front, the length of it can be variable; from toes up to knees. It can also have various colors and patterns, although the preferable colors of manteau are black, brown and dark grey. Because of its flexibility, it can facilitate the movement of

Partially accepted.

The source notes that 'Islamic sources' stipulate the dress code as such, rather than the 'Iranian regime'. Neither does it note that this is a societal expectation. Furthermore, this is one source of five used in this section. Nevertheless, we accept that further sources (eg the suggested source) add information and context, so we will consider including this in the next iteration.

<p>body and therefore it is more popular (Faegheh Shirazi-Mahajan, 'A dramaturgical approach to Hijab in post-revolutionary Iran'. Critique: Critical Middle Eastern Studies, Vol. 4, No. 7 (1995), pp. 35-51.</p> <p>The same item states: 'The interference with a woman's appearance, including her hair, makeup and clothing, can sometimes border on the ridiculous.' This statement is highly subjective – what is considered 'ridiculous' is a relative notion.</p> <p>The rest of the paragraph reads: 'For instance, in 2007, the Chief Commander of Police for greater Tehran announced that women were not allowed to wear long boots over their trousers, and if seen doing so they would be arrested.'</p> <p>This is a dubious statement that is not backed up with any evidence and, if true, was likely contextual. A 'Google' search on 'women in Tehran' demonstrates how inaccurate and far-fetched the portrayal of hijab is in item 19.2.1.</p>	
<p>Item 19.2.4 quoting 'Iran Wire' states: 'Punishment for gender intermingling between non-family members can include flogging.'</p> <p>In practice, this form of punishment for gender intermingling between non-family members is uncommon. That is why when there was such a case it was covered widely, for example, by the 'Independent' in 2016.</p> <p>See: https://www.independent.co.uk/news/world/middle-east/iranian-men-and-women-flogged-for-attending-mixed-graduation-party-in-qazvin-a7052096.html</p>	<p>Accepted.</p> <p>We will include this when we update the CPIN(s) following, and incorporating suggested material in, this review.</p>
<p>Item 19.2.5 cites the 'USSD report for 2016', an unreliable reference that presents the conditions on veiling in a sensationalist and alarmist way:</p> <p>'The law provides that a woman who appears in public without appropriate attire, such as a cloth scarf veil (hijab) over the head and a long jacket (manteau), or a large full-length cloth covering (chador), may be sentenced to flogging and fined'. This statement contradicts the sentence that follows: 'Absent [sic 'is' is missing here] a clear legal definition "appropriate covering" or of the punishment, women were subjected to the opinions of disciplinary forces, police, security forces, or judges'.</p> <p>This is not an accurate portrayal of the penalty for 'bad hijab' and references to the US State Department should be avoided.</p>	<p>Partially accepted.</p> <p>See above re: US-based sources.</p> <p>The first sentence says that the law provides that a woman may be flogged or fined if she appears in public without the appropriate clothing; the second sentence notes that there is no clear legal definition. The two sentences are logically consistent as simply because something does not have a clear</p>

	<p>legal definition does not mean that an unclear law cannot be used against someone.</p>
<p>It should be noted that the enforcement of social restrictions on Iranians in relation to veil enforcement, gender segregation strategies and bike-riding, is a reflection of the administration in charge. Under former reformist president Seyyed Mohammad Khatami and the current moderate president, Hassan Rouhani, unofficially, there are more social liberties than under a hardliner like former president, Mahmoud Ahmadinejad. That is why in January, February and March 2018, several Iranian women defied authorities by removing their veils as a form of protest. This act of defiance would present a much higher risk if it were done under a conservative, radical leadership, like Ahmadinejad's.</p> <p>See: https://edition.cnn.com/2018/01/30/middleeast/iran-hijab-protests-vida-mohaved-intl/index.html</p>	<p>Accepted.</p> <p>We will include this when we update the CPIN(s) following, and incorporating suggested material in, this review.</p>

2.17 20. Children

<p>No issues were observed in this section other than the statement in item 20.1.3 citing the ‘USSD report for 2016’:</p> <p>‘Although primary schooling until age 11 is free and compulsory for all, the media and other sources reported lower enrolment in rural areas, especially for girls. According to NGO reports presented to the UN Committee on the Rights of the Child, a girl can be denied education if she is pregnant or if her husband so wishes’.</p> <p>This statement represents a common stereotype, generalising Iran with countries like Afghanistan where there is a clear gender gap in education. Furthermore, there is no reference to the original NGO reports cited in the paragraph.</p> <p>In a study conducted in 2003 (‘Background paper prepared for the Education for All Global Monitoring Report 2003/4 Gender and Education for All: The Leap to Equality Gender and Education in Iran’), Golnar Mehran contends that there has been increased gender parity in education in Iran: ‘The study of various educational indicators, including access to early childhood care and education, participation in primary, secondary, and higher education, and adult literacy rates, points to considerable progress made towards gender equality in Iran over the last decade. The most significant progress has been made at the primary education level, where the gender parity index (GPI: ratio between girls’ and boys’ rates) in the gross</p>	<p>Accepted.</p> <p>With regard to the original NGO reports presented to the UN Committee on the Rights of the Child, our methodology is usually to identify the original source as far as possible, so we will do this for this sentence for the next iteration.</p> <p>We accept the suggested sources and will consider including them in the next iteration.</p>
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enrolment ratio went from 0.90 in 1990-1991 to 0.96 in 1999-2000, and secondary education level, where the GPI went from 0.73 to 0.92 during the same period. Mehran cites 'UNESCO: Education for All: Is the World on Track?' Paris: 2003, pp. 242-243, 250-251.

For more current statistics on literacy rates, I recommend data from the Statistical Centre of Iran, which presents literacy rates in rural/urban areas and the entire country for 2016, in English.

See: <https://www.amar.org.ir/english/Population-and-Housing-Censuses/Census-2016-General-Results>

2.18 21. Citizenship and nationality

Throughout section 21. there are several statements that are supported with references to the US Department of State and the US Office of Personnel Management, which are selective in their presentation of facts. Instead of compromising the validity of the items presented (the information is overall coherent and accurate but needs to be updated), I recommend referring directly to the Nationality Law in the Civil Code of Iran by accessing Princeton's 'Iran Portal'.

See: <http://irandataportal.syr.edu/nationality-law>

Item 21.1.2 refers to the 'USSD report for 2016', noting that: 'Women may not transmit citizenship to their children or to a noncitizen spouse'.

This needs to be updated to include the 2006 amendment and the 2017 initiative taken by Iranian lawmakers. In 2006, out of concern for an estimated 120,000 children born in Iran who were not citizens, the Iranian Parliament (Majles) amended the civil code. The amendment sought to clarify the conditions under which children born in Iran to an Iranian woman and a foreign man could attain Iranian citizenship – although the amendment is limited to children born in Iran under registered marriages.

See: 'Iran's Citizenship Law: Political Considerations or Recognition of Inherent Human Rights?' Oxford Human Rights Hub, 8 October 2015.

Available from: <http://ohrh.law.ox.ac.uk/irans-citizenship-law-political-considerations-or-recognition-of-inherent-human-rights/>

Furthermore, in July 2017, a group of Iranian lawmakers took the initiative to scrap the law denying citizenship and equal rights to Iranian children born to foreign fathers. If approved by parliament, the bill

Partially accepted.

See above re: US-based sources.

We will consider including the suggested source in the next iteration.

Accepted.

We will include this when we update the CPIN(s) following, and incorporating suggested material in, this review.

would overturn the discriminatory legislation and affect the lives of thousands of children abroad and inside Iran -- especially Iranian children with fathers from the large community of Afghan refugees and migrants living in the Islamic republic.

See: <https://www.rferl.org/a/iranian-lawmakers-aim-to-scrap-discriminatory-citizenship-law/28625934.html>

2.19 22. Official documents

Under section 22.3 on 'Marriage/Divorce Certificates', item 22.3.1. refers to the 'US Department of State Bureau of Consular Affairs', which notes, 'Iranian temporary marriages (ezdevaje sigheh or ezdevaje movaghat) are religious marriages that are entered into for a specific period of time. These marriages are performed by ecclesiastical authorities and are not registered with the Bureau of Affairs Concerning Documents'.

Article 993 of the Civil Code requires the registration of temporary marriages: 'The following events must be notified to the Census Office during the proper period and in the way stipulated by special laws and regulations 1 - All births and all abortions which may occur after the 6th month from the date of conception. 2- Marriages, whether permanent or temporary'. See: 'The Civil Code of the Islamic Republic of Iran', Book 4, 'Sijill' (Documents of Identity) p. 97.

Available from: <http://www.alaviandassociates.com/documents/civilcode.pdf>

No other issues were noted in this section.

Accepted.

We will include this when we update the CPIN(s) following, and incorporating suggested material in, this review.

2.20 23. Forged documents

Section 23. on 'Forged documents' refers to the '2016 DFAT Report' in 23.1.1, which is available only upon request. For more information on the Iranian National Identity Card, I recommend referring to: 'Immigration and Refugee Board of Canada'.

Available from: <https://www.justice.gov/eoir/page/file/951036/download>

No further issues were found in this section

Accepted.

We will include this when we update the CPIN(s) following, and incorporating suggested material in, this review.

2.21 24. Healthcare and people with disabilities

Given that item 24.1.1 refers to 'an undated article on UNICEF's website titled, Iran's Excellent Primary Health Care System', it is essential to add reference material that is dated as certainly healthcare will be different in contemporary Iran, compared to, for example, the days when in Iran was in the thrust of the Iran-Iraq War (1980-1988). I strongly recommend adding material that is up to date, in order to present an accurate portrayal of healthcare in Iran.

For a good synopsis of Iran's healthcare system, see, 'Health System in Iran' by Associate Professor of Occupational Medicine, Dr. Ramin Mehrdad, Department of Occupational Medicine, School of Medicine, Tehran University of Medical Sciences, Tehran, Iran.

Available from: http://www.med.or.jp/english/pdf/2009_01/069_073.pdf

For an excellent study of the strengths and weaknesses of Iran's Primary Health Care (discussed in 24.1.1), see, Jafar Sadegh Tabrizi, Faramarz Pourasghar & Raana Gholamzadeh Nikjoo, 'Status of Iran's Primary Health Care System in Terms of Health Systems Control Knobs: A Review Article', Iran Journal of Public Health, Vol. 46, No. 9 (Sep 2017), pp. 1156-1166.

Available from: <http://ijph.tums.ac.ir/index.php/ijph/article/viewFile/10986/5672>

Accepted.

We will include this when we update the CPIN(s) following, and incorporating suggested material in, this review.

Under item 24.2.1 on 'People with Disabilities', it would be useful to add the recent news that on 20 January 2018, Iran's Guardian Council rejected a proposed bill that would make it a legal right for people living with disabilities in the country to have a say about issues pertaining to their community. The Guardian Council (the body of six clerics and six jurists) vets laws and elections for conformity with Islamic principles and its interpretation of the Constitution.

The Guardian Council rejected the 'Bill for the Protection of the Rights of People with Disabilities' that was passed by the Iranian Parliament on December 27, 2018, partly because of its Article 32, which gives people with disabilities and organisations providing services to them the power to vote in a national committee that would monitor the implementation of laws for the disabled. A representative of the Guardian Council said the council's decision to reject the bill was supported by the Constitution, which exclusively assigns government functions to the Executive Branch. 'Guardian Council Rejects Bill that Could Protect Rights of People Living with Disabilities in Iran', Centre for Human Rights in Iran, 2 March 2018.

Accepted.

We will include this when we update the CPIN(s) following, and incorporating suggested material in, this review.

<p>Available from: https://www.iranhumanrights.org/2018/03/guardian-council-rejects-bill-that-could-protect-rights-of-people-living-with-disabilities-in-iran/</p> <p>For information on the proposed bill, see: https://www.iranhumanrights.org/2017/11/irans-parliament-should-pass-pending-disability-rights-bill/</p>	
<p>Section 24.2.2 cites the ‘USSD report for 2016’, which I recommend substituting with a more neutral source. Seeing as the paragraph referring to the ‘USSD report for 2016’ mentions the State Welfare Organization of Iran, it would be useful to add more current information about their initiatives.</p> <p>For example, the State Welfare Organization allocated approximately \$6 million to improve facilities for people with disabilities starting from March 21, 2017, according to the organisation’s deputy director, Hossein Nahvinejad.</p> <p>Available from: http://www.odvv.org/news-1954--6m-allocated-to-improve-life-for-people-with-disabilities</p>	<p>Partially accepted.</p> <p>See above re: US-based sources.</p> <p>We will consider including the suggested source in the next iteration.</p>
<p>No issues were observed in section 24.2.3.</p>	<p>n/a</p>

3 Review of responses to COI requests

1-10. COI request – [Komala Party of Iranian Kurdistan] [03.18.019]

Summary of request: Is Reza Kaabi the Deputy Head of the Iranian-Kurdish Komala Party?

<p>Given the paucity of current and authoritative information relating to the Komala Party, the Home Office provides sound evidence to answer the COI request affirmatively. Indeed, the data corroborates that Reza Kaabi is the Deputy Head of the Komala Party.</p>	<p>n/a. thank you for the positive response.</p>
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2-10. COI request – [Azeris] [0118.021]

Summary of request: Azeri people: location; treatment; political groups; treatment of political activists.

<p>The Home Office refers to ‘MERIA’ as a reference, which is problematic as MERIA belongs to the Rubin Center for Research in International Affairs, formerly the Global Research in International Affairs (GLORIA) Center), located at the Interdisciplinary Center (IDC) in Herzliya, Israel’s first private institution of higher learning. Given that Iran and Israel are ‘arch-enemies’, the material presented by MERIA is not neutral and most scholars would agree that MERIA reports are biased and politically-charged. There are also references in the response to the ‘US State Department reports’, which by nature are politically-driven.</p> <p>However, the response also cites the works of Andrea Weiss and Emil Souleimanov who are both solid scholars.</p> <p>For more objective and authoritative background information on Azeri identity in Iran, I recommend Brenda Shaffer, ‘The Formation of Azerbaijani Collective Identity in Iran’, Nationalities Papers, Vol. 28, No. 3 (2010), pp. 449-477.</p> <p>Overall, the Home Office response is adequate as this a broad and complex topic. Iranian Azerbaijanis have historically been considered the country’s most loyal ethno-linguistic minority, however, they have been under scrutiny since the rise of nationalism in the 20th century, which gradually breached the image of Iranian Azerbaijanis as a perfectly loyal community. Furthermore, having witnessed the breakup of the Soviet Union, the treatment of Azeris must be viewed within the parameters of Iran’s fear of secessionist movements.</p>	<p>Partially accepted.</p> <p>We do not accept that we should not include MERIA simply because it is Israeli. Inclusion of a source does not mean that we endorse any views it expresses. A COI request aims to provide country information across a range and balance of sources.</p> <p>We appreciate this additional source which will be useful in any further requests we receive on this subject.</p>
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3-10. COI request – [Dervishes] [0118.108.]

Summary of request: Treatment of dervishes.

<p>The Home Office provides an assessment of the treatment of dervishes by accounting for several arrests and incidents of discrimination towards individuals connected to the Sufi Gonabadi Order. In their response, the</p>	<p>Not accepted.</p>
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Home Office explains that five dervishes were formally charged with ‘disturbing public order’, ‘destruction of public property’, ‘insulting the sacred’ and ‘insulting senior officials’. The information is contextual, and does not support the claim that these individuals were formally charged – specifically and exclusively – on account of their faith or belief system.

The Home Office needs to underline official state policy toward Sufis in Iran rather than news reports that fail to establish, conclusively, the treatment of dervishes in Iran. For reliable background information on Sufism in Iran, see: Matthijs van den Bos, ‘Mystic Regimes: Sufism and the State in Iran, from the Late Qajar Era to the Islamic Republic, Social, Economic and Political Studies of the Middle East and Asia (Leiden: E. J. Brill, 2002).

A COI request is a presentation of country information about a subject raised by an asylum decision maker. It is for the decision maker to consider the information and attach the appropriate weight as part of the decision-making process.

We accept that the quoted information, provided by the UN General assembly, does not say that the five individuals were formally charged specifically on account of their faith – because the source is not making this claim.

However, see the covering response re: our use of non-English language material which applies equally to purchasing of books and journals.

4-10. COI request – [Orphans] [0617.016]

Summary of request: Treatment of orphans; orphan’s ability to obtain documentation; laws on fostering and adoption.

In this response, item 2.1.2 cites an ‘undated anonymous blogpost’ to describe state support for orphans. Such references are problematic and compromise the integrity of the rest of the argument. In relation to obtaining documentation, as the response indicates, more research is required as there is no official policy outlining the steps an orphan would have to take to obtain necessary documentation. There is ample information on children’s rights in general, but not specifically on the procedures or instructions for an orphan to obtain documentation. I would recommend soliciting the expertise of an Iranian lawyer or legal expert with practical experience on this subject.

It would be useful to include the following data about the Iranian ‘State Welfare Organization’, which is responsible for protecting orphans by providing care in orphanages until the children are ready for independent living. The Welfare Organization is sensitive about the custody of children, and so families seeking to adopt must have clear records to be eligible. However, the lack of coordination and cooperation

Partially accepted.

We accept that an ‘undated anonymous blogger’ could be a dubious source. However, where information cannot be found from sources that are generally reliable, it can be appropriate to present whatever information *is* available. This should be accompanied with the caveat that the source is undated and anonymous, so the appropriate weight can be attached to the source.

between Welfare Organization and other agencies means that working children and street children are not fully covered. For an informative video on the services of the Welfare Organization's activities, it would be useful to draw from the Press TV video clip, available from: <http://www.presstv.com/Detail/2017/07/19/528954/Irans-Welfare-Organization>

Generally, the information in this response is very thin and could benefit from updates. For instance, in September 2017, the 'Tehran Times' announced that the Welfare Organization has set up a child adoption website, according to the organisation director, Anoushirvan Mohseni-Bandpey. Parents who are interested in adopting a child can refer to www.behzistitehran.org.ir to sign up for adoption. Families without children, families with one child, and single women can apply for adoption through the website with the entire process taking up to three months.

Iran's adoption and foster laws, which date back over 40 years, were revised in 2013. Within the new law, children can be adopted up to the age of 16, while the former law stated that only children aged 12, or under, could be adopted. In addition to families with no children, currently, families with one child, and single women, can apply for adoption. The law formerly authorised adoption only for orphans while the new law permits adoption of children with dysfunctional families if the judge concludes that the new family is suited to adopt the child in question. Earlier, the adoptive families were required to sign over one third of their property to their child to-be, however, with economic constraints, it is up to a judge to decide on the child's security or 'insurance'.

See: <http://www.tehrantimes.com/news/416868/Iran-s-Welfare-Organization-set-up-child-adoption-website>

We accept that the information in this response is thin. Sometimes the information in responses is thin because of a lack of academic research or general interest, or for other reasons.

COI requests are specific requests from asylum decision makers for country information. As explained in our disclaimer at the start of the request response, the information is compiled within time and resourcing constraints. It is simply not practically possible for us to fully exhaust a subject. Actions such as contacting specialists are considered on a case-by-case basis according to business need, although budgetary and time restraints make it unlikely that this would be an option to us when dealing with a COI

5-10. COI request – [Tattoos] [0917.061]

Summary of request: Tattoos in Iran.

The response is accurate in explaining in item 1.1.4 that: 'Tattooing is not generally considered something forbidden in Iran. Like smoking, it is makrouh, which means it is allowed, but it should be avoided.' In a nutshell, this is how tattoos are perceived in Iran. Given the fact that eyebrow and lip-lining tattooing services in Iran are as commonplace in Iranian beauty parlours as is haircutting, tattoos are expected to be worn with discretion. Culturally, it is frowned upon.

While he often wears sleeves to hide his tattoos when in Iran, Ashkan Dejagah, who lives in Germany but plays on the national team, is widely known for his tattoos which feature Persian script. See: <https://www.al-monitor.com/pulse/galleries/tattoos-in-iran.html#ixzz5BcAZhtUV>

Accepted.

We will link the response to this review so decision makers can see this additional material.

See: <https://theworldgame.sbs.com.au/article/2015/09/08/iran-stars-tattoo-trouble>

6-10. COI request – [People’s Mojahedin Organization] [1117.006]

Summary of request: The People’s Mojahedin Organization of Iran: status; current activity.

The Home Office response answers the request sufficiently, but it relies too heavily on western sources. It would be useful to cite some Iranian references in order to give a more ‘on the ground’ picture of the organisation’s status, goals, and objectives (and means of acquiring them). The organisation’s terror attacks are outlined by editor of Iran’s Mehr News Agency, Mohsen Hosseini, who also describes the greater political issue of ‘delisting’ the organisation’s ‘terrorist’ status. See: ‘MEK: When Terrorists are Armed, Funded and Respected’.

Available from: <http://english.khamenei.ir/news/2160/MEK-When-terrorists-are-armed-funded-and-respected>

Accepted.

We will link the response to this review so decision makers can see this additional material.

7-10. COI request – [Freedom of Expression] [0118.058]

Summary of request: Would a person come to the adverse attention of the authorities for being a musician?

‘Adverse attention’ needs to be qualified in the request if the response is to be adequate. ‘Adverse’ is a broad adjective, and in this case, needs a more precise definition. Musicians have gained greater freedom in Iran, particularly under the presidency of moderate, Hassan Rouhani. There are numerous bands, musicians and pop stars in Iran that operate within the social and cultural constraints of the Islamic Republic.

The USSD and Freedom House, which are cited in the response, are not reliable sources as they are political in nature. They do not demonstrate the cultural sensibility or analytical depth required to present a fair description of the kind of ‘attention’ musicians receive in Iran. For updated information see:

<https://en.gantara.de/content/culture-in-iran-music-in-rouhanis-iran-a-change-in-tune>

For an idea of the musicians ‘accepted’ and playing in Iran see:

<https://theculturetrip.com/middle-east/iran/articles/9-musicians-you-need-to-know-from-iran/>

Partially accepted.

‘Adverse attention’ is the question posed by the asylum decision maker. Nevertheless, we consider that the term ‘adverse attention’ is well-understood. Of course, that someone receives ‘adverse attention’ will not necessarily mean that a person is at risk of serious harm or persecution, which is the threshold in asylum cases.

Regarding the use of the US State Department and Freedom House, see earlier comments.

	Nevertheless, we will link the response to this review so decision makers can see this additional material.
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8-10. COI request – [Political system and affiliation – National Front party] [0717. 042]

Summary of request: General information on the National front party in Iran, how is membership viewed by the Iranian authorities, how are members treated.

<p>The information presented in the Home Office response in relation to the National Front Party is sound. In general, political parties that are critical of the regime are not tolerated as they are perceived as a threat to national security and under the influence of foreign interference (i.e. regime change agendas).</p> <p>Item 2.1.5 cites the ‘Stopiranwar.com website’: ‘outside Iran there are several active opposition parties but four of them are more powerful and active: People’s Mojahedin Organization of Iran (left-wing, religious party), National Front of Iran (liberal nationalist), Organization of Iranian People’s Fedaian (socialist) and Constitutionalist Party of Iran (Liberal Democrat).’ The National Front Party, should not be lumped together with a party like the People’s Mojahedin Organization, as the latter’s operations are quite different and include large-scale political violence.</p> <p>According to ‘Radio Farda’, the National Front called for a permit to hold a public gathering in Tehran in a letter to President Hassan Rouhani. This would be unthinkable for the Mojahedin Organisation, or the Tudeh Party, to make such a request. See: https://en.radiofarda.com/a/iran-national-front-gathering-rouhani/29014866.html</p>	<p>Not accepted.</p> <p>We note your comments. However, a COI request simply reflects what the source says. That we include a source does not necessarily mean we endorse what it says.</p>
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9-10. COI request – [Religion; ethnicity] [0417.002]

Summary of request: Ahwazi (Ahvazi) Arabs: treatment

<p>In this Home Office response there are several references to ‘USSD’ country reports. The information presented in these reports cannot be verified as the source of the information is not cited.</p> <p>It should be emphasised that discrimination is not ethnic but political in nature. There is discrimination towards the Ahwazis, but this falls under the regime’s opposition to secessionists who are perceived to endanger national security- namely, those who oppose the occupation of ‘al-Ahwaz’.</p>	<p>Not accepted.</p> <p>We consider the Congressional Research Service to be a generally reliable source. This does mean that we endorse every (or indeed any) claim it makes.</p>
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Three times a day, the ruling establishment speaks in Arabic during prayer, and faces Mecca, the Holy City, in an Arab country (Saudi Arabia), so the statement in 2.1.8 that Arabs in Iran ‘encounter systematic...discrimination, including...a prohibition on speaking or studying Arabic’ is not credible. It is an even less credible statement given that the information is drawn from the Congress Research Service (CRS).

Item 2.1.4 is also problematic stating that the law, ‘which requires religious screening and allegiance to the concept of “velayat-e faqih” not found in Sunni Islam, impaired the ability of Sunni (many of whom are also Baluch, Ahvazi, or Kurdish) to integrate into civic life and to work in certain fields.’ This is akin to saying that in the United Kingdom there is a constitutional monarchy, and this impedes different groups that do not support the institution from integrating or functioning in certain fields.

The information in this response needs to be more nuanced.

We note your comment regarding item 2.1.4 but we are reflecting what the source has actually said. We accept that the US State Department’s reports can be limited and generalised.

However, we do not think that because of this (or because the source is American) that it should be excluded entirely. We do not endorse what the source says. Rather, we are presenting what the source has said, along with what a range of other sources have said.

We plan to publish a Country Policy Information Note (CPIN) on Ahwazis and Ahwazi political groups soon.

10-10. COI request – [Political system and affiliation] [03/17-113]

Summary of request: Tudeh Party of Iran: information about the party and treatment of its members

The Home Office response is historically accurate, and indeed, today, the Tudeh Party faces the same restrictions as any other political party that is critical of the regime. For more information on history, formation and influence of the Tudeh Party, see: Yassamine Mather, ‘Iran’s Tudeh Party: a History of Compromises and Betrayals’, *Journal of Socialist Theory*, Vo. 39, no, 5 (2011), pp. 611-627.

Accepted.

We will link the response to this review so decision makers can see this additional material.

4 Information about the Reviewer

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

As a country expert, Dr. Ghoncheh Tazmini has extensive research and teaching experience on Iranian politics and history, and specialist knowledge of Iran’s domestic and foreign policy. As a political scientist with over two decades of scholarly experience, Dr. Tazmini has not only sound theoretical

knowledge of Iran's internal political dynamics, she is also apprised of the latest empirical developments 'on the ground' having conducted years of fieldwork.

Dr. Tazmini has expert knowledge of the post-revolutionary legal-Islamic environment. She has published and disseminated knowledge on civil society, including, the parameters of political expression and social inclusiveness. Methodologically, Dr. Tazmini broaches these themes by employing an interdisciplinary framework, given the interconnected nature of theology (*ijtihad* – the interpretation of Islamic jurisprudence, and modern, classic and contemporary forms of Shi'a Islam) Iranian law (its penal code and its criminal procedure code), politics (national security crimes, for instance), sociology, and social policy (human rights for example).

Dr. Tazmini has provided expert reports and reviews for NGOs, think tanks, law firms, and the First-Tier Tribunal (Immigration and Asylum Chamber) in the United Kingdom. She has provided pro bono assistance in cases in Germany, Portugal, Canada and the United States on asylum and human rights cases pertaining to Iran and its neighbouring countries. With years of scholarly expertise on the political, legal, social, economic intricacies of the country, she is well positioned to make objective and balanced assessments on the themes covered in country of origin reports on Iran.

Annex D

Review of the August 2017 Home Office Country of Origin Information on Turkey: Kurdish political parties; August 2017 Turkey Kurdistan Workers' Party; and 8 responses to COI requests

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

Yasin Duman, Independent researcher¹

April 2018

¹ Yasin Duman is a researcher with five of experience of conducting research on Kurds and Kurdish political parties in Turkey, Syria, Iraq and Iran. This review is conducted in an individual capacity.

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1 Introduction

1.1 Instructions

This review has been conducted regarding the Country Policy and Information Notes (CPIN) that 'aim to provide an accurate, balanced and up to date summary of the key available source documents regarding the human rights situation, with respect to the issues selected for coverage, in the country covered'. The CPIN and Country of Origin Information (COI) seek to clarify particular types of protection and human rights claims including 'whether claims are likely to justify the granting of asylum, humanitarian protection or discretionary leave and whether – in the event of a claim being refused – it is likely to be certifiable as 'clearly unfounded' under s94 of the Nationality, Immigration and Asylum Act 2002'. The review follows the Terms of Reference and entails:

- I) Assessing the extent to which information from source documents has been appropriately and accurately reflected in the CPIN Reports.
- II) Identifying additional sources detailing the current human rights situation in the country with respect to main grounds for asylum claims (which are noted in each CPIN Report).
- III) Noting and correcting any specific errors or omissions of fact.
- IV) Making recommendations for general improvements regarding, for example, the structure of the report, its coverage or its overall approach.

1.2 Methodology

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

1.3 Summary of Review

1.3.1 August 2017 Turkey: Kurdish political parties

Overall, the CPIN correctly reflects the original COI cited in the document and offers a good balance of traceable and reliable sources. It covers most of the issues regarding challenges and violations that Kurdish political parties and their members encounter for various reasons. However, the CPIN could include reports from local NGOs such as Human Rights Foundation of Turkey, Human Rights Association, and Mazlum-Der as organizations that operate to identify human rights violations not only in east and southeast Turkey, but also areas where Kurdish political parties, organizations and actors are active. The CPIN could also refer to local media sources such as [Bianet](#), a reliable news portal concerned about reporting news based on peace journalism perspective.

The CPIN's quality is undermined by the complexity of Kurdish politics in Turkey and instead of referring to the parties' sources, it refers to news agencies that cover what mission these parties undertake at local and national levels. The Democratic Regions' Party (DBP), for instance, is identified as a party 'formed to operate on behalf of the HDP [People's Democratic Party] at local level', while, when we look at their charters, we see that [DBP](#) and [HDP](#) had different missions and therefore, their members and leaders sometimes face different types of human rights violations. The lawyers of the DBP co-leader Mehmet Arslan, for example, noted that Arslan were beaten to faint following his rejection to naked strip search.²

Parts of the CPIN combines current political dynamics regarding the HDP and the Gulenist movement. Although members, supporters, or sympathizers of these two different organizations have recently been encountered similar or the same human rights violations, the CPIN sometimes fails to point out different aspects of major events, such as the failed coup attempt, and their relations with these two. Although the Gulenist movement was accused of staging the failed coup, the CPIN does not explain why the government targeted the HDP supporters and arrested or dismissed mayors after the failed coup attempt. The CPIN should also acknowledge that the prosecutors charging the HDP's ex-co-leaders Demirtaş and Yüksekdağ have been arrested on the ground that they are members or supporters of the Gulenist movement.

The CPIN says 'following the attempted coup in July 2016, some offices of the HDP in south east Turkey came under attack, with attacks attributed to vigilante groups motivated by hate speech from state officials and the media'. However, attacks on HDP all around Turkey started before June 7, 2015 election, two years before the failed coup attempt. This tell us that the CPIN should go back and examine the attacks on the HDP more closely.

Number of the HDP mayors removed from their posts increased from 28 in 2016 to 93 in 2018 and none of these cases are related to the failed coup attempt, but affiliated with the PKK. Similarly, number of the arrested HDP executives, members and supporters should be updated.

The CPIN states that the UN Special Rapporteur visit to Turkey in November and December 2016 says torture was widespread following the failed coup attempt and ceased after this initial phase. Recent reports³ indicate that leaders, members, supporters, and sympathizers of Kurdish political parties have been tortured.

The HDP, the DBP, the Democratic Society Congress demand autonomy not only for Kurds, but whole Turkey; however, as their demands have been criminalized and are linked to the PKK, legitimacy criteria (Policy Summary 3.1.2) becomes arbitrary rather than a neutral term.

Following the repeated election in 2015, failed coup attempt in 2016, and ongoing State of Emergency create an uneven playing field for all opposition groups and parties, especially Kurdish political parties. This should be acknowledged by the updated CPIN. Also, Turkey's military operations in Afrin,

² <http://bianet.org/english/human-rights/194878-parliamentary-inquiry-by-hdp-regarding-battery-to-dbp-co-chair-arslan-in-prison#>.

³ http://www.ihd.org.tr/wp-content/uploads/2017/12/cezaevi_raporu_2017.pdf; <http://www.ihd.org.tr/cukurova-bolgeci-hapishaneleri-hasta-mahpuslar-raporu/>; <http://www.ihd.org.tr/ic-anadolu-hapishaneleri-2017-hasta-mahpuslar-raporu/>.

northern Syria, and possible attacks on other Kurdish-led de facto autonomous administrations in Syria and Sinjar increase the risk as the Kurdish political parties are the most visible opponents of these operations.

The suicide car bomb attack in Kayseri was admitted by the TAK, while the CPIN, referring to BBC, says ‘no group has admitted carrying out the attack, but Turkish officials say it bears the hallmarks of the outlawed Kurdistan Workers Party (PKK)’.

In explaining the possible link between the HDP, the DBP and the PKK, the CPIN refers to Daily Sabah, a pro-government news source. It would be better if

The Turkish government submitted a European Court of Human Rights a 139-page report in defence of arrests of HDP MPs. This report should be examined and referred in the CPIN to understand how the government perceives the link between the PKK and the HDP and how it justifies arrests of HDP MPs, members, and supporters.

Sezai Temelli and Pervin Buldan became the new co-leaders of the HDP; Bekir Bozdağ became Deputy Prime Minister. These replacements should be updated.

[Freedom in the World 2018](#) should be cited to update information about Turkey.

The CPIN refers to AI Monitor that says ‘the growing public outrage turned against the Kurds’. Here "the Kurds" is a bit unclear as not all Kurds are being targeted by public outrage, but those Kurds who openly support the HDP. When referring to those who have been oppressed by the state forces or public outrage, a specific term should be used instead of generalizing.

- **Summary of recommendations**

<u>Main Suggestions relating to the CPIN:</u>	
1. Ensure that primary sources were cited and reports of local NGOs were included	Partially accepted. We prefer to use primary sources when possible. However, see the covering response re: our use of non-English language material.
2. Update information about the number of HDP mayors removed from their posts and arrested and as well as number of HDP members arrested	Accepted. We will update the CPIN(s) following, and incorporating suggested material in, this review.
3. Avoid mentioning the Gulenist movement and the Kurdish political parties in the same context as they have been charged for different reasons	Accepted. We will address this point when we update the CPIN(s).

4. Refer to the most recent reports and statistics to explain the limits that the political parties, journalists, and activists encounter in Turkey	Accepted. We will update the CPIN(s) following, and incorporating suggested material in, this review.
5. Mention Turkey's recent military operation in Afrin, northern Syria, and how this has influenced the general public attitude towards Kurdish political parties	Accepted. We will update the CPIN(s) following, and incorporating suggested material in, this review.

1.3.2 August 2017 Turkey: Kurdistan Workers' Party (PKK)

The relation between the Kurdish armed groups that have a complex structure makes it difficult for the report author to explain clearly what the PKK and affiliated organizations have been seeking. The report is based on secondary sources, usually from Western states' reports and analysis of Kurdish armed groups and their actions. The armed conflict between the PKK and the Turkish army/police re-erupted in July 2015 and the reason, according to the report, was violence committed by the PKK and PKK-affiliated groups. However, the government decided to launch military operations and airstrikes after two police officers were killed in Ceylanpinar, Şanlıurfa, (cited in USSD's 2015 Terrorism Report) however there has been no evidence that they were killed by the PKK or its affiliate organizations, and all suspects arrested on the ground that they are the PKK members or supporters have been released recently. Killing of two police officers were considered as the final move bringing an end to the negotiations between the PKK and the Turkish government.⁴ This information should be updated.

Turkish armed forces committed serious violations and killed civilians during 2015-2016 clashes in the cities of Diyarbakır, Şırnak, Mardin and Hakkari. This has been investigated and confirmed by international organizations as well.⁵ This is very relevant to see the scope of Turkey's anti-terror law and to what extent the Turkish armed forces were allowed to operate in the name of counter-terrorism. The report should cite such investigations and update information regarding the outcomes of clashes in the cities and towns.

⁴ <https://bianet.org/bianet/insan-haklari/194813-ceylanpinar-da-2-polisin-faili-mechul-cozum-sureci-bitti-yuzlerce-kisi-oldu>; <https://bianet.org/bianet/siyaset/194800-ceylanpinar-cinayetiyle-ilgili-kim-ne-demisti>.

⁵ See http://www.ohchr.org/Documents/Countries/TR/OHCHR_South-East_TurkeyReport_10March2017.pdf

There have been increasing allegations about torture in prisons. As noted earlier, especially the IHD's reports should be read and referred to see the recent violations of human rights in the prisons.

Some terms, such as "individual factors, fair trial, disproportionate, discriminatory etc." are not clearly identified in the report and the practices in the investigations and hearings may be problematic and self-commented, especially during the ongoing State of Emergency.

Relatives of the PKK members and supporters encounter serious harassment and discrimination especially when they attempt to take their bodies and bury them. Also, graves of the PKK members and supporters have been destroyed in many areas and this could be considered a form of inhuman and degrading treatment both to themselves and their relatives.⁶

Information regarding the formation and evolution of Kurdish organizations is usually taken from Western states' reports and analysis, rather than sources of these organizations. Use of primary sources may be better to see the process that these organizations have experienced.

Independence and autonomy are two separate concepts. The PKK launched its organization and attacks with a purpose of establishing an independent and united Kurdistan as noted in its first manifesto, but in the 1990s the PKK revised its goals and declared that it will maintain its struggle for autonomous regions in Turkey, Syria, Iraq, and Iran. The report says the PKK and the TAK seek independence or autonomy in southeast Turkey, yet no reference is given to the TAK or the PKK directly. Concrete examples of autonomy projects are studied in academic research⁷ and they may be helpful to see how the PKK construct its autonomy model.

Also, the TAK's car bomb attack in Ankara was conducted, according to the government sources, by Salih Nekar who was allegedly a People's Democratic Units (YPG in Northern Syria) member. Although the TAK and the YPG denied this, the government insisted on this and claimed that the YPG started targeting Turkey's integrity and national unity, which led to a major shift in Turkey's refugee policy as well as increasing aggression towards Syrian Kurds. The TAK claimed that its member Abdalbaki Sömer conducted the attack. The transborder mobilization of the PKK and its affiliate organizations should be examined carefully and included in the report as there are Syrian Kurds in Turkish prisons as well and they have been accused of being engaged in transborder 'terrorist' activities. Statistics may be requested from the Turkish authorities. The TAK, contrary to the attacks it conducted, did not claim the attack in August 2012 in Gaziantep, and this should be noted in the report.

⁶ See a recent report by the IHD <http://www.ihd.org.tr/bitlis-ili-tatvan-ilcesi-yukariolek-koyu-yakinlarindaki-mezarligin-279-mezar-ortadan-kaldirilmasina-dair-rapor/>.

⁷ See İsyandan inşaya: Kürdistan özgürlük hareketi by Joost Jongerden, Ahmet Hamdi Akkaya, Bahar Şimşek; Rojava: Bir Demokratik Özerklik Deneyimi by Yasin Duman; The ambiguities of democratic autonomy: the Kurdish movement in Turkey and Rojava by Michiel Leezenberg.

Mentioning the Islamic State and Revolutionary People's Liberation Party-Front shift attention from the PKK and the TAK. There is no need to mention attacks committed by these two as they may be perceived as cooperating with the PKK and the TAK, which is widely accepted argument by the government.

The PKK claimed the attack on convoy of the CHP leader Kemal Kılıçdaroğlu in Artvin, but announced that it did not target Kılıçdaroğlu himself, but the police accompanying him.⁸ However, the PKK targeted and claimed the attacks against political figures of the ruling Justice and Development Party in Van, Şırnak, and Hakkari.

The PKK also abducted Erhan Pekçetin and Aydın Günel, two members of Turkish National Intelligence Organization in the city of Sulaimania in the Kurdistan Regional Government-Iraq. This information could be added to the section mentioning the PKK's hostages.

In addition to the TVs, radio stations, newspapers, and journals, Kurdish language institutions and art and culture centres were also closed charges of spreading terrorist propaganda. Arzela Culture Centre, Mesopotamia Culture Centre, Istanbul Kurdish Institute, Kurdî-Der were among these institutions. Recently, managers and editors of a daily newspaper of Özgürlükçü Demokrasi were removed from their posts and its office was raided by the police in Istanbul. Özgürlükçü Demokrasi was founded after Kurdish newspapers were closed by the government's decree.

- **Summary of recommendations**

<u>Main Suggestions relating to the COI Requests:</u>	
1. Ensure that primary sources were cited in explaining the formation and evolution of the Kurdish armed groups	Partially accepted. We prefer to use primary sources when possible. However, see the covering response re: our use of non-English language material.
2. Ensure that the complex relation between the Kurdish armed groups is addressed correctly	Accepted. The coverage will depend on the need for detail relative to the purpose and scope of the CPIN.
3. Refer to recent studies to uncover main motivations of Kurdish armed groups	Accepted. The coverage will depend on the need for detail relative to the purpose and scope of the CPIN.

⁸ <http://www.bbc.com/turkce/haberler-turkiye-37194539>.

4. Avoid mentioning the Kurdish armed group and socialist movements, Gulenist movement and radical jihadist groups in the same context as they have different motivations and have been charged for different reasons	Accepted. We will update the CPIN(s) following, and incorporating suggested material in, this review.
5. Ensure that the transborder mobilization and activism of the PKK's and the PKK's affiliate organizations are covered in detail	Accepted. The coverage will depend on the need for detail relative to the purpose and scope of the CPIN.
6. Mention Turkey's recent military operation in Afrin, northern Syria, and how this has influenced the Turkish government's approach towards Syrian Kurds taking refuge in Turkey	Not accepted. We do not believe this is necessary given the purpose and scope of the CPIN.
7. Update all the relevant information regarding the PKK's attacks, the ongoing cases, as well as the government's policies since the last year	Accepted. We will update the CPIN(s) following, and incorporating suggested material in, this review. The coverage will depend on the need for detail relative to the purpose and scope of the CPIN.

1.4 Understanding of the themes addressed in the CIG Reports

1.4.1 August 2017 Turkey: Kurdish political parties

It is concluded that the report reflects prevalent legal usage and academic understanding of the themes under consideration in a well-structured way.

1.4.2 August 2017 Turkey: Kurdistan Workers' Party

It is concluded that the report has some difficulties in prevalent legal usage and academic understanding of the themes under consideration. This does not stem from the report itself, but from the complexity of the structure of and relations between the Kurdish armed groups. Reference to academic studies may be helpful in figuring out that.

1.5 Quality and balance of sources

1.5.1 August 2017 Turkey: Kurdish political parties

Range and reliability

In general, the CPIN offers a balance of reliable sources. The sources are relevant to the time period covered by the CPIN report. References to the international NGOs, western states' reports, and international media channels are included as third-party sources, yet more up to date information can be sought from local NGOs and local media. Also, use of primary sources could increase quality of the report.

Currency

Majority of the cited sources are from the last three years. As the political dynamics in Turkey change very fast, the report should cite the most recent sources.

Transparency and traceability

Only one reference was missing among the sources. Source of the UN Special Rapporteur's visit to Turkey was not cited. All the others were fine in terms of transparency and traceability.

1.5.2 August 2017 Turkey: Kurdistan Workers' Party

Range and reliability

In general, the CPIN presents a good balance of reliable second-hand sources. Although it is important to benefit from third-party sources for the sake of impartiality, referring to primary sources is equally important to understand the motivation behind specific choices and acts of Kurdish armed groups. The cited sources partly fail to address their main motivations.

Currency

Majority of the cited sources are from the last three years. As the political dynamics in Turkey change very fast, the report should cite the most recent sources.

Transparency and traceability

Only one reference was missing among the sources. Source of the UN Special Rapporteur's visit to Turkey was not cited. All the others were fine in terms of transparency and traceability.

[Note to Reviewer: The review should then comment on each section (each section should be titled and reference made to the section of the CIG Report being referred to) that contains Country of Origin Information. Reviewers are not asked to comment on the Policy Advice contained in the CIG Reports.

Individual paragraphs being considered should be quoted in full, or if very long, in as much detail as is needed to be understood. The reviewer's assessment of the cited material should be clearly identified, and if an amendment is recommended the source of the suggested information should be provided in a full citation.

It may be useful to comment on the Structure (the organisation of the section, where it appears in the report) and the Content (whether a finding is accurate, up to date, balanced, and complete) of individual sections separately.]

2 August 2017 Turkey: Kurdish political parties

2.1 4. Legal Position

This section explains legal mechanisms of political activity in Turkey.

The report cites the US Department of State's Country Report on Human Rights Practices for 2016 that says 'the [Turkish] constitution and law provide citizens the ability to change their government through free and fair elections based on universal and equal suffrage conducted by secret ballot'. [Freedom House's 2018 report](#) on Turkey indicate that there have been serious concerns about political rights and freedoms as well as practices damaging free and fair elections. Also, recently amendments made to the electoral law and the opposition parties, the Republican People's Party and People's Democratic Party, [expressed](#) their concerns and said this may lead to election fraud and legitimize corruption. The author can read a detailed [analysis](#) of the changes brought by this amendment. The [new amendment](#) should be reviewed to claim that in Turkey free and fair elections are still possible.

Accepted.

We can supplement the current information with more sources, however the last two links are in Turkish. See the covering response re: our use of non-English language material.

2.2 5. People's Democratic Party (HDP)

2.2.1 History, Beliefs and Aims

The HDP is an alliance of many ethnic, religious, and political groups. However, there were minority candidates in the BDP, a party joined the HDP, as well and this is not only related to HDP's election strategy but pro-Kurdish rights parties' understanding of struggle for broader rights for all. The HDP has Turkish and Islamist candidates as well, but the report does not mention this, and that profiles the HDP as a party seeking to cooperate with minority groups only. Rest of the information provided are correct and reliable.

Accepted.

We will include the fact that Turkish and Islamist candidates belong to the HDP if we can find a relevant source (or cite the reviewer as the source).

2.2.2 Elections of June and November 2015

From June to November 2015 elections a lot have changed in terms of Kurdish political parties. Increasing violence and armed conflict between the Kurdish armed groups and the state forces, criminalization of the activities of the HDP, and public outrage towards the HDP's demands dramatically decreased playing field of the HDP. A detailed [analysis](#) on the HDP and elections in 2015 have just been published. The author can refer to this analysis to expand on the challenges that the HDP encountered.

Accepted.

We are unable to access tandfonline. However, we recognise there have been changes in the Turkish political landscape that will be reflected in the update to the CPIN following this review. This will include use of material recommended by the reviewer.

2.3 6. Peace and Democratic Party (BDP)

All the information provided about the BDP is correct and reliable. The review has not additional comments or suggestions.

n/a

2.4 7. Democratic Regions Party (DBP)

Referring to International Crisis Group's report, the author says the DBP acts at local level on behalf of the HDP. As noted earlier, they have been formed for different purposes and in different ways. Although they ideologically share a lot and have been in solidarity, their roles are different. The DBP was formed to establish what the PKK calls 'democratic autonomy' at local level and the HDP to represent its components

Accepted.

We can try to better reflect the differences between the HDP and the

and find solution to their problems at the parliament. They both failed to fulfil their missions for reasons stemming from themselves and the political system/dynamics in Turkey. It was the DBP executives and members who [declared](#) 'democratic autonomy' in the towns and cities.

The government removed mayors from the DBP from their offices. The DBP released [a report](#) on the trustee-led city councils. The author may have a look at to see the reaction of the DBP to the government's policy replacing the mayors.

All the rest of the information provided about the DBP is correct and reliable. The review has no additional comments or suggestions.

BPD, but the CPIN does already make clear they are two distinct parties. The quote from the ICG is direct from their report.

2.5 8. Government Treatment of the HDP

2.5.1 8.1 Association with the PKK

This section of the report is mostly based on Erdogan's statements on the PKK. The charges imposed on the HDP mainly stem from Erdogan's claims that there is a link between the HDP and the PKK. Needless to deny an ideological closeness between the two, as the report states, the HDP and the PKK are not the same. The HDP explicitly supports and propagates the PKK's autonomy model and believes it should be expanded throughout Turkey, as declared in its party program. This is not something new. The report should highlight this.

As 2015 June election showed, the HDP's success in elections means failure of Erdogan's party as the AKP and the HDP are the two most popular parties in east and southeast Turkey. As November 2015 elections showed, criminalizing the HDP offers an advantage to the government party because people become distant to the HDP and vote for the AKP, especially in east and southeast Turkey.

[A recent study](#) attempts to understand how the HDP has been targeted by the security forces and public outrage following the government's statements on the HDP. The author may have a look at it to update the information in this section.

Claims of the Ministry of Justice, as noted on Daily Sabah's coverage, should be checked with other sources. The reviewer could not have access to the report of the Ministry from its website or any other online source. Some of the claims are baseless and are not about the HDP, but the DBP. For instance, Daily Sabah says 'hiring sympathizers and members as well as relatives of the detainees of the organization into key positions in municipality posts and providing them with regular salaries' are considered as support

Accepted.

We will include information stating that the HDP supports the PKK's autonomy model and this will be included when we update the CPIN after the IAGCI meeting.

We will also include information from other sources that would balance the information from Daily Sabah, if such information is available in English. See the covering response re: our use of non-English language material.

We are also unable to access tandfonline.

to the PKK. The conflict between the PKK and Turkish state started in 1984 and tens of thousands of people were killed, detained, and arrested. It is very difficult to find a family none of its members have been involved in this conflict, especially in small areas such as Yuksekova, Cizre and Nusaybin. Given that Turkey's [definition of terrorist and terrorist activity](#) is very broad, millions of people can be put into these categories very easily. Therefore, claims of the ministry should be examined carefully and checked in terms of reliability and reasonability. The author may read a recently published [study](#).

2.5.2 8.2 Restrictions

All the information given in this section is correct and from reliable sources. The report should include information about the [HDP MPs](#), including former co-leader of the party Figen Yuksekdag, who were removed from their posts for various reasons. Leyla Zana, for instance, was removed from her office because she did not repeat her oath at the opening of the parliament. Faysal Sariyildiz, an MP from Sirnak, was charged of being a PKK member and supporting the attacks against the state forces in Sirnak and Cizre, and as he did not attend the sessions in the parliament he was dismissed. It is recommended that the report includes all these cases and presents reasons of the dismissals of the HDP MPs.

Accepted.

We will include some of this information, although probably not in the detail suggested and only if we can find a suitable source. See the covering response re: our use of non-English language material.

2.5.3 8.3 Police searches of HDP offices

Police raids on the HDP offices [maintain](#). The author should consider updating the information regarding the recent ones, especially before the [8th March](#) and [21st March](#), and will probably happen on 1st May, as well. These dates are the times that the party mobilizes its supporters and meets masses of people to convey political messages.

Accepted.

The updated CPIN will contain updated information about police raids. However, see the covering response re: our use of non-English language material.

2.5.4 8.4 Lifting of parliamentary immunity

Number of jailed HDP MPs and municipalities taken by the government should be updated. The lift of immunity mainly worked against the HDP MPs and legislative decrees were implemented to take the municipalities. This indicates that the Kurdish political parties have been directly targeted by the government's regulations. 7 HDP MPs and 1 CHP MP are still jailed.

Accepted.

We will reflect this in the updated CPIN.

2.5.5 8.5 Exclusion from cross-party events

Exclusion of the HDP from cross-party events and negotiations on domestic and international politics started following June 2015 election. As the report accurately addresses, the HDP was excluded from both the post-coup talks in the palace and the rally. As the polarization increases among political parties, the AKP and the MHP coalition excludes not only the HDP but also the CHP and newly established İyi Part (Good Party).

The HDP could not attend and/or was [excluded](#) from the [new constitutions' negotiations](#) as its constitution commission members have been arrested. The report should provide details of this exclusion.

Accepted.

The updated CPIN will contain updated information. However, see the covering response re: our use of non-English language material.

2.5.6 8.6 Referendum of April 2017 (Presidency)

The pre-referendum policy of the government towards the HDP should be examined in relation to the June and November 2015 elections. The HDP, as noted earlier in the review, was the main party to prevent the AKP from forming a government in June election. If the HDP cannot pass the 10% election threshold, all the votes it gets from east and southeast Turkey go to the AKP. Therefore, preventing the HDP by arresting its members and criminalizing it, the government intends to keep the HDP votes under threshold and gain more parliamentary power to pass the laws and amendments it wants with a majority vote. This has been discussed in the academia as well. A [recent study](#) calls it Erdoganism with four dimensions: electoral authoritarianism as the electoral system, neopatrimonialism as the economic system, populism as the political strategy and Islamism as the political ideology. The author may look at this section from an elaborated perspective. [HRW's report](#) may still be helpful to provide more details on the lifting immunities and pre-referendum arrests and dismissals.

Partially accepted.

It may be helpful to our users to provide further information on this subject, but we are unable to access tandfonline and the second link is to a source already used in the CPIN.

2.6 9. Arrest and detention

2.6.1 9.1 Arrests of HDP members and supporters

Information regarding the number of arrested HDP members and supporters should be updated. The former Justice Minister Bekir Bozdag was replaced by Abdulhamit Gul (should be edited in 9.1.5).

Accepted.

It is recommended that Freedom in the World 2018 report be cited to update the information regarding the arrests.	The next version of the CPIN will contain updated information and the suggested source will be consulted.
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2.6.2 9.2 Criminal indictments and accusations

The case of the HDP’s former co-leader Demirtas continues. He has attended several courts after one year of being jailed and criticized the judicial system and influence of the government on the case. The HDP supporters were not allowed to enter the saloon of the court. International observers were denied access to Demirtas’ trial.	Accepted. We will update the CPIN following this review
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2.6.3 9.3 Conditions of detention

As noted earlier in this review, the conditions in the prisons vary and the report should include recent statements of the IHD and bar associations in east and southeast Turkey. Diyarbakir Bar Association’s report and Union of Turkish Bar Association’s report may be useful to investigate conditions of detention. The jailed HDP MPs have recently been visited by other HDP MPs and some CHP MPs. The newspapers and online news editors can also send questions to the jailed MPs and have interviews.	Accepted. Information relating to prison conditions will be included in the Turkey: Prison conditions CPIN. However, see the covering response re: our use of non-English language material.
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2.7 10. Suspensions and dismissals from political office

The review has no additional comments or suggestions in this section and those mentioned earlier ones about dismissals and suspensions should be considered and cited in this section as well.	n/a
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2.8 11. Societal violence

A detailed analysis of societal violence against the HDP can be found in a recent study . The HDP’s report may also be useful to read and cite.	Accepted. However, see the covering response re: our use of non-English language material.
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2.9 12. State Protection

Trials of the attacks against the HDP in Diyarbakir prior to June 2015 election and in October in Ankara on the day of Peace Meeting continue. Both attacks were conducted despite police presence in the area of the meetings. The report should mention those two major events in details. 10 October Association's [report](#) should be cited to identify problems regarding state protection.

Accepted.

However, see the covering response re: our use of non-English language material.

3 August 2017 Turkey: Kurdistan Workers' Party

3.1 4. Partiya Karkerên Kurdistanê (PKK) and affiliates

3.1.1 4.1 Partiya Karkerên Kurdistanê (Kurdistan Workers' Party) (PKK)

The PKK is considered from a terrorism perspective as the cited sources repeatedly mention this. Given that the primary concern is security, the cited sources address these concerns well. The report should further consider that the PKK is also an organization with [political claims](#), such as [confederalism](#), and [transborder mobilization](#) (Turkey, Iraq, Iran, and Syria). The de facto autonomous administration in [northern Syria](#) is an outcome of the PKK's political claims and transborder mobilization.

Also, the PKK's decision of ceasefires and willingness to negotiate a political solution to the conflict has been surpassed in the report.

Jane's Sentinel Security Assessment cited in this section needs two corrections. I) Fehman Huseyin and Bahoz Erdal are the same person, as Bahoz Erdal is the nom de guerre of Fehman Huseyin. II) Nurettin Halef al-Muhammad's nom de guerre is Nurettin Sofi, not Sofi Nurettin.

The link to US State Department's Human Rights Practices Report does not work. In the citation it says 'the government alleged the PKK had used children as suicide bombers' but no citation has been provided as evidence.

Use of reliable and traceable sources is highly recommended. It also recommended that the report should present the PKK's non-violent characteristics and acts.

Partially accepted.

The first two sources are too detailed for the purposes of the CPIN. The third source ('transborder mobilisation') may provide some useful background information. The fourth source ('northern Syria') is in Turkish. See the covering response re: our use of non-English language material.

We will seek further verification (and, if necessary, correct) the material from Jane's Sentinel as part of the update to the CPIN which follows and incorporates this review.

3.1.2 4.2 Koma Civakên Kurdistan (Kurdistan Communities Union) (KCK)

The information about the KCK is very limited. The author may consider reading and citing a primary source, the KCK's [Contract](#), explaining in details the structure of the KCK.

Partially accepted.

We feel that the information provided about the KCK is sufficient for the purposes of the CPIN, but will review to see if some further detail could be included. However, see also the

	covering response re: our use of non-English language material.
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3.1.3 4.3 Halkların Birleşik Devrim Hareketi (People’s United Revolutionary Movement) (HBDH)

The HBDH is a relatively new formation of an alliance between Kurdish and Turkish leftist groups. More details can be found on its website .	Partially accepted. We will discuss with end users whether they are receiving claims on this basis before deciding whether to include something on this group at this time. However, we thank the reviewer for the suggestion.
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3.1.4 4.4 Yekîneyên Parastina Sivîl (Civil Defense Units) (YPS) & Yurtsever Devrimci Gençlik Hareket (Patriotic Revolutionary Youth Movement) (YDG-H)

The information about the YPS and the YDGH is very limited. In 2016, an interview was conducted with an YPS members and it can be cited to provide more details about the YPS and evolution of the YDGH. Given that the YPS was founded to fight an urban war, it is still actively operating in east and southeast Turkey. To include more information and materials about the YPS, the author may visit the YPS’s website .	Partially accepted. We feel that the information provided about the YPS and YDG-H is sufficient for the purposes of the CPIN, but will review to see if some further detail could be included. However, see also the covering response re: our use of non-English language material
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3.1.5 4.5 Kurdistan Freedom Falcons or Teyrenbazen Azadiya Kurdistan (TAK)

The full name of the TAK is Teyrêbazên Azadiya Kurdistan and should be edited in the report. As noted earlier, autonomy and independence are separate concepts, but the report says the TAK seeks independence or autonomy. The sources cited in this section does not mention this. On its website , the TAK says it is ‘an organization that was given birth by the conditions which is deemed Kurdish People and their leader worthy of’. Justifying the information provided in the report, the website gives more details that have	Partially accepted. The full name of TAK will be corrected as we update the CPIN following and incorporating material from this review.
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not been covered by the news agencies and think-tank analyses. It is highly recommended that the author reads and cites it as primary source.

However, see the covering response re: our use of non-English language material.

3.2 5. Situation in the east and south-east

3.2.1 5.1 PKK related violence

It would be incorrect to claim that the Kurdish armed groups are not related with each other at all. However, we should keep in mind that the PKK has no full control over all the armed groups. Given that the TAK acknowledges some of its members were former PKK guerrillas, this does not mean that TAK is under direct control of the PKK. The TAK finds the PKK's methods "weak" to achieve freedom of Öcalan and Kurds. The TAK identifies itself as an "organization of revenge" and explicitly states that Turkish security posts and units, touristic areas, and civilians directly or indirectly coordinating with the state's forces will be targeted by its members. In an [interview](#) with one of the KCK executives, it is noted that the PKK does not support attacks on civilians but the honoured TAK's attack on soldiers in Ankara. This indicates that although the PKK and the TAK claim they are not related, they agree that army and police are potential targets.

In the same interview, the KCK executive says following the Turkish army's attacks in the cities and towns, the youths launched a new phase of war of self-defence against the state forces and we [the KCK, the PKK] have decided to support their self-defence in all ways. Further details on the curfews and clashes in the cities and towns can be found in the reports of [Human Rights Foundation of Turkey](#) (HRFT).

The TAK's attacks in 2016 and 2017 started following these clashes and deaths of hundreds of civilians in the cities and towns curfew was declared by the governors. As noted in the CPIN, 'the Cizre basement incident' was the most striking mass killing of the time. Details of this and other incidents can be found in the report of the HRFT.

Accepted.

However, see the covering response re: our use of non-English language material.

3.2.2 5.2 Government human rights violations

Contrary to what human rights organizations and media sources reported, the state authorities never accepted that state forces killed civilians during the clashes and all the killed civilians were reported as PKK

Accepted.

The first and second sources are in Turkish and we are unable to open the

<p>members of PKK supporters. The report's references are reliable and recommended sources, so should be kept as it is and updated if new ones have been released. The review has two additional suggestions.</p> <p>As noted in the CPIN, many journalists were jailed, (see Nedim Türfent's case) after their coverages about the clashes and violation of human rights by the state forces and authorities with charges of making propaganda and promoting the YPS's actions. In addition, some journalists were attacked by the state forces. Pressure on the journalists continue and the CPIN should dedicate a separate section for this.</p> <p>The government's post-conflict policy has influenced thousands of people in the curfew areas, as noted in a report by Union of Chambers of Turkish Engineers and Architects (TMOBB). The CPIN should include details of the post-conflict situation and practices.</p>	<p>last source. See the covering response re: our use of non-English language material.</p> <p>We will also consider whether to include information about journalists here or in the Turkey: Journalists CPIN.</p>
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3.2.3 5.3 Immunity from prosecution

<p>In addition to the 'law making any prosecution of the military and public officials, including the police, engaged in counterterrorism operations dependent on administrative permission', the government issued another law lifting prosecution of civilians involved in suppressing 'terrorist acts'. The government declared the latter was limited to the post-July 2016 coup attempt and will include the incidents on 15 and 16 July only. However, the opposition parties expressed their concerns that it will be a part of all anti-government demonstrations and will create a huge animosity among citizens.</p>	<p>Accepted.</p> <p>However, see the covering response re: our use of non-English language material.</p>
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3.3 6. Anti-terror law

3.3.1 6.1 Law 3713 on the Fight against Terrorism

<p>The scope and ambiguity of the anti-terror law has been well addressed in the CPIN report. The review has no comments or suggestions for this section.</p>	<p>n/a</p>
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3.3.2 6.2 Use of anti-terror law

<p>The review recommends that the author adds some recent examples to show the broadness of the scope and ambiguity of the definition of the law. As the CPIN states, it has been mostly pro-Kurdish politicians and journalists affected by anti-terror law. However, following the failed coup attempt and declaration of state of</p>	<p>Not accepted.</p> <p>These issues are covered in the Turkey: Journalists and Turkey: Gulensim CPINs.</p>
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emergency, a wider community of politicians and journalists have been influenced. The case of daily Cumhuriyet is a recent example. A [list](#) of jailed journalists can be found at Union of Turkish Journalists.

Academics for Peace's declaration was also considered as a terrorist act. Hundreds of academics were removed from their positions and they encounter serious challenges in finding jobs as they have been blacklisted. More details can be found at their [website](#) and should be cited directly to explain how they have been influenced by the anti-terror law.

3.3.3 6.3 Numbers of arrests and detentions

Ministry of Justice [announced](#) in February 2018 the number of people arrested in the state's security forces' anti-terror operations. Accordingly, 38,470 from Gulenist movement, 10,079 from the PKK, and 1,354 from ISIS (IS, ISIL). These number should be updated.

Accepted.

The CPIN will include updated statistics in respect of the PKK; those related to the Gulenist movement will be included in the Turkey: Gulenism CPIN.

3.3.4 6.4 Fair Trial

[The World Justice Project Rule of Law 2016 Index](#) shows that Turkey's global rank is 99 out of 113 countries examined. When Freedom House 2017 report was taken into consideration, one can easily claim that Turkey has been doing worse since the last few years. Long periods of detainment, lack of a systematic prosecution, and politicized cases are indicators of this. The Index also states that the government has a strong influence on criminal justice. It is highly recommended that the author includes the index's findings and combine them with Freedom House 2017 report.

Many of Kurdish politicians and journalists have been arrested following testimonies of anonymous witnesses. The case of Nedim Türfent is one of them. [Witness protection program](#) in Turkey differentiates anonymous witness and protected witness; however, many of the anonymous witnesses in Kurdish cases have been found non-existent. This was recently observed in the HDP's former co-leader [Demirtas's trial](#). It is highly recommended that all these should be included in the fair trial section.

Accepted.

Both the World Justice Project Rule of Law 2016 Index and the Freedom House report will be consulted when the CPIN is updated, but as the former is dated 2016, it may be of limited value for us.

The other suggested sources are in Turkish. See the covering response re: our use of non-English language material.

3.3.5 6.5 Conditions in Detention

As the number of prisoners increase conditions get worse. Two reports citing several sources present statistics and information about the conditions in detention. [The Human Rights Association's 2016-2017 report](#) investigated around six thousand incidents of human rights violations. [European Courts of Human Rights'](#) updated note on Turkey is also important to cite in the CPIN.

Accepted.

Information on prison/detention conditions will be included in the Turkey: Prison conditions CPIN in future.

4 Review of responses to COI requests

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

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

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

4.1 COI request – [Political affiliation, 9/1/2017 [01/17-007]

The HDP members have been encountering mass detentions and some of them seek to apply for asylum.

The reviewer seems to address the problem by giving references to some news agencies and as noted earlier, thousands of HDP members have been detained by Turkish police officers. The problem that the CPIN must address, I believe, should be under what circumstances the detained HDP members have been held and what kind of violations they face during their detention. Declaration of State of Emergency has limited playing field for the HDP members. The information says 'the claimant in the above mentioned case is a low level member of the HDP', but does not explain what a low level membership is. Does it mean that the risk is smaller? If yes, why is it so?

Indeed, the claimant being detained two times and beaten during the latter indicates that he is likely to be arrested and beaten/tortured again, especially under the circumstances that torture and other kinds of human

n/a.

It is unclear what specific recommendation(s) is/are being made in respect of this specific response.

We are unable to provide further details on the case in question; this is the information provided to CPIT.

rights violations in prisons and under detention have been increasing in Turkey. The Human Rights Association's 2017 report named '[One Year under State of Emergency](#)' is highly recommended for review as it explains not only the conditions and gives statistics regarding the problem. A to-the-point [report](#) prepared by the HDP based on the prisoners' meetings with their families also summarized the violations in prisons. If the claimant has ongoing trials in Turkey, his/her return may very likely to result with his/her arrest, as the number of detained and arrested HDP members increases, in some cases, no matter whether these members have a low or high profile in the party.

With respect to the reviewer, they are speculating somewhat on whether the person will likely be arrested again, let alone mistreated; ultimately this is a matter for the decision maker to decide, particularly given they have all the facts of the individual case before them.

4.2 COI request – [Religion, Ethnicity – Treatment of Kurds, 20/03/2017 [3/17- 059]

Hostile treatments against Kurds who have not been involved in political activities.

The responses address well the increasing intolerance to Kurdish people in the public and the reasons have been justified with academic resources. I agree with all the comments and need to remind that Kurds who have been active in politics, no matter they are party members or not, are very likely to face physical and psychological attacks in their day-to-day interactions with people who have opposite ideas due to anti-Kurdish sentiments.

However, there are some cases that allegedly Kurdish citizens were attacked, or in some cases, attempted to be lynched with no personal political conflicts in the background, but simply because they have been identified as terrorists or the PKK supporters. Some of them are as following

1. <http://t24.com.tr/haber/erzurumda-kurt-iscilere-saldiri,339447>
2. <https://www.evrensel.net/haber/260435/muglada-zorla-ataturk-bustu-opturulen-ibrahim-cay-jandarma-isin-icinde>
3. <https://www.youtube.com/watch?v=6eJonKIGHPo>
4. <https://www.birgun.net/haber-detay/giresun-a-qiden-kurt-iscilere-fasist-saldiri-86476.html>

Given that the claimant has an ongoing criminal case and no political reasons have been identified, whether he will be attacked or encounter human rights violations is not clear. Based on the CPIN and the response, I believe it is very important to consider the incidents of mass public attacks and lynch attempts against Kurdish civilians. If Kurds have been attacked for previous personal political conflicts or politicized reasons, they are very likely to be at a heightened risk.

Thank you for the positive response.

See the covering response re: our use of non-English language material.

With respect to the reviewer, assessments of risk in individual cases should be left to the asylum decision maker who has all the facts of the individual case before them.

4.3 COI request – [Citizenship, Statelessness, 24/06/2016 [06/16-041]

Does the annulment of this law (No 403) mean that the applicant has effectively never lost his Turkish citizenship status?

Does the law (No 5901) mean that it is necessary for the applicant to re-apply for his citizenship?

If he has to re-apply, what is the procedure he has to follow?

<p>Information on whether the applicants has lost his Turkish citizenship may be accessed through several ways the response has provided, website of the Turkish Population Directorate is one of them.</p>	
<p>5. The Law (No 5901) and Article 43 (amendment number 19/10/2017-7039/32) says, upon their applications, if the applicants do not threaten national security and without looking if they have been resident in Turkey, they may be given citizenship.</p> <p>6. This means that if the applicant is sure, can prove that his citizenship is withdrawn, and he is not considered as a national security threat to Turkey, he may apply and be re-admitted to citizenship.</p> <p>7. The claimant can re-apply through Turkish state representative offices abroad. Turkish Embassy in London. Requirements of applications are as follow</p> <ul style="list-style-type: none">• Documents showing file number if the time and reason of citizenship withdrawal is known• Citizenship document and passport (if the applicant is a citizen of another country)• Civil status document (original copies and their Turkish translations)• Application form• A petition for male applicants to commit to undertake military service• 2 photographs• Application/Process fee• In person application and appointment are must	<p>Accepted.</p> <p>We will include this detail if we can find a relevant source (or cite the reviewer as the source).</p> <p>See the covering response re: our use of non-English language material.</p>

4.4 COI request – [Legal system; judiciary, 18 September 2017, 09.17.052]

<p>The response clearly explains the regulations.</p> <p>Recently, some of the Gulenist movement members were detained and brought to Turkey from Kosovo and Gabon by Turkish National Intelligence Organization. The Ministry of Justice has not provided details yet, but</p>	<p>Accepted.</p> <p>Thank you for the positive response and the additional information. See the</p>
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[the minister](#) said some of the movement members left the country during 17-25 December 2013, three years before the coup attempt, and now the Turkish government tries to bring them Turkey for prosecution. These people are being accused of planning the coup. To the public knowledge, it is unknown whether these people have been involved in the planning of the coup attempt and if the Kosovar and Gabonian governments convicted and sentenced them for the alleged activities. [The Turkish Penal Code amended in 2016](#) says the following

Conviction in a Foreign Country

Article 9

(1) Any person who is convicted in a foreign country for an offence committed in Turkey shall be subject to retrial in Turkey.

Offences Committed During the Performance of a Duty

Article 10

(1) Any person who is employed as a public officer or is charged with a particular duty by the Turkish State and who, in the course of that employment or duty, commits a criminal offence shall be tried in Turkey, despite having been convicted in a foreign country in respect of his acts.

Offences Committed by Citizens

Article 11

(1) If a Turkish citizen commits an offence in a foreign country that would amount to an offence under Turkish law and that offence is subject to a penalty of imprisonment where the minimum limit is greater than one year, and he is present in Turkey, and upon satisfying the conditions that he has not been convicted for the same offence in a foreign country and a prosecution is possible in Turkey, he shall be subject to a penalty under Turkish law, except in regard as to the offences defined in Article 13.

(2) Where the aforementioned offence is subject to a penalty of imprisonment, the minimum limit of which is less than one year, then criminal proceedings shall only be initiated upon the making of a complaint by a victim or a foreign government. In such a case the complaint must be made within six months of the date the citizen entered Turkey.

Article 13

covering response re: our use of non-English language material but we have been able to access an English-language version of the Turkish Penal Code online.

We do not plan to update the response and/or CPIN now – particularly given the Gulenist CPIN was reissued in February – but we continue to monitor events in respect of the Gulenist movement and the Turkish authorities' response to it.

(1) Turkish law shall apply to the following offences committed in a foreign country whether or not committed by a citizen or non-citizen of Turkey:

a) Offences defined in Chapter I, Volume II;

b) Offences defined in Parts 3-8, Chapter IV, Volume II;

Torture (Articles 94-95);

c) Intentional Pollution of the Environment (Article 181);

d) Production and Trade of Narcotics or Psychotropic Substances (Article 188);

Facilitating the use of Narcotics or Psychotropic Substances (Article 190);

e) Counterfeiting Money (Article 197), Manufacturing and Trading of Instruments used in the Production of Money and valuable Seals (Article 200); Counterfeiting a Seal (Article 202);

f) Prostitution (Article 227);

g) (Abolished on 26 June 2009 – By Article 1 of the Law no. 5918)

h) Seizing control or hijacking of air, sea or rail transport vehicles (Article 223, paragraphs 2 and 3) and offences relating to the damaging of such vehicles (Article 152).

(2) (Paragraph 2 Added on 29 June 2005 – By Article 2 of the Law no. 5377). Except for offences defined in parts 3, 5, 6 and 7 of Chapter IV, Volume II, conducting criminal proceedings in Turkey for crimes within the scope of paragraph one shall be subject to a request of the Ministry of Justice.

(3) Even where a conviction or acquittal pursuant to the offences listed in paragraph one subparagraphs (a) and (b) have occurred in a foreign country, criminal proceedings in Turkey shall be conducted upon the request of the Ministry of Justice.

4.5 COI request – [LGBTI persons, 20 November 2017, 11/17 – 035]

Discrimination against LGBTI persons in Turkey

The response does provide important and to-the-point evidence on the day of the event as well as the official and public attitude towards LGBTI persons in Turkey.

Could you please find information about Police action on this date?

In addition to the provided news reports, I would like to add [this link](#) that shows images and a short of video of the day in Istanbul.

Is there evidence to demonstrate how this would be received by Turkish society in general and by Turkish Kurds in particular? Also, what would be the state treatment of such a person?

Although the LGBTI persons have an association in Diyarbakir, conservative Kurdish community does not widely welcome them. The People’s Democratic Congress organized a panel on LGBTI rights in the city of Diyarbakir, but encountered [protests by the Islamist organizations](#) and parties carrying hate banners and shouting Islamist slogans declaring the LGBTI persons perverts. [In an interview](#), a LGBTI person from Diyarbakir says ‘being homosexual or trans person means being the other of the other. For them it is very difficult to live with their homosexual or trans identities, however, we stand with our true struggle to the end. We are in contact with LGBT persons from Mardin, Batman, Gaziantep, Şanlıurfa, Siirt [Kurdish majority cities]’.

[Another interview](#) widely explains discrimination against the LGBTI persons in Kurdish areas.

Has the judgement of YY v Turkey practically impacted the approach of Turkey to sterilisation of people wishing to transition?

Apparently, no. No legal amendments have been made in the Turkish Civil Code since the final resolution of the YY v Turkey case.

Accepted.

Thank you for the positive response and the additional information. See the covering response re: our use of non-English language material but we will refer to the English-language source(s).

We will also reflect on whether we need to update the Turkey: sexual orientation CPIN to include this.

4.6 COI request – [Freedom of movement – Illegal exit from Turkey, 29 June 2017, 06/17-093]

Regulations regarding citizens of Turkey who travel illegally.

The response is based on legal texts and trustable. However, in [the Turkish version](#) of the Turkish Passport Law, Article 33 says

‘Citizens who entered Turkish Republic’s border without a passport are fined with an administrative charge between 1000 and 3000 Turkish Liras’.

It would be good if the respondent or reviewer check this information.

Accepted.

Thank you for the positive response. However, see the covering response re: our use of non-English language material.

4.7 COI request – [Treatment of Alevi Kurd DHKP-C supporter, 2/12/2016, 11/16-078]

Upon return to Turkey is the subject likely to be of interest to the Turkish authorities given his claims?

The state police forces have been conducting operations against the DHKP-C militants and supporters in Turkey. Recently, the police raided bureau of [Yürüyüş](#), DKHP-C’s journal, in Istanbul. [Lawyers](#) allegedly affiliated with the DHKP-C were arrested.

[The Greek government refused](#) to extradite DHKP-C members to Turkey on the ground ‘that there is no guarantee for fair trial’ in Turkey.

Given that he is an Alevi Kurd does not directly put him under the risk of being prosecuted and arrested, but the fact that he is at the same time a sympathiser of the DHKPC tells that upon return to Turkey the subject is likely to be of interest to the Turkish authorities given his claims.

Accepted.

Thank you for the positive response and the additional information. See the covering response re: our use of non-English language material but we will refer to the English-language source(s).

With respect to the reviewer, assessments of risk in individual cases should be left to the asylum decision maker who has all the facts of the individual case before them.

4.8 COI request – [Treatment of associates of ‘Revolutionary Headquarters’, 5/7/2016, 06/16-066]

The first-hand information about the Revolutionary Headquarter can be accessed from its [website](#) with majority of the entries in Turkish. Articles on the website shows that there is a connection between the PKK and the Revolutionary Headquarter

[Joost Jongerden and Ahmet Hamdi Akkaya](#) (p. 134) note in an academic study that the Revolutionary Headquarter militants have been trained by the PKK.

Similarly, [a report by the Turkish Police Academy](#) notes ‘that Orhan Yilmazkaya founded the Revolutionary Headquarter in 2005 based on Marxist-Leninist ideas. He had a leftist background and started his political journey in in 1994 in the Socialist Labour Party (SIP). He later joined the pro-communism and nationalist Kurdish political platform called Bedrettin Movement. He was trained in the PKK camps in Iraq and Iran from 2002 until 2009. After his death in 2009, the Revolutionary Headquarter declared that Orhan Yilmazkaya Battalion will form the military wing of the Revolutionary Headquarter. Today, this battalion fights in Syria under BÖG/PURM’ (p. 29).

As noted in the response, there is no further information on Revolutionary Headquarter.

Accepted.

Thank you for the positive response and the additional information. See the covering response re: our use of non-English language material but we will refer to the English-language source(s).

5 Information about the Reviewer

Yasin Duman is an independent researcher who started doing research on Kurdish politics started in early 2013 with a study on peace, reconciliation and forgiveness among Turkish and Kurdish political immigrants in Belgium. Following his first research during his undergraduate years in Psychology at Bogazici University, he started a master’s degree in Conflict Analysis and Resolution at Sabanci University. His master’s thesis examined the emergence of Kurdish-led autonomous administration in northern Syria, also widely known as Rojava, from a conflict resolution perspective. He conducted extensive field research in northeast Syria (Jazirah Canton in Rojava) in 2014 and 2015. During his field research, he conducted in-depth interviews high-profile decision makers who are now taking leading roles in the region and their relations with the national, regional and international actors as well as representatives and/or members of many civil society organizations. Completing his academic research, he published a book of his thesis in Turkish (*Rojava: Bir Demokratik Özerklik Deneyimi [Rojava: an Experience of Democratic Autonomy]*) in July 2016 and has been working on an updated and extended version to be published in English. He also published several briefings and articles in Kurdish, Turkish, and English on Syrian Kurds and their transborder influences in Turkey, Iraq, and Iran. Besides his own academic works, he also worked for several organizations as research

coordinator and assistant. In 2014, he worked for Istanbul Policy Centre, a research centre of Sabanci University, to conduct a research on Kurdish parties and movements in Syria and the role and relation of the PKK in formation of the Kurdish autonomous region in Syria. He worked for scholars from Centre for American Progress, and Middle East Institute in 2015 in their research on dynamics of Kurdish political parties and June 7 2015 election. His role was to facilitate their meetings with high profile political leaders in Diyarbakır, Mardin, Batman, and Şırnak where Kurdish armed movements and political parties have been influential. Following the election, he was employed by a scholar from Open University to collect data for a research about post-election political representation in Kurdish region in Turkey. He visited and interviewed participants from NGOs and political parties in Diyarbakir and Van. He is probably one of the few Kurdish researchers who have had the chance to travel to Kurdish regions in Turkey, Syria, Iran, and Iraq recently and observe the political dynamics of Kurdish people and their movements. His publications are accessible from his [page](#) on Google Scholar.

Annex E

Meeting of the Independent Advisory Group for Country Information
10 May 2018, 2.00 – 5.00 pm

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

IAGCI members:

Laura Hammond, Chair (LH)
 Katinka Ridderbos, UNHCR (KR)
 Prof Giorgia Dona, University of East London (GD)
 Dr Nando Sigona, University of Birmingham (NS)

ICIBI:

David Bolt, Independent Chief Inspector (DB)
 Caroline Parkes, Inspector
 Hollie Savjani, Inspector

Home Office: Items 3-7

Jennifer Bradley
 Martin Stares (MS)
 Robin Titchener
 Emilia Brown
 Bill Lacey

Reviewers: Items 3-7

Dr Jane Freedman, Université Paris 8, CRESPPA-GTM, DRC reviewer (JF)
 Dr Gonceh Tazmini, Associate Member, Centre for Iranian Studies, London Middle East Institute, SOAS University of London, Iran reviewer (GT)
 Mr Yasin Duman, Independent Researcher, Turkey/Kurdish areas reviewer (YD)

Apologies:

Michael Collyer (University of Sussex)
 Patricia Daley (University of Oxford)
 Andrew Jordan (Immigration Upper Tribunal)
 Dr Ceri Oeppen, University of Sussex)
 Sue Pitt (Immigration Upper Tribunal)
 Harriet Short (ILPA)
 Julie Vullnetari (University of Southampton)

Agenda item	Discussion	Action
1. Chair's Report	<p>The Chair welcomed everyone to the Chief Inspector's Independent Advisory Group on Country Information.</p> <p>The Chair acknowledged the retirement of Andrew Jordan and welcomed Sue Pitt to the IAGCI. Sue was unable to attend this meeting, but the Chair and the Chief Inspector hoped to meet with her shortly.</p>	<p>Chair to organise a meeting with Sue Pitt</p>

	<p>The Chair expressed the hope that IAGCI would meet more frequently in 2018-19 (3 times if possible) in order to get through more reviews. The Chief Inspector noted that one of the reasons there had been fewer meetings in 2017-18 was that he had wanted to look more widely at the production and use of COI products.</p>	<p>Chair to propose dates for meetings in September and December 2018</p>
<p>2. Discussion of Independent Chief Inspector's inspection report 'Production and Use of Country of Origin Information' ⁶</p>	<p>DB briefed members on the key findings from his report, the recommendations and the Home Office response. The question for the group was whether any of this affected the way it should work in future.</p> <p>He linked the findings from this report to those from the 2017 inspection of asylum casework, which had identified issues with decision maker numbers and experience. DB was concerned about a gap of understanding between the producers of COI (CPIT) and the users in asylum casework.</p> <p>The Home Office had accepted 4 of the recommendations, for example, regarding the need for a risk register. But, 2 recommendations were rejected. To put this in perspective, only 11 recommendations in total (out of 288) had been rejected in the past 3 years.</p> <p>One of the rejected recommendations related to the need to adhere to the EASO guidelines or for CPIT to publish its own guidelines. The other referred to transferring CPIT to UKVI to bring it closer to its "customers".</p> <p>The Group discussed the merits of possibly commissioning some independent research on the relationship between COI and appeal success rates (on the understanding that the Home Office did not collect this data).</p> <p>Notwithstanding the disappointing response from the Home Office to the COI report, DB confirmed his view that IAGCI should continue with its programme of reviews, not least as he could not deliver this part of his statutory remit without IAGCI.</p> <p>The Group discussed the idea of an expert panel (as with drugs policy for example) which the Home Office could consult during the preparation of COI material, as a way of supplementing the independent pre-publication review (by ARC) and the post-publication</p>	<p>DB to speak to the HO re the data it holds and then to consider with LH if/how to commission some research</p> <p>All – to give further though to the idea of an expert panel</p>

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/677556/An_inspection_of_the_production_and_use_of_Country_of_Origin_Information.pdf

	<p>reviews by IAGCI. This was something members would consider and discuss further.</p> <p>NS queried whether decision makers considered COI on a transit country that a claimant may have passed through. Given the time pressures, the Group agreed that it seemed unlikely that decision makers would do so.</p> <p>Regarding next steps, DB reported that he was considering how best to follow up on the recommendations in the report, including those that had been rejected.</p> <p>LH closed the discussion.</p>	<p>and if/how this might work</p> <p>DB to follow up with the HO</p>
<p>3. Democratic Republic of Congo Review</p>	<p>The Chair introduced JF who had reviewed the Country of Origin Information on ‘DRC: Opposition to the government’ and ‘DRC: Women fearing gender-based harm or violence’ and Country of Origin Information Requests (COIRs).</p> <p>JF said that the CPIN on gender violence was broadly good. JF’s main recommendation would be to increase the focus on gender-based violence not directly linked to the conflict and not solely on sexual violence (for example, domestic violence, forced marriage, violence against widows). MS responded that where gender-based violence was raised in asylum claims it was typically conflict-related.</p> <p>JF also commented on the strength of customary law versus the applicability of new laws.</p> <p>JF said the political opposition CPIN was very out of date with references to a dead political leader, for example, when the political scene was rapidly evolving and complex. There was insufficient current information on other political groups and the arbitrary detention of supporters of some of these groups.</p> <p>French language sources were used by JF. These were more up to date.</p> <p>JF said that in terms of the COI requests, the majority were good. In one, there is an issue with knowing about a political party – information about the party was available only in French.</p> <p>MS said it was a point of principle to rely on English language sources – there was no in-house translation service and translation incurred significant costs. He</p>	<p>DB to produce a covering report and send to the Home Secretary</p>

	<p>was concerned about creating an impression that CPIT would undertake translations routinely. The Tribunal had made it clear that the onus was on individuals to provide translations if necessary.</p> <p>MS mooted the idea of engaging French and Belgian colleagues for DRC material as these countries had more significant numbers of claims from this group.</p> <p>KR highlighted that all the global agencies in DRC work in French (eg UN). She queried if this made the case for translation in this instance.</p> <p>GD asked if a recognised gap in a CPIN could be a justification for translation. MS agreed that this might be a trigger, but it was more likely that CPIT would look to see what was available in reports from European counterpart organisations.</p> <p>KR referred to the use of US State Department reports. UNHCR is reviewing the latest reports as they are the first to have been published under the Trump administration. So far, their analysis had shown a shift in how the reports deal with certain issues, for example, freedom of expression, reproductive rights (shifted to forced abortions), and gender-based violence. This raised question about whether State Department reports should be CPIT's 'go to' source when it was under time pressure to respond to a COI request.</p> <p>DB asked when in the 182-day asylum decision process COIRs were being raised, since this affected how long CPIT had to provide a considered response. MS stated that some questions CPIT received did not appear to be relevant to the claim, and there was a need to educate decision-makers about how to set out their questions and to identify which were most significant.</p> <p>LH asked JF to comment on the issues raised in an email received by IAGCI. MS rejected the assertion that an individual would be returned on the basis of a CPIN alone – there was scope for a claimant to submit their own evidence and right to appeal. JF was concerned that it was difficult to reflect a highly localised, volatile situation in a static CPIN.</p> <p>The Chair thanked JF for her work. MS, on behalf of CPIT, thanked JF for her contributions and positive feedback.</p>	
4. Iran review	The Chair introduced GT who had reviewed the CPIN on 'Iran: Background information, including actors of	DB to produce a covering report

	<p>protection, and internal relocation’, and the Country of Origin Information Requests (COIRs).</p> <p>Overall, GT considered the CPIN was comprehensive with broad themes and good data; a coherent and cogent piece of work. She indicated that her biggest issue was with the references. Some of the information was biased, with too much reliance on the US State Department and the ‘CIA Factbook’.</p> <p>For example, some of the reports referenced had been published by an Israeli think tank aligned with regime change. These references impaired the credibility of the report.</p> <p>GT noted that references to the Civil Code of Iran were very good and reliable. However, she commented that language is a problem, so made some suggestions of sources such as the Iran portal and other more neutral sources.</p> <p>Iran is often depicted as in a static state. In reality, the political landscape changes, though this is not always considered by researchers. GT commented it was difficult to feel this shift unless you were on the ground. She concluded that, considering the CPIN was desk-based research, it was a good report.</p> <p>LH flagged again the issue of sourcing. MS said CPIT needed to reflect what the sources said and commented that there is no source without bias, so the aim is to reflect all the views. LH said that the principle of triangulating sources should be followed. MS responded that there was perhaps scope to articulate the fact that more sources were used in the consideration of the CPINs</p> <p>KR raised the possibility of contacting and using experts, which would circumvent the translation issue. MS said there was scope, but there were challenges with time and the finding of someone willing to play that role. MS said CPIT had engaged with some organisations working on Iran-related issues in the UK.</p> <p>GD asked if there was a database of experts CPIT could use. MS responded they had an idea of who the relevant experts were, but there was no database.</p> <p>LH highlighted the differences in response to the policy position in COIR requests. MS responded that the main driver with COIRs was time. Responses were needed quickly. With CPINs, there was more time to</p>	<p>and send to the Home Secretary</p>
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	<p>consider the issues, and hence they developed the Secretary of State’s position on an issue.</p> <p>The Chair thanked GT for her work. MS, on behalf of CPIT, thanked GT for her contributions and positive feedback.</p>	
<p>5. Turkey/Kurdish Areas Review</p>	<p>The Chair introduced YD who had reviewed the Country of Origin Information on ‘Turkey: Kurdish political parties’; ‘Turkey: Kurdistan Worker’s Party’, and the Country of Origin Information Requests (COIRs).</p> <p>YD highlighted that Kurdish political parties functioned in a complex political environment and had some transnational elements. It was hard to understand what was happening on the ground without relying on primary sources. YD commented that there were now some English language reports by organisations on the ground.</p> <p>YD pointed to the breadth of the application of terrorist legislation to political opposition in light of the impending elections. He highlighted the regionalised nature of some political and violent activities.</p> <p>LH queried if issues were cross-referenced within CPIT reports. MS said that they were. LH asked about CPIT’s consideration of transnational movements. MS responded that the focus was on a Turkish national and risk of return. In this context, the PKK in Syria may be less relevant. YD highlighted the recent Turkish operation in a Syria-Kurdish area and how this was justified on the basis of transnationalism. The mobilisation and the application of the laws were also transnational.</p> <p>KR flagged an issue with Terms of Reference for CPINs. MS responded said that the drafting of these was being undertaken at the moment.</p> <p>LH raised an email concerned with the out of date nature of the CPIN on military service. YD’s summary response would be shared with CPIT.</p> <p>LH closed the discussion by flagging that academia was moving increasingly towards making more journal articles open source. This may improve CPIT’s access to information which may previously have been unavailable.</p> <p>The Chair thanked YD for his work.</p>	<p>DB to produce a covering report and send to the Home Secretary</p>

6. Selection of next countries for review	LH would review the publication schedule for CPINs, and look to identify 4 countries to review at each of the next 2 IAGCI meetings.	LH to propose the review countries/topics to DB
7. Dates of next two meetings	To be arranged – in September and December 2018.	

Annex F

Biographies of the Reviewers

Jane Freedman (Democratic Republic of Congo)

Jane Freedman is a Professor at the Université Paris 8 and a member of the centre de recherches sociologiques et politiques de Paris (CRESPPA). She has carried out in-depth research in the Democratic Republic of Congo, working with colleagues from the University of Kinshasa to organise several conferences on gender-based violence in the country. Her publications include a book entitled 'Gender, Violence and Politics in the Democratic Republic of Congo' (Aldershot, Ashgate, 2015). She has also carried out research on women seeking asylum in Europe, including Congolese women asylum seekers. In addition to her academic work, she has worked as a consultant for international organisations including UNESCO and UNHCR. Whilst working for UNHCR she helped to establish a research centre on women and peacebuilding in Kinshasa, and organised training and education programmes on prevention of gender-based violence in Goma and Bukavu.

Dr Ghoncheh Tazmini (Iran)

Dr Ghoncheh Tazmini is an Associate Member of the Centre for Iranian Studies, London Middle East Institute, School of Oriental and African Studies, University of London. She is an Iran country expert and a political scientist with two decades of scholarly experience, and years of fieldwork. She has specialist knowledge of Iran's domestic and foreign policy and of the post revolutionary legal-Islamic environment. Dr Tazmini has provided expert reports and reviews for NGOs, think tanks, law firms, and the First Tier Tribunal (Immigration and Asylum Chamber) in the UK. She has provided pro bono assistance in Germany, Portugal, Canada and the United States on asylum and human rights cases pertaining to Iran and its neighbouring countries.

Yasin Duman

Yasin Duman is a researcher with 5 years' experience of conducting research on Kurds and Kurdish political parties in Turkey, Syria, Iraq and Iran, including extensive fieldwork. In early 2013, he conducted a study on peace, forgiveness and reconciliation among Turkish and Kurdish political immigrants in Belgium. A graduate in psychology from Bogazici University, he took a Master's in Conflict Analysis and Resolution at Sabanci University, examining the emergence of Kurdish-led autonomous administration in northern Syria (Rojava) focusing on conflict resolution. His thesis was published in 2016. He has also published briefings and articles on Syrian Kurds and their trans border influences in Turkey, Iraq, and Iran.

