



“COI IN JUDICIAL PRACTICE”

PRACTICAL COOPERATION, EXCHANGING GOOD PRACTICES AND DIALOGUE ON THE ASSESSMENT OF COUNTRY INFORMATION (COI) AS EVIDENCE IN THE JUDICIAL REVIEW OF ASYLUM DECISIONS

A project co-financed by the European Commission

EVIDENCE AND COUNTRY INFORMATION (COI) IN THE PRACTICE OF EUROPEAN COURTS

A conference for judges in Budapest, 13-15 April 2011

The **Hungarian Helsinki Committee** and the **European Association of Asylum Law Judges** are delighted to invite you to the “Evidence and country information (COI) in the practice of European courts” conference, to be held in Budapest on 13-15 April 2011. The event is funded by the **European Commission**, with the support of the **UNHCR Regional Representation for Central Europe**.

PARTICIPANTS

The conference will bring together around **75 judges** dealing with asylum from **all EU member states**. Our aim is to ensure a **proper geographic and linguistic balance** and to particularly facilitate the participation of judges from Southern and Eastern EU member states.

PROGRAMME

The conference will equally include **plenary sessions** with panel discussions, and a **number of interactive workshops** in small groups, both facilitated by a balanced group of prominent judges, COI experts and leading academics. See the preliminary agenda on the following page, the final agenda and list of speakers will be available by early March.

LANGUAGE

The conference will be held in **English, French and German**, with simultaneous interpretation during the plenary sessions and a part of the workshops.

COSTS

Participation in the conference is **free of charge**. Moreover, due to the support of the European Refugee Fund **we can cover your costs of accommodation and meals during the conference**. The travel costs will also be reimbursed, but only for a limited number of participants from the following member states: Poland, Czech Republic, Slovakia, Romania, Bulgaria, Estonia, Lithuania, Latvia, Greece, Cyprus, Malta, Italy, Spain and Portugal. Please indicate in your registration form if you require the reimbursement of your travel costs. If you are eligible for travel cost reimbursement, the conference organisers will get back to you regarding the technicalities.

REGISTRATION

You can register by completing this simple registration form and sending it in e-mail to tudor.rosu@helsinki.hu. Please note that we have an indicative quota for participants coming from each member state in order to ensure balanced participation and a truly European dialogue during the conference. We strongly advise to register as soon as possible, as in case of too many registrations we cannot ensure that those registering later will also be accepted.

FRAMEWORK

The conference is the closing event of the **“COI in Judicial Practice” project**, implemented by the Hungarian Helsinki Committee. The project aims to promote the correct and harmonised implementation of Community legislation and international refugee law through the harmonisation of the appreciation of country information (COI) as evidence and thus asylum decision-making in general.

VENUE

Art'Otel Budapest, situated on the picturesque Danube riverside (a UNESCO World Heritage site). For more information see: www.artotels.com/budapest-hotel-hu-h-1011/hunbuart



PROJECT LEADER: HUNGARIAN HELSINKI COMMITTEE • PROJECT PARTNERS: INTERNATIONAL ASSOCIATION OF REFUGEE LAW JUDGES • AUSTRIAN RED CROSS / ACCORD • FRENCH NATIONAL ASYLUM COURT REFUGEE DOCUMENTATION CENTRE IRELAND • UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES REGIONAL REPRESENTATION FOR CENTRAL EUROPE • CZECH JUDICIAL ACADEMY



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PRELIMINARY AGENDA

Wednesday 13 April	
12.00-12.30	Registration of participants
12.30-13.30	Buffet lunch
13.30-15.30	<ul style="list-style-type: none">– Opening of the conference by the HHC, IARLJ and UNHCR– A comparative presentation of judicial review mechanisms in asylum cases in EU member states and COI infrastructures at European courts (based on recent research)– Presentation of the “Further Developing Asylum Quality” project of the UNHCR and its findings with special relevance for the judiciary
15.30-16.00	Coffee break
16.00-17.30	Panel discussion on the harmonisation of asylum-related judicial practices with special focus on the differences between legal traditions in Europe (standardised evidence assessment vs. <i>intime conviction</i> , cultural and linguistic barriers, etc.)
19.00	Welcome drink
Thursday 14 April	
9.00-10.45	COI quality standards as evolving legal requirements in the jurisprudence of the European Court of Human Rights and national courts in Europe (based on recent research)
10.45-11.15	Coffee break
11.15-12.45	<ul style="list-style-type: none">– Exemplary practices of evidence assessment and COI from outside Europe: COI, credibility and evidence assessment in the asylum-related judicial practices of Canada and New Zealand– COI and evidence assessment in the practice of international criminal courts
12.45-14.15	Lunch
14.15-15.45	Interactive workshops in smaller groups (see list of workshops below)
15.45-16.15	Coffee break
16.15-17.45	Interactive workshops in smaller groups (see list of workshops below)
19.00	Social dinner
Friday 15 April	
9.30-11.00	Interactive workshops in smaller groups (see list of workshops below)
11.00-11.30	Coffee break
11.30-13.00	<ul style="list-style-type: none">– The European Asylum Support Office and the Common COI Portal: role, functioning, time-line and relation and possible ways of cooperation with the judiciary– Closing remarks and follow-up plans
13.00	Lunch



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LIST OF WORKSHOPS

1. Do courts dealing with asylum need a COI unit?

- Description: Only a few national courts dealing with asylum have a specialised COI service. This workshop will present the functioning of these units and the advantages of such a service for the judiciary. The speakers will also familiarise participants with the special challenges judicial COI units face, the adaptation of products to the need of the judges and how such a unit can improve the judicial review of asylum decisions in practice. The possibility to create such services in other member states and opportunities for cooperation will also be discussed.
- Language: English

2. Inside the COI units

- Description: The workshop will present an insight into the work of COI researchers. Participants will also be familiarised with the functioning of COI services and will be provided with information on how to formulate effective information queries.
- Language: English

3. The European Asylum Curriculum, its COI Module and COI training

- Description: The European Asylum Curriculum (EAC, www.asylum-curriculum.eu) is a unique initiative aiming at creating a common knowledge basis and e-training tool for asylum decision-makers all over the EU. The EAC is currently focusing on administrative authorities, however, the idea of extending its target group is constantly raised by different actors and the workshop will provide an opportunity to discuss this possibility with regard to the judiciary. The COI Module of the EAC has proved to be a successful training tool already at various national and transnational courses, and participants will have the opportunity to get an insight into its content and structure.
- Language: English

4. Judicial guidance on COI

- Description: The workshop will present the judicial guidance paper on COI prepared by the International Association of Refugee Law Judges (“Judicial Criteria for Assessing Country of Origin Information (COI): A Checklist”). The content and structure of the document will be discussed, as well as its practical effect since its drafting in 2006. Speakers will also familiarise participants with the current initiative of updating the guidance paper, to which participants will have a chance to contribute with suggestions. Finally, practical experiences will be shared regarding the positive impact of enhanced judicial scrutiny over the use of COI in administrative practices.
- Language: English (with simultaneous interpretation into French and German if needed)

5. Introduction to COI research

- Description: Interactive introduction by professional trainers to COI research techniques, including specialised search engines (RefWorld and ecoinet) and source assessment. The workshop will be adjusted to the specific needs of the judiciary.
- Language: English, French and German (three workshops are planned in three different languages, if there is sufficient interest)

6. COI as a tool in credibility assessment: scope, limits and dilemmas

- Description: Credibility assessment is often a crucial element of asylum procedures, as the vast majority of asylum claims are decided upon credibility concerns. At the same time, credibility assessment is frequently criticised as an overwhelmingly subjective process, which is particularly difficult to assess in the framework of a judicial review process. This workshop aims to present the concept of internal and external credibility, as well as to show the role and limits of COI in credibility assessment.
- Language: English (with simultaneous interpretation into French and German if needed)



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7. Towards more uniformity in judicial decisions on asylum: the UK example of “country guidance cases”

- Description: The workshop will familiarise participants with the so far rather unique practice of “country guidance cases” in the UK, which was introduced in 2004 in order to enhance uniformity in the adjudication of asylum cases at national courts. In addition to sharing experiences, the workshop will also focus on the adaptability of similar systems in other jurisdictions.
- Language: English (with simultaneous interpretation into French and German if needed)

8. Fact-finding missions – collecting country information in the field

- Description: The workshop will present the framework and methodology of fact-finding missions and will discuss opportunities for the judiciary to be involved in these activities. Based on a wide range of practical experiences, participants will be shown how first-hand COI is collected in the field.
- Language: English (if there is sufficient interest, the workshop can be repeated in French)

9. Country of return information (CRI) – new field of COI?

- Description: Country information is more and more widely used in return proceedings (including both forced and voluntary return). Collecting and using country of return information presents similar, but in some aspects different challenges than COI. The workshop aims to familiarise participants with this emerging field of country information research and the current initiatives in place.
- Language: English (if there is sufficient interest, the workshop can be repeated in French)

10. Country experts and testimonial evidence in COI

- Description: The need for specialised country information, closely related to the individual circumstances mentioned in the asylum claim has pushed COI researchers to go beyond large and sometimes general reports. Country information has also been provided in the form of testimonials from experts and other local actors. The workshop aims to familiarise participants with the methodology used to obtain expert reports and also discuss the practices on how this particular type of evidence is assessed.
- Language: English



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