

URGENT ACTION

SWEDEN MUST STOP FORCED RETURNS TO IRAQ

Amnesty International has received credible reports that the Swedish authorities are planning to forcibly return several individuals whose asylum claims have been rejected to Baghdad, Iraq, on 19 January. Their lives could be at real risk in Iraq.

Credible sources have reported that several asylum-seekers are facing forced return to Baghdad, Iraq. Amnesty International understands that they include at least 14 individuals originally from particularly dangerous provinces (including Baghdad, Kirkuk and Ninewa (Mosul)), individuals from ethnic or religious minority groups who are at particular risk, or individuals who may face persecution on the basis of their gender or political opinion.

The Swedish authorities have maintained a policy of enforcing returns of Iraqis whose asylum claims have been dismissed, despite clear guidelines from the UN Refugee Agency (UNHCR) to the contrary. During 2009 and 2010 Swedish authorities forcibly returned Iraqis whose asylum claims were rejected on charter flights organized jointly with other European states, including Norway, the Netherlands and the UK. As recently as 15 December 2010, Sweden forcibly returned about 20 Iraqis to Baghdad. The UNHCR, reiterating its objection to such forced returns on 17 December, noted that there were five Christians originally from Baghdad among those forcibly returned. Christians have faced kidnapping and killing by armed groups. Dozens were killed in 2010, especially in Baghdad and Mosul, and churches were bombed.

Amnesty International believes that it is not safe to forcibly return anyone to the Iraqi provinces of Ninewa (Mosul), Kirkuk, Diyala, Salah al-Din and Baghdad, and to other particularly dangerous areas such as parts of Al Anbar province. Anyone facing forced return to any of these areas, regardless of whether they originate from those areas, should be granted asylum or alternative forms of protection. In those regions of Iraq serious risks, including the ongoing indiscriminate threats to life, physical integrity or personal freedom, arising from violence or events seriously disturbing public order are all valid grounds for international protection.

PLEASE WRITE IMMEDIATELY in English, Swedish or your own language:

- Urging the Swedish authorities not to proceed with forcible returns of individuals to Iraq, particularly to the provinces of Ninewa (Mosul), Kirkuk, Diyala, Salah al-Din and Baghdad, and other particularly dangerous areas such as parts of Al Anbar province, due to their facing a real risk of persecution or serious harm;
- Calling on the Swedish authorities to grant Iraqi asylum-seekers facing return to these provinces asylum or alternative protection, and where Iraqis do not qualify for such protection, nonetheless not to forcibly remove them if doing so would place them at real risk of persecution or serious harm;
- Reminding the Swedish authorities that Sweden is obliged, under the 1951 Refugee Convention, the European Convention on Human Rights and the Convention against Torture, not to return or otherwise remove anyone to any country or territory where they would face a real risk of persecution or serious harm, including grave human rights abuses such as indiscriminate threats to life, physical integrity or freedom arising from generalized violence.

PLEASE SEND APPEALS BEFORE 31 JANUARY 2011 TO:

Minister for Migration & Asylum Policy

Tobias Billström

Ministry of Justice

Rosenbad 4

103 33 Stockholm

Sweden

Fax: +46 8 20 27 34

Email: registrator@justice.ministry.se

Salutation: Dear Minister

Director-General

Swedish Migration Board

Dan Eliasson

601 70 Norrköping

Sweden

Fax: +46 11 10 81 55

Email: dan.eliasson@migrationsverket.se

Salutation: Dear Mr Eliasson

Also send copies to diplomatic representatives accredited to your country. Check with your section office if sending appeals after the above date.

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ADDITIONAL INFORMATION

Sweden is obliged under domestic and international law, including the 1951 Refugee Convention, the Convention against Torture and the European Convention on Human Rights, not to return anyone to a country where they would be at risk of torture and other grave human rights abuses, including indiscriminate threats to life, physical integrity or freedom arising from generalized violence.

In April 2010, Amnesty International issued a report (*Iraq: Civilians under fire*, MDE 14/002/2010, <http://www.amnesty.org/en/library/info/MDE14/002/2010/en>) highlighting the risks to people returned involuntarily to Iraq, who are among those particularly vulnerable to be targeted with violence.

At least five European countries—Norway, Sweden, Denmark, the United Kingdom and the Netherlands—have forcibly returned hundreds of Iraqis whose asylum claims had been dismissed since 2009. In the month of September 2010 alone, more than 150 individuals were returned from these five countries to Iraq. Many of these removals have been conducted in breach of UNHCR guidelines issued in April 2009 (and repeatedly reiterated, including as recently as September 2010) that identify particularly dangerous regions in Iraq to where no one should be forcibly returned – namely the provinces of Ninewa (Mosul), Kirkuk, Salah al-Din, Diyala and Baghdad. UNHCR also advised that no forcible returns should be conducted to other areas of Iraq unless an individual assessment has been carried out which indicates that it would be safe to return the individual in question.

Hundreds of civilians are still being killed or maimed every month in Iraq, notwithstanding the overall reduction in the civilian death-toll seen since 2008. Perpetrators of human rights abuses in Iraq include armed groups, militias, security forces and members of tribes. The recent publication of US secret and confidential files on the situation in Iraq by the Wikileaks organization has demonstrated again that civilians are the main victims of the ongoing violence in the country.

In practice, the number of Iraqi refugees seeking asylum in European states is relatively small compared to the numbers of those currently residing in states neighbouring Iraq. Syria hosts by far the greatest number of refugees from Iraq, followed by Jordan and other Middle Eastern states. Amnesty International is concerned that the increasing pattern of forcible returns from the Sweden and other European states sets a very poor example to these Middle Eastern states, whose resources have been stretched by the influx of people fleeing from Iraq, and may contribute to an overall weakening of the international system of refugee protection.

For more detailed information regarding Amnesty International's concerns about forced returns to Iraq, see the statement issued on 10 November 2010 (*European states must stop forced returns to Iraq*, EUR 01/028/2010, <http://www.amnesty.org/en/library/info/EUR01/028/2010/en>).

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