

URGENT ACTION

SWEDEN AND DENMARK FORCIBLY RETURN 26 IRAQIS

On 19 January, Swedish police confirmed that Sweden had forcibly returned 20 Iraqis to Baghdad, on a charter flight organized with Danish authorities, who also forcibly returned a further six Iraqis. Amnesty International considers that their lives could be at real risk in Iraq.

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.

The authorities in Sweden, Denmark, the Netherlands, Norway and the United Kingdom have maintained a policy of enforcing returns of Iraqis whose asylum claims have been dismissed, claiming that it is “sufficiently safe” to return people to Iraq, despite clear guidelines from the UN Refugee Agency (UNHCR) to the contrary. The UNHCR has repeatedly reiterated its objection to such forced returns by European states.

UNHCR officials reportedly met with several of those forcibly returned on 19 January from Sweden and Denmark, and continued to express concern about the practice of enforcing returns to Iraq.

Amnesty International continues to monitor the issue of forced returns to Iraq from Europe. In this instance, action taken by activists was unsuccessful, and the Swedish authorities proceeded notwithstanding any appeals they received. We hope, however, that in future the action taken by the UA network will prove decisive in stopping forced returns to Iraq.

No further action is needed on this appeal at the moment from the UA network. Many thanks to all who took action.

This is the first update of UA 6/11. Further information: <http://www.amnesty.org/en/library/info/EUR42/001/2011/en>

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ADDITIONAL INFORMATION

Sweden and Denmark are 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, Denmark 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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