



Q10370. Researched and compiled by the Refugee Documentation Centre of Ireland on 17 July 2009

Problems faced by failed asylum seekers upon return to Algeria

The *UK Home Office* states:

"The UNHCR highlighted its renewed concerns regarding returnees in a position paper published in December 2004, particularly in relation to returnees perceived as terrorists:

"UNHCR is concerned that asylum seekers found not to be in need of international protection, who are returned to Algeria may face hostile treatment due to the Algerian Government's perception that such persons may have been involved in international terrorism.

The position paper continues that Western government intelligence reports about terrorist infiltration into North African migrant communities in Europe may have heightened the suspicions of the Algerian authorities towards returnees, notably those linked with Islamist movements. The paper argues: "Therefore, there is a strong presumption that such persons may be subject to persecutory treatment upon return. ... Therefore, the UNHCR continues to emphasize the need to exercise the utmost caution when considering the forced return of rejected asylum seekers to Algeria." (UK Home Office (30 September 2008) *Country of Origin Information Report – Algeria*)

The Guardian newspaper reports:

"According the LDSG report, indefinite detainees were likely to come from one of four countries, Somalia, Iraq, Iran and Algeria, because they were deemed too dangerous to force repatriation or because they were refusing to take back exiled nationals as they lacked documents." (The Guardian (28 January 2009) *Asylum seekers 'dumped and forgotten' in detention centres, says report*)

The Independent reports:

" One person the Red Cross has helped in this way is a 56-year-old man from Algeria who left in 2001 fearing for his life and who does not wish to give even his first name. After his asylum request was rejected, he says he had to report to the police station every month while waiting for his appeal to be heard. On one occasion when he went to do this, he was arrested and deported he says mistakenly so. "When I got back to Algeria I was arrested, beaten and tortured and I was without my medicines [he is on medication for depression]. After some months I managed to see a doctor and they took me out of prison

and put me in a psychiatric hospital. I was there for nine months and I didn't really understand what was going on. I managed to get back to the UK in May 2007. I have to claim asylum again from the beginning as if I'd never been here before. If I go back to Algeria again I am sure I will be arrested. The Red Cross helped me find a solicitor. They also helped me see a doctor and gave me clothes. I don't want to be here illegally but I am not going back to Algeria." (The Independent (12 December 2007) *Conflict and its effect on the UK: Nowhere else to turn*)

A document published by the *Country of Return Information Project*, in a section titled "Entry procedure (proceeding authority, interrogation, control, detention, bribes, etc.)" (Paragraph 1.3), states:

"All the Algerian police stations at the air frontiers and the ocean frontiers are electronically connected to the central database, allowing for a quick control. Persons who are not the subject of a warrant or a detention order, or of an inquiry notice, are only held up for the time needed to check the database. Persons who are the subject of an inquiry notice of a warrant or a detention order, are immediately delivered to justice or to the authority who is searching them. In case of doubt, particularly in the case of people who assume to be granted the benefit of the charter for national reconciliation and who have not informed the consulate about this in the country where they stayed, may be interrogated at the police station when entering the territory. Following this they are authorized to enter and have total freedom of movement." (Country of Return Information Project (November 2008) *Country Sheet – Algeria*, p.9)

An *Amnesty International* document on the deportation of Algerians from the United Kingdom says that:

"Despite having failed to secure such an MoU with Algeria, and despite acknowledging that there is a risk for certain individuals upon return to that country, the government has claimed that "assurances" obtained from Algeria on a case-by-case basis would eliminate that risk in any event. In this context, since June 2006 the government has already deported six Algerian men to their country of origin. On their return to Algeria, each of the six was arrested and detained incommunicado by the DRS. In addition, two of them (see above, "H" and Reda Dendani) have now been charged, reportedly with 'participation in a terrorist network operating abroad'. The other four were released without charge." (Amnesty International (26 February 2007) *United Kingdom: Deportations to Algeria at all costs AI Index: EUR 45/001/2007*)

A statement on the situation for rejected asylum seekers from *Human Rights Watch* says that:

"In Algeria, Morocco, Jordan, and Tunisia, persons suspected of terrorist activity or labelled as such are specifically targeted for abusive treatment, including torture. Research by Human Rights Watch and Amnesty International, and detailed assessments of the United States Department of State, all demonstrate the very real risks of sending persons labelled as terrorism suspects back to these countries." (Human Rights Watch (23 June 2005) *UK: Empty promises can't protect people from torture*)

A *Guardian* article on claims by rejected asylum seekers from Algeria that the UK Home Office country reports do not accurately reflect the situation for returnees says that:

“It gets worse. The CIPU report also says: ‘Although no formal study has been carried out, all the interviewees believed they would have heard if such persons encountered serious difficulties ... none has complained of their treatment by Algerian authorities.’ They add that relatives would let it be known if someone has suffered. Unlikely: people often have no idea what has happened to refugees. Besides, many are scared themselves. The Algerian foreign ministry, the CIPU report continues, ‘advised that ‘deportees’ encounter no problems upon their return to Algeria’. What foreign ministry would say otherwise?” (Guardian (UK) (24 November 2004) *A pile-up of shameful contradictions* McFadyean, Melanie)

This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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