



Afghanistan – Researched and compiled by the Refugee Documentation Centre of Ireland on 24 January 2011

Information as to whether any EU Member State has an active policy of deporting failed asylum seekers back to Afghanistan.

A *Time* magazine article refers to the deportation of failed asylum seekers to Afghanistan as follows:

“In the past week, France and Britain have tried to take a more aggressive approach by forcibly deporting asylum seekers. At midnight on Oct. 20, a flight chartered by French and British immigration officials left Paris for Kabul, carrying 27 Afghans — 24 of whom had been deported from Britain and three from France. French Foreign Minister Bernard Kouchner, who visited Kabul last week, told reporters on Wednesday that ‘the situation of each Afghan migrant is examined individually.’ He added that the deportations had been conducted in accordance with international refugee conventions, and that the Afghan government had approved the flight plan.” (Time (23 October 2009) *Sending Europe's Asylum Seekers Home*)

See also *Radio France Internationale* report which states:

“Three Afghan asylum seekers were deported from France on Wednesday, in an unusual move for the country. The three men, originally from Kabul, were sent back on a joint charter flight with Britain despite protests from rights groups and the opposition. Speaking to French radio station Europe 1, French immigration minister Eric Besson confirmed the three had been picked up at Roissy airport by a flight carrying an unspecified number of deportees from Britain. It is the first joint migrant charter organised by the two countries since 2005. ‘We scrupulously respected the rights of these people,’ he said. ‘All had the opportunity to apply for asylum. Our asylum body the Ofpra, rejected their applications.’ Besson said that 180 Afghan citizens in France had voluntarily returned to their country since the beginning of the year. He also pointed out that many other European countries regularly deport illegal immigrants from Afghanistan. French President Nicolas Sarkozy recently announced France was to resume the joint forced repatriation flights with Britain on the condition that deportees are sent back to areas deemed ‘safe’.” (Radio France Internationale (21 October 2009) *Three failed asylum seekers forcibly deported*)

A *Gulf Times* article notes:

“France deported nine Afghan migrants on a charter flight yesterday, officials said, the second such controversial expulsion to war-torn Afghanistan in as many months. ‘The plane arrived. There are nine people. All from France,’ said Noor Ahmad Sarwary, an official with the German charity AGEF, which helps returnees reintegrate into society with cash assistance and employment opportunities. ‘We’ll take them to a guest house. We’ll provide them assistance, cash assistance as well as training, and help them reintegrate

and find jobs. We'll see what they're good at,' he added. It was the second expulsion of Afghans by charter plane since the closing in September of the so-called 'jungle,' a camp in Calais where many migrants and refugees assembled, hoping to cross the English Channel to Britain. In October three Afghans from France and 24 from Britain were repatriated, drawing protests from the left-wing opposition and humanitarian groups." (Gulf Times (17 December 2009) *Deported Afghan migrants arrive home from France*)

An article published by *The Telegraph* on the proposed deportation of Afghan asylum seekers from Britain states:

"Britain is to deport about 12 young asylum seekers a month to Afghanistan under new proposals to reduce the number of unaccompanied migrant children. Under the terms of UK Border Agency proposals, a dozen Afghan boys aged 16 and 17 will be deported each month to a new 'reintegration centre' in Kabul costing £4 million." (The Telegraph (8 June 2010) *Britain to deport 12 child asylum seekers a month to Afghanistan*)

This article refers to proposals by other European countries as follows:

"The move by the Border Agency follows a raft of similar proposals across Europe, with Norway, Sweden, Denmark and the Netherlands all reportedly planning to return young failed asylum seekers to Afghanistan." (ibid)

See also an article from *The Guardian* which states:

"The British plans form part of a wider European move to plan the return of unaccompanied migrant children to Afghanistan. Norway has also announced plans to open a reception centre in Kabul. Sweden, Denmark and the Netherlands are also reported to be preparing to return Afghan children to Kabul." (The Guardian (7 June 2010) *UK to deport child asylum seekers to Afghanistan*)

A statement published by the *Finnish Immigration Service*, in a paragraph headed "Due to lack of security, protection to be provided for persons coming from four provinces only", states:

"On the basis of a poor local security situation alone, the Finnish Immigration Service will only provide international protection to persons who come from one of four provinces of southern and eastern Afghanistan: Kandahar, Helmand, Khost or Kunar. Because of armed conflict, the security situation in those provinces is considerably worse than elsewhere and prevents the safe return home of asylum-seekers who originally come from there. These asylum-seekers are granted a residence permit on the basis of humanitarian protection if their applications do not include individual reasons for granting asylum or subsidiary protection. Asylum applications of Afghans coming from other areas are rejected and the applicants are refused entry and returned to Afghanistan unless they have individual reasons for the granting of a residence permit." (Finnish Immigration Service (20 April 2010) *The Finnish Immigration Service has reassessed the security situation in Afghanistan*)

A news report published on the English-language website *Views and News from Norway* states:

“Norwegian officials plan to set up a center in Kabul that can accommodate 100 young Afghans. Half are expected to be young asylum seekers who arrived in Norway but will be sent back to Afghanistan. A similar center is planned for Northern Iraq. Bakhtari doesn’t want Norwegian immigration officials to forcibly return young Afghan asylum seekers. Many of them have already suffered so much, she told Aftenposten, both in their homeland and on their way to Norway. Many have lost both parents in the war. ‘Forced return will subject them to new trauma, they will feel abused,’ she said. ‘That will lead to further burdens on Afghanistan.’ She also urged the Norwegians to ensure that the centers they plan to build will be used for teaching, job training and health care, and not simply as a place to shelter the young Afghans. Several human rights organizations also have criticized Norway’s plans. The Norwegian chapter of Save the Children (Redd Barna) says Norway needs to understand why young Afghans flee, arguing that many girls and boys are sold by their families to end up as virtual slave labour or in prostitution.” (Views and News from Norway (9 May 2010) *Ambassador blasts asylum plan*)

A white paper published by the *Norwegian Ministry of Justice and Police*, in a paragraph headed “Forced return” (paragraph 13), states:

“Norway pursues an active policy of return. Persons who do not have legal residence in Norway and who do not return home voluntarily will be forcibly returned. The Government wishes to intensify its efforts with regard to return and will consider various forms of fast-track processing to ensure that those who have received a rejection or who are staying illegally in Norway are returned more swiftly.” (Norwegian Ministry of Justice and Police (undated) *White paper on Norwegian refugee and migration policy in a European perspective*)

A *United Press International* report on the deportation of Afghans from Australia states:

“Australia says it has reached an agreement with the Afghan government that will allow it to deport thousands of asylum seekers back to Afghanistan. The agreement, signed Monday by Australian Immigration Minister Chris Bowen, Afghan Refugee Minister Jamaher Anwary and the United Nations high commissioner for refugees in Sydney, allows the forced return of Afghans whose bids for asylum fail, The Sydney Morning Herald reported.” (United Press International (17 January 2011) *Australia to deport Afghan asylum seekers*)

See also a January 2011 report from *The Australian* which states:

“Under the agreement, Afghans considered to be genuine refugees will still be allowed to stay but the new powers enable Australia to automatically send home those who fail. The agreement is also aimed at helping the Afghan government cope with the return of the unsuccessful asylum -seekers. Mr Bowen said it was a ‘fundamental’ feature of Australia’s immigration policy that ‘if you are not regarded as a genuine refugee you are returned’. ‘People who are not genuine refugees will be returned with dignity and humanity but they will be returned,’ he said.” (The Australian (17 January 2011) *Deal with Afghanistan on return of asylum-seekers aims to curb people-smuggling*)

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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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Finnish Immigration Service

Google

Human Rights Watch

International Crisis Group

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