Iraqi asylum seekers deported from Britain

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The Blair government's decision to circumvent injunction orders of the High Court and forcibly extradite 32 Iraqis back to the northern Kurdish region of Iraq marks a new low in the anti-democratic measures enacted by Home Secretary John Reid.

The asylum seekers were forced to return despite the advice of the Foreign Office and human rights organisations that the safety of failed asylum seekers back to Iraq can in no way be guaranteed. The fear of returning to a region swamped in violence provoked some to inflict self-harm, and 15 attempted suicide. Several needed stitches, and one took an overdose.

This is the first time removals will take place as a matter of policy while there are still legal challenges outstanding.

The asylum seekers were given less than a week's notice that they would be forcibly deported, giving legal representatives little time to make an appeal. A demonstration was mobilised outside the Home Office to protest the decision, demanding that all Iraqis be given fair legal consideration for asylum applications in Britain. Many Iraqis are fearful they could be deported at any time and with little or no warning.

Despite such short notice—and John Reid's warning that "nothing short of an injunction would prevent the action"—the Refugee Legal Centre, a charity offering legal advice and representation to asylum seekers, mounted a campaign to ensure the court heard the case against the deportations. They successfully convinced a High Court judge to grant five out of the six applications for injunction.

The government reacted to the ruling with a cynical manoeuvre. The five were removed from the flight, only to be replaced by another five who were next in line on the "stand-by" list. The military plane took off on schedule, flying on September 6 from the Brize Nortan air base to Irbil in northern Iraq.

The Refugee Legal Centre commented, "We fear that had all 32 been given meaningful access to representation, then many more would not be on the flight."

Maeve Sherlock of the Refugee Council said it was worried about the safety of those sent back: "Not only has the Home Office made it clear that they are willing to take the risk of returning someone who has legal proceedings outstanding, we cannot be sure that all those returned have had access to legal advice at all."

Despite government assurances that the Kurdish-controlled north of the country is relatively stable, much of the region witnesses ongoing violence between rival militias—particularly between the US-sponsored Kurdistan Democratic Party and anti-US insurgency fighters.

The human rights charity Amnesty International (AI) criticised the return of the asylum seekers to the "safe area" of the Kurdish Regional Government. AI warned that the area is still extremely dangerous, with disputing factions locked in bitter conflict since the invasion of Iraq: "To assume that people can be returned to Iraq in safety and with dignity, just because they are returned to Kurdish areas, could have grave implications for people's safety."

After the 2003 invasion of Iraq by US and allied forces, the number of Iraqis attempting to flee the war-torn region has steadily increased. There are now more than 30,000 failed Iraqi asylum seekers in Britain. In February 2004, ministers started to enforce the return of failed asylum seekers to the country, despite the fact that the threat to human life was much greater than before the invasion. Since 2000, more than 30,000 Iraqis have applied for asylum and more than 90 percent have been rejected.

In December 2005, the government forcibly extradited an Iraqi Kurd. He had been bundled on to a plane shortly after midnight and had not been given removal directions in time for him to consult lawyers.

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As with recent events, the High Court raised objections over the flagrant disregard for long-established legal procedures. Mr. Justice Collins said, “Frankly the court has got a little fed up with how the Home Office is putting these removals into practice.”

The judge called for talks between the judiciary and the Home Office so that “sensible arrangements” could be made.

After the judge’s criticisms, then-Home Secretary Charles Clarke said that “a regrettable mistake” had been made. Last week’s deportations cannot be construed as anything other than a deliberate policy to force asylum seekers back to a war-ravaged country, victims of the imperialist policies of the United States and Britain, its staunchest ally.

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