



## RESPONSES TO INFORMATION REQUESTS (RIRs)

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12 August 2005

### **COD100420.FE**

Democratic Republic of Congo: Treatment by government authorities of people sent back to the Democratic Republic of Congo after their application for asylum abroad has been rejected (August 2005)  
Research Directorate, Immigration and Refugee Board, Ottawa

The information on the risk faced by individuals sent back to the Democratic Republic of Congo (République démocratique du Congo, RDC) after their application for asylum abroad has been rejected is contradictory among the sources consulted by the Research Directorate.

Citing a 9 December 2004 letter from the British ambassador to the RDC, an April 2005 report from the United Kingdom's Immigration and Nationality Directorate indicated that there was no evidence that failed asylum seekers who were returned from European countries faced "persecution" by Congolese authorities (UK Apr. 2005, para. 6.267).

However, referring to a document published on 1 January 2005 by the United Nations High Commissioner for Refugees (UNHCR)-a document that the Research Directorate was unable to locate-the same British report stated that the UNHCR's position was that all Congolese citizens with real or perceived political associations were likely to run the risk of being subjected to ill treatment if forced to return to their own country after failing to acquire asylum abroad (*ibid.*, para. 6.268). The British report further indicated, citing the same UNHCR document, that such people, upon arriving at Ndjili Airport in Kinshasa, risked being subjected to abuse, intimidation, extortion and arbitrary detention by security forces (*ibid.*, para. 6.270).

Furthermore, recent sources indicate that failed Congolese asylum seekers run a serious risk of facing ill treatment, as well as extortion and imprisonment (BBC 24 June 2005; *The Guardian* 10 Apr. 2005; see also AP 23 June 2005). Citing the testimony of a Congolese human rights activist, sources reported that, at the Ndjili Airport, Congolese citizens deported from European countries are handed over by European escorts to the Congolese authorities who, after interrogating them, detain them in isolation before transferring them to the Makala Central Prison (*The Guardian* 10 Apr. 2005; IRR 2 Dec. 2004).

Two sources reported that the Dutch immigration minister had decided to temporarily halt the deportation of failed asylum seekers to the RDC; this followed the publication of reports indicating that the Congolese authorities had obtained confidential information on people deported from the Netherlands (BBC

24 June 2005; AP 23 June 2005). The fact that the Congolese authorities were aware of confidential information gathered by the Dutch government put failed asylum seekers at risk of ill treatment (ibid.; BBC 24 June 2005).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

### References

Associated Press (AP). 23 June 2005. "Dutch Govt to Stop Deporting Failed Congo Asylum Seekers." (Dow Jones & Company, Inc./Factiva)

British Broadcasting Corporation (BBC). 24 June 2005. "Netherlands Halts Congo Returns." <<http://news.bbc.co.uk/1/hi/world/europe/4618807.stm>> [Accessed 8 Aug. 2005]

*The Guardian* [London]. 10 April 2005. Jamie Doward, Sri Carmichael. "'Return At Any Cost' is Breach of Rights." <<http://www.guardian.co.uk/immigration/story/0,15729,1456319,00.html>> [Accessed 5 Aug. 2005]

Institute of Race Relations (IRR). 2 December 2004. Arun Kundnani. "The Grim Fate That Awaits Those Deported to Congo." <<http://www.irr.org.uk/2004/december/ak000003.html>> [Accessed 5 Aug. 2005]

United Kingdom (UK). April 2005. Home Office, Immigration and Nationality Directorate (IND). *Democratic Republic of Congo. Country Reports*. <[http://www.ind.homeoffice.gov.uk/ind/en/home/0/country\\_informat ion/country\\_reports.Maincontent.0045.file.tmp/DRC%20April%202005.doc](http://www.ind.homeoffice.gov.uk/ind/en/home/0/country_informat ion/country_reports.Maincontent.0045.file.tmp/DRC%20April%202005.doc)> [Accessed 8 Aug. 2005]

### Additional Sources Consulted

The office of the United Nations High Commissioner for Refugees in Ottawa did not respond to a request for information within the time constraints for this response.

**Publications:** *Africa Confidential*, *Africa Research Bulletin*, *Jeune Afrique/L'Intelligent*, Resource Centre country file.

**Internet sites, including:** AllAfrica, Amnesty International, Association africaine de défense des droits de l'homme (ASADHO), Digitalcongo.net, European Country of Origin Information Network (ECOI.net), Human Rights Watch (HRW), International Crisis Group (ICG), International Federation for Human Rights (FIDH), IRIN, MISNA, ReliefWeb, United Nations Organization Mission in the Democratic Republic of the Congo (MONUC).

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