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Foreign Office admits it doesn't know fate of DRC returnees

Internal emails show Home Office asking colleagues to confirm they are not aware of persecutions

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Home Office officials have been trying to persuade their Foreign Office colleagues to say publicly that it is safe to return people to the Democratic Republic of Congo despite the country having one of the worst human rights records in the world.

Internal emails obtained by the human rights organisation [Justice First](#), and seen by the Guardian, show Home Office officials requesting that their British embassy colleagues in the DRC capital, Kinshasa, issue a statement

saying they have no information that people are being persecuted after returning from the UK to the DRC.

FCO officials reply they do not monitor treatment of returnees and do not have the resources to do so. They add that to investigate this properly they would need to speak to key officials in the DRC, at the airport in Kinshasa, other embassies, UNHCR, other human rights organisations and returnees, but they are not able to do this.

The disclosure came as the Home Office has been trying to deport at least two people to the DRC.

For more than a decade, the UK government, courts and human rights campaigners have debated whether or not it is safe to forcibly remove people there from the UK.

The Home Office recently confirmed that between July 2015 and September 2018 46 people have been forcibly returned there. In contrast, in 2017 alone, [4,425 people were returned to India and 1,523 to Nigeria](#).



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In January this year, the Home Office updated its [country policy and information note](#) about the DRC. The admissions in the internal emails, that officials have not been able to document the fate of people removed from the UK, are not reflected in the new guidance.

Catherine Ramos, from Justice First, obtained the emails disclosed in a freedom of information response and has this week published a dossier of evidence including references to the emails and 18 cases where people have been deported from the UK to the DRC and suffered ill-treatment including imprisonment, torture and disappearance. The names of officials in the FoI response are redacted.

Evidence of torture in the DRC has been widely documented. [The Human Rights Watch 2019 world report](#) noted serious human rights violations against opposition supporters, peaceful protesters and human rights activists in the DRC. The charity Freedom From Torture [has documented](#) multiple accounts of torture in the DRC, including a high incidence of rape.

The two men threatened with deportation this week have similar stories to many on the [Jamaican charter flight](#) last month. They have lived almost all their lives in the UK and have no knowledge of or family connections in the DRC.

Rossi Lupepe came to the UK at the age of five in 1989 after leaving the DRC when he was six months old. His family fled fighting there. He was due to be

removed on Thursday but directions for his removal were stayed at the last minute.



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Thierry Mpia, 29, is due to be removed to the DRC on Saturday. Both men have criminal convictions.

On Friday Mpia's solicitor, Cyrielle Vallet Simond, from Duncan Lewis, lodged an asylum claim including the new information from Catherine Ramos's report *Unsafe Return III*. The Home Office has halted Mpia's removal and will now consider the asylum claim.

In the internal emails, a Home Office official states: "I can come up with a form of words to slot in any observations if that would help."

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One email states: "Our current position is that there is not a general risk to returnees. If the individual was detained there is likely to be a reason - at least we'd hope there is - probably some sort of political aspect to their profile (in which case it is slightly unfortunate that we missed this and returned them)".

The Home Office official states: "If I seem overly cautious I am concerned for both the individual and our ability to return people if this or other allegations are not explored and found to be wanting".

Another email states: "Do we need a telecom to discuss these issues[?] This is the second arrest and detention of one of our returnees."

In March 2017, the bishop of Durham presented a dossier to the immigration minister of evidence about ill-treatment of returnees to the DRC. The government agreed that the official response would be that it does not comment on individual cases. Several MPs, including John McDonnell and Keir Starmer, also raised issues of concern from their constituents' families about the fate of people returned to the DRC.



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Speaking from Harmondsworth detention centre near Heathrow, Mpia said: “I’d prefer to die in England than be sent back to [the] DRC. I haven’t lived there since I was three months old; England doesn’t want me but I’ve lived my whole life here. I’m not Congolese.”

Bella Sankey, the director of Detention Action, expressed concern about the email disclosures. “These emails show a government desperate to ignore repeated and credible allegations of victimisation of UK returnees to the DRC.

The government risks violating its legal and ethical obligations by continuing to return people to the DRC.”

A Home Office spokesperson said: “We only return those with no legal right to remain in the UK, including foreign national offenders and failed asylum seekers, where it is safe to do so. We carefully consider all asylum claims, including those made by foreign national offenders, on their individual merits and on the evidence available against available country information and relevant case law.

“Those found to be in need of protection are not expected to return to their country. Where a decision has been made that a person does not require international protection, removal is only enforced when we conclude that it is safe to do so, with a safe route of return.”

Home Office sources said that officials obtain information about country situations, including the treatment of returnees, from a range of sources including the Foreign Office, and that the Home Office’s proposed wording about returns was consistent with previous information provided by the Foreign Office.

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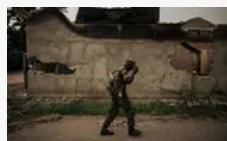


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