

Refoulement and Foul Play

“Let mutual love continue. Do not neglect to show hospitality to strangers, for by doing that some have entertained angels without knowing it. Remember those who are in prison, as though you were in prison with them; those who are being tortured, as though you yourselves are being tortured” (Hebrews 13:1-3)

The human rights situation in the DRC is desperate, especially in the east of the country. There are particularly grave concerns about the extent of sexual violence. Many of the perpetrators of the crimes are going unpunished. There are also deep concerns about the lack of freedom of expression and association of human rights defenders and opposition leaders in the DRC, as the country prepares to enter the pre-electoral period ahead of the November 2011 presidential elections.

There are also major concerns regarding the treatment of ‘failed asylum seekers’ being returned to the DRC from the UK. There is mounting evidence that they are being re-arrested and being subject to imprisonment and torture.

This is a human rights catastrophe, which seems to be passing much of the world by, although Amnesty International has noted that,

“The conflict in Democratic Republic of Congo (DRC) is one of the deadliest in African history. Since it began in August 1998, it is estimated that the fighting and its aftermath (poverty, disease, and malnutrition) have claimed more than five million lives.

The fighting at the end of 2008 has left the country on the brink of a humanitarian catastrophe. It is estimated that nearly 300,000 civilians were been displaced and were left without sufficient food, water, medical supplies or shelter.” (www.amnesty.org.uk)

Despite these huge problems many so-called asylum seekers have been returned to the Democratic Republic of Congo. A number of issues have been raised with regards to the practice. Firstly there has been no monitoring of asylum seekers returned to the DRC from the UK. If there had been better monitoring, then the UKBA might have noticed and spoken to the authorities in the DRC, about the detention and risk of ill-treatment during interrogation which many of those returned to the DRC are having to endure.

To give just one example, it is reported, that, “one female failed asylum seeker remained in hiding for a year but was located and arrested with her sister and daughters and taken into detention at

Tolerance Zero. She was tortured several times a week and subjected to rape on an almost weekly basis whilst in detention.” (“WAKE UP A DEVIL IN THE DARK”: OUTLINE OF REPORT)

Many of those sent back to the DRC are in family groups and a further problem is that children are particularly vulnerable in this process. They are often split up from their parents on return and on occasions these forced separations have continued for years.

Often the only way that returned asylum seekers can escape this hell is through the paying of bribes to officials. (ibid.)

The refoulement of asylum seekers to the DRC from the UK, despite the mounting evidence that they are being re-arrested soon after landing at Kinshasa, is therefore a matter of great concern. How can it possibly be happening?

About 10 years ago a journalist explained to me how and why so many sections of the popular press were so callous in their treatment of the asylum seeker issue. He told me the story of how the Daily Express had been struggling badly for sales as the Millennium approached. It was then taken over by new owners, who tried different front pages out to see which would be the most popular. The top three were stories concerning house prices falling, taxes rising and most popular of all stories which stirred up fears about asylum seekers and were completely negative about the impact of them coming to Britain. The stories tapped into a vein of prejudice in British society and then went on to further feed it.

It was commercial reasons which led the Daily Express and other tabloids to scapegoat asylum seekers, people who had fled here to escape persecution or war, and blame every ill of society on them. The breathtaking cynicism of newspaper owners in the pursuit of the bottom line of profits, without regard to any possible consequences, has of course been recently shown only too clearly in the exposure of the actions of employees at Rupert Murdoch's News International. It wouldn't be quite so bad, if their titles were the only ones which were prepared to ruin people's lives in the pursuit of a fast buck.

Sadly a number of tabloids have been only too happy to poison the public's perception of the asylum issue if it helps them to sell a few more copies in what is a declining and highly competitive market, as other forms of media act as increasingly effective opposition. And, of course, scapegoating asylum seekers in your newspaper had the added advantage of whipping up public opinion against them further, so ensuring that future anti-asylum stories would also garner good sales. So it was that the demonising of asylum seekers became a cash cow for a number of newspaper owners.

All this demonising then of course led to a rise in support for the BNP and pressure through parliament for greater and greater clampdowns on those who were fleeing war and persecution coming here. With a supposedly democratic parliament, in reality in thrall and in fear of a small number of unelected newspaper owners, so the pressure was onto keep the numbers of successful asylum seekers down

Locally what was happening was seen as far back as early 2004. It was then that a local campaign by people in South Shields to STOP the deportation of a family of Colombian asylum seekers. Of course those campaigning were people who had actually met and recognised the reyes-Prado family, as fellow human beings. Sadly the campaign was unsuccessful and the family of Jhon-Reyes Prado was deported. Within a week of this Jhon was shot and seriously wounded.

So it is that we now have so-called 'failed asylum seekers', being returned to the DRC, to be tortured and imprisoned. One newspaper, The Guardian, did investigate the way those returned to the DRC were being treated and reported in 2009 that:

"Nsimba Kumbi, 33, a refused asylum seeker, was removed from the UK on 13 March, following detention in the Campsfield immigration removal centre in Oxfordshire. He was then detained in the DRC capital, and taken to the notorious secret police headquarters Kin Mazière, the Kinshasa headquarters of the general directorate of intelligence and special services, where, he says, he was tortured for three weeks.

Kumbi says that during his incarceration he was badly beaten, that he received burns and was forced to give a male guard oral sex while his hands were tied behind his back. He says he is now in so much pain he can only move his neck in one direction. The wounds on his back from beatings are gradually drying. He says that nerve damage means he can barely move his fingers.

Another Congolese refused asylum seeker, Rabin Waba Muambi, 42, was also removed from the UK on 13 March on a separate flight. He arrived in Kinshasa the following day and was taken to Kin Mazière. Secret entries in the Kin Mazière log book, leaked to the Guardian, confirm the men's detention there.

Muambi, who says he was beaten at Kinshasa airport, was later stripped, then continually beaten and forced to lie outside staring at the sun" (The Guardian 27th May 2009)

Muambi first came to the attention of the Congolese authorities in January 2005 when he was involved in anti-government protests after which he fled to the sanctuary of the UK. He was diagnosed with post-traumatic stress disorder after being tortured for a month in connection. He is still a member of the human rights group Apareco, whose members risk torture in Congo. (ibid.)

It has also been reported that, "Rudi Ramdarshan, a human rights lawyer at Trott & Gentry solicitors, said: "The implications of these cases are very worrying. The Home Office's own operational guidance states that if people end up in detention in Congo they are likely to experience inhumane

and degrading treatment, in breach of article 3 of the Human Rights Act. The fact that asylum seekers returned to Congo are ending up in detention is unacceptable.

"I am calling on Amnesty International and Human Rights Watch to launch investigations. The secretary of state should suspend removals while this matter is investigated." (ibid.)

No such suspension has taken place although there is mounting evidence that both the last and present UK government is allowing people to be returned in the knowledge that they are complicit in the torture of people in the Democratic Republic of Congo. It seems clear to me that this is yet another strand in the murky story around the abuse of power in the realms of the media, politics and the police.

Where have we gone wrong as a nation that so many in power have so brutally rejected the compassion for those who will be unfairly imprisoned and tortured and that we can read about from an earlier time in the passage above from Hebrews? Why have we as a people in this country allowed those in positions in power to drift so far from decent, compassionate values, which for so long we liked to pride ourselves on?

Newspaper editors have for years cynically tapped into a strain of prejudice in British society to help them fulfil their greed for money, whilst politicians, equally greedy for power, have been too scared to oppose the constant siren calls for limits on asylum seekers coming here, even though this potentially violates the 1951 UN Convention on Refugees which we signed up to. Consequently, mounting evidence suggests that genuine asylum seekers are being sent back to the DRC, to face imprisonment and torture. This has to be one of the most shocking aspects of the whole scandal involving the abuse of media and political power in our country. What kind of country are we that we allow people to be sent back to torture in the DRC, so that unscrupulous newspaper barons can make huge profits and cynical politicians can cling on to power?