HUMAN RIGHTS WATCH

“To Scare People”

US Expulsions of Third-Country Nationals to Countries in Africa

HUMAN RIGHTS WATCH

“To Scare People”

US Expulsions of Third-Country Nationals to Countries in Africa

Copyright © 2026 Human Rights Watch
All rights reserved.
Printed in the United States of America
ISBN: 979-8-88708-313-1
Cover design by Ivana Vasic

Human Rights Watch defends the rights of people worldwide. We scrupulously investigate abuses, expose the facts widely, and pressure those with power to respect rights and secure justice. Human Rights Watch is an independent, international organization that works as part of a vibrant movement to uphold human dignity and advance the cause of human rights for all.

Human Rights Watch is an international organization with staff in more than 40 countries, and offices in Amsterdam, Beirut, Berlin, Brussels, Chicago, Geneva, Johannesburg, London, Los Angeles, Nairobi, New York, Paris, San Francisco, Sydney, Tokyo, Toronto, Tunis, Washington DC, and Zurich.

For more information, please visit our website: http://www.hrw.org

October 2026

ISBN: 979-8-88708-313-1

“To Scare People”

US Expulsions of Third-Country Nationals to Countries in Africa

Map i

Summary 1

Methodology 7

I. The Trump Administration’s Third-Country Deportation Policy 10

II. Apprehension, Detention, and Deportation to Third Countries 15

Arrests 15

Arrest Upon Entry 15

Rearrested After Receiving Protection and Securing Habeas Corpus Release 16

Arrests of Long-Time Residents 18

US Detention Prior to Transfer 19

Little to No Time Before Being Informed of Deportation 19

Third-Country Removal as Alternative to Release from Detention 20

Conditions of US Immigration Detention 21

The Deportation Flights to African Countries 22

False, Insufficient, or No Information About the Country of Deportation 22

No Assessment of Protection Concerns in Third Countries 25

Inhuman and Degrading Treatment Aboard the Flights 26

Official Demonization 28

III. Who Is Being Sent to Third Countries? 29

People with Criminal Convictions and No Home Country Protection Claims 29

People with Recognized Home Country Protection Concerns 32

LGBT Refugees Not Assessed for Protection Risks in Third Countries 33

IV. Known US Third-Country Deportations to Africa, March 2025 to September 2026 36

Burundi 37

Cameroon 38

Central African Republic 42

Democratic Republic of Congo 46

Equatorial Guinea 50
Eswatini 57
Ghana 64
Sierra Leone 72
South Sudan via Djibouti 74

V. Asylum Cooperative Agreements 86
Cabo Verde 87
Liberia 87
Rwanda 90
Uganda 92

VI. Other US Attempts to Negotiate Third-Country-Transfer Arrangements in Africa 95

VII. The Roles of UN Agencies 99
The International Organization for Migration (IOM) 99
The United Nations High Commissioner for Refugees (UNHCR) 102

VIII. Violations of International Law 105
The Right to Seek Asylum 106
The Requirement of Due Process and Fundamental Fairness 107
The Prohibition of Return to Serious Harm 110
The Prohibition of Arbitrary Detention 114
The Prohibition of Enforced Disappearance 117

Recommendations 119
To the Government of the United States 119
To the Governments of Cameroon, the Democratic Republic of Congo, the Kingdom of Eswatini, Equatorial Guinea, Ghana, Liberia, Rwanda, Sierra Leone, South Sudan, and Uganda 121
To All Governments in Africa 122
To the African Commission on Human and Peoples' Rights 122
To the International Organization for Migration (IOM) 122
To the United Nations High Commissioner for Refugees (UNHCR) 122

Acknowledgments 124

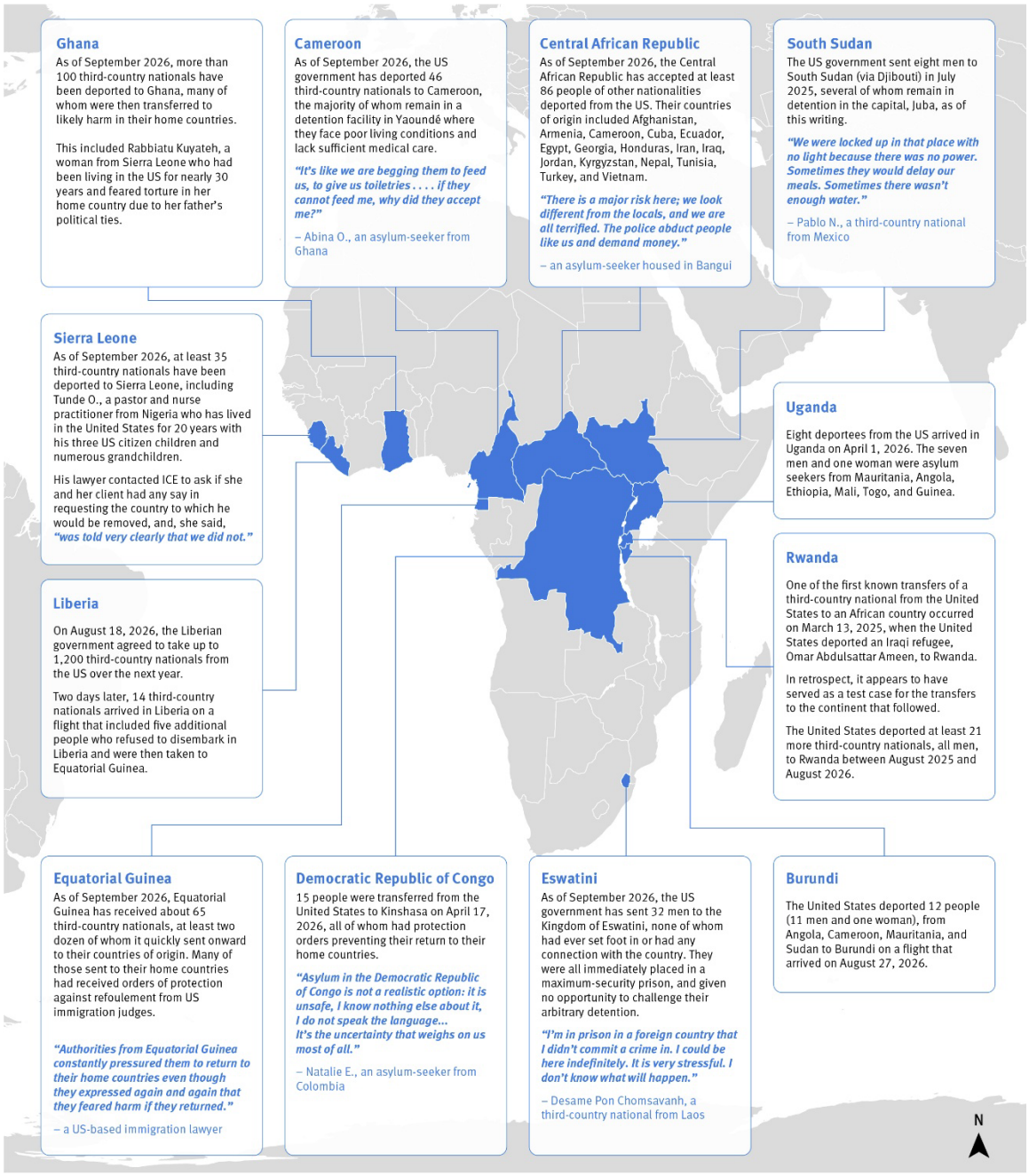
Appendix I: Third-Country Deportations by the Numbers 126

Appendix II: Response Letters from IOM 136

Map

Known US Deportations of Third-Country Nationals to Countries in Africa

March 2025 – September 2026



Graphic © 2026 Human Rights Watch

Summary

Tesfay T., a 35-year-old man from Ethiopia, fled to the United States after having been imprisoned and tortured in his home country. He was tortured again in Mexico after being kidnapped there and crossed the US border as much to escape his abusers in Mexico as the torturers in his homeland. He spent more than a year in US immigration detention and was denied asylum because he had crossed the border irregularly, but an immigration judge granted him "withholding of removal," a bar on returning him to Ethiopia because of the likelihood he would again be tortured there.

Tesfay said that in February 2026, while his US lawyer was working on a habeas corpus petition to secure his release from detention, a US Immigration and Customs Enforcement (ICE) officer told him to sign a voluntary departure form for his removal to Chad. "I refused," he told us. He then said, "The ICE agent said, 'I don't care, I'm going to sign it myself.' . . . I said, 'I'm going to talk to my lawyer,' but he said, 'It's too late.'"

He described the ordeal of the flight. "We were chained and handcuffed, legs, hands, stomach. . . . We flew all the way like that. . . . I couldn't feel my legs, that was really painful. We could not stand up. When I had to use the bathroom, they didn't even take off the chains . . . ." Tesfay said that as he was being transported, he kept asking where he was being sent, "They didn't tell us anything about where we were going, what we were going to do there, nothing. . . . Then we found out when we landed in Cameroon."

Between January 20, 2025, and August 5, 2026, the United States expelled more than 500 people to countries in Africa that were not their countries of origin, according to ICE deportation data. People sent to Eswatini, Ghana, and South Sudan were arbitrarily detained in those countries and faced ill-treatment while in detention. Cameroon, Equatorial Guinea, and Ghana sent some people onward to risk of persecution or torture in their home countries, violating the principle of nonrefoulement. In all receiving countries, many—if not most—people transferred by the United States have been left with no practical option but to return to their home countries regardless of the harms they face there.

Uniformly, the people we interviewed for this report described abusive treatment during their flights from the United States—during which they were shackled at their wrists, waist,

and ankles for the entirety of their journeys, sometimes 18 hours or more, received little or no information about their destination, were denied access to essential medication, and often did not receive sufficient food or water. Some people described being restrained in straitjackets for the duration of their flights, an a full-body restraining device known as "the wrap" that Human Rights Watch has previously documented during deportation flights to countries in Africa.

The opaque deals that facilitate these transfers, some of which are still secret, are part of a US policy that violates international human rights law and is designed to instrumentalize human suffering as a deterrent to migration.

Several of the African governments implementing these agreements are not only complicit in these US abuses but have violated the human rights of these deported people themselves, including by subjecting them to arbitrary detention and in some cases by violating the principle of nonrefoulement. In some cases, deported people have not had access to needed medications or treatments for ongoing serious medical conditions or have contracted diseases, including malaria.

The idea of removing people to a "safe third country" that could be held responsible for examining an asylum claim is not novel and is included in US asylum law. Notably, this approach was implemented in a 2002 agreement between the United States and Canada that carefully delineated the bases for determining the responsible country. But that agreement was public, legally binding, and enforceable in the two countries' respective courts. It was also reciprocal, occurred between two countries with comparable asylum procedures and capacities, and was based on the fact that each country had the capacity to provide full and fair examinations of asylum claims of people transferred from one country to the other, and that each had guaranteed their commitment to do so.

US transfers of third-country nationals to countries in Africa have taken place under arrangements that are far less responsibly drawn than the US-Canada agreement. The transfers documented in this report, except for those to Cabo Verde, Liberia, Uganda, and Rwanda, were not pursuant to formal, public "safe third country" agreements, and even the safe-third-country agreements with those four countries lack the transparency, enforceability, reciprocity, and due process guarantees of the US-Canada agreement. It is not clear that any of the African countries examined in this report meet the standard

required in US law for a "safe third country"—the ability to provide "access to a full and fair procedure for determining a claim to asylum or equivalent temporary protection."

In fact, the Trump administration in some cases has chosen to deport third-country nationals to countries that are patently unsafe, accompanied by official rhetoric indicating the punitive and deterrent intent of such removals, as evidenced by US Department of Homeland Security (DHS) spokesperson Tricia McLaughlin's statement in August 2025: "If you come to our country illegally and break our laws, you could end up in CECOT, Alligator Alcatraz, Guantánamo Bay, or South Sudan or another third country."[1]

An unnamed US official told the US Senate Committee on Foreign Relations that in fact, the purpose of third-country national transfers was to terrorize: "With countries like Palau or Eswatini, the point is that the Administration can threaten people that they will literally be dropped in the middle of nowhere. The point is to scare people."[2]

The threat of removal to a third country is part of a Trump administration carrots-and-sticks policy of mass deportations that provides a $3,000 cash incentive, free one-way plane ticket, and forgiveness of unpaid fines to "self-deport,"[3] a program that DHS claimed in December 2025 had resulted in 1.9 million "self-deportations."[4] The presidential proclamation establishing the program articulated the "leave voluntarily or else" choice by threatening "sweeping consequences for those who choose to remain illegally present, including removal, prosecution, incarceration, and fines as consistent with applicable law for immigration-related crimes; the garnishment of wages; and the confiscation of savings

[1] Kristina Cook and Ted Hesson, "The US Said It Had No Choice But to Deport Them to a Third Country," Reuters, August 2, 2025, https://www.reuters.com/world/americas/us-said-it-had-no-choice-deport-them-third-country-then-it-sent-them-home-2025-08-02/ (accessed September 23, 2026).

[2] US Senate Committee on Foreign Relations, Minority Staff, At What Cost? Inside the Trump Administration's Secret Deportation Deals, February 2026), p. 14, https://www.foreign.senate.gov/imo/media/doc/(FINAL%20-%20web)%20At%20What%20Cost%20-%20Inside%20the%20Trump%20Administration%27s%20Secret%20Deportation%20Deals_2.17.26.pdf (accessed September 23, 2026).

[3] CBP HOME: Assistance to Voluntarily Self-Deport, US Department of Homeland Security, undated, https://www.dhs.gov/cbphome (accessed September 25, 2026).

[4] "Thanks to President Trump and Secretary Noem, More than 2.5 Million Illegal Aliens Left the US," Department of Homeland Security, December 10, 2025, https://www.dhs.gov/news/2025/12/10/thanks-president-trump-and-secretary-noem-more-25-million-illegal-aliens-left-us (accessed September 23, 2026). The DHS-published figure is disputed, however. CNN cited an internal DHS document to say that the program had resulted in 72,000 voluntary departures as of March 2026. See Audrey Ash and Priscilla Alvarez, "Exclusive: Here's How Many Immigrants Have Signed on to DHS's Nearly Billion-Dollar 'Self-Deportation' Plan," CNN, March 18, 2026, https://www.cnn.com/2026/03/18/us/dhs-self-deport-project-homecoming-invs (accessed September 23, 2026).

and personal property, including homes and vehicles."[5] In practice, third-country removals have been added to this arsenal of consequences, and are an added incentive to frighten people into leaving before being thrown into the downward spiral of detention and deportation to unknown destinations.

Orville Etoria, a Jamaican, described the isolation he experienced in his first weeks at Matsapha Correctional Complex, a maximum-security prison in Eswatini, in a deposition for a complaint before the African Commission on Human and Peoples' Rights:[6]

> At first, the conditions were extremely restrictive: mealtimes were tightly controlled and our movement was severely limited. I was not allowed to communicate with anyone out of the prison for the first two and-a-half weeks of my detention. The isolation made every day feel heavier than the last . . . I was only taken out of my cell to be fed before being sent back in. There was no out-of-cell recreation allowed.
>
> During these first few weeks of my detention, the days were long, stressful, and unbearable . . .endless, hectic, boring, and lonely . . . I was lost in my own thoughts, struggling in silence . . . . We were made to feel like dangerous criminals and treated as if we were violent, even though we had done nothing wrong. Only after the guards interacted with us did they begin to see that the picture painted of us by the US government was false.[7]

Receiving countries have sent people back to their countries of origin against their will or sent them onward to other countries even though they face the threat of persecution, torture, or other serious harms there, in violation of the prohibition of refoulement.

Some of the third-country nationals who remain in the countries to which they were transferred face the prospect of persecution and other serious harms in those countries.

---

[5] Proclamation 10935 of May 9, 2025, Establishing Project Homecoming, 90 Fed. Reg. 20357 (May 14, 2025).

[6] See "African Union Human Rights Commission Gives Green Light for Lawsuit Against Eswatini Challenging Unlawful Detention of Third-Country Deportees," Global Strategic Litigation Council, March 10, 2026, https://www.global-council.org/blog-and-news/blog/african-union-human-rights-commission-gives-green-light-for-lawsuit-against-eswatini-challenging-unlawful-detention-of-third-country-deportees (accessed September 23, 2026).

[7] Declaration of Orville Etoria, Annex I, Letter of Complaint, *Orville Etoria et al. v. The Kingdom of Eswatini* (African Commission on Human and Peoples' Rights filed December 2, 2025) (on file with Human Rights Watch).

For instance, the United States sent at least a dozen people who identified as lesbian, gay, bisexual or transgender (LGBT) to African states that criminalize same-sex relations or public same-sex romantic conduct. These included refugees who had been granted protection in the United States from return to their home countries based on the likelihood they would be persecuted because of their sexual orientation or gender identity. Their deportation to third countries not only put them at direct risk of harm, but trapped LGBT refugees in situations where it was neither safe to return home nor possible to obtain effective protection in the third country.

The United States government violates its domestic and international nonrefoulement obligations by sending people to places where they would face persecution, torture, or other serious harms that implicate its nonrefoulement obligations. It also violates its obligations by refusing to afford people a meaningful opportunity to contest their removals to these countries and articulate any risk of abuse they may face if removed there.

In October 2025, the African Commission on Human and Peoples' Rights (ACHPR) adopted Resolution 645, which expressed concern that "certain African States . . . have agreed to receive, detain, or expel migrants . . . transferred by non-African States, notably the United States of America, and the European Union," and stated that "African states must not conclude or maintain migration partnerships when they know, or ought reasonably to know, that such agreements entail a real risk of serious human rights violations."[8]

African Union member states should move quickly to take the steps called for in ACHPR Resolution 645. Given the serious human rights violations resulting from the United States-Africa deportation deals documented in this report, African governments should refuse to enter into any further agreements to accept third-country transfers from the United States, and they should suspend or terminate any such agreements, formal or informal, that are already in effect. In the interim, countries that are party to such agreements should disclose their terms, allow access to independent monitors, refrain from detaining any deportees absent a clear legal basis, and ensure that no deportee is returned to their home country or sent to another country if there is credible evidence that they would face the risk

[8] African Commission on Human and Peoples' Rights, Resolution on the Obligations of African States in the Context of the Externalization of Migration Governance and the Extra-Regional Transfer of Migrants to Africa, Doc. ACHPR/Res.645 (LXXXV) 2025 (October 30, 2025), https://achpr.au.int/en/adopted-resolutions/645-achprres645-lxxxv-2025 (accessed September 23, 2026).

of persecution, torture, or other serious harm that implicates states' nonrefoulement obligations.

The United States should suspend all third country removals until the abusive policies that drive them under the Trump administration are reversed. In the interim, deportation officials should follow the sequential order set in US law for determining the receiving country, ensuring that removal orders are properly followed, including providing people receiving such orders the opportunity to challenge them.

In the longer term, if the United States enters into "safe third country" agreements, they should be based on guarantees that each country has committed to providing full and fair examinations of asylum claims of people transferred from one country to the other and that each receiving country has a functioning asylum system with the capacity to make such examinations and to provide protection for those entitled to it under international law.

Methodology

Human Rights Watch researchers conducted remote interviews and in some cases in-person interviews between February and July 2026 with 24 third-country nationals transferred from the United States to six countries in Africa: Cameroon, the Central African Republic, the Democratic Republic of Congo, Equatorial Guinea, Eswatini, and South Sudan.

We conducted interviews in English, French, or Spanish. We explained to all interviewees the purpose and public nature of our reporting, that the interviews were voluntary and confidential, and that they would receive no personal service or benefit for speaking to us. For interviews conducted remotely, we asked each person we interviewed to confirm that they were not aware of anyone else observing or listening in on the calls.

Unless otherwise indicated, this report uses pseudonyms for third-country nationals interviewed for this report. In some cases, Human Rights Watch has also withheld countries of origin, transfer, or current location and other identifying information at people's request or where these details could expose them to reprisals or other harm. Pseudonyms for people interviewed by Human Rights Watch follow the format "Alex Z." This report also includes accounts given in declarations and other court filings that corroborate the accounts we heard or provide additional context; in such cases, we cite these documents and use the pseudonyms as given in these documents, usually two or more initials (for instance, "N.N.").

Some of the people we interviewed asked us to identify them by name in our report; we have followed their wishes after discussing with them the potential risks of using their names instead of a pseudonym.

On September 18, 2025, Human Rights Watch requested access to Eswatini's Matsapha Correctional Complex but had not received a response by September 28, 2026, when this report was finalized for publication. We did not request access to the places of detention where people were held in Cameroon, Equatorial Guinea, and South Sudan because

authorities in those countries have denied access to lawyers,[9] at least one of whom received a death threat for his work on behalf of third-country nationals,[10] and because we judged that a request for access could result in retaliation against the third-country nationals held in those countries.

We interviewed people who remained in the country to which they were transferred, including some who were still detained, along with others who had returned or were deported to their countries of origin or travelled to other countries. Most interviews for this report were conducted remotely using video, voice, or messaging applications.

Following Human Rights Watch's longstanding research methodology when access to places of detention is denied or is impractical,[11] we also interviewed family members and lawyers, reviewed court filings and government documents, analyzed government data, and drew on detailed accounts by investigative journalists to assemble a fuller picture of transfers to and practices in each of the countries that has received third-country nationals from the United States.

Human Rights Watch analyzed two main datasets for this report: the August 2026 release of the Executive Office for Immigration Review (EOIR) case data that EOIR produces in response to Freedom of Information Act requests and makes public on their website and the raw ICE deportation data that ICE releases to the Deportation Data Project in response to FOIA litigation.[12] The two datasets are distinct and cannot be linked in order to tie individual court records with ICE records. A fuller description of the methodology Human Rights Watch used to process and analyze the data appears in the appendix to this report.

---

[9] Human Rights Watch remote interviews with Lucas Olo Fernandes, December 19, 2025; name withheld, March 24, 2026; and David P., April 15, 2026. See also Rachel Hagan and Farouk Chothia, "US Deports Eight Men to South Sudan After Legal Battle," BBC News, July 6, 2025, https://www.bbc.com/news/articles/c80p315krr4o (accessed September 23, 2026); Hamed Aleaziz and Pranav Baskar, "In Secret Deportation Deal, US Leveraged Favors and Funds," *New York Times*, March 25, 2026, https://www.nytimes.com/2026/03/25/world/africa/in-secret-deportation-deal-us-leveraged-favors-and-funds.html (accessed September 23, 2026).

[10] Human Rights Watch remote interview (identifying details withheld), March 24, 2026.

[11] See, for example, Human Rights Watch, *The Human Rights Watch Global Report on Prisons* (New York: Human Rights Watch, 1993), p. xii, https://www.hrw.org/report/1993/06/01/human-rights-watch-global-report-prisons; Human Rights Watch, "The Prison Project," *Human Rights Watch World Report 1995* (New York: Human Rights Watch, 1995), https://www.hrw.org/reports/1995/WR95/index.htm.

[12] Executive Office for Immigration Review Case Data, US Department of Justice, updated September 9, 2026, https://www.justice.gov/eoir/foia-library-0 (accessed September 25, 2026); Immigration and Customs Enforcement removals data released to Deportation Data Project, undated, https://deportationdata.org/data/ice.html (accessed September 25, 2026).

Human Rights Watch wrote to the governments of Cameroon, the Central African Republic, the Democratic Republic of Congo, Equatorial Guinea, Eswatini, Ghana, Sierra Leone, and South Sudan requesting detailed information about the transfers of third-country nationals from the United States and the terms and conditions of these transfers. As of September 28, 2026, when this report was finalized for publication, none of these governments had replied except in one instance to acknowledge receipt of our letter.

On December 4, 2025, Human Rights Watch wrote 26 letters to the US Department of Homeland Security and to the US Department of State making requests under the Freedom of Information Act (FOIA) seeking information on third-country removals with respect to Equatorial Guinea, Eswatini, Ghana, Liberia, Rwanda, South Sudan, and Uganda, as well as Belize, Ecuador, Guatemala, Honduras, Mexico, and Paraguay. As of September 28, 2026, these departments had not provided this information.

We also wrote to the International Organization for Migration (IOM) on February 27. 2026 and on July 10, 2026, and to the office of the UN High Commissioner for Human Rights (UNHCR) on March 27, 2026 and on September 20, 2026, and met with UNHCR in Washington, DC, on June 17, 2026, to discuss the findings of this report. UNHCR responded on March 31, 2026, and their comments are incorporated into this report. IOM replied on July 24, 2026. Parts of that letter are incorporated into the section of this report on IOM. Their letter, in full, is available as an annex.

We have made every effort to ensure that the information in this report is accurate as of September 28, 2026.

This report uses *refugee* to mean a person who meets the criteria in the 1951 Refugee Convention and its 1967 Protocol, under which a refugee is a person with a "well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion," who is outside of the country of nationality and is unable or unwilling, because of that fear, to return.[13]

[13] Convention relating to the Status of Refugees, July 28, 1951, 189 U.N.T.S. 150 (entered into force April 22, 1954), art. 1; Protocol relating to the Status of Refugees, January 31, 1967, 606 U.N.T.S. 267 (entered into force October 4, 1967), art. 1.

I. The Trump Administration's Third-Country Deportation Policy

Since coming into office on January 20, 2025, the administration of President Donald Trump has embarked on a mass deportation campaign that had resulted in an estimated 985,000 deportations by the end of September 2026.[14] The Brookings Institution estimated that the mass deportation effort had separated more than 100,000 children, three-quarters of them US citizens, from their parents between January 2025 and May 2026.[15]

As one component of the mass deportation drive, the US government has entered into agreements that shift responsibility for detained noncitizens to third countries in a manner that is incompatible with international law,[16] as detailed in this report. Between January 20, 2025, and August 5, 2026, according to ICE data, the "third-country" deportation program transferred nearly 28,000 people to more than 50 countries that are neither their country of citizenship nor habitual residence, of whom 536 were sent to countries in Africa.[17] In many, if not most, cases, these people were deported to countries with which they had no prior connection.[18]

To implement the third-country deportation policy, the US Department of Homeland Security (DHS) instructed immigration agents to "review for removal all cases . . . on the

[14] Catherine E. Shoichet et al., "Tracking the Numbers Behind Trump's Immigration Offensive," CNN, September 23, 2026, https://www.cnn.com/us/ice-immigration-detentions-arrests-deportations-deaths-vis (accessed September 26, 2026).

[15] Maria Cancian et al., "The Administration Has Detained 400,000 Immigrants: What Do We Know About Their Children?," Brookings Institution, May 18, 2026, https://www.brookings.edu/articles/the-administration-has-detained-400000-immigrants-what-do-we-know-about-their-children/ (accessed September 26, 2026). See also Miriam Jordan and Jeff Adelson, "Over 100,000 Family Separations in Deportation Push, Report Estimates," *New York Times*, May 18, 2026, https://www.nytimes.com/2026/05/18/us/brookings-institution-report-family-separations.html (accessed September 26, 2026).

[16] See United Nations General Assembly, 80th sess., Human Rights of Migrants: Externalization of Migration Governance and Its Effect on the Human Rights of Migrants, U.N. Doc. A/80/302 (August 4, 2025), para. 63.

[17] Human Rights Watch analysis of US Immigration and Customs Enforcement (ICE) data released to the Data Deportation Project, https://deportationdata.org/data/ice.html (accessed September 23, 2026).

[18] See Human Rights Watch, *"Casting Us Aside to Die": Cubans and Other Third-Country Nationals Deported from the US to Mexico* (New York: Human Rights Watch, 2026), pp. 16-17, https://www.hrw.org/report/2026/05/27/casting-us-aside-to-die/cuban-and-other-third-country-nationals-deported-from-the.

non-detained docket,"[19] particularly people who report regularly to the offices of US Immigration and Customs Enforcement (ICE), a DHS agency. For people who have received protection against return to a specific country—"withholding" or "deferral" of removal instead of asylum[20]—a February 2025 DHS internal guidance document instructed immigration agents to "determine the viability of [their] removal to a third country and accordingly whether the alien should be re-detained."[21]

A March 30 policy memo from then-Secretary of Homeland Security Kristi Noem stated that DHS may remove a person to a third country if the US government has received diplomatic assurances that people sent there will not be persecuted or tortured, in which case "the alien may be removed without the need for further procedures."[22] Under the process outlined in the memo, a person would receive an interview to assess the risk of persecution or torture in the third country only if the United States does not have diplomatic assurances from that country, and then only if the person expresses a fear of persecution or torture.[23] The memo does not specify that diplomatic assurances should include undertakings not to send a person to another country where they may face such harm.

In a June 2025 dissent critiquing the March guidance, US Supreme Court Justice Sonia Sotomayor wrote: "The Government says this policy permits DHS to change someone's 'deportation country to Honduras . . . at 6:00 a. m., put [them] on a plane, and fl[y them] to Honduras' 15 minutes later."[24]

---

[19] ICE Directive (untitled) (February 18, 2025), p. 2, in Complaint, Attachment C, *D.V.D. v. U.S. Department of Homeland Security*, No. 25-cv-10676 (D. Mass. filed March 23, 2025), ECF No. 1-4. This and other district court filings in *D.V.D. v. DHS* are available at Court Listener, https://www.courtlistener.com/docket/69775896/dvd-v-us-department-of-homeland-security/ (accessed September 23, 2026).

[20] A grant of withholding of removal prevents a person's return to a place where they would likely face persecution or torture. Unlike a grant of asylum, withholding of removal does not lead to permanent residence and has other significant limitations. It does not prevent a person's deportation to another country that is willing to accept them. See American Immigration Council and National Immigrant Justice Center, "The Differences Between Asylum and Withholding of Removal," October 2020, https://www.americanimmigrationcouncil.org/wp-content/uploads/2025/01/the_difference_between_asylum_and_withholding_of_removal.pdf (accessed September 23, 2026).

[21] ICE Directive (untitled) (February 18, 2025), p. 2.

[22] Memorandum from Kristi Noem, secretary of homeland security, Guidance Regarding Third Country Removals (March 30, 2025), pp. 1-2, in Defendants' Motion for Indicative Ruling, Ex. A, *D.V.D. v. U.S. Department of Homeland Security*, No. 25-cv-10676 (D. Mass. filed March 30, 2025), ECF No. 43-1.

[23] Guidance Regarding Third Country Removals, p. 2 ("Immigration officers will not affirmatively ask whether the alien is afraid of being removed to that country.").

[24] *DHS v. D.V.D.*, No. 24A1153, slip op. at 5 (U.S. June 23, 2025) (Sotomayor, J., dissenting). The stay order itself, issued as part of the court's emergency docket, does not explain its reasoning. A July 2025 "clarification" of the stay order focused on procedural issues. Motion to Clarify Granted, *DHS v. D.V.D.*, No. 24A1153 (U.S. July 3, 2025).

A July 9 memo from Todd Lyons, then the acting director of ICE, repeated the directive that diplomatic assurances meant that a person could be sent to a third country "without the need for further procedures." In the absence of diplomatic assurances, the July memo stated that ICE "will generally wait at least 24 hours" after it notified a person of the intended country of removal "before effectuating removal," but it provided for removals "six (6) or more hours" after notice "[i]n exigent circumstances . . . as long as the alien is provided reasonable means and opportunity to speak with an attorney prior to removal."[25] The memo also stated that people who express fear of removal to the third country would receive interviews with US Citizenship and Immigration Services (USCIS) officials.

A federal district court vacated the March and July DHS memos as unlawful in February 2026, a ruling upheld by the appellate court in September 2026.[26] The US government asked the Supreme Court to stay the order to allow it to continue to carry out third-country deportations as it sought the Court's review of the lower courts' rulings.[27]

The existence on paper of an asylum cooperative agreement with a third country, such as Uganda, where an asylum seeker could in theory have their asylum claim examined has led DHS attorneys to call upon immigration judges to "pretermit" cases, that is, to close them without a hearing or consideration of their asylum claims—on the assumption they will be deported to that country and have their claim examined there.[28] From January 20, 2025, through July 31, 2026, immigration judges pretermitted 31,835 cases, instead ordering

[25] Memorandum from Todd Lyons, acting director of ICE, Third Country Removals Following the Supreme Court's Order in *Department of Homeland Security v. D.V.D.* (July 10, 2025), in Declaration of Simon Sandoval-Moshenberg, Attachment 1, *D.V.D. v. U.S. Department of Homeland Security*, No. 25-cv-10676 (D. Mass. filed July 15, 2025), ECF No. 190-1.

[26] *D.V.D. v. U.S. Department of Homeland Security*, 821 F. Supp. 3d 102, 167 (D. Mass. 2026), *affirmed in relevant part*, Opinion, p. 4, No. 26-1212 (1st Cir. September 18, 2026), https://www.courtlistener.com/docket/72347392/dvd-v-us-department-of-homeland-security/ (accessed September 23, 2026). The court of appeals also affirmed the district court's order that DHS provide effective notice of its intention to remove people to a third country and to give them a meaningful opportunity to contest a third-country removal based on a reasonable fear of persecution or torture. The appellate court reversed other parts of the district court's order on procedural grounds. Opinion, p. 4, No. 26-1212.

[27] Application for Stay, *Department of Homeland Security v. D.V.D.*, No. 26A406 (U.S. filed September 24, 2026), https://www.supremecourt.gov/DocketPDF/26/26A406/425583/20260924155624768_DVD%20stay%20Sept%202026%20FILE%20corrected.pdf (accessed September 24, 2026).

[28] See National Immigration Project, *Pretermission of Asylum Cases in Immigration Court* (Boston: National Immigration Project, 2026), https://nipnlg.org/sites/default/files/2026-04/Pretermission-of-Asylum-Cases.pdf (accessed September 23, 2026); "Motions to Pretermit in Immigration Court: Updates and Resources from CGRS," CGRS, undated, https://cgrs.uclawsf.edu/en/pretermission (accessed September 23, 2026).

asylum seekers' removal to third countries on the presumption they would have hearings of their claims in those countries.[29]

The Board of Immigration Appeals, the US Department of Justice agency that hears administrative appeals of immigration judges' decisions, has ruled that immigration judges have no authority to require DHS to demonstrate that people will have access to full and fair procedures in the third country to which they are deported[30] or to provide an implementation plan for third-country transfer agreements,[31] at least with respect to countries with which the United States has an asylum cooperative agreement.[32]

The US government has moved aggressively to secure third-country transfer agreements, in many cases appearing to wield trade with a country and rules on issuing visas to its nationals as leverage, and direct payments and other assistance as incentives. Announcing one of the earliest third-country transfer arrangements, then-Costa Rican President Rodrigo Chaves said in February 2025, "We are helping the economically powerful brother to the north [the United States], who if they impose a tax in our free [trade] zones, it'll screw us."[33]

A February 2026 cable from the office of Secretary of State Marco Rubio instructed US diplomats on how to strike third-country transfer deals, the *New York Times* reported in April. "If you are willing to take more individuals, then we can potentially provide more support," was one suggested line. The cable also told diplomats they could say that accepting migrants "can help a country improve its relationship with the United States," and it put no constraints on which countries the United States could negotiate with.[34]

---

[29] Human Rights Watch analysis of Executive Office for Immigration Review data, July 2026 dataset. Raw data available at FOIA Library, Executive Office for Immigration Review, https://www.justice.gov/eoir/foia-library-0 (accessed September 23, 2026); analysis data on file with Human Rights Watch.

[30] *Matter of E- A- R- M-*, 29 I. & N. Dec. 746, 749 (B.I.A. 2026); *Matter of C- I- G- M- & L- V- S- G-*, 29 I. & N. Dec. 291, 295 n.4, 298 (B.I.A. 2025).

[31] *Matter of N- E- R- S-*, 29 I. & N. Dec. 753, 755 (B.I.A. 2026).

[32] For a fuller discussion of US asylum cooperative agreements with countries in Africa, see "Asylum Cooperative Agreements" chapter, below.

[33] Wilfredo Miranda Aburto, "'La mitad del vuelo son niños': llegan a Costa Rica 135 migrantes asiáticos, africanos y del este de Europa deportados por Trump," *El País*, February 21, 2025, https://elpais.com/america/2025-02-21/la-mitad-del-vuelo-son-ninos-llegan-a-costa-rica-135-migrantes-asiaticos-africanos-y-del-este-de-europa-deportados-por-trump.html (accessed September 23, 2026).

[34] Eileen Sullivan et al., "Trump Wants to Make Deportation Deals. Autocrats Are Ready to Listen," *New York Times*, April 4, 2026, https://www.nytimes.com/2026/04/04/world/africa/trump-deportation-africa-migrants.html (accessed September 23, 2026).

As of September 28, 2026, the United States had third-country transfer arrangements with at least 36 countries, including at least 14 on the African continent.[35]

Some African countries have resisted US pressure to accept third-country nationals. In July 2025, after the United States imposed visa restrictions on nationals of Nigeria and three other countries in Africa, Nigeria's foreign minister, Yusuf Tuggar, said the country had turned down a US request to accept 300 Venezuelan nationals. The US embassy said the visa restriction was not in response to Nigeria's refusal to accept third-country nationals, but Minister Tuggar said, "You have to also bear in mind that the US is mounting considerable pressure on African countries to accept Venezuelans to be deported from the US . . . ."[36]

Burkina Faso's foreign affairs minister, Karamoko Jean-Marie Traoré, said in an October 2025 appearance on the state broadcasting network, Radiodiffusion Télévision du Burkina, that after he repeatedly rejected US embassy requests to accept third-country deportations from the United States, US authorities suspended issuing visas to Burkina Faso citizens. He asked, "Is this a way to put pressure on us? Is this blackmail?"[37] The US embassy had announced on October 9 that it had "temporarily paused all routine visa services."[38] In December 2025, the United States added Burkina Faso and six other countries to a list of countries whose nationals will receive no visas whatsoever.[39]

---

[35] See Refugees International and Human Rights First, Banished by Bargain: Third Country Deportation Watch (online tracker, last updated September 10, 2026), https://www.thirdcountrydeportationwatch.org/ (accessed September 27, 2026).

[36] Yūsuf Akínpẹ̀lú and Natasha Booty, "Nigeria Has 'Enough Problems' and Can't Take Deportees from US, Minister Says," BBC News, July 11, 2025, https://www.bbc.com/news/articles/c23gz78v5jjo (accessed September 23, 2026).

[37] André Rhoden-Paul, "Burkina Faso Refuses to Take Deportees as US Stops Issuing Visas," BBC News, October 10, 2025, https://www.bbc.com/news/articles/c2lx5r2z4750 (accessed September 23, 2026).

[38] "US Embassy Ouagadougou Has Temporarily Paused All Routine Visa Services (October 9, 2025)," US Embassy in Burkina Faso, October 9, 2025, https://bf.usembassy.gov/u-s-embassy-ouagadougou-has-temporarily-paused-all-routine-visa-services-october-9-2025/ (accessed September 23, 2026).

[39] See Proclamation 10998 of December 16, 2025, Restricting and Limiting the Entry of Foreign Nationals to Protect the Security of the United States, 90 Fed. Reg. 59717 (December 19, 2025).

II. Apprehension, Detention, and Deportation to Third Countries

Arrests

There is no single profile for when and how US immigration authorities have apprehended the people eventually transferred to countries they are not citizens of and have no connection to. They include new arrivals apprehended at the border upon entry, people detained after completing sentences for criminal offenses, undocumented people living, sometimes for years, in the United States, and people who had been authorized to live and work in the United States for years subject to routine US Immigration and Customs Enforcement (ICE) check-ins.

US immigration judges had barred ICE from deporting some of the people to their home countries because of the likelihood they would be persecuted upon return, including many who were sent to Cameroon, the Central African Republic, the Democratic Republic of Congo, and Equatorial Guinea. ICE agents appear in some cases to have followed US Department of Homeland Security (DHS) directives, discussed in the previous section, to detain them when they came in for their regular ICE check-ins.

Arrest Upon Entry

Fatima N., who was sent to Cameroon in 2026, was immediately apprehended by the US Border Patrol after crossing the US-Mexico border on December 20, 2024.[40] She was detained at the Eloy Detention Center in Arizona for more than one year. While she was in detention, an immigration judge granted her withholding of removal, barring her return to her country of origin. She was ineligible for asylum because of a 2023 regulation barring asylum to people who crossed the border illegally.[41]

---

[40] Human Rights Watch remote interview with Fatima N., March 13, 2026.

[41] 8 C.F.R. §§ 208.33, 1208.33, added by Circumvention of Lawful Pathways, 88 Fed. Reg. 31314, 31450-31452 (May 16, 2023). A US district court vacated the Circumvention of Lawful Pathways rule, including these provisions, in May 2026. Order Reconsidering Standing on Remand, pp. 1, 15, *East Bay Sanctuary Covenant v. Trump*, No. 18-cv-06810 (N.D. Cal. May 7, 2026), ECF No. 226, *appeal docketed*, No. 26-4982 (9th Cir. August 4, 2026). The district court's order is available at Court Listener, https://storage.courtlistener.com/recap/gov.uscourts.cand.334557/gov.uscourts.cand.334557.226.0_1.pdf (accessed September 27, 2026).

Rearrested After Receiving Protection and Securing Habeas Corpus Release

Samantha P., from Colombia, entered the United States in September 2024 with a CBP One appointment,[42] telling the border agent that she was seeking asylum in the United States. She was detained in Arizona pending a hearing before an immigration judge. In May 2025, she received withholding of removal under the Convention against Torture. DHS continued to detain her while it sought to deport her to a third country, initially Mexico, telling a federal judge that she had agreed to be sent there—an assertion the judge later found to be false. When DHS could not produce evidence for its claim, the judge ordered her release.[43]

She told us DHS required her to wear an ankle monitor and report regularly to the ICE office in Dallas, Texas, where she traveled after her release. One month later, during her first check-in, ICE again detained her. She said:

> They said, "You're detained because we've found a third country for you." First, they held me in a detention center in Texas. Then, they transferred me to Louisiana. They held me about two weeks in each of these places before they put me on the plane. But they didn't tell me where they were sending me until the day before we boarded the flight. I thought they would offer me a credible fear interview, but I never had an interview. There wasn't any time to talk to a lawyer. To my mind, what they did was a complete denial of due process.[44]

On April 17, 2026, Samantha landed in the Democratic Republic of Congo.

Natalia E., also from Colombia and also deported to the Democratic Republic of Congo, gave a similar account of receiving withholding of removal under the Convention against Torture in Arizona and then representing herself in a federal habeas petition to secure her release from immigration detention. She said:

---

[42] CBP One is a mobile application that CBP used during the Biden administration to enable asylum seekers in Mexico to schedule appointments at designated ports of entry along the US-Mexico border to initiate the US asylum process. This use of the CBP One application was canceled by executive order on January 20, 2025. See Executive Order 14165 of January 20, 2025, sec. 7(a), 90 Fed. Reg. 8467, 8568 (January 30, 2025); "CBP One: An Overview," American Immigration Council, March 24, 2025, https://www.americanimmigrationcouncil.org/fact-sheet/cbp-one-overview/ (accessed September 23, 2026).

[43] Order (D. Ariz. February 20, 2026) (case name and file number withheld to protect her anonymity; on file with Human Rights Watch).

[44] Human Rights Watch remote interview with Samantha P., May 15, 2026.

> After I was released, I changed my address with ICE to be able to move to Dallas. I received a confirmation from ICE that my address had been properly changed. Once I moved, I was at home one day in early April when ICE agents came to my house. They said I had submitted a change of address, so they were verifying that I really lived at the new address. Then they said I had to come to the ICE office in person to see whether I would be given an ankle monitor or maybe have some other method of verifying my location.
>
> I went to the ICE office, and they said they were arresting me because they were going to send me to a third country. They didn't say which country and didn't give me any further explanation.[45]

Samantha asked the federal judge who had ordered her release in February to stop her transfer to the Democratic Republic of Congo, but the judge concluded she was unable to do so on procedural grounds.[46] Natalia told us she was not able to submit a habeas petition to challenge her transfer to the Democratic Republic of Congo because ICE moved her back and forth between two detention centers in Texas several times, sometimes after one or two nights, before sending her to Louisiana. She said:

> During all of these moves, whenever my family would try to find out where I was, there was no record of me in the ICE locator system. They would search repeatedly, and no results would turn up when they entered my name. I was nowhere to be found.
>
> The day I arrived in Louisiana, ICE told me I would be sent to the Democratic Republic of Congo. Less than 24 hours later, they put me on the plane.
>
> I don't know that all the moves between detention centers and the lack of information about the third country were on purpose. What I do know is that

[45] Human Rights Watch interview with Natalia E., Kinshasa, May 17, 2026.

[46] Order (D. Ariz. April 15, 2026) (case name and file number withheld; on file with Human Rights Watch).

> if I had had that information right away, I would have had the opportunity to challenge the decision.[47]

Others described being detained after following the instructions of ICE agents to go to an ICE office to sign documents. For instance, Mario V., a 43-year-old man from Colombia who had been released from immigration detention after receiving withholding of removal under the Convention against Torture, said:

> I received a call from ICE telling me to come in to sign something. This seemed fine to me—I understood perfectly well that I might have to report from time to time and that they would take photographs and have me sign forms, and I was happy to follow these rules. But on this occasion when I went in, the agents were waiting for me. They arrested me as soon as I gave them my name.[48]

On April 17, 2026, Mario was deported to the Democratic Republic of Congo.

Arrests of Long-Time Residents

Billy H., a Vietnamese national, was admitted to the United States with his family as a refugee in 1991 when he was 2 years old. He had a green card but committed a serious crime and went to prison. After serving six years in prison, he was stripped of his green card, placed in immigration detention for four months, but released when it became clear Vietnam would not accept him. Billy then went to an ICE office annually for check-ins. The last time he did so, he said, "I came to the office, and they took me back and detained me. I thought I was just going in for a check-in."[49] He was deported to Eswatini.

Charlie D. is a stateless man who applied for asylum in the United States when he was a child in 1995. Alma David, his US lawyer, told us he was ordered deported in 1996, but no country recognized him as a citizen. He is married to a US citizen and has three children. After spending a long time in detention, he was released with an ankle monitor after a habeas corpus petition. He said that ICE called him in saying they were going to remove his

[47] Human Rights Watch interview with Natalia E., Kinshasa, May 17, 2026.
[48] Human Rights Watch remote interview with Mario V., May 19, 2026.
[49] Human Rights Watch remote interview with Billy H., March 6, 2026.

ankle monitor but instead took him into custody and deported him to Cameroon, a country he had no connection to, a few days later.[50]

David described other clients of hers who were long-term residents apprehended at regular ICE check-ins and given little or no notice before their deportation to a third country. One, a woman deported to Cameroon, was taken into custody after she had appeared at an ICE office for a check-in with her five-year-old daughter. She had to make several phone calls to arrange for the girl to be taken to the family's home, David said.[51]

US Detention Prior to Transfer

Everyone interviewed by Human Rights Watch spent time in immigration detention prior to their removal, often being transferred among various US detention facilities prior to their deportation.

Little to No Time Before Being Informed of Deportation

Most of those interviewed by Human Rights Watch had little or no time between being informed of their imminent deportation and their actual removal. Some were told a day, a few days, or a week before being deported; others were not told until they were on the plane. None of those we spoke with were given any real opportunity to challenge the deportation.

Many were not able to contact or inform their family or lawyers. "The last day before deportation, I said, 'Give me a chance to call my family, to call my lawyer,' but they didn't give me a chance to call anybody," Tesfay T. told Human Rights Watch. "My family only found out when I was in Cameroon."[52]

Natalie E. said that in the week before her transfer to the Democratic Republic of Congo, ICE moved her frequently, at one point sending her back to a detention center she had left two days before. ICE did not make her location known during this time, so her relatives could not tell a lawyer where she was.[53]

---

[50] Human Rights Watch remote interview with Alma David, March 10, 2026.

[51] Human Rights Watch remote interview with Alma David, September 25, 2026.

[52] Human Rights Watch remote interview with Tesfay T., March 23, 2026.

[53] Human Rights Watch interview with Natalie E., Kinshasa, May 17, 2026.

Among other barriers to legal representation caused by these rapid, frequent, and secret transfers, lawyers were impeded in their efforts to file habeas petitions because they could not identify the judicial districts where their clients were being held, as is generally required to challenge the legality of detention in the federal courts.[54]

Third-Country Removal as Alternative to Release from Detention

The US Supreme Court has held that immigration detention following a final order of removal is only presumptively reasonable for six months. Beyond that point, detention is not permissible unless there is a significant likelihood of removal in the reasonably foreseeable future.[55] Nonetheless, many of the people we interviewed spent significantly longer periods of time in detention. Others said ICE deported them when their immigration detention time limit was approaching or when their lawyers were preparing to file petitions for writs of habeas corpus.

Therese B., a 30-year-old woman who could not be deported to her country because of the likelihood of being persecuted there, had been detained for one year and two months when, she said, "I was removed by surprise to Cameroon." She said, "I didn't even know I was going to Cameroon until they took me to the plane. . . . They didn't tell me [ahead of time that] they will deport me and they didn't give me a chance to contact my lawyer. . . . I think the week [my lawyer] wanted to apply for habeas corpus for me, I was removed."[56]

Dawit H., a 31-year-old man from Ethiopia, had been in detention for six months and his lawyer was about to file a habeas petition when he was deported to Cameroon. He said:

> My lawyer . . . sent the request Friday, but it was the weekend, and ICE transferred me Saturday night from Texas to Louisiana, to Alexandria [Louisiana] airport. . . . My lawyer tried to call ICE and stop the

---

[54] See 28 U.S.C. § 2241(a); *Rumsfeld v. Padilla*, 542 U.S. 426, 443 (2004) ("The plain language of the habeas statute . . . confirms the general rule that for core habeas petitions challenging present physical confinement, jurisdiction lies in only one district: the district of confinement."). But the Supreme Court has recognized that "[w]hen . . . a prisoner is held in an undisclosed location by an unknown custodian, it is impossible to apply the immediate custodian and district of confinement rules." 542 U.S. 426 at 450 n.18. See also ibid. at 435 & n.8 (expressly declining to decide whether the default rule of naming the "immediate custodian" and filing in the district of actual confinement applies to habeas petitions filed by noncitizens "detained pending deportation").

[55] *Zadvydas v. Davis,* 533 U.S. 678 (2001); *Clark v. Martinez*, 543 U.S. 371 (2005).

[56] Human Rights Watch remote interview with Therese B., March 25, 2026.

> deportation . . . but they just ignored her. . . . We were deported late Sunday night.[57]

Conditions of US Immigration Detention

Inhumane conditions and medical neglect are all too common in US immigration detention, and many of the people Human Rights Watch interviewed for this report described abusive detention conditions while in ICE or US Customs and Border Protection (CBP) custody.[58]

Grace K., a 26-year-old woman who was deported to Cameroon, said that she was arrested upon crossing the US-Mexico border in January 2025 and detained for ten days in what she thought was a CBP holding cell, during which time, "We slept on the floor. It was very cold." She was transferred to the Bluebonnet Detention Center in Anson, Texas, where she said conditions were deplorable. "I had arrived with a chronic illness, hypothyroidism, and I never received treatment for that in detention. . . . I was always cold, my eyes hurt, and [parts of her body] wouldn't stop swelling."[59]

Geraldo C., Cuban, 59, said that he was arrested on June 13, 2025, during one of his regular check-ins with ICE in Broward County, Florida, and was taken to the Krome North Service Processing Center in Miami, where he spent the next two weeks:

> It was crazy in there . . . . We could only shower every three days. . . . There were a lot of fights . . . . The cell didn't have beds. There were 50 men in the cell. . . . There were so many on the floor. So, when you go to the bathroom, there are people sleeping on top of the toilet. We slept on the floor. Some men slept next to the bathroom. There was no space. There was no ventilation. . . .

---

[57] Human Rights Watch remote interview with Dawit H., March 24, 2025.

[58] See, for example, Human Rights Watch, *"You Feel Like Your Life Is Over": Abusive Practices at Three Florida Immigration Detention Centers Since January 2025* (New York: Human Rights Watch, 2025), https://www.hrw.org/report/2025/07/21/you-feel-like-your-life-is-over/abusive-practices-at-three-florida-immigration; Human Rights Watch, *"You're Only Getting Out Deported or Dead" Abusive Immigration Detention at El Paso's Camp East Montana* (New York: Human Rights Watch, 2026), https://www.hrw.org/report/2026/07/15/youre-only-getting-out-deported-or-dead/abusive-us-immigration-detention-at-ft.

[59] Human Rights Watch remote interview with Grace K., March 14, 2026. She said that the lack of treatment for her medical condition continued at the hands of Cameroonian authorities after her transfer to that country.

Asked how many he saw in the center as a whole, he said, "Hundreds on the floor, sleeping everywhere, under police desks, in the hallways, everywhere."

He then spent two weeks detained in El Paso before being deported to Eswatini. "[El Paso] was the same crazy things as Krome [detention center]," he said.[60]

The Deportation Flights to African Countries

False, Insufficient, or No Information About the Country of Deportation

Many of the people we interviewed said that US immigration authorities did not tell them to which countries they were being removed. Some said that agents told them nothing at all. For instance, Alberto C., a 60-year-old Cuban, spent six months in detention in Buffalo, New York, before he was deported to Eswatini in October 2025. He said:

> They never told me I was going [to Eswatini]. They took me to Kansas City, to Tennessee, and back to Texas. Two days. I never got off the plane. In Texas I was there one month. Louisiana was the last point, one week . . . at 10 at night, transfer. "Get your things, you're leaving." . . . They put me on a plane. . . . They didn't tell us [we were] going to Africa.[61]

The relative of a man deported to the Central African Republic in June 2026, who had been granted withholding of removal to his Middle Eastern country of origin by a US immigration judge in July 2025 based on his fears of persecution, told Human Rights Watch:

> On the morning of June 11, 2026, the federal judge granted his habeas petition and ordered that he be released. . . . he immediately told the ICE officers who were escorting him . . . . However . . . no one stopped to verify his legal status or the court order. Later that same day, ICE placed him on a plane and removed him from the United States.

[60] Human Rights Watch remote interview with Geraldo C., March 13, 2026.

[61] Human Rights Watch remote interview with Alberto C., June 15, 2026. Human Rights Watch has a copy of the detainee request form from the Alexandria Staging Facility on file in which he requested deportation to Mexico.

> Before his removal, [he] was not given a meaningful opportunity to challenge his transfer to the Central African Republic. He was not able to explain that he feared being sent there. . . . [He] did not know that he was going to be deported to the Central African Republic until shortly before the removal process. . . .
>
> [Previously], he had expressed that if he could not remain in the United States and was going to be removed to a third country, he would prefer a country where he might have a realistic chance of safety and protection. . . . However, despite those preferences, he was removed to the Central African Republic, a country where he had no family, no friends, no prior connection, and no ability to speak the local language. [62]

Human Rights Watch reviewed the man's habeas petition and the federal judge's order granting the petition, which confirmed much of the relative's account. [63] UNHCR's 2024 Annual Results Report on Central African Republic confirms the limited capacity of the Central African Republic to examine asylum claims or to provide effective refugee protection:

> Gaps exist in the implementation of the 2007 Asylum Law and its 2009 decree. Despite efforts, the national eligibility commission's capacity needs strengthening to determine refugee status effectively. Limited financial resources hinder the sustainability of the asylum institution, which relies heavily on UNHCR support. Access to asylum procedures for complex profiles like LGBTIQ+ applicants is inconsistent, and asylum procedures are not included in the national budget. While Article 23 of the 2007 Asylum Law grants refugees freedom of movement, security checkpoints often restrict movement, leading to abuses and arbitrary arrests. [64]

---

[62] Human Rights Watch remote interview with deported person's relative (identifying details withheld), July 13, 2026.

[63] Petition for Writ of Habeas Corpus (W.D. Texas December 29, 2025) (case name and file number withheld to protect his anonymity; on file with Human Rights Watch); Order Granting Petition for Writ of Habeas Corpus (W.D. Texas June 12, 2026) (case name and file number withheld; on file with Human Rights Watch).

[64] UNHCR, Annual Results Report 2024, Central African Republic, May 27, 2025, https://www.unhcr.org/us/sites/en-us/files/2025-06/central_african_republic_arr_2024_23.pdf (accessed September 23, 2026).

“An ICE agent told me to sign for deportation to Chad. I refused . . . The ICE agent said, ‘I don’t care, I’m going to sign it myself.’ . . . I said, ‘I’m going to talk to my lawyer,’ but he said, ‘It’s too late.’ . . . I don’t know what happened, maybe later they changed their minds, because we ended up in Cameroon. . . . Even before we got on the plane, we asked where we were going, and they told us, ‘You’ll find out when you arrive.’” – Tesfay T., 35, an Ethiopian man deported to Cameroon

In other cases, agents told people they were being released soon or would be transferred to other detention sites within the United States. For example, David P. said agents told a group that included him and seven other men they were being transferred from Texas to Louisiana. After they were in the air, David said, “The pilot came on the intercom. He said, ‘We’ll be there in eight hours.’ Not on a jet, I thought. I don’t know too much about geography, but on a jet? We’re not going to Louisiana.” Their plane refueled in a European country and continued on to a US army base in Djibouti en route to South Sudan.[65] Another man, who had withholding of removal and was detained by ICE in late 2025, said:

> [ICE] said I will see a judge within 90 days. Just before the 90 days, [in February 2026,] they asked me for an address I will be staying at in the United States when I get released. Then after two days, they . . . took me to the airport. . . . I thought I was getting released, only to find myself [deported] in shackles [to Cameroon].[66]

[65] Human Rights Watch remote interview with David P., April 15, 2026.

[66] Human Rights Watch remote interview, potentially identifying information withheld, March 12, 2026.

ICE officers told a few of the people deported to Cameroon they were going to Chad. Tesfay T., a 35-year-old man, described what happened three days before his deportation to Cameroon:

> An ICE agent told me to sign for deportation to Chad.[67] I refused . . . The ICE agent said, "I don't care, I'm going to sign it myself." . . . I said, "I'm going to talk to my lawyer," but he said, "It's too late." . . . I don't know what happened, maybe later they changed their minds, because we ended up in Cameroon. . . . Even before we got on the plane, we asked where we were going, and they told us, "You'll find out when you arrive." Then we found out when we landed in Cameroon.[68]

Similarly, ICE agents told some people who were sent to the Democratic Republic of Congo that their country of removal was Ghana.[69]

No Assessment of Protection Concerns in Third Countries

Most of the people we spoke with said they received no interview before their transfer even though they told immigration officials they feared for their safety if their transfer was carried out. For instance, Samantha P. and Natalie E., both from Colombia, told Human Rights Watch they had each told immigration officers they feared being sent to the Democratic Republic of Congo.[70] Similarly, when DHS notified a group of eight men that it was sending them to South Sudan, they all said they feared being sent there.[71] Under the process set forth in a July 2025 ICE memo,[72] each of the men the United States ultimately sent to South Sudan should have received fear interviews but did not.

---

[67] This appears to be a reference to the Warrant of Removal/Deportation, ICE Form I-205, https://www.ice.gov/sites/default/files/documents/Document/2017/I-205_SAMPLE.PDF (accessed September 23, 2026).

[68] Human Rights Watch remote interview with Tesfay T., March 23, 2026.

[69] For example, Human Rights Watch remote interview with Mario V., May 19, 2026.

[70] Human Rights Watch remote interview with Samantha P., May 15, 2026; Human Rights Watch interview with Natalia E., Kinshasa, May 17, 2026.

[71] Human Rights Watch remote interview with Pablo N., February 27, 2026.

[72] See Memorandum from Todd Lyons, acting director, US Immigration and Customs Enforcement (ICE), Third Country Removals Following the Supreme Court's Order in *Department of Homeland Security v. D.V.D.* (July 10, 2025), in Declaration of Simon Sandoval-Moshenberg, Attachment 1, *D.V.D. v. U.S. Department of Homeland Security*, No. 25-cv-10676 (D. Mass. filed July 15, 2025), ECF No. 190-1, https://storage.courtlistener.com/recap/gov.uscourts.mad.282404/gov.uscourts.mad.282404.190.1.pdf (accessed September 23, 2026).

The July 25 ICE memo, discussed earlier in this report,[73] sets out requirements for ICE agents before deporting someone to a third country, unless the receiving country has provided diplomatic assurances that it will not torture or persecute the person.[74] That process requires immigration officers to show the person a notice of removal that indicates the intended country of removal. ICE is then told to wait 24 hours after issuing the notice of removal before deporting the person. If the person affirmatively states a fear of removal to the country listed on the notice of removal, they are to be referred for further screening under the standards for withholding or deferral of removal under the Convention against Torture and US immigration law.

Óscar F., who was sent to the Democratic Republic of Congo, was among the few we interviewed who said that he received a fear interview prior to his transfer. "I spoke to an officer for two hours. At the end, he denied me. He said I didn't have any fear of going to Africa. He said they would send me there." But ICE had told him that he would be transferred to Ghana, not the Democratic Republic of Congo. He said, "On the paper they gave me, it said Ghana."[75]

Inhuman and Degrading Treatment Aboard the Flights

Typical of the accounts Human Rights Watch heard of treatment on the deportation flights was that of William O., a 51-year-old Kenyan man deported to Cameroon:

> It was very uncomfortable and humiliating. We spent 18 hours in shackles . . . . We couldn't even stand to stretch. The only time you stand is when you go to use the bathroom. I have nightmares when I remember that flight.[76]

Every person interviewed by Human Rights Watch said their wrists were handcuffed to a chain around their waist and that their legs were shackled. "We were chained and handcuffed, legs, hands, stomach," said Tesfay T., a 35-year-old man who was deported to Cameroon. "We flew all the way like that. . . . I couldn't feel my legs, that was really painful.

---

[73] See "The Trump Administration's Third-Country Deportation Policy" chapter, above.

[74] For a critique of diplomatic assurances on torture, see Bill Frelick, "Not Even Risk of Torture Deters Trump Administration Deportations," commentary, Human Rights Watch dispatch, August 26, 2026, https://www.hrw.org/news/2026/08/26/not-even-risk-of-torture-deters-trump-administration-deportations.

[75] Human Rights Watch remote interview with Óscar F., May 16, 2026.

[76] Human Rights Watch remote interviews with William O., March 12 and 25, 2026.

We could not stand up. When I had to use the bathroom, they didn't even take off the chains . . . they just took one arm out of the chains."[77]

Samantha P., Natalie E., and Mario V., all from Colombia, gave similar accounts of being shackled throughout their flight from Louisiana to the Democratic Republic of Congo, with two stops along the way.[78] "The flight lasted for hours and hours. We were handcuffed and shackled the whole time, even when we used the toilet, even when we were eating," Samantha said.[79]

"They told us it was a deportation flight, but they didn't tell us where it was going," said Billy H., a 35-year-old man from Southeast Asia, who was deported to Eswatini. "We were handcuffed at the waist and shackled the whole time, about 30 hours total. It was terrible. It was hard to go to the bathroom or eat or drink. They wouldn't even loosen the cuffs."[80] Noah L., a Sierre Leonean man who resisted his deportation to Cameroon, said he was put in a full body restraint known as "The Wrap," an abusive practice Human Rights Watch has documented during other deportation flights, including flights to Cameroon in 2020.[81] The Wrap was placed on top of his chains (arms, waist, legs), keeping him in a very painful position for the first two hours of the flight, until the constraints were loosened but not removed for the duration of the flight. Noah told us:

> I refused to get on the plane. I did not attack any officer, I just resisted. A bunch of them [ICE officers or US marshals] rushed me and tackled me, and they put me in a straitjacket. I was wrapped up like a package, with my legs crossed. . . . They put [the wrap] over my legs and body, to make sure I couldn't make any type of movements. It was really painful, really tight. . . . I was in there for a couple hours. I had tears coming out of my eyes but no

[77] Human Rights Watch remote interview with Tesfay T., March 23, 2026.

[78] Human Rights Watch remote interviews with Samantha P., May 15, 2026, and Mario V., May 19, 2026; and interview with Natalie E., Kinshasa, May 17, 2026.

[79] Human Rights Watch remote interview with Samantha P., May 15, 2026.

[80] Human Rights Watch remote interview Billy H., March 6, 2026.

[81] Human Rights Watch, *"How Can You Throw Us Back?": Asylum Seekers Abused in the US and Deported to Harm in Cameroon* (New York: Human Rights Watch, 2022), pp. 84-87, https://www.hrw.org/report/2022/02/10/how-can-you-throw-us-back/asylum-seekers-abused-us-and-deported-harm-cameroon.

> one seemed to show me any type of sympathy. . . . I felt like it was cutting into my ankles.[82]

Two other people interviewed by Human Rights Watch said they saw officers tackle Noah and wrap him in a straitjacket.[83]

Official Demonization

On the day of their removal to Eswatini, the DHS spokesperson posted on X that "this flight took individuals so uniquely barbarous that their home countries refused to take them back. These depraved monsters have been terrorizing American communities but thanks to @POTUSTrump and @Sec_Noem they are off American soil."[84]

All the men deported on the first flight to Eswatini had criminal convictions, including for murder, attempted murder, sexual assault, or other serious crimes, but they had served their sentences for those crimes. In any case, removal on immigration grounds should not entail additional punishment and should be carried out humanely. The public characterization of them as "uniquely barbarous . . . depraved monsters" was dehumanizing on its face, but also potentially put the deportees at increased risk of harm at the hands of Eswatini authorities.

"I know the US government called me a monster," Pheap Rom, a 43-year-old man from Cambodia, told Human Rights Watch. "Check yourself before you call someone else a monster. The process they put us through was monstrous. I know I am not a monster. I spent 15 years working on my faults."[85]

---

[82] Human Rights Watch remote interview with Noah L., March 25, 2026.

[83] Human Rights Watch remote interviews with Dawit H., March 24, 2026, and Tesfay T., March 27, 2026.

[84] Tricia McLaughlin, assistant secretary for public affairs, US Department of Homeland Security (@TriciaOhio), X (July 15, 2025, 8:09 p.m. EDT), https://x.com/TriciaOhio/status/1945274627976200206 (accessed March 23, 2026).

[85] Human Rights Watch remote interview with Pheap Rom, March 11, 2026. He preferred not to use a pseudonym, and his name has been published in press reports.

III. Who Is Being Sent to Third Countries?

The people deported to third countries come from a wide variety of backgrounds and circumstances, but some general categories emerge that help to indicate the circumstances that result in some people subject to deportation in the United States being sent to places other than their home countries.

People with Criminal Convictions and No Home Country Protection Claims

Some of the third-country nationals had committed serious crimes in the United States and had either not claimed a need for protection against torture in their home countries or their claims had been denied. Some, like Pheap Rom, 43, a Cambodian national, went directly from prison to immigration detention to deportation.

Rom was born in a refugee camp in Thailand and came as a refugee to the United States at the age of three, where he said he lived in urban areas. "The streets raised me," he told Human Rights Watch. He got involved in gang violence, was convicted of attempted murder, and served 15 years in prison followed immediately by immigration detention and the loss of his lawful permanent resident status:[86]

> My green card was revoked because I committed an aggravated felony. I was already in prison. It was a video conference. I couldn't hear the judge. I asked the judge if he could deport me to Cambodia. The judge said, why not Thailand. I said that Thailand and Cambodia were in conflict. Withholding of removal, torture withholding never came up . . . The final order said removal to Cambodia, but listed Thailand as the alternative country . . . I contacted the Cambodian government and asked for travel documents . . . Cambodia responded to my letter. They said I could not request an interview, but only ICE could request that. I told the ICE officer they needed to go to the Cambodian embassy. I told them they should either deport me or release me. I filled out a form for Cambodia. I was in

[86] See Rebecca Ratcliffe and Rachel Savage, "'We Still Deserve Due Process,' Says Cambodian Man Deported by US to Eswatini," *Guardian*, April 7, 2026, https://www.theguardian.com/world/2026/apr/07/cambodian-man-pheap-rom-deported-us-eswatini (accessed September 23, 2026).

> detention the whole time. I was never released. I went right from detention to Africa.

In late September, early October 2025, Rom was transferred among various detention centers in Ohio and Louisiana before being deported on October 4, never being told where he was going and not being able to change into clean clothes for six days. He said he saw a paper that said Eswatini and asked an officer what that was. He was told it was in Africa. Rom was willing to go to his home country, Cambodia, but not to Africa, not to Eswatini:

> I wanted to request a fear interview for Eswatini. The removal order said nothing about Africa. We all requested a fear interview. The ICE officer said, "I will drag your ass onto the fucking plane if you don't go willingly." There were military people. They shackled us up. We pleaded to an ICE officer, we said, "Excuse me, sir, we request a fear interview." He said, "You're a bunch of murderers, what are you scared about?"[87]

Rom was deported to Cambodia on March 26, 2026.[88]

Pablo N., a 42-year-old man from Mexico, had just finished a prison sentence, originally set at 25 years but reduced for good behavior, for second-degree murder when ICE took him to immigration detention centers in Florida and then Texas. ICE officials initially told him he would quickly be deported to Mexico under the terms of an immigration judge's 2005 removal order. Instead, and even though Mexico has consistently and categorically stated that it always accepts its citizens, including those who are deported from the United States,[89] ICE sought and, in July 2025, ultimately succeeded in deporting him to South Sudan, more than five times the distance from Tampa to Mexico City, but not until he and seven other men had spent six weeks detained in a converted shipping container on a US naval base in Djibouti.

---

[87] Human Rights Watch remote interview with Pheap Rom, March 11, 2026.

[88] Ratcliffe and Savage, "'We Still Deserve Due Process.'"

[89] See, for example, "US Migrant Deportation Flights Arrive in Latin America," France24, January 25, 2025, https://www.france24.com/en/live-news/20250125-us-migrant-deportation-flights-arrive-in-latin-america (accessed September 23, 2026); Camilo Montoya-Galvez, "US Quietly Deporting Mexican Migrants to Guatemala and Honduras, Angering Mexico," CBS News, August 18, 2026, https://www.cbsnews.com/news/us-deportations-mexican-migrants-guatemala-honduras/ (accessed September 23, 2026). See also Emiliano Rodríguez Mega and Annie Correal, "Inside the Plan to Receive Thousands of Mexicans Deported from the US," *New York Times*, January 23, 2025, https://www.nytimes.com/2025/01/23/world/americas/mexico-deportation-trump.html (accessed September 23, 2026).

He accepted that he was responsible for killing a man in a fight.[90] Nevertheless, he said:

> The government said a bunch of things about my time in prison that weren't true—they claimed I was involved in gangs and drugs, that I committed a double murder, that I was sentenced to life. None of that is true. I received credit for good behavior that reduced my sentence. According to my sentence, I could have been held up to 2028. But every so often I received a notice saying that my sentence was reduced by another 10 days or so for my behavior, for my work. I would not have been released early if I had done the things they said.[91]

Although an ICE official gave the court a description of Pablo's sentence that matched what Pablo told Human Rights Watch, 25 years,[92] a US Department of Homeland Security (DHS) media statement falsely stated that he had been given a life sentence.[93]

Although he was born in a refugee camp in Thailand, Bounmi T., age 46 and sent to Eswatini, says he has no fear of being deported to Laos even though he has never lived there:

> I just don't understand what's going on. I agree to go to my country. I don't understand why I'm being held in a prison in a country where I never committed a crime. It is affecting me and my family. My future is uncertain. I'm not trying to fight my deportation. Why did they send me to Africa? Why did they use this as a first option and not a last resort?[94]

---

[90] His description of the circumstances of the crime is consistent with the charge for which he was convicted. See Fla. Stat. § 782.04(2) (second-degree murder includes unlawful killings that are not planned or otherwise intended).

[91] Human Rights Watch remote interview with Pablo N., February 27, 2026. Human Rights Watch reviewed court documents that confirmed his original sentence and his release date.

[92] Declaration of Acting Assistant Director Marcos D. Charles, para. 26, *D.V.D. v. DHS*, No. 25-cv-10676 (filed May 22, 2025), ECF No. 124-1, https://storage.courtlistener.com/recap/gov.uscourts.mad.282404/gov.uscourts.mad.282404.124.1.pdf (accessed September 23, 2026).

[93] "8 Barbaric Criminal Illegal Aliens Finally Deported to South Sudan After Weeks of Delays by Activist Judges," DHS, July 5, 2025, https://www.dhs.gov/news/2025/07/05/8-barbaric-criminal-illegal-aliens-finally-deported-south-sudan-after-weeks-delays (accessed September 23, 2026).

[94] Human Rights Watch remote interview with Bounmi T., March 24, 2026.

People with Recognized Home Country Protection Concerns

Many of the people Human Rights Watch interviewed for this report had been recognized as having well-founded fears of persecution in their home countries by immigration judges in the United States, but were ineligible for asylum on technical grounds, leaving judges with only the option of "withholding" or "deferral" of deportation to their home countries.[95]

For example, Dawit H., the 31-year-old Ethiopian man deported to Cameroon, could not be sent to his home country.[96] Although he met the refugee definition and a judge barred his return to his country, the judge denied him asylum because of a 2024 rule that made anyone who crossed the US southern border without authorization presumptively ineligible for asylum.[97] The rule was facing an ongoing legal challenge as this report was being prepared for publication.[98]

Human Rights Watch reviewed Dawit's Credible Fear Interview file, which said he was subject to the "Securing the Border limitation on asylum eligibility."[99] The decision of the immigration judge, which we also reviewed, said, "Asylum was denied. Withholding of removal under [Immigration and Nationality Act] § 241(b)(3), as to Ethiopia, was granted." That provision of US immigration law bars the removal of a person to a place where their life or freedom would be threatened . . . [because of their] race, religion, nationality, membership of a particular social group, or political opinion."

---

95 For a discussion of withholding and deferral of removal as compared to asylum under US law, see American Immigration Council and National Immigrant Justice Center, "The Differences Between Asylum and Withholding of Removal," October 2020, https://www.americanimmigrationcouncil.org/wp-content/uploads/2025/01/the_difference_between_asylum_and_withholding_of_removal.pdf (accessed September 23, 2026).

96 Human Rights Watch remote interview with Dawit H., March 24, 2026.

97 The rule initially took effect on June 5, 2024. Securing the Border, 89 Fed. Reg. 48710, 48749 (June 7, 2024) (interim final rule). See also Securing the Border, 89 Fed. Reg. 81156 (October 7, 2026) (final rule amending 8 C.F.R. parts 208 and 235).

98 A federal district court vacated much of the rule, including its limitation on asylum eligibility, in May 2025, and the government's appeal is pending. See Order, *Las Americas Immigrant Advocacy Ctr. v. D.H.S.*, No. 24-cv-01702 (D.D.C. May 9, 2025), ECF No. 91, *appeal docketed*, No. 25-5313 (D.C. Cir. August 28, 2025); Memorandum Opinion, *Las Americas Immigrant Advocacy Ctr. v. D.H.S.*, No. 24-cv-01702 (D.D.C. May 9, 2025), ECF No. 92. For the status of the appeal, see "Las Americas Immigrant Advocacy Center v. DHS," CourtListener, https://www.courtlistener.com/docket/71250907/las-americas-immigrant-advocacy-center-v-dhs/ (accessed September 27, 2026).

99 8 C.F.R. §§ 208.13, 208.35, 1208.13, 1208.35, added by Securing the Border, 89 Fed. Reg. at 48769-48772. This rule and the 2023 Circumvention of Lawful Pathways Rule bar people who crossed the southern border irregularly from applying for asylum.

LGBT Refugees Not Assessed for Protection Risks in Third Countries

Some of the people Human Rights Watch interviewed had been granted withholding of removal to their home countries because of the risk of being persecuted for their sexual orientation or gender identity. However, US immigration authorities did not consider whether their sexual orientation or gender identity would put them at risk of persecution in the third countries to which they were being sent.

Following their deportations from the United States to third countries in Africa, at least two LGBT people have been forcibly repatriated or accepted return to their countries of origin under duress.

One interviewee who said they were at risk of persecution in their home country because of their sexual orientation told Human Rights Watch that they had lived for many years in the United States. They tried to seek asylum in Canada but were sent back to the United States pursuant to the Safe Third Country Agreement between the United States and Canada. "In 2017, I went to Canada for asylum which they declined because according to an agreement with the United States, I had to apply there first."[100]

After Canada sent this person back, ICE detained them in Buffalo, New York, for several months before releasing them. In 2022, a US immigration judge granted the person withholding of removal to their home country because of the likelihood of being persecuted there for their sexual orientation. Because they had not requested asylum within one year of arrival in the United States,[101] the judge could not grant the person asylum, which made them potentially subject to third-country deportation. At the time, the United States generally did not engage in third-country removals, and this person reported every year to ICE without incident. However, in December 2025, ICE arrested the person when they appeared for their check-in.

We asked the person when they learned the country to which they were being deported, and the person answered, "In the plane . . . . The lack of information was major to me. . . . I

[100] Human Rights Watch remote interview (identifying details withheld), March 2026.

[101] US law generally requires asylum applications to be submitted within one year of a person's last arrival in the United States. Immigration and Nationality Act § 208(a)(2)(B) (codified at 8 U.S.C. § 1158(a)(2)(B)).

didn't see any documents. . . . I tried to protest but the way they told me I would end up in the plane [the threat to use tougher restraints] left me with no choice but to toe the line."[102]

The judge's order prevented the United States from deporting the person to their home country, but they said that US immigration officers gave them no chance to challenge their removal to the third country—a country that has a law that criminalizes same-sex relations and where LGBT people have been known to experience discrimination and violence—on the basis that they would likely be persecuted there for the same reason they could not be sent to their home country. The person told us, "I already heard that it [same-sex relations] is an abomination here [in the country where they were sent]. Why am I here? I don't know . . . I don't know if that will affect my asylum here."

This person cannot return to their home country, and they do not feel safe in the country to which they have been sent because of its official hostility toward LGBT people.

Another person who had been granted withholding of removal in the United States said that once they were told of their imminent deportation to a third country in Africa that criminalized same-sex relations, they expressed their fears to ICE:

> I asked [ICE or detention facility officers], did they know, [this country] is not a country that accepts LGBTQ? . . . . I told them . . . the risk for me being LGBTQ is enormous . . . [and that] I was afraid to go to [there], and I have credible fear, and I would like to have an interview to tell them why I can't go . . . . They said to me, 'Sure, we will grant you an interview.' . . . I told [an officer] about my concerns and he told me that he was going to get to his superior and inform them that I do have credible fear in going to [that country].

Nonetheless, despite their expressed concerns, this individual was deported a few days later to this same country.[103]

[102] Human Rights Watch remote interview (identifying details withheld), March 2026.
[103] Human Rights Watch remote interview (identifying details withheld), March 2025.

One person who was deported to a country that cannot be named for security reasons, said they met with UNHCR after being deported but were too afraid to give details of their situation:

> I can't seek asylum in [name of country withheld] . . . . Since [name of country withheld] does not accept LGBTQ and they're going to base my asylum on who I am and why I left my country, why I cannot return. I don't know about letting them know such a vulnerable side about me, I'm not certain.[104]

Human Rights Watch also interviewed a person who identified as trans whom the United States deported in 2026 to a country in Africa to which the person had no connections. That receiving country provides no legal pathways for trans people to get identity documents that correctly reflect their gender, which contributes to a strong risk of discrimination and other rights violations.[105]

In all, Human Rights Watch interviewed four people who identified as LGBT and heard from lawyers and other sources who provided credible information about 10 other people who identified as LGBT deported by the US government to countries in Africa that they were not citizens of. Immigration Equality, a group that works on LGBTQ and HIV immigration rights in the United States, has also documented such cases,[106] and news accounts have profiled additional accounts of LGBT people sent to third countries in Africa.[107]

---

[104] Human Rights Watch remote interview (identifying details withheld), 2026.

[105] Human Rights Watch remote interview (identifying details withheld), 2026.

[106] See Immigration Equality, *Delivered to Danger: How the Trump Administration's Third-Country Agreements Threaten the Lives of LGBTQ Refugees and Asylum Seekers* (Brooklyn, New York: Immigration Equality, 2026), https://immigrationequality.org/wp-content/uploads/2026/06/ImmigrationEquality_ThirdCountryReport_2026.pdf (accessed September 23, 2026).

[107] See, for example, Carla Gloria Colombé, "Daniela en Miami y Daniel en África, la deportación de una mujer trans: 'Me vestí como un hombre para sobrevivir,'" *El País*, September 18, 2026, https://elpais.com/us/2026-09-18/daniela-en-miami-y-daniel-en-africa-la-deportacion-de-una-mujer-trans-me-vesti-como-un-hombre-para-sobrevivir.html (accessed September 23, 2026).

IV. Known US Third-Country Deportations to Africa, March 2025 to September 2026

The Trump administration's foreign policy on Africa is called "America First in Africa," and, according to a State Department official, "prioritizes partner countries that want to work with us on issues that matter most from curbing mass destabilizing migration to unleashing the power of American free enterprise."[108] In practice, the Trump administration's relations with African states has entailed turning people facing deportation into negotiable bargaining chips.[109] As of the writing of this report, Human Rights Watch has seen reports of the Trump administration negotiating or concluding deals involving the transfer of third country nationals to Angola, Benin, Burundi, Cabo Verde, Cameroon, Central African Republic, the Democratic Republic of Congo (DRC), Equatorial Guinea, Eswatini, Ghana, Liberia, Libya, Rwanda, Sierra Leone, South Sudan, and Uganda.[110] This chapter highlights deals that have come to fruition and which have resulted in transfers of third-country nationals from the United States to specific countries in Africa. (The following chapter discusses transfers to Rwanda and Uganda under a specific type of third-country transfer arrangement known as an asylum cooperative agreement.)

While the agreements that have been made public differ in various respects, they also have certain commonalities, such as an affirmation that both signatory countries will act "in accordance with their obligations under the Convention Relating to the Status of Refugees, . . . the Convention against Torture . . . and any other respective international obligations."[111]

---

[108] Nick Checker, senior bureau official, Bureau of African Affairs, US Department of State, "Remarks: America First in Africa," March 18, 2026, https://www.state.gov/releases/bureau-of-african-affairs/2026/03/america-first-in-africa (accessed September 23, 2026).

[109] See Lauren Seibert (Human Rights Watch), "African States Shouldn't Help the US Endanger Refugees," commentary, *African Arguments*, https://www.hrw.org/news/2026/07/06/african-states-shouldnt-help-the-us-endanger-refugees.

[110] Agreements that have been concluded with these countries are discussed in this and the following chapters.

[111] See, for example, Embassy of the United States in Kinshasa, Diplomatic Note No. 25/282 (December 18, 2025), and Gouvernement de la République Démocratique du Congo, Ministère de l'Intérieur, Sécurité, Décentralisation et Affairs Coutumières, Vice-Premier Ministre, Note Diplomatique No. 25/CAB/VPM/MININTERSEDECAC/SLBJ/KBC/167/2025 réponse à la Note Verbale de l'Ambassade des États-Unis No. 25/282 du 18 décembre 2025 (December 24, 2025). The notes are published at US Department of State, FOIA Library, Case Act Reporting, Qualifying Non-Binding Instruments, April 2026, https://foia.state.gov/FOIALIBRARY/QNI2.aspx (accessed September 23, 2026).

Burundi

The United States deported 12 people (11 men and one woman), from Angola, Cameroon, Mauritania, and Sudan to Burundi on a flight that arrived on August 27, 2026.[112]

The US State Department had initiated discussions for the transfer of third-country nationals to Burundi in December 2025. On February 6, 2026, Burundi's Ministry of Foreign Affairs sent a diplomatic note to the US embassy in Bujumbura stating its intention to treat any third-country nationals transferred from the United States "in accordance with its international legal obligations" said it intended to develop operating procedures to implement the understanding. The note further said that Burundi "does not intend to receive third-country nationals who have committed violent crimes." The US embassy sent a return note on February 12, 2026, confirming the agreement and bringing it into effect.[113]

In 2024, the UN special rapporteur on the situation of human rights in Burundi reported on the narrowing of civic space and repression of political opponents, media professionals, and human rights defenders, and described "widespread impunity enjoyed by perpetrators of human rights violations, . . . the deteriorating security situation, . . . and the increase in the number of cases of enforced disappearance and arbitrary arrest."[114]

Burundi is itself a refugee-producing country with an estimated 188,000 Burundian refugees outside the country.[115] The special rapporteur spoke with some Burundian refugees who had returned to their country but were now emigrating again. He reported that they cited "basic protection concerns, such as the need to avoid political tensions and pressure from the Imbonerakure [the ruling party's youth wing], but also concerns about access to fundamental economic, social and cultural rights and basic services, such as the right to work, including access to safe and healthy working conditions, and the rights to

---

[112] Human Rights Watch remote interview with Alma David, September 25, 2026.

[113] US Department of State Diplomatic Note No. 2026-0027QN-Burundi of December 8, 2025, Republic of Burundi Ministry of Foreign Affairs Note No. 204.01/0119/MAEIRCD/2026, of February 6, 2026, and US Embassy Bujumbura Diplomatic Note No. 032/2026 of February 12, 2026. The notes are published at US Department of State, FOIA Library, Case Act Reporting, Qualifying Non-Binding Instruments, April 2026, https://foia.state.gov/FOIALIBRARY/QNI2.aspx (accessed September 23, 2026).

[114] UN Human Rights Council, Situation of Human Rights in Burundi: Report of the Special Rapporteur on the Situation of Human Rights in Burundi, Fortuné Gaetan Zongo, U.N. Doc. A/HRC/57/58 (July 23, 2024), para. 1.

[115] Operational Data Portal: Burundi Situation, UNHCR, last updated July 31, 2026, https://data.unhcr.org/en/situations/burundi (accessed September 23, 2026).

health, education and an adequate standard of living, including the rights to food and adequate housing" as reasons for leaving again.[116]

Cameroon

As of September 2026, the US government had deported 46 third-country nationals to Cameroon on five flights: nine sent in January 2026;[117] eight in February;[118] nine in April;[119] ten in May;[120] and ten in August.[121]

The first two groups, consisting of 10 men and 7 women, included asylum seekers from nine African countries—Angola, the Democratic Republic of Congo, Ethiopia, Ghana, Kenya, Morocco, Senegal, Sierra Leone, and Zimbabwe—as well as one stateless person, Human Rights Watch heard.[122]

Sixteen of the 17 people transferred in January and February, as well as all nine of those transferred in April, had immigration court orders preventing their return to their countries of origin.[123] The 10 people transferred in May also had such protection orders, according to news accounts.[124]

Based on Human Rights Watch interviews and documents related to the asylum cases of the 17 people on the first two flights, most were deemed to have met the high refugee standard required for "withholding of removal" but were ineligible for asylum on technical

---

[116] Human Rights Council, Situation of Human Rights in Burundi, para. 56.

[117] Pranav Baskar and Hamed Aleaziz, "US Deports Nine Migrants in Secret, Ignoring Legal Protections," *New York Times*, February 14, 2026 (updated February 16, 2026), https://www.nytimes.com/2026/02/14/world/africa/us-secret-deportation-cameroon.html (accessed September 23, 2026).

[118] Gerald Imray and Nalova Akua, "More Third-Country Nationals Have Been Deported by the US to Cameroon, Lawyers Tell AP," AP News, February 16, 2026, https://apnews.com/article/us-africa-cameroon-deportations-immigration-96aead5c5adb30bf34b1ad03ca314763 (accessed September 23, 2026).

[119] "Nine African Migrants Expelled by US to Cameroon—Lawyer," *Punch,* April 30, 2026, https://punchng.com/nine-african-migrants-expelled-by-us-to-cameroon-lawyer/ (accessed September 23, 2026).

[120] Human Rights Watch remote interview with Alma David, September 25, 2026.

[121] Ibid.

[122] Human Rights Watch remote interviews with people deported to Cameroon and US-based lawyers, March-May 2026.

[123] Ibid. Human Rights Watch reviewed case files to confirm grants of withholding or deferral of removal. See also David Rich, "Sans passeports ni repères: au Cameroun, les naufragées de la politique migratoire de Trump," France24, September 21, 2026, https://www.france24.com/fr/afrique/20260921-sans-passeports-ni-rep%C3%A8res-au-cameroun-les-naufrag%C3%A9es-de-la-politique-migratoire-de-trump (accessed September 23, 2026).

[124] See "Cameroon," Third Country Deportation Watch, last updated September 10, 2026, https://www.thirdcountrydeportationwatch.org/cameroon (accessed September 27, 2026).

grounds, including missing the one-year filing deadline, or for crossing the US border irregularly, which became a bar to asylum in the United States based on regulations issued in 2023 and 2024.[125] Grace K., a 26-year-old woman, said, "The judge found me credible for asylum, but the [US Department of Homeland Security (DHS)] lawyer said because I crossed border in January 2025, there was an executive order that said anyone who crossed then couldn't get asylum . . . So instead, they gave me withholding of removal."[126]

All eight of the third-country nationals Human Rights Watch interviewed said they were afraid to return to their country of origin. Seven of them described fears of persecution related to protected grounds: political opinion, race or ethnicity, nationality, and particular social group.

One of them, Abina O., 32, was granted withholding of removal, but based on her account and on our examination of the record of her Credible Fear Interview (CFI), she may in fact have been eligible to apply for asylum.[127] According to the record of her CFI, a US Citizenship and Immigration Services (USCIS) asylum officer found that the "SB [Securing the Border interim final regulation of 2024] limitation on asylum eligibility" did not apply, because she "was a victim of a severe form of trafficking."[128]

Upon arrival, the Cameroonian authorities immediately detained the deportees in government-run facilities in Yaoundé, Cameroon's capital. "They never allowed us outside," said Fatima N. when we talked to her two months after her arrival. "That was one strict rule, it was like we were in detention. We've been requesting for two months now to go outside."[129] Since that time, the restrictions eased somewhat, with people allowed to go outside the facility briefly as long as they agreed to return.[130]

---

[125] The one-year filing deadline is at Immigration and Nationality Act § 208(a)(2)(B) (codified at 8 U.S.C. § 1158(a)(2)(B)). The bar on asylum for people crossing the border irregularly is in the Circumvention of Lawful Pathways regulation and in the Securing the Border regulation.

[126] Human Rights Watch remote interview with Grace K., March 14, 2026.

[127] Human Rights Watch remote interview with Abina O., March 14, 2026.

[128] US Credible Fear Interview record and decision (on file with Human Rights Watch).

[129] Human Rights Watch remote interview with Fatima N., March 13, 2026.

[130] They have been issued temporary ID cards that enable them to leave the facility briefly to buy essentials, but, as of this writing, do not have the status of asylum applicants, and do not receive stipends for such purchases.

Cameroonian authorities denied Awah Joseph Fru, the Cameroonian lawyer assisting many of the deportees, access to the group for several weeks while they were detained.[131]

During their detention in Yaoundé, several people fell sick with malaria and other illnesses. Dawit H., a 31-year-old man, said "I've been sick every day" since arriving at the detention center in Cameroon. He said that he contracted malaria and had been hospitalized three times for malaria and other illnesses.[132]

Several deportees interviewed said that since their arrival in Cameroon, they had not received the medication or treatment they needed for chronic illnesses and serious health conditions, including hypothyroidism, high blood pressure, severe arthritis, and HIV. "Up until now in Cameroon, I still haven't seen a specialist, and my health isn't good," said one woman with chronic illnesses. "I don't feel well, I am afraid every day that my condition will worsen."[133] Others said that it took three to five days for guards to respond to sick calls. Alma David, a US lawyer, told Human Rights Watch that one of her clients who was HIV-positive decided to go from Cameroon to that person's home country, despite fears of harm there, because of the lack of availability of HIV treatment in Cameroon.[134]

One woman said that the quality of food and hygiene got worse after the second group of deportees arrived. "It's like we are begging them to feed us, to give us toiletries . . . . When you are taking food, they will tell you, 'It's enough. . . . there are a lot of people.' So, if they cannot feed me, why did they accept me?" She said, "We have to beg for sanitary pads." She said all guards are men. "These policemen here, they have no regard for females, they just bang into the room, they just enter our rooms without knocking."[135]

At least 12 people had left Cameroon because of the living conditions and uncertainty they faced there, David told Human Rights Watch in September 2026.[136]

---

[131] Human Rights Watch remote interviews with Joseph Fru, March 2026. See also Hamed Aleaziz and Pranav Baskar, "In Secret Deportation Deal, US Leveraged Favors and Funds: In Cameroon, the Trump Administration Found a Partner It Could Pressure into Accepting Covertly Deported Migrants," *New York Times*, March 25, 2026, https://www.nytimes.com/2026/03/25/world/africa/in-secret-deportation-deal-us-leveraged-favors-and-funds.html (accessed September 23, 2026).

[132] Human Rights Watch remote interview with Dawit H., March 24, 2026.

[133] Human Rights Watch remote interview with Grace K., March 14, 2026.

[134] Human Rights Watch remote interview with Alma David, February 23, 2026.

[135] Human Rights Watch remote interview with Abina O., March 14, 2026.

[136] Human Rights Watch remote interview with Alma David, September 25, 2026.

Many we interviewed described poor detention conditions, including a lack of sunlight, rampant malaria and other illnesses, and difficulty receiving medication. Abina O., who was deported to Cameroon (identifying information is omitted for her protection), said that all the guards were men: "We have to beg for sanitary pads. These policemen here, they have no regard for females, they just bang into the room, they just enter our rooms without knocking."

Cameroon agreed to accept third-country deportations in December 2025. Among other provisos, the agreement specified that Cameroon would treat people transferred from the United States in accordance with its treaty obligations and included the following additional undertaking:

> [T]hird-country nationals removed to the Republic of Cameroon would not be subjected to persecution on account of race, religion, nationality, membership in a particular social group, or political opinion, or torture in the Republic of Cameroon or in any country to which the Government of the Republic of Cameroon may further transfer them.[137]

In addition, an allocation of $30 million from the US government in 2026 to UNHCR includes the notation that it is "for its operations in the Republic of Cameroon, in support

[137] Embassy of the United States in Yaoundé, Diplomatic Note No. 492/25 (undated), and Republic of Cameroon, Ministry of External Relations, Note No. 00615-DIPL (December 8, 2025). The notes are published at US Department of State, FOIA Library, Case Act Reporting, Qualifying Non-Binding Instruments, April 2026, https://foia.state.gov/FOIALIBRARY/QNI2.aspx (accessed September 23, 2026).

of third country national arrangement (TCNA) negotiations."[138] The *New York Times* reported that "the US government withheld a $30 million disbursement to the Cameroon office of the UN refugee agency until Mr. Biya's administration agreed to the deportation deal, according to a senior Cameroonian official."[139] The *Times* report went on to say:

> The Cameroonian official said Cameroon was initially against the agreement and likened it to "blackmail." The government later came around, he said, reasoning that the deal might eventually encourage the United States to repatriate Cameroonian dissidents and separatists who had fled to America. A US official described the payment as part of an emerging Trump administration pattern of withholding money for country-specific United Nations programs as leverage in deportation deals.[140]

At least five people the United States sent to Cameroon in January and February subsequently returned to their countries of origin in circumstances that could violate Cameroon's international obligations. Others—including people who arrived on subsequent deportation flights from the United States—remained in the facility in Yaoundé, while some planning to return to their countries with IOM's assistance had been moved to a hotel.[141]

Central African Republic

On June 12, 2026, several months after an exchange of diplomatic notes formalizing third-country transfer arrangements,[142] the Central African Republic accepted 12 men and 6

---

[138] Contributions to International Organizations for Overseas Assistance, Bureau of Population, Refugees and Migration, US Department of State, Federal Award Identification Number (FAIN) SPRMCO26VC0034, USASpending.gov, https://www.usaspending.gov/award/ASST_NON_SPRMCO26VC0034_019 (accessed September 23, 2026).

[139] Aleaziz and Baskar, "In Secret Deportation Deal, US Leveraged Favors and Funds."

[140] Ibid.

[141] Human Rights Watch remote interview with Alma David, May 27, 2026. See also Rich, "Sans passeports ni repères"; Monika Pronczuk, "The US Deported a Gay Asylum-seeker to a Third Country Where Homosexuality Is Illegal," AP, February 22, 2026, https://apnews.com/article/trump-deportation-cameroon-morocco-lgbt-interview-1ea278f4c981df798773e26972c5d54f (accessed September 23, 2026).

[142] Embassy of the United States of America in Bangui, Diplomatic Note No. 2026-109 (March 26, 2026), and Ministere des Affaires etrangeres, de la Francophonie et des Centrafricains de l'etranger, Republique centrafricaine, No. 0207/MAEFCE/DIRCAB.26 (April 4, 2026), published at US Department of State, FOIA Library, Case Act Reporting, Qualifying Non-Binding Instruments, June 2026, https://foia.state.gov/FOIALIBRARY/QNI2.aspx (accessed September 23, 2026).

women deported from the United States.[143] Their countries of origin included Afghanistan, Armenia, Cameroon, Egypt, Georgia, Iran, Iraq, Jordan, Georgia, and Kyrgyzstan. US immigration judges had granted nearly all protection against deportation to their countries of origin after determining that they faced a risk of persecution or torture.[144]

A second flight arrived on July 31, with 31 people (26 men and 5 women) from Afghanistan, Cuba, Ecuador, Honduras, Vietnam, and other countries,[145] as well as a man from Nepal, according to his attorney.[146] A third flight that arrived on August 29 or 30 sent 43 people (42 men and 1 woman), including approximately 20 people from Afghanistan and 10 from Iran, to the country.[147]

These transfers occurred while a US State Department travel advisory was still in effect that said, "Do not travel to Central African Republic for any reason," warning of risks due to unrest, crime, kidnapping, health, terrorism, and other threats.[148]

One Iranian woman in the first group had won protection against return to her home country because she had converted to Christianity, and another woman had received protection against return because of her opposition to the Iranian government, according

---

[143] Jean Fernand Koena and Mark Banchereau, "Migrants Deported from US, Including an Iranian Woman, Arrive in Central African Republic," AP, June 13, 2026, https://apnews.com/article/central-african-republic-immigration-deportations-trump-iran-0ad513dc07d1ab39d906e2c8632b9e74 (accessed September 23, 2026).

[144] Human Rights Watch remote interview with Alma David, June 26, 2026. See also Lauren Seibert, "Central African Republic Latest 'Third Country' for US Deportees," commentary, Human Rights Watch dispatch, June 29, 2026, https://www.hrw.org/news/2026/06/29/central-african-republic-latest-third-country-for-us-deportees; "Migrants expulsés des États-Unis vers des pays tiers : un premier avion atterrit en Centrafrique," France24, June 13, 2026, https://www.france24.com/fr/afrique/20260613-migrants-expuls%C3%A9s-des-%C3%A9tats-unis-vers-des-pays-tiers-un-tout-premier-avion-arriv%C3%A9-en-centrafrique (accessed September 23, 2026); Koena and Banchereau, "Migrants Deported from US, Including an Iranian Woman, Arrive in Central African Republic."

[145] Human Rights Watch remote interview with Alma David, September 25, 2026. See also Memo Torres, "Cuban Asylum Seeker Deported to Africa Without ID, Money, or Cell Phone," *L.A. Taco*, August 11, 2026, https://lataco.com/asylum-seeker-deported-to-africa (accessed September 23, 2026).

[146] See Gillian Brockwell, "Tracking All of Trump's Known Third-Country Removals," updated September 26, 2026, https://gillianbrockell.com/tracking-all-of-trumps-third-country-removals-that-we-know-of/ (accessed September 27, 2026).

[147] Human Rights Watch remote interview with Alma David, September 25, 2026; Miriam Jordan and Hamed Aleaziz, "Relative of Afghans Who Helped US Military Is Deported to Africa," *New York Times*, August 29, 2026, https://www.nytimes.com/2026/08/29/us/afghans-deported-us-central-african-republic.html (accessed September 23, 2026); Camilo Montoya-Galvez, "ICE Deports Afghans and Others to Africa, Expanding 'Third Country Deportations," CBS News, August 30, 2026, https://www.cbsnews.com/news/ice-deportations-afghanistan-cuba-africa/ (accessed September 23, 2026).

[148] US Department of State, Travel Advisory: Central African Republic, https://travel.state.gov/en/international-travel/travel-advisories/central-african-republic.html (accessed September 23, 2026).

to news accounts.[149] One of the Afghan men transferred to the Central African Republic in August had received withholding of removal because his brothers had fought the Taliban alongside US military forces, according to Alma David, his lawyer.[150]

On September 18, 2026, a federal district court ordered DHS to return a Honduran man from the Central African Republic.[151]

IOM staff briefly met the first group on their arrival.

Central African officials stated that the group would be housed in apartments in Bangui, the capital, and partially supported by IOM.[152] The deported person told Human Rights Watch, "These are rented houses, but there are no cameras or any security measures; if anyone wanted to break in, it would be easy."[153]

They feared for their safety, the individual said:

> There is a major risk here; we look different from the locals, and we are all terrified. The police abduct people like us and demand money. The IOM told us they would not accept responsibility if we went out and were deported to our home countries.[154]

---

[149] Noé Hochet-Bodin, "Les États-Unis expulsent des migrants, dont des femmes iraniennes, en République centrafricaine," *Le Monde*, June 12, 2026 (updated June 13, 2026), https://www.lemonde.fr/afrique/article/2026/06/12/les-etats-unis-expulsent-des-migrants-dont-des-femmes-iraniennes-en-republique-centrafricaine_6701166_3212.html (accessed September 23, 2026); Camilo Montoya-Galvez and Annabelle Hanflig, "US Deports Migrants from Afghanistan, Iran, Other Countries to Violence-Torn Central African Republic," CBS News, June 13, 2026, https://www.cbsnews.com/news/us-deports-migrant-central-african-republic/ (accessed September 23, 2026).

[150] Jordan and Aleaziz, "Relative of Afghans Who Helped US Military Is Deported to Africa"; Montoya-Galvez, "ICE Deports Afghans and Others to Africa."

[151] *Sanchez Servellon v. Baltazar*, No. 26-cv-2908 (D. Colo. September 18, 2026). See also Laura Romero and Matt Rivers, "Judge Orders Return of Honduran Migrant Deported to Central African Republic," ABC News, September 21, 2026, https://abcnews.com/US/judge-orders-return-honduran-migrant-deported-central-african/story?id=136626492 (accessed September 23, 2026).

[152] Robbie Corey-Boulet, "US Deports Iranian Pro-Democracy Activist to Central African Republic, Lawyer Says," Reuters, June 12, 2026, https://www.reuters.com/world/africa/us-deports-iranian-pro-democracy-activist-central-african-republic-lawyer-says-2026-06-12/ (accessed September 23, 2026); Giuglia Paravicini, "Central African Republic to Accept Third-Country Deportees from US, Sources Say," Reuters, June 7, 2025, https://www.reuters.com/world/africa/central-african-republic-accept-third-country-deportees-us-sources-say-2026-06-07/ (accessed September 23, 2026).

[153] Human Rights Watch remote interview (identifying details withheld), July 3, 2026.

[154] Ibid.

Local police detained two men in the group just outside their accommodation at the end of June in an apparent extortion attempt, the interviewee told us, sharing a copy of a letter sent to IOM describing the incident:

> Today, eight armed police officers stopped next to the door of the place where we live, and they took two people from the group . . . and they placed them in a detention facility with criminals in Bangui. The room was small, overcrowded with people, and they were in a state of extreme terror.[155]

The two men were released after IOM intervened.[156] A relative of one of the two men told Human Rights Watch:

> Since arriving in the Central African Republic, [my relative] has remained under the care of IOM together with the other people who were deported from the United States. During the first two weeks, they were not allowed to leave the residence. Later, after receiving their passports and temporary visas, [my relative] left the residence only once to buy some basic personal necessities from a nearby shop. While walking outside, police officers stopped him [and another deportee] and asked for identification. After he showed them his passport, they took it from him and demanded 50,000 CFA francs [about US$100] in exchange for releasing him. When he explained that he did not have that . . . they took him [and the other deportee] to a police station.
>
> At the station, [he] requested permission to make a phone call. He contacted IOM . . . . The police again demanded money, but the IOM representative refused to pay . . . [and] after further discussions [the two men were] released.

[155] Letter to IOM, June 30, 2026 (on file with Human Rights Watch).

[156] Human Rights Watch remote interview (identifying details withheld), July 3, 2026.

> This experience left [my relative] frightened to leave the residence. He does not feel safe in the Central African Republic, and he also cannot safely return to [his country] because of the persecution he fears there.[157]

IOM officials met the group again on July 8, saying that "there is no refugee or asylum structure in this country" and "there is no protection here." The officials told the group "to make a decision as soon as possible" to avoid becoming homeless or trapped in a situation of insecurity, such as potentially being sent by Central African authorities "to the border with Congo [Brazzaville] or Sudan or Cameroon."[158]

The deported person interviewed by Human Rights Watch wrote to IOM: "In the United States, I was taking many medications for mental health treatment, but here I have not received any help from a specialized doctor . . . . My condition is very difficult; I am in a state of severe fear and extreme anxiety."[159] There is a severe shortage of psychosocial and mental health services in the country, as Human Rights Watch has previously reported.[160]

At least seven people from the June and July flights have left the Central African Republic, three of whom returned to their home countries in spite of their fears of persecution or torture there, said Alma David, a US lawyer familiar with their cases. The others went to fourth countries to avoid feared persecution or torture in their home countries, David told Human Rights Watch.[161]

Democratic Republic of Congo

Seven women and eight men from Colombia, Peru, and Ecuador arrived in Kinshasa on April 17, 2026, under a third-country transfer agreement announced earlier in the month.[162] The government of the Democratic Republic of Congo had agreed to receive more than 30

---

[157] Human Rights Watch remote interview with deportee's relative (identifying details withheld), July 13, 2026.

[158] Human Rights Watch remote interview (identifying details withheld), July 8, 2026.

[159] Human Rights Watch remote interview (identifying details withheld), July 3, 2026.

[160] Human Rights Watch, *"They Said We Are Their Slaves": Sexual Violence by Armed Groups in the Central African Republic* (New York: Human Rights Watch, 2017), https://www.hrw.org/report/2017/10/05/they-said-we-are-their-slaves/sexual-violence-armed-groups-central-african.

[161] Human Rights Watch remote interview with Alma David, September 25, 2026.

[162] Clement Bonnerot, "First Deportees from US Arrive in Congo Capital, Sources Say," Reuters, April 17, 2026, https://www.reuters.com/world/africa/first-deportees-us-arrive-congo-capital-sources-say-2026-04-17/ (accessed September 23, 2026).

people, Reuters reported in advance of the flight,[163] but US court challenges may have reduced the number of people actually transferred.[164]

All 15 of those transferred in April reportedly had protection orders preventing their return to their home countries,[165] and Human Rights Watch confirmed that at least five of the people had been granted Convention against Torture protection.[166] One man returned to his home country, Colombia, shortly after the group arrived in Kinshasa;[167] the remaining 14 were still in the Democratic Republic of Congo when Human Rights Watch spoke with five of them in mid-May. By mid-June, only one person remained in the Democratic Republic of Congo, according to news accounts.[168] By late September, none of the 15 remained in the Democratic Republic of Congo: four people had gone to countries other than their country of origin, and the remaining 11 had returned to their home countries, Alma David, a US lawyer, told Human Rights Watch.[169] As described below, the uncertainty and other conditions they faced in the Democratic Republic of Congo call into question whether these returns to countries of origin were voluntary.

Announcing the agreement on April 5, the DRC government said it would "temporarily take in third-country nationals" and had made arrangements for "reception facilities" in Kinshasa for this purpose. It stated that "the logistical and technical aspects of the operation will be

---

[163] Clement Bonnerot, Robbie Corey-Boulet and Giulia Paravicini, "Exclusive: Congo to Receive First Group of Deportees from US This Week, Sources Say," Reuters, April 14, 2026 (updated April 15, 2026), https://www.reuters.com/world/africa/congo-receive-first-group-deportees-us-this-week-sources-say-2026-04-14/ (accessed September 28, 2026).

[164] Bonnerot, "First Deportees from US Arrive in Congo Capital, Sources Say."

[165] Morgane Le Cam and Thomas Ribaud, "Un avion transportant des Sud-Américains expulsés des Etats-Unis arrive en RDC, nouveau sous-traitant de la politique migratoire américaine," *Le Monde*, April 17, 2026 (updated April 18, 2026), https://www.lemonde.fr/afrique/article/2026/04/17/un-avion-transportant-des-migrants-sud-americains-expulses-des-etats-unis-arrive-en-rdc-nouveau-sous-traitant-de-la-politique-migratoire-americaine_6680895_3212.html (accessed September 23, 2026).

[166] Human Rights Watch reviewed case files to corroborate the accounts of two women and two men who told us they had received withholding under the Convention against Torture, and court records establish that a third woman had received the same protection. Human Rights Watch remote interviews with Samantha P., May 15, 2026; with Óscar F., May 16, 2026; Mario V., May 19, 2026; and interview with Natalia E., Kinshasa, May 17, 2026. Memorandum Order, (D.D.C. May 13, 2026) (case name and file number withheld to protect anonymity; on file with Human Rights Watch).

[167] Human Rights Watch remote interview with Samantha P., May 17, 2026.

[168] Noé Hochet-Bodin, "Les États-Unis expulsent des migrants, dont des femmes iraniennes, en République centrafricaine," *Le Monde*, June 12, 2026 (updated June 13, 2026), https://www.lemonde.fr/afrique/article/2026/06/12/les-etats-unis-expulsent-des-migrants-dont-des-femmes-iraniennes-en-republique-centrafricaine_6701166_3212.html (accessed September 23, 2026).

[169] Human Rights Watch remote interview with Alma David, September 25, 2026.

handled by the US government"[170] and that "the DRC Treasury will bear no financial burden" under the arrangement.[171] The agreement says the people transferred "may include third-country nationals who raise national security or public safety concerns."[172]

The plane stopped in Dakar and Accra before landing in Kinshasa. DRC officials transported the group to a hotel near the airport, where they met with IOM officials. Samantha P., from Colombia, told us:

> We each met with IOM officials. I explained my situation and why I was afraid to return to Colombia. They told me I could apply for asylum in DRC if I wanted, but they said that was inadvisable because of the security situation in the country. They agreed that my situation was one of "high vulnerability," so I received a 90-day visa. One other woman also received 90 days. The rest were given seven days to return to their home countries.[173]

Natalie E., also from Colombia, said that she and everyone else who had initially received seven-day permits had received extensions for a further 90 days. Other than the possibility of seeking asylum in the Democratic Republic of Congo, IOM officials have not presented them any options other than return to their home countries. "But because of the situation I faced in Colombia, a US judge agreed I could not return there," she said. She continued:

> Asylum in the Democratic Republic of Congo is not a realistic option: it is unsafe, I know nothing else about it, I do not speak the language, and even

[170] Ministère de la Communcation et Médias, "Mise en œuvre d'un dispositif d'accueil temporaire de ressortissants de pays tiers en République démocratique du Congo," April 5, 2026, https://communication.gouv.cd/actualites/communications-du-gouvernement/27/mise-en-uvre-dun-dispositif-daccueil-temporaire-de-ressortissants-de-pays-tiers-en-republique-democratique-du-congo (accessed September 23, 2026).

[171] "La RDC va accueillir des migrants expulsés des Etats-Unis," Radio Okapi, April 5, 2026, https://www.radiookapi.net/2026/04/05/actualite/politique/la-rdc-va-accueillir-des-migrants-expulses-des-etats-unis (accessed September 23, 2026).

[172] Embassy of the United States in Kinshasa, Diplomatic Note No. 25/282 (December 18, 2025), and Gouvernement de la République Démocratique du Congo, Ministère de l'Intérieur, Sécurité, Décentralisation et Affairs Coutumières, Vice-Premier Ministre, Note Diplomatique No. 25/CAB/VPM/MININTERSEDECAC/SLBJ/KBC/167/2025 réponse à la Note Verbale de l'Ambassade des États-Unis No. 25/282 du 18 décembre 2025 (December 24, 2025). The notes are published at US Department of State, FOIA Library, Case Act Reporting, Qualifying Non-Binding Instruments, April 2026, https://foia.state.gov/FOIALIBRARY/QNI2.aspx (accessed September 23, 2026).

[173] Human Rights Watch remote interview with Samantha P., May 15, 2026.

> the IOM officials talk about it in a way that makes clear that we should not apply. They have discussed no other alternatives with us.
>
> It's the uncertainty that weighs on us most of all. We don't know how long we can stay, and we don't know where we will go next. Not knowing what will happen to us affects us emotionally.[174]

IOM officials have said the agency's support ends once the 90-day period of authorized stay is over, Natalie and Mario each told us, saying that this deadline was a particular source of stress.[175] "At that point we'll have to support ourselves through our own resources. I won't be able to do this," Natalie said.[176]

In May, a US federal judge found that the transfer of one of the women to the Democratic Republic of Congo "was likely illegal" because the DRC government had "formally refused to accept [the woman]" and explained that 'the state of health of [the woman requires medical assistance that our local hospital structures are not able to guarantee adequately' and her presence 'poses a risk of health spread within our reception centres and the general population.'"[177]

The judge initially ordered the US government to "take all available steps to facilitate the [woman's] return . . . to the United States as soon as possible."[178] The judge reversed his order in June after finding insufficient evidence that DHS officials had received the DRC government's refusal letter before the woman's transfer, meaning that the US government was no longer under an order to return her.[179]

---

[174] Human Rights Watch interview with Natalie E., Kinshasa, May 17, 2026.

[175] Ibid.; Human Rights Watch remote interview with Mario V., May 19, 2026.

[176] Human Rights Watch interview with Natalie E., Kinshasa, May 17, 2026.

[177] Memorandum Order, p. 2, (D.D.C. May 13, 2026) (case name and file number withheld; on file with Human Rights Watch).

[178] Ibid., p. 3. See also Michael Sol Warren, "Feds Say Ebola Outbreak Means They Can't Bring Back NJ-Bound Woman Deported to Congo," *Gothamist*, May 19, 2026, https://gothamist.com/news/feds-say-ebola-outbreak-means-they-cant-bring-back-nj-bound-woman-deported-to-congo (accessed September 23, 2026).

[179] Pranav Baskar, "US Judge Reverses Decision on Colombian Woman Deported to Congo," *New York Times*, June 8, 2026, https://www.nytimes.com/2026/06/08/world/africa/trump-deportation-us-judge-congo-colombia.html (accessed September 23, 2026).

A US government contribution of $50 million to UNHCR was marked “in support of third country national arrangement (TCNA) negotiations” with the Democratic Republic of Congo.[180]

In addition, as *Le Monde* reported in April, the agreement’s announcement followed several moves by the US government that benefited the Democratic Republic of Congo:

> As part of the peace negotiations with Rwanda, the DRC has enjoyed closer ties with Washington in recent months. On March 2, the US Treasury announced unprecedented coercive measures against Kigali, imposing sanctions on the Rwandan army for its “key role” in planning and commanding rebel operations in the eastern part of [the Democratic Republic of Congo]. A few days earlier, on February 26, Washington simultaneously offered a new assurance to the Congolese side by promising an investment of $900 million (€760 million) over five years to strengthen the healthcare system in the DRC.[181]

Equatorial Guinea

As of September 2026, Equatorial Guinea had received about 65 third-country nationals, at least two dozen of whom it sent onward to their countries of origin.[182] Many of those sent to their home countries had received orders of protection against refoulement from US immigration judges.[183]

---

[180] Contributions to International Organizations for Overseas Assistance, Bureau of Population, Refugees and Migration, US Department of State, Federal Award Identification Number (FAIN) SPRMCO26VC0039, https://www.usaspending.gov/award/ASST_NON_SPRMCO26VC0039_019 (accessed September 23, 2026). See “The Roles of UN Agencies” chapter, below.

[181] Le Cam and Ribaud, “Un avion transportant des Sud-Américains expulsés des Etats-Unis arrive en RDC, nouveau sous-traitant de la politique migratoire américaine.”

[182] Human Rights Watch remote interview with Meredyth Yoon, litigation director, Asian Americans Advancing Justice-Atlanta, September 28, 2026See also Tiago Rogero, “Six People Refused to Get Off ICE Deportation Plane—Now They’re Held in Limbo in Equatorial Guinea,” *Guardian*, September 4, 2026, https://www.theguardian.com/world/2026/sep/04/us-deportation-equatorial-guinea-fourth-country-trump (accessed September 23, 2026); Megha Rajagopalan and Pranav Baskar, “A Central African Hotel Has Become a Nightmare Prison for US Deportees,” *New York Times*, September 18, 2026, https://www.nytimes.com/2026/09/18/world/africa/us-deportation-hotel-equatorial-guinea.html (accessed September 23, 2026).

[183] Human Rights Watch remote interview with Meredyth Yoon, September 28, 2026; Mark Banchereau and Monika Pronczuk, “Case Filed Against Equatorial Guinea for Sending US Deportees to Nations Where They Face Persecution,” AP, June 5, 2026, https://apnews.com/article/equatorial-guinea-trump-administration-deportations-2f31af949e0c2271781f25ebda8785df (accessed September 23, 2026).

Nine men arrived on November 24, 2025. Four were from Georgia, two from Mauritania, and one each from Angola, Eritrea, and Ghana. All had withholding of removal based on the likelihood they would be persecuted or tortured, said Meredyth Yoon, the litigation director for Asian Americans Advancing Justice-Atlanta, who had several clients among the people sent to Equatorial Guinea. All had been detained by US Customs and Border Protection (CBP) immediately after they crossed the US border, Yoon told Human Rights Watch.[184]

Twenty people, six women and 14 men, arrived on the second flight, on January 22, 2026. Their countries of origin included Angola, Chad, Democratic Republic of Congo, Eritrea, Ethiopia, Ghana, Mauritania, and Nigeria, Yoon said.[185] A third flight, on April 29, transferred two women from Cameroon and one man from Egypt.[186]

A group of eight people (six men and two women), from the Democratic Republic of Congo, Eritrea, Jamaica, Senegal, and Uganda, arrived in Equatorial Guinea on June 18.[187] On July 29, an additional 10 third-country nationals, 8 men and 2 women, arrived in Equatorial Guinea from the United States.[188] Another group of 13 third-country nationals arrived on August 20, including six people (five men and one woman) from Cuba, Brazil, and Cameroon whom the United States had intended to send to Liberia and who had refused to disembark in that country.[189]

---

[184] Human Rights Watch remote interview with Meredyth Yoon, December 19, 2025.

[185] Human Rights Watch remote interview with Meredyth Yoon, February 19, 2026. ICE deportation data record 14 people for this flight and do not list nationals of the Democratic Republic, Ghana, or Nigeria among those deported to Equatorial Guinea. See Appendix I: Third Country Deportations by the Numbers, "Confirmed TCN Flights: Reported vs. ICE Data, May 2025 to July 2026" table, below.

[186] "Exclusive: ICE Expels Three More Third-Country 'Deportees' to Equatorial Guinea," Gillian Brockell, April 30, 2026, https://gillianbrockell.com/exclusive-ice-expels-three-more-third-country-deportees-to-equatorial-guinea/ (accessed September 23, 2026). See also Tom Cartwright (@thcartwright), X (April 29, 2026, 1:35 p.m. EDT), https://x.com/thcartwright/status/2049543040872685851 (accessed September 23, 2026).

[187] Human Rights Watch remote interview with Merdyth Yoon, September 28, 2026; Human Rights Watch remote interview with Alma David, September 25, 2026. ICE deportation data record nine people, not eight, sent to Equatorial Guinea on this flight. See Appendix I: Third Country Deportations by the Numbers, "Confirmed TCN Flights: Reported vs. ICE Data, May 2025 to July 2026" table, below.

[188] "Equatorial Guinea: Protect Deported Migrants and Lawyers Facing Threats and Intimidation," Institute for Human Rights and Development in Africa (IHRDA), August 12, 2026, https://ihrda.org/en/equatorial-guinea-protect-deported-migrants-and-lawyers-facing-threats-and-intimidation/ (accessed September 23, 2026).

[189] Human Rights Watch remote interview with Alma David, September 25, 2026; Rogero, "Six People Refused to Get Off ICE Deportation Plane—Now They're Held in Limbo in Equatorial Guinea."

As each group arrived, Equatoguinean officials took them to Hotel Bamy, near Malabo's airport. One of the men in the first group told the lawyer that he received a single bottle of water but no food for the first 12 hours and then minimal water for the next 10 days, leaving him always thirsty.

The *New York Times* said the third-country nationals were barred from leaving the hotel, reporting, "They are under constant watch by guards carrying automatic weapons, they said in phone interviews," and quoted one, Darwin Hernández, a Cuban, saying, "They told us: 'If you try to escape, we're going to shoot off your feet.'" [190]

In September 2026, Equatoguinean police beat two men after placing sacks over their heads and tying their hands together, in what was the most recent in a reported series of escalating acts of police aggression toward the third-country nationals held in the hotel. [191]

Audrey K., a woman from Cameroon, told Human Rights Watch:

> I asked one [official], "What's the way forward now, since I'm in Equatorial Guinea? Am I going to have papers to walk around, am I going to seek asylum . . . ?" He just laughed and said, "There is nothing like that here. The only option you have here is going back to your country. If you have visa agreements with another country, fine, but if you don't . . . , you will be sent back . . . ." [192]

Based on communications with her clients in Equatorial Guinea, Yoon told Human Rights Watch, "Authorities from Equatorial Guinea constantly pressured them to return to their home countries even though they expressed again and again that they feared harm if they returned." She said that "the authorities were unmoved by this information . . . . The men were told they would either be deported to their home countries or to a third country—there were no other options." [193]

---

[190] Emmanuel Akinwotu et al., "Deportees Recount Harrowing Journeys to Africa: Shackles, a 'Freezer' and Blows," *New York Times*, August 30, 2026, https://www.nytimes.com/2026/08/30/world/africa/us-deportation-flight-ice-detention-liberia.html (accessed September 23, 2026).

[191] Rajagopalan and Baskar, "A Central African Hotel Has Become a Nightmare Prison for US Deportees."

[192] Human Rights Watch remote interview with Audrey K., June 18, 2026.

[193] Human Rights Watch remote interview with Meredyth Yoon, December 19, 2025.

Yoon added that when her client and other men asked about seeking asylum in Equatorial Guinea, "the authorities either strongly dissuaded them from trying to do so or told them outright that was not an option." Her client asked Equatoguinean authorities for asylum every time they came to the hotel, she said, but had not been able to file a claim.[194]

"They are being threatened, [and being] told, 'Better you go to your country and die there instead of dying here,'" said Lucas Olo Fernandes, a lawyer with the Equatoguinean Commission of Jurists (Comisión Equatoguineana de Juristas).[195]

As of September 2026, Yoon was aware that a small number of people had submitted asylum applications with Equatoguinean authorities. "One man submitted an application in late December 2025 and was sent to his home country, Mauritania, against his will the following day," Yoon told Human Rights Watch. Equatoguinean authorities had not acted on any of the other applications, she added.[196]

The hotel was not an official place of detention. Nonetheless, the third-country nationals were not free to leave the hotel, although they had some ability to move around within the building. Armed police patrolled the exterior 24 hours a day.[197]

Audrey K. said that during the month she was detained in the hotel, "they didn't give us a change of clothes, or any [menstrual] hygiene stuff."[198] Local lawyers struggled for weeks to get access to the people held in the hotel. At the end of May, the hotel was permitting legal visits, during which a lawyer was able bring toothbrushes, SIM cards, and sanitary pads.[199]

A 28-year-old man from East Africa told the Associated Press in March, "It's an old, closed hotel and there are no other customers. . . . Most of us were sick because of the food. I was

---

[194] Ibid.

[195] Human Rights Watch remote interview with Lucas Olo Fernandes, secretary, Comisión Equatoguineana de Juristas, December 19, 2025.

[196] Human Rights Watch remote interview with Meredyth Yoon, September 28, 2026.

[197] Rajagopalan and Baskar, "A Central African Hotel Has Become a Nightmare Prison for US Deportees."

[198] Human Rights Watch remote interview with Audrey K., June 18, 2026.

[199] Human Rights Watch remote interview with Lucas Olo Fernandes, December 19, 2025; Monika Pronczuk, "Exclusive: Inside an African Hotel Where Asylum Seekers Deported by the US Are Imprisoned," AP, May 28, 2026, https://apnews.com/article/asylum-seekers-deported-africa-f37fb971a2f463a96bdde4911feefc7a (accessed September 23, 2026).

hospitalized for two days. There is also malaria here, two guys were hospitalized with that."[200] When an Associated Press reporter visited the hotel in May, a man told her he did not receive medical treatment for malaria and typhoid until his condition was severe enough to require intravenous therapy.[201]

By December 2025, at least two people had returned to their home country, Mauritania, under duress.[202] Describing one of these cases, Reuters reported:

> Diadie Camara told Reuters he was detained at the US-Mexico border in 2024 after escaping hereditary slavery in Mauritania, a common practice in his North African homeland. His asylum application was rejected in March, but a US immigration judge granted him protection from being sent to Mauritania, according to a copy of the decision seen by Reuters.[203]

Camara told Reuters, "I am now in hiding, and I don't know what to do." Camara added that he was terrified he might be found by the family that enslaved him and that they would punish him for his escape.[204]

Equatoguinean authorities had sent at least five people to their home countries by mid-February despite US immigration judges' orders of protection and their expressed fears of harm upon return. In addition, "several people were sent to fourth countries," Yoon told Human Rights Watch in February 2026. "For instance, a man from Chad is now in Cameroon."[205]

---

[200] Monika Pronczuk, "Secretive Deal Leaves Deportees from the US Stuck in Equatorial Guinea with 'No More Hope,'" AP, March 21, 2026, https://apnews.com/article/equatorial-guinea-deportations-trump-asylum-migrants-9d0a623b83288f5c7b1d1a71443d04cd (accessed September 23, 2026).

[201] Pronczuk, "Inside an African Hotel Where Asylum Seekers Deported by the US Are Imprisoned."

[202] Human Rights Watch remote interview with Lucas Olo Fernandes, December 19, 2025.

[203] Robbie Corey-Boulet and Emmanuel Bruce, "Ghana Took in Trump's Deported West Africans. Then It Forced Them Home," Reuters, January 16, 2026 (updated January 17, 2026), https://www.reuters.com/world/africa/ghana-took-trumps-deported-west-africans-then-it-forced-them-home-2026-01-16/ (accessed September 23, 2026).

[204] Ibid.

[205] Human Rights Watch remote interview with Meredyth Yoon, February 19, 2026.

On May 9, Equatoguinean officials told at least nine people they would be expelled to their home countries.[206] One woman, who said she had received withholding of removal in the United States because of her father's enforced disappearance and her own arrest, beating, and detention without food in her home country, told the *Guardian,* "I know what awaits me if they send me where they want to send me. I will be locked up, I will be in jail."[207]

A group of UN human rights experts and a representative of the African Commission on Human and Peoples' Rights issued a statement highlighting the "imminent risk of refoulement" of the nine individuals, who included people from Angola, Eritrea, Ethiopia, and Mauritania. They called on Equatorial Guinea "to immediately suspend any deportations of individuals at risk, ensure full respect for the principle of non-refoulement and guarantee prompt access to legal assistance and effective remedies."[208]

Despite the experts' appeal, on May 27, Equatoguinean authorities returned six more refugees to their countries of origin, all of whom had US court-ordered protections against return to those countries, including several with fears of torture.[209] Audrey K. was one of those returned, in her case to her home country of Cameroon—which she then fled again as soon as she was able. She was in hiding in another country where she faced deportation to her home country if she came to the attention of authorities, she told Human Rights Watch in June 2026.[210]

In all, as of September 2026. Equatorial Guinea had sent about 30 people to their countries of origin.[211]

---

[206] "Experts Urge Equatorial Guinea to Uphold International Obligations and Halt Returns of Those at Risk," OHCHR, May 13, 2026, https://www.ohchr.org/en/press-releases/2026/05/experts-urge-equatorial-guinea-uphold-international-obligations-and-halt (accessed September 23, 2026).

[207] Maanvi Singh, "UN Pleads for Equatorial Guinea Not to Send US Asylum Seekers to Their Home Countries: 'Their Life Would Be in Danger,'" *Guardian*, May 14, 2026, https://www.theguardian.com/world/2026/may/14/un-equatorial-guinea-us-deportees (accessed September 23, 2026).

[208] "Experts Urge Equatorial Guinea to Uphold International Obligations and Halt Returns of Those at Risk."

[209] Human Rights Watch interview with Meredyth Yoon, May 27, 2026.

[210] Human Rights Watch remote interview with Audrey K., June 18, 2026. See also Lauren Seibert (Human Rights Watch), "African States Shouldn't Help the US Endanger Refugees," commentary, *African Arguments,* July 3, 2026, https://www.hrw.org/news/2026/07/06/african-states-shouldnt-help-the-us-endanger-refugees.

[211] Human Rights Watch remote interview with Alma David, September 25, 2026. See also Monika Pronczuk, "Police Arrested and Beat 2 Deportees from the US to Equatorial Guinea, Lawyers Say," AP, September 19, 2026, https://apnews.com/article/africa-equitorial-guinea-migrants-us-arrests-bde51c874fd76b503e04a09ffc7baa98 (accessed September 23, 2026).

These accounts reflect treatment that is inconsistent with Equatorial Guinea's undertaking under its agreement with the United States, which said:

> [T]he Government of the Republic of Equatorial Guinea assures the Government of the United States of America that it will treat any third-country national transferred by the Government of the United States of America to Equatorial Guinea in a manner consistent with its international legal obligations and that third-country nationals transferred to Equatorial Guinea will not be subjected to persecution for reasons of race, religion, nationality, membership in a particular social group, or political opinion, or to torture, in Equatorial Guinea or in any other country to which the Government of the Republic of Equatorial Guinea may subsequently transfer them.[212]

Under Equatoguinean law, a person who is in the process of being expelled from the country can be detained for up to 60 days, Olo Fernandes said.[213] People facing expulsion have the right to receive written notice of the reasons for their expulsion, to have legal representation appointed for them, and to the assistance of an interpreter if necessary.[214] "The whole process needs to be monitored by a judge," he added.[215]

The US government paid the government of Equatorial Guinea $7.5 million in exchange for receiving third-country nationals transferred from the United States.[216] In addition, a US Senate Foreign Relations Committee Minority report found that the US government spent $681,670 in transportation costs for the first two flights.[217]

---

[212] Embajada de la República de Guinea Ecuatorial en los Estados Unidos de América, Note Verbal No. GE0291/25, October 2, 2025, p. 2. The agreement is published at US Department of State, FOIA Library, Case Act Reporting, Qualifying Non-Binding Instruments, April 2026, https://foia.state.gov/FOIALIBRARY/QNI2.aspx (accessed September 23, 2026). The agreement was reached in October 2025, but the United States did not make it available publicly until April 2026.

[213] Ley Orgánica No. 3/2010, de fecha 30 de mayo, Reguladora del Derecho de Extranjería en Guinea Ecuatorial, *Boletín Oficial del Estado* No. 5 (November 18, 2010), art. 54; Human Rights Watch remote interview with Lucas Olo Fernandes, December 19, 2025.

[214] Ley Orgánica No. 3/2010, art. 58.

[215] Human Rights Watch remote interview with Lucas Olo Fernandes, December 19, 2025.

[216] Letter from Senator Jeanne Shaheen to Marco Rubio, secretary of state, November 10, 2025, https://www.foreign.senate.gov/imo/media/doc/eg_letter.pdf (accessed September 23, 2026).

[217] US Senate Foreign Relations Committee Minority Report, At What Cost? Inside the Trump Administration's Secret Deportation Deals (February 2026), p. 8, https://www.foreign.senate.gov/imo/media/doc/(FINAL%20-%20web)%20At%20What%20Cost%20-%20Inside%20the%20Trump%20Administration%27s%20Secret%20Deportation%20Deals_2.17.26.pdf (accessed September 23, 2026).

The Senate report said that the $7.5 million payment "far exceeds all US foreign assistance provided to the country over the last eight years combined."[218] It noted that "the money was directly provided to the Equatorial Guinea government, which had never before been done, outside of the United States giving some limited medical supplies."[219] In addition, the *New York Times* reported, "Weeks before Equatorial Guinea announced its agreement, the Trump administration temporarily lifted sanctions on its vice president, Teodoro Nguema Obiang Mangue, so he could come to the United States for the United Nations General Assembly meeting."[220]

Eswatini

As of September 2026, the US government had sent five groups of third-country nationals to the Kingdom of Eswatini, totaling 32 people. The first, a group of five, arrived on July 15, 2025, and comprised nationals of Cuba, Jamaica, Laos, Vietnam, and Yemen.[221] The second, a group of 10, arrived on October 6 and comprised nationals of Cambodia, Chad, Cuba, Ethiopia, Haiti, the Philippines, and Vietnam.[222] The third, a group of four, arrived on March 11, 2026, with nationals of Somalia, Sudan, and Tanzania.[223] A fourth group of 11 individuals arrived on July 8;[224] according to ICE data analyzed by Human Rights Watch, two were from Jamaica and one each from Angola, Belize, Cameroon, the Central African

[218] Ibid., p. 17 (citing a January 2026 State Department briefing to Committee Minority staff).

[219] Ibid.

[220] Eileen Sullivan et al., "Trump Wants to Make Deportation Deals. Autocrats Are Ready to Listen," *New York Times*, April 4, 2026, https://www.nytimes.com/2026/04/04/world/africa/trump-deportation-africa-migrants.html (accessed September 23, 2026). Nguema has been under international sanctions because of corruption, including bribery and the misappropriation of property. See UK Sanctions List, Mangue Teodoro Nguema Obiang, last updated April 9, 2025, https://search-uk-sanctions-list.service.gov.uk/designations/GAC0024/Individual (accessed September 23, 2026).

[221] Gerald Imray, Michelle Gumede, and Rebecca Santana, "US Deports Immigrants from Jamaica, Cuba and Other Countries to the African Kingdom of Eswatini," AP, July 16, 2025, https://apnews.com/article/deportees-trump-africa-eswatini-migrant-africa-8d10c5a1de7ba50cbea9712b6b5fbfbc (accessed September 23, 2026).

[222] Nokukhanya Musi and Gerald Imray, "10 More Deportees from the US Arrive in the African Nation of Eswatini," AP, October 6, 2025, https://apnews.com/article/eswatini-deportees-us-trump-immigration-74b2f942003a80a21b33084a4109a0d2 (accessed September 23, 2026); Rachel Savage, "Eswatini Confirms Arrival of 10 More People as Part of US Deportation Deal," *Guardian*, October 6, 2025, https://www.theguardian.com/world/2025/oct/06/us-deportees-eswatini-lawyers-ngos (accessed September 23, 2026).

[223] Government of the Kingdom of Eswatini, Eswatini Receives Four More Third Country Nationals from the United States of America, press statement, March 12, 2026, available at Eswatini Government, Facebook post, March 12, 2026, https://www.facebook.com/photo?fbid=1229501862706481&set=pcb.1229501936039807 (accessed September 23, 2026).

[224] Tim Cocks, "Eleven More Trump Deportees Arrive in Eswatini from the United States," Reuters, July 8, 2026, https://www.reuters.com/world/africa/eleven-more-trump-deportees-arrive-eswatini-united-states-lawyer-says-2026-07-08/ (accessed September 23, 2026).

Republic, and Mauritania.[225] Two more men, both from Mexico, arrived on August 27, the fifth group of third-country nationals transferred to Eswatini from the United States.[226]

An Eswatini government spokesman, Thabile Mdluli, said that the men deported to Eswatini were "on transit and will be repatriated to their respective countries."[227] As of September 2026, at least five men had repatriated, though it is not clear that they all voluntarily returned to their home countries, especially since the alternative was indefinite detention in a maximum security prison in Eswatini.[228]

At least one of the men on the second flight had received deferral of removal, a form of protection against return to a country (usually the country of origin) where a US immigration judge has found that a person is likely to face persecution or torture, said Alma David, a US lawyer familiar with the man's case. Six of the men on the third flight, all 11 on the fourth flight, and one of the men on the fifth flight also had withholding or deferral of removal, she told Human Rights Watch. All of these men remained in Eswatini as of September 2026.[229]

The United States also reportedly attempted to deport Kilmar Abrego García to Eswatini. Abrego García is the Salvadoran man whom ICE mistakenly deported to his home country in 2025 despite a court order barring his removal to El Salvador. Legal challenges prevented his removal to Eswatini.[230]

---

[225] See Appendix I: Third Country Deportations by the Numbers, "Confirmed TCN Flights: Reported vs. ICE Data, May 2025 to July 2026" table, below.

[226] Human Rights Watch remote interview with Alma David, September 25, 2026. See also "Eswatini Receives 2 More US Deportees Under a Controversial Third-Country Deal," AP, August 28, 2026, https://apnews.com/article/eswatini-us-deportations-73724e3fe524311e03ff41e473f91aea (accessed September 23, 2026).

[227] Eswatini Government (@EswatiniGovern1), X (July 16, 2025, 9:55 a.m. EDT) (statement of Thabile Mdluli, acting government spokesperson), https://x.com/EswatiniGovern1/status/1945482350567055605?s=20 (accessed September 23, 2026).

[228] Human Rights Watch remote interview with Alma David, September 25, 2026.

[229] Ibid. For an overview of these forms of protection against return to persecution or torture, see "The Trump Administration's Third-Country Deportation Policy," above.

[230] Camilo Montoya-Galvez, "Trump Administration Tells Abrego Garcia He Now Faces Deportation to African Country of Eswatini," CBS News, September 5, 2025, https://www.cbsnews.com/news/kilmar-abrego-garcia-trump-eswatini-deportation/ (accessed September 23, 2025). The US government also announced plans to send Abrego García to Uganda, Ghana, and then Liberia. Travis Loller, "US Still Wants to Deport Kilmar Abrego Garcia to Liberia, Despite New Agreement with Costa Rica," AP, April 7, 2026, https://apnews.com/article/abrego-garcia-deportation-liberia-costa-rica-immigration-e7f637d07f2135740c4d9a5d250661b9 (accessed September 23, 2026).

The men in the first planeload disappeared from ICE's detainee locator around July 13, 2025. Their families only later learned they were deported to Eswatini by identifying their loved ones from a photo DHS posted on X to announce the deportations.[231] Swazi authorities denied two attorneys access to their clients in person, despite numerous attempts.[232] The Eswatini high court granted the attorneys' habeas petition, ordering that the prison give them access to the men,[233] and the Supreme Court of Eswatini upheld the high court's order in April.[234]

The third-country deportations took place pursuant to a written agreement between the governments of the United States and Eswatini, under which the United States agreed to provide $5.1 million to "build [Eswatini's] border and migration management capacity" and Eswatini agreed to accept up to 160 deportees from the United States.[235]

A US Senate Foreign Relations Committee minority report estimated the cost of transferring 15 third-country nationals to Eswatini, as of the February 2026, to be $1.1 million for the costs of the two flights, plus the $5.1 million payment to Eswatini, for a cost of $413,333 per person.[236]

That same report noted that a Jamaican national who was flown to Eswatini at an estimated cost of more than $181,000 per person was shortly thereafter flown more than 7,000 miles back to Jamaica on a series of US-funded flights.

---

[231] Declaration of Tin Thanh Nguyen, para. 16, *D.V.D. v. Department of Homeland Security*, No. 25-cv-10676 (D. Mass. filed December 8, 2025), ECF No. 233-1; Declaration of Alma Leonie David, para. 23, *D.V.D. v. Department of Homeland Security*, No. 25-cv-10676 (D. Mass. filed December 8, 2025), ECF No. 233-2; Declaration of Mia Unger, paras. 4-5, *D.V.D. v. Department of Homeland Security*, No. 25-cv-10676 (D. Mass. filed December 8, 2025), ECF No. 233-6. District court filings in *D.V.D. v. DHS* are available at Court Listener, https://www.courtlistener.com/docket/69775896/dvd-v-us-department-of-homeland-security/ (accessed September 23, 2026).

[232] Declaration of Tin Thanh Nguyen, paras. 19-22.

[233] Ibid., para. 22.

[234] *Commissioner General of His Majesty's Correctional Services and Attorney General v. Nhlabatsi*, No. 102/2025 (Eswatini April 6, 2026), https://www.novo-legal.com/hubfs/Comm%20Gen%20&%20Another%20v%20S.M.%20Nhlabatsi%20SZSC102%20of%202025%20JUDGMENT.pdf (accessed September 23, 2026).

[235] Memorandum of Understanding between the Government of the United States of America and the Government of Eswatini Concerning the Removal of Third Country Nationals, Mbabane, Eswatini, May 14, 2025, sec. 1(2). The agreement is published at US Department of State, FOIA Library, Case Act Reporting, Qualifying Non-Binding Instruments, June 2025, https://foia.state.gov/FOIALIBRARY/QNI2.aspx (accessed September 23, 2026).

[236] US Senate Foreign Relations Committee Minority Report, At What Cost? Inside the Trump Administration's Secret Deportation Deals (February 2026), p. 8, https://www.foreign.senate.gov/imo/media/doc/(FINAL%20-%20web)%20At%20What%20Cost%20-%20Inside%20the%20Trump%20Administration%27s%20Secret%20Deportation%20Deals_2.17.26.pdf (accessed September 23, 2026).

None of the men had ever set foot previously in Eswatini or had any connection with that country. They were all immediately placed in the Matsapha Correctional Complex, a maximum-security prison, and given no opportunity to challenge their arbitrary detention. The US authorities did not permit any of these men to challenge the designation of Eswatini as the country to which they would be deported and did not allow any to raise any claims they might have to fear harm in Eswatini or chain deportation to their countries of origin where they might fear torture or other serious harms.

At the time of their removal, the US Department of Homeland Security issued a statement saying, "These criminal illegal aliens are so uniquely barbaric that their home countries refused to take them back."[237] While all the men deported to Eswatini had been convicted of serious crimes in the United States, they had served their sentences, had been released from incarceration, and were compliant with check-in requirements with the Department of Homeland Security at the time of their apprehensions, as best as Human Rights Watch and the Global Strategic Litigation Council, an international coalition of groups that use litigation to defend rights of displaced people, can determine. In at least one case, the home government—Jamaica—clearly expressed its willingness to take back its citizen, Orville Etoria, who was one of the first five deported to Eswatini.[238]

"It was terrifying when we landed," said Billy H., one of the men on the first flight that arrived in Eswatini on July 16, 2025, whose homeland is in Southeast Asia. "The US military guys were on one side with fully loaded rifles and facing them were the [Eswatini] soldiers with guns. They didn't say anything to each other or to us. The US military just handed us off and the African soldiers threw us in the back of a truck."[239]

[237] Homeland Security (@DHSgov), X (July 15, 2025, 8:47 p.m. EDT) https://x.com/DHSgov/status/1945284138715562439 (accessed September 23, 2026).

[238] Government of Jamaica, Ministry of Foreign Affairs and Foreign Trade, "Foreign Ministry Pursuing Early Return of Jamaican National from Eswatini," media release, August 22, 2025, https://mfaft.gov.jm/site/foreign-ministry-pursuing-early-return-of-jamaican-national-from-eswatini/ (accessed September 23, 2026).

[239] Human Rights remote interview with Billy H., March 6, 2026.

“It was terrifying when we landed. The US military guys were on one side with fully loaded rifles and facing them were the [Eswatini] soldiers with guns. They didn’t say anything to each other or to us. The US military just handed us off and the African soldiers threw us in the back of a truck.” – Billy H., originally from Southeast Asia, was one of the men on the first flight that arrived in Eswatini on July 16, 2025.

“They brought us one by one from the plane,” said Geraldo C, a 59-year-old man from Cuba who had arrived in the United States as part of the Mariel Boatlift in 1980. “We looked out and saw the Eswatini soldiers pointing guns at us. It felt like El Chapo. They had machine guns, guns on top of the roofs, lots of guns… Two of them grabbed me and put me on a prison truck with bars. There was a convoy of military trucks with guys on roofs with guns.”[240]

The same thing happened with the second group, who arrived in Eswatini on October 6, 2025. “We saw a lot of military, machine guns lined up,” said Bounmi T., age 46, from Laos. “We were scared. They put us in a truck and drove us on a dirt road. I thought they would kill us on that dirt road.”[241]

After about one hour on the truck, part of a heavily armed convoy that sped through checkpoints, they arrived at the Matsapha Correctional Complex, a maximum-security prison. Detainees told Human Rights Watch that their movements were highly restricted in

[240] Human Rights remote interview with Geraldo C., March 13, 2026.

[241] Human Rights remote interview with Bounmi T., March 11, 2026.

their first three months (for those who arrived in July) or first two weeks (for those who arrived in October) at the Matsapha Correctional Complex but eased over time. Orville Etoria, a Jamaican, described the isolation he experienced in his first weeks at Matsapha in a deposition for a complaint before the African Commission on Human and Peoples' Rights:

> At first, the conditions were extremely restrictive: mealtimes were tightly controlled and our movement was severely limited. I was not allowed to communicate with anyone out of the prison for the first two and-a-half weeks of my detention. The isolation made every day feel heavier than the last . . . I was only taken out of my cell to be fed before being sent back in. There was no out-of-cell recreation allowed.
>
> During these first few weeks of my detention, the days were long, stressful, and unbearable . . .endless, hectic, boring, and lonely . . . I was lost in my own thoughts, struggling in silence . . . We were made to feel like dangerous criminals and treated as if we were violent, even though we had done nothing wrong. Only after the guards interacted with us did they begin to see that the picture painted of us by the US government was false.[242]

Bounmi said that these restrictions lasted for about two months after arrival. "They only let us out to the yard for 15 to 30 minutes a day for fresh air," he said. "We were locked up all the time."[243]

After about two months, the men were allowed to talk with their families once every two weeks and with their US lawyers, but still six months after their arrival had not been permitted to meet with their Eswatini lawyer in person. One spoke about time limits and lack of privacy for calls with his wife, daughters, and US lawyer. "I could only talk with them at certain times for ten minutes and they monitored the calls," one said. "The guards would sit right there when I was talking to my lawyer, and they would write down what my lawyer was talking about."[244]

---

[242] Declaration of Orville Etoria, Annex I, Letter of Complaint, *Orville Etoria et al. v. The Kingdom of Eswatini* (African Commission on Human and Peoples' Rights filed December 2, 2025) (on file with Human Rights Watch).

[243] Human Rights Watch remote interview with Bounmi T., March 11, 2026.

[244] Human Rights Watch remote interview (identifying details withheld), 2026.

Detainees said sanitation was poor and that they had to scrub floors on their hands and knees with rags and dirty water without detergents, but none of them reported physical or verbal abuse at the hands of their guards. “They tell you to clean, but they don’t say bad things,” reported one man.[245]

All the men interviewed said that conditions at Matsapha progressively improved since the first two months after their arrival. Now the complaints are mostly about the food. “It is rice and broth, meatless,” said one. “Breakfast is a bowl of porridge and a quarter loaf of bread. Dinner is rice and beans or meatless soup. We get a piece of chicken, sometimes once or twice a week.”[246]

The men were detained four to a cell in the same area of the prison. “There are some tensions,” said another. “We try to keep them from escalating.”[247]

IOM officials visited the men and discussed with them options for “assisted voluntary return,” and to work with home governments to facilitate their return to their countries of origin.[248]

Even as conditions at Matsapha gradually improved, their arbitrary and indefinite detention took its toll. Bounmi said:

> I’m in prison in a foreign country that I didn’t commit a crime in. I could be here indefinitely. It is very stressful. I don’t know what will happen. They said eventually I might go to a halfway house. I haven’t seen any court or any judge since I’ve been here. It’s like a military prison. They all wear military uniforms. No Eswatini officials have talked with us.[249]

Similarly, Alfredo C., a 60-year-old man from Cuba who had been held in Eswatini for nine months at the time of our interview in June 2026, said:

---

[245] Human Rights Watch remote interview (identifying details withheld), 2026.

[246] Human Rights remote interview with Sokha V., March 11, 2026.

[247] Human Rights Watch remote interview (identifying details withheld), 2026.

[248] For a discussion of IOM’s role in third-country transfers, see “The Roles of UN Agencies” chapter, below.

[249] Human Rights Watch remote interview with Bounmi T., March 26, 2026.

> They have me kidnapped, I didn't sign to come here . . . I was deceived . . . .No crime, no cause, nothing. Conditions here are completely inadequate. I paid for my mistake in the United States. I was reintegrated into society. I was paid for like merchandise. But here nobody cares about us. I don't sleep, I sleep an hour or two. I do a lot of exercise but I'm feeling bad, it's indefinite imprisonment. I'm frustrated. Cuba doesn't give an answer. I want to return to my country.[250]

Ghana

More than 100 third-country nationals are believed to have been deported from the United States to Ghana on at least nine flights between September 2025 and July 2026, according to Third Country Deportation Watch.[251] The reporter Gillian Brockell, who tracks ICE flights, has observed, "There have been more than a dozen additional ICE flights to Ghana in 2026 where the expulsion of third-country nationals has been neither confirmed nor ruled out."[252]

Fourteen people (ten men and four women), nationals of Gambia, Liberia, Mali, Nigeria, and Togo, were expelled to Ghana on the first of these flights, which took place on September 5, 2025.[253] A second flight with at least 19 people, nationals of Gambia, Guinea, Nigeria, Senegal, and Sierra Leone, who were expelled from the United States arrived in Ghana on November 7.[254]

---

[250] Human Rights Watch remote interview with Alfredo C., June 15, 2026.

[251] "Ghana," Third Country Deportation Watch, last updated September 10, 2026, https://www.thirdcountrydeportationwatch.org/ghana (accessed September 27, 2026).

[252] "Tracking All of Trump's Known Third-Country Removals," Ghana section, Gillian Brockell, last updated September 26, 2026, https://gillianbrockell.com/tracking-all-of-trumps-third-country-removals-that-we-know-of/ (accessed September 27, 2026).

[253] Human Rights Watch remote interview with Meredyth Yoon, litigation director, Asian Americans Advancing Justice-Atlanta, September 28, 2026; Declaration of Patrick Taurel, paras. 2-4, *D.V.D. v. U.S. Department of Homeland Security*, No. 25-cv-10676 (D. Mass. filed December 8, 2025), ECF No. 233-7, https://storage.courtlistener.com/recap/gov.uscourts.mad.282404/gov.uscourts.mad.282404.233.7.pdf (accessed September 27, 2026). See also Sammy Westfall, "Trump Expands 'Third Country' Deportation Policy to Ghana," *Washington Post*, updated September 11, 2025, https://www.washingtonpost.com/world/2025/07/15/trump-third-countries-migrants-deportation/ (accessed September 23, 2026); Henrietta Afful, "11 Deported West African Nationals Sue Ghana for Alleged Unlawful Detention; Court to Hear Application on September 23," Ghana Broadcasting Corporation, September 18, 2025, https://www.gbcghanaonline.com/general/11-deported-african-nationals-sue-ghana-for-alleged-unlawful-detention-court-to-hear-application-on-september-23/2025/ (accessed September 23, 2026).

[254] Human Rights Watch remote interviews with Meredyth Yoon, February 19 and September 28, 2026. See also "19 Migrants Deported by US to Ghana Have Been Moved to an Unknown Location, Lawyer Says," NBC News, November 14, 2025, https://www.nbcnews.com/news/us-news/19-migrants-deported-us-ghana-moved-unknown-location-lawyer-says-

ICE deportation data show that two more flights in 2025 included third-country nationals deported from the United States: one on September 11, recording one national each of Gambia and Nigeria deported to Ghana, and October 13, recording one national of Angola deported to Ghana.[255] According to Third Country Deportation Watch, the October 13 flight "carried 17 people, eight of whom were deported by Ghana the same day they arrived."[256]

ICE deportation data also show three flights in the first seven months of 2026 used to deport third country nationals from the United States to Ghana: one on April 16 (12 people, all from West Africa), a second on May 27 (18 people, also all from West Africa), and a third on July 31 for which 3 third-country nationals (2 from Nigeria and 1 from Guinea) are recorded.[257] News accounts report that the July 31 flight included at least 30 third-country nationals.[258]

President John Dramani Mahama confirmed in September 2025 that the government of Ghana had agreed to accept third-country nationals who were being removed from the United States.[259] The agreement was limited to West African nationals.[260] President Mahama has said that Ghana did not receive money as part of the agreement and implied that he was motivated to reach the agreement to persuade the US government to reverse visa restrictions it had imposed in July 2025 and 15 percent tariffs it had imposed on

---

rcna244000 (accessed September 23, 2026). ICE deportation data record 20 people on this flight, one more than reported by NBC News. In addition, ICE deportation data record one national from each of Côte d'Ivoire and Niger on this flight, although the latter may have been a data entry error that mistakenly recorded the deportation of a national of Niger instead of the alphabetically adjacent country of Nigeria. See Appendix I: Third Country Deportations by the Numbers, "Confirmed TCN Flights: Reported vs. ICE Data, May 2025 to July 2026" table and "Data Analysis Methodology" section, below.

[255] See Appendix I: Third Country Deportations by the Numbers, "Confirmed TCN Flights: Reported vs. ICE Data, May 2025 to July 2026" table.

[256] "Ghana," Third Country Deportation Watch.

[257] See Appendix I: Third Country Deportations by the Numbers, "Confirmed TCN Flights: Reported vs. ICE Data, May 2025 to July 2026" table.

[258] "Ghana," Third Country Deportation Watch. See also "19 Migrants Deported by US to Ghana Have Been Moved to an Unknown Location, Lawyer Says."

[259] "Ghana Agrees to Accept West Africans Deported from US, President Says," Reuters, September 11, 2025, https://www.reuters.com/world/africa/ghana-agrees-accept-west-africans-deported-us-president-says-2025-09-10/ (accessed September 23, 2026).

[260] Ministry of Foreign Affairs, Republic of Ghana, Note, August 1, 2025, published at US Department of State, FOIA Library, Case Act Reporting, Qualifying Non-Binding Instruments, July 2026, https://foia.state.gov/FOIALIBRARY/QNI2.aspx (accessed September 23, 2026).

Ghanaian exports in August 2025.[261] The United States removed the visa restrictions on September 26, 2025, and rescinded the tariffs on November 13, 2025.[262]

US immigration judges had granted most of the people sent to Ghana protection from return to their home countries, Yoon has found. She added, "Ghana's agreement with the United States is limited to West African nationals—people from countries that accept return of their citizens. There would be no reason to send nationals of these countries to Ghana unless they had specific protection orders that prevented the US from deporting them directly to their home countries."[263]

Those granted protection included:

- D.A., who is also married to a US citizen, fled Nigeria after being "tortured by the military and police officers who told him that if they ever saw him again, they would kill him."[264] His wife's petition for a family visa was approved in May 2025, shortly after a US immigration judge granted him withholding of removal.[265]
- K.S. said in a sworn declaration filed in US federal court that he was granted deferral of removal preventing the United States from returning him to his home country "due to the specific risks of torture and death I face there on account of my sexuality."[266]

---

[261] "President Mahama Opens Up on What Ghana Gave to Get US Visa Restrictions," GhanaWeb, October 2, 2025, https://www.ghanaweb.com/GhanaHomePage/NewsArchive/President-Mahama-opens-up-on-what-Ghana-gave-to-get-US-visa-restrictions-reversed-2003340 (accessed September 23, 2026). See also "Donald Trump Slaps Fresh 15% Tariff on Ghana, Nigeria, and other African Countries," GhanaWeb, August 1, 2025, https://www.ghanaweb.com/GhanaHomePage/business/Donald-Trump-slaps-fresh-15-tariff-on-Ghana-Nigeria-and-other-African-countries-1994237 (accessed September 23, 2026).

[262] "US Reverses Visa Restrictions on Ghana; Five-Year Multiple Entry Visas Restored," GhanaWeb, September 26, 2025, https://www.ghanaweb.com/GhanaHomePage/NewsArchive/US-reverses-visa-restrictions-on-Ghana-five-year-multiple-entry-visas-restored-2002527 (accessed September 23, 2026). See also Soloman Ekanem, "Ghana Secures Major Trade Win as US Reverses 15% Tariffs on Cocoa, Other Agricultural Goods," *Business Insider Africa*, November 14, 2025, https://africa.businessinsider.com/local/markets/ghana-secures-major-trade-win-as-us-reverses-15-tariffs-on-cocoa-other-agricultural/ghgy7me (accessed September 23, 2026).

[263] Human Rights Watch remote interview with Meredyth Yoon, September 28, 2026. See also Memorandum Opinion and Order, p. 2, *D.A. v. Noem*, No. 25-cv-3135 (D.D.C. September 15, 2025), ECF No. 41; Robbie Corey-Boulet and Emmanuel Bruce, "Ghana Took in Trump's Deported West Africans. Then It Forced Them Home," Reuters, January 16, 2026, https://www.reuters.com/world/africa/ghana-took-trumps-deported-west-africans-then-it-forced-them-home-2026-01-16/ (accessed September 23, 2026). District court filings in *D.A. v. Noem* are available at Court Listener, https://www.courtlistener.com/docket/71323714/da-v-noem/ (accessed September 27, 2026).

[264] Memorandum Opinion and Order, p. 2, *D.A. v. Noem*.

[265] Declaration of D.A., para. 3, *D.A. v. Noem*, No. 25-cv-3135 (D.D.C. filed September 13, 2025), ECF No. 21-1.

[266] Declaration of K.S., para. 3, *D.A. v. Noem*, No. 25-cv-3135 (D.D.C. filed September 12, 2025), ECF No. 1-1.

- Rabbiatu Kuyateh, 58, from Sierra Leone, received protection from return to her home country in July 2025 because of her fears of being tortured due to her father's ties to a political opposition group. She had lived in Maryland for nearly 30 years before ICE agents detained her when she appeared for a regular check-in.[267]

They had no opportunity to contest their expulsion before their departure. K.S said in a sworn declaration filed in a federal court challenge to the Ghana expulsions, "I was denied requests to speak with my lawyer . . . ."[268] D.A. told the court:

> I asked the officers where we were going, and they only told us that we were being transferred. They shackled us at the waist, hands, and feet. I asked yet again where we were going and said I was afraid for my life, and needed to speak with my lawyers.[269]

An immigration officer eventually told D.A. the group was going to Ghana. Upon hearing this, D.A. said, "I told him that I am afraid of going to Ghana and that I cannot go to Ghana. He told us, 'Whether you like it or not, your ass is getting on that plane.'"[270]

ICE agents put four of the men who refused to board the plane in straitjackets. In his declaration for a federal court, K.S. said that the four were put in straitjackets "as punishment" for their objection to being removed before they could talk to their attorneys.[271] D.A., one of these men, said an immigration officer "straitjacketed me extremely tightly, tying me from my shoulders to my feet."[272] He told the court:

> I remained straitjacketed for several hours until I pleaded with the officers to remove it so that I could use the restroom. I begged the officers over and over again to take off the straitjacket so that I could use the restroom,

---

[267] Corey-Boulet and Bruce, "Ghana Took in Trump's Deported West Africans. Then It Forced Them Home." See also Tracee Wilkins et al., "Woman Deported from Maryland Shown on Video Being Dragged in Ghana," NBC4 Washington, November 21, 2025, https://www.nbcwashington.com/investigations/woman-deported-from-maryland-shown-on-video-being-dragged-in-ghana/4018734/ (accessed September 25, 2026).

[268] Declaration of K.S., para. 5.

[269] Declaration of D.A., para. 8.

[270] Ibid., paras. 9-10.

[271] Declaration of K.S., para. 6.

[272] Declaration of D.A., para. 10.

> otherwise I would urinate on myself. They finally removed the restraints on my legs after [I had been] pleading with them for a long time, but left the restraints on my upper body.[273]

Some members of the group did not know their final destination until the plane made a refueling stop in the US Virgin Islands. There, an ICE official told them they "were being sent to Ghana and Ghana would send us to our home countries."[274]

D.A. said ICE officials repeated that message during the flight:

> While on the plane, the leader of the ICE officers who put me into a straitjacket said that he was ordered to make sure we all get to Ghana. I told the officers repeatedly that I was afraid for my life. He told me that he didn't care, and that when we got to Ghana we would then go to our respective countries of origin. I asked this ICE officer and the other officers on the plane for their names, but they refused to tell us. They only told us that they are following orders to deport us to Ghana, and from Ghana to send us to our countries of origin.[275]

On their arrival in Ghana, authorities held K.S. in a room at the airport for five days without access to phones, the opportunity to shower, or a change of clothes.[276]

K.S. tried unsuccessfully to persuade Ghanaian immigration officials not to return him to his home country during the five days he was detained at the airport:

> During those five days, I spoke repeatedly with two Ghanaian immigration officials . . . . I explained to them my fear of returning to [my home country], the basis for my fear, and the fact that I'd won protection from being returned [there] under the Convention Against Torture. I told them that I wanted to stay in Ghana for my safety. The official . . . just told me that my

[273] Declaration of D.A., para. 11.
[274] Declaration of K.S., para. 7.
[275] Declaration of D.A., paras. 13-15.
[276] Declaration of K.S., para. 8.

> final destination was [my home country], based on orders from ICE officials and his Ghanaian superiors.[277]

Ghanaian authorities returned him to his home country on September 10, and he immediately went into hiding. "I am seeking a way out of the country as soon as possible for the sake of my life," he told the federal court that month.[278]

On August 28, 2026, a federal district court in California issued a temporary restraining order requiring DHS to facilitate the "immediate return to the United States" of a Nigerian man deported to Ghana on May 22, 2026.[279] The 49-year-old man, E.O., a former Boko Haram member who converted to Christianity, was married to a US citizen and has three children, ages 11, 12, and 13. He was admitted to the United States as a lawful permanent resident in 2002, but lost his permanent residency because of a nonviolent aggravated felony relating to the theft of mail. He was granted deferral of removal because, court records show, he was tortured twice by government officials in Nigeria in an effort to extract a confession and would likely be tortured again if returned.[280]

Court records show that E.O. "never missed an appointment" with ICE and never violated any conditions of his release. He was arrested at a regular check-in on May 22, 2026, and shuttled to locations in California, Texas, Arizona, and Louisiana, before being flown to Ghana. He "was held in restraints throughout the duration of the travel."[281] He protested, telling ICE officials that he feared being sent to Ghana, but the court noted, "No officer ever took his fear claim, and no screening interview ever took place."[282]

Upon arrival in Ghana, E.O. was held incommunicado and his phone and other property were withheld.[283] On May 30, Ghanaian officials put him and others on a bus and told them their final destination was Nigeria. The court said, "Petitioner immediately objected and told

---

[277] Ibid., para. 9.

[278] Ibid., para. 13.

[279] Order, p. 18, *Osahon v. Mullin,* No. 26-cv-09121 (C.D. Cal. August 28, 2026), ECF No. 12, https://storage.courtlistener.com/recap/gov.uscourts.cacd.1034261/gov.uscourts.cacd.1034261.12.0.pdf (accessed September 25, 2026).

[280] Ibid., p. 3.

[281] Ibid., p. 6.

[282] Ibid.

[283] Ibid.

officials he could not be sent to Nigeria because he had protection under the CAT and that he would be killed there. Officials did not respond to his objection and did not stop."[284] The bus did not take them to an official port of entry, but rather to the Togo border where they were forced to cross through the bush on foot and were then met by a vehicle. "The escorting Ghanaian officer instructed the driver to carry the group to Lagos, Nigeria."[285]

E.O. refused to get on the vehicle and was left on a roadside in Togo. The court said:

> [E.O.] is in hiding in a foreign country without a residence permit or authorization to work. [He] contracted malaria, is seriously ill, and lacks reliable access to medical care. He does not speak the official language of Togo, has no connection to the area, is thousands of miles away from his family, friends, and community, and faces sustained risks to his safety.[286]

Issuing the temporary restraining order on E.O.'s behalf, the court sharply criticized DHS's conduct, saying, "Defendants' actions were arbitrary and capricious under the APA [Administrative Procedures Act],"[287] that E.O. was not allowed to respond or submit evidence to challenge his deportation, "or that ICE followed any of the procedures afforded [him] to terminate his deferral of removal under the CAT."[288]

Ghanaian authorities returned or likely returned others to their home countries despite their fears of harm. For example:

- On the day the first plane arrived, Ghanaian officials told one man "he would be dropped off at the Nigerian border," K.S. told the court.[289]
- Kuyateh, the woman from Sierra Leone, spent six days detained in a hotel before Ghanaian authorities forcibly returned her to her country of origin.[290]
- Ghanaian authorities took two women from Togo to an informal crossing point along the Ghana-Togo border and ordered them to walk across.[291]

---

[284] Ibid.
[285] Ibid., p. 7.
[286] Ibid., p. 9.
[287] Ibid., p. 15.
[288] Ibid., p. 14.
[289] Declaration of K.S., para. 8.
[290] Corey-Boulet and Bruce, "Ghana Took in Trump's Deported West Africans. Then It Forced Them Home."
[291] Human Rights Watch remote interview with Meredyth Yoon, January 6, 2026.

A January 2026 Reuters investigation concluded that Ghana returned at least 22 people to likely harm in their home countries after their expulsions from the United States, even though US immigration judges had granted protection against such return in every one of these cases.[292] By September, Ghana had sent nearly everybody deported from the United States to their home countries, Yoon told Human Rights Watch. "We know of only one person permitted to stay in Ghana," she said.[293]

Ghana also transferred at least eight people into Togo who are not nationals of Togo and have no connection to that country. A lawyer representing 11 of the people held in Dema Camp told Ghana's High Court that at least six of his clients had been deported to Togo, including three who were not from Togo.[294] Two men, one from Nigeria and the other from Liberia, told reporters that after more than two weeks in detention:

> The Ghanaian military eventually told them they were taking them to a hotel. Instead, they were driven to the Aflao border crossing on the outskirts of the Togolese capital, Lomé. With the cooperation of Togolese border officials, they were taken "through the back door" of the facility and left on the other side.[295]

Lawyers in Ghana challenged the lawfulness of people's detention.[296] In separate legal actions, lawyers also asked Ghana's Supreme Court to nullify the agreement with the United States, citing conflicts with the country's international obligations[297] and brought

---

[292] Corey-Boulet and Bruce, "Ghana Took in Trump's Deported West Africans. Then It Forced Them Home."

[293] Human Rights Watch remote interview with Meredyth Yoon, September 28, 2026.

[294] Seli Baisie, "Six West Africans Deported to Ghana from US Sent to Togo Despite Legal Fight," Ghana Broadcasting Corporation, September 25, 2025, https://www.gbcghanaonline.com/africa/six-west-africans-deported-to-ghana-from-us-sent-to-togo-despite-legal-fight/2025/ (accessed September 23, 2026).

[295] "West Africans Deported from US to Ghana 'Dumped Without Documents in Togo,'" *Guardian*, September 29, 2025, https://www.theguardian.com/us-news/2025/sep/29/west-africans-deported-us-ice-ghana-togo (accessed September 23, 2026).

[296] Thomas Naadi, "US Deportees Sue Ghana over 'Illegal' Detention," BBC Africa, September 18, 2025, https://www.bbc.com/news/articles/cn821dk851do (accessed September 23, 2026).

[297] "Accra Law Firm Challenges Ghana-US Migration Deal Before Supreme Court," RFI, October 14, 2025, https://www.rfi.fr/en/africa/20251014-accra-law-firm-challenges-ghana-us-migration-deal-before-supreme-court (accessed September 23, 2026). The suit also notes that Ghana's government failed to seek parliamentary ratification for the agreement, as required under Ghana's constitution for international agreements that create binding obligations. Adwoa Tenkoramaa Domena, "Ghana Faces Growing Criticism over US Deportee Agreement," DW, October 6, 2025, https://www.dw.com/en/ghana-faces-growing-criticism-over-us-deportee-agreement/a-74139561 (accessed September 23, 2026).

suit in the Economic Community of West African States (ECOWAS) Community Court of Justice for violations of Ghana's international obligations.[298]

Sierra Leone

On November 20, 2025, Sierra Leone's Ministry of Foreign Affairs sent a Note Verbale to the US embassy in Freetown agreeing to accept up to 300 citizens from West Africa per year from the United States.[299] The United States reportedly paid $1.5 million to Sierra Leone as part of the arrangement.[300] The government of Sierra Leone contracted with a private company, Kenvah Solutions, to provide reception services and temporary accommodation at two hotels near the airport for the people being deported.[301] According to the head of Kenvah Solutions, they would be accommodated in hotels near the airport for two weeks, or in "exceptional circumstances" up to 30 days.[302]

On May 20, 2026, nine people (seven men and two women) deported from the United States arrived in Sierra Leone: five from Ghana, two from Guinea, one from Senegal, and one from Nigeria.[303] Reuters reported a witness saying that at least one of the deportees appeared to resist getting off the flight.[304] According to Doris Bah, a health ministry official,

---

[298] "Rights Groups Sue Ghana over US Third-Country Deportations," Africanews, June 30, 2026, https://www.africanews.com/2026/06/30/rights-groups-sue-ghana-over-us-third-country-deportations/ (accessed September 23, 2026).

[299] Republic of Sierra Leone, Ministry of Foreign Affairs and International Cooperation, Note Verbale, Ref. 15277/10/Vol.79 (November 20, 2025) and Embassy of the United States of America in Freetown, Diplomatic Note No. 014/POL/26 (January 26, 2026), published at US Department of State, FOIA Library, Case Act Reporting, Qualifying Non-Binding Instruments, April 2026, https://foia.state.gov/FOIALIBRARY/QNI2.aspx (accessed September 23, 2026). The agreement is for citizens from the Economic Community of West African States (ECOWAS) present in the United States.

[300] "US Grants $1.5 Million for Repatriation of Third Party Nationals to Sierra Leone," Truth Media, March 23, 2026, https://truthmedia.sl/us-grants-1-5-million-for-repatriation-of-third-party-nationals-to-sierra-leone/ (accessed September 23, 2026).

[301] Ibid.

[302] Umaru Fofana, "Sierra Leone Receives First Group of West African Deportees from US," Reuters, May 20, 2026, https://www.reuters.com/world/africa/sierra-leone-receives-first-group-west-african-deportees-us-2026-05-20/ (accessed September 23, 2026).

[303] Umaru Fofana and Wedaeli Chibelushi, "Sierra Leone Becomes Latest African Country to Receive Deportees from US," BBC News, May 20, 2026, https://www.bbc.com/news/articles/cn9pzjvly530 (accessed September 23, 2026); Kemo Cham and Mark Banchereau, "9 Deportees from US Arrive in Sierra Leone Under Third-Country Agreement," *PBS News*, May 20, 2026, https://www.pbs.org/newshour/world/9-deportees-from-us-arrive-in-sierra-leone-under-third-country-agreement (accessed September 23, 2026).

[304] Umaru Fofana, "Sierra Leone Receives First Group of West African Deportees from US."

the people disembarking in Freetown were "traumatized due to the months in chains during detention in the US."[305]

On June 18, 2026, the United States deported about 12 more West Africans who are not Sierre Leonean nationals to Sierra Leone.[306] Ten third-country nationals arrived on a third deportation flight, on July 30, 2026.[307] A fourth deportation flight in late August sent four third-country nationals to Sierra Leone.[308]

One of those on the June 18 flight was Tunde O., a pastor and nurse practitioner from Nigeria who lived in the United States for 20 years, where he has three US citizen children and numerous grandchildren. In 2011, an immigration judge granted Tunde deferral of removal under the Convention against Torture.

Tunde had been checking in with ICE since then and was detained during a routine check-in and sent from Wisconsin to a detention facility in Jackson Parish, Louisiana. His lawyer, Erica Reilly, contacted his ICE deportation officer asking if she and her client had any say in requesting the country to which he would be removed, and, she said, "was told very clearly that we did not."[309]

Reilly said that after Tunde arrived in Sierre Leone, a government official there told him that after the Nigerian government verified his nationality they would then "facilitate his return there." He was informed that he would be repatriated to Nigeria within 14 days of his arrival. During that time, he was only permitted to walk around outside the location where he was being held while accompanied by a local official. Sierra Leone authorities arranged his repatriation, and his assisted return to Nigeria occurred by July 1.

---

[305] "Sierra Leone Receives First Group of West African Deportees from US," *Al Jazeera*, May 20, 2026, https://www.aljazeera.com/news/2026/5/20/sierra-leone-receives-first-group-of-west-african-deportees-from-us (accessed September 25, 2026).

[306] Kemo Cham and Mark Banchereau, "Migrants Deported by US to Sierra Leone Risk Return to Countries Where They Fear Persecution," AP, June 19, 2026, https://apnews.com/article/sierra-leone-deportations-trump-administration-5797dd733519f0e5dc0eb39e1c741570 (accessed September 23, 2026).

[307] Nicholas Roll, "US Expels Dozens to African Deportation Hubs: Lawyers," *Modern Ghana*, August 1, 2026, https://www.modernghana.com/news/1515479/us-expels-dozens-to-african-deportation-hubs-lawy.html (accessed September 23, 2026).

[308] Human Rights Watch remote interview with Alma David, September 25, 2026; Camilo Montoya-Galvez, "ICE Deports Afghans and Others to Africa, Expanding 'Third Country' Deportations," CBS News, August 30, 2026, https://www.cbsnews.com/news/ice-deportations-afghanistan-cuba-africa/ (accessed September 23, 2026).

[309] Email from Erica Reilly to Human Rights Watch, June 25, 2026 (on file with Human Rights Watch).

Reilly said that she knows of at least one group of attorneys working in Sierra Leone who are trying to assist third country nationals who want to fight repatriation, but that they are having difficulty getting access to the deportees, even to give know-your-rights presentations.

As of September 2026, at least 22 of the third-country nationals in Sierra Leone had gone to their countries of origin, said Alma David, a US lawyer who was following their cases.[310] Human Rights Watch is not able to determine the degree to which each of these repatriations was voluntary or forced.

For Sierra Leone's May 2026 Universal Periodic Review, UNHCR recommended that Sierra Leone "address the dysfunction of the asylum system," train specialized personnel to process asylum applications, and implement a monitoring and evaluation mechanism to ensure the effective implementation of the asylum system.[311]

South Sudan via Djibouti

The US government sent eight men to South Sudan in July 2025 after a legal challenge paused the deportation while they were en route, leaving them held under armed guard at a US military base in Djibouti for more than six weeks. The eight men included two men from Cuba, two from Myanmar, and one each from Laos, Mexico, and Vietnam,[312] as well as one man who had been born in Khartoum, Sudan.[313] The seven men from Asia and Latin America had been convicted of murder or sexual assault in the United States. None of the eight men had received withholding or deferral of removal.

[310] Human Rights Watch remote interview with Alma David, September 25, 2026.

[311] Human Rights Council, Sierra Leone: Compilation of Information Prepared by the Office of the United Nations High Commissioner for Human Rights, U.N. Doc. A/HRC/WG.6/52/SLE/2 (February 3, 2026), para. 70 (citing UNHCR submission, p. 2), https://docs.un.org/en/A/HRC/WG.6/52/SLE/2 (accessed September 23, 2026).

[312] Declaration of Acting Assistant Director Marcos D. Charles, *D.V.D. v. DHS*, No. 25-cv-10676 (D. Mass. filed May 22, 2025), ECF No. 124-1. This and other district court filings in *D.V.D. v. DHS* are available at Court Listener, https://www.courtlistener.com/docket/69775896/dvd-v-us-department-of-homeland-security/ (accessed September 23, 2026).

[313] The man, D.D., had fled to Ethiopia as a child and then resettled as a refugee in the United States. He had never been to what is now South Sudan. Declaration of Anwen Hughes, para. 3, *D.V.D. v. DHS*, No. 25-cv-10676 (D. Mass. filed June 23, 2025), ECF No. 175-1.

The man from Mexico returned to his home country in September 2025 after months of negotiation by the government of Mexico.[314] South Sudan's Ministry of Foreign Affairs and International Cooperation told Human Rights Watch in September that the man born in Khartoum, whom it considered a South Sudanese citizen, had been released to his family.[315] A Vietnamese man was repatriated to Vietnam in June 2026.[316] The other five men along with an additional man, a citizen of the Democratic Republic of Congo whom the United States mistakenly deported to South Sudan in April 2025, remained in detention in South Sudan as of September 2026, said Alma David, a US lawyer familiar with their cases.[317]

ICE agents initially told the men they would be sent to South Africa, not South Sudan: Pablo N., a 42-year-old man from Mexico, said that ICE told him and the others on May 9 that they would be sent to South Africa.[318] Another man, David P., told us:

> They said they were going to take us to South Africa. They said we needed to sign the paperwork. We all said no. Nobody was from South Africa. We said we're not signing.
>
> Twelve hours later, they grabbed us again. A man said they would take us to South Sudan. Everybody including me said we're not going to sign. We haven't gone through the process yet. We haven't talked to lawyers. We haven't had interviews.[319]

---

[314] "Mexico Accepts Return of Man Deported to South Sudan from US," Al Jazeera, September 6, 2025, https://www.aljazeera.com/news/2025/9/6/mexico-accepts-return-of-man-deported-to-south-sudan-from-us (accessed September 23, 2026).

[315] "US/Africa: Expulsion Deals Flout Rights," Human Rights Watch news release, September 23, 2025, https://www.hrw.org/news/2025/09/23/us/africa-expulsion-deals-flout-rights. Although the man was born in Khartoum and was a citizen of Sudan at birth, following secession and then independence from Sudan, South Sudan adopted expansive citizenship legislation while Sudan passed a law prohibiting dual nationality with South Sudan. See "South Sudan," Citizenship Rights in Africa Initiative, last updated August 25, 2026, https://citizenshiprightsafrica.org/en/region/south-sudan/ (accessed September 23, 2026).

[316] Joseph Falzetta and Deng Machol, "Vietnamese Man Deported from U.S. to South Sudan Is Repatriated After Months in Detention," AP, June 19, 2026, https://apnews.com/article/south-sudan-us-deportations-vietnam-man-b6addocdbc8do65e69524e4c1b2c14co (accessed September 26, 2026).

[317] Human Rights Watch remote interview with Alma David, September 25, 2026. For details of the mistaken deportation, see Faisal Ali, "South Sudan Says Person at Centre of US Deportation Row Is from DRC," *Guardian*, April 7, 2025, https://www.theguardian.com/us-news/2025/apr/07/south-sudan-us-deportation-row-drc (accessed September 26, 2026).

[318] Human Rights Watch remote interview with Pablo N., February 27, 2026.

[319] Human Rights Watch remote interview with David P., April 15, 2026. The man's country of origin and other identifying details are withheld at his request.

The wife of a third man, from Vietnam and identified in court documents as T.T.P., told lawyers that ICE had met with her husband and about 10 other men held in the Port Isabel Detention Center, in Texas, as a group:

> Yesterday [May 19] ICE gathered them together and told them that they (ICE) intended to send them all to South Africa and everyone refused to sign the document presented. Later, ICE came back and said they were going to send them to South Sudan instead. . . . The order of removal signed by a judge is to deport my husband back to his country of origin, Vietnam, not to any other third country.[320]

Similarly, one of the lawyers representing N.M., a man from Myanmar, received a notice late that afternoon notifying his client that ICE intended to remove him to South Africa.[321] Two hours later, the lawyer received another notice stating that the intended country of removal was South Sudan.[322] N.M. was one of the men ICE had attempted to deport to Libya earlier in May.[323]

An ICE official told the court its agents notified seven men held in the same cell of their removal to South Sudan just before 6:00 p.m. on May 19.[324] ICE removed them sometime by 9:35 a.m. the following day, less than 14 hours after issuing the second notice.[325]

Pablo told Human Rights Watch:

> We flew overnight. We were on the plane for hours and hours. First, they told us we were going to Louisiana, and then they didn't say anything more. All of us were handcuffed. We wondered where they were taking us. We

---

[320] Email from T.K. to Glenda M. Aldana Madrid, staff attorney, Northwest Immigrant Rights Project, May 20, 2025, in Authenticating Declaration of Glenda M. Aldana Madrid, Ex. A, *D.V.D. v. DHS*, No. 25-cv-10676 (D. Mass. filed May 20, 2025), ECF No. 112-3.

[321] Declaration of Jacqueline Brown, para. 5, *D.V.D. v. DHS*, No. 25-cv-10676 (D. Mass. filed May 20, 2025), ECF No. 112-1.

[322] Ibid., para. 7.

[323] See Declaration of Tin Thanh Nguyen, paras. 5-12, *D.V.D. v. DHS*, No. 25-cv-10676 (D. Mass. filed May 14, 2025), ECF No. 99-3.

[324] Declaration of Acting Deputy Executive Associate Director Garrett J. Ripa, para. 9, *D.V.D. v. DHS*, No. 25-cv-10676 (D. Mass. filed May 23, 2025), ECF No. 130-2.

[325] Memorandum and Order, p. 6, *D.V.D. v. DHS*, No. 25-cv-10676 (D. Mass. May 26, 2025), ECF No. 135.

> thought maybe if the plane crashed, we would end up in the sea and drown because we were handcuffed.[326]

At an emergency hearing the day the men departed, a federal district court judge ordered the US government "to maintain custody and control" of the men "currently being removed to South Sudan," adding that he expected the government to ensure that the men would be treated "humanely."[327]

"The judge made the plane stop in Djibouti," Pablo told us. "We were in a sort of military warehouse there. Eight US soldiers armed with AK-47s guarded us." The men spent their days in a shipping container on the US military base in Djibouti, he said, adding, "The bathroom was outside the area where we stayed, and they handcuffed us every time they took us out to use the bathroom."[328]

David described what happened after landing in Djibouti and hearing that there had been some intervention by a US court:

> The first two nights we were in a big garage. It was really stuffy, really hot.[329] They had our hands shackled to our waists, and our ankles shackled together. We were sleeping in tent beds in that big storage garage for those first two days. The only time they took off our handcuffs was when we were eating—they took one handcuff off to let us eat . . . .
>
> On the third day, they moved us to a place about 30 yards away to some shipping containers. They set up some type of makeshift area for us. At this point, we were still in handcuffs. We had spent three days in handcuffs. We started complaining. We said, we're going to be here for a long time. It's getting uncomfortable.

---

[326] Human Rights Watch remote interview with Pablo N., February 27, 2026.

[327] Order, p. 1, *D.V.D. v. DHS*, No. 25-cv-10676 (D. Mass. May 20, 2025), ECF No. 116.

[328] Human Rights Watch remote interview with Pablo N., February 27, 2026.

[329] The average temperature in Djibouti is around 28-30 degrees Celsius (83 to 86 degrees Fahrenheit), with highs of 40 degrees Celsius (around 100 degrees Fahrenheit) from June to September.

> We had no phone calls. Nobody knew where we were at. They're not saying anything about our situation. They're keeping everything under wraps. They finally took the handcuffs off, but they left our feet shackled.
>
> We asked what's going on. They're not giving us any type of information . . . . We're hearing jets and sirens. We're terrified.
>
> They finally started taking the shackles off when we were showering. They took us individually to the showers. It was painful, being shackled all that time. The shackles kept digging into our ankles, so lots of us were bleeding from that. We have to put on extra socks, but the shackles were just cutting into our skin. It was so painful when we had the shackles on that I didn't even want to go to the shower. Walking up the stairs was just painful. The nurses would try their best, but having those shackles on all the time was so painful.[330]

In a government court filing, a senior ICE official confirmed many of these details, stating:

> The aliens are currently being held in a conference room in a converted Conex shipping container on the US Naval base in Camp Lemonnier, Djibouti. . . . The designated restrooms are located in a separate trailer, which is forty to fifty yards [35 to 45 meters] from the unit in which the aliens are housed. The ICE officers conduct pat-downs and searches for contraband during movements to the restroom, or for any other outside activity.[331]

The official added, "The conference room in which the aliens are housed is not equipped or suitable for detention of any length . . . ."[332] ICE officers and the detained men developed symptoms of bacterial upper respiratory infection within three days of their

[330] Human Rights Watch remote interview with David P., April 15, 2026.

[331] Declaration of Melissa B. Harper, para. 7, *D.V.D. v. DHS*, No. 25-cv-10676 (D. Mass. filed June 5, 2025), ECF No. 151.

[332] Ibid., para. 8.

arrival in Djibouti, the official told the court, describing in detail the treatment ICE officers received.[333] The filing does not say what treatment, if any, the men received.

After another hearing the day after the men's departure from the United States, the district court ruled that the US government had failed to provide a meaningful opportunity to claim protection under the Convention against Torture. The judge noted:

> [The government] maintain[s] that ambiguity in the phrase "meaningful opportunity" precipitated this controversy. . . .
>
> To be clear, this is not one of those hard cases. Giving every credit to [the government's] account, the non-citizens at issue had fewer than 24 hours' notice, and zero business hours' notice, before being put on a plane and sent to a country as to which the US Department of State issues the following warning: "Do not travel to South Sudan due to crime, kidnapping, and armed conflict."[334]

The US government told the court that ICE could conduct fear screenings in Djibouti. Nonetheless, as of June 23, ICE had conducted no interviews to assess whether any of the men reasonably feared deportation to South Sudan.[335]

ICE never carried out those interviews. David told us, "After a few weeks, the court said they can take us to South Sudan. We had a bit of hope up until that point. We were supposed to have a fear interview, but no one got one."[336]

After a US Supreme Court order on July 3 cleared the way for the government to carry out the removals to South Sudan, the men boarded a plane on July 5. DHS immediately

---

[333] Ibid., paras. 13-15.

[334] Memorandum on Preliminary Injunction, p. 1, *D.V.D. v. DHS*, No. 25-cv-10676 (D. Mass. May 21, 2025), ECF No. 118.

[335] Declaration of Anwen Hughes, para. 9.

[336] Human Rights Watch remote interview with David P., April 15, 2026.

announced that it had deported "eight barbaric, violent criminal illegal aliens to South Sudan," a step it took "[a]fter weeks of delays by activist judges."[337]

As on their earlier flights, they were handcuffed and shackled. Strong winds meant that they stayed on board for two or three hours before the plane took off, Pablo told us. He continued:

> When we landed, many soldiers boarded and surrounded us. We were all still shackled. The soldiers were carrying AK-47s.
>
> When that happened and while we were in the vehicle after we got off the plane, we wondered what would happen to us. We felt like we had no hope. We were very afraid.[338]

David described what happened upon arrival in South Sudan:

> The place was full of military personnel and government people… At first, they put us in a van, hauling us and grabbing us, and drove us off. Then they stopped real quick and took us out and put us in another van, this one with no windows. The mood changed as soon as we were in that van. There were guys with AK-47s. They put real fear into us. They didn't want to tell us anything. They didn't want to show us the location we were going to.
>
> We stopped at a big building surrounded by barbed wire. When I saw it, I swore we were going to prison. The men with the AK-47s showed us to some rooms. They told us we can't go outside. Basically, we were under house arrest. They said, 'We'll feed you. You can't go nowhere."[339]

Pablo said the men were taken to a three-story building in a part of the city that was undergoing a power blackout:

---

[337] "8 Barbaric Criminal Illegal Aliens Finally Deported to South Sudan After Weeks of Delays by Activist Judges," DHS, July 5, 2025, https://www.dhs.gov/news/2025/07/05/8-barbaric-criminal-illegal-aliens-finally-deported-south-sudan-after-weeks-delays (accessed September 23, 2026).

[338] Human Rights Watch remote interview with Pablo N., February 27, 2026.

[339] Human Rights Watch remote interview with David P., April 15, 2026.

> They told us we couldn't look out the windows. One Cuban guy had looked out, and a soldier pointed his AK-47 at him. We thought the soldier was going to shoot him just for that. He wasn't doing anything.
>
> The officials in South Sudan told us we still had charges against us. They said they had to check out each of our situations, and depending on what they found, they would decide if we needed to go to prison. But I served my sentence. I was released. This was a double punishment. They were making each of us serve an additional sentence.[340]

The head of a civil society group in South Sudan was allowed to see the men briefly after their arrival on July 5 but was not permitted to speak with them.[341]

The men were held under guard, not allowed outside, and initially were not permitted phone calls. David told us:

> We asked to use the phone. They would say three days from now, next week. The head guy, he'd try to, like, lie to us. "You can call in another three days." We couldn't go offsite. Couldn't look out the window. If the guards saw us looking outside, they would come over and train their AKs on us. "Don't look out the window."[342]

Asked in July 2025 what the status of the men sent to South Sudan was, Tom Homan, a former acting ICE director and, since January 2025, the White House "border czar," told *The Conversation*:

> They're free. As far as we're concerned, they're free. They're no longer in custody. They're living in Sudan. And will they stay in Sudan? I don't know. I mean, but when we sign these agreements to all these countries, we make arrangements to make sure these countries are receiving these people and

[340] Human Rights Watch remote interview with Pablo N., February 27, 2026.

[341] Rachel Hagan and Farouk Chothia, "US Deports Eight Men to South Sudan After Legal Battle," BBC News, July 6, 2025, https://www.bbc.com/news/articles/c80p315krr4o (accessed September 23, 2026).

[342] Human Rights Watch remote interview with David P., April 15, 2026.

> there's opportunities for these people. But I can't tell—if we removed somebody to Sudan, they could stay there a week and leave, I don't know.[343]

Pressed twice to say whether the men were detained in South Sudan (not Sudan, a separate country), Homan eventually replied, "I don't know."[344]

Conditions were difficult, Pablo said:

> The power went out often. It was really, really hot, and we had to keep the windows closed because the mosquitoes carried malaria, and we couldn't turn on the fans because the power had gone out. Some of the men got sick from malaria or something else.
>
> We were locked up in that place with no light because there was no power. Sometimes they would delay our meals. Sometimes there wasn't enough water.[345]

Drinking water was supplied in large bottles that were replaced every week or two, Pablo said, explaining that sometimes the men would go a day or more with no water before new bottles arrived, and some of the water tasted and smelled odd. "A lot of us suffered from diarrhea," he added.

The uncertainty the men faced affected them much more than the physical conditions, Pablo told us. "It was extremely stressful thinking we would never see our home countries," he said. "It was frustrating. The whole process that sent us there was unjust. We had already completed our sentences. We aren't dogs; we're human beings."[346]

---

[343] Dasha Burns, "Homan Unsure of Status of the Eight Men Deported to South Sudan," *The Conversation*, July 11, 2025 (starting at 0:28), https://www.politico.com/video/2025/07/11/homan-unsure-of-status-of-the-eight-men-deported-to-south-sudan-the-conversation-1680456 (accessed September 23, 2026).

[344] Ibid.

[345] Human Rights Watch remote interview with Pablo N., February 27, 2026.

[346] Ibid.

The Mexican government arranged for Pablo's return to Mexico in early September.[347]

The decision by the government of South Sudan to accept the eight men came shortly after US Secretary of State Marco Rubio revoked all current visas and blocked the issuance of new ones to South Sudanese passport holders in April 2025. The government of South Sudan has reportedly told the US government that it would take larger numbers of people who are not South Sudanese citizens. At the same time, it suggested that the United States lift sanctions on a senior South Sudanese official, reverse visa restrictions on its citizens, and reactivate its bank account at the Federal Reserve Bank of New York.[348] The United States is South Sudan's largest donor of humanitarian aid.[349]

In a "most urgent and confidential" note verbale to the US embassy in Juba, South Sudan, dated May 12, 2025, the Ministry of Foreign Affairs and International Cooperation agreed to receive the flight of third-country nationals and said, "Upon arrival, the individuals concerned will be granted an immigration status in accordance with South Sudan's national laws and immigration procedures." It said they would be allowed to "remain temporarily…for a period to be determined." It agreed that it is bound by the principle of nonrefoulement.[350]

The US-South Sudan arrangement lists eight "matters of concern" enumerated by the South Sudan government that "merit consideration" in the context of its cooperation in taking the third-country nationals from the United States:

1. Normalisation of Diplomatic Relations with United States of America.

---

[347] Elena San José, "De Estados Unidos a Sudán del Sur pasando por Yibuti: el surrealista viaje de deportación de Jesús Muñoz," *El País*, September 8, 2025, https://elpais.com/mexico/2025-09-08/de-estados-unidos-a-sudan-del-sur-pasando-por-yibuti-el-surrealista-viaje-de-deportacion-de-jesus-munoz.html (accessed September 23, 2025).

[348] Felicia Schwartz and Myah Ward, "South Sudan Took 8 Migrants from the US. It Wants Something in Return," *Politico*, July 30, 2025, https://www.politico.com/news/2025/07/30/south-sudan-might-take-more-us-migrant-deportees-it-has-a-few-asks-00482793 (accessed September 23, 2026).

[349] See Ammu Kannampilly, "US Threatens Cuts to South Sudan Aid over Humanitarian Fees," Reuters, https://www.reuters.com/world/africa/us-threatens-cuts-south-sudan-aid-over-humanitarian-fees-2025-12-11/ (accessed September 23, 2026).

[350] Republic of South Sudan, Ministry of Foreign Affairs and International Cooperation, Office of the Minister, Note Verbale, Ref. RSS/MFA&IC/J/OM/25/05/25, (May 12, 2025). The agreement is published at US Department of State, FOIA Library, Case Act Reporting, Qualifying Non-Binding Instruments, August 2025, https://foia.state.gov/FOIALIBRARY/QNI2.aspx (accessed September 23, 2026).

2. A request for the removal of individual targeted sanctions imposed on senior government officials of the Republic of South Sudan specially His Excellency Dr. Benjamin Bol Mel, Vice President for the Economic Cluster.
3. A request for the reconsideration of recent visa restrictions affecting South Sudanese citizens by reversal of visa revocation.
4. A call for support from the United States in addressing the challenge of armed civilians who continue to pose a threat to peace and security in the country, and this can be concluded by disarmament of armed civilians.
5. Establishment of Rehabilitation facility in South Sudan.
6. US to support South Sudan in holding Dr. Riek Machar accountable under South Sudanese law for his actions that threaten national peace, security and stability.
7. Lifting of reservations imposed on South Sudan's oil Companies. This will encourage direct foreign Investments from US to South Sudan in areas of common and mutual interest between the two countries.
8. US to kindly consider investing in South Sudan in areas of oil, gas, minerals, agriculture, infrastructure, industry, technologies and capacity building among others. In return, South Sudan will ensure legal protections, tax incentives, and repatriation guarantees for US investors as appropriate.[351]

The US Senate Foreign Relations Committee Minority Report on third-country national transfers said that "the flights carrying these men to South Sudan cost an estimated $427,000 with another $307,000 to house them on a military base in Djibouti along the way.[352]

The third-country nationals flown to South Sudan included a Mexican national. The US Senate Foreign Relations Committee Minority report observed:

> The Trump Administration paid an estimated $91,000 per person to fly him over 8,000 miles to South Sudan instead of returning him to Mexico. Court

[351] Ibid.

[352] US Senate Committee on Foreign Relations, Minority Staff, At What Cost? Inside the Trump Administration's Secret Deportation Deals, February 2026), p. 12, https://www.foreign.senate.gov/imo/media/doc/(FINAL%20-%20web)%20At%20What%20Cost%20-%20Inside%20the%20Trump%20Administration%27s%20Secret%20Deportation%20Deals_2.17.26.pdf (accessed September 23, 2026).

> filings state that prior to his removal to South Sudan: "There is no indication that ICE contacted any Mexican consulate in the United States to request travel documents for [the individual] or to arrange for his return to Mexico." Mexican officials expressed concern over one of their nationals being sent to South Sudan, saying Mexico always accepts its nationals back. Mexico's President Claudia Sheinbaum said her government was not informed of the deportation of the Mexican national.[353]

President Sheinbaum said in March 2025 that the US government had confirmed, in response to a request from Mexico, that it would not send Mexican nationals to any place other than Mexico.[354]

---

[353] Ibid. (quoting Declaration of Anwen Hughes, para. 6, *D.V.D. v. DHS*, No. 25-cv-10676 (filed December 8, 2025), ECF No. 233, and citing a Committee Minority staff meeting with Mexican officials, August 2025, and "Sheinbaum Addresses Case of Mexican Deported to Africa by US: Thursday's Mañanera Recapped," *Mexico News Daily*, May 22, 2025, https://mexiconewsdaily.com/politics/sheinbaum-addresses-case-of-mexican-deported-to-africa-by-us-thursdays-mananera-recapped/ (accessed September 23, 2026)).

[354] Claudia Sheinbaum Pardo, "Conferencia presidenta Sheinbaum," YouTube, March 18, 2025, https://www.youtube.com/watch?v=xTsDIDI7hKw&list=PLQMTy9WNfDrs9Hpn_klIXdgI3TVLOT_JN&index=331 (at 1:25:15) (accessed September 23, 2026).

V. Asylum Cooperative Agreements

During the first Trump administration, the US government concluded asylum cooperative agreements with Guatemala, El Salvador, and Honduras based on the "safe third country" provision in US asylum law. That provision allows the United States to exclude from asylum consideration a person who could be removed to a third country which has a formal agreement with the United States and where the person would have "access to a full and fair procedure for determining a claim to asylum or equivalent temporary protection."[355] Human Rights Watch documented the flaws in the 2019 agreement with Guatemala and that country's lack of capacity to provide access to full and fair asylum procedures.[356] One of the early acts of the Biden administration was to terminate the asylum cooperative agreements with Guatemala, El Salvador, and Honduras.[357]

So far, the second Trump administration has concluded safe third country asylum cooperative agreements with nine countries, including four in Africa: Cabo Verde, Liberia, Rwanda, and Uganda.[358] As of September 2026, Liberia, Rwanda, and Uganda were known

---

[355] Immigration and Nationality Act § 208(a)(2)(A) (codified at 8 U.S.C. § 1158(a)(2)(A)).

[356] Human Rights Watch and Refugees International, *Deportation with a Layover: Failure of Protection under the US-Guatemala Asylum Cooperative Agreement* (New York: Human Rights Watch, 2020), https://www.hrw.org/report/2020/05/19/deportation-layover/failure-protection-under-us-guatemala-asylum-cooperative.

[357] Anthony J. Blinken, secretary of state, "Suspending and Terminating the Asylum Cooperative Agreements with the Governments El Salvador, Guatemala, and Honduras," press statement, US Department of State, February 6, 2021, https://2021-2025.state.gov/suspending-and-terminating-the-asylum-cooperative-agreements-with-the-governments-el-salvador-guatemala-and-honduras/ (accessed September 23, 2026).

[358] The non-African countries known to have signed asylum cooperative agreements with the United States are Belize, Ecuador, Guatemala, Honduras, and Paraguay. See Agreement Between the Government of the United States of America and the Government of Belize for Cooperation Regarding the Examination of Protection Requests, 91 Fed. Reg. 12204 (March 12, 2026) (publishing text of agreement signed October 20, 2025); Agreement Between the Government of the United States of America and the Government of the Republic of Ecuador Relating to the Transfer of Third-Country Nationals to Ecuador, 90 Fed. Reg. 51376 (November 17, 2025) (publishing text of agreement effected by exchange of diplomatic notes on June 11 and 13, 2025); Agreement Between the Government of the United States of America and the Government of the Republic of Guatemala Relating to the Transfer of Nationals of Central American Countries to Guatemala, 90 Fed. Reg. 31670 (July 15, 2025) (publishing text of agreement effected by exchange of diplomatic notes on June 11 and 13, 2025); Agreement Between the United States of America and Honduras for Cooperation in the Examination of Protection Requests, March 10, 2025, T.I.A.S. 25-625 (entered into force June 25, 2025), https://www.state.gov/wp-content/uploads/2025/09/25-625-Honduras-Migration-and-Refugees-JIP.pdf (accessed September 23, 2026); Memorandum of Understanding Between the US Department of Homeland Security and the US Department of State, on the one side, and the Paraguayan National Commission for Stateless Persons and Refugees, on the other side, for Cooperation in the Examination of Protection Requests, August 14, 2025, T.I.A.S. 25-814 (entered into force August 14, 2025), https://www.state.gov/wp-content/uploads/2026/03/64018-Paraguay-Migration-and-Refugees.pdf (accessed September 23, 2026). The US-Honduras agreement was amended on the day it entered into force. T.I.A.S. 25-625.1, https://www.state.gov/wp-content/uploads/2025/09/25-625.1-Honduras-Migration-and-Refugees-Amendment.pdf (accessed September 23, 2025).

to have received third-country nationals transferred from the United States. In the case of Liberia, these transfers were outside the scope of its asylum cooperative agreement with the United States.

Cabo Verde

On November 19, 2025, the governments of the United States and Cabo Verde signed an agreement that looks like an asylum cooperative agreement/safe third country agreement. The agreement acknowledges that Cabo Verde is isolated geographically and "the circumstances it faces as a Small Island Developing State," but nevertheless brought into force an agreement aimed at "the identification, transfer, reception, and integration in Cabo Verde of third-country nationals who were present in the territory of the United States of America seeking protection from return to their country of origin or former habitual residence."[359]

The agreement says that "the Government of the Republic of Cabo Verde shall create the humane conditions necessary for receiving and facilitating the process of social integration, pursuant to its international obligations."[360] In an acknowledgement of Cabo Verde's lack of capacity, the agreement also says the US government will "provide financial and technical assistance to strengthen the institutional capacities of the Government of the Republic of Cabo Verde for the reception and integration of the individuals transferred under this Agreement."[361]

Liberia

The governments of the United States and Liberia agreed on September 10, 2025, to "cooperate in the examination of protection claims" for "third-country nationals present in

[359] Agreement Between the Government of the United States of America and the Government of the Republic of Cabo Verde on the Transfer of Third-Country Nationals, November 19, 2025, T.I.A.S. 25-1119.1 (entered into force November 19, 2025), art. I(1), https://www.state.gov/wp-content/uploads/2026/04/64081-Cabo-Verde-Migration-and-Refugees-TIAS.pdf (accessed September 23, 2026).

[360] Ibid., art. III(3) (emphasis added).

[361] Ibid., art. III(6).

the United States who may seek protection against return to their home country or country of habitual residence" who would be transferred from the United States to Liberia.[362]

The agreement does not include the number of persons to be transferred or a cap on the number, nor does it include provisions detailing the amount of any payments from the United States to Liberia, but only states that the implementation of the agreement "shall be subject to the availability of funds and technical capacity of each country."

UNHCR said in its submission for the 2019 Universal Periodic Review of Liberia, "in practice, many of the safeguards for those wishing to seek asylum in Liberia and the rights and privileges granted to persons afforded asylum in Liberia under the 1993 Refugee Act are specifically denied by the Alien and Nationality Law."[363]

In what appeared to be an arrangement outside the terms of the asylum cooperative agreement, the Liberian government agreed to take up to 1,200 third country nationals from the United States over the next year.[364] Despite a government spokesperson saying, "Liberia has not demanded or received any compensation or promise of reward in exchange for its consent to participate in the program," the *New York Times* reported that the United States paid $5 million to Liberia as part of the agreement to take up to 1,200 third-country nationals.[365]

On August 20, 2026, 14 third-country nationals arrived in Liberia on a flight that included six additional people who refused to disembark in Liberia and were then taken to Equatorial Guinea.[366] The August 20 transfers were clearly outside the terms of the asylum

---

[362] Agreement Between the Government of the United States of America and the Government of the Republic of Liberia to Cooperate in the Examination of Protection Claims, 2025 129 EXEC (September 4, 2025) and Note Verbale RL/MFA/2-1/S010030/'25 (September 10, 2025), , T.I.A.S. 25-910 (entered into force September 10, 2025), https://www.state.gov/wp-content/uploads/2026/03/64059-Liberia-Migration-and-Refugees.pdf (accessed September 23, 2026).

[363] UNHCR, Submission on Liberia for the High Commissioner for Human Rights' Compilation Report, Universal Periodic Review: 3rd Cycle, 36th Session, October 2019, p. 3, https://www.ohchr.org/en/hr-bodies/upr/uprlrun-contributions-s36 (accessed September 23, 2026).

[364] Madeleine Ngo and Alan Feuer, "Liberia Agrees to Take 1,200 Deportees from US," *New York Times*, August 18, 2016, https://www.nytimes.com/2026/08/18/us/politics/liberia-deportees.html (accessed September 23, 2026).

[365] Madeleine Ngo, Hamed Aleaziz, and Zolan Kanno-Youngs, "US Agreed to Pay Liberia $5 Million in Connection with Deportees, Documents Say," *New York Times,* August 21, 2026, https://www.nytimes.com/2026/08/21/us/politics/us-liberia-deportees-payment.html (accessed September 23, 2026).

[366] Human Rights Watch remote interview with Alma David, September 25, 2026. Gillian Brockell, "Liberia Joins Trump's 'Third-Country Deportation' Network," *American Prospect*, August 20, 2026, https://prospect.org/2026/08/20/liberia-joins-

cooperative agreement because most of the people transferred had been granted withholding of removal based on likelihood of being persecuted or tortured in their home countries, which included Cameroon, Colombia, Eritrea, Guatemala, Honduras, and Venezuela.[367]

The *New York Times* interviewed 10 of the deportees on the flight to Liberia, all of whom, it said, described "a harrowing journey that included months in detention in the United States and a panicked 14-hour expulsion to Africa, in which agents wrestled and shackled frightened detainees." The article reported that all interviewees "said they experienced or witnessed what they described as abusive or violent treatment by ICE officials during the course of their deportation or while in detention in the United States."[368]

Five of the people said they were beaten by ICE agents, including being slammed to the ground or struck with blows. "One showed cuts along his wrists and bruises around his neck, which he said he received after resisting getting on the plane," the *Times* reported. The US Department of Homeland Security (DHS) denied the allegations.

In another case that would clearly fall outside an asylum cooperative agreement, the much publicized and litigated case of Kilmar Abrego García, Liberia agreed to receive him on October 24, 2025.[369] Five days later, the United States extended the validity of business and tourist visas for Liberian citizens.[370]

---

trumps-third-country-deportation-network/ (accessed September 23, 2026); Pranav Baskar, Hamed Aleaziz, and Genevieve Glatsky, "After Deportees Resist Arrival in Liberia, US Flies Them to Another Country," *New York Times*, August 21, 2026, https://www.nytimes.com/2026/08/21/world/africa/us-deportees-liberia-equatorial-guinea.html (accessed September 23, 2026).

[367] "Liberia," Third Country Deportation Watch, last updated September 10, 2026, https://www.thirdcountrydeportationwatch.org/liberia (accessed September 27, 2026).

[368] Emmanuel Akinwotu et al., "Deportees Recount Harrowing Journeys to Africa: Shackles, a 'Freezer' and Blows," *New York Times*, August 30, 2026, https://www.nytimes.com/2026/08/30/world/africa/us-deportation-flight-ice-detention-liberia.html (accessed September 23, 2026).

[369] Andrew Goudsward, Alphonso Toweh, and Ted Hesson, "Liberia Agrees to Accept Wrongly Deported Migrant Abrego, US Says," Reuters, October 24, 2025, https://www.reuters.com/legal/government/liberia-agrees-accept-wrongly-deported-migrant-abrego-us-says-2025-10-24/ (accessed September 23, 2026).

[370] "President Boakai Welcomes US Visa Reciprocity Decision Extending Validity to 36 Months," press release, Embassy of the Republic of Liberia in the United States, October 29, 2025, https://www.liberianembassyus.org/in-the-news/president-boakai-welcomes-us-visa-reciprocity-decision-extending-validity-to-36-months (accessed September 23, 2026).

Rwanda

One of the first known transfers of a third-country national from the United States to an African country occurred on March 13, 2025, when the United States deported an Iraqi refugee, Omar Abdulsattar Ameen, to Rwanda.[371] In retrospect, it appears to have served as a test case for the transfers to the continent that followed.

A leaked April 22, 2025 US State Department cable noted, "This successful relocation—and Rwanda's subsequent agreement to accept additional third-country nationals (TCNs)—proved the concept for developing a new removal program to relocate TCNs from the United States to Rwanda."[372] The cable adds, "Rwanda also agreed to accept another ten TCNs of various nationalities."[373] In late April, a Rwandan official confirmed that the country is "open to others," referring to the possibility of receiving further third-country nationals from the United States.[374] The State Department cable said the agreement included a payment of $100,000 to the Rwandan government for the first year.[375]

In August 2025, a Rwandan government spokesperson, Yolande Makolo, reportedly said that the country had agreed to accept up to 250 third-country nationals from the United States under an agreement that includes roughly $7.5 million in US financial support.[376] That same month, seven third-country nationals, all men, were deported from the United States to Rwanda.[377]

---

[371] "US Deports Iraqi Man at Centre of Debate on Refugee Policy," Reuters, April 24, 2025, https://www.reuters.com/world/us-deports-iraqi-man-centre-debate-refugee-policy-2025-04-24/ (accessed September 23, 2026).

[372] Cable from US Embassy Kigali, April 22, 2025, quoted in Marisa Kabas, "US 'Relocates' Iraqi Refugee to Rwanda via New Diplomatic Arrangement," *The Handbasket,* April 22, 2025, https://www.thehandbasket.co/p/us-rwanda-relocates-iraqi-refugee-omar-ameen(accessed September 23, 2026).

[373] Ibid.

[374] Adam Taylor, "Rwanda Responds Warmly to Trump Request to Take Noncitizen Deportees," *Washington Post*, April 30, 2025, https://www.washingtonpost.com/national-security/2025/04/30/trump-rwanda-deportations/ (accessed September 23, 2026).

[375] Cable from US Embassy Kigali, April 22, 2025, quoted in Kabas, "US 'Relocates' Iraqi Refugee to Rwanda via New Diplomatic Arrangement."

[376] Danai Nesta Kupemba, "Rwanda Says It Has Agreed to Take up to 250 Migrants from the US," BBC News*,* August 5, 2025, https://www.bbc.com/news/articles/coj9zn553q4o (accessed September 23, 2026).

[377] Human Rights Watch remote interview with Alma David, September 25, 2026. See also "Rwanda Says 7 Deportees Arrived from the US in August Under Agreement with Washington," AP, August 28, 2025, https://www.cnn.com/world/africa/rwanda-deportees-us-august-latam-intl (accessed September 23, 2026). ICE deportation data record that this flight transported 3 nationals of Cuba and one each from Laos, Sierra Leone, and Somalia, along with one person listed as from Cabo Verde in what is likely a data entry error: Cambodia is alphabetically adjacent to "Cape

A US Senate Foreign Relations Committee Minority report estimated the cost of transferring those seven third-country nationals to Rwanda to be $601,864 in transportation costs, plus the $7.5 million payment to Rwanda, for a cost of $1.1 million per person.[378]

Two additional flights in August 2026 transferred 14 additional third-country nationals (13 men and 1 woman) to Rwanda.[379]

The US-Rwanda deal is a formalized "safe third country"-type agreement in the form of a memorandum of agreement between the two countries under which Rwanda agrees to "provide appropriate legal status or other legal accommodations under Rwandan law" for up to 250 third-country nationals transferred there from the United States.[380] The agreement includes "an upfront disbursement" of $ 7.5 million from the United States "to strengthen Rwanda's border and migration management capacity."[381]

The title of the agreement is noteworthy; it is termed an agreement "Concerning the Removal" of third-country nationals. Whereas the US-Canada STCA was reciprocal, through which each country committed to examining the asylum claims of a person returned from the other party, the US-Rwanda deal is a one-way deal from the United States to Rwanda and makes clear that its primary purpose is removal.

The US statute on safe third country says the safe third country must provide the third-country national with "access to a full and fair procedure for determining a claim to asylum or equivalent temporary protection."[382] The US-Rwanda agreement provides access to asylum procedures but does not incorporate the key modifier that they be "full and fair."

Verde." See Appendix I: Third Country Deportations by the Numbers, "Confirmed TCN Flights: Reported vs. ICE Data, May 2025 to July 2026" table and "Data Analysis Methodology" section, below.

[378] US Senate Committee on Foreign Relations, Minority Staff, At What Cost? Inside the Trump Administration's Secret Deportation Deals, February 2026), p. 8, https://www.foreign.senate.gov/imo/media/doc/(FINAL%20-%20web)%20At%20What%20Cost%20-%20Inside%20the%20Trump%20Administration%27s%20Secret%20Deportation%20Deals_2.17.26.pdf (accessed September 23, 2026).

[379] Human Rights Watch remote interview with Alma David, September 25, 2026.

[380] Memorandum of Understanding Between the Government of the United States of America and the Government of the Republic of Rwanda Concerning the Removal of Third Country Nationals, Kigali, Rwanda, June 3, 2025, published at US Department of State, FOIA Library, Case Act Reporting, Qualifying Non-Binding Instruments, July 2025, https://foia.state.gov/FOIALIBRARY/QNI2.aspx (accessed September 23, 2026).

[381] Ibid.

[382] Immigration and Nationality Act § 208(a)(2)(A) (codified at 8 U.S.C. § 1158(a)(2)(A)).

Rwanda's past role in similar arrangements with Israel,[383] its now-abandoned negotiations for a comparable deal with the United Kingdom,[384] and its own well-documented record of repression[385] raise serious doubts about whether it will provide effective protection for the affected people.

Uganda

Uganda's Ministry of Foreign Affairs confirmed in August 2025 that it reached a temporary bilateral cooperation agreement with the United States "for cooperation in the examination of protection requests" for third-country nationals "who may not be granted asylum in the United States but are reluctant to or may have concerns about returning to their countries of origin."[386]

Eight deportees from the United States arrived in Uganda on April 2, 2026, according to ICE deportation data.[387] The seven men and one woman from Angola, Ethiopia, Guinea, Mali, Mauritania, and Togo were classified as asylum seekers, according to Simon Mundeyi, spokesperson for Uganda's Ministry of Internal Affairs.[388]

The mere existence of an asylum cooperative agreement with Uganda has been sufficient for immigration judges to pretermit hearings without examining the merits of asylum claims. Between January 20, 2025 and July 31, 2026, US immigration courts issued final orders of removal to 2,914 third-country nationals to Uganda. Of that total, 94 percent (2,746 cases)

---

[383] Human Rights Watch, "*Make Their Lives Miserable": Israel's Coercion of Eritrean and Sudanese Asylum Seekers to Leave Israel* (New York: Human Rights Watch, 2014), https://www.hrw.org/report/2014/09/09/make-their-lives-miserable/israels-coercion-eritrean-and-sudanese-asylum-seekers.

[384] Yasmine Ahmed and Emilie McDonnell, "UK Should Abandon Dangerous, Authoritarian Rwanda Bill," commentary, Human Rights Watch dispatch, January 30, 2024, https://www.hrw.org/news/2024/01/30/uk-should-abandon-dangerous-authoritarian-rwanda-bill.

[385] Human Rights Watch, *"Join Us or Die": Rwanda's Extraterritorial Repression* (New York: Human Rights Watch, 2023), https://www.hrw.org/report/2023/10/10/join-us-or-die/rwandas-extraterritorial-repression.

[386] Statement Concerning Agreement on Migration Issues with the Government of the United States of America, published at Ministry of Foreign Affairs, Uganda (@UgandaMFA), X (August 21, 2025, 2:04 a.m. EDT), https://x.com/UgandaMFA/status/1958409947495969199 (accessed September 23, 2026).

[387] See Appendix I: Third Country Deportations by the Numbers, "Confirmed TCN Flights: Reported vs. ICE Data, May 2025 to July 2026" table, below.

[388] CGTN Africa, Facebook post, April 2, 2026, https://www.facebook.com/cgtnafrica/posts/eight-deportees-from-the-united-states-arrived-in-uganda-reigniting-debate-over-/1421114270054953/ (accessed September 23, 2026). See also Ministry of Foreign Affairs, Republic of Uganda, Press Statement on Individuals Transferred to Uganda under Bilateral Agreement with the United States of America, Kampala, April 3, 2026 (stating that the eight third-country nationals arrived on April 1), published at ICE Flight Monitor (@ICEFlightM), X (April 3, 2026, 9:55 a.m. EDT), https://x.com/iceflightm/status/2040065539607859525?s=46 (accessed September 23, 2026).

were based on pretermission motions, which enable immigration judges to reject asylum claims based on the supposed willingness of Uganda to provide full and fair examination of their claims.

While the signed agreement says Uganda will not return any third-country national to their country of origin "until a final decision has been made regarding any pending protection claims,"[389] it says nothing about the procedure for determining refugee claims. In contrast to the 2002 US-Canada Safe Third Country Agreement, which says each party "shall examine, in accordance with its refugee status determination system, the refugee status claim of any person" transferred under the agreement,[390] the US-Uganda agreement only says that Uganda will give "consideration. . . of requests by these third country nationals for asylum, refugee protection, or equivalent temporary protection," which leaves open the question whether it has the intent or capacity to provide a "full and fair procedure" as required under the safe-third-country provision in US asylum law.[391]

Through July 2026, Uganda was the only one of the four African countries whose asylum cooperation agreement was the basis for third-country removal orders after pretermission of asylum claims.

From January 2025 through the end of May 2026, some 2,718 asylum cases were closed citing Uganda as the country where asylum would be sought.[392] Although the Ugandan Ministry of Foreign Affairs said that its agreement with the United States only relates to people "of African origin,"[393] 200 of the cases pretermitted in US immigration courts were of asylum seekers whose country of origin was a country outside Africa, including 34 from Russia, 27 from India,

---

[389] Agreement Between the Government of the United States of America and the Government of the Republic of Uganda for Cooperation in the Examination of Protection Requests, July 29, 2025, T.I.A.S. 25-729 (entered into force July 29, 2025), https://www.state.gov/wp-content/uploads/2026/04/64029-Uganda-Migration-and-Refugees.pdf (accessed September 23, 2026).

[390] Agreement Between the Government of Canada and the Government of the United States of America for Cooperation in the Examination of Refugee Status Claims from Nationals of Third Countries, December 5, 2002, T.I.A.S. 04-1229 (entered into force December 29, 2004), https://www.canada.ca/en/immigration-refugees-citizenship/corporate/mandate/policies-operational-instructions-agreements/agreements/safe-third-country-agreement/final-text.html (accessed September 23, 2026).

[391] Immigration and Nationality Act § 208(a)(2)(A) (codified at 8 U.S.C. § 1158(a)(2)(A)).

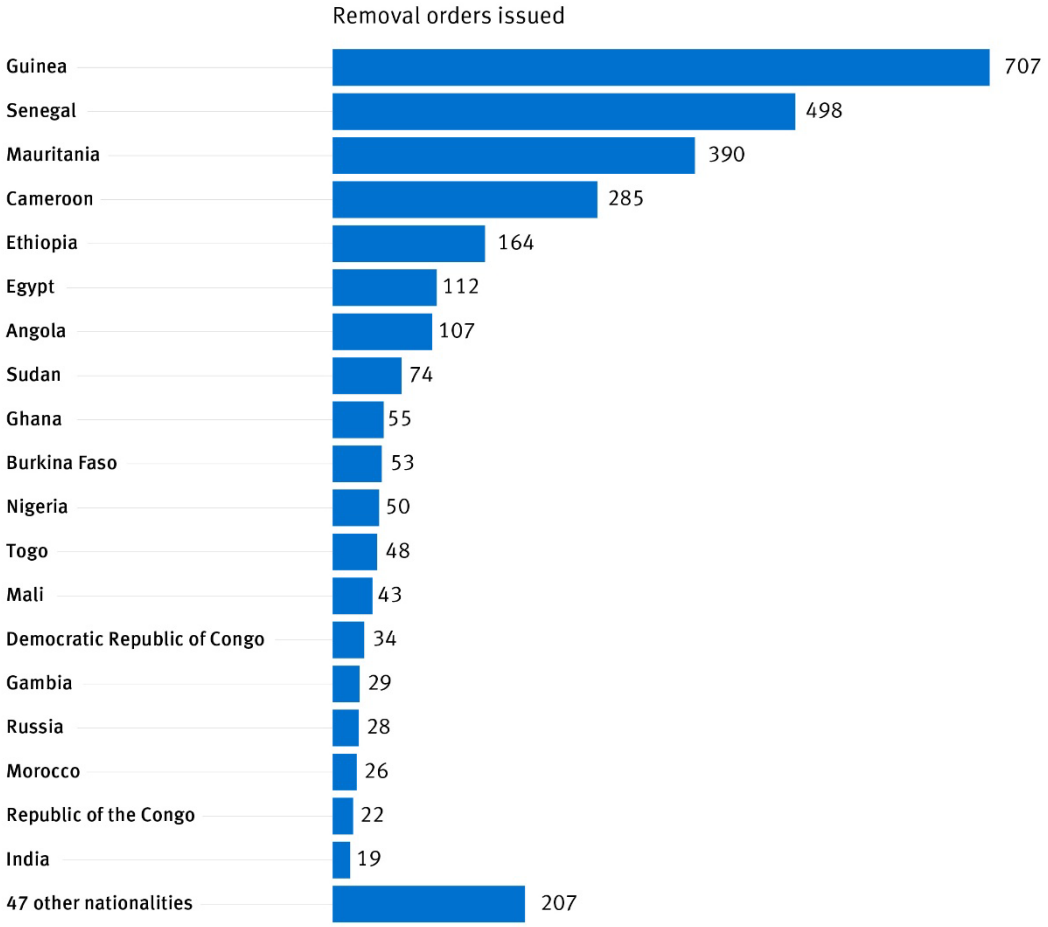
[392] "Third Country Removals," Mobile Pathways, https://www.mobilepathways.org/dashboards/third-country-removals (accessed September 23, 2026).

[393] Ministry of Foreign Affairs, Press Statement on Individuals Transferred to Uganda under Bilateral Agreement with the United States of America.

16 from Venezuela, 16 from Singapore, and 14 from China, along with smaller numbers from a wide array of nationalities, including Haiti, Syria, Iran, and Mexico.[394]

Uganda was the removal country for nearly 90 percent of third-country national removal orders to African countries between January 20, 2025, and July 31, 2026. The vast majority of people ordered removed to Uganda are citizens of other African nations, as shown in the chart below.

Third-Country Removal Orders to Uganda
January 20, 2025 – August 31, 2026



Source: Human Rights Watch analysis of Executive Office of Immigration Review data, August 2026 dataset. Raw data available https://www.justice.gov/eoir/foia-library-0 (accessed September 3, 2026) and analysis data on file with Human Rights Watch.

394 "Third Country Removals," Mobile Pathways.

VI. Other US Attempts to Negotiate Third-Country-Transfer Arrangements in Africa

Negotiations to conclude third-country removals with countries in Africa were ongoing as of September 2026. By the end of June 2026, the Trump administration had authorized agreements or pledged at least $410 million to facilitate agreements with 31 countries, mostly in Latin America and Africa, according to a *Washington Post* investigation. The article tracked a State Department official, Christian Ehrhardt, who it said, "has crisscrossed Africa, trying to persuade the continent's leaders to accept flights full of people deported from the United States even though the migrants are not their own citizens." It reported:

> A color-coded State Department map of Africa from March 2026 reviewed by The Post reveals the breadth of the Trump administration's ambitions: U.S. officials had made overtures to 49 countries on the continent and secured deportation agreements with 13. Nine others were said to be in negotiations, including Togo, Guinea-Bissau and Gabon—all on Ehrhardt's itinerary in June.[395]

Other press accounts have reported on overtures to African countries, including Angola, Benin, and Libya.

In April 2025, the *Wall Street Journal* reported that the US government was pursuing a third-country transfer arrangement with Benin.[396]

---

[395] David Nakamura and Adam Taylor, "How Trump Turned a Refugee Bureau into a $410 Million Deportation Operation," *Washington Post*, September 21, 2026, https://www.washingtonpost.com/politics/interactive/2026/09/21/how-trump-turned-refugee-bureau-into-410-million-deportation-operation/ (accessed September 26, 2026). The investigation was conducted by the Deportation Project, a consortium of 26 media organizations in 15 countries, organized by Forbidden Stories, a nonprofit news organization based in Paris. See "The Deportation Project," Forbidden Stories, undated, https://forbiddenstories.org/projects_posts/the-deportation-project-inside-the-trump-administrations-secret-deals-to-expel-people-worldwide/ (accessed September 26, 2026).

[396] Alexander Ward, Michelle Hackman, and Vera Bergengruen, "U.S. Looks for More Countries to Take Migrants," *Wall Street Journal,* April 2, 2025, https://www.wsj.com/politics/policy/u-s-looks-for-more-countries-to-take-migrants-3db9af5a (accessed September 23, 2026).

In May 2025, *CBS News* reported that the United States was reaching out to Angola regarding its willingness to take third-country nationals from the United States.[397]

Also in May 2025, the Trump administration was on the cusp of carrying out a mass expulsion to Libya,[398] an arrangement reported by the *Wall Street Journal* in early April,[399] but a federal court intervened to halt the transfers.[400] According to court filings, officials gave detainees held in a center in Texas oral notice and in at least one case paperwork to sign notifying them of their pending expulsion to Libya.[401] One lawyer told the court:

> On Monday, May 5, 2025, ICE officers brought my client and approximately 22 other men to an office area within the South Texas ICE Processing Center, and then the men were brought into an office one by one to meet with approximately three immigration officers. My client believes he was the first of the men to be brought into the office. My client speaks some English but does not understand technical and legal jargon and is not comfortable reading and writing in English. He was given a document, written only in English, which the officers told him would allow him to become a free man, but then they told him he would be free in Libya. My client did not understand the form itself or how he could be free in a country he knew nothing about and had no permission to reside in. . . . [H]e refused to sign the document. The ICE officers kept trying to convince him to sign the paper and told him that he would be deported to Libya no matter

---

397 Camilo Montoya-Galvez, "US Seeking Deportation Deals with Far-Flung Countries like Angola and Equatorial Guinea," *CBS News*, May 5, 2025, https://www.cbsnews.com/news/u-s-deportation-deals-with-angola-equatorial-guinea/ (accessed September 23, 2025).

398 "US: Don't Forcibly Transfer Migrants to Libya," May 9, 2025, Human Rights Watch news release, https://www.hrw.org/news/2025/05/09/us-dont-forcibly-transfer-migrants-libya; Eric Schmitt et al., "Trump Administration Plans to Send Migrants to Libya on a Military Flight," *New York Times,* May 6, 2025, https://www.nytimes.com/2025/05/06/us/politics/trump-libya-migrants.html (accessed September 23, 2026).

399 Ward, Hackman, and Bergengruen, "U.S. Looks for More Countries to Take Migrants."

400 Memorandum and Order on Plaintiffs' Motion for Emergency Relief, *D.V.D. v. U.S. Department of Homeland Security*, No. 25-cv-10676 (D. Mass. May 7, 2025), ECF No. 91. This and other district court filings in *D.V.D. v. DHS* are available at Court Listener, https://www.courtlistener.com/docket/69775896/dvd-v-us-department-of-homeland-security/ (accessed September 23, 2026). See also Myah Ward, Kyle Cheney, and Josh Gerstein, "A Trump Admin Effort to Deport Immigrants to Libya Would 'Clearly Violate' Court Order, Judge Says," *Politico,* May 7, 2025, https://www.politico.com/news/2025/05/07/trump-libya-deportation-flight-00333968 (accessed September 23, 2026).

401 Emergency Motion for Temporary Restraining Order and Memorandum in Support, pp. 4-5, *D.V.D. v. U.S. Department of Homeland Security*, No. 25-cv-10676 (D. Mass. filed May 7, 2025), ECF No. 89.

> what he did. . . . The officers never told him that he could raise a claim that he was afraid to go to Libya because he would be tortured there.[402]

After the man refused to sign the document accepting expulsion to Libya, "he was placed in solitary confinement for approximately 24 hours," according to his lawyer.[403] At least five other men "were each put in a separate room and cuffed in (basically, solitary) in order to get them to sign" such documents, another lawyer reported.[404]

More than a dozen people from the Philippines, Vietnam, Laos, and Mexico were reportedly transported by bus to the location of a military plane where they waited for hours before a judge blocked the deportations.[405]

The Tripoli-based Government of National Unity (GNU) and its foreign ministry issued statements denying reports of a deal with the Trump administration. Its rivals, the Eastern-based Libyan Arab Armed Forces (LAAF) and its affiliated foreign ministry also issued statements refuting claims of a deal with the United States.[406] Human Rights Watch has extensively documented inhumane conditions and serious abuses in migrant detention centers and prisons in Libya.[407] These include severe overcrowding, beatings, torture, lack of food and water, forced labor, sexual assault and rape, and exploitation of children.[408]

Libya is not a party to the 1951 Refugee Convention and has no refugee law or asylum procedure. Every annual report on human rights practices in Libya published by the US State Department since at least 2011 highlights patterns of abuse against migrants and refugees, including arbitrary detention, abduction and kidnapping, inhumane detention

---

[402] Declaration of Tin Thanh Nguyen, para. 5, *D.V.D. v. Department of Homeland Security*, No. 25-cv-10676 (D. Mass. filed May 14, 2025), ECF No. 99-3.

[403] Ibid., para. 6.

[404] Email from Jacqueline Dan to Trina Realmuto, May 7, 2025, in Authenticating Declaration of Trina Realmuto, Ex. B, *D.V.D. v. Department of Homeland Security*, No. 25-cv-10676 (D. Mass. filed May 7, 2025), ECF No. 90-2.

[405] Kimmy Yam and Laura Strickler, "Why Asian and Mexican Immigrants, Moments Away from Being Deported to Libya, Never Left the US," *NBC News*, May 9, 2025, http://nbcnews.com/news/us-news/asian-mexican-migrants-libya-sat-texas-military-plane-rcna205668 (accessed September 23, 2026).

[406] Erika Solomon and Islam al-Atrash, "Libya's Rival Governments Deny a Deal to Take Deported US Migrants," *New York Times,* March 7, 2025, https://www.nytimes.com/live/2025/05/07/us/trump-news#libya-us-migrants-deal (accessed May 7, 2025).

[407] See "Libya: Nightmarish Detention for Migrants, Asylum Seekers," Human Rights Watch news release, January 21, 2019, https://www.hrw.org/news/2019/01/21/libya-nightmarish-detention-migrants-asylum-seekers.

[408] "US: Don't Forcibly Transfer Migrants to Libya," Human Rights Watch news release, May 9, 2025, https://www.hrw.org/news/2025/05/09/us-dont-forcibly-transfer-migrants-libya.

conditions, and torture and ill-treatment by armed groups and criminal gangs.[409] The abuses and violations of migrant detainees' rights are systematic and widespread, and the United Nations has said they amount to crimes against humanity.[410] Major humanitarian organizations including UN agencies and experts do not have regular access to Libya's prisons and detention centers.

[409] For the annual *Country Reports on Human Rights Practices,* see Country Reports on Human Rights Practices, US Department of State, last updated August 12, 2025, https://www.state.gov/reports-bureau-of-democracy-human-rights-and-labor/country-reports-on-human-rights-practices/ (accessed September 23, 2026).

[410] "Libya: Crimes Against Humanity Committed Since 2016—Rights Probe," UN News, March 27, 2023, https://news.un.org/en/story/2023/03/1135052 (accessed September 23, 2026).

VII. The Roles of UN Agencies

The International Organization for Migration (IOM)

After their arrival in Africa, the most prominent official interlocutor the third-country nationals interacted with was IOM, an intergovernmental organization that became a United Nations related-agency in September 2016. The respective government officials in each country maintained security and operational control over the third-country nationals upon arrival, but IOM was usually the international agency most often present in places of accommodation or detention.

The director of IOM's office in Washington, DC, told Human Rights Watch:

> [I]t may be helpful to clarify that IOM is not a party to the bilateral arrangements between the United States and the third countries concerned. IOM is not involved in decisions relating to transfers, including whether individuals are transferred or the destination to which they are transferred. Similarly, IOM has no role in determining who is removed, including with regard to nationality, gender, vulnerabilities, or any other personal characteristics, nor does IOM organize or operate removal flights.[411]

In most cases, at the request of the national governments, IOM provides humanitarian assistance – medication, psychological support, distribution of food kits and of non-food items – to the third-country nationals transferred by the United States. IOM clarified that "[w]here migrants are detained by national authorities, IOM *does not* provide needs-based post-arrival assistance."[412]

IOM also promotes its core assisted voluntary return (AVR) program to people transferred to third countries, interviewees told Human Rights Watch. Two of those interviewees said

[411] Letter from Michele J. Sison, director, Global Office Washington, DC, International Organization for Migration, to Bill Frelick, director, Refugee and Migrant Rights Division, Human Rights Watch, July 24, 2026, p. 1. A copy of this letter in full is appended to this report.

[412] Ibid., pp. 1-2.

they felt that IOM's approach unduly pressured them to accept return to their countries of origin.

"Once or twice a week they are here," said William H., a Kenyan national in Cameroon. "It's like they work with this government to quickly deport [people] to their countries of origin." He added, "IOM here seems to be eager to send people to their original countries."[413]

"Every time they come, they ask the same thing, 'Do you want to go back to your home?'" said Tesfay T., an Ethiopian man in Cameroon. "But every time I tell them, 'I'm not going. Stop asking me that. I don't want to die.'"[414]

IOM told Human Rights Watch, "Assistance is offered, never imposed." With respect to its AVR program, it stated:

> Such assistance is provided only on the basis of the individual's prior explicit, free and informed consent, and following a thorough assessment of the person's situation and vulnerabilities. IOM does not promote or pressure individuals to return. In all instances, any person who expresses a need for international protection, including a fear of return, is referred to appropriate partner organizations, such as UNHCR, or to competent national authorities.[415]

It added:

> Every individual assisted by IOM is assessed on a case-by-case basis, considering their circumstances, needs and any potential protection risks. When a person expresses a fear of return, indicates that they may face harm, persecution or other serious risks, or raises another protection concern, the person is referred, with their informed consent, to UNHCR where it is present and operational or to the competent national asylum or

[413] Human Rights Watch remote interview with William H., March 25, 2026.
[414] Human Rights Watch remote interview with Tesfay T., March 23, 2026.
[415] Letter from Sison to Frelick, p. 1.

> protection authorities. In such circumstances, IOM *does not* proceed with assisted voluntary return arrangements.[416]

The Ministry of Social Affairs (MINAS)-managed facility where third-country nationals were detained in Yaoundé was located at the former IOM voluntary return center.

IOM's chief of mission in Cameroon emailed Human Rights Watch to say:

> IOM has provided need-based post-arrival humanitarian assistance, such as food and non-food items, medical support, and life-saving psychosocial first aid. Where requested by any of the individuals concerned, IOM has also provided access to our Assisted Voluntary Return (AVR) programme to support their return to their country of origin or any other country where they may have the legal right to enter and remain. Any such assistance can be provided only following thorough assessments of individual situations and in line with IOM's policies and standards, which includes respect for migrants' free, prior, and informed consent as an essential prerequisite for any AVR support.
>
> IOM's involvement is strictly humanitarian, prioritizing the needs of the individuals concerned and in accordance with our regulatory framework and international law, including the fundamental principle of non-refoulement. Particularly, IOM is committed to ensuring the well-being and protection of migrants' rights throughout the entire spectrum.[417]

In the Democratic Republic of Congo, Congolese officials transported 15 third-country nationals to a hotel near the airport, where they met with IOM officials shortly after landing in Kinshasa on April 17, 2026. One of them, Mario V., a 43-year-old man from Colombia who had also received withholding of removal under the Convention against Torture, said of IOM, "They told me their role is to send me to Colombia. The problem is that I can't go back to Colombia."[418]

---

[416] Ibid., p. 3.

[417] Email from Abdel Rahmane Diop, chief of mission, IOM, to Human Rights Watch, March 24, 2026 (on file with Human Rights Watch).

[418] Human Rights Watch remote interview with Mario V., May 19, 2026.

In the Central African Republic, after the first group of third-country nationals arrived in June 2026, IOM hosted the deportees in their facilities upon the government's request. A few weeks after their arrival, representatives from IOM met with deportees and urged them to make a decision "as soon as possible" about staying in the Central African Republic, returning to their countries of origin, or going to another country if they had legal authorization to do so. An IOM official told them they should "be realistic" since it would be "almost impossible" to return to the United States and since any asylum screenings and refugee resettlement processes with UNHCR could take years. The representatives told deportees that IOM had limited capacity and would not be able to host or support most of them after 90 days had passed, particularly if more third-country nationals arrived in the Central African Republic from the United States.[419]

The United Nations High Commissioner for Refugees (UNHCR)

The US government has reported that its contributions to UNHCR in several African countries are with a view to supporting the negotiations on transfers of third-country nationals. For example, the US Department of Homeland Security's website reports that it contributed $50 million to UNHCR "in support of third country national arrangement (TCNA) negotiations" with the Democratic Republic of Congo.[420] When Human Rights Watch asked UNHCR to comment on this, a UNHCR official responded:

> The contribution for our operation in the DRC is in response to our global appeal. There is no earmarking for UNHCR to implement TCNA activities (we have also not been involved with the bilateral TCNA negotiations). We cannot speak to how the US government describes the contributions on the website you shared, but from our side it is clear that this funding is not for implementation of TCNA activities.[421]

There is a similar US State Department record of an allocation of $30 million from the US government in 2026 to UNHCR "for its operations in the Republic of Cameroon, in support

[419] Human Rights Watch remote interview with individual deported to Central African Republic, July 8, 2026.

[420] Contributions to International Organizations for Overseas Assistance, Bureau of Population, Refugees and Migration, US Department of State, Federal Award Identification Number (FAIN) SPRMCO26VC0039 https://www.usaspending.gov/award/ASST_NON_SPRMCO26VC0039_019 (accessed September 23, 2026).

[421] Email response from an official in UNHCR's office in Washington, DC, to Human Rights Watch, March 31, 2026 (on file with Human Rights Watch).

of third country national arrangement (TCNA) negotiations."[422] According to UNHCR, the US funding for UNHCR's work in Cameroon is also based on UNHCR's global appeal and was received as such without further earmarking.[423]

The US State Department awarded $9 million to UNHCR in Uganda in 2026 "to meet refugee and migration needs . . . as well as those related to STCA [Safe Third Country Agreement] implementation."[424] In response to an inquiry from Human Rights Watch, UNHCR said that US funding to UNHCR for Uganda "is specifically linked to asylum capacity-building and support."

UNHCR said that at the request of the Ugandan government, "UNHCR is providing support for the national asylum system to the benefit of all asylum seekers which will also improve Uganda's capacity to receive and process cases that may be transferred from the US." UNHCR noted, however, that it was not involved with negotiating or a party to the bilateral STCA between the United States and Uganda. "Our objective in Uganda, as elsewhere," UNHCR said, "is to ensure that all people in need of international protection have effective access to asylum and core rights, including protection against refoulement."[425]

Human Rights Watch spoke to several people who had encounters with UNHCR after being deported to countries in Africa. The people we spoke with did not find UNHCR to be helpful, which seems to reflect the reality that UNHCR's options to act constructively on their behalf are extremely limited. Some of them had been found by US immigration judges to be refugees, having been granted withholding of removal orders with respect to their home countries based on their gender identity or sexual orientation. In a number of the cases, the third countries to which they were removed have laws that criminalize same-sex relations and otherwise persecute LGBT people.[426]

---

[422] Contributions to International Organizations for Overseas Assistance, Bureau of Population, Refugees and Migration, US Department of State, Federal Award Identification Number (FAIN), SPRMCO26VC0034, USASpending.gov, https://www.usaspending.gov/award/ASST_NON_SPRMCO26VC0034_019 (accessed September 23, 2026).

[423] UNHCR, Global Appeal 2026, November 2025, https://www.unhcr.org/publications/global-appeal-2026 (accessed September 28, 2026).

[424] Contributions to International Organizations for Overseas Assistance, Bureau of Population, Refugees and Migration, US Department of State, Federal Award Identification Number (FAIN) SPRMCO26VC0041, https://www.usaspending.gov/award/ASST_NON_SPRMCO26VC0041_019 (accessed March 26, 2026).

[425] Email response from UNHCR's office in Washington, DC, to Human Rights Watch, March 31, 2026.

[426] See "Who Is Being Sent to Third Countries?" chapter, "LGBT Refugees Not Assessed for Protection Risks in Third Countries" section, above.

Some of the people we interviewed who cannot return to their home countries told us they thought it was futile to apply for asylum with UNHCR's assistance in the third country where they were now located. In some cases, their fears were so great that they were not willing to seek UNHCR's help. One person who identifies as bisexual, whose country of origin and country of deportation are undisclosed for their safety, said:

> I did speak with UNHCR directly, but they did start asking quite uncomfortable questions about my story and I did not give them much. For me at that time, it was wise for me to let them know that I do not wish to seek asylum in [name of third country withheld]. That is the only option they were giving me.[427]

Tesfay T., in Cameroon, told Human Rights Watch:

> We talked with [UNHCR] one time, that was one month ago now [late February 2026]. They took information, and they said they had to take that intake info to the government. The government has to approve it, and then we can start the asylum process . . . . Since then, they didn't show up. We called them, we told IOM to tell them we need to talk to them, but nobody has given us access since... We have a phone number, but nobody picks up the phones. Nobody wants to talk to us.[428]

[427] Human Rights Watch remote interview (details withheld for the person's safety).
[428] Human Rights Watch remote interview with Tesfay T., March 23, 2026.

VIII. Violations of International Law

The practices by the US government documented in this report violate the internationally recognized right to due process and fundamental fairness. These practices include:

- Giving less than 24 hours' notice of impending transfer to a third country, with some people not told their destination until just before boarding or after takeoff.
- Not permitting people to call lawyers or making it impossible in practice to do so.
- Repeated transfers among various detention centers, with the effect of defeating habeas review by the federal district courts.
- Closing US immigration court hearings without considering the merits of asylum claims (called "pretermission") based on the existence of general agreements with third countries to examine asylum claims of people deported from the United States, but without any specific agreement to hear the claims of those individuals whose US asylum hearings have been pretermitted or any evidence that the countries making such agreements have the capacity to provide full and fair refugee status determinations.

The practices of receiving countries in Africa also violate rights. These include officials in Equatorial Guinea and South Sudan reportedly telling people they cannot apply for asylum; officials in Ghana and Cameroon reportedly stating that their only role is to return people to their home countries; Eswatini and South Sudan arbitrarily imprisoning men whom they had admitted and who never previously had set foot in those countries; and conditions in receiving countries that subject the deported persons to the risk of refoulement—whether direct, indirect, or constructive (concepts which are described below).

Moreover, in Human Rights Watch's view, the principles of reasonableness, sustainability, and human dignity counsel against the involuntary transfer of a person to a country to which they have no meaningful connection or link and should be avoided where better alternatives exist.

The Right to Seek Asylum

Article 14 of the Universal Declaration of Human Rights affirms that "[e]veryone has the right to seek and to enjoy in other countries asylum from persecution."[429] This provision is the grounding for the Refugee Convention and Protocol,[430] which protect the right to seek asylum by providing that refugees should not be penalized for irregular entry or presence in a country where they have sought refuge.[431]

The right to seek asylum is also guaranteed by the African Charter on Human and Peoples' Rights[432] and is reflected in the Convention Governing the Specific Aspects of Refugee Problems in Africa.[433]

In the United States, the right to seek asylum is guaranteed by legislation enacted to implement the Refugee Convention and Protocol.[434] US law carves out an exception to the right to asylum in US law based on the availability of a safe third country, but this is constrained by the requirement of a formal agreement with the third state and the requirement that the safe country provides access to full and fair procedures for determining asylum claims or equivalent temporary protection.[435]

---

[429] G.A. Res. 217 A(III) (December 10, 1948).

[430] Office of the UN High Commissioner for Human Rights (UNHCR), Introductory Note, *Convention and Protocol Relating to the Status of Refugees* (Geneva: UNHCR, 2010), p. 2, https://www.unhcr.org/sites/default/files/2025-02/1951-refugee-convention-1967-protocol.pdf (accessed September 23, 2026).

[431] Convention relating to the Status of Refugees (Refugee Convention), art. 31(1), 189 U.N.T.S. 137 (entered into force April 22, 1954). UNCHR observes that this provision "recognizes that the seeking of asylum can require refugees to breach immigration rules. Prohibited penalties might include being charged with immigration or criminal offences relating to the seeking of asylum, or being arbitrarily detained purely on the basis of seeking asylum." UNHCR, Introductory Note, p. 3.

[432] African Charter on Human and Peoples' Rights, art. 12(3), June 27, 1981, 1520 U.N.T.S. 217 (entered into force October 21, 1986; ratified or adhered to by Burundi August 30, 1989; Cameroon September 18, 1989; Central African Republic July 27, 1986; Democratic Republic of Congo July 20, 1987; Equatorial Guinea April 7, 1986; Eswatini September 15, 1995; Ghana January 24, 1989; Liberia December 29, 1987; Rwanda July 15, 1983; Sierra Leone January 27, 1984; South Sudan October 23, 2013; Uganda May 27, 1985).

[433] Convention Governing the Specific Aspects of Refugee Protection in Africa, art. II, September 10, 1969, 1001 U.N.T.S. 45 (entered into force January 20, 1974; ratified by Burundi December 10, 1975; Cameroon January 10, 1986; Central African Republic August 7, 1970; Democratic Republic of Congo February 14, 2003; Equatorial Guinea September 8, 1980; Eswatini January 16, 1989; Ghana June 19, 1975; Liberia February 7, 1972; Rwanda November 19, 1979; Sierra Leone March 14, 1988; South Sudan December 4, 2013; Uganda August 7, 1987).

[434] Refugee Act of 1980, Pub. L. No. 96-212, 94 Stat. 102 (1980) (codified as amended in various sections of 8 U.S.C.). The US Supreme Court observed in 1987, "If one thing is clear from the legislative history of the new definition of 'refugee' and indeed the entire 1980 Act, it is that one of Congress' primary purposes was to bring United States refugee law into conformance with the [Refugee Protocol], to which the United States acceded in 1968." *INS v. Cardoza-Fonseca*, 480 U.S. 421, 436-37 (1987).

[435] Immigration and Nationality Act (INA) § 208(a)(2)(A) (codified at 8 U.S.C. § 1158(a)(2)(A)).

While some version of this safe third country concept is embedded in law in the United States, the European Union, and other jurisdictions, it is generally qualified with requirements to ensure due process and to prevent chain deportations without asylum claims being heard. In practice, however, such transfers often fail to ensure full and fair examination of the claims of the asylum seekers being transferred and often deflect responsibility from countries with greater capacity to provide effective protection to those with less capacity, thereby undermining rather than enhancing the international refugee protection regime.

The Requirement of Due Process and Fundamental Fairness

Article 32 of the Refugee Convention and articles 13 and 14 of the International Covenant on Civil and Political Rights (ICCPR) require any expulsion to be pursuant to a decision made in accordance with due process of law, and where the affected individual has been given avenues to challenge the decision.[436] Similarly, under ICCPR article 13, any person "lawfully present" in a state's territory and facing expulsion must be allowed "to submit the reasons against his expulsion and to have his case reviewed by . . . the competent authority."[437]

The Human Rights Committee is an expert body charged with interpreting state obligations under the ICCPR and evaluating state compliance with its provisions. It has concluded that "if the legality of an alien's entry or stay is in dispute, any decision on this point leading to his expulsion or deportation ought to be taken in accordance with article 13."[438] Applying this principle in the context of "concluding observations" that address the performance of individual state parties, the Committee has maintained that reviewing authorities considering challenges to an expulsion should conduct an individual assessment for each case of asylum, deportation, or expulsion.[439] The Committee has also urged states to reform their policies and practices to ensure that reviews are "independent," "objective,"

[436] See Human Rights Committee, General Comment No. 32: Article 14: Right to Equality Before the Courts and Tribunals and to a Fair Trial, U.N. Doc. CCPR/C/GC/32 (August 23, 2007), para. 62 ("The procedural guarantees of article 13 of the Covenant incorporate notions of due process also reflected in article 14 and thus should be interpreted in the light of this latter provision.").

[437] International Covenant on Civil and Political Rights (ICCPR), art. 13, December 16, 1966, 999 U.N.T.S. 171.

[438] Human Rights Committee, General Comment No. 15: The Position of Aliens Under the Covenant (27th sess., 1986), para. 9, in Compilation of General Comments and General Recommendations Adopted by Human Rights Treaty Bodies, U.N. Doc. HRI/GEN/1/Rev.7 (May 12, 2004), p. 141.

[439] Human Rights Committee, Concluding Observations: Belgium, U.N. Doc. CCPR/C/BEL/CO/6 (December 6, 2019), para. 32.

and have the power to issue binding decisions,[440] and that their nonrefoulement decisions are subject to judicial review prior to deportation.[441]

US law requires due process in deportations. The Supreme Court has stated that "'the Fifth Amendment entitles aliens to due process of law' in the context of removal proceedings,"[442] a requirement that includes reasonable notice[443] and an opportunity to be heard with the benefit of "'a reasonable time'" to seek relief.[444] As Justice Sotomayor has observed, "Of course the Government cannot avoid its obligation to provide due process 'in the context of removal proceedings' . . . by skipping such proceedings entirely and simply whisking noncitizens off the street and onto busses or planes out of the country."[445]

For third-country deportations, US law specifies that the US Department of Homeland Security (DHS) identify as the removal destination a country that has agreed to accept the person, where they would not face persecution, and where they would have access to a "full and fair procedure" for determining a claim of asylum of other protected status.[446] This requirement ensures that an immigration judge can hear and consider an individual's objections to being removed to a specific third country; to verify that the specified country is willing to accept all its responsibilities to provide full and fair examination of asylum

---

[440] See, for example, Human Rights Committee, Concluding Observations: Japan, U.N. Doc. CCPR/C/JPN/CO/5 (December 18, 2008), para. 25; Human Rights Committee, Concluding Observations: Belgium, U.N. Doc. CCPR/C/BEL/CO/5 (November 16, 2010), para. 21.

[441] Human Rights Committee, Concluding Observations: France, U.N. Doc. CCPR/C/FRA/CO/6 (December 3, 2024), para. 31 (calling for "all persons applying for international protection [to] have access to an independent appeal mechanism with suspensive effect against negative decisions in removal, deportation and extradition proceedings"); Human Rights Committee, Concluding Observations: Australia, U.N. Doc. CCPR/C/AUS/CO/6 (December 1, 2017), para. 33(a) (requirement of "independent judicial review of non-refoulement assessments"); Human Rights Committee, Concluding Observations: France, U.N. Doc. CCPR/C/FRA/CO/4 (July 31, 2008), para. 20 (calling for "clear and transparent procedures allowing review by adequate judicial mechanisms before individuals are deported").

[442] *Trump v. J.G.G.*, 145 S. Ct. 1003, 1006 (2025) (per curiam); *A.A.R.P. v. Trump*, 145 S. Ct. 1364, 1367 (2025) (per curiam).

[443] Notice requirements are set forth in various statutory and regulatory provisions governing "removal" (deportation) proceedings. See, for example, 8 U.S.C. § 1229(a)(1) ("In removal proceedings under section 1229a . . . written notice . . . shall be given . . . to the alien or to the alien's counsel of record"); 8 C.F.R. § 1240.10(f) (in removal hearing, the Immigration Judge "shall . . . identify for the record a country, or countries in the alternative, to which the alien's removal may be made"); § 241.8(e) (when a removal order is reinstated after a noncitizen illegally reenters the country, noncitizen who "expresses a fear of returning to the country designated in that order" must be given an interview (emphasis added)); 8 U.S.C. §§ 1228(b)(1)–(3) (noncitizens determined removable due to felony conviction must be given notice under § 1229(a) and 14 days "to apply for judicial review"); 8 C.F.R. § 238.1(b)(2) (requiring notice to noncitizens removable due to felony convictions).

[444] *A. A. R. P.*, 145 S. Ct. at 1368.

[445] *DHS v. D.V.D.*, No. 24A1153, slip op. at 17 (U.S. June 23, 2025) (Sotomayor, J., dissenting).

[446] The obligation that a country must agree to accept the person is set forth in 8 U.S.C. § 1231(b)(2)(E)(vii), and the obligation to ensure that a person removed is pursuant to a formal agreement and that the person would have access to protection in the receiving country is set out in 8 U.S.C. § 1158(a)(2)(A).

claims, as needed; and, thus, to ensure that the individual's fear-based claims are respected and that procedural guarantees against chain refoulement are afforded.

In order to be meaningful, these procedural safeguards must also be understood to bar DHS from designating as the deportation destination a third country not specified in the underlying removal order without first providing notice and giving the noncitizen the opportunity to articulate any fears of persecution, torture, or death.[447] Immigration courts will only assess the risk of persecution or torture in countries that DHS designates as the deportation destination,[448] meaning that for a noncitizen to be able to raise fear-based claims regarding a third country, the government must identify the country as a removal destination during the deportation proceedings.

US law establishes a sequential framework for removals: to determine the removal destination, the government must consider in order a series of potential removal destinations. At the top of this list of possible destinations are those with which a noncitizen has direct national connections—their country of citizenship, birth, or their prior residence. Only after those potential destinations have been considered and rejected, may

[447] This procedural protection has previously been recognized by DHS to be the minimum required by due process. See Transcript of Oral Argument, pp. 32–33, *Bondi v. Riley*, No. 23-1270 (U.S. Mar. 24, 2025) ("JUSTICE KAGAN: . . . [W]hen you have the order of removal but the [Convention Against Torture] proceedings have not yet been concluded, what does the government feel itself free to do with the alien? . . . [ASSISTANT TO THE SOLICITOR GENERAL]: We do think we have the legal authority to [send the non-citizen to some other country, assuming no pending claim under the Convention Against Torture as to that other country], with the following caveat: We would have to give the person notice of the third country and give them the opportunity to raise a reasonable fear of torture or persecution in that third country.") On September 18, 2026, the First Circuit affirmed a federal district court's finding that notice of and meaningful opportunity to contest removal to a specified third country is required under 8 U.S.C. § 1231(b)(3), related regulations, and the Due Process Clause of the Fifth Amendment. Opinion, 43, 48-49, 54, *D.V.D. v. U.S. Department of Homeland Security*, No. 26-1212 (1st Cir. September 18, 2026) (affirming in relevant part 821 F. Supp. 3d 102 (D. Mass. 2026)). On September 24, 2026, the US government asked the Supreme Court to stay the district court's order. Application for Stay, *Department of Homeland Security v. D.V.D.*, No. 26A406 (U.S. filed September 24, 2026), https://www.supremecourt.gov/DocketPDF/26/26A406/425583/20260924155624768_DVD%20stay%20Sept%202026%20FILE%20corrected.pdf (accessed September 24, 2026).

[448] Courts have recognized the importance of having an immigration judge approve the designated country of removal as a safeguard against risks of refoulement, violations of CAT protections, and the like. See, for example, *El Himri v. Ashcroft*, 378 F.3d 932, 938-40 (9th Cir. 2004) (finding the government's designation of a removal destination improper without verification by the immigration court that the country would accept deportee). Recently, courts have further stressed that only upon the government's designation of a proposed country of removal does the noncitizen get the opportunity to articulate their opposition. See, for example, *Sadychov v. Holder*, 565 F. App'x 648, 651 (9th Cir. 2014) (quoting *She v. Holder*, 629 F.3d 958, 965 (9th Cir. 2010)) ("[A]n applicant is not entitled to have the [immigration court] adjudicate claims of relief that relate 'to a country that nobody is trying to send them to.'"), superseded on other grounds by statute as stated in *Dai v. Sessions*, 884 F.3d 858 (9th Cir. 2018).

the government turn to fallback options such as countries with which the noncitizen has no ties.[449]

This sequential framework can, if followed, afford due process protections of a kind that are consistent with the United States' obligations under the ICCPR. First, the statutory framework gives a noncitizen in deportation proceedings the opportunity to raise legal or factual objections at each stage, including risk of persecution or unwillingness of a country to accept them. Second, and interrelatedly, it safeguards the noncitizen's right to challenge the proposed removal destination. Third, the framework requires that removal be fixed to a specified destination within the context of immigration proceedings, rather than left undetermined or subject to unilateral change by the government outside the proceedings. In this sense, the sequential framework promotes the central components to due process: transparency, notice, and an opportunity to be heard. Finally, adhering to the sequenced steps governing removal helps to ensure United States compliance with the prohibition against refoulement under international human rights law.

DHS guidance on third-country deportations and the practice of the US government as it carried out the third-country transfers documented in this report fall short of internationally recognized due process requirements.

The Prohibition of Return to Serious Harm

The principle of nonrefoulement prohibits states from transferring anyone, directly or indirectly, to a place where they would have a well-founded fear of being persecuted or would face a risk of torture or other cruel, inhuman, or degrading treatment or punishment or other serious harm. The United States is obliged to respect the principle of nonrefoulement through its obligations under the Refugee Protocol,[450] the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[451] the

[449] INA §§ 241(b)(1)(C), 241(b)(2)(E) (codified at 8 U.S.C. §§ 1231(b)(1)(C), 1231(b)(2)(E)). See also *Jama v. ICE*, 543 U.S. 335 (2005).

[450] Refugee Convention, art. 33(1); Protocol relating to the Status of Refugees, January 31, 1967, 606 U.N.T.S. 267 (entered into force October 4, 1967; accession by United States November 1, 1968). Article I of the Refugee Protocol applies articles 2 to 34 of the Refugee Convention "without any geographic limitation."

[451] Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, art. 3(1), December 10, 1984, 1465 U.N.T.S. 85 (entered into force June 26, 1987; ratified by the United States October 21, 1994).

International Covenant on Civil and Political Rights (ICCPR),[452] and customary international law.[453] Cameroon, the Central African Republic, the Democratic Republic of Congo, Eswatini, Equatorial Guinea, Ghana, Liberia, Rwanda, South Sudan, Uganda, and other African Union member states are also obligated to respect the principle of nonrefoulement under these sources of international law[454] as well as under the African Charter on Human and Peoples' Rights[455] and the Convention Governing the Specific Aspects of Refugee Problems in Africa.[456]

Under the Refugee Convention and Protocol, states may not carry out expulsions or returns to territories where a person's life or freedom would be threatened on account of their race, religion, nationality, membership of a particular social group, or political opinion.[457] This Convention does create an exception to the nonrefoulement obligation in cases where an individual presents a national security risk or where, having been convicted of a "particularly serious crime," they "constitut[e] a danger to the community" of the country where they are present. The Trump administration has deployed rhetoric that points to this

---

[452] ICCPR, art. 7; Human Rights Committee, General Comment No. 20: Article 7 (44th sess., 1992), para. 9 ("States parties must not expose individuals to the danger of torture or cruel, inhuman or degrading treatment or punishment upon return to another country by way of their extradition, expulsion or refoulement."), in Compilation of General Comments and General Recommendations Adopted by Human Rights Treaty Bodies, pp. 30-33.

[453] See, for example, Executive Committee of the High Commissioner's Programme, Note on International Protection, U.N. Doc. A/AC.96/951 (September 13, 2001), para. 16 (obligation of nonrefoulement "has come to be considered a rule of customary international law"). Moreover, the obligation not to send people to risk of torture is a peremptory norm of international law. Executive Committee of the High Commissioner's Programme, Conclusion No. 25 (XXXIII) 1982, para. (b) (noting that the principle was "progressively acquiring the character of a peremptory rule of international law"), in General Assembly, Addendum to the Report of the United Nations High Commissioner for Refugees, GAOR 37th sess. Suppl. No. 12A (A/37/12/Add.1) (1982), p. 17.

[454] Each of these countries is a state party to the Refugee Protocol (accession by Cameroon September 19, 1967; Central African Republic August 30, 1967; Democratic Republic of Congo July 10, 1970; Equatorial Guinea February 7, 1986; Eswatini January 28, 1969; Ghana October 30, 1968; Liberia February 27, 1980; Rwanda January 30, 1980; Sierra Leone May 22, 1981; South Sudan December 10, 2018; Uganda September 27, 1976), the Convention against Torture (accession by Cameroon December 19, 1986; Central African Republic October 11, 2016; Democratic Republic of Congo March 18, 1996; Equatorial Guinea October 8, 2002; Eswatini March 26, 2004; Liberia September 22, 2004; Rwanda December 15, 2008; South Sudan April 30, 2015; ratification by Ghana September 7, 2000; Sierra Leone April 25, 2001; Uganda November 3, 1986), and the ICCPR (accession by Cameroon June 27, 1984; Central African Republic May 8, 1981; Democratic Republic of Congo November 1, 1976; Equatorial Guinea September 25, 1987; Eswatini March 26, 2004; Rwanda April 16, 1975; Sierra Leone August 23, 1996; South Sudan February 5, 2024; Uganda June 21, 1995; ratification by Ghana September 7, 2000; Liberia September 22, 2004).

[455] The African Commission on Human and Peoples' Rights has concluded that states parties to the African Charter are obligated to "refrain[] from actions that run counter to . . . the principle of non-refoulement." African Commission on Human and Peoples' Rights, Resolution on the Respect for the Principle of Non-Refoulement of Asylum Seekers and Refugees, ACHPR/Res. 484 (EXT.OS/XXXIII) 2021, https://achpr.au.int/en/adopted-resolutions/484-resolution-respect-principle-non-refoulement-asylum-seekers (accessed September 23, 2026).

[456] Convention Governing the Specific Aspects of Refugee Protection in Africa, art. II(3).

[457] Refugee Convention, art. 33(1).

kind of a justification for some of the removals described in this report but did not actually carry out any sort of formal, individualized determination in this regard.

The Convention against Torture and the ICCPR prohibit expulsions or returns in circumstances where people would face a substantial risk of torture or exposure to other ill-treatment.[458] There are no exceptions to the prohibition of expulsions or returns that expose people to risk of torture.[459]

The Human Rights Committee has affirmed that under the ICCPR, states are obliged not to deport, expel, or otherwise remove a person from their territory where there are substantial grounds for believing that there is a real risk of irreparable harm "such as that contemplated by Articles 6 and 7 of the Covenant"; those two articles protect the right to life and the right to be free from torture and cruel, inhuman, and degrading treatment.[460]

The prohibition of refoulement is not limited to direct forcible returns; it applies to expulsions or returns effected "in any manner whatsoever,"[461] meaning that it covers indirect measures. These include transferring a person to a state that does not effectively protect against onward transfer to harm—that is, indirect, chain, or secondary refoulement.[462] In this regard, the Committee against Torture has concluded:

> [T]he person at risk should never be deported to another State from which the person may subsequently face deportation to a third State in which there are substantial grounds for believing that the person would be in danger of being subjected to torture.[463]

---

[458] Convention against Torture, art. 3; ICCPR, art. 7; Human Rights Committee, General Comment No. 20, para. 9.

[459] Committee against Torture, General Comment No. 4 on the Implementation of Article 3 of the Convention in the Context of Article 22, U.N. Doc. CAT/C/GC/4 (September 4, 2018), para. 9 (("The principle of 'nonrefoulement' of persons to another State where there are substantial grounds for believing that they would be in danger of being subjected to torture is . . . absolute."); Human Rights Committee, General Comment No. 20, para. 3 ("The text of article 7 allows of no limitation.").

[460] Human Rights Committee, General Comment No. 31 on the Nature of the General Legal Obligation on States Parties to the Covenant, U.N. Doc. CCPR/C/21/Rev.1/Add.13 (May 26, 2004), para. 12.

[461] Refugee Convention, art. 33(1).

[462] See, for example, Executive Committee of the High Commissioner's Programme, Note on International Protection, U.N. Doc. A/AC.96/951 (September 13, 2001), para. 16 (prohibition "encompasses any measure attributable to a State which could have the effect of returning an asylum-seeker or refugee to the frontiers of territories where his or her life or freedom would be threatened, or where he or she would risk persecution," including "indirect refoulement").

[463] Committee against Torture, General Comment No. 4, para. 12.

The creation of circumstances that leave a person with no real alternative other than returning to a place of danger can also be a form of refoulement. In this regard, the Committee against Torture has observed:

> States parties should not adopt dissuasive measures or policies, such as detention in poor conditions for indefinite periods, refusing to process claims for asylum or prolonging them unduly, or cutting funds for assistance programmes for asylum seekers, which would compel persons in need of protection under article 3 of the Convention against Torture to return to their country of origin in spite of their personal risk of being subjected to torture or other cruel, inhuman or degrading treatment or punishment there.[464]

As the Committee against Torture has concluded, compliance with the principle of nonrefoulement requires individual, impartial, and independent examination of "[e]ach case"[465] in a way that provides "essential procedural safeguards."

The United States enacted legislation in 1980, 1990, and 1998 to implement the Refugee Protocol and the Convention against Torture.[466] With respect to the obligation not to return a person to a risk of torture, federal law states:

> It shall be the policy of the United States not to expel, extradite, or otherwise effect the involuntary return of any person to a country in which there are substantial grounds for believing the person would be in danger of being subjected to torture, regardless of whether the person is physically present in the United States.[467]

[464] Ibid., para. 14.

[465] Ibid., para. 13.

[466] Refugee Act of 1980; Immigration Act of 1990, Pub. L. No. 101-649, 104 Stat. 4978 (November 29, 1990); Foreign Affairs Reform and Restructuring Act of 1998 (FARRA), § 2242(b), Pub. L. No. 105-277, 112 Stat. 2681 (October 21, 1998), codified at 8 U.S.C. § 1231 note.

[467] FARRA § 2242(a).

Federal regulations provide that "[a] removal order . . . shall not be executed in circumstances that would violate Article 3" of the Convention against Torture.[468]

As documented in this report, Ghana and Equatorial Guinea appear to have engaged in direct refoulement. By transferring individuals to those countries in circumstances that made it likely that they would be refouled, the United States is indirectly responsible for those acts of refoulement. In addition, the circumstances in many of the other receiving countries assessed in this report—Cameroon, the Democratic Republic of Congo, Eswatini, and South Sudan—risk constructive refoulement.

The Prohibition of Arbitrary Detention

Arbitrary arrest or detention is prohibited by the ICCPR,[469] and anyone deprived of liberty by arrest or detention has the right to challenge the lawfulness of their detention before a court.[470] The UN Human Rights Committee has made clear that the right to freedom from arbitrary detention applies to "everyone," including "aliens, refugees and asylum seekers, stateless persons, [and] migrant workers."[471] Similarly, the right to take proceedings before a court to test the legality of detention, which "enshrines the principle of habeas corpus,"[472] "applies to all detention by official action or pursuant to official authorization, including . . . immigration detention."[473]

The Human Rights Committee has explained that detention can be arbitrary even when it follows the procedures set down in domestic law:

> The notion of 'arbitrariness' is not to be equated with 'against the law,' but must be interpreted more broadly to include elements of

[468] 28 C.F.R. § 200.1.

[469] ICCPR art. 9(1).

[470] Ibid., art. 9(4).

[471] Human Rights Committee, General Comment No. 35: Article 9 (Liberty and Security of Person), U.N. Doc. CCPR/C/GC/35 (December 16, 2014), para. 3.

[472] Ibid., para. 39.

[473] Ibid., para. 40. The Human Rights Committee has also concluded that "States parties must not subject persons outside their territory to, inter alia, prolonged incommunicado detention *or deprive them of review of the lawfulness of their detention."* Ibid., para. 63 (emphasis added).

> inappropriateness, injustice, lack of predictability and due process of law, as well as elements of reasonableness, necessity and proportionality.[474]

The UN Working Group on Arbitrary Detention has developed criteria for determining whether the deprivation of liberty of migrants and asylum seekers is arbitrary.[475] It argues, for example, that any of the following are always forms of arbitrary detention:

- Automatic or mandatory detention in the context of migration.[476]
- Excessive detention in the course of migration proceedings.[477]
- Indefinite detention in the course of migration proceedings.[478]
- Any detention in the course of migration proceedings that makes it impossible to mount an effective challenge to the continued detention.[479]
- Secret detention: "the practice that consists in placing individuals in incommunicado detention for the purposes of investigation or any other reason, for prolonged periods without disclosing their whereabouts, amounts to secret detention and is in fact a form of enforced disappearance"[480]
- "Forcible transfers which fail to respect the fundamental requirements of due process can never have a legal basis and will therefore always fall under category I of the Working Group"[481]

The Human Rights Committee has also observed that enforced disappearances, discussed in the following section, "constitute a particularly aggravated form of arbitrary detention."[482]

---

[474] Ibid., para. 12. See also *Van Alphen v. Netherlands*, Communication No 305/1988, Human Rights Committee, U.N. Doc. CCPR/C/39/D/305/1988 (1990), para. 5.8; Study of the Right of Everyone to Be Free from Arbitrary Arrest, Detention and Exile, U.N. Doc. E/CN.4/826/Rev.1, Sales No. 65.XIV.2 (1964), para. 27; Parvez Hassan, "International Covenant on Civil and Political Rights: Background and Perspective on Article 9(1)," *Denver Journal of International Law and Policy*, vol. 3 (1973), p. 181 (concluding that the term *arbitrary* was "[i]ntended . . . to provide safeguards against both 'illegal' and 'unjust' arrests or detention").

[475] Working Group on Arbitrary Detention, Revised Deliberation No. 5, in UN Human Rights Council, Report of the Working Group on Arbitrary Detention, U.N. Doc. A/HRC/39/45 (July 2, 2018), annex.

[476] Ibid., para. 19.

[477] Ibid., para. 25.

[478] Ibid., para. 26.

[479] Ibid., para. 30.

[480] Human Rights Council, Report of the Working Group on Arbitrary Detention, U.N. Doc. A/HRC/51/29 (July 21, 2022), para. 48.

[481] Human Rights Council, Report of the Working Group on Arbitrary Detention, U.N. Doc. A/HRC/48/55 (August 6, 2021), para. 55.

[482] Human Rights Committee, General Comment No. 35, para. 17.

The Human Rights Committee has also noted that the detention of migrants "must be justified as reasonable, necessary and proportionate in the light of the circumstances and reassessed as it extends in time." In addition, "[a]ny necessary detention [of migrants] should take place in appropriate, sanitary, non-punitive facilities and should not take place in prisons."[483]

Essential safeguards against arbitrary detention include prompt and regular access to legal counsel from the outset of detention (including immigration detention),[484] access to consular assistance for those who request it[485] or to UNHCR in the case of asylum seekers,[486] and ensuring that detention takes places "only in facilities officially acknowledged as places of detention."[487]

Before states carry out deportations and other forcible transfers outside their jurisdiction, they should consider the risk of arbitrary detention in the receiving state.[488]

Cameroon, Equatorial Guinea, Ghana, and South Sudan have detained third-country nationals arbitrarily, either without a clear legal basis to do so or in in circumstances that make it impossible to effectively challenge detention. When people were detained in the United States in conditions that meant that they could not effectively access the courts in order to challenge their detention, their US detention was also arbitrary.

---

[483] Ibid., para. 18.

[484] Ibid., para. 58; Report of the Working Group on Arbitrary Detention, U.N. Doc. A/HRC/48/55, para. 56; Human Rights Council, Report of the Working Group on Arbitrary Detention, U.N. Doc. A/HRC/45/16 (July 24, 2020), para. 51.

[485] Report of the Working Group on Arbitrary Detention, U.N. Doc. A/HRC/48/55, paras. 57-58.

[486] Human Rights Committee, General Comment No. 35, para. 58.

[487] Ibid.

[488] Report of the Working Group on Arbitrary Detention, U.N. Doc. A/HRC/48/55, para. 59.

The Prohibition of Enforced Disappearance

Enforced disappearance—the deprivation of a person's liberty, followed by a refusal to disclose the person's fate or whereabouts[489]—violates the ICCPR.[490] The UN Working Group on Enforced or Involuntary Disappearances has concluded that there is no required length of time for the deprivation of liberty or the failure to disclose information.[491] Similarly, the UN Committee on Enforced Disappearances, which monitors compliance with and issues authoritative interpretations of the International Convention for the Protection of All Persons from Enforced Disappearance, has concluded that all cases of deprivation of liberty followed by refusal to acknowledge deprivation of liberty or concealment of a person's fate or whereabouts are enforced disappearances "regardless of the duration of the said deprivation of liberty or concealment."[492]

These circumstances—deprivation of liberty followed by the refusal to disclose information—have the consequence of placing such a person outside the protection of the law.[493]

In the context of migration, the Committee on Enforced Disappearances has observed:

> To prevent migrants from becoming victims of enforced disappearance in the context of immigration detention, they must always be able, from the outset of their detention and regardless of its duration, to communicate

[489] See UN Working Group on Enforced or Involuntary Disappearances, General Comment on the Definition of Enforced Disappearance, pmbl. (March 2007), in Human Rights Council, Report of the Working Group on Enforced or Involuntary Disappearances, U.N. Doc. A/HRC/72 (January 10, 2008), para. 26. A similar definition appears in the International Convention for the Protection of All Persons from Enforced Disappearance, December 20, 2006, 2716 U.N.T.S. 3 (entered into force December 23, 2010), art. 2.

[490] The Human Rights Committee has observed that "while the Covenant does not explicitly use the term 'enforced disappearance' in any of its articles, enforced disappearance constitutes a unique and integrated series of acts that represent continuing violation of various rights recognized in that treaty." *Dhakal v. Nepal*, Communication No. 2185/2012, para. 11.5, Human Rights Committee, U.N. Doc. CCPR/C/119/D/2185/2012 (May 5, 2017).

[491] Human Rights Council, Report of the Working Group on Enforced or Involuntary Disappearances, U.N. Doc. A/HRC/39/46 (July 30, 2018), para. 143. See also Working Group on Enforced or Involuntary Disappearances, General Comment on the Definition of Enforced Disappearance, para. 8.

[492] *Yrusta v. Argentina*, Communication No. 1/2013, Committee on Enforced Disappearances, U.N. Doc. CED/C/10/D/1/2013 (April 12, 2016), para. 10.3.

[493] Ibid., para. 10.4 (citing Working Group on Enforced or Involuntary Disappearances, General Comment on the Definition of Enforced Disappearance, para. 8); Working Group on Enforced or Involuntary Disappearances, General Comment on the Definition of Enforced Disappearance, para. 5.

> with their relatives, consular authorities, legal representatives or any other person whom they could inform about their fate or whereabouts.[494]

Some of the people whose cases are documented in this report described being detained in the United States without the ability to communicate with relatives or lawyers and without official acknowledgement of their place of detention—or even whether they were detained at all. These circumstances of detention effectively place people outside the protection of the law and amount to enforced disappearances.

[494] Committee on Enforced Disappearances, General Comment No. 1 on Enforced Disappearance in the Context of Migration, U.N. Doc. CED/C/GC/1 (October 26, 2023), para. 16.

Recommendations

To the Government of the United States

US Department of State

- Rescind all third country removal agreements concluded since January 2025 and replace them, if at all, with agreements that ensure compliance with the human rights obligations of the US government and receiving states.
- Stop negotiating third-country removal agreements unless and until effective steps are taken to ensure that they do not expose the people being deported to the risk of refoulement, arbitrary detention, or other serious human rights violations that implicate US obligations under international law.
- Do not instrumentalize tariffs, visa issuance or any other mechanisms in order to coerce governments into accepting third country removal agreements.
- Publish in full any agreements relating to removals or other transfers of third-country nationals. Regularly monitor the conditions and treatment of individuals already transferred to third countries to ensure that the agreed standards of third-country agreements are consistently met in practice.

US Department of Homeland Security

- Stop the removal of asylum seekers and refugees (including people who have received withholding or deferral of removal) to third countries that lack the capacity to provide full and fair asylum procedures and in the absence of formal, transparent agreements that ensure they will have access to such procedures.
- Consistently carry out credible fear screenings to ensure that individuals who articulate a fear of being removed to a third country are given an opportunity to state their case and are not removed to a country where they have a credible fear of being persecuted, tortured, or exposed to a threat of other serious harm that implicates US nonrefoulement obligations—or where they would be at risk of onward deportation to face such threats.
- Parole third country nationals back to the United States who had withholding or deferral of removal to their home countries based on likelihood of torture or persecution if subsequent to the United States removing them to a third country

the authorities of that country attempted or succeeded in removing the person to the country of feared persecution or torture without having fully and fairly considering their protection claims.

- Do not use physical restraints when transporting noncitizens for immigration enforcement purposes in the absence of a reasonable, individualized basis for regarding the person as a danger to themselves, the crew, or other passengers.
- Ensure that noncitizens being detained or transported are treated humanely and with dignity, including by providing them with food and water, and are kept in reasonable temperatures with sufficient air circulation.
- Transfers of third-country nationals who are not seeking asylum should comply strictly with the sequential framework of section 241(b)(1)(C) of the Immigration and Nationality Act (INA). In particular, US authorities should determine that it is "impracticable, inadvisable, or impossible to remove" a third-country national to each of the six country-of-removal alternatives as outlined consecutively in INA sections 241(b)(2)(E)(i)-(vi) before removing that person to a third country willing to accept them.In addition, before such transfers take place, consider a person's age, disability, mental and physical health, other humanitarian factors, and the imperative to ensure continuity of care when exercising discretion to decide whether to enforce a final order or removal that would involve transferring the individual to a third country

US Congress

- Amend the "safe third country" exception to the right to seek asylum in the United States (INA § 208(a)(2)(A)) to require that the Secretary of State certifies that the safe third country agreement in law and practice is consistent with good faith implementation of US treaty obligations and that any transfer pursuant to the agreement is consistent with the rights and freedoms of asylum seekers and refugees. It should also be amended to say that a person transferred under the terms of a safe third country agreement, who is found by the receiving state to be a refugee but for whom that state does not provide asylum or a path to permanent residence, would be a Priority One candidate for US refugee resettlement under INA § 207.
- Remove the one-year deadline for applying for asylum in the United States (INA 208(a)(2)(B) and the bars to asylum established by regulation, such as the

Circumvention of Lawful Pathways and Securing the Borders rules (8 C.F.R. §§ 1208.33-35 and 208.35) for crossing the US border irregularly.

US Attorneys and the US Department of Justice Civil Division's Office of Immigration Litigation

- In the interest of justice, do not oppose habeas corpus petitions on venue grounds if submitted by or on behalf of people detained for alleged immigration violations or pending removal in a judicial district where they were last known to be detained or where a substantial part of the relevant events occurred, and do not oppose such petitions on personal jurisdiction grounds as long as the petition names as a respondent a person or entity with the power to release the detained person (for example, the secretary of homeland security or the US Department of Homeland Security).

To the Governments of Cameroon, the Democratic Republic of Congo, the Kingdom of Eswatini, Equatorial Guinea, Ghana, Liberia, Rwanda, Sierra Leone, South Sudan, and Uganda

- Terminate or suspend formal and informal third-country transfer agreements with the United States because of the US government's abusive use of these agreements to deprive people of due process and effective protection against refoulement.
- Take all necessary measures to protect the life, dignity, security, and fundamental rights of all persons under their jurisdiction, including migrants transferred pursuant to bilateral or multilateral agreements with non-African states.
- Strictly comply with the principle of non-refoulement, the right to due process, and the guarantees of humane and non-discriminatory treatment, including in migration cooperation.
- Make public any existing or proposed agreements with non-African states concerning the reception or detention of migrants, asylum seekers, or refugees, in order to ensure transparency and accountability.

To All Governments in Africa

- Do not enter into migration partnerships when such agreements are likely to give rise to refoulement or other serious human rights violations. Perform adequate due diligence to identify and assess any such risks.
- Adhere to the recommendations of the African Commission on Human and Peoples' Rights Resolution on the Obligations of African States in the Context of the Externalization of Migration Governance and the Extra-Regional Transfer of Migrants to Africa.

To the African Commission on Human and Peoples' Rights

- Issue letters to the receiving states to seek information on each transferred person's legal status, safety, access to counsel, freedom of movement, and ability to challenge the transfer.
- Request access for the Special Rapporteur on Refugees, Asylum Seekers, Internally Displaced Persons and Migrants in Africa to monitor reception and detention conditions for third-country nationals deported from the United States.
- Adopt a resolution clarifying that states cannot evade their African Charter obligations by transferring asylum seekers to third countries or relying on diplomatic assurances regarding torture.

To the International Organization for Migration (IOM)

- Refrain from promoting repatriation under coercive circumstances in which the only alternative option is indefinite detention or deportation, since such repatriations cannot be regarded as voluntary.

To the United Nations High Commissioner for Refugees (UNHCR)

- Conduct regular, private individual visits with people deported from the United States to third countries in Africa, paying particular attention to the protection needs of people who have been found by immigration judges in the United States to be at risk of persecution or torture in their home countries.
- Monitor US asylum cooperative agreements with purported safe third countries and in its other third-country transfer agreements according to standards UNHCR has

articulated and guidance it has issued for safe third country and other third-country transfer agreements and advise participating governments accordingly, including, when relevant, on the suspension or termination of agreements.

- Seek safe and durable solutions for third-country nationals in need of international protection.
- Ensure that the acceptance of any contribution from the US government is consistent with UNHCR's mandate.

Acknowledgments

This report was researched and written by Michael Garcia Bochenek, senior counsel, and Bill Frelick, director of the Refugee and Migrant Rights (RMR) Division. Clémentine de Montjoye, senior researcher in the Africa division; Lauren Seibert, senior researcher in the RMR Division; Philippe Bolopion, Human Rights Watch executive director; Nathalye Cotrino Villarreal, senior researcher in the Americas Division; and a senior researcher in the Africa division and a staff member in the Americas division whose names are withheld for security reasons also conducted interviews and contributed to this report. Brian Root, senior advisor in the Digital Investigations Lab, conducted research and analysis of data from US Immigration and Customs Enforcement, the Executive Office for Immigration Review, and other sources. Alcira Silva Hava, Leonard H. Sandler fellow in the RMR Division, provided additional research.

Sarah Jackson, deputy program director, and Eric Goldstein, consultant, provided programmatic review. Chris Albin-Lackey, senior legal advisor, provided legal review. Allan Ngari, advocacy director, Laetitia Bader, Horn of Africa director, Lewis Mudge Central Africa director, and, Ilaria Allegrozzi and another senior researcher in the Africa Division reviewed the report. Angelica Sedgwick Oun, researcher in the US Program, Macarena Saez, director of the Women's Rights Division, Alex Müller, director of the LGBT Division, and Bassam Khawaja, deputy director of the Middle East and North Africa Division, also reviewed the report.

Michelle Randhawa, senior officer in the RMR division; Travis Carr, publications manager; Fitzroy Hepkins, senior administrative manager, and José Martínez, administrative officer, produced the report.

Human Rights Watch is grateful to lawyers in the United States and Africa who are representing people who have been sent to countries where they have no connections, to the lawyers, law clinics, law firms, and nongovernmental organizations that have filed and otherwise contributed to legal challenges to these removals, and to Human Rights First and Refugees International for the monitoring of third-country removals through the ICE Flight Monitor and Third Country Deportation Watch and all the individuals and organizations that have been tracking and monitoring third-country removals.

Finally, we would like to thank the people deported from the United States to third countries in Africa who were willing to share their experiences with us.

Appendix I: Third-Country Deportations by the Numbers

Third-country deportations have increased significantly since the beginning of the second Trump administration. When comparing US government deportation data for the 562 days from January 20, 2025 to August 5, 2026 with the same period in 2024 to 2025, the total number of third-country deportations has more than tripled, from 8,563 to 27,943.[495] Third-country deportations to Africa rose more than fivefold, from 103 to 536 in these comparison periods.[496]

The above numbers are for actual deportations, a function carried out by US Immigration and Customs Enforcement (ICE), an agency of the US Department of Homeland Security (DHS). An order of removal from an immigration judge in the US Department of Justice's Executive Office for Immigration Review (EOIR) is—or should be—a necessary first step for most deportations.

About three out of four of the nearly 1.4 million removal cases decided by immigration judges between January 20, 2025 and August 31, 2026 resulted in a final removal order, according to EOIR data.[497] In nearly 5 percent (46,563), the immigration judge designated a country of removal that was different than the person's country of nationality.[498]

These 46,563 third-country removal orders represented a 963 percent increase over the 4,382 removal orders during the equivalent period in 2024-25. As shown in the graph below, the overall monthly count began increasing at the start of the Trump administration, substantially increased in November 2025, peaked in March 2026, and remained at a high level through the end of August 2026.

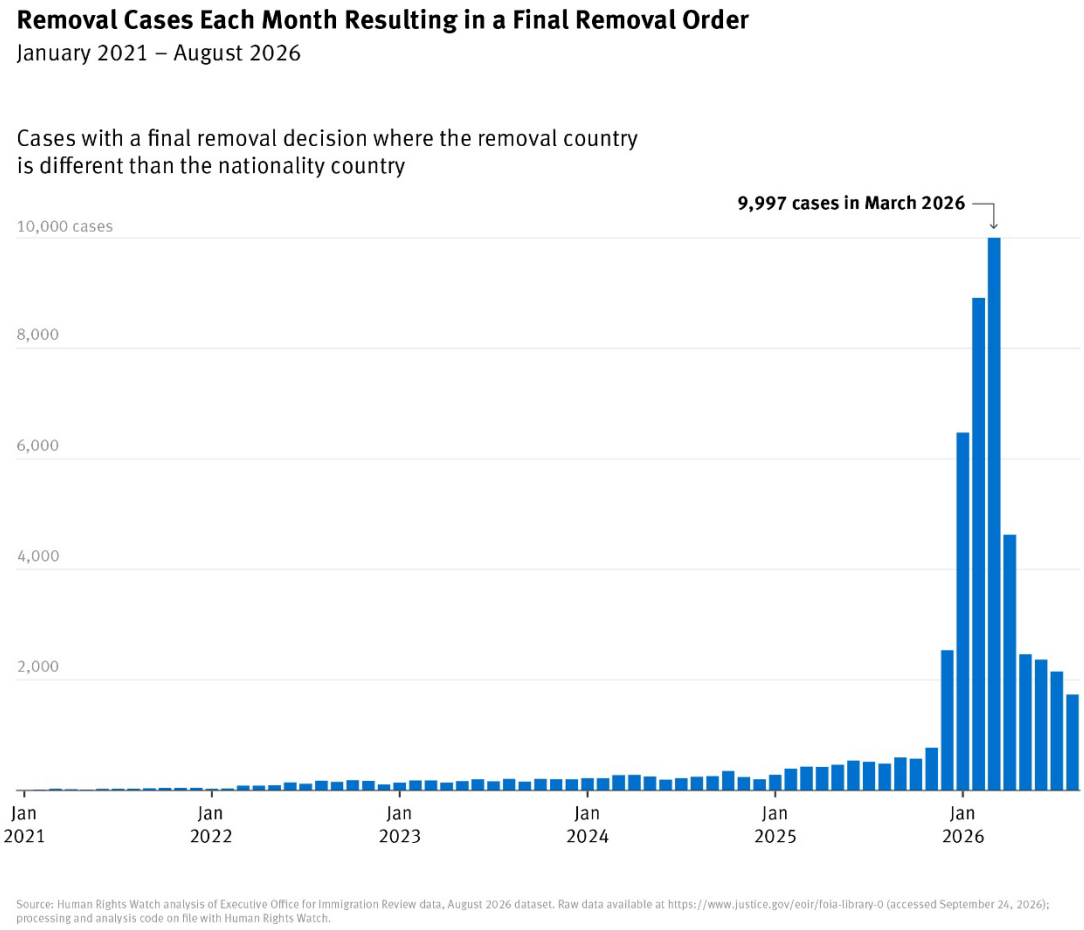
---

[495] Human Rights Watch analysis of Immigration and Customs Enforcement data provided in response to a FOIA request by the Deportation Data Project. Raw data available at https://deportationdata.org/data/ice.html (accessed September 24, 2026); processing and analysis code on file with Human Rights Watch.

[496] Ibid.

[497] Human Rights Watch analysis of Executive Office for Immigration Review data, August 2026 dataset. Raw data available at https://www.justice.gov/eoir/foia-library-0 (accessed September 24, 2026); processing and analysis code on file with Human Rights Watch.

[498] Ibid.



Graphic © 2026 Human Rights Watch

The number of final orders of removal by immigration judges does not match the number of actual deportations, for several reasons. First, there is often a long delay between removal orders and actual deportations. Second, deportations can happen without an immigration judge's order, such as in expedited removals or in the cases of all of the 499 third-country nationals summarily expelled to Panama and Costa Rica in February 2025.[499] Third, the data comes from two different sources, EOIR for removal orders and ICE for deportations. Because individuals are not identified consistently in the two sets of data, it is not

[499] See Human Rights Watch, *"Nobody Cared, Nobody Listened": The US Expulsion of Third-Country Nationals to Panama* (New York: Human Rights Watch, 2025), https://www.hrw.org/report/2025/04/24/nobody-cared-nobody-listened/the-us-expulsion-of-third-country-nationals-to; Human Rights Watch, *"The Strategy Is to Break Us": The US Expulsion of Third-Country Nationals to Costa Rica* (New York: Human Rights Watch, 2025), https://www.hrw.org/report/2025/05/22/the-strategy-is-to-break-us/the-us-expulsion-of-third-country-nationals-to-costa.

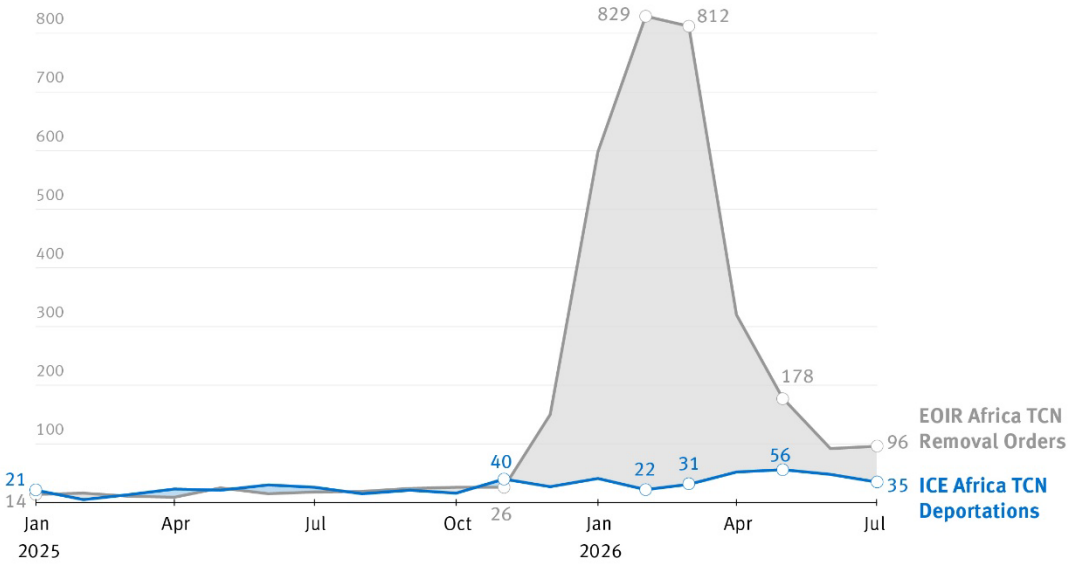
possible to link the datasets and determine whether ICE has carried out an individual EOIR removal order.

Between January 20, 2025 and August 4, 2026, African countries accounted for more than 7 percent of all third-country removal orders but only 1.2 percent of actual deportations, as shown in the chart below.

Almost 90 percent of third-country removal orders to African countries in 2025-26 designated Uganda as the country of removal. During this period, Uganda received only 1 percent of all actual deportations to Africa. Ghana, meanwhile, received 15 percent of all African third-country deportations even though only 0.2 percent of all third-country African removal orders designated Ghana as the country of removal.

Immigration Courts Clear the Way for More Third-Country Deportations
January 2025 – July 2026

Comparing number of removal orders with actual deportations



Third-country national deportations defined as deportations where deportation country differs from country of nationality.

Source: Human Rights Watch analysis of US Immigration and Customs Enforcement (ICE) data released in response to a FOIA request to the Deportation Data Project and Executive Office of Immigration Review data, August 2026 dataset. Raw data available https://www.justice.gov/eoir/foia-library-0 (accessed September 23, 2026) and analysis data on file with Human Rights Watch.

Graphic © 2026 Human Rights Watch

Third Country Deportation Watch gives details of 31 known flights of third-country nationals to African countries.[500] Human Rights Watch matched these reported flights to at least some removals within the ICE data for 29 of the 31 reported flights.[501] The differences between the reports reflected in Third Country Deportation Watch and what the ICE data shows indicate that the ICE database itself carries some degree of uncertainty and imprecision. For five of the 29 reported flights, the reported counts per nationality or per total number removed precisely matched the ICE data. Often, however, the ICE data does not include the known count of people on each flight. For example, reports indicate the September 5, 2025 flight to Ghana had 14 third-country nationals on board, but ICE data only has information on nine people.[502] For some flights, the ICE data provides insights that were not reported by Third Country Deportation Watch. For example, Third Country Deportation Watch reported only one Laotian man among the seven third-country nationals sent to Rwanda on August 16, 2025, and did not report on the nationality and gender for the other six, but the ICE data shows the flight also included three Cuban men and one man each from Cabo Verde, Sierra Leone, and Somalia.

There were 229 people within the ICE removals data that can be matched to one of the 29 reported flights.[503] The first table below provides summary statistics for this group. The average person had been in the United States for over two years, though many had spent months in immigration detention. About 26 percent were women. More than half (57 percent) had no criminal history. About 22 percent had a previous criminal conviction for a violent or potentially violent offense.

The second table below compares publicly reported third-country national deportation flights to Africa, matched against ICE deportation data. ICE data indicates that there have

[500] Flight details were pulled from the "Explore Agreements by Country" tab on the Third Country Deportation Watch site, https://www.thirdcountrydeportationwatch.org/ (accessed September 24, 2026). For matched flights, see table below.

[501] Human Rights Watch included matches where ICE deportation date was within one day of the known flight date. There are no TCN removals in the ICE removals data around the days of two reported flights to Ghana: one on September 18, 2025, and another on July 26, 2026, though the second flight is close to the cutoff date in the ICE data and may reflect delays in data updates.

[502] For the July 30/31 flights, the differences are probably due to a lag in ICE data as these are the final days within the released ICE dataset.

[503] Third Country Deportation Watch reports that there were 318 people on these flights. "Rwanda," Third Country Deportation Watch, last updated September 10, 2025, https://www.thirdcountrydeportationwatch.org/rwanda (accessed September 27, 2026).

been 536 total third-country nationals sent to Africa during this period and 229, or 42 percent, appear to have been on these reported flights.

Third-Country Nationals Matched to Reported Flights (N = 229)

Numeric Summary

Metric	Min	Median	Max
Days in US	236	848	17692
Days in Detention Prior to Removal	2	232	933
Age at Departure	21	38	70

Criminal History

Category	N	Pct
No criminal history	131	57.2%
Pending criminal charge(s)	13	5.7%
Previous criminal conviction	85	37.1%

Most Serious Criminal Conviction

Category	N	Pct
No criminal history	131	57.2%
Violent/potentially violent offense	33	14.4%
Theft offense	21	9.2%
Pending criminal charge(s)	13	5.7%
Sex offense	12	5.2%
DUI	5	2.2%
Previous criminal conviction (offense unknown)	5	2.2%
Drug sales/trafficking	3	1.3%
Other offense	3	1.3%
Immigration offense (Illegal entry/re-entry)	2	0.9%
Traffic offense	1	0.4%

Gender

Category	N	Pct
Female	59	25.8%
Male	170	74.2%

Source: Human Rights Watch analysis of ICE data released to the Deportation Data Project

Confirmed TCN Flights: Reported vs. ICE Data, May 2025 to July 2026

Summary of third-country national removal flights to Africa reported by Third Country Deportation Watch matched against ICE removals data

Removal Country	Flight Date	Reported # TCNs	ICE Data # TCNs	Matched Nationalities (ICE Data)	Key Differences
South Sudan	May 20, 2025	8	11	Burma (4); Cuba (4); Laos (1); Mexico (1); Vietnam (1)	Total: reported 8, ICE data 11 (3 more in ICE data); Burma: reported 2, ICE data 4; Cuba: reported 2, ICE data 4; Sudan: reported 1, ICE data 0
Eswatini	July 15, 2025	5	5	Cuba (1); Jamaica (1); Laos (1); Vietnam (1); Yemen (1)	None
Rwanda	August 16, 2025	7	7	Cuba (3); Cabo Verde (1); Laos (1); Sierra Leone (1); Somalia (1)	Cabo Verde: found in ICE data, not in source (+1), likely a data-entry error; Cuba: found in ICE data, not in source (+3); Sierra Leone: found in ICE data, not in source (+1); Somalia: found in ICE data, not in source (+1); Note: source's own itemized nationalities sum to 1, not the reported total of 7 (pre-existing discrepancy in source, not an ICE data gap)
Ghana	September 05, 2025	14	9	Nigeria (4); Togo (2); Gambia (1); Liberia (1); Mali (1)	Total: reported 14, ICE data 9 (5 fewer in ICE data)
Ghana	September 11, 2025		2	Gambia (1); Nigeria (1)	Gambia: found in ICE data, not in source (+1); Nigeria: found in ICE data, not in source (+1)
Eswatini	October 06, 2025	10	9	Vietnam (3); Cuba (2); Cambodia (1); Chad (1); Ethiopia (1); Philippines (1)	Total: reported 10, ICE data 9 (1 fewer in ICE data); Haiti: listed by source, not found in ICE data
Ghana	October 13, 2025	17	1	Angola (1)	Total: reported 17, ICE data 1 (16 fewer in ICE data); Angola: found in ICE data, not in source (+1)
Ghana	November 07, 2025	19	20	Nigeria (10); Guinea (3); Gambia (2); Senegal (2); Sierra Leone (2); Mali (1)	Total: reported 19, ICE data 20 (1 more in ICE data); Gambia: found in ICE data, not in source (+2); Guinea: found in ICE data, not in source (+3); Mali: found in ICE data, not in source (+1); Nigeria: found in ICE data, not in source (+10); Senegal: found in ICE data, not in source (+2); Sierra Leone: found in ICE data, not in source (+2)
Equatorial Guinea	November 24, 2025	9	9	Georgia (4); Mauritania (2); Angola (1); Eritrea (1); Ghana (1)	None
Cameroon	January 15, 2026	10	7	Angola (2); Ghana (2); Morocco (2); Zimbabwe (1)	Total: reported 10, ICE data 7 (3 fewer in ICE data); DRC: listed by source, not found in ICE data; Stateless: reported 1, ICE data 0

Removal Country	Flight Date	Reported # TCNs	ICE Data # TCNs	Matched Nationalities (ICE Data)	Key Differences
Equatorial Guinea	January 22, 2026	20	14	Ethiopia (6); Mauritania (3); Angola (2); Eritrea (2); Chad (1)	Total: reported 20, ICE data 14 (6 fewer in ICE data); DRC: listed by source, not found in ICE data
Cameroon	February 16, 2026	8	6	Ethiopia (3); Kenya (1); Senegal (1); Sierra Leone (1)	Total: reported 8, ICE data 6 (2 fewer in ICE data); DRC: listed by source, not found in ICE data
Eswatini	March 11, 2026	4	4	Somalia (2); Sudan (1); Tanzania (1)	None
Uganda	April 02, 2026	8	4	Mauritania (2); Angola (1); Ethiopia (1)	Total: reported 8, ICE data 4 (4 fewer in ICE data); Guinea: listed by source, not found in ICE data; Mali: listed by source, not found in ICE data; Togo: listed by source, not found in ICE data
Ghana	April 16, 2026		12	Nigeria (3); Senegal (3); Gambia (2); Guinea (2); Sierra Leone (1); Togo (1)	Gambia: found in ICE data, not in source (+2); Guinea: found in ICE data, not in source (+2); Nigeria: found in ICE data, not in source (+3); Senegal: found in ICE data, not in source (+3); Sierra Leone: found in ICE data, not in source (+1); Togo: found in ICE data, not in source (+1)
Dem Rep of Congo	April 17, 2026	15	13	Colombia (6); Peru (4); Ecuador (3)	Total: reported 15, ICE data 13 (2 fewer in ICE data); Colombia: reported 5, ICE data 6; Peru: reported 7, ICE data 4
Cameroon	April 29, 2026	9	7	Ethiopia (3); Angola (2); Ghana (2)	Total: reported 9, ICE data 7 (2 fewer in ICE data); Angola: reported 1, ICE data 2; Ghana: reported 3, ICE data 2; Republic of Congo: reported 1, ICE data 0; Note: source's own itemized nationalities sum to 8, not the reported total of 9 (pre-existing discrepancy in source, not an ICE data gap)
Equatorial Guinea	April 29, 2026	3	3	Cameroon (2); Egypt (1)	None
Sierra Leone	May 19, 2026	9	6	Ghana (4); Guinea (2)	Total: reported 9, ICE data 6 (3 fewer in ICE data); Ghana: reported 5, ICE data 4; Senegal: reported 1, ICE data 0; Note: source's own itemized nationalities sum to 8, not the reported total of 9 (pre-existing discrepancy in source, not an ICE data gap)
Ghana	May 27, 2026		18	Nigeria (6); Guinea (5); Senegal (3); Gambia (1); Ivory Coast (1); Niger (1); Sierra Leone (1)	Gambia: found in ICE data, not in source (+1); Guinea: found in ICE data, not in source (+5); Ivory Coast: found in ICE data, not in source (+1); Niger: found in ICE data, not in source (+1); Nigeria: found in ICE data, not in source (+6); Senegal: found in ICE data, not in source (+3); Sierra Leone: found in ICE data, not in source (+1)
Cameroon	May 27, 2026	10	10	Ethiopia (8); Zimbabwe (2)	None

Removal Country	Flight Date	Reported # TCNs	ICE Data # TCNs	Matched Nationalities (ICE Data)	Key Differences
Central African Republic	June 12, 2026	18	14	Afghanistan (3); Georgia (3); Jordan (2); Armenia (1); Cameroon (1); Egypt (1); Iran (1); Iraq (1); Kyrgyzstan (1)	Total: reported 18, ICE data 14 (4 fewer in ICE data); Tunisia: listed by source, not found in ICE data; Turkey: listed by source, not found in ICE data
Equatorial Guinea	June 18, 2026	8	9	Jamaica (4); Eritrea (2); Ethiopia (1); Senegal (1); Uganda (1)	Total: reported 8, ICE data 9 (1 more in ICE data); DRC: listed by source, not found in ICE data; Jamaica: reported 2, ICE data 4
Sierra Leone	June 18, 2026	12	12	Ghana (4); Senegal (4); Nigeria (2); Ivory Coast (1); Togo (1)	Ghana: found in ICE data, not in source (+4); Ivory Coast: found in ICE data, not in source (+1); Nigeria: found in ICE data, not in source (+2); Senegal: found in ICE data, not in source (+4); Togo: found in ICE data, not in source (+1)
Eswatini	July 08, 2026	11	7	Jamaica (2); Angola (1); Belize (1); Cameroon (1); Central African Republic (1); Mauritania (1)	Total: reported 11, ICE data 7 (4 fewer in ICE data); DRC: listed by source, not found in ICE data; Kenya: listed by source, not found in ICE data
Equatorial Guinea	July 30, 2026	13	4	Cameroon (4)	Total: reported 13, ICE data 4 (9 fewer in ICE data); Cameroon: found in ICE data, not in source (+4)
Ghana	July 31, 2026	30	3	Nigeria (2); Guinea (1)	Total: reported 30, ICE data 3 (27 fewer in ICE data); Niger: listed by source, not found in ICE data; Sierra Leone: listed by source, not found in ICE data
Sierra Leone	July 31, 2026	10	3	Ghana (2); Nigeria (1)	Total: reported 10, ICE data 3 (7 fewer in ICE data); Ghana: found in ICE data, not in source (+2); Nigeria: found in ICE data, not in source (+1)
Central African Republic	July 31, 2026	31	7	Uzbekistan (3); Cuba (1); Eritrea (1); Ethiopia (1); Russia (1)	Total: reported 31, ICE data 7 (24 fewer in ICE data); Cameroon: listed by source, not found in ICE data; Ecuador: listed by source, not found in ICE data; Honduras: listed by source, not found in ICE data; Nepal: listed by source, not found in ICE data; Serbia: listed by source, not found in ICE data; Somalia: listed by source, not found in ICE data; Turkey: listed by source, not found in ICE data

Note: Flight dates reflected above may be the date of departure from the United States rather than the date of arrival in the removal country. Nationalities and numbers of people reported by Third Country Deportation Watch for each flight may differ slightly from the information received by Human Rights Watch.
Source: Human Rights Watch analysis of ICE data released to the Deportation Data Project

The ICE data includes many more third-country national deportations than are included in the 31 reported flights we examined. Of note, there are three days where ICE data suggests more than five third-country nationals were deported, seen in the table below. Reports suggest that the Russians removed to Egypt were almost immediately placed on onward flights and returned to Russia.[504]

Removal Country	Date	Total TCNs	Nationality	Nationality Count
Egypt	June 12, 2025	17	Russia*	13
			Yemen	4
Kenya	July 16, 2025	14	Ethiopia	7
			Somalia	6
			South Sudan	1
Kenya	December 18, 2025	6	Somalia	6
*Reporting suggests these deportees were placed on an onward flight to Russia.				

Source: Flight details were pulled from the "Explore Agreements by Country" tab on the Third Country Deportation Watch site, https://www.thirdcountrydeportationwatch.org/ (accessed September 24, 2026), and ICE data from Human Rights Watch analysis of US Immigration and Customs Enforcement (ICE) data released in response to a FOIA request to the Deportation Data Project

Data Analysis Methodology

Human Rights Watch analyzed two main datasets for this report: the August 2026 release of the Executive Office for Immigration Review (EOIR) case data that EOIR produced in response to FOIA requests and made public on their website and the raw ICE deportation data that ICE released to the Deportation Data Project in response to FOIA litigation.[505] The two datasets are distinct and cannot be linked in order to tie individual court records with ICE records.

[504] See Pjotr Sauer, "'I Told My Family, I'll Probably Die': US Immigration Sends Russian Asylum Seekers Back to Moscow," *Guardian*, September 3, 2025, https://www.theguardian.com/us-news/2025/sep/03/i-told-my-family-ill-probably-die-us-immigration-sends-russian-asylum-seekers-back-to-moscow (accessed September 24, 2026); Paul Sonne and Milana Mazaeva, "He Fled Putin's War. The US Deported Him to a Russian Jail," *New York Times*, September 16, 2025, https://www.nytimes.com/2025/09/16/world/europe/trump-russia-war-deportations-vovchenko.html (accessed September 24, 2026).

[505] EOIR Case Data, FOIA Library, Executive Office for Immigration Review, https://www.justice.gov/eoir/foia-library-o (accessed September 23, 2026) and Immigration and Customs Enforcement removals data released to Deportation Data Project, https://deportationdata.org/data/ice.html (accessed September 23, 2026).

Human Rights Watch processed the raw data, including by linking deportation data to the arrests and detentions data that ICE released, as well as creating grouping variables and additional flags.[506]

Human Rights Watch classifies a removal as involving a "third-country national" (TCN) when the person's country of citizenship differs from the country to which ICE recorded them as removed.[507] Not every mismatch reflects a genuine third-country removal, however, and a series of corrections were applied to the underlying ICE records before classifying a removal as a TCN case.

First, a small number of citizenship and departure-country values were standardized where two different labels clearly referred to the same country or when ICE data included countries that are now defunct.[508] Removals of European Union citizens to other EU member states were also excluded, reflecting EU citizens' right of free movement across the Union. A small number of additional country pairs were excluded based on free travel between countries or removals to a territory of a person's own country of citizenship.[509] Records with a missing or unspecified departure country were excluded as well, since no third-country determination is possible without a known destination.

Finally, we identified a recurring pattern in which a removal is recorded to a country that is alphabetically adjacent to the person's actual nationality, consistent with a data-entry error.[510] We treat all such alphabetically adjacent country pairs as data-entry errors and exclude them from our count of third-country removals, with several exceptions which have been independently corroborated by public reporting on third-country removal flights.[511]

---

[506] Code is on file with Human Rights Watch and is available on Human Rights Watch's Github page (https://github.com/HumanRightsWatch).

[507] In its most recent data release, ICE did not include both birth country and nationality. This analysis uses both birth country and nationality for time periods in which both were provided, and nationality alone otherwise. Using nationality alone to identify third-country removals is 99.02 percent accurate compared to the fuller definition incorporating both nationality and birth country. The discrepancy runs in only one direction, as nationality alone never fails to identify a genuine third-country removal but occasionally over-counts cases in which a person's birth country, though not their nationality, matched their country of removal.

[508] For instance, Czechoslovakia, the Soviet Union, and Yugoslavia.

[509] Examples include deportations of Irish citizens to the United Kingdom or Dutch nationals to Aruba.

[510] An example is Guatemalan nationals recorded as removed to Guadeloupe.

[511] Human Rights Watch has received reports that the United States has sent Ethiopian nationals to Eswatini and Eritrean nationals to Equatorial Guinea. Though these countries are alphabetically adjacent, we have kept these country

Appendix II: Response Letters from IOM

July 24, 2026

July 24, 2026

Bill Frelick
Director
Refugee and Migrant Rights Division
Human Rights Watch
350 Fifth Avenue, 34th Floor,
New York, NY 10118

Dear Mr. Frelick:

Thank you for your letter of July 10 concerning the International Organization for Migration's role in relation to the transfer of third-country nationals from the United States to countries in Africa. We appreciate the opportunity to respond to your questions and to clarify IOM's role and the framework governing its engagement.

As a preliminary matter, it may be helpful to clarify that IOM is not a party to the bilateral arrangements between the United States and the third countries concerned. IOM is not involved in decisions relating to transfers, including whether individuals are transferred or the destination to which they are transferred. Similarly, IOM has no role in determining who is removed, including with regard to nationality, gender, vulnerabilities, or any other personal characteristics, nor does IOM organize or operate removal flights.

When these transfers occur, the people concerned arrive with often-urgent needs, after long journeys and in unfamiliar countries. Within this context, IOM may, at the request of the receiving governments, provide needs-based post-arrival assistance to migrants after their arrival in a third country, guided by its mandate to promote humane and orderly migration for the benefit of migrants and societies while upholding the human rights and dignity of migrants. Such engagement is assessed on a case-by-case basis and undertaken only where IOM determines that assistance can be provided in line with international law and its own safeguards, including the receiving State's commitment to lawful stay arrangements, fundamental rights, and access to basic services and protection. IOM provides assistance in a manner that upholds migrants' rights, dignity and the principle of do no harm. Needs-based post-arrival assistance typically includes food, clean water and non-food items (such as clothing and hygiene supplies), medical assistance and referrals, psychosocial first aid, access to consular services, and protection and vulnerability screening. Assistance is offered, never imposed.

Where an individual requests IOM's support to return to their country of origin, or to travel onwards to another country where they have the legal right to enter and remain, IOM may provide Assisted Voluntary Return (AVR) support. Such assistance is provided only on the basis of the individual's prior explicit, free and informed consent, and following a thorough

International Organization for Migration (IOM) • Global Office Washington
1707 L St NW Suite #800 • Washington, D.C. 20036 • USA • +1 (202) 862-1879 • iomwashington@iom.int•
www.iom.int

combinations as third-country national deportations. We have excluded ICE data entries showing transfers of nationals of Nigeria to Niger and vice versa as likely data entry errors because there have been no reports of third-country deportations of the nationals of either of those countries to the other.

assessment of the person's situation and vulnerabilities. IOM does not promote or pressure individuals to return. In all instances, any person who expresses a need for international protection, including a fear of return, is referred to appropriate partner organizations, such as UNHCR, or to competent national authorities.

Before providing AVR support, IOM conducts individual information sessions to ensure that assistance is provided on a voluntary and informed basis. Migrants receive accurate, neutral and comprehensive information in their own language. IOM explains the options it can facilitate, however limited, including referrals to competent national authorities or international partners such as UNHCR. Ultimately, the decision to seek support from IOM rests with the individual. Migrants are given time to ask questions and may change their mind at any point. In addition, IOM conducts individualized protection and vulnerability screenings as part of its internal return and reintegration due diligence process to identify vulnerabilities and potential risks associated with return, and to determine and implement appropriate measures so as to avoid exposing migrants to additional risks. If IOM determines it cannot support the individual's return in a safe and dignified manner, it will decline to provide assistance.

Responses to Your Questions:

1. IOM is not party to agreements between the United States and receiving governments and does not make or influence decisions on deportation, admission, or immigration status. In all contexts, our priority is to protect individuals' safety, dignity, and well-being, consistent with our mandate and the parameters established by our Member States. Our role, when requested by governments, is providing needs-based post-arrival assistance to individuals after they have arrived in a receiving country, which includes information sessions to help individuals understand the options that may be available to them, including referral to UNHCR or other actors where relevant, onward pathways where applicable, AVR support, or remaining in the receiving country. In practical terms, IOM's assistance ensures that people have access to food, medical care, communication in a language they can understand, and access to trained IOM personnel who can help support those who may otherwise arrive to nothing.

2. IOM has provided needs-based post-arrival assistance to third-country nationals in the Democratic Republic of the Congo as well as AVR support to those who requested it and in line with IOM's internal return and reintegration due diligence process, as described in the overview above. On the funding figure cited by Reuters: IOM has operated in the Central African Republic for many years, and United States funding for IOM's work there supports a range of activities, including humanitarian activities not related to post-arrival assistance and AVR support.

3. Access to people held in detention is determined by the national authorities of each country. When migrants are detained by national authorities, IOM does not provide needs-based post-

International Organization for Migration (IOM) • Global Office Washington
1707 L St NW Suite #800 • Washington, D.C. 20036 • USA • +1 (202) 862-1879 • iomwashington@iom.int•
www.iom.int

arrival assistance. In certain cases, when a migrant requests AVR, and when authorities grant access, IOM may meet with the individual concerned to discuss their options and determine whether IOM can support with their voluntary, safe and dignified return. Discussion of voluntary return takes place directly with the person, and consent is assessed individually.

4. Needs-based post-arrival assistance varies by country and by need, following an individual assessment. It has included provision of food and clean water, non-food items such as clothing and hygiene supplies, medical assistance and referrals to local health services, psychosocial first aid, access to consular services, protection and vulnerability screening, and help contacting family members. In addition, IOM's engagement has created greater scope to advocate for an individual's rights and improve the conditions in which they are received.

5. Every individual assisted by IOM is assessed on a case-by-case basis, considering their circumstances, needs and any potential protection risks. When a person expresses a fear of return, indicates that they may face harm, persecution or other serious risks, or raises another protection concern, the person is referred, with their informed consent, to UNHCR where it is present and operational or to the competent national asylum or protection authorities. In such circumstances, IOM does not proceed with assisted voluntary return arrangements.

6. As outlined above, IOM may provide Assisted Voluntary Return (AVR) support to an individual's country of origin or where they have the legal right to enter and stay. Such assistance is provided only at the migrant's request and on the basis of their prior explicit, free and informed consent, and where it can be provided in accordance with IOM's regulatory framework and applicable international law. To ensure these conditions are met, IOM conducts individual counselling prior to the provision of any assistance with a view to ensuring the person is provided with accurate, neutral, and comprehensive information regarding available options and the nature of the support IOM may offer. In addition, IOM conducts individualized protection and vulnerability screening as part of its return and reintegration due diligence process to identify vulnerabilities and potential risks associated with return, and to determine and implement appropriate mitigation measures to avoid exposing migrants to additional risks. If IOM determines it cannot support the migrant's return in a safe and dignified manner, IOM declines the provision of assistance.

The comments below address several statements in the draft Human Rights Watch report section that IOM believes would benefit from clarification or revision:

> *"'Once or twice a week they are here,' said William H., a Kenyan national in Cameroon. 'It's like they work with this government to quickly deport [people] to their countries of origin.' He added, 'IOM here seems to be eager to send people to their original countries.'"*

International Organization for Migration (IOM) • Global Office Washington
1707 L St NW Suite #800 • Washington, D.C. 20036 • USA • +1 (202) 862-1879 • iomwashington@iom.int•
www.iom.int

IOM does not make or influence government decisions on removals or returns and does not promote or pressure individuals to return. IOM staff explain all existing options – however limited – fully, accurately and in the migrant's own language. The decision rests with the individual, who is given time to decide and may change their mind at any point. No one is provided with Assisted Voluntary Return (AVR) support unless they have expressly requested such support.

> *"One of them, Mario V., a 43-year-old man from Colombia who had also received withholding of removal under the Convention against Torture, said of IOM, 'They told me their role is to send me to Colombia. The problem is that I can't go back to Colombia.'"*

Every individual assisted by IOM is assessed on a case-by-case basis, considering their circumstances, needs and any potential protection risks. When a person expresses a fear of return, indicates that they may face harm, persecution or other serious risks, or raises another protection concern, IOM does not counsel return or proceed with assisted voluntary return arrangements. Instead, the case is referred, with the individual's informed consent, to UNHCR where it is present and operational, or to the competent national asylum or protection authorities.

> *In **Recommendations section** for IOM:*
>
> - *"Refrain from promoting repatriation under coercive circumstances in which the only alternative option is indefinite detention or deportation, since such repatriations cannot be regarded as voluntary."*

This recommendation does not accurately reflect IOM's practice. As outlined above, IOM does not "promote repatriation" but responds to individual requests for return assistance only following an assessment of protection risks and where it determines that assistance can be provided consistently with its regulatory framework and international law. IOM fully recognizes the particular challenges of providing assistance in the context of third-country transfers, including the difficulty of ensuring that any decision to request return assistance is genuinely free and informed. At the same time, the recommendation does not reflect the reality that, in some cases, individuals themselves request IOM's assistance because they have no viable means of leaving the receiving country. Nor does it recognize that, where States continue to implement removals irrespective of IOM's involvement, IOM's engagement creates important opportunities to identify protection needs, facilitate referrals, and reduce the risk of refoulement.

> *"Refer any person who articulates to IOM a fear of return to their home country to the UNHCR or to national asylum officers."*

International Organization for Migration (IOM) • Global Office Washington
1707 L St NW Suite #800 • Washington, D.C. 20036 • USA • +1 (202) 862-1879 • iomwashington@iom.int•
www.iom.int

IOM
UN MIGRATION

As stated earlier, in all instances when a person expresses a fear of return, indicates that they may face harm, persecution or other serious risks, or raises another protection concern, IOM refers the case, with the individual's informed consent, to UNHCR where it is present and operational, or to the competent national asylum or protection authorities.

In closing, we recognize the important role that Human Rights Watch plays in documenting and scrutinizing the human rights implications of migration policies and practices. We also recognize that IOM's role in these contexts is both complex and can be misunderstood. We therefore welcome continued engagement with Human Rights Watch and would be pleased to meet to discuss our role, the safeguards that govern our work, and the operational realities of providing post-arrival assistance in these challenging contexts.

We hope this response contributes to a clearer understanding of IOM's engagement, and we remain available to provide any further information or clarification that may assist your work.

Sincerely,

[redacted]
Michele J. Sison
Director, Global Office Washington D.C.

International Organization for Migration (IOM) • Global Office Washington
1707 L St NW Suite #800 • Washington, D.C. 20036 • USA • +1 (202) 862-1879 • iomwashington@iom.int•
www.iom.int

September 29, 2026

September 29, 2026

Bill Frelick
Director
Refugee & Migrant Rights Division
Human Rights Watch
350 Fifth Avenue, 34th Floor,
New York, NY 10118

Dear Mr. Frelick,

Thank you for your September 28 email and for providing IOM with an opportunity to comment on these additional accounts related to IOM's support to third-country nationals in the Central African Republic. IOM takes extremely seriously the concerns raised in your email and is reviewing them so as to take appropriate actions.

As set out in our letter of 24 July, IOM is not a party to the bilateral arrangements between the United States and the third countries concerned, and IOM is not involved in decisions relating to transfers, including whether individuals are transferred or the destination to which they are transferred. Our role, where requested by the receiving government, begins only after individuals have arrived.

In all contexts where an individual requests AVR support from IOM, such assistance is only provided on the basis of the individual's prior explicit, free and informed consent. Before any assistance is considered, IOM conducts individualized counselling in line with its internal return and reintegration due diligence process to ensure that the individual receives accurate, neutral and comprehensive information, understands the nature of the assistance offered, and has the opportunity to make an informed decision. IOM does not seek to direct or pressure individuals to request return assistance, and individuals may decline assistance or withdraw their request at any stage. Furthermore, where concerns relating to refoulement, persecution, torture, other forms of irreparable harm, or unmitigated protection risks are identified with regards to such return assistance, IOM will decline to provide AVR assistance. All individuals expressing protection concerns are referred, where appropriate and with their consent, to relevant national authorities, UNHCR, or other protection actors.

IOM fully recognizes the particular challenges of providing assistance in the context of third-country transfers, including the difficulty of ensuring that any decision to request return assistance is genuinely free and informed. Nevertheless, IOM recognizes the importance of ensuring that information concerning available options, timeframes and possible future

circumstances is communicated accurately, neutrally and in a manner that does not create, or could reasonably be perceived as creating, pressure to choose a particular course of action. IOM is reviewing the account provided in your email in that light.

On the specific incident described in your email, IOM was informed that two individuals had been detained by local police and engaged with the relevant authorities, following which the individuals were released. IOM does not exercise authority over national law-enforcement bodies and cannot prevent or control the actions of third parties. However, the Organization takes allegations concerning the safety, treatment, or freedom of movement of individuals receiving its assistance seriously and raises such concerns with the competent authorities as appropriate.

For broader information on IOM's role and applicable safeguards, we would kindly reference our 15 September statement on Helping Third Country Nationals here, and would also reference our public explanation on IOM's role in respect of Assisted Voluntary Return and Post Arrival Assistance here, and request that both be placed in the annex of your report.

In closing, we hope this response contributes to a clearer understanding of IOM's engagement in the Central African Republic, and we remain available if you need further information or clarification that may assist your work.

Sincerely,

[redacted]

Michele Sison

Director, Global Office Washington D.C.

“To Scare People”

US Expulsions of Third-Country Nationals to Countries in Africa

Under the second Trump administration, the United States has shackled and expelled nearly 600 people, so far, to various countries in Africa where they are not citizens and have no connections. These transfers are part of a US policy designed to instrumentalize human suffering as a deterrent to migration.

People sent to Eswatini, Ghana, and South Sudan have been arbitrarily detained. Cameroon, Equatorial Guinea, and Ghana sent people onward to risk of persecution or torture in their home countries, violating the principle of nonrefoulement. In all receiving countries, many—if not most—people transferred by the United States have been left with no practical option but to return to their home countries regardless of the harms they face there.

The United States should stop deporting asylum seekers and refugees to third countries that lack the capacity to provide full and fair asylum procedures and in the absence of formal, transparent agreements that ensure they will have access to such procedures.

The African governments that have entered into third-country removal agreements with the United States should terminate or suspend those agreements because of the US government’s abusive use of these agreements to deprive people of due process and protection against chain refoulement. These governments should also respect the principle of nonrefoulement and ensure the dignity, security, and fundamental rights of all persons under their jurisdiction, including third-country nationals whose removal they have accepted.

Uniformly, the people we interviewed for this report described abusive treatment during their flights from the United States. Tesfay T., an Ethiopian man deported to Cameroon, said: “We were chained and handcuffed, legs, hands, stomach. We flew all the way like that. . . . I couldn’t feel my legs, that was really painful. We could not stand up. When I had to use the bathroom, they didn’t even take off the chains . . . they just took one arm out of the chains.”

© 2026 John Holmes for Human Rights Watch