

# Exclusive: Home Office sends back man it knows will be killed at home

by **Nell Hodge**

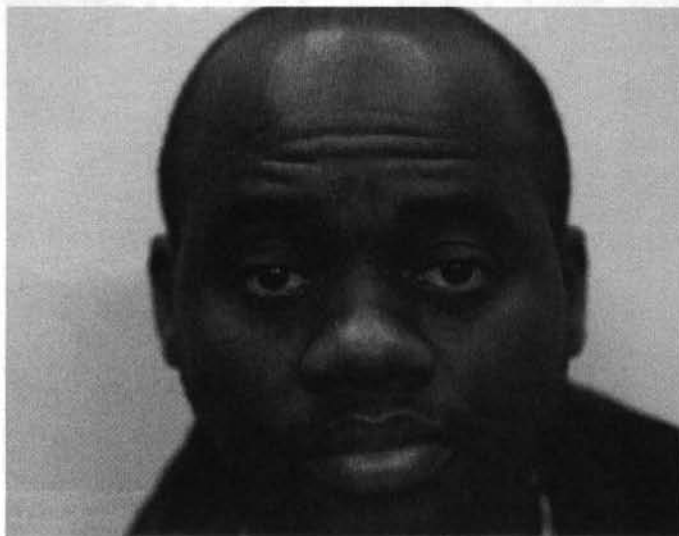
THE Home Office is preparing to send a man back to Burundi even though it does not dispute his claims that he is likely to be killed on his return.

Amdani Juma, 34, arrived in Britain on 4 March 2003. Although his asylum claim was rejected, both initially and on appeal, he was granted humanitarian protection and the right to stay in this country for three years because the Home Office accepted that it was unsafe for him to return to Burundi due to ethnic violence between the Hutu majority and minority Tutsis and the country's political instability.

The Foreign and Commonwealth Office still advises against all but essential travel to Burundi, and advises against all travel to some parts of the country. In August, seven former high-level officials and opposition political leaders were arrested for an alleged coup attempt.

However, at the end of his three year allowance, Mr Juma made an application for indefinite leave to remain which was rejected in August this year. In November he had an appeal hearing and the judge's decision was sent to the Home Office on 5 December.

Mr Juma and his solicitor



AMDANI JUMA is resisting attempts to return him to Burundi – scene of ethnic violence between Hutus and Tutsis – where he says his life will be at risk

have yet to receive the outcome. If his appeal is unsuccessful – and depending on how carefully worded the judge's ruling is – he has just five days in which to launch a further appeal. In theory, he could be sent back to Burundi before the New Year.

Speaking at his appeal at Stoke immigration tribunal on November 28, the Home Office's lawyer said that, according to a United Nations special report, 100,000 people are likely to return to Burundi this year and that 100,000 have already

returned since the ceasefire agreement signed in September 2006 between the government and rebel forces.

"Why can't Mr Juma be one of them?" he asked, dismissing the scars on Mr Juma's legs, where he says he was beaten, "as likely to have been caused by anything".

According to Mr Juma, he was forced to flee after he was found to have printed from the internet some articles about extra-judicial killings which had been carried out by

government troops in the country's then ongoing 10-year civil war.

He was accused of being a supporter of the extreme Hutu rebel group Forces of National Liberation (FNL) – later responsible and roundly condemned in 2004 for killing 160 Congolese Tutsi refugees (mostly women and children) in a United Nations camp near the Congo border in Burundi – and a warrant was issued for his arrest.

He managed to escape, but troops delighted in killing his housekeeper instead. He believes that there are no longer any immediate family members living in Burundi. His sister and brother have received refugee status in the Netherlands.

Mr Juma's appeal rests solely on Article 8 of the European Convention of Human Rights, which provides a right to respect for one's "private and family life, his home and his correspondence", based on the fact that he has formed numerous friendships in the local community in Nottingham. Eighty-five people produced written witness statements, and around 60 supporters attended the hearing in turns – an unprecedented number according to Juma's barrister.

Sadly, such support may not be enough.

## Ruane axes 11-plus to end grammar schools in Ireland

by **John Coulter** in Belfast

SINN FEIN's Stormont education minister Caitriona Ruane has eradicated selection tests – the 11-plus exam – for secondary level schooling in Northern Ireland. In doing so, she has removed one of the major education bastions of the British establishment in the north and laid the foundations for an all-Ireland schooling agenda.

Since the formation of Northern Ireland in the 1920s, the Protestant-dominated grammar school sector has offered an elite education in the province.

But the 11-plus was criticised partly for the policy of selection and partly for the strain it placed on 11-year-olds and the stigma attached to failing.

While Ms Ruane's decision was largely welcomed in the Catholic community, Unionists have reacted angrily to her

proposals. There is suspicion that her decision to face down Unionists on selection has more to do with her battle to snatch the prestigious South Down Westminster seat from the rival SDLP.

The seat was once held by the controversial Unionist parliamentarian Enoch Powell, but has been an SDLP stronghold since 1987.

Ms Ruane's biggest challenger in South Down is the SDLP's social development minister Margaret Ritchie, who chalked up considerable political kudos by axing a £1.2 million grant to the loyalist terror group, the UDA.

Winning the selection battle with unionism would also enhance Ms Ruane's campaign to succeed Gerry Adams as Sinn Fein president as well as kick start the party's faltering campaign in the Republic.

## Surprise setback for unions in European ruling

by **Kate Holman** in Brussels

IN AN unexpected judgement that dismayed trade unions, the European Court of Justice ruled on Tuesday this week that Swedish unions behaved unlawfully when they took industrial action against a Latvian building company employing workers on lower wages and conditions.

The decision has wide-ranging implications. As Europe's internal market for services increases the number of workers crossing borders, unions say that equal pay and conditions for people doing the same job in the same country is crucial to protecting workers, especially from the EU's newer member states, and preventing social dumping.

The Latvian company Laval took legal action against the Swedish building workers' union after it picketed a site in the city of Vaxholm where the company

was contracted to refurbish a local school. The ruling centres on the lack of a legal minimum wage in Sweden, where pay is governed by collective agreement.

Swedish unions sought to play up the positive side. "We welcome the recognition of collective action as a fundamental right in the EU", said Claes-Mikael Jonsson of LO-Sweden. However, European Trade Union Confederation general secretary John Monks said it was an attack on the successful Nordic social model at a time when the EU was holding it up as an example of "flexicurity" for other countries to emulate.

The Swedish government, which supported the trade union side, declared itself "disappointed", and warned that the ruling would force unwelcome changes in the country's labour legislation.