

EXHIBIT 1

CHRONOLOGY

BEFORE 2017

1. For many years, Iraq had declined to accept repatriation of Iraqi nationals ordered removed from the United States. [REDACTED]
[REDACTED] Ex. 1-1, ICE-0270499.¹ [REDACTED]
[REDACTED] Ex. 1-2, ICE-298502.

2. More generally, Iraq [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]” Ex. 1-2, ICE-298503.

3. At some point [REDACTED]
[REDACTED]:
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].

Ex. 1-3, ICE-0269781-82. *See also* Ex. 1-4, ICE-0298714 [REDACTED]
[REDACTED]
[REDACTED] Ex. 1-3, ICE-0269781-82. [REDACTED]
[REDACTED]
[REDACTED] Ex. 1-2, ICE-0298501.
[REDACTED] *Id.*
“ [REDACTED]
[REDACTED]
[REDACTED]

¹ In this and other exhibits, Petitioners’ counsel have highlighted the referenced text in yellow.

██████████ *Id.* ICE-0298501-02. ██████████
██████████ *Id.* ICE-0298504. (A demarche is a formal diplomatic complaint.)

- 4. When Iraqi officials *did* conduct travel-document interviews of Iraqi nationals, Iraq used a form (the “GOI form”) seeking the would-be-deportee’s consent to removal. ██████████
██████████ Exhibit 1-5, ICE-0295793 and Exhibit 1-6, ICE-0267486. *See* Ex. 3, Attieh Decl., Exs. C-K. As an ICE officer explained in a declaration to this Court, “The GOI travel document application forms have been in use by the GOI for many years now. These forms have been a regular part of the travel document procurement process” ECF 311-3, PgID.7481-82, Maddox Decl. ¶14. ██████████
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██████████

- 5. The point of this form was evidently to ascertain whether an individual was or was not willing to be repatriated, in order to implement the Iraqi policy against involuntary repatriations.
- 6. In short, Iraq has long had an express policy against involuntary repatriations, and against repatriation of individuals who expressed fear for their safety in Iraq. Between 2011 and 2017, Iraq did not accept forced repatriation of its nationals. ██████████
██████████ see Ex. 1-2, ICE-298502-04.

- 7. This was the state of play as of December 2016. That very month, ██████████
██████████:

██████████
██████████
██████████
██████████
██████████
██████████
██████████ Ex. 1-8, ICE-0269762.

² As explained in Ex. 3, Attieh Decl. 5, signed copies of this form disclosed by ICE are dated between ██████████.

13. This [REDACTED] [REDACTED] [REDACTED].” *Id.*, ICE-0271129. He testified [REDACTED]. See Ex. 4, Schultz Dep. at 47, 79-80, 98-99, 116-117.

14. The [REDACTED] [REDACTED] s. Ex. 1-13, ICE-0271130-32. *See also* Ex. 1-54, ICE’s Response to Interrogatory Nos. 1-7; Ex. 1-55, ICE’s Response to Interrogatory Nos. 1-5; Ex. 1-56, DHS’s Response to Interrogatory Nos. 1-7.

15. In the meantime, planning proceeded for the first, small charter flight in April 2017. As described [REDACTED] [REDACTED]:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Id., ICE-0271129.

16. A litigation declaration later portrayed this approach as typical of charter flights. ERO Unit Chief Michael Bernacke stated: “The government of Iraq agreed to accept these removals via charter mission. As a charter mission, rather than a removal conducted via commercial airline flight, formal travel documents are not required. Instead, ICE submits a proposed manifest for the charter flight to Iraqi officials for approval.” ECF 184-2, PgID.5071, Bernacke Decl., ¶ 6. In fact, the no-travel-document approach was extremely unusual: Mr. Bernacke testified that of the 43 countries whose travel document acquisition process he supervises, not even one uses a manifest-only process. Ex. 5, Bernacke Dep. at 100.

17. In the end, the no-travel-document approach was not used. Ex. 4, Schultz Dep. at 46-48 (“that manifest idea . . . never came to fruition”). Instead, individuals on the April 2017 plane obtained [REDACTED]. Ex. 6, ICE’s Response to Interrogatory Nos. 6 and 7 (see entry for H. A., AXXX-XXX-621).

18. When the April 2017 plane landed in Iraq, [REDACTED] [REDACTED]. Ex. 1-10, ICE-0297786 ([REDACTED] [REDACTED]). *See also* Ex. 1-14, ICE-0297798 ([REDACTED] [REDACTED]).

JUNE 2017: ARRESTS AND A FAILED FLIGHT

19. Because of the April charter flight [REDACTED] [REDACTED] [REDACTED] Ex. 1-15, ICE-0270938-40.

20. ICE scheduled its next flight for June 2017. From the beginning, however, [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].” Ex. 1-16, ICE-0271766. In the end, Iraq
[REDACTED]
[REDACTED]:

a. May 15, 2017: “[REDACTED]
[REDACTED]. Ex. 1-17, ICE-0269197.

b. May 16, 2017: “[REDACTED]
[REDACTED]. *Id.*

c. May 17, 2017: “[REDACTED]
[REDACTED].” *Id.*

d. May 22, 2017: “[REDACTED]
[REDACTED].” *Id.*

e. May 25, 2017: “[REDACTED]
[REDACTED].” Ex. 1-9, ICE-0269074.

f. May 30, 2017: “[REDACTED]
[REDACTED].” Ex. 1-17, ICE-0269197.

g. June 6, 2017: “[REDACTED].” *Id.*

h. June 7, 2017: [REDACTED]
[REDACTED]
[REDACTED] (see Ex. 2, Schlanger Decl., ¶¶18-19), [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] Ex. 1-18, ICE-0298492 to 93.
[REDACTED]s, *id.* at ICE-0298490, [REDACTED]
[REDACTED] See Ex. 6, ICE’s Response to Interrogatory Nos. 6 and 7; Ex. 2, Schlanger Decl. ¶22. (ICE later

³ A diplomatic note, or dipnote, is a formal written communication between countries.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] ee Ex. 4, Schultz Dep. at 219-221, 232-234. But as ICE staff knew, [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] Ex. 1-18, ICE-0298490 (“ [REDACTED]
[REDACTED]); Ex. 2, Schlanger Decl., at ¶¶20-21 (comparing names on [REDACTED] to Ex. 6, ICE’s Responses to Interrogatory Nos. 6 and 7.)

i. June 9, 2017: Intra-ICE communication: “[REDACTED]
[REDACTED]
[REDACTED]” Ex. 1-17, ICE-0269197.

j. June 11-12, 2017: ICE arrests nearly about 100 Iraqi nationals, nationwide, bringing the total in detention to over 200. Of 230 Iraqi nationals arrested prior to June 22, [REDACTED]
[REDACTED]
[REDACTED] Ex. 1-18, ICE-0298490; Ex. 2, Schlanger Decl. ¶25.

k. June 12, 2017: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Ex. 1-19, ICE-0269475. State Department c [REDACTED]
[REDACTED]
[REDACTED]” *Id.*

l. June 13, 2017: The State Department [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] Ex. 1-20, ICE-0269421.

m. June 15, 2017: Petitioners—at this point, Iraqi nationals with final orders of removal arrested by ICE in the Detroit Area of Responsibility (that is, Michigan and Ohio)—file this lawsuit, and seek an emergency stay of removal. ECF 1, 11.

n. June 18, 2017: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]” Ex. 1-20, ICE-0269418.

o. June 18, 2017: U.S. diplomats recognize [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]” Ex. 1-21, ICE-0269538.

p. June 19, 2017: ICE officials [REDACTED]
[REDACTED] Ex. 1-22, Interrogatory 12, ICE Supplemental Response.

q. June 20, 2017: ICE learns t [REDACTED]
[REDACTED]. Ex. 1-23, DHS Hamama0000100. [REDACTED] Ex. 1-22, Interrogatory 12, ICE Supplemental Response.

r. June 21, 2017: ICE receives [REDACTED]
[REDACTED]. Ex. 1-24, ICE-0297771.

s. June 22, 2017: Efforts [REDACTED]
[REDACTED]” Ex. 1-23, DHS Hamama0000103.

At 6:37 pm, the Court grants a temporary restraining order staying the Detroit Field Office’s removal of petitioners. ECF 32. ICE’s ability to deport other Iraqi nationals is unconstrained by the court order. The majority of the individuals intended for the June flight are *not* covered by the Court order. [REDACTED]

At 8:57 pm, the Court expands the June 22 TRO to cover a nationwide class, scheduled to expire July 10, 2017. ECF 43.

v. June 28, 2017:

In response [REDACTED]
[REDACTED]
[REDACTED].” Ex. 1-27, DHS Hamama0000116.

21. In short, the cancellation of the June 2017 charter flight occurred [REDACTED]. Ex. 1-1, ICE-0270496; Ex. 1-9, ICE-0269074; Ex. 1-24, ICE0297771; Ex. 1-59, DHS Hamama000059.

SUMMER 2017: THE ABSENCE [REDACTED]

22. The Court’s nationwide order was, at the start, provisional. The June 26, 2017 TRO stated that it would last only for 14 days—that is, until July 10. ECF 43. On July 6, the TRO was extended until July 24, ECF 61. On July 24, the Court granted the preliminary injunction that remains in effect. ECF 87.

23. Before the preliminary injunction issued, ICE continued to seek [REDACTED]
[REDACTED]
[REDACTED] (See Ex. 1-28, ICE-0296142 ([REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]:

a. July 5, 2017:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]” Ex. 1-29, ICE-0268969.

b. July 6, 2018:

In the afternoon, [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] *Id.*, ICE-0268964. [REDACTED] *Id.*, ICE-0268966.

At 6:12 pm, the *Hamama* TRO is extended until July 24. ECF 61.

c. July 7, 2017: ICE [REDACTED]
[REDACTED]” Ex. 1-30, ICE-0268974.
[REDACTED]
Id., ICE-02689875; ECF 61.

d. July 11, 2017: [REDACTED]
[REDACTED]
[REDACTED] Ex. 1-29, ICE-0268963.

e. July 13-17, 2017: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]” Ex. 1-31, ICE-297638.
[REDACTED]
[REDACTED] *Id.*, ICE-0297636.
[REDACTED] *Id.*
[REDACTED] *Id.*

“ [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] *Id.*, ICE-297633; *see also* Ex. 1-32, ICE-297588.

f. July 17, 2017: “ [REDACTED]
[REDACTED]”
Ex. 1-33, ICE-0271020.

g. July 18, 2017: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED] Ex. 1-34, ICE-0271034-35.

24. [REDACTED], ICE begins [REDACTED]:

a. July 19, 2017: The background at [REDACTED],
[REDACTED],
Ex. 1-24, ICE-0297770 to ICE-0297772. It states:

[REDACTED]

[REDACTED]

[REDACTED]

b. July 20, 2017: ICE officials responsible [REDACTED]
[REDACTED]
[REDACTED] Ex. 4, Schultz Dep. at 189-194; Ex. 1-35, ICE-0271028, Schultz Dep. Ex. 22; Ex. 1-36, ICE-296029-34. [REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]”⁷ Ex. 1-35, Schultz
Dep. Ex. 22; Ex. 1-36, ICE-296029-34.
[REDACTED] ECF 81.

c. July 24, 2017: [REDACTED]. Ex. 6, ICE’s
[REDACTED]
[REDACTED] ECF 87.

d. July 26, 2017: In an email to Deputy Assistant Director Schultz, I [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] Ex. 1-28, ICE-
0296142.

e. July 29, 2017: [REDACTED]
[REDACTED]” Ex. 1-37.⁸

f. Aug. 4, 2017: ICE staff continue to [REDACTED]
[REDACTED]. Ex. 1-38, ICE-
0270929.

⁴ [REDACTED]
[REDACTED].

⁵ This indicates [REDACTED]. See also Ex. 1-36, ICE-0296031.

⁶ This indicates a [REDACTED]
[REDACTED]. See Ex. 1-36, ICE-0296029.

⁷ This [REDACTED]”
Ex.1-24, ICE-029770-74.

⁸ Namu Abdulla, *Families in America still fear return to Iraq, despite a halt in deportation* (July 29, 2017), <http://www.rudaw.net/english/world/290720171>.

SEPTEMBER TO DECEMBER, 2017: A HANDFUL OF VOLUNTEERS ARE REPATRIATED

25. The Court's stay of removal prevented most class member repatriations during this period.⁹ But efforts [REDACTED] Various officials [REDACTED] Ex. 1-39, ICE-0295965. [REDACTED] Ex. 6, ICE's Response to Interrogatory Nos. 6 and 7. [REDACTED] Ex. 1-39, ICE-0295965.
26. The district court preliminary injunction/stay of removal did not apply to Iraqis with removal orders first entered after June 24, 2017, who are not included in the class definition. ECF 87. Nonetheless, ICE [REDACTED] Ex. 6, ICE's Response to Interrogatory Nos. 6 and 7; ECF 104, 114, 119; Ex. 2, Schlanger Decl. ¶¶43-44.

DECEMBER AND JANUARY 2018: IRAQ [REDACTED]

27. A major [REDACTED] Ex. 1-40, DHS Response to Interrogatory No. 12. [REDACTED] Ex. 1-40, DHS's Supplemental Response to Interrogatory No. 12.
28. A summary [REDACTED] Ex. 1-42, ICE-0296787. [REDACTED] Id., ICE-0296786.
29. Handwritten notes [REDACTED] Ex. 1-41, DHS Hamama-000051 (handwritten notes of [REDACTED]).

⁹ ICE kept most class members in detention, [REDACTED] Ex. 1-57, ICE-0295998.

32. In its answer to Interrogatory 1, provided June 19, 2018, Ex. 1-44, 1-57, DHS's description of this meeting [REDACTED]:

[REDACTED]

IRAQ PERSISTS IN SEEKING WRITTEN ACQUIESCENCE TO REMOVAL BY DETAINEES

33. ICE made it clear [REDACTED]

[REDACTED]

[REDACTED] Ex. 5, Bernacke Dep. at 85-86. [REDACTED]

[REDACTED] Ex. 1-48, ICE-0270850-53. [REDACTED]

[REDACTED] Id., Ex. 1-45, ICE-0270696; Ex. 5, Bernacke Dep. at 114-116.

T [REDACTED]

[REDACTED] Ex. 1-48, ICE-0270852. T [REDACTED]²

ECF 311-3, PgID.7481-82, Maddox Decl. ¶14.

34. The result of the [REDACTED]

[REDACTED] Ex. 1-45,

¹² The form itself, ECF 311-3, PgID.7489-90, has already been described (see ¶4, *supra*). [REDACTED]

[REDACTED] Ex. 3, Attieh Decl. 11. [REDACTED]

[REDACTED] The certified translation of the Arabic letter is set out above, see ¶4. The English version states, in full (with emphasis added):

Dear Honorable Consul,

Subject: Passport

I the Iraqi citizen () would like to request the issue of a passport allowing me to enter Iraq due to my particular situation and **my desire to return voluntarily to Iraq.**

I would like to inform you that I have an old Iraqi passport that is not valid with the number ().

ICE-0270693. Some but not all were of class members who had volunteered for prompt removal and had the district court stay of removal lifted. [REDACTED]

[REDACTED]” *Id.*; see also Ex. 6, ICE’s Response to Interrogatory Nos. 6 and 7.

[REDACTED], Ex. 1-45, ICE-0270693. [REDACTED]

[REDACTED] Ex. 2, Schlanger Decl. ¶¶43-

44.

35. Notwithstanding DHS’s [REDACTED]

[REDACTED], Ex. 1-44,

Response to Interrogatory No. 1, [REDACTED]

[REDACTED] Ex. 6, ICE’s Response to Interrogatory Nos. 6 and 7.

MARCH 2018: IRAQ FORMALLY RESTATES ITS POLICY AGAINST FORCED REPATRIATIONS

36. In March 2018, the Iraqi government official with jurisdiction over migration issues, the head of Iraq’s Ministry of Migration and Displacement (MoMD), issued a formal letter to the Foreign Affairs Minister, stating: the “policy of our ministry, since it was established,” to “refuse the principle of forced return of Iraqis abroad or any other nationals, because it conflicts with humanitarian laws and principles.” Ex. 1-46; Ex. 7, Lopez Decl.; Ex. 8, Smith Decl. ¶¶21-26. MoMD requested that all embassies be notified of this policy: “Kindly inform all our missions to coordinate with those countries to reduce this serious phenomenon that affects Iraqis abroad.” *Id.*

37. Iraq’s Ministry of Foreign Affairs duly distributed a “circular” attaching the MoMD letter, and restating its language, instructing “all our political and consular missions abroad” to “[k]indly take notice and the necessary action to coordinate with those countries to reduce this serious phenomenon that affects Iraqis abroad.” Ex. 1-46; Ex. 7, Lopez Decl., p. 5.

MAY 2018-JULY 2018: THE ALLEGED “BAGHDAD” SOLUTION

38. Throughout [REDACTED]

[REDACTED] Ex. 4, Schultz Dep. at 58-60. [REDACTED]

[REDACTED] Ex. 5, Bernacke Dep. at 69. [REDACTED]

[REDACTED] In late May 2018, ICE transferred about 40 Iraqi nationals—the large majority of them class members—to Stewart Detention Center, in Lumpkin, Georgia. Consular interviews were conducted on May 23, 2018. ECF 311-3, PgID.7478, Maddox Decl. at ¶6. At those interviews, each detainee was presented the longstanding Iraqi form, in

Arabic and English, that asked him to affirm his “desire to return voluntarily to Iraq.” *See* ECF 307-2, PgID.7325-27, Gilbert Decl. ¶¶5-18; ECF 311-3, PgID.7489-90

39. ICE and the consular officials exerted considerable pressure on the detainees to sign the GOI form. First, detainees were threatened with prosecution if they did not sign. *See* ECF 307-13, PgID.7382, Al-Zubeidy Decl. ¶8 (told that if did not sign, he would be criminally prosecuted and spend the rest of his life in prison); ECF 307-14, PgID.7386-87, Odish Decl. ¶¶6-10 (when he refused to sign the consular letter, an ICE officer summoned him the next day, telling him that he had a “second opportunity to sign” the letter and that if he did not, he would be prosecuted for failure to comply with orders); ECF 307-6, PgID.7345-6, Andrade Decl. ¶¶5-7 (A.A.O, XXX-XXX-985 told by ICE officer that he would be criminally charged and serve time in prison if he did not sign). Other detainees heard about these threats second-hand, and found them both plausible and frightening. *See* ECF 307-8, PgID.7357-58, Arthur Decl. ¶9-10 (“Many of my fellow Iraqis told me that they signed the form because ICE told them that if they did not, they could be prosecuted for failure to cooperate and sentenced to five years in prison . . .”; ECF 307-2, PgID.7327, Gilbert Decl. ¶17 (because class members have been subject to orders of supervision, they are familiar with the general obligation to apply for travel papers and cooperate with removal procedures). Before this Court, ICE later disavowed this threat of prosecution, acknowledging that individuals cannot be required under 8 U.S.C. §1253(a)(1)(B) to express a desire for repatriation; *see* ECF 307, PgID.7300; June 18, 2018 Hrg. Tran. at 58-59. But by that time, 33 individuals had signed the voluntary-return form. *See* ECF 311-3, PgID.7479-81, Maddox Decl. ¶¶8, 11.
40. Second, both ICE officers and Iraqi consular staff told class members that they would be detained indefinitely, or for many years, unless they agreed to sign. For example, class members Zaia Darmo and Ahmed Tayyeh each reported that an Iraqi official told him that if he did not sign, he “would be in jail for the rest of his life” (Darmo) and “would stay in jail forever” (Tayyeh); each—fearing indefinite detention—signed the form even though they do not desire to return to Iraq. ECF 307-11, PgID.7373, Darmo Decl. ¶¶12-15; ECF 307-10, PgID.7368-69, Tayyeh Decl. ¶¶6, 9. Class member Aziz Kattoula, who told consular officials, when asked, that he did not want to go to Iraq and did not want to sign, was later told by an American official who said he was from Washington D.C. that the government would eventually deport him, and that he “would be sitting in jail until they did.” ECF 307-9, PgID.7364-65, Kattoula Decl. ¶22. Other detainees were similarly threatened with years of detention unless they signed. ECF 307-11, PgID.7373, Darmo Decl. ¶¶12-15; ECF 307-10, PgID.7368-69, Tayyeh Decl. ¶¶6, 9; ECF 307-9, PgID.7364, Kattoula Decl. ¶22; ECF 307-7, PgID.7353-54, Kitaba-Gaviglio Decl. ¶¶6, 14-19; ECF 307-6, PgID.7346, Andrade Decl. ¶7; ECF 307-18, PgID.7357-58, Arthur Decl. ¶¶9-10 (“Many of my fellow Iraqis told me that they signed the form . . . because ICE told them if they did not sign, they would definitely be kept in detention until the U.S. government could send them back.”). *See also* ECF 307-7, PgID.7353, Kitaba-Gaviglio Decl. ¶10 (class member K.P., AXXX-XXX-207, told that if he did not sign the form, he could be jailed for 5-10 years).
41. On June 8, 2018, [REDACTED] Ex. 1-58. At least six detainees refused to sign the GOI form, four of them class members. Ex. 2, Schlanger Decl. ¶39. According to the Detention Officer who managed the process at Stewart, “the GOI indicated that further approval from Baghdad

was required to issue those travel documents.” ECF 311-3, PgID.7480, Maddox Decl. ¶11(b). As of June 15, 2018, ICE’s declarant was not able to state that Iraq has committed to issuing the documents—he stated merely that the “requests . . . are pending” and that “ICE continues to engage with the GOI to have these additional travel documents issued.” *Id.* PgID.7481, ¶13.

42. That same day, ICE staff [REDACTED]. ICE also “again request[ed] that the Consulate Section of the Embassy of Iraq no longer require Iraqi Nationals to sign the declaration form wherein they state their desire to return to Iraq.” Ex. 1-47. [REDACTED]
[REDACTED]
[REDACTED]
Id. at 65. [REDACTED] *Id.* at 92-95. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] *Id.* at 37-43. [REDACTED]
[REDACTED]” *Id.* at 43.

43. [REDACTED]
[REDACTED] Ex. 5. Bernacke Dep. at 119-120.

THE PRESENT: ICE IS UNLIKELY TO ACCOMPLISH INVOLUNTARY REPATRIATIONS IN THE REASONABLY FORESEEABLE FUTURE

44. None [REDACTED]. Ex. 2, Schlanger Decl. ¶40. [REDACTED]
[REDACTED]
[REDACTED] Ex. 6; Ex. 2, Schlanger Decl. ¶¶31-41 (table D, column d; Table E, columns b & c). [REDACTED]
[REDACTED]
[REDACTED] Ex. 2, Schlanger Decl. ¶8. [REDACTED]
[REDACTED]
[REDACTED]

45. In December 2017, Mr. Bernacke submitted a declaration that stated that ICE had recently obtained three travel documents for class members who had waived the protection of the stay of removal, and expected to get travel documents for an additional ten similar individuals “in the very near future.” ECF 184-2, PgID.5072-73, Bernacke Decl. ¶11. In the event, [REDACTED]
[REDACTED]

[REDACTED]. Ex. 6, ICE's Response to Interrogatory Nos. 6 and 7; Ex. 2, Schlanger Decl. ¶¶45-46.

46. In addition, Iraq has [REDACTED] ECF 311-3, PgID.7480-81, Maddox Decl. ¶¶11, 12. [REDACTED]. Ex. 2, Schlanger Decl. ¶40 Mr. Bernacke testified t [REDACTED] [REDACTED] [REDACTED].” Ex. 5, Bernacke Dep. at 75-76; see *id.* at 73-76, 141-42.

47. The process f [REDACTED] [REDACTED] [REDACTED]. Ex. 1-51.

48. Avoiding forced repatriations is very important to many power centers in Iraq. Ex. 8, Smith Decl. ¶¶14-19, 30-32, 35-38. On July 10, 2018, Iraq's Ambassador to Finland explained that Iraq would, going forward, enforce its policy against forced repatriations. Ex. 1-49; Ex. 8, Smith Decl. ¶33.¹³ He was quoted in media reports as stating, “We will accept those returning of their own free will and those guilty of crimes, but we oppose forced repatriations.” *Id.* Similarly, on August 12, 2018, Iraq's ambassador to Sweden told the Swedish government's Coordinator of Migration and Refugees Affairs that the Iraqi government “refuses” forcible repatriations. Ex. 1-50.¹⁴

49. On July 31, 2018, the Minister of Migration and Displacement re-asserted MoMD's policy against forced removals, sending a letter to the Ministry of Foreign Affairs:

We have received information indicating that some countries which host Iraqi nationals intend to forcibly return them, particularly, the EU [European Union] and the USA.

Since this issue contravenes the policy of the State and international law and norms, please ensure that all our embassies and consulates in the countries that host Iraqi nationals are ensuring they are not subject to deportation or forced return.

¹³ See Forced deportations of Iraqi asylum seekers on hold (July 10, 2018), https://yle.fi/uutiset/osasto/news/forced_deportations_of_iraqi_asylum_seekers_on_hold/10297477.

¹⁴ See Iraqi Ministry of Foreign Affairs, Iraq's Ambassador to Sweden Discusses Voluntary Repatriation of Refugees with Immigration Coordinator (Aug. 12, 2018), <http://www.mofa.gov.iq/en/news/28136/iraq-s-ambassador-to-sweden-discusses-voluntary-repatriation-of-refugees-with-immigration-coordinator>.

