

### **Complaint No. 413/2010 (*A.A.M. v. Sweden*)**

Complaint No. 413/2010 (*A.A.M. v. Sweden*) concerned a national of Burundi, who claimed that an enforcement of an expulsion order to her country of origin would result in a violation by Sweden of article 3 of the Convention against Torture. The complainant alleged that she originated from a family belonging to the Tutsi ethnicity, that her parents had been killed in 1993 by Hutu militia and that her only sibling, an older brother, had a high position in a Tutsi militia "Sans Échec". In 2006, the complainant's brother was allegedly killed in his home by Hutu soldiers from the national army. At that particular moment, the complainant was allegedly outside the house and could hear her brother being ill-treated inside the house and the soldiers asking him about her whereabouts, which she understood as a death threat. She fled Burundi and applied for asylum in Sweden. Her application was rejected, as were the subsequent appeals, because the State party's authorities found numerous inconsistencies in her account of the events that led to her flight from Burundi, and because they doubted her identity, since a person with data and a picture that were almost identical to what she had provided had applied for a Swedish visa in Algeria. The Committee noted that the State party had taken into account the human rights situation in Burundi but had established that the prevailing circumstances in that country did not in themselves suffice to establish that the complainant's forced return to Burundi would entail a violation of article 3 of the Convention. The Committee also noted that the State party had drawn attention to numerous inconsistencies and serious contradictions in the complainant's accounts and submissions, which called into question her general credibility and the veracity of her claims, and of the information furnished by the complainant on these points. The Committee found that the complainant had not established that in the case of her expulsion to Burundi she would face a foreseeable, real and personal risk of being tortured within the meaning of article 3 of the Convention.