

Reference: TG EUR 37/2026.7536

Minister Radosław Sikorski
Ministerstwo Spraw Zagranicznych
al. J. Ch. Szucha 23
00-580 Warszawa
Poland
Email: kancelaria@msz.gov.pl
bp.sekretariat@msz.gov.pl

Minister Marcin Kierwiński
Ministerstwo Spraw Wewnętrznych i Administracji
Stefana Batorego 5
02-591 Warszawa
Poland
Email: kontakt@mswia.gov.pl

17 April 2026

Dear Ministers,

RE: USE OF POLISH TERRITORY FOR US IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE) REMOVAL FLIGHTS

We write with concern about information that United States (US) Immigration and Customs Enforcement (ICE) used Polish airports and territory during at least two removal operations of more than 50 people to Ukraine. Amnesty International and Human Rights First believe that these ICE removal operations forcibly sending individuals to an active war zone violate the rights of the individuals involved and that further human rights violations may have occurred during the transfer through Poland. Recognizing Poland's sustained provision of temporary protection to nearly 1 million Ukrainian refugees, we urge your government to uphold its international commitments to uphold non-refoulement and to reject the Trump administration's cruel and inhumane mass removal campaign. Further details and requests for information follow below:

FLIGHTS JNY86 & JNY8: PHOENIX, ARIZONA (USA) TO RZESZÓW-JASIONKA AIRPORT (POLAND), 16-17 MARCH 2026

According to flight data gathered by ICE Flight Monitor, based at Human Rights First, two ICE removal flights landed at the Rzeszów-Jasionka Airport, Poland, on 17 March 2026.¹ Amnesty International and Human Rights First believe that both flights carried at least some Ukrainian nationals. These individuals' current whereabouts are unknown.

¹ Flights JNY86 and JNY8 departed Phoenix, Arizona (USA) on 16 March 2026. After refuelling in Portsmouth, New Hampshire (USA) and at Shannon Airport, Ireland, both flights landed at the Rzeszów-Jasionka Airport, Poland within 20 minutes of each other, on 17 March 2026. Human Rights First, *ICE Flight Monitor*, <https://humanrightsfirst.org/ice-flight-monitor/>. Human Rights First, *ICE Flight Monitor*, <https://humanrightsfirst.org/ice-flight-monitor/>. ICE Flight Monitor, X status, 16 March 2026, <https://x.com/iceflightm/status/2033638131086290949?s=46>.

FLIGHT OAE3787: PHOENIX, ARIZONA (USA) TO RZESZÓW-JASIONKA AIRPORT (POLAND), 17-18 NOVEMBER 2025

According to flight data gathered by ICE Flight Monitor, an ICE Air deportation flight landed on 18 November 2025 at the Rzeszów-Jasionka Airport, Poland.² The group on board was then taken to the Shehyni - Medyka checkpoint and into Ukraine.³ According to media reports, US officials flew the group to Poland and transported it to the Ukrainian border, while Polish officials escorted them across the border.⁴

The spokesperson of Ukraine's State Border Guard Service declared that the group included 50 people (45 men and 5 women), some holding Ukrainian passports, others holding travel documents issued in the absence of a passport.⁵ According to media reports, some of them had entered the United States under the Uniting for Ukraine program under the prior US administration and their application for re-parole had been pending.⁶ As a result of their removal, they were separated from family members who remain in the United States.

OTHER ICE REMOVAL FLIGHTS TO AND FROM POLAND

On 18 August 2025, ICE announced the deportation of an undisclosed number of Ukrainian nationals back to Ukraine, posting two photos on social media X.⁷ The photos show Ukrainian land border infrastructure and Ukraine's State Border Guard Service agents standing in front of two different groups of four and three people in civilian clothes. ICE did not provide other details, including the place where the photos were taken, the number of people removed and their identities, or the grounds for removal. The post was later deleted.

THE UNITED STATES ADMINISTRATION'S ATTACK ON THE RIGHTS OF REFUGEES AND MIGRANTS

From its first day in office, the Trump administration has aggressively advanced an anti-migrant, anti-refugee agenda, implementing racist and xenophobic executive orders that dehumanize and criminalize migrants and people seeking safety. Nearly all federal law enforcement agencies have been deputized to engage in civil immigration enforcement. Masked agents have seized migrants, asylum seekers, refugees, and US citizens; armored vehicles are patrolling streets; and agents have targeted areas near schools, faith centers, hospitals, and other previously prohibited areas for immigration enforcement. The mass immigration detention system has expanded, holding thousands of people, including families with small children, in overcrowded, inhumane facilities, sometimes on military bases; limiting access to bond; and resuming the detention and separation of families. New state-funded detention facilities have been built, such as "Alligator Alcatraz."

Since 20 January 2025, the Trump administration launched the largest mass de-legalization effort by ending parole-based humanitarian programs and Temporary Protected Status for many nationalities, putting more than 1.5 million immigrants at risk of deportation. The Trump Administration has challenged the propriety of the Uniting for Ukraine (U4U) humanitarian parole program - which granted 280,000 Ukrainians entry to the United States - as a basis for legal status. Ukrainians have faced processing delays and holds on U4U related applications. Ukrainians are increasingly in legal limbo without options for status and rising uncertainty.⁸ Litigation on these matters is currently pending through *Svitlana Doe vs. Noem*.⁹

² ICE Air deportation flight (OAE3787) departed Phoenix, Arizona (USA) at 12:45pm local time on 17 November 2025, refuelled in Baltimore, Maryland and landed the following day at the Rzeszów-Jasionka Airport, Poland. ICE Flight Monitor, X status, 17 November 2025, <https://x.com/ICEFlightM/status/1990539755885637868>. Human Rights First, *ICE Flight Monitor: November 2025 Monthly Report*, 11 December 2025, <https://humanrightsfirst.org/library/ice-flight-monitor-november-2025-monthly-report/>. The aircraft then returned from Rzeszów-Jasionka Airport to Phoenix, Arizona (USA) on 20 November. FlightAware, *OY3787 (OAE3787) Omni Air International Flight Tracking and History*, 20 November 2025, <https://www.flightaware.com/live/flight/OAE3787/history/20251120/0523Z/EPRZ/KIWA>.

³ Ukrinform, Демченко: Серед депортованих зі США українців - 45 чоловіків і 5 жінок, 19 November 2025, <https://www.ukrinform.ua/rubric-society/4060386-demchenko-sered-deportovanih-zi-ssa-ukrainciv-45-colovikiv-i-5-zinok.html>.

⁴ CNN, "Ukrainians Deported by ICE Amid Military Draft Concerns", 27 March 2026, <https://www.cnn.com/2026/03/27/europe/ukrainians-deported-ice-military-draft-intl-cmd>

⁵ Ukrinform, Демченко: Серед депортованих зі США українців - 45 чоловіків і 5 жінок, 19 November 2025, <https://www.ukrinform.ua/rubric-society/4060386-demchenko-sered-deportovanih-zi-ssa-ukrainciv-45-colovikiv-i-5-zinok.html>.

⁶ CNN, "Ukrainians Deported by ICE Amid Military Draft Concerns", 27 March 2026, <https://www.cnn.com/2026/03/27/europe/ukrainians-deported-ice-military-draft-intl-cmd>

⁷ US Immigration and Customs Enforcement, X status, 18 August 2025, <https://x.com/ICEgov/status/1957580818102063319>. The text reads: "Here are photos of Ukrainian aliens' first moments back home following their removal from the United States".

⁸ Global Refuge, "Thousands of Ukrainians Risk Losing Legal Status as War Enters Fourth Year", accessed 31 March 2026, <https://www.globalrefuge.org/news/report-thousands-of-ukrainians-risk-losing-legal-status-as-war-enters-fourth-year/>

⁹ <https://humanrightsfirst.org/svitlana-doe-v-noem/>

President Trump declared a national emergency at the US-Mexico border and terminated the “CBP One” mobile application’s scheduling system for all migrants, including people seeking asylum. All asylum adjudications before the Department of Homeland Security have been halted, for all nationalities. The US Refugee Admissions Program was suspended. A travel ban was implemented and then expanded from 19 countries to 39, and all immigration processing was halted for those nationalities, including for individuals who hold Palestinian Authority travel documents.

THE UNITED STATES ADMINISTRATION’S FORCED REMOVALS TO THIRD COUNTRIES

The Trump administration has pursued a policy of forcibly removing to third countries individuals who could not be returned to their countries of origin, for reasons of international protection, expediency or other. It has concluded different types of arrangements with roughly 30 countries where it is forcibly transferring individuals,¹⁰ brazenly violating their right to due process and undermining the rule of law.

On 15 March 2025, more than 280 young men were sent to El Salvador in secret, with no notice to their loved ones or attorneys and transferred to CECOT, a mega-prison notorious for torture. There, they were held incommunicado and tortured. Four months later, 252 of those young men were released from CECOT and sent back to Venezuela (a country that a number of the men had originally fled, fearing persecution). Many of the people removed were actively engaged in immigration proceedings, had pending asylum claims, were recognized as refugees by US officials, or had been granted protection under US law. Families received no official information, and people were removed from US government tracking systems, making it impossible for their family members or lawyers to locate them. Human Rights First and other groups assisted the families of several of the men sent to CECOT to file emergency submissions with the UN Working Group on Enforced Disappearances. ICE officials have since admitted “many” had no criminal record at all. These individuals were expelled without any notice or due process, and over multiple months, neither the US nor Salvadoran authorities provided any official information on the identities of the individuals expelled to El Salvador or their whereabouts. Our organizations consider that these individuals were subjected to enforced disappearances, as defined in international law.

Third-country removals have raised additional concerns about removals without notice or opportunity to contest them, which has been the subject of litigation in *D.V.D. v. U.S. Department of Homeland Security*. In February 2026, a US district court ruled the policy of third country removals unlawful.¹¹ However, the US government has appealed.

INTERNATIONAL LAW OBLIGATIONS RELATED TO REMOVALS TO UKRAINE

Individuals have the right to both substantive and procedural safeguards in case of transfer from one jurisdiction to another. From the substantive point of view, individuals have the right not to be transferred to a place where they risk serious human rights violations such as torture or other ill-treatment, enforced disappearance or extrajudicial executions (the principle of *non-refoulement*). From the procedural point of view, they have the right to challenge the transfer on the grounds that they risk such violations.

Amnesty International and Human Rights First reiterate warnings that conditions in Ukraine are not safe for returns. Following Russia’s full-scale invasion of Ukraine in February 2022, several countries recognized the international protection needs of those fleeing Ukraine, including with forms of protection other than refugee status.¹² In May 2025 the UN Refugee Agency, UNHCR, reiterated its call upon States not to forcibly return nationals and former habitual residents of Ukraine, including those who have had their asylum claims rejected, due to the ongoing armed conflict and pervasive risks.¹³ That position is still applicable. In November 2025, UNHCR issued a further warning following deadly attacks that “no part of Ukraine should be considered safe”.¹⁴

¹⁰ Third Country Deportation Watch, <https://www.thirdcountrydeportationwatch.org/>.

¹¹ *D.V.D. v. U.S. Department of Homeland Security*, 1:25-cv-10676, (D. Mass. Feb 25, 2026) ECF No. 242; Human Rights First, Court Finds Trump Administration’s Third-Country Removal Policy is Unlawful, Vacates the Policy, 25 February 2026, <https://humanrightsfirst.org/library/court-finds-trump-administrations-third-country-removal-policy-is-unlawful-vacates-the-policy/>.

¹² In March 2022 the European Union activated the Temporary Protection Directive (Council Directive 2001/55/EC) for people arriving from Ukraine, whereby those eligible (Ukrainian nationals and their families; other nationals with refugee status or permanent resident status in Ukraine) were granted immediate protection in EU member states in the form of a residence permit and associated rights to housing, access to the labour market, healthcare, and education.

¹³ UNHCR, *Position on Returns to Ukraine*, March 2022, <https://www.refworld.org/policy/countrypos/unhcr/2022/en/124038>; *UNHCR Recommendations on the continued use of Temporary Protection arrangements and Guiding Principles for Transition in relation to the Ukraine Refugee Situation*, May 2025, <https://www.refworld.org/policy/countrypos/unhcr/2025/150064>.

¹⁴ UNHCR, *UNHCR news comment: Deadly attacks in Western Ukraine show no part of country is safe*, November 2025, <https://www.unhcr.org/news/press-releases/unhcr-news-comment-deadly-attacks-western-ukraine-show-no-part-country-safe>

Amnesty International and Human Rights First oppose all forced returns to Ukraine. While voluntary return is a right, including for Ukrainians in the United States, any such returns must be accompanied by appropriate safeguards to ensure the safety and rights of those returning. U.S. officials should not coerce Ukrainians into ‘accepting’ returns by threats of prolonged detention or removal to a third country.

QUESTIONS

Amnesty International and Human Rights First urge all countries to deny the Trump administration's cruel and inhumane mass removal campaign any form of facilitation, cooperation or tolerance. We would therefore be grateful if your Departments could provide the following information:

- Whether the Polish authorities had been alerted by US authorities that removal flights were due to land on Polish territory and/or use Polish airspace, airports or related facilities;
- Whether Polish and US authorities concluded any formal or informal agreement or have other arrangements about the use of Polish territory for US immigration enforcement purposes; if a written agreement exists, Amnesty International and Human Rights First would be grateful to receive a copy;
- Confirmation of whether US agents or Polish agents escorted the individuals removed during the transfer on land between Rzeszów-Jasionka Airport and the Shehyni - Medyka checkpoint;
- What was the role of Polish authorities and law enforcement agents in the disembarkation, border checks, transfer and any other law enforcement operation vis-à-vis the individuals removed;
- Whether the individuals removed were registered, informed of their right to seek asylum and/or offered legal representation upon their arrival on Polish territory;
- What measures are Polish authorities taking to assess whether any individual on board US removal flights face a real risk of serious harm if transferred to Ukraine, or to detect any other breaches of Poland’s obligations under international human rights law;
- Whether US authorities have transferred any individual other than those on the flights mentioned above to Ukraine via the land border with Poland since January 2025;
- What measures are Polish authorities taking to prevent further use of Polish territory, airspace, airports and related facilities for unlawful US third country removals.

We would be grateful if you would confirm the Polish government position on this matter. We look forward to your response by 1 May 2026.

Yours sincerely,



Uzra Zeya
President and CEO
Human Rights First



Esther Major
Deputy Director Research, Europe Regional Office
Amnesty International