

PUBLIC

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UA 65/09 Fear for safety / ill-treatment

BAHAMAS Detainees at the Carmichael Road Detention Centre

A number of recent media reports in the Bahamas have indicated that people being held at the country's immigration detention centre are being ill-treated. Amnesty International is concerned for their safety.

The Carmichael Road Detention Centre, which is located in the capital, Nassau, houses foreign nationals alleged by the authorities to have breached immigration laws, including asylum-seekers, some of whom are believed to be children. A journalist from a local newspaper gained access to the facility on 26 February and managed to speak to ten detainees who described the conditions of their detention. A Dominican national who was detained on 24 February claimed to have been badly beaten by guards who were trying to extract information from him. The beating caused him to cough up blood and he was repeatedly struck on his genitals. Three Cuban men have reportedly been on hunger strike since 25 February in protest at the ill-treatment they have received and their conditions of detention. One of them claimed to have been severely beaten leading him to lose several toenails and fingernails. The detainees claimed that all those held at the Centre, including women and children are marched outside three times a day in order to be counted by heavily armed guards who push them with the butts of their guns. There were also claims that there were severe problems with overcrowding with some detainees forced to sleep on concrete floors.

The Bahamian authorities have publicly denied the abuses but said they would investigate. Amnesty International, however, is concerned that any investigation would be conducted internally without independent review and oversight.

BACKGROUND INFORMATION

Asylum seekers and those deemed by the authorities to be irregular migrants, including women and children are currently detained at the Carmichael Road Detention Centre. In most cases they are subsequently returned to their country of origin. There have been frequent reports over a number of years of poor conditions at the Centre, including beatings and overcrowding. There are also allegations that some asylum-seekers have not been granted access to a fair and effective refugee determination procedure.

In October 2004 the United Nations Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment raised serious concerns about conditions of detention in the Carmichael Detention Centre. This followed the receipt of several allegations of beatings by guards, including that of several Haitians on 9 October 2004 following the escape of a number of them from the centre.

While under review at the UN Universal Periodic Review in December 2008, the Bahamas promised to respond "without delay" to concerns raised by the Special Rapporteur on the conditions of detention in the Carmichael Detention Centre.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

- expressing concern at reports that people being held at the Carmichael Road Detention Centre have been

beaten and ill-treated;

- calling on the authorities to provide appropriate medical treatment to those detainees who have been ill-treated;
- requesting an immediate, thorough and independent investigation into these allegations, ensuring that anyone found responsible is brought to justice;
- calling on the authorities to allow independent monitoring of the facility by civil society including human rights organizations;
- urging that no asylum-seeker be returned without access to a fair and effective refugee determination procedure, including the right to appeal to an independent tribunal and access to effective legal assistance, the Office of the UN High Commissioner for Refugees and interpreters;
- urging the authorities that the detention of irregular migrants and asylum-seekers should only be used as a measure of last resort and to ensure that alternatives to detention are available and accessible, in law and in practice, without discrimination.

APPEALS TO:

Deputy Prime Minister and Minister of Foreign Affairs

The Honourable Brent Symonette
Ministry of Foreign Affairs
Goodman's Bay Corporate Centre
West Bay Street
P. O. Box N 3746
Nassau, The Bahamas

Fax: +1 242 356-5990, 328-8212 or 326-2123

Salutation: Dear Deputy Prime Minister

Minister of National Security

The Honourable Tommy Turnquest
Ministry of National Security
Churchill Building, 3rd Floor
P. O. Box N 3217
Nassau, Bahamas

Fax: +1 242 356 6087 or 356 7444

Salutation: Dear Minister

Minister of State for Immigration

The Honourable Branville McCartney
Hawkins Hill
P. O. Box N-831
Nassau, Bahamas

Fax: +1 242 326 0977

Salutation: Dear Minister

COPIES TO:

Newspaper

The Tribune
P.O. Box N 3207
Nassau, Bahamas

Fax: + 1 242 328 2398

and to diplomatic representatives of BAHAMAS accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 17 April 2009.