

AMNESTY INTERNATIONAL

Public Statement

AI Index: EUR 35/002/2005 (Public)
News Service No: 305
11 November 2005

The Netherlands: No expulsions until investigations have been concluded

Amnesty International is deeply concerned about the announced expulsions of the survivors of the Schiphol Airport fire on 27 October 2005. Amnesty International calls for the survivors of the fire not to be expelled until a thorough investigation into the causes of the fire has been concluded. Amnesty International further calls on the Dutch authorities to ensure that all survivors are released from detention and given alternative accommodation as well as counselling during the duration of the investigation.

On 10 November 2005 during an emergency parliamentary debate, Rita Verdonk, Minister for Immigration and Integration Affairs, announced that she would soon initiate expulsions of survivors of the fire who are still kept in detention. Minister Verdonk said the survivors "were no longer necessary for the technical investigation" carried out by the Technical Research Team (TRT) into the cause of the fire. On 1 November 2005, Minister Verdonk promised members of Parliament (MPs) the survivors would not be expelled "awaiting the outcome of the investigation of the TRT". The results of the investigation have, however, still not been finalized.

Following Minister Verdonk's announcement, several MPs reminded her of her promise not to expel the survivors pending the outcome of the final report. Minister Verdonk explained she never intended *not* to expel the survivors until the report was finalized, and her decision to expel the survivors was supported by a majority of the MPs. In direct contradiction, the Dutch Parliament had adopted a motion stipulating that prior to expelling any survivors, a thorough independent medical and psychiatric evaluation should take place. It also urged the government to find guarantees for an adequate treatment in the countries of origin.

Amnesty International maintains that despite the motion adopted, the announced expulsions should not be carried out before the end of investigations and publication of its results. The organisation reiterates its call on the Dutch government to include as an integral part of its investigation the alleged irregularities in the detention situation prior to the fire. Amnesty International further urges the Dutch Government to investigate reports which regard the treatment of survivors after the fire. Amnesty International further believes that the ongoing investigations should include witness statements of the survivors of the fire as this could help survivors to receive compensation.

Background

On 27 October 2005, a fire at the detention centre at the Schiphol Airport detention centre killed 11 irregular migrants detained in the temporary detention centre at Schiphol Airport and wounded 15 others.

On 8 November 2005, Amnesty International called on the Dutch government to release all irregular migrants who survived the fire and did not have a criminal background as, by suspending the expulsions of the migrants, there was no longer a legal ground for detaining them. A recent verdict of the District Court of

Amsterdam on 9 November 2005 expressed a similar position. Amnesty International has also called on the government to provide all survivors of the fire with alternative accommodation, including adequate counselling services. In two separate cases, the District Court ordered survivors to be transferred to alternative accommodation as they had not received adequate treatment to cope with their traumatic experience.