AMNESTY INTERNATIONAL

Public Statement

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The Netherlands: Amnesty International saddened by deaths of immigrants

Amnesty International is saddened by the loss of lives of eleven irregular immigrants and injury to fifteen other people during the fire in the temporary detention centre at Amsterdam's Schiphol airport on 28 October 2005.

The centre, which hosts both prisoners and irregular immigrants, has caught fire on two prior occasions, the first being shortly before the centre was opened in 2003 and the second time in 2004.

Amnesty International is concerned about allegations that earlier recommendations by fire prevention officials may not have been carried out, such as the failure to provide sufficient training to personnel. Reports suggest that this may have resulted in a delayed response on behalf of the personnel to cries for help from detainees. Efforts to rescue the persons trapped in the cells were hampered by the fact that their doors could not be opened centrally, but had to be opened one at a time by prison guards. Additionally, the alleged lack of fireproof doors in the centre allowed the fire to spread more quickly.

Amnesty International is worried by reports that the survivors of the fire have been relocated, but are still being held in detention facilities. Amnesty International calls on the Dutch authorities to terminate the detention of the irregular immigrants among the survivors and offer all survivors alternative accommodation. Amnesty International also encourages the Dutch authorities to offer the survivors counselling with regards to their experiences of the fire.

Amnesty International is worried by reports that following the fire, lawyers representing survivors of the fire have not been given adequate information regarding the whereabouts of their clients and report insufficient access to them. The organization encourages the Dutch authorities to do its utmost to ensure that the survivors of the fire and their lawyers are given adequate opportunities to communicate with each other.

Amnesty International is concerned about reports that have emerged that indicate that the rejected asylum seekers who were held in the Schiphol airport detention centre were detained in the same area as persons convicted of criminal offences. The organization further expresses concerns regarding the fact that men and women were held in the same area and not in separate parts of the premises.

Amnesty International welcomes the announcements by the Dutch Minister of Justice, the Mayor of the municipality of Haarlemmermeer (where the centre is located), and the independent Dutch Investigation Council for Security (Onderzoeksraad voor Veiligheid) that thorough and independent investigations into the cause of the fire will take place.

Amnesty International urges investigators to conduct independent and thorough investigations into the deaths and injuries of migrants detained in the centre, including the cause of the fire, the fire safety mechanisms in place (or lack thereof) and the conduct and training of the personnel present at the facility at the time of the fire. Amnesty International also urges the Minister of Justice to include into the investigations the detention situation prior to, as well as after, the fire.

Background information

The fire

The fire broke out shortly after midnight and raged until 3 am. Approximately 350 prisoners were being held in the complex when the fire broke out. It is estimated about 43 persons were being held in the wing where allegedly 12 cells caught fire. The detention centre houses irregular immigrants and drug smugglers, mostly from the Caribbean.

Detention

Amnesty International opposes the detention of asylum seekers and considers it unlawful, unless they have been charged with a recognizably criminal offence, or unless the authorities can demonstrate in each individual case that the detention is necessary, that it is on grounds prescribed by law, and that it is for one of the specified reasons which international standards recognize may be legitimate grounds for detaining asylum seekers.