

PUBLIC

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Torture and ill-treatment / Forcible return

THE BAHAMAS

Rene Mendoza Banos (m)
Jorge Luis Conde (m)

Haitian and Cuban detainees, including at least five children

Haitian and Cuban detainees, including children, are reportedly being beaten and tortured by soldiers at the Carmichael detention centre in The Bahamas.

A number of Haitians escaped from the centre, which is used to hold asylum-seekers and "illegal migrants", on 9 October. Over the following two days, soldiers reportedly beat several adult Haitian detainees, apparently in retaliation for the escape. Some detainees were seriously injured, but all were reportedly denied medical attention. All the detainees who were beaten have since been sent back to Haiti, but other detainees at the centre are at risk of further violence.

On October 1, Cuban asylum-seekers Rene Mendoza Banos and Jorge Luis Conde were reportedly severely beaten with batons by soldiers, who also subjected them to a mock execution, pointing a gun at their heads. The men are reportedly members of the banned political party *Partido Democrático 30 de Noviembre* who left Cuba to escape police harassment.

On 10 October, several Cuban detainees, including children, were reportedly forced to stand against a fence inside the camp from 3pm to 5.30pm, with no water, in temperatures of around 30 degrees centigrade. Amnesty International considers that this, and the mock executions, amount to torture.

There are at least five children at the centre, aged between three and nine: at least one of them has reportedly been held at the centre for over six months. The Bahamas has ratified the UN Convention on the Rights of the Child, which states that children should only be detained as a last resort, and then for the shortest possible time.

Tuberculosis is reportedly widespread among the detainees, who are denied medical treatment and allegedly have inadequate access to food and water.

Several of the detainees reportedly wish to seek asylum. However, many have allegedly had no access to lawyers, or to the United Nations High Commissioner for Refugees (UNHCR). Amnesty International is concerned that the conditions at the centre are intended to persuade detainees to abandon their claims for asylum, and that they risk being forcibly returned without their claims being heard.

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

- expressing grave concern that detainees at the Carmichael Detention Centre have reportedly been beaten and tortured (giving details);
- requesting an immediate thorough and independent investigation into these allegations, ensuring that anyone found responsible is brought to justice;
- urging the authorities to ensure that detainees are protected from any further ill-treatment;
- expressing concern that young children are apparently detained at the centre, in contravention of the UN Convention on the Rights of the Child, and urging the authorities to end this practice immediately;

- urging that no asylum-seeker be forcibly returned without access to a full and fair refugee determination procedure, including the right to appeal to an independent tribunal and full access to legal assistance, the UNHCR and interpreters.

APPEALS TO:

The Honourable Vincent Peet
Minister of Labour and Immigration
East Hill Street
Post Office Building
Second Floor
PO Box N-3008
Nassau, The Bahamas
Fax: + 1 242 325 1920
Salutation: Dear Minister

The Honourable Cynthia Pratt
Deputy Prime Minister and Minister for National Security
Ministry of National Security
Churchill Building
Bay Street
Nassau
PO Box N-3217, The Bahamas
Fax: + 1 242 356 6087
Salutation: Dear Deputy Prime Minister

COPIES TO:

The Honourable Fred Mitchell
Minister of Foreign Affairs
Ministry of Foreign Affairs
East Hill Street
PO Box N-3746
Nassau, The Bahamas
Fax: + 1 242 326 2123 or + 1 242 328 8212
Salutation: Dear Minister

The Hon. Alfred Sears
Attorney General and Minister of Education
Ministry of Justice and Office of the Attorney General
Post Office Building
PO Box N-3007
Nassau
Fax: + 1 242 322 5921
Salutation: Dear Attorney General

and to diplomatic representatives of the Bahamas accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 29 November 2004.