

URGENT ACTION

BAHAMIAN MAN AT RISK AFTER DETENTION

After being detained by immigration authorities for more than three months, the whereabouts of a Bahamian-born man, Jean Rony Jean-Charles, are unknown and his lawyer has been denied access to the detention centre where he was being held.

Bahamian immigration officials detained **Jean Rony Jean-Charles**, a Bahamian man born to foreign parents, in early September, and his family or lawyers have not seen him since the second week of November. According to Bahamian NGO Rights Bahamas, on 4 December officials at the Carmichael Road Detention Centre denied access to Jean Rony Jean-Charles' lawyer, Fred Smith QC, and when he returned again on 5 December they informed him that his client had been "deported" from the Bahamas on 24 November. According to Fred Smith QC, the authorities have not provided him with a deportation order. In accordance with international standards, any deportation procedures must ensure individual assessment of each case, provide individuals with deportation orders in writing, and allow individuals to challenge their deportation before an independent court of law.

According to an affidavit by Jean Rony Jean-Charles' relative as part of a writ of habeas corpus, in which they also annexed a certified copy of his birth certificate, Jean-Charles was born in the Bahamas and has lived in the country all his life. As such, this gives him the constitutional right to apply and be registered as a citizen. According to Fred Smith QC, the Bahamian authorities have not charged Jean Rony Jean-Charles with a criminal offense. Therefore, his detention appears to be arbitrary, with no clear basis in law. Based on the information available to Amnesty International, Jean Rony Jean-Charles is either in incommunicado detention, itself a form of ill-treatment, and at risk of arbitrary expulsion, or has been expelled to a third country and is therefore at risk of statelessness.

Please write immediately in English or your own language:

- Calling on the Minister of Immigration to immediately grant Jean Rony Jean-Charles unrestricted access to his lawyer, and to provide his family with immediate information about his whereabouts;
- Calling on the Prime Minister to urgently share a written human rights-based migration policy that uses detention only as a measure of last resort; includes details of the processes available to those who wish to regularize their status; and screening processes to avoid the expulsion of individuals born in the Bahamas with a right to Bahamian nationality;
- Calling on the Prime Minister to fully implement the 2015 precautionary measures to safeguard the lives and integrity of detainees held at Carmichael Detention Centre, and to provide better hygienic conditions, medical treatment for detainees, reduce overcrowding, provide access to legal assistance, and allow civil society organizations access to Carmichael to monitor conditions.

PLEASE SEND APPEALS BEFORE 18 JANUARY 2018 TO:

Minister of Immigration

Brent Symonette
Hawkins Hill
P.O. Box N-831
Nassau, N.P.
Bahamas
Fax: +1 242 326-0977
Email:
brentsymonette@bahamas.gov.bs
Salutation: Hon. Minister

Prime Minister

Dr. Hubert Minnis
Sir Cecil Wallace Whitfield Centre
P.O. Box CB-10980
Nassau, N.P.
Bahamas
Fax: +1 242 327-5806
Email: primeminister@bahamas.gov.bs
Salutation: Rt. Hon. Prime Minister

Also send copies to diplomatic representatives accredited to your country. HIS EXCELLENCY MR ELDRED EDISON BETHEL, High Commission of the Commonwealth of the Bahamas, 10 Chesterfield Street W1J 5JL, 020 7408 4488, Fax 020 7499 9937, Email information@bahamashclondon.net. Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

On 28 November, seven human rights organizations, including Amnesty International, the Caribbean Institute for Human Rights, and the Center for Justice and International Law (CEJIL), among others, expressed concern about recent events in the Bahamas following the Prime Minister's announcement on 11 October that migrants with an alleged irregular status in the Bahamas will have until 31 December 2017 to regularize their status or face aggressive pursuit and deportation.

In the wake of these announcements, media reports suggest that immigration authorities began to stop, search, and conduct raids in pursuit of people perceived as migrants with irregular migratory status, the majority of them Haitians or of Haitian descent.

In 2015 the Inter-American Commission on Human Rights (IACHR) requested that the Bahamian authorities put in place precautionary measures to safeguard the lives and integrity of detainees held at Carmichael Detention Centre, including providing better hygienic conditions, medical treatment for detainees, reducing overcrowding, access to legal assistance, and allowing civil society organizations access to Carmichael to monitor conditions. To date, conditions at Carmichael remain similar to those that formed the basis of the request in 2015.