

How are Human Rights violated in a detention centre?

- Detainees are **denied FREEDOM** and therefore treated as criminals even though they have not committed any criminal act.
- There are no internal rules in detention centres, which incites **systematic violations of fundamental rights of the detained people**.

The most frequent cases being:

- The right of detainees to communicate with their families and lawyers (only 5 minutes and in the presence of police) is at discretion of the security guards, which constitutes violation of the right to defence and the principle of the presumption of innocence;
- The use of physical and psychological violence by some public security agents;
- Overcrowded cells;
- Arbitrary meal timetables;
- Insufficient rest-rooms and without free access;
- Inadequate health care.

- **Lack of transparency.** The secrecy surrounding detention centres, strategically isolated, favours this violation. The detention is decided by a judge, who, however, does not follow the process.



People detained and deprived of freedom for not having committed any criminal act.

- **Difficult access of NGOs and organizations to the premises.** The only way to know what is going on inside is through direct testimonies.
- **Defencelessness of the detainees due to lack of information.** They are not informed about their rights and lack of interpreters complicates the communication with lawyers. The insufficient communication and information causes the detainees to often miss the deadline to appeal the expulsion.

In July 2008 European countries approved a directive commonly known as the "Directive of Shame", which legalizes and worsens these violations:

- **Applying this directive, the EU countries can extend the detention up to one year and a half.**
- The discretion also increases since the detention does not have to be decided by a **judge**, but by any administrative authority.
- The directive stipulates the detention of **minors**, superimposing the condition of a foreigner over that of a minor, which violates the rights recognized by the United Nations Convention. Family reuniting is not guaranteed in expulsions.
- **A double punishment is imposed:** apart from deprivation of freedom and detention, the return to the European territory is prohibited for five years. People can be expelled to third countries instead of the country of their origin.

The Spanish State already applies a three to ten year entry ban.

For all these reasons, we SOS Racisme..denounce CIES, which are contrary to all democratic principles, to freedom and to the respect of Human Rights and we demand:

- ! **That detention centres must be shut down;**
- ! **Greater transparency and access** for the civil society and NGOs as well as regular reports on the number of detainees and the running of the centres;
- ! That while the centres remain open, a strict **regulation** of legal and humanitarian guarantees are put in place to govern the centres and to maintain human dignity of the detainees;
- ! **That the Spanish and the Catalan Ombudsmans** investigate the situation of these centres and that a regular control of these premises by an independent body is established;
- ! That political parties pressure for human rights to be defended and guaranteed during the implementation of the *Directive of Shame* in Spanish laws.
- ! **Mass media participation** in spreading the actual distortion-free information.



HELP US TO GET OUR CIES SHUT DOWN!

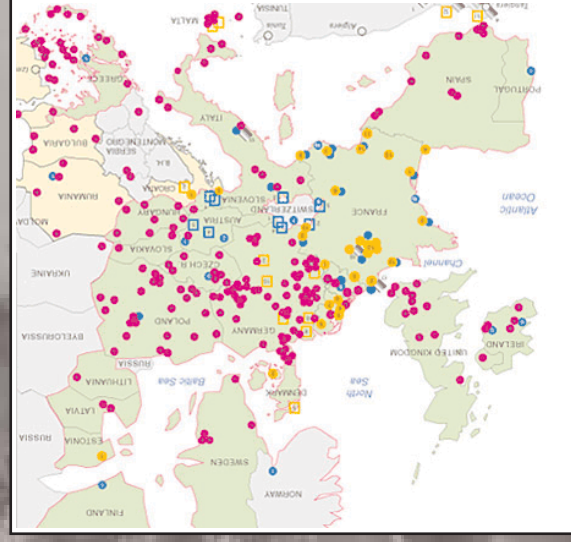
Why are detention centre inmates deprived of freedom?

The reason for their arrest and subsequent detention is **NOT** that they have committed a **criminal act**, but only misdemeanours, such as failure to renew the identity card. The detention encourages **persecution and criminalization** of people in irregular administrative situation.

It is an inadequate punishment, which clearly demonstrates that we are not all equal before the law.

Newly-arrived people and many settled people who are waiting for their documentation to be renewed or have job difficulties are affected by the lack of documentation and find themselves temporarily in an irregular administrative situation.

Many of our neighbours can get trapped in this drama of human rights violation.



www.sosracisme.org

Do you want to collaborate?

- Spread this information among your acquaintances.
- To be aware of the detention centre reality is the first step to oppose it.
- If you have been to such a centre or know of anyone who has or is, contact SOS Racisme. Any information will be of help!
- Take part in SOS Racisme activities against detention centres.
- Become a member of SOS Racisme and you will help us to fund these activities and other projects.
- If you are a member of another entity: Help us to distribute this information leaflet by placing a link on your website, via e-mail, your newsletters, etc. This will multiply the impact of the message!

If you want to participate, don't hesitate!

* Call us to 93 301 05 97

* Send us an e-mail to

sosracisme@sosracisme.org

* Come to the informative meeting which takes place every last Thursday of the month in the SOS Racisme centre at 7.30 pm.

We are waiting for you!!

This activity is organized by:



SOS Racisme - Catalunya

c. Hospital, 49 Ppal

08001 Barcelona

T. 93 301 05 97

F. 93 268 16 37
sosracisme@sosracisme.org

S.O.S. RACISME

Centres for the Internment of Foreigners (CIES) violate Humans Rights

What are the Centres for the Internment of Foreigners?

They are non-penitentiary centres where foreigners, who were arrested because of irregular administrative situations (i.e. they do not have documentation) are detained while their expulsion order is being processed.

At present, the detention limit is **40 days** and can result in expulsion or an outstanding expulsion order. Such centres have existed in Spain since **1985**.

Nowadays there are **280** centres in Europe

including **11** in Spain,

and **1** in Barcelona (Zona Franca)