

Refugees protest conditions in Belgium's "closed centres" for asylum-seekers

Richard Tyler**1 September 1999**

In August, asylum-seekers being kept in one of Belgium's "closed centres" held a hunger strike lasting several days. They were protesting at the conditions in which they are forced to live, and the impact this was having on their children.

The hunger strikers are incarcerated in a wing of the detention centre known as "Steenokkerzeel bis 127", near Brussels Zaventem airport. Kept inside for 22 hours of every day, they are only permitted two hours to walk outside—in a yard surrounded by barbed wire and under constant supervision. Two women involved in the hunger strike were moved to another "closed centre", Vottem near Liege, in an attempt to isolate them.

The oppressive environment inside Steenokkerzeel is having a particularly detrimental affect on the children there. Jan Fermon, the Belgian lawyer of a Lebanese couple detained at the centre with their three children aged 4 years, 3 years and 8 months, told the press: "The parents can't take any more. Their first concern is to get their children out of there. They watch them regressing day after day. There are 13 children in the centre, from one month to 13 years old. Their living conditions are intolerable. The children live in a permanent climate of tension and fear."

Another case Fermon reported was of a mother who has been detained with her two small children for six months. One of them has become psychologically disturbed, crying continually, and also exhibiting extreme aggression, biting everyone. The lawyer said that two child psychiatrists who had visited spoke of "psychological ill-treatment".

Another refugee wrote to his lawyer that "we are awakened at 6.30 every morning and are not allowed back into our rooms until 10 in the evening. During the day, we just sleep on the chairs." This detainee also complained that staff routinely listened in on his telephone calls to his lawyer. Such intimidation is common, and discourages the reporting of instances of mistreatment. When a visit is made by an outside organisation, the staff are warned in advance and ensure that nothing untoward occurs. Books and videotapes are distributed prior to the visit, to create a good impression.

Amnesty International's 1999 report criticised Belgium for its mistreatment of asylum-seekers inside the three "closed centres". For the second year, Belgium was included among the states named in Amnesty's report. Of major concern in Belgium, the document lists police brutality and restrictive asylum policies.

One of the cases it highlights is that of Hovhannes Karapetyan, an Armenian refugee. After an unsuccessful attempt to deport him,

he was returned to Steenokkerzeel where guards assaulted him, breaking his arm and causing him to lose consciousness. He was then put into solitary confinement in this condition. When he asked to see a doctor, the guards assaulted him once more. He was only taken to hospital the next day.

The Aliens Department claim that Karapetyan inflicted the injuries himself, as he was opposed to his deportation. "Guards intervened to remove him from the building, but faced with his aggression, put him in shackles in solitary confinement. The doctor came, but he [Karapetyan] refused to see him. In the cell, the prisoner threw himself against the wall. So the guards put him in shackles again," a spokesperson said. When the doctor at the centre said that because of his broken arm Karapetyan could not be "seized" for three weeks (effectively stopping his deportation), the Aliens Department saw this as "proof" he had inflicted the injury himself.

Amnesty also document how, once lawyers acting for a female asylum-seeker raised complaints about her ill treatment, she was rapidly expelled from Belgium.

As a result of the NATO war against Yugoslavia, the numbers of refugees from Kosovo seeking asylum in Belgium increased dramatically. Normal reception facilities were soon overwhelmed and many refugees found themselves on the streets, forced into night shelters. Laurence Geyduscheck, who runs the emergency reception centre at Rue des Palmiers in Woluwe-Saint-Pierre, said that the facility was only intended as "a transit centre, for stays of one night. The system couldn't cope. Each morning, people stayed there or came back again since they had been unable to find any other accommodation." Geyduscheck said that his centre did not even have an interpreter but had to rely on the Moroccan cleaner!

Social workers have denounced the government's policy of dispersing refugees around the country. This can mean that they are sent to areas far away from family and friends, without easy access to lawyers or where immigration tribunals are held. In one case, a small girl was sent to a centre in French-speaking Wallonia, while her parents were sent to Dutch-speaking Flanders.

Asylum-seekers and refugee organisations have denounced the methods used by the authorities in cases of forced deportations. These have included administering powerful sedatives, the use of sticking plaster over the mouth to prevent the deportee calling for help and the routine shackling of hands and feet.

Refugee organisations report a number of attempted suicides in Steenokkerzeel and Vottem. Guards at several of the "closed

centres" have been accused of racism. The poor quality of the food at Vottem led to a one-day hunger strike. Outside the centre, a regular protest has been subject to police harassment. To prevent the protesters communicating with the detainees while they take their exercise in the yard, the authorities have put up high barriers and covered the fencing with panels.

The International Federation of Human Rights Leagues (FIDH) has criticised the legal framework under which some asylum-seekers are kept in "closed centres" as "arbitrary, incomplete and without recourse to appeal". Until the introduction of the Royal Decree at the end of May 1999, there were no specific legal texts concerning the operation of these detention centres.

An article in the Belgian daily *Le Soir* noted, "The general philosophy of this Royal Decree is marked by an evident preoccupation with security. Communications with the outside world are tightly controlled. Non-governmental organisations no longer have any rights of entry. The only authorised visitors are the detainees' lawyers, direct family members (parents, spouses, brother or sister), institutions charged with examining asylum requests, the Equal Opportunities Centre, ministers of religion or lay advisors."

However, as FIDH points out, the latter can only visit if the detainee requests it, and they are forbidden "to reveal anything which they learn as a result of their visit". If outside visitors render any assistance; they must express a neutral attitude regarding the government's policies towards foreigners and the operation of the [detention] centres". The same limitations are also imposed on cultural and sporting bodies active inside the centres, "their objectives cannot contradict the policies of the government", FIDH notes.

Family visits must not exceed half an hour and every visitor must undergo a body search. A member of staff accompanies all visits. Detainees' access to telephones and mail can also be prohibited, if it is considered they "threaten public security".

Until recently, there were no formally agreed guidelines governing the operation of these centres and the treatment of detainees. Only in May this year did a Royal Decree formalise the situation. This regulates the use of solitary confinement, as well as any sanctions and coercive means that can be employed against inmates. "As a rule, inmates live in groups, but those to be expelled can be put into solitary confinement," *Le Soir* notes.

The Equal Opportunities Centre complained that the decree contained no provisions for investigating complaints from those detained, as it had suggested. The FIDH concluded, "It is a regulation which follows the same logic as the use of private jets [to fly deportees away]. Information is thought to pose the problem, so put the lid on all public debate about the working of the centres." The FIDH also raises how the decree contains no provisions for detainees to have recourse against any sanctions taken by the staff against them.

Since the death of the young Nigerian asylum-seeker Semira Adamu last year, the Belgian authorities have tried to make such forced expulsions less likely to raise public protest or encourage other refugees to resist their deportation. Semira Adamu died on September 22 as a result of an attempt to forcibly deport her. The 20-year-old woman had physically resisted five previous attempts

to expel her. This time, the gendarmes who accompanied her pushed a cushion against her face to prevent her cries being heard by others. She quickly lost consciousness, and died in hospital later the same day. The initial autopsy put the cause of death as asphyxia.

The Belgian government responded by establishing the "Vermeersch Commission," under Étienne Vermeersch, a professor of moral philosophy. This supposedly "independent" commission produced a report that, while criticising the more violent aspects of deportation procedures (such as the "cushion technique"), proposed alternative measures to deal with forcible expulsions. The problem, as Professor Vermeersch's report puts it, is one of "communication", and how to lessen the likelihood a deportee's resistance may encourage others to resist. (At the time of the killing of Semira Adamu, a total radio and television blackout was imposed inside Steenokkerzeel.)

"Many forms of violence and rebellion could be avoided by decreasing the tension of the people to be removed." The report proposes that deportees should be given more warning of their impending expulsion, rather than informing them "at the last minute". "One could give deportees a limited amount of money," which would be withheld "in the event of violent resistance".

Police representatives on the commission pointed out that restraint was most often used to prevent the deportee drawing the attention of others. The report baldly notes that as "these expressions of rebellion cannot be controlled at all in a humane way when using scheduled aircraft flights," then private "business aircraft" could provide a more discrete way of enforcing removals.

Philippe Hensmans, a director of Amnesty International, told the press: "There have to be witnesses on departure and arrival, to at least guarantee that no violence occurs on board these planes." Patrick Charlier, director of the Human Rights League, asked, "where is the limit" if private aircraft are used to transport deportees? "One starts with five passengers, but in order to show a profit, one finishes with 50 or more." Charlier said that the commission's proposals to "persuade" refugees to accept their deportation came close to the "psychological violence" that the Committee for the Prevention of Torture had denounced in the Dutch treatment of deportees.



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