

Amnesty report criticises Spain over human rights

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Spain's record on human rights is severely criticised in last month's Amnesty International annual report, particularly over the treatment of immigrant women and children.

Referring to asylum detention centres, Amnesty reports, "The decrepit and unhealthy state of many centres did not comply with national law and regulations on the imprisonment of children." The Educational Centre for Child Offenders in Melilla was recommended for immediate closure. It had a dilapidated structure, small and poorly lit cells, and only one small outdoor courtyard. Conditions in child detention facilities around Madrid were little better. They were overcrowded, had poor sanitary facilities and lacked basic furniture, such as beds and tables.

Some 7,500 migrants have arrived in the Canary Islands in the Atlantic in 2005—five times more than in 2004 and over another 1,000 more, traveling in small fishing boats, are estimated to have drowned. This figure has increased in the first half of 2006.

"In April the Ombudsperson for the [Spanish] Autonomous Community of the Canary Islands condemned 'institutional ill-treatment' of minors in the Canary Islands. In June the first assistant to the national Ombudsperson requested the immediate closure of the detention centre in Gáldar on Gran Canaria, where conditions were particularly insanitary. The same recommendation was made by the Council of Europe's Commissioner for Human Rights," Amnesty reports. Although some cosmetic changes to the centre have been made recently, it remains open. The centre is located next to a bird farm which exhales unbearable odours and flies.

Amnesty International denounces both Spain and Morocco for their treatment of immigrants. At least 13 migrants from sub-Saharan Africa have died and scores

have been injured trying to enter the Spanish enclaves of Ceuta and Melilla in North Africa, most as a result of excessive force or ill-treatment by the Spanish and Moroccan security forces.

It reports, "In October the Moroccan authorities reportedly bussed hundreds of men, women and children to the border with Algeria. In that same month, the international aid organization Médecins Sans Frontières reported finding more than 500 migrants, some handcuffed together, abandoned in the desert by the Moroccan authorities without food or water."

Amnesty cites the case of Ayukabang Joseph Abunaw, aged 31, who was killed by a rubber bullet fired by the Civil Guard at close range as he tried to climb over the perimeter fencing at Melilla. Eyewitnesses saw the Civil Guard officers beating Abunaw with rifle butts and dragging him back into Moroccan territory.

Another four men from sub-Saharan Africa died and several others were seriously injured during the night of September 28 when several hundred people were confronted by Spanish and Moroccan security forces as they climbed razor-wire fencing around Ceuta. According to reports, two bodies on the Spanish side and two on the Moroccan side all had bullet wounds.

Regarding the situation of asylum-seekers, the report states:

"While migrants already living in Spain were offered the opportunity to regularize their residency most of those who succeeded in crossing Spain's southern borders in North Africa and the Canary Islands were denied assistance to seek asylum. Many were unlawfully expelled. Those people who were fleeing violence, injustice and deprivation continued to face obstacles in accessing asylum processes. Asylum-seekers were denied the necessary guidance and legal

support.”

The ill-treatment recorded by the human rights group is not limited to immigrant workers. Amnesty states that torture and ill-treatment had been reported across Europe, repeatedly citing Spain. “Direct attacks on civilians, including in Russia, Spain, Turkey and the UK, led to loss of life and many injuries. Governments continued to attack human rights in the name of security, including through measures that undermined the universal and absolute ban on torture and other ill-treatment.

“Victims described a catalogue of abuses, including being beaten, stripped naked and threatened with death; deprivation of food, water and sleep; having plastic bags placed over their heads; and threats against their family. In some cases, detainees reportedly died as a result of such abuse or excessive use of force, including in Bulgaria, Russia and Spain.”

In December Spain ratified the Optional Protocol to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, but Amnesty cites the use of tasers on people in custody.

It refers to the case of Juan Martinez Galdeano who died while detained by the Civil Guard in Roquetas de Mar, Almeria, on July 24. An internal investigation reported that closed circuit television footage showed that a baton and a taser had been used to restrain him. An autopsy revealed a causal link between the detainee’s death from “acute respiratory or cardio-respiratory insufficiency” and his treatment in detention. He had cuffs on both hands and feet, and his body bore numerous injuries consistent with being struck by a baton.

Although the Civil Guard had stated that taser guns and other electro-shock weapons were not in official use, “such weapons were reported to have been imported and used by the Civil Guard Special Intervention Unit, and local police forces in the Canary Islands, Espartinas (Seville) and Alcalà de Xivert (Castellón). The Interior Ministry said in April that no such weapon had been acquired, but conceded that ‘there [were] no specific rules regulating the possible abuses of this type of weapon’.”

Also high on the list of human rights violations in Spain is the way the state deals with violence in the family. The report complains that survivors of domestic

violence continued to experience considerable obstacles in obtaining assistance, protection and justice. Prejudice and discriminatory practices in public institutions and a lack of coordination between responsible government bodies increased the impediments for the most vulnerable groups, particularly undocumented migrant women, Roma women, and women with disabilities, mental disorders or addictions.

The 2006 report ends with the attitude of the Spanish government to the situation of the victims of the 1936-39 Civil War and of the Francoite fascist dictatorship. It states that the Socialist Party (PSOE) government has failed to present a report on the situation of such victims requested by parliament in 2004 in order to allow reparations for its victims. “In December 2005 President Zapatero promised to present the results of the commission’s work within six months,” the report says. To date no such reparations have taken place. Amnesty had already asked that access to the archives of the war should be facilitated.



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