



21st Session of the Committee on Migrant Workers: Issues regarding Immigration detention in Mauritania and Belize

Mauritania

During its deliberations to adopt the list of issues prior to the presentation of the report by Mauritania, the Global Detention Project suggests that the Committee consider the following issues relating to Article 16 (Protection against arbitrary arrest and detention):

- According to the most recent information obtained by the Global Detention Project, the Nouadhibou detention centre was closed in May 2012 and foreign nationals without permits or otherwise in immigration control proceedings were held in police custody at the central police facility in Nouadhibou. Can you please confirm if this remains the situation today?
- Have other immigration detention centres been open since the closure of the Nouadhibou centre? If so, indicate where and what is their capacity. If not, please provide information on any other facilities that are being used for the purposes of depriving non-citizens of liberty for purposes related to immigration measures or asylum or refugee procedures.
- Are women immigration detainees supervised by female personnel and held in gender-appropriate conditions? Please detail any gender-specific accommodations provided women detainees.
- If families are placed in immigration-related detention, what types of facilities are used for this purpose?
- Does Mauritania exercise effective control and jurisdiction over non-citizens held for immigration procedures, or are other countries, notably Spain, directly involved in these procedures?
- Are unauthorized migrants detained in prisons or police stations? If so who has authority to arrest and detain them? Additionally, are migration-related detainees who are held in prisons or police facilities provided separate areas so that they are not mixed with detainees in criminal procedures?
- Are readmitted foreign nationals who transited through the country before reaching Spain placed in detention?
- Is law No.65 046 which penalizes illegal entry and stay with a two-month to two-year prison sentence still into force? Is so, is it applied systematically or only in certain cases. If the latter, in which instances is it applied?

- Has there been a reform of 1964 and 1965 decrees which regulate foreign nationals' entry and stay conditions?
- Do Mauritanian authorities maintain records and statistics on who is placed in detention, where they are held, and for how long? Please provide statistics on the following: A) The total number of people placed in immigration-related detention for all available years; B) Desegregated statistics on the number of men and women placed in detention for all available years; C) The total number of minors placed in immigration-related detention for all available years; D) Desegregated statistics on the number of accompanied minors and unaccompanied minors placed in immigration-related detention for all available years; E) The average length of time a person stays in immigration-related detention during specific years; F) Statistics on the numbers of different nationalities placed in immigration-related detention.

Belize

The Global Detention Project notes in the Committee document "List of issues prior to the submission of the initial report on Belize" (adopted by the Committee at its eighteenth session during 15-26 April 2013) that several issues related to immigration detention were mentioned, notably in paragraphs 10, 11, and 12. To these issues, the Global Detention Project suggests adding the following questions:

- Does Belize intend to open a specialized facility for the purposes of immigration-related detention? If so, when is it intended to be open and where will it be located? In the event such a facility is planned, have Belize authorities sought advice on how to operate such a facility and train personnel? If so, from whom?
- Do the relevant Belize authorities maintain records and statistics on who is placed in detention, where they are held, and for how long? Please provide statistics on the following: A) The total number of people placed in immigration-related detention for all available years; B) Desegregated statistics on the number of men and women placed in detention for all available years; C) The total number of minors placed in immigration-related detention for all available years; D) Desegregated statistics on the number of accompanied minors and unaccompanied minors placed in immigration-related detention for all available years; E) The average length of time a person stays in immigration-related detention during specific years; F) Statistics on the numbers of different nationalities placed in immigration-related detention.
- Who owns and operates the Belize Central Prison? According to previous information received by the Global Detention Project, the prison has been operated by a private contractor called the Kolbe Foundation. Does this foundation continue to operate the prison? Do they own it? What were the reasons for choosing a private contractor to operate the facility and is this intended to be a long- or short-term contract?
- Please provide any details related to the contractual agreement between the Belize government and the private contractor operating the prison, including the length of the contract, the amount paid to the contractor, and specific operating procedures provided in the contract.

- If a private contractor operates the prison, which government agency exercises legal custody over people held in this facility for immigration-related reasons? If detainees report abuses at the hands of prison personnel or inappropriate detention conditions on this facility, who has ultimate responsibility for redressing any allegations that prove to be well founded, the Belize government or the private contractor?
- Are unauthorized migrants detained in prisons or police stations? If so who has authority to arrest and detain them? Additionally, are migration-related detainees who are held in prisons or police facilities provided separate areas so that they are not mixed with detainees in criminal procedures?

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Contact:

Michael Flynn, Executive Director
michael.flynn@globaldetentionproject.org

Mariette Grange, Senior Researcher
mariette.grange@globaldetentionproject.org