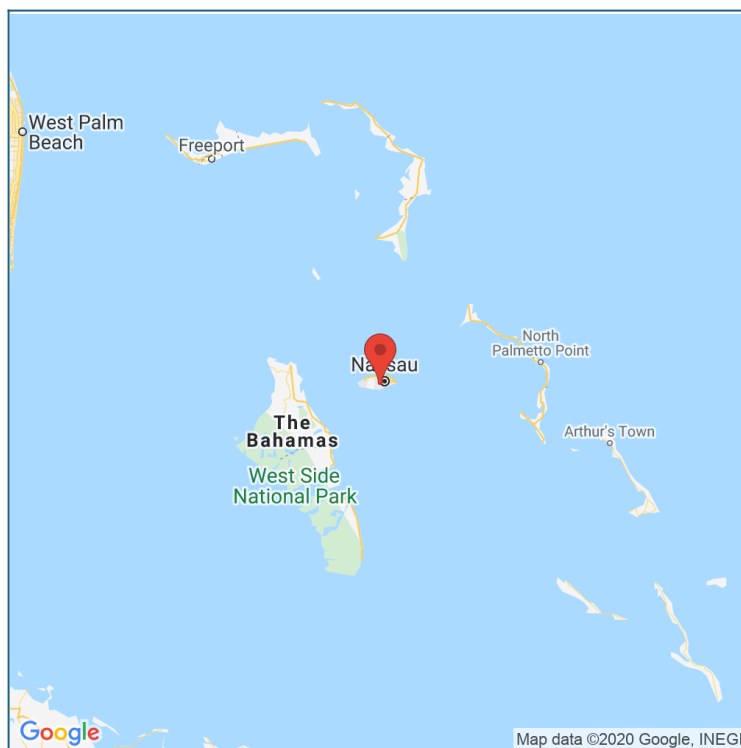


Bahamas Immigration Detention Data Profile



Quick Facts	
Immigration detainees (2019)	Not Available
Detained minors (2017)	Not Available
International migrants (2019)	62,962
New asylum applications (2016)	0

NOTES ON USING THIS PROFILE

- Sources for the data provided in this report are available online at: <https://www.globaldetentionproject.org/countries/americas/bahamas>
- "Observation Dates" indicate the timeframe statistical data correspond to or other data were last validated. More than one statistical entry for a year indicates contrasting reports.

STATISTICS

Detention, expulsion, and incarceration statistics

		Observation Date			Observation Date
Total number of immigration detainees by year	Not Available	2019	Total number of detained minors	Not Available	2017
Criminal prison population	1,727	2016	Prison population rate (per 100,000 of national population)	439	2016
	1,433	2013		379	2013

Demographics and immigration-related statistics

		Observation Date			Observation Date
Population	400,000	2020	International migrants	62,962	2019
	388,000	2015		59,300	2015
	400,000	2012		61,300	2013
International migrants as a percentage of the population	15.3	2015	Refugees	10	2019
	16.3	2013		15	2018
				12	2017
				9	2016
				8	2015
				15	2014
Ratio of refugees per 1000 inhabitants	0.03	2016			
	0.03	2014			
	0.1	2012			

DOMESTIC LAW

LEGAL TRADITION

Legal tradition	Name	Observation Date
	Common law	2017

COVID-19 UPDATES

	Update Status	Observation Date
Latest Update	The Bahamas operates one dedicated immigration detention centre, the Carmichael Road Detention Centre, which has been repeatedly criticised for having appalling conditions. In early June, a protest broke out in the centre following a hunger strike, with some detainees attempting to escape. Tensions at the facility have reportedly been increasing as Covid-19 slowed deportation and repatriation procedures. From 4 to 19 August, the country was in total lockdown due to a surge in Covid-19 cases following the reopening of borders. The organisation RIGHTS Bahamas called for a better treatment of the migrants at the centre. In late July, there were reports that a military base on Ragged Island was being used to detain Haitians migrants intercepted at sea, leading to protests among detainees.	2020

INTERNATIONAL LAW

Relevant international treaties and date of ratification			
International treaties	Name		Ratification Year
	CAT, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment		2018
	CRPD, Convention on the Rights of Persons with Disabilities		2015
	ICESCR, International Covenant on Economic, Social and Cultural Rights		2008
	CTOCTP, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children		2008
	CTOCSP, Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime		2008
	ICCPR, International Covenant on Civil and Political Rights		2008
	CEDAW, Convention on the Elimination of All Forms of Discrimination against Women		1993
	CRSR, Geneva Convention Relating to the Status of Refugees		1993
	PCRSR, Protocol to the Geneva Convention Relating to the Status of Refugees		1993
	CRC, Convention on the Rights of the Child		1991
	VCCR, Vienna Convention on Consular Relations		1977
	ICERD, International Convention on the Elimination of All Forms of Racial Discrimination		1975
Ratio of relevant international treaties ratified	12/19		
Relevant international treaties and date of ratification			
International treaty reservations	Name	Reservation Year	Observation Date
	CRC Article 2	2014	2014
	ICESCR Article 2	2008	2008
	ICCPR Article 14	2008	2008
	CEDAW Article 2	1993	1993
Relevant international treaties and date of ratification			
Ratio of complaints procedures accepted	Number		Observation Date
	0/5		
	0/5		
Relevant international treaties and date of ratification			
Relevant recommendations issued by treaty bodies	Name	Recommendation Excerpt	Recommendation Year
	Committee on the Elimination of Discrimination Against Women	§30 (d) Ensure that refugees and asylum seekers, in particular women and girls, are not penalized for illegal entry and stay in the country, that detention of asylum seekers is used only as a last resort , where necessary and for as short a period as possible, and that safeguards against refoulement are fully implemented; improve the conditions in detention facilities for women asylum seekers in accordance with international standards; and ensure the provision of adequate health facilities and services, in particular for pregnant women.	2012

Regional treaties, regulations, and directives

Regional legal instruments	Name	Year of Ratification (Treaty) / Transposed (Directive) / Adoption (Regulation)
	CBDP, Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Convention of Belem do Para)	1995

Non treaty-based international human rights mechanisms

Visits by special procedures of the Human Rights Council	Name	Year of Visit	Observation Date
	Special Rapporteur on trafficking in persons, especially in women and children	2013	2015

Non treaty-based international human rights mechanisms

	Name	Recommendation Excerpt	Recommendation Year	Observation Date
<p>Relevant recommendations by UN Special Procedures</p>	<p>Special Rapporteur on trafficking in persons, especially in women and children</p>	<p>§21. The Bahamas is located in a complex migratory environment and exposed to substantial irregular migration flows. In 2009, the International Organization for Migration (IOM) estimated that between 20,000 and 50,000 undocumented Haitians were living in the Bahamas.^[1] The Immigration Act of 1967 contains provisions on the entry, residence, transit, and exit of migrants, and also criminalizes violations related to immigration status. Immigration officers have the authority to detain anyone refused entry pending removal from the country (sect. 25, para. 4). Any foreign national apprehended in the country after having irregularly crossed the Bahamian borders is subject to detention and removal (sect. 26).</p> <p>§22. The Act stipulates that irregular migrants are liable to pay a fine of up to US\$ 300 dollars and/or imprisonment for up to 12 months (sect. 19, para. 2). Irregular migrants have been detained in the Carmichael Road Detention Centre, the only dedicated immigration detention centre in the country, which is located in Nassau. At the time of the Special Rapporteur’s visit the centre housed 133 detainees comprising 12 to 15 different nationalities, including several detainees from India, the Dominican Republic, Cuba, Haiti and Colombia, one from Kenya, one from Eritrea and one from Ghana, among others. The Special Rapporteur expressed concern with regard to the poor conditions and the length of detention, which do not meet international standards. The centre was obviously overcrowded, as the main section for men had a capacity of only 70 beds and one room for sanitary facilities.</p> <p>23. Although no children were present in the detention centre at the time of the visit, the Special Rapporteur notes with deep concern that children have been detained with their mothers for lack of alternative facilities and measures to cater to this population of undocumented migrants and in violation of all relevant international human rights and humanitarian norms. This is all the more alarming since, according to IOM, the majority of persons entering the Bahamas are Haitian children under the age of 14.</p> <p>§24. Some of the migrants informed the Special Rapporteur that they had been detained for over 12 months, one of them for several years. The authorities justified the lengthy detention of certain individuals as a result of challenges in communicating with certain countries of origin to receive identification and travel documents in order to proceed with the removal process; but also mentioned complications in obtaining transit visas for those whose return travel itineraries transit through several countries.</p> <p>§25. According to the testimony of the Dominican women who were detained at the time of the Special Rapporteur’s visit, immigration officers found them blindfolded in a house in the island of Grand Bahama, where their smugglers had abandoned them after telling them they had reached the United States. They were immediately brought before a judge and sentenced to pay a US\$ 300 fine for the offence of irregular entry, without ever being properly screened to determine whether they had been trafficked. It is only when they reached the undocumented migrants detention centre in Nassau that they finally received medical screening. That testifies to the poor implementation of screenings to identify victims of trafficking, and to detect persons in need of humanitarian protection. Despite the fact that one of the women was three months pregnant she remained in detention awaiting the execution of the removal order.</p> <p>§28. The Special Rapporteur received information that the Government of the Bahamas has started to consider alternatives to detention for refugees, asylum seekers and, on certain occasions, for migrants, based on humanitarian grounds. The Government also took steps in 2012 to provide permanent residency for several long-term recognized refugees, most of Cuban and Haitian origin. Those initiatives are welcomed and should be extended to all persons in need of international protection.</p> <p>§80. ...the country lacks a comprehensive assessment of the trends and scope of trafficking, and victims are rarely identified or referred to assistance programmes. The restrictive immigration policy leading to the Government’s rapid deportation of migrants, who arrive mainly by boat, especially from Haiti and the Dominican Republic, informed by existing memorandums of understanding with the countries involved, may lead to the arrest, detention and deportation of potential victims of trafficking without providing the opportunity for identification and assistance. The Special Rapporteur’s fears are heightened by the fact that there is a capacity gap in terms of ability for quick and accurate identification of victims of trafficking.</p> <p>§89. With respect to support services for victims of trafficking, while the Special Rapporteur acknowledges the efforts made to develop a plan to assist victims of trafficking, she notes that the guidelines remain general, and recommends that the Government:</p> <p>... (c) Make provision for appropriate support, including the establishment of separate shelters for child victims of trafficking and adults. Shelters should also be made available outside the capital city;</p>	<p>2014</p>	<p>2014</p>

Non treaty-based international human rights mechanisms

Relevant recommendations of the UN Universal Periodic Review	Recommendation Issued	Year Issued	Observation Date
	Yes	2009	2017
	Yes	2013	

More information about immigration detention in Bahamas is available at the website of the Global Detention Project
(www.globaldetentionproject.org)

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