

EU  
With Refuge Like This...  
By David Cronin

**BRUSSELS, Jun 16, 2010 (IPS) - Habtom, a 30-year-old Eritrean, has all the grim qualifications needed to be a refugee. He was arrested for protesting a dictatorship, tortured in custody, and fears his life would be at risk if he returned home. Another part of his story is also typical: he suffered lengthy detention in a European Union nominally committed to the universal defence of human rights.**

Four years ago Habtom (not his real name) fled to Malta. It would take 11 months before the island's officials interviewed him and became aware of how he had taken part in student demonstrations against his government in 2001 and how he had subsequently been jailed and beaten for daring to question his commanders while he was a military conscript. Throughout that time, he was locked up at a detention centre. After his interview, he was held there for yet another month - before he was eventually recognised as being in need of protection.

Habtom was one of 40 people held in a room about seven metres wide and 15 metres in length. "It was very overcrowded," he told IPS. "The atmosphere in summer was very hot. There was no air-conditioning, no ventilation, and for four to five months no access to fresh air. Five months later we were allowed out for one hour a day, even though there was a yard next to the room. Almost everybody had a skin problem and was scratching their skin but we were not given proper medical service. One person was inspected and given some treatment and then the same cream was given to everybody."

The psychological consequences of detention were profound. Depression was common and one of his fellow detainees attempted suicide. "I spent my time reading books and generally I managed to survive," he said. "But now I notice that my memory is not as before. I realised that this happened after detention: my memory has really been affected."

A new report from the Jesuit Refugee Service (JRS), 'Becoming Vulnerable in Detention', indicates that Habtom's plight is similar to that of numerous asylum-seekers throughout the EU. Based on a survey of 700 detainees in 21 EU countries, the report found that more than 70 percent of people held for four to five months suffer mental health issues that they ascribe to the conditions in which they find themselves. Yet in 87 percent of detention cases examined, no psychiatric treatment was made available. Other medical specialists such as gynaecologists and dentists are generally not found either.

The study indicates that almost every asylum-seeker can suffer lasting damage by being detained. "Usually vulnerable groups are clearly defined: such as pregnant women or unaccompanied minors," said JRS spokesman Philip Amaral. "But a 30-year-old single male also possesses social and personal factors that make him more vulnerable. An inability to speak the language (of the country where is seeking asylum) can make him much more vulnerable and affect his mental health."

Although human rights campaigners insist that asylum-seekers should only be detained if there is a clear case that this is necessary on security grounds, they fear that detention will become more routine as a result of a new EU law. Under the "returns directive" - which lays down rules for the expulsion of migrants not allowed to remain in Europe - governments can detain asylum-seekers for up to 18 months. The EU's governments are required to place the directive on their statute books by the end of this year.

"If we go back a few years, detention was really the exception," says Bjarte Vandvik from the European Council on Refugees and Exile, an alliance of organisations working on asylum issues. "It was only the UK that was really detaining people and there were lots of cases taken against it in Strasbourg (home to the European Court of Human Rights). What we are seeing now is an increasingly non-welcoming, not to say hostile, attitude to asylum in Europe. This is one of the areas where politicians want to appear tough. By using detention, they are sending the wrong signal: 'don't come here because we're going to treat you badly'."

Britain, which has an exemption from the directive, has recently announced that it will cease detaining child asylum-seekers. But Vandvik noted that other EU countries continue to do so. "Germany still does it," he said. "Very simply, putting children who have committed no crime in prison is just abominable."

Jerome Phelps from the London Detainee Support Group says that the British exemption means there will be no time limit on how long it can detain asylum-seekers. Despite the decision not to lock up children, adult asylum-seekers are still frequently detained in Britain. Official data indicates that at any one time, more than 220 asylum-seekers have been in detention in Britain for longer than a year but Phelps believes that this is an underestimate.

A major problem, he said, is that Britain tends to lock up people from countries such as Somalia and Iran, who cannot be deported because of the political situation in their native lands. Britain also detains those found to be working without the required permits. "We are very keen that the government should view the ending of the detention of children as a first step towards a broader reform of a very expensive and dysfunctional system," Phelps added. (END)

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