

Dutch Detention

Dateline, SBS, Australia, 19 July 2006, reporter: Nick Lazaredes

In the port city of Rotterdam a group of protesters gathers outside one of Holland's new floating detention centres.

PROTESTER, (Translation): Free the refugees. Free, free, free...

A Lebanese family joins them, anxious to contact their brother locked up inside.

AMANI SHABAN, ASYLUM SEEKER: Fadel, I love you!

MAN: How are you?

MAN 2: Yeah, we hear you! Yes, we hear you, we are here you! We can even see you!

Inside these gigantic metal barges, hundreds of would-be immigrants are feeling the heavy arm of Dutch justice. For families trapped on the outside, it's too much to bear.

AMANI SHABAN (Translation): I've lived here for 13 years, I've grown up here, I've done my schooling here, and it's been perfect up to now. But after the last election, things got bad.

In recent years, Holland's conservative right-wing government has embarked on an ambitious - and some say ruthless - campaign to deter migrants. On paper, the number of asylum requests has been slashed by 90% from 40,000 a year to just 4,000. But the cost to human rights and to Holland's international reputation may be high.

ROBERT VAN DE GRIEND, JOURNALIST: People were treated like they were criminals or like they were dogs, basically - they shout at them all the time. If a Muslim was praying, he was just pushed away. You know, these people haven't done anything wrong, but they are treated like they are animals.

JAN DE WIT, DUTCH SOCIALIST PARTY: It's a big shame. Holland, who always has a big mouth about human rights, and now we are maybe being condemned by Amnesty International.

This is the author of Holland's tough new approach, Minister for Immigration Rita Verdonk. She's well qualified - Verdonk is a former prison warden. She

claims Margaret Thatcher as a political role model, and her enemies have dubbed her "Iron Rita".

JAN DE WIT: She was the one who expelled all the asylum seekers. She was the one who gave our country another policy on that, as far as it concerns the asylum problems.

Verdonk's success often has her compared to the maverick anti-immigration politician Pim Fortuyn who was murdered in 2002. Like him, she's both admired, despised, and under attack. Here, protesters ambushed Verdonk, spraying her with tomato sauce. Attacks like this have become so common that she's has been given her own bodyguards.

REPORTER (Translation): Did you get a fright?

RITA VERDONK, MINISTER FOR IMMIGRATION (Translation): Of course I did. I say "Good afternoon", go inside and suddenly I think, "What's this?" Well, it was tomato ketchup and I've already put it out of my mind. So I'm off to the exhibition now. Thank you.

Back in Rotterdam, Verdonk has come up with her own version of Australia's offshore detention centres.

MAN: My dear brothers, I was seven months here. I know how difficult inside. I know how pain inside.

More than 700 people are detained at any one time on these two barges.

ASTRID: There are six people in one little cell. They cannot breathe some air. They have them in cages like Guantanamo Bay. For little offences, people are being put in isolation cells.

For the prisoners, the demonstration offers a rare chance to communicate with the outside. The Shaban family is trying to make contact with their brother and son, Fadel.

AMANI SHABAN (Translation): They're deporting people after 13 years. When you tell the Dutch people that this is going on they feel ashamed of their country.

Holland's prison barges were rarely mentioned in the Dutch media until a journalist used subterfuge to get on board.

ROBERT VAN DE GRIEND: When you've done a murder, or when you are a rapist in Holland, you get

treated much, much better than when you've done basically nothing, and that's what I think is really very cruel.

Robert van de Griend edits a Dutch news magazine, and several months ago he saw an opportunity to experience life on the barges. He spotted a job advertisement for guards, and decided to apply.

ROBERT VAN DE GRIEND: And one week later I was a guard on the boat, and I was responsible for the well-being of about 450 illegal immigrants.

Van de Griend spent weeks working undercover. He says conditions are abysmal, and the guards often respond to complaints with violence.

ROBERT VAN DE GRIEND: You could actually see them going mad, the people over there. I could actually tell that almost everyone on that boat had psychological problems. So there's stress and fighting all the time because you haven't got trained guards on the boats. Nobody is able to just say, "OK, boys, settle down." They immediately punish you and start to hit, so it's a very stressful situation.

Van de Griend says while the government portrays the detention barges as a clever solution, the majority of detainees end up staying in Holland.

ROBERT VAN DE GRIEND: They're all put on the boats to be basically be sent out of the country in the end, but in practice research has shown that only 30% is actually sent out of the country. The other 70% is just thrown on the streets after a year, and then they tell the people, "You have to be out of the country in 24 hours," but that doesn't happen, of course - they all stay in Holland, be illegal, until the police get them off the streets again, and put them in the jail again, and then the story starts all over.

On the outskirts of Amsterdam, I visit a different kind of refugee facility. It's not a detention centre - residents here are free to come and go as they exhaust their appeals for asylum.

HELENA HAPTOM, ASYLUM SEEKER: People kill themselves - they commit suicide - because of the living situation. Wait years and years and years, and they're just tired of it.

Helena is an Ethiopian asylum seeker who's been stuck here with her young son for nearly six years. She says the years of waiting to try and get through the appeals process take their toll.

HELENA HAPTOM: There are people who just become numb, don't see nothing, don't hear nothing,

just become numb, you know, and live with the medication. You know him, or you know her, last year she was OK, perfectly OK. This year you saw her, she become somebody else or he become somebody else.

MICHAEL SLAAGER, IMMIGRATION SPOKESMAN: The people come into the Netherlands, and 85% in the end can't stay here.

REPORTER: 85% of applications are rejected normally?

MICHAEL SLAAGER: Yep.

Press spokesman Michael Slaager says that sooner or later, everyone has to leave.

MICHAEL SLAAGER: They are put in the street or outside the centre. They have no right for um, to live here anymore.

REPORTER: So that's when they might find themselves in a detention centre?

MICHAEL SLAAGER: It's possible, when they're working like illegal, and the police finds them working illegal that they go to a detention centre, but, as I said, most people they leave by themselves.

MAN (Translation): I have to evict her from this room today. There are other refugees who have the right to shelter. She's had her time here and the rules are that she must be evicted.

This Sudanese family has been denied asylum but the government is not deporting them. Instead, they're being evicted from the refugee centre where they've lived for five years, and left to fend for themselves.

REPORTER: This is a woman with a 2-month-old daughter. It's bizarre, don't you think?

MAN (Translation): It does sound hard. But I don't know what to do about it.

It's hard to believe, but in 21st century Holland immigrants, including young families, really are turned out onto the street.

MAN (Translation): That's how it is. I didn't invent the rules. It sounds very hard... I'm sorry, I'll wait five minutes.

Under the new system, scenes like this are becoming regular events. In a few minutes, the family is on the street with no food, no shelter and no rights.

JAN DE WIT: The Dutch Government says, "You don't exist any longer." So that's the point that we say, "You can't treat people like this - you have to give them a permit if it's clear they don't get sent back to their country."

As the Immigration spokesman for the Dutch Socialist Party, politician Jan de Wit says the new immigration laws in Holland are inhumane and absurd.

JAN DE WIT: You can't call this a good law if the result of the law is that one third of the people doesn't exist officially, but are illegal here at this moment. You have to give these people a permit to stay here. That's the most human result what we have to do.

There are up to 26,000 asylum seekers who've been rejected by the Dutch Government. They rely almost totally on the kindness of strangers, like Ahmed Pouri, who runs a refugee centre in Holland's capital, The Hague.

AHMED POURI: This people they put them on the street, they can't survive, and there are some good people in the Netherlands. They give this food to them, and we try to distribute this food for refugees - they are in very difficult situation.

The creation of a new immigrant underclass is causing concern in the rest of Europe. But, more than anything, it's the deaths of immigrants in custody that has brought Rita Verdonk's immigration policy into disrepute.

On October 27 last year, a fire ripped through a prison complex at Amsterdam's Schiphol Airport. 11 foreigners awaiting deportation died in the blaze. With no fire alarm or even a proper escape system, the victims were left to burn alive in their cells, and their pleas for help ignored. Dateline has investigated the tragedy and tracked down some of the survivors.

FATOBA, NIGERIAN SCHIPHOL FIRE VICTIM: The whole room there was filled up with smoke. We pressed the intercom - nobody came.

Fatoba is a Nigerian man who was locked in the cell block where the fire broke out. He and his cellmate screamed for help for at least 15 minutes with no response.

FATOBA: The door is a metal door. If you bang very hard on the door, you might have injury, so my friend now, he start banging the door, shouting for help. Nobody came.

Two female guards finally raised the alarm, but it was another 15 minutes before help arrived. The source of the fire, which appeared to be deliberately lit, was in cell number 11, and when prison guards finally got there, they rushed to open it first.

AHMED POURI: They open the cell number 11, and they save this man. He was the only man, he was along in the cell. The rest in every cell are two prisoners.

Ahmed Pouri says what followed was an inept response which further compounded the tragedy.

AHMED POURI: If they open this door, then it is normal to open the door of cell number 10, and 9 and 12, 13 and so on, because fire was here. Here was the dangerous area, but the reason is not clear for nobody up to now, why they begin from absolutely wrong side? So they begin from cell number one to open the cell doors, and also from this side from number 26 so they can save the people until here.

Pouri says testimony given by an Afghan inmate - the last prisoner to be released from his cell - proves the guards knew there were people still trapped inside.

AHMED POURI: When he arrived here, he said "I heard from the guards." "They said, 'Now we will close the whole section, and nobody are allowed to go inside.'" He said, "No, there are five cells that are closed, and I saw many of them are alive. We can't let them to burn in the fire."

AGOURI, FIRE SURVIVOR: Some people of the guards, they was laughing.

REPORTER: They were laughing on this night?

AGOURI: Yeah, they don't care.

Agouri - a young Libyan man - was one of those who survived the blaze. He'd been located in cell number one, with a Ukrainian man called Taras. When he realised that Taras hadn't made it outside, he protested to the guards.

AGOURI: I told them, "Let me... I go back."

REPORTER: You wanted to go back to get him?

AGOURI: Yeah.

REPORTER: And what happened?

AGOURI: They stop me, and I said that to the policemen, when they made interview with me. I said

that to the policeman, 'cause that's the truth, it's what happened. Ask to them, the man is still inside.

The following day the body of Agouri's Ukrainian cellmate was discovered. It was on the floor next to the main exit door that the guards had sealed shut. His name was Taras Bilyk, and he was 29 years old.

*GALINA BILYK, SISTER OF FIRE VICTIM
(Translation): When I came to the morgue I saw that he was so small. He was so small. The coffin was very big and he was so small.*

Dateline tracked down Taras's family in the Ukraine. According to his sister, Galina, when she first saw her brother's body weeks later in an Amsterdam morgue, he looked like he'd been beaten.

GALINA BILYK (Translation): You can clearly see that bruise, and here on his eyebrow... And there is a big dent here as if he took a really bad fall and got a dent that bled.

Nine months after the tragedy, Taras's family have many questions about their brother's death. And while they acknowledge that he may have broken the rules, they believe his imprisonment and his death was preventable.

GALINA BILYK (Translation): Those people could have survived. They weren't criminals. Why lock them up? They could have.. Alright, perhaps there's a law that demands they be isolated. But why lock them up like criminals? I don't understand.

Taras came from Lvov, an old sprawling city in western Ukraine near the Polish border. It's a pretty place, but with high unemployment and a stagnant economy, life remains tough for most. And it was for those reasons Taras made his way to the Netherlands, where he worked illegally for more than a year.

GALINA BILYK (Translation): I don't believe he did that country any harm at all. He was working honestly, earning his living. He needed the money he earned to help his family in Ukraine, and also to, sort of... organise his own life in a basic kind of way. People do make wrong choices. It can happen to anyone. But firstly, I repeat, Why? Why imprison people who just broke regulations?

Answers have been slow in coming, and the truth may never be revealed. In the weeks after the tragedy, several survivors were deported before they could be interviewed by police. An independent commission of inquiry was set up and although its

findings haven't been released, a draft copy is said to condemn the government and Minister Verdonk in particular.

REPORTER: For more than eight weeks, Dateline has been attempting to secure an interview with Rita Verdonk to get a response to the many serious questions raised by the airport prison fire, and the alleged human rights abuses on board the floating immigration detention centres. We were eventually told that our interview request would be granted on the basis that our questions would be submitted in advance. Having complied, our confirmed interview - due to take place today here at the Dutch Parliament building - was cancelled, and the Ministry of Justice refused to provide anyone to be interviewed on camera.

Every morning, Galina and her mother walk to their local church to remember Taras. But their daily routine at the church isn't just about offering prayers for his soul - they're also praying that justice will be served.

GALINA BILYK (Translation): I'd like to know the whole truth. I don't care about anything but the truth. I'm not a vengeful or wrathful person, but I want those people who are guilty of causing those deaths and that of my brother - I want them punished for that.

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