

The Opening of the Immigration Detention Centre

ADDRESS

BY

SENATOR THE HONOURABLE MARTIN JOSEPH
MINISTER OF NATIONAL SECURITY

at the formal

Opening of the Immigration Detention Centre Eastern Main Road, Aripo, Arima

It is with great pleasure to be here with you to mark the formal opening of the Trinidad and Tobago Immigration Detention Centre.

This development is in keeping with Government's trust to reach developed society status on or before 2020 and is testimony to the Government's commitment to the development of a fair and robust management system. Strengthening the nation's capacity to detain illegal immigrants and other aliens subjected to deportation is a key component of the comprehensive strategy to deter illegal immigration into Trinidad and Tobago.

Ladies and Gentlemen, illegal immigration can be defined as migration across national borders in violation of a country's immigration laws. Persons found culpable of such acts are defined as prohibited immigrants. Among these are:

- individuals who enter another country clandestinely;
- individuals who gain admission by using fraudulent documents;
- individuals who willfully overstay their period of legal stay, thus deemed violators of the terms of their visa;
- individuals who enter a country with the proper documents and procedures, but at some point violate the terms of their visa.
- Records of the Immigration Division and the Trinidad and Tobago Prisons Service indicate that currently there is a total of 215 foreign nationals detained in the nation's prisons. Of that figure, 73 are prohibited immigrants.

Up until now, prohibited immigrants were detained at the Maximum Security Prison at Golden Grove, Arouca. While this short-term measure was not in keeping with international best practice, the Maximum Security Prison, as the nation's most modern correctional facility, was the best option available.

Foreign nationals convicted of criminal offences and sentenced to a term of incarceration remain in the custody of the Trinidad and Tobago Prisons Services until the end of their custodial sentence. Thereafter, they are placed in the custody of the Immigration Department pending deportation. However, because the Immigration Division had no place to keep them, they were further detained at the Maximum Security Prison and for whom special investigations are pending, were also detained at the Maximum Security Prison.

Ideally, these persons should be housed in an Immigration Detention facility.

The Government of Trinidad and Tobago sought to implement corrective measure in consideration of the basic human rights of the detainees and to provide appropriate facilities as opposed to incarceration and imprisonment. In response to the increase in the number of persons entering our country illegally, resulting in their incarceration, pending either voluntary return to their countries, or deportation, the Ministry of National Security, sought the approval of Cabinet to establish an Immigration Detention Centre.

The construction of this Detention Centre therefore was undertaken within the context of the United Nations International Convention on Civil and Political Rights, which is part of the International Bill of Human Rights.

In July 2009, Cabinet agreed to transfer this site which was formerly the Aripo Remand Building for the Ministry of Social Development to the Ministry of National Security, for use as an Immigration Detention Centre, because of its physical layout and conditions. The facility has the capacity to house 150 detainees, both male and female and will be under the stewardship of the Immigration Division.

The IDC would provide basic accommodation that would ensure the well-being, safety and respect for privacy and inherent dignity of all detainees.

The IDC would provide prompt and effective physical and mental health services to detainees

The IDC would provide a classification system in terms of security risk, gender, disability and age in order to segregate detainees in accordance with standard practices.

The IDC caters to the basic human rights of the detainees including the freedom to express religious beliefs within the limitations of the necessary security arrangements

The IDC would provide recreational or activity services in order to maintain physical and mental health of the detainees.

The IDC would make appropriate provisions of the detainees with special needs to ensure their safety and comfort,

The IDC operations would be open to a high level of transparency, including visits by representatives of diplomatic missions, consulates and embassies.

The IDC administrative staff would enforce security and disciplinary measures to ensure prevention of escapes, prevention of self harm, and the safety of detainees and staff

It would only be operated as a means for short-term detention of non-nationals and will not be facilitated as a prison or correctional facility.

I wish to stress here, that this Detention Centre is a short term measure and is not intended to replace the prison, as a home for illegal immigrants. The long term aim is to ensure that these migrants can be successfully repatriated to their respective countries after due process. This can be done via two ways: deportation and voluntary returns. The Ministry of National Security is currently engaged in discussions with officials of the International Organization of Migration with the intention of establishing protocols for the voluntary repatriation of illegal immigrants who are currently detained. Additionally, the Immigration Division is required to develop a structured and robust deportation programme in an effort to meet this

overall objective. It is anticipated that these measures would have an impact on the number of prohibited immigrants detained in this facility at any one time.

The Government maintains the position that the adoption of international best practice in the establishment of the detention centre would provide staff and detainees with safe, secure, and humane living and working conditions. As such, the model of the Immigration Detention Centre in Trinidad and Tobago is based on the United Kingdom's Enforcement Instructions and Guidance Policy and the United States' Immigration and Customs Enforcement (ICE) Performance Based National Detention Standards.

The Centre will be managed and operated by the Immigration Division of the Ministry of National Security and will be staffed by Immigration Officers, Detention Officers and Civilian Support Personnel. The establishment of the Centre is in accordance with Section 16 of the Immigration Act Chapter 18:01 of the laws of Trinidad and Tobago, which provides for the detention of persons at an "immigration station" (place designated by the Minister of National Security for the examination, treatment or detention of person).

The Immigration Officers will ensure the proper enforcement of applicable immigration laws and regulations pertaining to detainees, who have to be repatriated, attend special enquiries or to be further investigated; while the Detention Officers will primarily be responsible for the custody, care and control of the detainees. The Ministry of National Security proposes to staff the IDC solely with Immigration Officers and Civilian Support personnel in the long run. In the interim and as an immediate measure, it is expected that persons employed as Detention Officers will be precepted as Special Reserve Police Officers in order to satisfy the requirements of Section 15 of the Immigration Act Chapter 18:01 (which gives Immigration Officers and Police Officers the power to "arrest and detain for an inquiry or for deportation").

The process of recruiting staff took place during the period July-October 2009. The applicants, many of whom were retirees from the Prison and Police Service, were required to provide a commendable record of service verifiable by a Certificate of Service from their former division or department. Of a total of 152 persons who responded to fill the positions, ninety-six (96) candidates were short-listed. I extend congratulations to all persons who have been recruited to manage and operate the Detention Centre.

I have been informed that among the successful applicants are two individuals who are proficient in conversing in foreign languages. One is fluent in Mandarin, the universal Chinese language while the other provides expertise in written and spoken French. The addition of these members of staff will ensure that detainees are able to communicate effectively with IDC Officers. A highly qualified civilian support staff was recruited to assist in the administrative tasks of the Centre.

All Detention Officers participated in an intensive week-long orientation programme, designed to enhance the individual competencies to perform the task at hand.

The facility will be operated on a twenty-four hour basis, by an adequate complement of Immigration Officers and will be governed by an Administrator, an Assistant Chief Immigration Officer, who will report to the Chief Immigration Officer. The Administrator will be assisted by a Deputy Administrator in the person of an Immigration Officer IV, supported by a fully functional Immigration Secretariat.

This Centre is an excellent example of Government's initiative as we move forward to Vision 2020. It is another strategy geared towards "Promoting Effective Government". The operational arrangements being proposed for the IDC are designed in conformance with established international standards. These guidelines prescribe the requirements for humane detention, consistent with respect for human dignity as required by 1966 United Nations International Convention on Civil and Political Rights.

I am informed that the first batch of detainees will be moved into this facility tomorrow, Thursday November 12 and within a period of two weeks, the transition from the Maximum Security Prison would be complete.

In closing, I wish to commend all officers who worked assiduously to making this a reality. The Ministry is pleased that the Immigration Division has taken another bold step in addressing its overall remit in this increasingly interconnected world. I urge the staff of this Detention Centre to conduct their duties and responsibilities in a professional, courteous and respectful manner and trust that the experience here for detainees be short lived, but comfortable and much more accommodating.

Ladies and Gentlemen, may God continue to bless you and to bless our nation.

Thank You