



Covering events from January - December 2000

BAHAMAS

Commonwealth of the Bahamas

Head of State: Queen Elizabeth II,
represented by Orville Turnquest

Head of government: Hubert Alexander
Ingraham

Capital: Nassau

Population: 0.3 million

Official language: English

Death penalty: retentionist

2000 treaty ratifications/signatures: Rome
Statute of the International Criminal Court



One person was hanged despite having international appeals pending and three people were scheduled to be executed. Asylum-seekers were detained, in violation of international standards, and forcibly repatriated to Haiti and Cuba. Several deaths were reported in Fox Hill Prison amid continuing reports of brutality and cruel, inhuman and degrading conditions of detention. A new Code of Conduct and Complaints Division for the Royal Bahamas Police Force was introduced. However, there were continuing reports of unjustifiable use of force and arbitrary detention by police officers. A prisoner of conscience was released after four days, following a national and international campaign.

Death penalty

Twenty-five prisoners remained on death row at the end of 2000, according to official figures. One person was hanged.

A ruling by the Judicial Committee of the Privy Council (JCPC) in the United Kingdom - the final court of appeal of the Bahamas - in the case of Neville Lewis and others in Jamaica, commuting the death sentences of six prisoners, had implications for the administration of the death penalty in the Bahamas (see Jamaica entry). However, during a debate in parliament in December, the Attorney General called for the death penalty to be extended to cover selling or giving drugs to children.

- David Mitchell was executed in January despite the fact that the Inter-American Commission on Human Rights was due to hear his petition, alleging violations under the American Declaration of the Rights and Duties of Man, in February 2000.
- John Higgs died in prison two days before his scheduled execution on 6

January. His petition to the Inter-American Commission on Human Rights was also due to be heard in February. A coroner's inquest was convened in January to investigate the cause of death, suspected to be suicide. It had yet to release its findings at the end of the year.

Corporal punishment

Corporal punishment remained available under the law but no new sentences were imposed or carried out. Individuals remain under sentence of corporal punishment pending legal appeals.

Prisons

There were continuing reports of brutality and of prison conditions which failed to meet international minimum standards for the treatment of prisoners at Fox Hill Prison; several deaths were reported during 2000. Prisoners were routinely denied medical attention and exercise and were held in insanitary conditions. Remanded and convicted prisoners were held together in the section of the prison reserved for those under sentence of death.

- In September Sidney Winston McKenzie was found dead in his cell. His body reportedly showed evidence of severe beating. Family members were denied access to view his body. A coroner's inquest was convened but it had not released its findings by the end of the year.

Refugees

Asylum-seekers from Haiti and Cuba continued to be forcibly returned without prior access to a full and fair determination procedure, in violation of international law. In May, the Inter-American Commission on Human Rights requested that the government halt forcible returns. Following hearings in October, the Commission agreed to negotiate a "friendly settlement" with the government.

Adult and children asylum-seekers were still detained at Fox Hill Prison in conditions amounting to cruel, inhuman and degrading treatment and in violation of the UN Refugee Convention. Asylum-seekers were held in incommunicado detention and denied visits, phone calls or mail from lawyers and relatives. Children were denied access to other relatives in prison. There were reports that some asylum-seekers were beaten and denied medical attention. Following an attempted escape in May a number of Cuban asylum-seekers were reportedly put on a diet of bread and water.

Torture/ill-treatment

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There were reports of arbitrary detention and ill-treatment, possibly amounting to torture, of criminal suspects by police. Children were reportedly held together with adults in some police lock-ups.

- In January, a number of men were allegedly arrested and detained for several hours in Central Police Station without charge before being transported to a deserted area with around 40 other young men, where they were reportedly beaten all over their bodies with iron bars and sticks. Many people were reported to have sustained injuries and to have been denied access to medical attention.



Prisoner of conscience

Obie Wilchcombe, a journalist and politician, was sentenced at the inquest into the death of John Higgs (see above) in February, after refusing to disclose confidential information. He was subsequently imprisoned, but released after four days following national and international appeals.

AI country visits

AI representatives visited the Bahamas in February and April to conduct research and meet community leaders.
