

Pro Igual

Centro de Investigaciones en Derechos Humanos

NO a los Centros de Internamiento para Extranjeros (CIEs)
Ferrocarril Clandestino

Communication on Human Rights Violations of Migrant Women in Spain: Detention in Centros de Internamiento de Extranjeros

Executive Summary and Recommendations¹
by Pro Igual and Ferrocarril Clandestino

Executive Summary

In recent years, the attitudes towards and treatment of foreigners in Spain have worsened. Reflecting this hardened stance on immigration, the police regularly conduct round-ups based on controversial practices of ethnic profiling, when individuals are singled out because of their skin color and/or appearance and asked for identification. Considerable numbers of undocumented migrant women have been detained as a result of such ethnic profiling.

There are no data on undocumented migrants in Spain, men or women; however, some estimates put the overall number at up to 250,000. The absence of official statistics concerning detention and expulsion of migrant women complicates the analysis, but it appears that migrant women are specifically targeted and treated more harshly than migrant men and are deprived of liberty for mere administrative infractions, such as not having paperwork in order.

Centros de Internamiento de Extranjeros (CIE) where undocumented migrants, men and women, are detained are prisons in all but a name. Both governmental institutions and civil society have decried the conditions and violations of human rights in CIEs. Human rights abuses range from physical and psychological maltreatment and discrimination to denial of legal counsel and healthcare.

While both men and women often face violations of their fundamental human rights in CIEs, female migrants face a number of specific concerns. These include: gender discrimination and sexual harassment; treatment of pregnant and breastfeeding women; separation of mothers from minor children; lack of access to general medical and gynecological care and lack of adequate nutrition. Victims of human trafficking lack any specific assistance and are not informed of their right to ask for residence on humanitarian grounds.

¹ This is a summary of the Joint Communication of Pro Igual and Ferrocarril Clandestino to the UN Commission on the Status of Women

Based on those findings, Pro Igual and Ferrocarril Clandestino have put forth the following recommendations for the Spanish authorities regarding detention of migrant women in CIEs.

Recommendations for the Spanish Government

- The relevant authorities should collect disaggregated data on migrant women in irregular administrative situation.
- The authorities should permit human rights monitors and NGOs to enter CIEs and privately interview inmates in order to document their situation.
- All CIE personnel must be required to wear visible identification badges and sanctioned for failure to comply.
- The authorities must investigate all allegations of ill-treatment of inmates by CIE guards and prosecute those found responsible for human rights violations and sexual harassment.
- All CIE inmates should be provided with independent legal counsel, and an interpreter if necessary.
- The authorities should declare a temporary moratorium on expulsions of undocumented migrants, pending the review of their cases.
- All CIE inmates should have access to medical assistance as necessary, and women should have gender-sensitive care and adequate nutrition; translation services should be available to help inmates communicate their health concerns.
- Pregnant and lactating women and women with young children should under no circumstances be detained in CIEs or separated from their children and families.
- Suspected victims of human trafficking should receive necessary legal, medical and other assistance and granted residence on humanitarian grounds.
- The authorities should decisively end ethnic profiling practices by the police and law enforcement.

About us

PRO IGUAL is dedicated to the defense of human rights of the most vulnerable in society through the use of legal empowerment and advocacy. More information about our work is available on the website: <http://proigual.org/>.

Ferrocarril Clandestino is an NGO network of support and common action aimed at overcoming injustice and violations of human rights of migrants whom Spanish and European migration legislation and policy put in the situation of extreme vulnerability. More information is available on the website: <http://cerremosloscies.wordpress.com/>.

Materials for this Communication have been kindly provided by Margarita Martínez Escamilla, the author of the report *Mujeres en CIEs (Women in CIEs)* which is available in Spanish here: <http://eprints.ucm.es/21399/>

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