

# Immigration and Refugee Board of Canada

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## Responses to Information Requests

Responses to Information Requests (RIR) respond to focused Requests for Information that are submitted to the Research Directorate in the course of the refugee protection determination process. The database contains a seven-year archive of English and French RIRs. Earlier RIRs may be found on the UNHCR's [Refworld](#) website.

7 June 2012

**ZZZ104105.FE**

Bahamas and Haiti: Treatment of Haitians in the Bahamas  
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

### 1. Number of Haitians and their legal status in the Bahamas

According to the BBC, the number of Haitians living in the Bahamas is estimated at 80,000 out of a population of approximately 350,000 (20 Sept. 2009). Minority Rights Group International (MRG) stated that there are between 20,000 and 70,000 Haitians in the Bahamas, "making them the largest and most visible ethnic minority" in the country (2008). According to the International Organization for Migration (IOM), Haitians make up most of the migrant population in the Bahamas (May 2009).

In February 2012, the daily newspaper *The Nassau Guardian* reported that the tens of thousands of Haitians living in the Bahamas are made up of illegal residents, persons with legal status, and those who have obtained Bahamian citizenship (13 Feb. 2012). *Country Reports on Human Rights Practices for 2010*, published by the United States Department of State, indicated that there are approximately 30,000 undocumented Haitians in the Bahamas (U.S. 8 Apr. 2011, intro.). In 2009, the IOM reported that 20,000 to 50,000 Haitians were living illegally in the Bahamas (May 2009). Approximately 5,000 Haitians have legal status and support some 13,000 dependent family members (IOM May 2009).

### 2. Treatment of Haitians

In its 2011 annual report, Amnesty International (AI) stated that [AI English version "[t]here were concerns about the treatment of Haitian migrants" in the Bahamas (2012). According to a report on global statelessness published by Refugees International, Haitians in the Bahamas face "widespread" social and economic problems, and are "constantly in fear of being detained or deported" (Southwick and Lynch Mar. 2009, 32). Moreover, the United States Department of State noted that the Haitian community is characterized by high poverty and unemployment rates, low educational achievement and poor health conditions, and that Haitians "generally had difficulty in securing citizenship, residence, or work permits" (U.S. 8 Apr. 2011, Sec. 6). In the Bahamas, some employers abuse their Haitian workers; local sources reported that "labor exploitation of undocumented Haitians could be widespread" and some immigrants may fall victim to "involuntary servitude" (ibid., Sec. 7.c). Also, migrant workers do not seem to be protected under local labour laws (ibid.). Employers also reportedly confiscate workers' identity documents and threaten them with arrest and deportation in order to coerce them into working long hours for no pay or pay below the minimum wage (ibid.). The MRG also indicated that members of the Haitian community complain of "discrimination" in the labour market, and that employers use threats of deportation as leverage against Haitian workers (2008).

According to the MRG, "Haitian children generally were granted access to education and social services, but some Haitians complained of discriminatory treatment in education" (2008). This "discrimination" is evident in that "children of Haitian parentage who are born in the Bahamas are required to pay the tuition rate for foreign students while awaiting the processing of their request for citizenship" (MRG 2008). According to the report published by Refugees International, "[a]lthough stateless children [in the Bahamas] are legally entitled to free public education, children of Haitian immigrants were reportedly forced to pay the tuition rates of foreign students or in some cases were denied access to school altogether" (Southwick and Lynch Mar. 2009, 32). The authors of the report explained that children of Haitian migrants born in the Bahamas are considered "stateless" because Haitian citizenship is acquired by birth within Haiti (ibid.). According to an article published in the *Revue des migrations forcées*, a

publication of the Refugee Study Centre at the University of Oxford (Refugee Study Centre n.d.), Haitian laws on nationality do not necessarily allow Haitians born outside the country to have automatic access to Haitian nationality (ibid.1 June 2009, 24). The website for the Department of Immigration of the Bahamas indicated that “[p]ersons born in The Bahamas to married non-Bahamian parents may apply for Bahamian citizenship between their 18th and 19th birthday only” (Bahamas n.d.). However, the BBC reported that the process for applying for citizenship can take a number of years, making it difficult for “many” young people, to find jobs, travel or even open a bank account (20 Sept. 2009). According to the authors of the report published by Refugees International, “many” young Haitians under 18 years remain stateless because the process for applying for citizenship is complicated, particularly with regard to the documentary requirements and lengthy processing times for applications (Southwick and Lynch March 2009, 32).

MRG stated that “prejudice and resentment” over Haitian immigration is still “common” in the Bahamas, and that Haitians “have frequently been targets for harassment and forced repatriations” (2008). The Nassau Guardian reported that during the Haitian president’s visit to the Bahamas in February 2012, he stated that he had received reports of cases in which Haitians were arrested for “illegal immigration” even though they had permits to work or reside in the country (11 Feb. 2012). According to MRG, the “anti-Haitian attitudes” of the Bahamian population may be the result of the Bahamian government’s efforts to stop the “steady” influx of illegal Haitian immigrants (2008). In 2009, the BBC cited the Bahamian minister of national security as saying that the number of Haitians living in the Bahamas has become “overwhelming” and that it is creating an “extreme” strain on social services, such as healthcare and education (20 Sept. 2009).

## 2.1 Treatment of stateless Haitians

In May 2011, the Jesuit Refugee Service (JRS), an international Catholic organization organisation with a mission to supporting refugees and displaced persons (JRS n.d.), indicated that the Bahamian immigration director had stated that the Bahamian authorities resumed the detention and repatriation of Haitians without status in September 2010 (JRS 2 May 2011). The detention and deportation of Haitians migrants had been suspended after the earthquake in January 2010 (ibid.; AI 2011). Amnesty International reported that, by resuming the repatriation of Haitians, the Bahamian authorities had refused to follow the United Nations’ recommendations to [AI English version] “stop all involuntary returns of Haitian nationals on humanitarian grounds” (2012). The JRS reported that the Bahamian authorities had stated that [JRS English version] “all non-Bahamians, including Haitians, who try to enter or remain in the country without a valid visa will be detained and returned to their countries of origin” (2 May 2011). Also, the website *Haiti Libre*, which broadcasts information about Haiti, indicated that the Bahamas were continuing to deport illegal Haitians in 2011 (*Haiti Libre* July 2011). Amnesty International noted that [AI English version] “[s]tatistics from the Department of Immigration reported that 2,392 Haitians were repatriated during 2011, representing 72 per cent of all the repatriations carried out in the Bahamas during the year” (2012). The JRS indicated that deported Haitians have stated that [JRS English version] “many migrants were separated from their parents, partners and children, who are now alone in ... Nassau. Most of the migrants were denied the opportunity to collect their belongings, including wages, before being deported” (2 May 2011). According to Amnesty International, [AI English version] “irregular migrants” in the Bahamas have been subjected to “violence during arrests” (2012). The MRG indicated that, according to human rights organizations, some Haitians with “legitimate fears of persecution” in their country of origin have been repatriated without any possibility of claiming asylum, and those who do request asylum do not have access to legal counsel (2008). Additional information on this topic could not be found among the sources consulted by the Research Directorate.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

## References

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## Additional Sources Consulted

**Oral sources:** Attempts made to contact representatives of the following organizations in Port-au-Prince were unsuccessful: AlterPresse, Bureau des avocats internationaux, Caraïbe Express, Caribbean Vulnerable Communities, Catholic Relief Services, Institute for Justice and Democracy in Haiti, *Le Matin*, Radio Métropole, Réseau national de défense des droits humains.

**Internet sites, including:** Bahamian Studies Online, Canada – Canadian International Development Agency, Catholic Relief Services, Center for International Governance Innovation, Centre de recherche sur les droits de l'homme et le droit humanitaire, Centre for Peace and Conflict Studies, Coalition pour la défense de la constitution, Collectif Haïti de France, *Le Devoir*, Droits et Démocratie, Factiva, Freedom House, Haïti-Référence, Human Rights Watch, Institute for Justice and Democracy in Haiti, *Le Matin*, Memoire Online, Migrants outre-mer, Migration Information Source, *The New York Times*; *Le Nouvelliste*, Radio Métropole, Radio Nouveau Monde, United Nations Stabilisation Mission In Haiti.

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