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AMNESTY INTERNATIONAL

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21 April 2009

Mr Dušan Čaplovič, Deputy Prime Minister for Knowledge-Based Society, European Affairs, Human Rights and Minorities
Mr Róbert Kaliňák, Minister of Interior
Mr Ján Packa, Police President
Mr Štefan Kočan, Director of the Section of Control and Inspection Service
Mr Dobroslav Trnka, General Prosecutor

Honourable Sirs,

Amnesty International and the European Roma Rights Centre (ERRC), a Budapest-based public interest law organisation, are writing to urge you to ensure that a prompt, thorough, independent and impartial investigation takes place into the cruel, inhuman and degrading treatment of six Romani boys in Košice, Slovakia, on 21 March 2009; that those responsible be brought to justice in fair proceedings; and that the victims be provided with adequate reparation, including compensation, rehabilitation and redress.

According to graphic video footage shot by police officers which was released publicly on 7 April 2009 by the Slovak daily newspaper *SME*, at least six Slovak police officers forced six Romani boys between the ages of 10 and 16 to violently hit each other, kiss each other and strip naked. Media has also reported that the police officers thereafter let dogs loose at the youths, and that two of the boys were bitten by them.

Amnesty International and the ERRC welcome the immediate calls by Police President Ján Packa for a full investigation into the incident, and his subsequent announcement that the investigation will look into the possible racist motives of those involved.

The organisations note that the day after the video footage was released, 14 police officers were reportedly placed under inspection by the Ministry of Interior, and as of 15 April seven officers have

been accused of abuse of power of the public authority and of blackmail. We have also received information indicating that six of the officers have been dismissed.

Amnesty International and the ERRC are concerned that in some public statements related to this incident, police officials have focused on the alleged illegal activities of the boys in question rather than strongly and unequivocally criticising cruel, inhuman or degrading treatment by police, which is prohibited in all circumstances under international law. On 8 April, *SME* quoted Košice Regional Police Director Juraj Bukuš questioned the actions of the officers while noting, “It is true that we are speaking about well known criminals and they were committing crimes before.” This kind of reaction ignores the fact that there is never any justification for cruel, inhuman or degrading treatment, and it diminishes the condemnation of the police violence. Such statements also could prejudice those entrusted with carrying out the investigation.

Amnesty International and the ERRC recall that in accordance with Slovakia’s commitments under international human rights law, including the European Convention for the Protection of Human Rights and Fundamental Freedoms, the Convention Against Torture and Other Forms of Cruel, Inhuman and Degrading Treatment, and the International Covenant on Civil and Political Rights, all persons - regardless of their alleged involvement in illegal activities- have the right to be free from torture and other cruel, inhuman or degrading treatment or punishment and to be treated with humanity and with respect for the inherent dignity of the person. Furthermore, the organisations note that the Slovak Criminal Code criminalizes torture and other inhuman or cruel treatment and abuse of power and imposes additional penalties for a crime motivated by national, ethnic or racial hatred.

Amnesty International and the ERRC call on each of you within the remit of your office to ensure:

1. That ongoing investigations into this incident, including into the conduct of individual police, are independently conducted, undertaken impartially and in a thorough manner;
2. That the possible racial motivation of the crime is investigated fully;
3. That all those responsible for ill-treatment or violation of the law or police regulations are brought to justice in fair proceedings;
4. That the scope, methods and findings of the investigation are made publicly available;
5. That all victims receive an adequate remedy for their suffering, including compensation, rehabilitation (including ensuring that the best available psychological counselling is made accessible to the children), guarantees of non-repetition, and a public apology from Slovak government and police representatives; and
6. That any future incidents of similar behaviour by police officers are strongly, unequivocally and publicly condemned.

Amnesty International and the ERRC respectfully request to be informed of the actions undertaken by your individual offices in response to this incident.

We will continue to monitor the progress of investigation and any proceedings brought against the officers responsible for this gross violation of human rights.

Sincerely,

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TO:

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