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Spain: Catalan autonomous government must take action against police officers convicted of torture

London - Amnesty International expresses its deep concern at reports that two police officers from the Catalan autonomous police force (Mossos d'esquadra) were promoted while under criminal investigation for torture and assault.

On 20 November the Provincial Court of Barcelona convicted these two police officers and three others for torturing and assaulting Lucian Padurau in 2006, during an arrest in Barcelona. Three police officers were sentenced to six years' imprisonment, one was sentenced to two years' imprisonment, and the fifth was sentenced to various fines. All five have now been suspended from work without pay. The autonomous government of Catalunya was ordered to pay compensation to Lucian Padurau.

For many years Amnesty International has expressed its concern regarding the serious problem of torture and other ill-treatment committed by law enforcement officials in Spain, as well as the persistent failure of the authorities to take appropriate action to sanction those responsible. Amnesty International is deeply concerned that the promotion of two officers under investigation for serious charges of human rights violations encourages a climate of impunity for such acts. Furthermore, Amnesty International notes that the Catalan police authorities failed to act on the recommendations of the UN Committee against Torture, which has advised that law enforcement officials under investigation for ill-treatment be suspended from duty for the full duration of the proceedings (Report to the UN General Assembly by the Committee against Torture, UN Doc. A/56/44).

The Catalan and Spanish authorities have a duty to send a clear message to all law enforcement officers that torture and other ill-treatment will be subject to strict disciplinary sanctions which adequately reflect the grave nature of the offence. Only by so doing can such behaviour be stamped out, and the reputation of the law enforcement agencies as a whole be upheld. The public at large, and the majority of law enforcement officials who conduct their duties professionally and lawfully, must have confidence that there is no room in the law enforcement agencies for officers who abuse their powers.

Amnesty International calls on the Catalan police authorities to take appropriate measures, in compliance with international legal standards and with the recommendations made by international bodies, to ensure appropriate disciplinary sanction of all officers convicted of human rights violations, and ensure law enforcement officials under investigation for alleged torture and other ill-treatment are suspended from active duty while impartial and thorough investigations take place.

Background information

Lucian Padurau was arrested on 27 July 2006 by plain clothes police officers in a case of mistaken identity in Barcelona. Witnesses to the arrest stated in court that they saw the police officers force him to the ground without warning, stamp on his head, and kick him in the ribs. They did not identify themselves as police officers until a crowd of pedestrians had gathered and shouted at them to stop. Lucian Padurau's girlfriend, who was three months pregnant at the time, was also detained by police officers. Witnesses saw her being dragged by her hair and violently forced into a police car.

Lucian Padurau was taken to the police station of Les Corts, in Barcelona, by car. During the journey the police officers continued to beat him, despite his pleas for them to stop as he is a haemophiliac and could die from the injuries they were inflicting on him. One of the police officers also put a gun in his mouth and threatened to kill him. At the police station, the assault on Lucian Padurau continued until another police officer warned his colleagues that video cameras were in operation.

In November 2007 Amnesty International published the report "*Spain: Adding insult to injury: The effective impunity of police officers in cases of torture and other ill-treatment*", which included Lucian Padurau's story. This report highlighted the widespread and persistent nature of torture and other ill-treatment in Spain and revealed that all too often those responsible for such acts benefit from effective impunity due to inadequate and unfair investigation of victims' complaints.

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