

SWITZERLAND
ALLEGED ILL-TREATMENT DURING
AN ATTEMPTED DEPORTATION

The case of "Karim"¹

In November 2000 "Karim", a Syrian national, lodged a criminal complaint with the Geneva Attorney General concerning his alleged ill-treatment during an attempt by Vaud cantonal police to deport him via Geneva-Cointrin airport to Syria earlier that month. At the same time a request for an administrative investigation was addressed to the Vaud cantonal authorities. Karim had been found guilty of criminal offences by Swiss cantonal authorities and was the subject of expulsion and banning orders from Switzerland. He had been living in the Canton of Vaud with his wife and their two-year-old son, both Swiss citizens.

Karim alleged that on 7 November 2000 officers attached to Vaud Cantonal Police escorted him from the Geneva prison of Favra to Cointrin airport for deportation via a regular passenger flight to Syria. He said that he initially protested verbally against his deportation and then struggled strenuously against attempts to put him on board the plane. The deportation was abandoned after the pilot refused to carry a recalcitrant passenger.

He alleged that officers then dragged him violently down the steps of the plane and proceeded to hit and kick him repeatedly, particularly in the head, until he was bleeding and that he was then forced to lie down on the floor of the police van with an officer sitting on top of him. He claimed the group leader apologized to him on return to the prison. He said that he was by then unable to walk and was taken to the cantonal hospital. His criminal complaint was accompanied by two medical reports, one issued by the cantonal hospital on 7 November 2000 and the other by a duty doctor at Favra prison on 10 November 2000, which recorded various cuts and grazes, traumatic injuries to his head and thorax, and breathing difficulties.

A public statement² attributed to the Press Officer of the Vaud Cantonal Police rejected the allegations of ill-treatment. It said that Karim was escorted by four police officers -- two inspectors attached to the security branch³ of the Vaud Cantonal Police accompanied by two members of the auxiliary police -- and a representative of the Federal Office for Refugees. The escorting officers

¹"Karim" is a pseudonym. The real name is known to AI but has been withheld on request.

²The public statement was printed in the 4 December 2000 edition of the Swiss newspaper *Le Courrier* and was issued in response to an article about the case printed in the same newspaper on 18 November 2000.

³*La police de sûreté.*

reported that, on approaching the airport tarmac, the man -- whose hands were bound "with pliable ligatures attached to a rope wrapped around his waist" -- began shouting insults, kicking indiscriminately and hitting his head violently against the inside of the van, and that it had been necessary for an officer to sit on top of him to bring him under control. They further reported that the bleeding was as a result of him banging his head against the ground. The officers said that the man had assaulted them, injuring one officer by kicking him.

Karim was deported to Syria at the end of November 2000, apparently while the incidents were still under investigation by relevant judicial and administrative authorities. The Vaud police subsequently informed Karim's family that on this occasion, in addition to officers, he was escorted by a doctor. It has been reported that the Vaud cantonal government will report to the cantonal parliament on the case in April 2001, in response to a parliamentary question.

Allegations concerning the ill-treatment of deportees by law enforcement officers should be subject to full, prompt and impartial examinations -- in line with the provisions of international standards, including Article 8 of the UN Declaration against Torture and Article 12 of the UN Convention against Torture -- with the methods and findings made public. Amnesty International therefore welcomes the opening of a judicial investigation into Karim's allegations. The organization is seeking information from the relevant authorities about other, administrative, steps being taken to investigate the allegations made by the complainant and is asking for cooperation in informing Amnesty International of the eventual outcome of the investigations, and of any further criminal or disciplinary proceedings arising from them. Amnesty International is particularly concerned that Karim was deported to Syria, apparently while the incidents were still under investigation, and is seeking the authorities' comments on this. It is also seeking information about the training and guidelines which the Canton of Vaud provides to officers involved in the execution of non-voluntary and voluntary deportations.

Anyone wishing further details relating to AI's concerns about the execution of forcible deportations from Switzerland should consult the following publications:

- < *Amnesty International Concerns in Europe: July - December 2000* (AI Index: EUR 01/001/01);
- < *Amnesty International Report 2000*;
- < *Amnesty International Concerns in Europe: January - June 2000* (AI Index: EUR 01/03/00);
- < *Amnesty International Newsletter, March 2000 - Western Europe: Deaths during deportation.*