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Slovenia : Allegations of ill-treatment must be properly investigated

Amnesty International today called on the Slovenian authorities to immediately implement the recommendations of the United Nations (UN) Committee against Torture which were issued yesterday. In particular Amnesty International underlines the need for effective, impartial and thorough investigations into allegations of ill-treatment by police and non-state actors, which are frequently reported to the organization.

The Committee against Torture expressed concern that there was no independent system to investigate complaints and reports of ill-treatment and that police allegedly continued to resort to excessive use of force, in particular when dealing with ethnic minorities.

Prior to the examination of Slovenia's Second Periodic Report, Amnesty International submitted a written briefing to the Committee, setting out its concerns, which centre on the failure of the authorities to properly investigate allegations of ill-treatment by police officers and by non-state actors. As regards non-state actors, the organization has observed that attacks against members of ethnic and racial minorities are not pursued with due diligence by the authorities.

In its briefing, published today, Amnesty International highlighted a number of serious cases brought to the organization's attention which illustrate its concern. In one such case, a 36-year-old man died during a house search in Ljubljana after having allegedly been ill-treated by special police officers who refused to allow him timely access to vital medical equipment. More than three years after this incident a thorough and impartial investigation has yet to be initiated.

In another case, which happened in Sentjur-pri-Celju in November 2002, a police officer reportedly kicked a 23-year-old man to the ground and jumped on his back with such force that he broke his collar bone. His 19-year-old girlfriend was also reportedly beaten and subsequently verbally abused and threatened at the police station.

The Committee against Torture recommended that Slovenia establish an "effective, reliable and independent complaints system to undertake prompt and impartial investigations into allegations of ill-treatment or torture by police and other public officials, and to punish the offenders".

The Committee also recommended that Slovenia promptly introduce a definition of torture covering all elements of this human rights violation as required under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, an obligation which has been outstanding since May 2000, when the Committee examined Slovenia's Initial Report. In addition, the government was requested to repeal the statute of limitation for torture that currently applies, and to increase the limitation period for other types of ill-treatment.

The government was also requested to provide up to date statistics concerning the number of

cases of ill-treatment, information which Amnesty International has also repeatedly sought from the authorities.

Background

On 5 and 6 May, the Committee against Torture examined the Second Periodic Report of the Slovenian Government on measures taken to give effect to the rights enshrined in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. During its examination, the Committee against Torture welcomed the self-critical tone of the Slovenian Government's Second Periodic Report, which incorporated many of the findings of the Slovenian Ombudsman for human rights, who has similarly expressed concern about allegations of ill-treatment and the failure of the authorities to hold those responsible to account.

In its briefing to the Committee, Amnesty International also raised concerns about the current mechanism for processing complaints against police misconduct. Under this system complaints are assessed by a special panel, in which the head of the police administration in which the alleged misconduct took place has a decisive say as to whether the complaint is substantiated. Amnesty International has urged that the Slovenian authorities to set up a permanent and genuinely independent body, which is empowered to immediately investigate serious complaints.

Amnesty International remains concerned that provisions of draft amendments to the Police Act, which are currently before Parliament, are not adequate to ensure independent and impartial investigations of complaints of serious misconduct.

***For the full text of Amnesty International's submission to the Committee against Torture, see *Republic of Slovenia before the UN Committee against Torture*, AI Index EUR 68/003/2003.**

Public Document

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