

AMNESTY INTERNATIONAL

Public Statement

AI Index: EUR 43/004/2003 (Public)
News Service No: 183
4 August 2003

Switzerland: Impartial investigation needed into treatment of asylum-seekers in the Canton of Glarus

At around 5.30 am on 3 July 2003 a police special unit, apparently searching for criminal suspects and evidence of criminal activity, carried out simultaneous raids on Rain transit centre for asylum-seekers and unauthorized immigrants in the town of Ennenda and two houses for asylum-seekers in the town of Linthal, Canton of Glarus.

Amnesty International is calling on the authorities in the Canton of Glarus to ensure that a thorough and impartial investigation is opened immediately into the alleged cruel, inhuman and degrading treatment of foreigners during the police raids and that the findings are made public at the earliest opportunity. Any officer found responsible for human rights violations should be brought to justice and the victims of any such violations should receive full and adequate reparation.

Prompt, thorough and impartial investigations, in line with international standards, with the scope, methods and findings made public, serve to protect the reputations of police officers who may be the subject of unfounded accusations of ill-treatment, as well as to safeguard the interests of genuine victims of ill-treatment.

It has been alleged, amongst other things, that during the house searches:

- Police officers wore helmets and goggles masking their individual identities;
- Police officers, after using hammers to smash the main doors and inside doors, dragged the residents from their beds and onto the floor, then bound them hand and foot;
- Police officers then placed black hoods over the heads of the detainees so that they could not see;
- Police officers then pulled down the trousers and underpants of some male detainees, stuck numbers onto their backs with adhesive tape and photographed them from behind "in sexually degrading positions," while laughing at them;
- Detainees in the Rain transit centre were then locked together in a room for several hours, still bound and hooded, and forbidden to speak;
- A 16-year-old boy, an asylum-seeker apparently fleeing civil war in his home country and frightened by the raid, jumped from a third-floor window, suffering serious back injuries: it is claimed that he did not receive adequate medical assistance.

The Glarus police have stated that the operation was carried out in a "lawful" and "proportionate" manner. Amnesty International understands that the police have also confirmed, amongst other things, that the residents were bound, required to undress for body searches, had numbers stuck to their backs, were forbidden to speak to each other, and were hooded, to prevent eye-contact. The police have denied that any detainee was photographed in a sexually degrading position. Police have also indicated that the officers involved in the operation wore labels identifying themselves as members of the police force.

Amnesty International is urging that the investigation into the police operation include a determination as to whether international human rights standards were observed. The investigation should establish in particular whether:

European and international standards on the fundamental rights of detainees were observed, including: -- the right not to be subjected to cruel, inhuman or degrading treatment; -- the right of prompt provision of adequate medical care -- and the right to humane conditions of detention; the General Recommendation issued by the UN Special Rapporteur on Torture in 1995, that the practice of hooding and blindfolding of detainees be forbidden, has been transmitted to the police by relevant federal and cantonal authorities; the European Code of Police Ethics, adopted by the Committee of Ministers of the Council of Europe in September 2001, has been transmitted to the police by relevant federal and cantonal authorities. The code states, amongst other things, that during interventions law enforcement officers should normally "be in a position to identify themselves as an individual member of the police."

As the Committee commented, "without a possibility of identifying the individual policeman/woman, personal accountability ... becomes an empty notion." If officers do not display prominently some form of identification - such as a service number - this can prevent the identification of alleged assailants and thus provide them with complete impunity.

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