

Spain: The deadly consequences of racism – torture and ill-treatment

Torture and ill-treatment of members of ethnic minorities or of foreigners are frequent and widespread in Spain, declared Amnesty International.

In the report “Spain: Crisis of identity – race-related torture and ill-treatment by state agents”, launched today in Madrid, the human rights organization documented a notable increase in the cases of torture and ill-treatment of minorities between 1995 and 2002.

“Men, women and children have been verbally abused, physically ill-treated, detained without any explanation, and in some cases tortured,” stated Gillian Fleming, Amnesty International’s researcher on Spain.

“The cases we have documented show a pattern of violation by law enforcement officers of the rights of members of ethnic minorities or persons of non-Spanish origin. Discrimination against these people, tolerated by the authorities, makes them especially vulnerable to torture and ill-treatment by state officials.”

Despite the existence of laws and codes that attempt to guard against discriminatory or arbitrary conduct by state agents, “racial profiling” is common. The use of identity controls has given rise to the current situation whereby many people of foreign origin have suffered abuse and ill-treatment in Spain.

Amnesty International’s report documented:

A large number of deaths in custody, including the deaths of foreign nationals. A number of investigations have failed to be conducted with the required thoroughness, promptness and impartiality.

Undocumented women immigrants have been particularly vulnerable to torture in the form of rape or sexual abuse while in custody.

Incidents of ill-treatment and inappropriate use of restraints during expulsions from Spain. Immigrants subject to expulsion procedures have not been treated with dignity or transparency.

Unaccompanied children have been removed from Spanish territory without adequate legal protection and care. Many of them have been ill-treated while in detention and in transit, or at the Moroccan border in the hands of the Moroccan police.

Impunity is perhaps one of the greatest challenges to resolve this problem: victims of ill-treatment are often immediately served with counter-complaints, many victims are unable to present a complaint through fear, lack of adequate legal aid or the apathy and bias of the judicial authorities.

Police officers with criminal records, or against whom disciplinary proceedings are still pending, have not only been allowed to continue to work, but have been roundly supported by the political authorities.

Police officers who have tried to take measures to ensure the protection of human rights have been punished. For example, three police sergeants who denounced irregularities in the detention and expulsion of Moroccan children from Ceuta were subjected to disciplinary measures.

Many of these events have been supported by the racist statements made by public figures, including politicians.

“The Spanish authorities must decide whether their identity in the 21st century is to be founded on racist attitudes and abusive practices, or tolerance of diversity and respect for human rights,” said Gillian Fleming.

Amnesty International called on the Spanish authorities to adopt a national strategy and plan of action to combat all forms of racism. This should include specific measures to prevent torture and ill-treatment and related manifestations in the administration of justice.

Examples of cases included in the report:

The principal trumpeter of the Barcelona Symphony Orchestra, an African-American US citizen, claimed he was beaten so badly by police officers that he had to miss concert engagements.

A family of Roma, including children, were humiliated and tortured in a Madrid police station, where they were illegally detained.

Police abducted a Senegalese street vendor from a Galician beach, and instead of taking him directly to a police station, beat him up in a remote area of the city, allegedly using racist abuse.

An abandoned Moroccan child, who had tried to make his life in Melilla, was illegally abandoned by Spanish police at the frontier area from where he was too weak to return.

A Brazilian woman was raped while in custody, but, confronted with the refusal of police officers to cooperate in the investigation the rapist could not be identified and the Supreme Court was powerless to act.

A Moroccan worker, under attack from an armed mob, fled his home under a hail of rubber bullets fired by police who did nothing to stop the burning of his home or the looting of his possessions.

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