



## PORADŇA PRE OBČIANSKE A ĽUDSKÉ PRÁVA

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### PRESS RELEASE

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#### **The Slovak Court repeatedly acquits police officers accused of abusing Roma boys at a police station in Košice**

**During its hearing on 17 May 2017 the District Court Košice II repeatedly acquitted police officers accused of abusing Roma boys at a police station in Košice. According to the court, neither the additional investigation proved that the act took place as alleged by the prosecution. The prosecutor has appealed the verdict.**

The District Court first acquitted the police officers in February 2015. The court's reasoning relied on the fact that the act by the police officers did not take place as alleged by the prosecution, following from which their criminal conviction could not be established. However, the Regional Court in Košice upheld the Prosecutor's appeal and reversed the decision by the District Court. The Regional Court held that the proceedings at district level were incomplete and that further investigation must be undertaken in order to complete the findings of facts and clarify any ambiguities.

The District Court Košice II subsequently re-opened the case and allowed for a testimony by some of the Roma boys. On 17 May 2017 the Court repeatedly acquitted the police officers. According to the court, neither the additional investigation proved that the act took place as alleged by the prosecution. Similarly to its decision in 2015, the Court refused to enter the video footage capturing a part of the abuse into the evidence records. It also pointed out the discrepancies in testimonies by the aggrieved Roma boys, which according to the Court persisted despite the further investigation.

The aggrieved Roma boys were represented by attorney Vanda Durbáková, who collaborates with The Center for Civil and Human Rights. According to Vanda, the Court's decision is illegal: *"The District Court repeated its decision from February 2015. In my opinion, it is unreasonable for the Court to repeatedly reject the video footage capturing the abuse, without subjecting it to an expert investigation as suggested by the prosecutor. The video footage is one of the key pieces of evidence, which captures both by video and sound some part of abuse of the Roma boys by the accused."*

*"I still hope for the appeal court to reverse this decision following the appeal by the prosecutor, so that the aggrieved do not have to seek justice at the European Court of Human Rights in Strasbourg,"* added Durbáková.

Štefan Ivanco, a program coordinator at the Center for Civil and Human Rights, also commented on the present case: *"It is deeply saddening to see the way in which the District Court repeatedly acquitted the police officers, and how far the aggrieved are from achieving a legal and just verdict by the courts despite the incident taking place 9 years ago. The verdict shows that Slovakia is yet to ensure effective protection to its citizens from police brutality."*

The judgment by the District Court Košice II is not legally binding. The prosecutor has appealed the verdict.

#### **Background of the case**

In March 2009 a number of police officers detained six Roma boys between aged 11-15 and brought them to the Košice – South police station. There, the officers allegedly forced the boys to strip, slap each other, and carry out other police orders that violated their human dignity. The officers also allegedly threatened the boys with a loaded weapon and provoked the police dogs to attack the boys. Some of the actions were recorded on a mobile phone and the edited footage was published online by a daily newspaper SME.

The Department of Control and Inspection Services at the Slovak Ministry of Interior commenced criminal investigation in the summer of 2009. In the spring of 2010, based on the results of the investigation, the General Prosecutor brought criminal charges against ten police officers. The charges also included abuse of power by a public officer with a racially-motivated intent.

— THE END —

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**The Center for Civil and Human Rights** (Poradňa pre občianske a ľudské práva) is a non-governmental organization based in Slovakia focused on the protection of human rights with particular emphasis on the rights of minorities and protection from discrimination. The Center has for a long time worked on the issue of discrimination against Roma ethnic minority in various areas of public life. It has also been active in the protection of reproductive rights and protection from police brutality. The Center employs strategic litigation to combat discrimination and human rights abuses against minorities. The Center offers free legal advice to victims of discrimination and in selected cases free legal representation to victims of discrimination before Slovak courts and the European Court of Human Rights in Strasbourg. It also conducts monitoring in the field, advocacy, and educational activities on the topic of protection from discrimination for lay and expert audiences.

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