

**PRESS RELEASE**

**In Košice, Slovakia, 18 August 2016**

**European Court of Human Rights condemns Slovakia for failure to investigate a case of police violence against Roma.**

**The European Court of Human Rights (ECHR) delivered a judgement in a case *Adam v. Slovakia* concerning police violence against Roma teenager that occurred in 2010 at one of the police stations in eastern Slovakia. ECHR ruled that Slovak authorities had failed to adequately investigate the alleged violence.**

The judgment concerns the case of 16 years old Roma boy who was in December 2010 together with two other Roma boys detained and taken to the police station in a village Bidovce (region of Košice). According to the testimony of the affected boy, they were all detained at the police station over the night for about 13 hours, during which they were ill-treated by the local policemen trying to force them to confess to a robbery they allegedly had to commit. The policemen beat them with palms and fists over the heads causing the Roma boys injuries requiring up to seven days of medical treatment. During the whole time of the detention they were not given any food and water and were not allowed to sit or lie.

The ECHR decided about human rights violation of one of the affected boys, whose mother filed a criminal complaint with the Control and Inspection Section of the Slovak Ministry of the Interior (Inspection) a few weeks after the incident. She asked for thorough investigation of the police violence allegedly committed against her son. The investigator of the Inspection heard the affected Roma boy and two policemen under suspicion and dismissed the complaint as manifestly ill-founded stating that there was no reason to start criminal proceedings.

The complaint against this Investigator`s decision was dismissed by the District military prosecution, which had supervised his action at that time. Further complaints were dismissed by the Regional military prosecution and Slovak General prosecution. The affected boy was unsuccessful also with his complaint to the Slovak Constitutional Court. In October 2012, after exhausting all available domestic legal remedies, he submitted a complaint to the ECHR claiming a violation of his rights guaranteed by the European Convention on Human Rights (Convention).

On 26 July 2016 the ECHR ruled that Slovak law enforcement authorities had failed to adequately investigate the alleged police misconduct against the applicant and thus violated his guaranteed right to be free from inhuman or degrading treatment (procedural aspect of Article 3 of the Convention).

The ECHR noted that the applicant’s allegations of ill-treatment were sufficiently credible to give rise to an obligation of the state authorities to investigate them in compliance with the requirements of Article 3 of the Convention. In this regard the court emphasized that it is exactly lack of a proper investigation that often makes the police ill-treatment impossible to prove. The court further noted that no steps appear to have been taken with a view to eliminating the inconsistencies in the testimonies of the applicant and the policemen under suspicion. In addition, the Court noted that some parts of the applicant’s criminal complaint were rejected without any explanation at all.

The Court ordered the Government to pay the applicant 1500 EUR in respect to non-pecuniary damage and to reimburse his legal costs.

The judgement is not final.

The applicant was provided a legal representation by Slovak NGO Center for Civil and Human Rights (Poradna).

A legal representative of the applicant, Vanda Durbákova, commented on the decision: „*The European court confirmed that the Slovak authorities had failed to investigate police violence faced by the affected Roma boy and thus they grossly undermined his human rights. The state authorities must finally take resolute steps to prevent any kind of police ill-treatment in our country and to secure under all circumstances effective investigation and punish perpetrators, if such case occurs"*

Stefan Ivanco, program coordinator of Poradna, added: *"This decision of the European court is not surprising at all. For years, Slovakia has been criticized for occurrence of police brutality against Roma minority in the country and shortcomings in investigation of these cases. There is an urgent need to strengthen the quality and independence of investigation of violent police crimes in Slovakia. In remind that Slovak law enforcement authorities currently record a number of other complaints of alleged police violence that have to be adequately investigated and I hope that they will thoroughly read this European court` decision. On behalf of Poradna I would like to congratulate the applicant and his mother and express admiration for their courage and commitment to pursue the justice“.*

*- END-*

**Additional information:**

The ECHR judgement is available at:

[http://hudoc.echr.coe.int/eng?i=001-165230#{"itemid":["001-165230"]}](http://hudoc.echr.coe.int/eng?i=001-165230#{)

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**Information about the NGO:**

**The Center for Civil and Human Rights (*Poradňa pre občianske a ľudské práva*)** is a non-governmental organisation based in Slovakia focused on the protection of human rights with particular emphasis on the rights of minorities and protection from discrimination. Poradňa has for a long time worked on the issue of discrimination against the 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. Poradňa employs strategic litigation to combat discrimination and human rights abuses against minorities. Visit us at [www.poradna-prava.sk](http://www.poradna-prava.sk/).

**Acknowledgement:**

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