



News 2021

Council of Europe anti-torture Committee publishes report on its 2020 ad hoc visit to Croatia

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The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) has published today the report on its ad hoc visit to Croatia from 10 to 14 August 2020. The report is made public pursuant to Rule 39 §3 (1) of the Rules of Procedure (2) of the CPT following written statements made by a senior Croatian official pertaining to the content of the report which were placed into the public domain. The Committee deemed such statements as a misrepresentation of the contents of the report, the professional integrity and modus operandi of the members of the CPT's delegation. Consequently, the Committee decided to publish the report of the visit in full.

03/12/2021



In a report on Croatia published today, the CPT urges the Croatian authorities to take determined action to stop migrants being ill-treated by police officers and to ensure that cases of alleged ill-treatment are investigated effectively.

The Committee carried out a rapid reaction visit to Croatia from 10 to 14 August 2020, and in particular along the border area to Bosnia and Herzegovina (BiH), to examine the treatment and safeguards afforded to migrants deprived of their liberty by the Croatian police. The CPT's delegation also looked into the procedures applied to migrants in the context of their removal from Croatia as well as the effectiveness of oversight and accountability mechanisms in cases of alleged police misconduct during such operations. A visit to the Ježevce Reception Centre for Foreigners was also carried out.



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The report highlights that, for the first time since the CPT started visiting Croatia in 1998, there were manifest difficulties of cooperation. The CPT's delegation was provided with incomplete information about places where migrants may be deprived of their liberty and it was obstructed by police officers in accessing documentation necessary for the delegation to carry out the Committee's mandate.

In addition to visiting police stations in Croatia, the CPT's delegation also carried out many interviews across the Croatian border in the Una-Sana Canton of BiH, where it received numerous credible and concordant allegations of physical ill-treatment of migrants by Croatian police officers (notably members of the intervention police). The alleged ill-treatment consisted of slaps, kicks, blows with truncheons and other hard objects (e.g. butts/barrels of firearms, wooden sticks or tree branches) to various parts of the body. The alleged ill-treatment had been purportedly inflicted either at the time of the migrants' "interception" and de facto deprivation of liberty inside Croatian territory (ranging from several to fifty kilometres or more from the border) and/or at the moment of their push-back across the border with BiH.

In a significant number of cases, the persons interviewed displayed recent injuries on their bodies which were assessed by the delegation's forensic medical doctors as being compatible with their allegations of having been ill-treated by Croatian police officers (by way of example, reference is made to the characteristic "tram-line" haematomas to the back of the body, highly consistent with infliction of blows from a truncheon or stick).

The report also documents several accounts of migrants being subjected to other forms of severe ill-treatment by Croatian police officers such as migrants being forced to march through the forest to the border barefoot and being thrown into the Korana river which separates Croatia from BiH with their hands still zip-locked. Some migrants also alleged being pushed back into BiH wearing only their underwear and, in some cases, even naked. A number of persons also stated that when they had been apprehended and were lying face down on the ground certain Croatian police officers had discharged their weapons into the ground close to them.

In acknowledging the significant challenges faced by the Croatian authorities in dealing with the large numbers of migrants entering the country, the CPT stresses the need for a concerted European approach. Nevertheless, despite these challenges, Croatia must meet its human rights obligations and treat migrants who enter the country through the border in a humane and dignified manner.

The findings of the CPT's delegation also show clearly that there are no effective accountability mechanisms in place to identify the perpetrators of alleged acts of ill-treatment. There is an absence of specific guidelines from the Croatian Police Directorate on documenting diversion operations and no independent police complaints body to undertake effective investigations into such alleged acts.

As regards the establishment of an "independent border monitoring mechanism" by the Croatian authorities, the CPT sets out its minimum criteria for such mechanism to be effective and independent.

In conclusion, nonetheless the CPT wishes to pursue a constructive dialogue and meaningful cooperation with the Croatian authorities, grounded on a mature acknowledgment, including at the highest political levels, of the gravity of the practice of ill-treatment of migrants by Croatian police officers and a commitment for such ill-treatment to cease.

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- > [Read the report](#)
 - > [The CPT and Croatia](#)

(1) Rule 39, paragraph 3, of the Rules of Procedure of the CPT reads as follows: "Similarly, the Committee may decide to publish the whole report if the Party concerned makes a public statement summarising the report or commenting upon its contents"

(2) [Rules of Procedure \[CPT/Inf/C \(2008\) 1\]](#)

