



**Convention against Torture
and Other Cruel, Inhuman
or Degrading Treatment
or Punishment**

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Summary record of the first part (public)* of the 935th meeting

Held at the Palais Wilson, Geneva, on Friday, 30 April 2010, at 3 p.m.

Chairperson: Mr. Grossman

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* The summary record of the second part (closed) of the meeting appears as document CAT/C/SR.935/Add.1.

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The meeting was called to order at 3.05 p.m.

Consideration of reports submitted by States parties under article 19 of the Convention *(continued)*

Sixth periodic report of Switzerland (CAT/C/CHE/6; CAT/C/CHE/Q/6; CAT/C/CHE/Q/6/Add.1; HRI/CORE/1/Add.29/Rev.1)

1. *At the invitation of the Chairperson, the members of the delegation of Switzerland took places at the Committee table.*

2. **Mr. Stadelmann** (Switzerland) said that his country was convinced that periodic consideration of the implementation of the Convention was a key factor in the fight against torture and ill-treatment, and fully associated itself with the Committee's efforts to guarantee respect for the Convention. Switzerland reaffirmed its zero-tolerance policy towards all acts of torture and other types of ill-treatment.

3. Switzerland's sixth periodic report, covering the period between 1 July 2000 and 30 April 2008, had been submitted to the Committee on 2 July 2008. A number of important events had occurred since then. On 24 September 2009, Switzerland had ratified the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. It should be remembered that Switzerland, through Jean-Jacques Gautier, founder of the Association for the Prevention of Torture, had played a key role in the drafting of the Optional Protocol. A National Commission for the Prevention of Torture, established in pursuance of the Optional Protocol, had begun operations on 1 January 2010. Its chairperson was the Swiss representative on the European Committee for the Prevention of Torture (CPT), and it was made up of 12 experts in law and medicine, criminal prosecution and the enforcement of sentences.

4. In its report on its fifth visit to Switzerland, published in November 2008, the CPT had not detected any signs of torture or serious ill-treatment in the establishments it had visited – police stations, inpatient or detention facilities, high-security units or homes for young offenders. It had, nevertheless, made recommendations to improve the protection of persons detained in the various establishments, which had already been partially implemented by the Swiss authorities.

5. Progress had also been made in bringing Swiss criminal law into line with the Rome Statute of the International Criminal Court, which Switzerland had ratified on 12 October 2001 and which had entered into force on 1 July 2002. The Federal Parliament was currently considering a bill which would introduce the concept of crimes against humanity in Swiss criminal law and define acts which constituted war crimes in more detail.

6. A number of major new pieces of legislation had been finalized or were in the process of being adopted. The new Code of Criminal Procedure, which would enter into force on 1 January 2011, would replace the 26 cantonal codes of criminal procedure and the federal law on criminal procedure. It would strengthen the rights of the defence and of victims and reinforce witness protection measures. The procedure applicable to minors would be regulated by a separate law, emphasizing protection and education. The harmonization of criminal procedure provisions would ensure greater respect for the principles of equality before the law and legal certainty and make it easier to fight crime. The new Code of Civil Procedure, which would also enter into force on 1 January 2011, would simplify access to justice and thereby make it easier to apply the law on a daily basis. It would also increase the transparency and predictability of legal rules and allow for a unified legal system.

7. A partial revision of the Asylum Act had been initiated in January 2009 and was to be presented to Parliament in 2010. Several of the organizations consulted during that

process had noted a lack of consistency in the grounds applied in reaching a summary dismissal or non-consideration decision (*décision de non-entrée en matière*); a proposal to replace the summary dismissal procedure with an accelerated procedure which considered the facts of the case had subsequently been submitted. At the same time, consideration had been given to the required adaptation and simplification of the procedure. An expert commission appointed by the Federal Department of Justice and Police had proposed amendments which would create a distinction between the non-consideration procedure, which would still have a 5-day time limit for appeals, and a uniform asylum procedure, which would have a 15-day time limit. The former would apply only to persons arriving from a safe third State and to those transferred under European Council Regulation (EC) No. 343/2003 of 18 February 2003 establishing the criteria and mechanisms for determining the member State responsible for examining an asylum application lodged in one of the member States by a third-country national (Dublin II Regulation). It would, therefore, no longer apply to persons who were unable to produce identity documents. Moreover, in order to improve the legal protection of asylum-seekers, legal representation during hearings, currently provided by aid organizations, would be replaced by an advisory service financed by the Swiss Confederation and available for the entire duration of processing and evaluation of asylum applications.

8. In 2010, Switzerland had introduced a new system of crime statistics which for the first time made it possible for data on all crimes recorded in the 26 cantons of the country to be compiled on the basis of identical criteria. The data were then centralized for analysis. That innovation closed long-standing gaps in information about crime.

9. **Mr. Gaye** (First Country Rapporteur) welcomed the State party's ratification of the Optional Protocol to the Convention against Torture and the various domestic law reforms which had been undertaken, particularly the harmonization of the law on criminal procedure.

10. In its reply to the question why it had not incorporated a specific definition of torture in its criminal law, the State party had said that it was not necessary to add such a definition because acts of torture were covered by other offences defined in the Criminal Code and were thus punishable under Swiss criminal law. The Committee did not consider that argument admissible. The Vienna Convention on the Law of Treaties explicitly stated that a State could not invoke the provisions of its internal law as justification for its failure to perform a treaty. From that point of view, any State party to the Convention against Torture was obliged to incorporate in its domestic legislation a definition of torture that was consistent with the one contained in the Convention itself.

11. Moreover, the lack of a specific criminal offence of torture meant that the penalties imposed upon those responsible for acts of torture were often not proportionate to the seriousness of those acts. State officials who had been prosecuted for abuse of authority or assault because they could not be prosecuted for torture had received very light penalties, as was shown by the examples cited by the State party in its replies to the list of issues (pp. 2–3). By not incorporating a specific definition of the offence of torture in its criminal law, the State party was not only failing in its obligations in respect of articles 1 and 4 of the Convention, but also jeopardizing the implementation of all the measures to prevent torture provided for in the Convention, particularly those relating to non-refoulement. It was therefore of the greatest importance that the State party should include a specific definition of the offence of torture in its criminal legislation.

12. Life imprisonment for sex offenders or violent criminals classified as extremely dangerous, with no possibility of early release or time off (CAT/C/CHE/6, para. 10), as provided for in article 123a of the Constitution, gave rise to concern in respect of article 2 of the Convention. Had that provision already been applied and, if so, could the delegation provide specific examples? It would be useful to have a clarification of the terms "sex

offender or violent criminal classified as extremely dangerous” and “expert evaluation” required for sentencing. Article 123a, paragraph 2, of the Constitution provided that the authority which had ruled that the life imprisonment should be lifted, in the light of a new expert evaluation stating that the offender was no longer a danger to society, would be liable in the case of recidivism; that was an unusual provision, to say the least. Any explanation which the delegation could provide would be welcome. Was a life sentence on grounds of public security also applicable to minors? The desire to isolate individuals who were a danger to society was a legitimate one, but there must be other ways of achieving that aim which were more respectful of human dignity.

13. Turning to the distribution of powers between the civil and military criminal prosecution authorities, he said that, from the information in the State party’s report (para. 13), it seemed that offences committed by civilians against members of the Swiss army came within the competence of the military courts. It was essential to be sure that the principles of a fair trial were duly respected in such cases.

14. The information provided by the State party on the powers of the National Commission for the Prevention of Torture (paragraph 16 of the written replies) did not indicate whether the Commission could go directly before the courts as part of an early warning procedure. It would be interesting to know if it could. Switzerland’s undertaking under the Universal Periodic Review procedure that it would create a national human rights institution had not yet been fulfilled. The delegation might care to indicate whether any progress had been made towards that goal.

15. It would be useful to know more about the conditions governing the use of stun guns. Experience had shown that, if improperly used, those weapons, although intended merely to incapacitate, could in fact cause death.

16. The absolute ban on torture enshrined in article 2 of the Convention precluded any justification of torture in exceptional circumstances or on the order of a superior. However, article 14 of the new Criminal Code (paragraph 24 of the report) did not enunciate that principle clearly. In any case, it was difficult to guarantee respect for the principle, since acts of torture could not be classified as such, owing to the lack of a specific definition of torture in criminal law. Moreover, there seemed to be no mechanism to protect State officials from possible disciplinary sanctions if they refused to carry out an illegal order. He would welcome more information on that issue.

17. There were frequent allegations of violence, humiliation and other acts amounting to cruel, inhuman or degrading treatment inflicted by law enforcement officials on foreign nationals during deportations by air. The recent case of a Nigerian asylum-seeker, who had died at Zurich airport while being deported, was one tragic example of such treatment. Perhaps the delegation could say what the results of the inquiry into that case had been and what further action had been taken. The State party must urgently establish a surveillance mechanism which would guarantee the attendance of independent observers and physicians during removal operations. The Committee would like to know the State party’s intentions in that respect.

18. The State party had said in its written replies (para. 24) that no case of torture or inhuman or degrading punishment had been reported in the context of repatriation. However, the example he had just mentioned and information received by the Committee from reliable sources indicated the contrary. One of the cases reported had been that of Mr. A., who had been struck and injured by police officers when he had refused to board the aircraft which was to take him out of the country. He had lodged a complaint and had been interviewed by colleagues of the police officers he had accused, but he had quickly been expelled from Switzerland before an impartial and independent investigation could be carried out. It would be useful to hear the delegation’s views on that issue.

19. The State party had not provided an adequate explanation of its reported authorization of the use of Swiss airspace and the airports of Geneva and Zurich by aircraft transporting persons who had been held without trial to countries where, allegedly, they had subsequently been tortured. The Committee particularly wished to receive more detailed information about the *Abu Omar* case, concerning which an inquiry had been launched but then apparently suspended. He asked whether that was the case and, if so, how an inquiry could be suspended before any decision had been taken on the substance.

20. The Swiss regulations governing expulsions were quite complex; in particular, it was difficult to establish a distinction between cases where appeals had suspensive effect and those where they did not. In addition, asylum requests were treated differently in different cantons; it would be desirable to harmonize the relevant regulations at federal level. It was astonishing that fees were charged for the reconsideration of asylum requests which had been rejected. That practice was likely to deprive asylum-seekers, who were often living in hardship, of the opportunity to lodge an appeal. Generally speaking, there was an undeniable risk of violation of the principle of non-refoulement on the territory of the State party. He would be interested to know the delegation's views on that issue.

21. There had been misuse of the practice of detaining foreign nationals who had requested asylum or refugee status. The State party should find alternatives to the lengthy detention of persons who had committed no offence, which was a violation of international treaties. He asked how the State party decided that a particular third State was "safe". Finally, he believed that the concept of torture to which the State party had referred in connection with the management of migration flows was problematic, since it was not enshrined in positive legislation.

22. **Mr. Mariño Menéndez** (Second Country Rapporteur) took note with satisfaction of the measures to harmonize Swiss asylum law with that of the European Union. He wished to know from what point in time, in practice, a person held by the police was officially classified as being under arrest or in detention, thus qualifying for the services of a lawyer and the opportunity to notify a person of his/her choice. He also asked the delegation to clarify whether Swiss law provided for immediate administrative expulsion of a foreign national for security reasons without the possibility of appeal, or whether it was always possible to appeal against an expulsion decision.

23. The Committee had often observed that there was a certain contradiction between article 33, paragraph 2, of the Convention relating to the Status of Refugees of 1951, which authorized the expulsion of a foreign national when there were reasonable grounds for regarding him/her as a danger to the security of the country or when he/she had been convicted of a particularly serious crime or offence, and article 3 of the Convention against Torture. Clarification was needed as to whether Switzerland considered that provision of the Convention relating to the Status of Refugees as authorizing the expulsion of a refugee to a country in which he/she faced the danger referred to in article 3 of the Convention against Torture.

24. It would be interesting to know whether the guidelines on expulsion which were currently in preparation would cover the use of stun guns. The case of the Nigerian citizen who had died while being deported had highlighted the need to provide more training for cantonal and federal officials in the use of physical force; the delegation might care to state whether it was planned to provide such training.

25. Turning to the problem of overcrowding in certain Swiss prisons, he noted that it was largely due to the fact that persons in pretrial detention were held with convicted offenders. Although action had been taken to address the problem in Champ-Dollon prison, no action had been taken in other prisons. It would be useful to know more about the measures which Switzerland intended to take in order to remedy the situation.

26. The fact that complaints of ill-treatment against the police were not always accorded the requisite attention had given rise to repeated calls for the establishment of an independent mechanism in each cantonal administration to investigate such complaints. NGOs had emphasized that the institution of the Ombudsman, while very effective in one or two cantons, did not work well in others, where a kind of “law of silence” prevailed. The competent police authorities did not properly investigate punishable offences committed by police officers, so that victims were powerless to enforce their rights. It appeared that it was likewise difficult for victims of torture to obtain redress.

27. The information made available to the Committee showed that Switzerland asked victims to cooperate in the fight against trafficking in persons but that, at the same time, it offered no particular protection to persons who took the risk of denouncing those responsible for trafficking. Did the State party intend to grant residence permits to persons who cooperated with the authorities in that way, or take other action in their favour?

28. It would be interesting to know whether a person who had obtained Swiss nationality could subsequently be deprived of it and, if so, on what grounds. If a person deprived of Swiss nationality became stateless, was he/she allowed to remain on Swiss territory, or expelled? He further invited the delegation to provide more information about the conditions governing family reunification for persons who had obtained a residence permit.

29. On the subject of women victims of domestic violence, he noted that foreign women who had obtained a Swiss residence permit by virtue of their marriage would lose it on divorce or separation. If the separation occurred because of violence, the woman had to prove that she had been ill-treated and had no possibility of reintegration in her country of origin, which was often a difficult task. He cited the example of a Serbian woman who had married a compatriot who also had Swiss nationality and who, after suffering violence at the hands of her husband, had decided to leave him. Her residence permit had been withdrawn and she had been ordered to return to Serbia; in addition, she had received threats from her husband. The case was currently being considered by a federal court, since the court of first instance had refused the woman a residence permit. In such cases, could the Swiss authorities consider granting the woman her own residence permit, separate from that of her husband?

30. He noted with satisfaction that Switzerland took diplomatic assurances into account only in cases of extradition. He asked for more details about the status of the National Commission for the Prevention of Torture which was being set up, the guarantees of its independence, including financial independence, the system of election of its members and its reporting procedures. Finally, he asked the delegation to state whether private security firms carried out certain police tasks and, if so, to provide information on the regulations to which they were subject and the way in which they answered to the administration for their actions.

31. **Ms. Gaer** asked for more information about the action taken to ensure that complaints of ill-treatment lodged against the police were thoroughly investigated and that victims and their families were better informed of their right to redress. She also wished to know which cantons had independent mechanisms for receiving and considering complaints against the police.

32. She would be interested to know how asylum-seekers were informed of their rights at airports and in transit zones, and in which language. Recalling the provisions of article 3 of the Convention, she asked the delegation to specify what constituted substantial grounds, under Swiss law, for believing that a person was in danger of being subjected to torture and the rules of evidence which were applicable. Did the asylum-seeker have to establish the mere likelihood that he/she would be tortured, or did he/she have to prove the existence of

such a risk beyond all reasonable doubt? Did he/she have to produce documentation to back up the claim? It would also be very useful for the Committee to know whether the procedure was an administrative or judicial one and whether it was subject to all the guarantees of due process.

33. She wished to know how the police intervened in cases of domestic violence and whether, in addition to measures taken to protect victims, people who committed such acts were investigated and prosecuted. With reference to the arrest in July 2008 of Hannibal Gaddafi and his wife, accused of ill-treating two foreign domestic workers who had appealed to the authorities, she asked about the obligations of the police in such situations. Were they obliged by law to make an arrest, as they had done in that case, or did they take action only if the violence went beyond certain limits? The victims had subsequently withdrawn their accusations, and the press had reported that they had been paid compensation. She wished to know whether the persons concerned were still in Switzerland or whether they had been obliged to leave the country after withdrawing their accusations. The provision of further details about the case would give the Committee a better understanding of the remedies available to victims in such situations, particularly foreign nationals, who were said to be more vulnerable to that kind of violence.

34. **Ms. Belmir** welcomed the measures taken by the State party to maintain the operational capacity of the Federal Court and lay the foundations for the harmonization of criminal procedure. Paragraph 10 of the report stated that, on 8 February 2004, the Swiss people and cantons had accepted the federal popular initiative entitled “Life imprisonment for extremely dangerous, non-reformable criminals”. Accordingly, a new provision, article 123a, had been added to the Constitution, which stated that an authority which had ruled that life imprisonment should be lifted, in the light of an expert evaluation showing that the criminal could be reformed and was no longer a danger to the community, was “liable” in the event of recidivism. Could the delegation provide more information about the nature of the liability incurred by those authorities, namely judges? As for the treatment given to foreign nationals, it was regrettable that they were still not always recognized as persons before the law.

35. **Mr. Bruni** noted that the National Commission for the Prevention of Torture, the new national prevention mechanism, was obliged by law to draw up an annual public report on its activities. He asked whether the Commission’s observations on its visits to places of detention and its recommendations to the competent authorities would appear in the annual report.

36. In respect of the implementation of article 3 of the Convention, he would welcome more information about the status of the federal people’s initiative for the expulsion of foreign criminals, in which it was proposed to add a provision to article 121 of the Constitution for the systematic expulsion of foreigners convicted of serious criminal offences. The provision appeared to run counter to the principle of non-refoulement, and also to article 25, paragraph 3, of the Swiss Constitution, which stated that “No one may be deported to a State in which they face the threat of torture or any other form of cruel or inhuman treatment or punishment”. It would be interesting to know what follow-up action had been taken in respect of the indirect counter-proposal to the initiative submitted by the Federal Council. Could a people’s initiative which was clearly inconsistent with the Constitution conceivably be put to a referendum?

37. He would also welcome information about the follow-up to the investigation into the death of a Nigerian national on 17 March 2010 while the latter was undergoing deportation at Zurich airport. The procedure of forced repatriation by air appeared to be inconsistent with the Convention; it would be interesting to know the delegation’s thoughts on that issue. Could consideration be given to permitting the presence of an independent observer?

38. Turning to article 16 of the Convention, he drew the delegation's attention to the problem of prison overcrowding in Switzerland. Although the average occupancy rate in Swiss prisons had stood at 91 per cent in 2009 — which was in line with the average among member States of the Council of Europe — there had been a real overcrowding problem in prisons in French-speaking Switzerland for some years. For instance, in Champ-Dollon prison in the canton of Geneva, the occupancy rate was said to be more than 200 per cent, and the situation had apparently deteriorated even further recently. The competent authorities in Geneva had announced an accelerated building programme using prefabricated units, which would create 100 extra places. However, it was doubtful whether that would be enough to resolve such a pressing problem. Could the delegation say whether other measures were planned in the short term, for instance transferring prisoners to other penal institutions? Would it not be possible to reclassify certain offences so that they no longer incurred the penalty of deprivation of liberty?

39. **Ms. Sveaass** asked whether officials of the Federal Office for Migration used the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol). In particular, she asked whether medical examinations could be performed on asylum-seekers so as to detect any signs of torture which might justify the granting of asylum or protection measures. Noting that, according to the new article 123a of the Constitution, a further expert evaluation would be conducted on a sex offender or violent criminal classified as extremely dangerous only if “new scientific knowledge” showed that the criminal could be reformed, she reminded the State party that only thorough, case-by-case consideration could allow such a conclusion to be drawn. It would be interesting to know how Swiss physicians and psychologists had responded to the adoption of the article.

40. The number of minors in administrative detention, currently standing at 71, was relatively high. Could the delegation provide more information about the duration of their detention and indicate whether they received psychological assistance? According to the new provisions of the Asylum Act, any unaccompanied minor had the right to assistance from a trusted adult, appointed to help the child to complete all the necessary procedures. It would be interesting to know exactly who could gain access to the minor while he/she was in detention.

41. Noting the adoption by Switzerland of new legal provisions on trafficking in persons, she asked how many persons had been prosecuted under those provisions. Finally, she wished to know whether female foreign nationals could be removed to countries where they risked becoming victims of crimes of honour.

42. **Mr. Wang Xuexian** noted that Switzerland, with approximately 7.7 million inhabitants — of whom 1.6 million came from an immigration background — had shown generosity in the granting of asylum and residence permits. Nevertheless, Switzerland's expulsion of foreign nationals on the grounds of public safety was a source of concern to the Committee, as was the accelerated procedure for considering asylum claims, which might well infringe claimants' rights. What measures had Switzerland taken to guarantee respect for the rights of asylum-seekers under that procedure? Could the delegation say whether the concluding observations of the Committee against Torture were translated into the various official languages of the Swiss Confederation?

43. **Ms. Kleopas** noted that, according to information received by the Committee from non-governmental organizations, a relatively large number of unaccompanied minors had disappeared on Swiss territory during the consideration of their asylum claim, and sometimes even before. Those minors, who had reportedly disappeared shortly after their arrival in Switzerland, were said to be particularly vulnerable to trafficking for purposes of sexual exploitation or forced labour. Could the delegation indicate whether any investigations had been conducted in those cases and whether the authorities had any

information about what had happened to the persons concerned? It would also be interesting to know whether any measures were planned to enable prisoners in Champ-Dollon prison who had mental-health problems to access appropriate health services.

44. **The Chairperson** noted that, in paragraph 7 of its written replies, the State party had indicated that, under the new criminal law applying to minors, the latter must receive education adapted to their personality. Could the delegation provide more information about the content of that education? In paragraphs 25 and 26 of its written replies, Switzerland indicated that it was the responsibility of the cantons to provide social or emergency assistance to anyone in need, irrespective of his/her nationality or residence status. It was specifically stated that article 80 of the Federal Asylum Act confirmed the competence of the cantons to provide both types of assistance. If asylum-seekers in a situation of hardship were refused such assistance, could they apply for a remedy? Were there any mechanisms to ensure that the persons concerned could actually gain access to social or emergency assistance?

45. The Committee also wished to know whether, under Swiss law, women who were likely to suffer genital mutilation in their country of origin or members of sexual minorities were considered as social groups within the meaning of the 1951 Convention relating to the Status of Refugees and were thus eligible for asylum. In paragraph 41 of its written replies, the State party indicated that, in December 2005, the Delegation of the Control Committees of the chambers of Parliament had decided to launch an investigation to determine the precise nature of the information available to the federal authorities about the transport of prisoners by air and secret CIA prisons in Europe. In the delegation's opinion, had the investigation enjoyed adequate guarantees of independence and impartiality?

46. According to the Swiss League for Human Rights, in all cases where a complaint of excessive use of force during a deportation had been lodged against the cantonal police force of Geneva, the foreign national concerned had been expelled a few days after making the complaint, which made a proper investigation impossible. All the complaints were said to have been dismissed after a few months, when the Public Prosecutor had declared them to be without object. It would be interesting to hear the delegation's comments on that information. He noted that, under Swiss law, it was possible to keep foreign nationals in administrative detention for a period of up to 18 months, or even 24 months in exceptional cases, and asked whether there were regular reviews of the need for detention to continue.

47. In paragraph 51 of its written replies, the State party indicated that an act committed abroad could not be made punishable in Switzerland unless it was covered by a provision of criminal law in the place where it had been committed. He asked whether, for Switzerland, ratification of the Convention against Torture was enough to satisfy the requirement that torture should be made a criminal offence. In respect of article 6 of the Convention, he asked whether, if there had not been enough time to gather all the evidence required to bring a prosecution, but indications of guilt nevertheless existed, it was possible to prolong the investigation or whether the suspect must be released.

48. He noted from paragraph 60 of the written replies that the Swiss Prison Personnel Training Centre did not provide courses for health professionals working in prisons. He asked whether the issue of torture was dealt with in the training of health professionals and whether the Istanbul Protocol was touched on in that context. He further asked whether there were mechanisms allowing prisoners to have access to the physician of their choice. According to information before the Committee, suspects arrested by the police in the canton of Zurich must be informed of their rights if it was the first time they had been arrested. He asked the Swiss delegation to specify the language in which they were read their rights, the precise nature of the information provided and whether the rule was applied only in the canton of Zurich or throughout the country. The delegation could perhaps also specify the situations in which law enforcement officials were authorized to use means of

restraint on a prisoner and provide annual statistics, broken down by each of those situations, on the number of cases in which the police had resorted to such means of restraint.

49. Referring to a document submitted to the Committee by the NGO Mesemrom, which condemned the police persecution to which Roma had allegedly been subjected in the canton of Geneva, he asked the Swiss delegation to state how many complaints had been lodged by Roma against law enforcement officials since the presentation of the previous periodic report, the nature of the abuses alleged against the police and the action which had been taken to address the complaints. He also wished to know how many Roma had been arrested in the same period and for what reasons, and whether police officers received specialized training on the correct way to treat persons belonging to minorities, particularly Roma. Finally, he wished to know what had happened to the Roma children arrested by the police for begging in January 2010, on the order of the Council of State of the canton of Geneva.

50. According to a report submitted to the Committee by the Swiss League for Human Rights, the police had searched the homes of suspects of Georgian origin without first showing them an arrest warrant. He asked the delegation to state how many complaints had been lodged in respect of such acts, whether any proceedings had been initiated in response to the complaints and what the outcome had been.

51. He thanked the Swiss delegation and invited it to reply to the Committee's questions at a later meeting.

The public part of the meeting rose at 5.20 p.m.