

EXTERNAL

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GERMANY: ALLEGED ILL-TREATMENT OF ABDULKERIM BALIKCI

The following information is based on an interview with Abdulkерim Balikci, conducted by Amnesty International in the Federal Republic of Germany, on a complaint made by the victim's lawyer on 20 August 1993, and on a medical certificate. Abdulkерim Balikci is a Turkish citizen, married to a German national. He has been living in Germany for three years and hopes to apply for German citizenship.

In the early hours of the morning of 3 August 1993, Abdulkерim Balikci was on his way to visit a friend in the Charlottenburg district of Berlin. After arriving at his friend's flat he saw a large number of police officers and several police vehicles on the opposite side of the street in front of a public house. At this point a man approached Abdulkерim Balikci, stating that he was a police officer and requesting to see the 25-year-old Turk's identity papers. Abdulkерim Balikci asked the man, who was wearing civilian clothes, for proof of his identity. He was told to shut his mouth ("Halt' Dein Maul") and again asked for his papers. Abdulkерim Balikci explained that he did not have his identification papers on him. Upon hearing this the man then pushed him against a wall and placed a handcuff on one wrist. As he tried to struggle free, Abdulkерim Balikci was pushed to the ground by the first man and by a second, uniformed, police officer. Abdulkерim Balikci alleges that a third officer who had arrived on the scene then began to strangle him with one hand. This lasted for one or two minutes. Abdulkерim Balikci screamed with pain and in fear, at which point one of the officers kicked him on the side of the head. He was then handcuffed, pushed into the back of a police vehicle and told to sit on the floor. According to Abdulkерim Balikci, one of the officers at the scene asked his colleague for a glove. He then climbed into the car and proceeded to strike Abdulkерim Balikci around the head and on the right shoulder. The officer then got out of the car. Approximately eight to ten officers stood close by talking and laughing.

Abdulkерim Balikci was taken to Bismarck Street (Bismarckstraße) police station where he asked to be informed of the reason for his arrest. His inquiry met with the response "Shut your mouth" ("Halt' die Schnauze"). His personal belongings were taken from him and he was placed in a cell. Shortly afterwards his nose began to bleed heavily. He was given some paper tissues and asked if he needed a doctor. When he replied in the affirmative, he was told that he should take care of it himself, as it could take several hours before a doctor could come to the police station.

After his personal details had been taken from a bankers card he had been carrying, Abdulkерim Balikci's belongings were handed back to him and he was allowed to leave the station. He wandered through the streets, his clothes bloody, and arrived at his friend's early the next morning in a confused

state. Later the same day he visited his doctor who identified the following injuries: multiple bruising of the face, left elbow, both wrists, right knee, chest and lower back ["multiple Prellungen im Gesicht, li Ellenbogen, beiden Handgelenken, re Knie sowie Brust- und Lendenwirbelsäule"]; multiple abrasions to the right cheek and eyebrow and to the right knee ["multiple Hautabschürfungen über re Jochbein + Augenbraue sowie re Knie"]; bruising caused by strangulation ["Strangulationshämatom"].

A complaint about his ill-treatment has been made by Abdulkerim Balikci's lawyer to the Minister of Internal Affairs in Berlin. Abdulkerim Balikci has been informed by the Berlin police authorities that he is accused of attacking and physically injuring police officers in the course of an identity check and of resisting arrest.

Amnesty International is seeking information about the outcome of Abdulkerim Balikci's complaint of ill-treatment. The organization has received a number of recent allegations of ill-treatment involving Berlin police officers and has raised these concerns with the Berlin authorities.

INTERNAL

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 WERAN NO: 31/93

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RECOMMENDED ACTIONS

1. Please write to the authorities listed below and give a brief summary of the case as it has been reported to Amnesty International. Do not make any accusations or even use an accusatory style in your letters; simply state that Amnesty International seeks as much information as possible about allegations brought to its attention. By making such inquiries the organization is not saying or implying that the allegations received by AI are true or false.
2. Ask whether a judicial investigation has been launched into the complaint of ill-treatment lodged by Abdulkerim Balikci. Ask to be informed of the outcome of any investigation and of the counter-complaint made by the police. State that you understand that the Public Procurator will make a decision as to whether charges are to be brought against any individuals.
3. Ask whether the officers concerned have been the subject of any disciplinary sanctions following the complaint made about their behaviour.

Please be aware when writing to the ministers that the Minister of the Interior is in charge of the Police while the Minister of Justice is in charge of the Public Procurator. Please write in German only if you can be sure that it is excellent German, otherwise write in English, French or in your own language.

ADDRESSES:

1. **Minister of the Interior, Berlin**
 Herrn Prof. Dr. Dieter Heckelmann
 Senator für Inneres
 Fehrbelliner Platz 2
 10702 Berlin
 Federal Republic of Germany

Salutation: Dear Minister (Sehr geehrter Herr Senator)

2. **Minister of Justice, Berlin**
 Frau Prof. Dr. Jutta Limbach
 Senatorin für Justiz
 Salzburger Str. 21-25
 10825 Berlin
 Federal Republic of Germany

Salutation: Dear Minister (Sehr geehrte Frau Senatorin)

DURATION OF ACTION: UP TO 6 MONTHS FROM RECEIPT OF THIS MAILING. [If after six to eight weeks you have had no response from the authorities listed above, please write to them again, referring to your earlier letter(s).]

PLEASE REMEMBER THAT IT IS IMPORTANT TO SEND THE RESEARCH DEPARTMENT - AS SOON AS POSSIBLE - COPIES OF THE LETTERS YOU SEND TO THE AUTHORITIES IN CONNECTION WITH THIS ACTION AS WELL AS ANY REPLIES YOU RECEIVE. THANK YOU.

HOW THE WERAN WORKS:

TIPS FOR COORDINATORS AND GROUPS FROM THE EUROPE RESEARCH DEPARTMENT

As soon as the individual/relevant research team decides to issue a RAN action on a specific human rights violation in Europe, it writes up the action and dispatches it directly to groups and Coordinators in the WERAN network. The majority of actions sent to the WERAN network concern cases of alleged ill-treatment (in police custody or in prisons).

WHAT HAPPENS TO THE WERAN ACTION AFTER IT HAS LEFT THE RESEARCH DEPARTMENT?

- ◆ The research team decides how many groups are needed to participate in the action, then sends it direct to the relevant WERAN Coordinators. As soon as possible, each Coordinator then allocates the action to a group (or several groups, as specified in the action), taking the groups' workload and language ability into consideration. Copies of the action are also sent to the relevant section office for information.
- ◆ Each Coordinator then informs the research team which groups will be working on the action.
- ◆ Each group will start work on the action, sending copies of their letters promptly to their Coordinator, who will then forward them to the research team. (There is no need to send multiple copies of the same letter to different authorities - just attach a note saying who the letter has been sent to). In the same way, if the group receives a reply, it should be sent **immediately** to the Coordinator for forwarding to the research team. If the reply is undated, then the group should indicate the date when the reply was received.

WHAT HAPPENS WHEN A GROUP DOES NOT HAVE A WERAN COORDINATOR?

- ◆ The research team will simply dispatch the WERAN action direct to the group. The group should then start work on it and send copies of their letters, and any replies from the authorities, straight to the research team in London.

WHY DO GROUPS NEED TO SEND COPIES OF THEIR LETTERS TO THE RESEARCH TEAM?

- ◆ It is absolutely **crucial** that groups send the research team copies of both the letters they have written and any replies received! The reason for this is not for us to check the letters you write - but so that we can be **sure** that the authorities have been contacted by Amnesty International about a particular case of concern to us. In most actions, the **only** communication with a government about a particular case may be through a WERAN group. We need this sort of information in order to write external papers such as the six-monthly AI bulletin, *Concerns in Europe*. The research team also needs to be kept up-to-date in case it has to communicate directly with the government of the country concerned. Without the groups' contribution, Amnesty International is unable to rely on its information being up-to-date or accurate.

WHAT HAPPENS IF A GROUP IS UNABLE TO PARTICIPATE IN A PARTICULAR ACTION?

- ◆ **If you receive an action and find that you are unable to work on it, please inform your Coordinator (or the research team in London, if you do not have a Coordinator) so that the action can be promptly re-allocated to another group. It is very important that you do not just ignore the request for action.**

REMINDERS FOR COORDINATORS:

- ◆ **When you receive an action for allocation, please let the research team know as soon as possible which group(s) will be working on it.**
- ◆ **Please inform the Actions Team in the Campaign and Membership Department if a group changes address (even if only temporarily) or has left the WERAN network. We need to know we can rely on groups to take action.**
- ◆ **If for any reason you are unable to carry out your responsibilities even on a temporary basis - for example, if you are ill or away on holiday - please inform the Europe Research Department so that WERAN actions can be sent to another Coordinator or group.**
- ◆ **Keep in regular contact with your groups to offer advice on their WERAN activities.**

GOOD LUCK WITH YOUR WORK ON THIS WERAN ACTION!