

EXTERNAL

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## GERMANY: ALLEGED ILL-TREATMENT OF BORA A.<sup>1</sup>

The following information is based on an interview with Bora A. conducted by Amnesty International in the Federal Republic of Germany, on a written statement made by the victim, and on a medical certificate.

In the early afternoon of 28 March 1993, Bora A., a 28-year-old Turk, was talking with friends outside a cafe in the Wedding district of Berlin. A police car drew up near the cafe and two officers, one male and one female, got out. They approached Bora A. and asked him for his identity papers, his driving-licence and his car papers. Bora A. asked the officers why they needed to check his identity and then went over to his car to fetch the information.

A friend with whom he had been talking asked the officers what Bora A. had done, at which point one of the two officers ran over to the police car and called for assistance. Within two minutes four or five other police vehicles had arrived on the scene. The female officer then pointed Bora A. out to one of her newly arrived colleagues. The officer in question went over to Bora A. and without saying anything thrust the man's left arm up behind his back.

Bora A. alleges that when he bent his head forwards, in order to alleviate the pain to his arm, he was kneed several times in the stomach. This action was followed by a number of karate chops to the back of Bora A.'s neck. His ill-treatment was reportedly witnessed by a crowd of onlookers. Bora A. was then pushed inside a police car with his wrists handcuffed tightly behind his back and taken to a detention building attached to police station 16 where he was placed in a cell.

Bora A. alleges that during his detention he was in considerable pain and started to experience breathing difficulties. His call for a doctor was answered after an interval of ten minutes by two officers who came into his cell laughing. One of the officers allegedly told Bora A. that he could see a doctor if he had DM 3,000. The detainee was then taken into an office where the handcuffs were removed from his visibly swollen wrists. He was searched and his fingerprints and photograph were taken.

Bora A. further alleges that while he was detained he was racially abused and was refused permission to telephone his partner. He states that after it had been ascertained that he had no previous convictions of any kind, officers discussed with each other what they could put down on the charge sheet. Amnesty International has subsequently learned that a complaint has been issued by the police, accusing Bora A. of resisting state authority (*Widerstand gegen die Staatsgewalt*) and of assaulting officers (*Körperverletzung*).

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<sup>1</sup> The victim has requested that his full name not be published by Amnesty International.

After refusing to sign a piece of paper that had been placed in front of him, Bora A. told the officers that he was going to make a formal complaint. He alleges that upon hearing this one of them replied "Go on then, we're all colleagues here" ("Mach' doch. Wir sind hier alle Kollegen"). Bora A. was then allowed to leave the detention building. Once outside he ascertained that not all of his personal belongings had been returned to him. He went to the main entrance of the police station in order to make a complaint but was not allowed in.

After returning home Bora A. went with his partner to hospital where he was examined and x-rayed. Afterwards he went to his local police station and made a complaint. A medical certificate issued by his local doctor the next day reveals that Bora A. had suffered multiple bruising ("multiple Prellungen"). As a result of injuries to his neck Bora A. was required to wear a neck support for five days.

Amnesty International is seeking information about the outcome of Bora A.'s complaint of ill-treatment and of the complaints against him. The organization has received a number of recent allegations of ill-treatment involving Berlin police officers and has raised its concern over these allegations with the Berlin authorities.