

**EXTERNAL**

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**£GERMANY:  
@THE ALLEGED TORTURE OF BINYAMIN SAFAK**

The information on this case is based on a criminal complaint submitted by Binyamin Safak to the Frankfurt prosecuting authorities on 12 April 1995; on an interview conducted by Amnesty International with the victim; on an article in the Turkish-language newspaper *Hürriyet*; and on medical certificates. Binyamin Safak was born in Germany and is of Turkish nationality.

According to a criminal complaint made by Binyamin Safak, he and a companion stopped their car in front of a hot-dog stand in the centre of Frankfurt on Sunday, 10 April 1995 at approximately 8.45pm. Two officers drew up in a police vehicle and told Binyamin Safak that he could not leave his car there. When the Turk said that he only wanted to stop for a couple of minutes, one of the officers replied: "Drive off, you wog" (*'Fahr' weg, Du Kanacke*). Upset by the use of racist language, Binyamin Safak told the officers to be more polite. They in turn requested that he get out of his car. Binyamin Safak asked why, and instead offered the officers his drivers' licence and identity card. The officers told him several more times that he should get out of his car. When Binyamin Safak did so, one of the officers violently pushed him to the ground and handcuffed his hands behind his back.

Binyamin Safak was then driven to a police station where the officers immediately took him to a cell. The detainee states that at no stage had it been made clear to him why he had been arrested. Once in the cell the officers suddenly began to assault him. According to Binyamin Safak, over the course of about an hour the two officers kicked and punched him in the face, chest, head and arms. At one stage one of the officers took him by his hair - which at the time was very long, almost reaching down to the small of his back - and flung him head first against the wall. During the course of the assault on him Binyamin Safak was unable to offer any resistance because his hands were still secured behind his back. Covered with blood, Binyamin Safak collapsed on the floor. In the meantime, his companion, who had been left in the car, had telephoned the detainee's parents who arrived at the station to ask about their son. They were told, however, that Binyamin Safak was not at the station. When they heard this Binyamin Safak's parents said that they would contact a lawyer and the Turkish Consulate. Binyamin Safak was released a short time later and was found by his parents in the street outside the police station at approximately 9.45pm. His parents drove him straight to the family doctor.

A medical certificate from Johann Wolfgang Goethe University Clinic, where he was later treated, shows that Binyamin Safak's injuries included: a cut to his lip, two centimetres long which required stitching; a bruised and swollen chin; bruises and abrasions to the temple and forehead; a bruised chest; swelling of the right wrist and right knee; a fracture of the right wrist; a cracked rib; and a depressed fracture of the cheek bone. Binyamin Safak was hospitalized for a week. According to an article in the Turkish-language newspaper *Hürriyet*, a police spokesperson was quoted as saying that Binyamin Safak had sworn at police officers and

had become aggressive. As a result of his behaviour the officers had had to make him "ineffective". Binyamin Safak is currently the subject of an investigation for "resisting state authority" (*Widerstand gegen die Staatsgewalt*).

Amnesty International is urging the German authorities to investigate thoroughly, speedily and impartially the allegations of assault made by Binyamin Safak.