

ROMANIA

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### The Ill-treatment of Ioan and Marian Lucian Ro\_ca

Amnesty International is concerned about continuing reports of ill-treatment by police officers in Romania and the authorities apparent failure to promptly and thoroughly investigate such incidents. One such report was recently received from a Romanian human rights organization, APADOR-CH (the Romanian Helsinki Committee).

In the morning of 16 September 1995 in Bucharest, Ioan Ro\_ca together with his wife and two sons went to visit his property consisting of a small house and a plot of land in Alexandru B\_1\_cescu Street number 19. The house had been occupied by a tenant of the previous owner and there had apparently been a dispute over his entitlement to continue to occupy the house. On arrival the Ro\_ca family was confronted by three armed men in plainclothes who claimed that they were employees of the Police General Inspectorate. They reportedly started to push Ioan Ro\_ca and insult him. Several minutes later a patrol from Police Section number 14 arrived. Together with the plainclothed men the police officers allegedly beat Ioan Ro\_ca on the head and the abdomen and threatened him with firearms if he did not leave the property. He was then taken to the police station where the beating continued.

Marian Lucian Ro\_ca, one of Ioan Ro\_ca's sons, as well as Gheorghe Buc\_e, Constantin Hu\_anu, Mihai Hri\_u, Aurel Stefanov and Lucian Cre\_u, all of whom were at the site of the incident, were also taken to the police station to give statements. They were reportedly beaten and threatened when police officers demanded that they should testify how Ioan Ro\_ca had attacked police officers in the courtyard of Alexandru B\_1\_escu number 19.

Ioan Ro\_ca was detained for 24 hours while Marian Lucian Ro\_ca and the five other men were released after around 10 hours. On 17 September Ioan Ro\_ca was taken to the prosecutor who released him without pressing charges.

A forensic medical certificate issued to Ioan Ro\_ca on 18 September described bruising and lesions requiring 14 to 16 days of medical treatment. Ioan Ro\_ca also underwent an operation to his nose in the Co\_ea Hospital for injuries suffered from the ill-treatment. Marian Lucian Ro\_ca was also issued with a forensic medical certificate for bruising and lesions which required five to six days of medical treatment.

On 23 October 1995 Ioan Ro\_ca filed a complaint about the ill-treatment with the Military Prosecutor of Bucharest naming officers who were responsible<sup>1</sup>. Neither the victims of ill-

treatment nor witnesses named in the complaint have to date been questioned by the Military Prosecutor about the incident.

Amnesty International is concerned that the ill-treatment of Ioan and Marian Lucian Ro\_ca represents a violation of Romania's international treaty obligations. These include Article 7 of the International Covenant on Civil and Political Rights and Article 3 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, which state that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

As a state party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Romania is bound to initiate a prompt and impartial investigation whenever an individual has alleged that torture or other ill-treatment has occurred or, even if no complaint has been made, there are reasonable grounds to believe that such ill-treatment has occurred. Amnesty International urges the Romanian authorities to initiate promptly an independent and impartial inquiry into the alleged ill-treatment of Ioan and Marian Lucian Ro\_ca, to make public the findings and to bring to justice anyone found responsible for human rights violations.

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*'Whose identity is known to Amnesty International.*