

£HUNGARY

@Torture and ill-treatment of foreigners

INTRODUCTION

Amnesty International has in the past year documented a number of cases in Hungary where race appears to be a motive in reports of torture and ill-treatment by police officers. This is particularly dangerous when racist attacks by nationalist youth groups on foreigners and members of the Hungarian Roma community are increasing throughout the country. Racist attitudes among police officers not only lead to human rights violations, but may also leave those most vulnerable to racist attacks without adequate protection.

BACKGROUND

Following the 1989 political changes in Eastern Europe, the number of foreigners who annually visit Hungary has doubled. A large number of foreigners are refugees and have entered the country illegally intending to proceed to West European countries. Tighter border controls have prevented them from doing so. In general, Hungarians have been tolerant of political refugees from states of former Yugoslavia. However, owing in part to the increasing number of foreigners who have come in search of jobs or new business opportunities as well as an increasing number of illegal immigrants, many of whom have alien cultures, racial intolerance in Hungary today appears to be on the rise.

Economic and social problems affecting Hungarian society have given rise to xenophobia among some parts of the population. According to the Martin Luther King Association, a Hungarian organization whose aim is to combat racism, 116 Arab, African and Asian students were viciously assaulted by gangs of skinheads in 1992 in 77 incidents. The conduct of some law enforcement officers appeared to reflect this rising tide of racism. Foreign students who complained to the police after they were attacked by skinheads were often treated disrespectfully and were not provided with adequate protection. In only a few cases were the suspected attackers prosecuted. Other reports speak of non-white foreigners being more frequently asked by the police for their identity papers. While some Hungarian officials have dismissed such incidents and the problem of racial intolerance as exaggerated others are seriously concerned. In March 1992, President Árpád Göncz, for example, met foreign students studying in Hungary and also called for greater tolerance.

A serious problem for foreign nationals in Hungary is the lack of a comprehensive law on foreigners stipulating the conditions for entry, residence, detention and expulsion. Nine laws, decrees and other regulations that could be applied to foreigners are currently in effect. In the absence of adequate legislation, border guards and the police are often forced to act on their own initiative, deciding, for example, which Romanians are to be turned back at the

border and which foreigners are to be sent to the detention camp at Kerepestarcsa if they are not in possession of valid documents.

CASES OF TORTURE AND ILL-TREATMENT

Torture and ill-treatment at Kerepestarcsa camp

Amnesty International has received reports of torture and ill-treatment of foreign nationals in the Kerepestarcsa detention camp near Budapest where they are held pending deportation or while their asylum applications are processed. Beatings are reported to have occurred often in the camp. In one such incident, on 25 April 1992, after a group of inmates protested against what they considered to be unacceptable conditions, including poor hygiene, a unit of the Budapest police intervened using tear-gas, truncheons and police dogs.

Detainees, including many who had not participated in the protest, were reportedly beaten indiscriminately. Tear-gas caused one woman from Ghana to lose consciousness and another person was allegedly attacked and bitten by a police dog.

In another incident, on 17 April 1992, Kennedy Martins Anukam, a Nigerian, was brought by the Budapest police to Kerepestarcsa detention camp even though he had a valid Hungarian work permit. The next day he was taken from the dormitory by two police officers to a room where he was reportedly beaten with truncheons and planks and kicked until he lost consciousness.

A representative of Amnesty International visited Kerepestarcsa and talked to Mohammed Shoab Shemyari, from Afghanistan, who allegedly had been beaten the day before, on 3 November 1992, by a police officer. He had opened a window above his bed in the dormitory, a small room which he shared with 13 other inmates. When Mohammed Shoab Shemyari refused to obey an order of the police officer to close the window he was beaten on the back and left forearm with a rubber truncheon.

Amnesty International wrote to the Hungarian authorities in February and November 1992 expressing its concern about the reports of torture and ill-treatment in Kerepestarcsa detention camp urging that independent and impartial investigations of these reports be carried out. The only government response has been to deny the allegations of ill-treatment.

Torture and ill-treatment at 5th District Police Station, Budapest

Amnesty International is also concerned about reports that foreigners have been detained, tortured and otherwise ill-treated in 5th District Police Station in Budapest and that such treatment may have been motivated by the victims' ethnic origin.

On 30 and 31 December 1992, in separate incidents, about 12 people of Middle-Eastern origin were detained in the centre of Budapest and taken to 5th District Police Station on Kecskemeti street where they were reportedly tortured and subjected to inhuman and degrading treatment. They were reportedly interrogated for their suspected involvement in illegal foreign currency transactions. No legal counsel or interpreter was present during the questioning.

Masri Ali Maher was detained at around 2pm on 30 December 1992 on Vaci utca (the main street in Budapest). According to his account, after he was brought to the police station one of the officers reportedly grasped his right hand, twisted it and smashed it against the wall. Then the officer started to beat another person in such a way that he would hit this man and then swing back his arm and hit Masri Ali Maher in the stomach. Masri Ali Maher was later held by two officers and interrogated while a third hit him in the chest after each question. At one point Masri Ali Maher tried to defend himself and was beaten by all three officers. He told one of the officers that he thought his hand was broken and the officer took his right hand and twisted his fingers, one at the time, in all directions. After the beating he was taken to another room where more men were detained and was told to take his clothes off. The officers reportedly ridiculed him, told him to squat and then kicked him and made him fall on his back. One of the officers put his foot on his chest and said: "Now I have the Arabs under my feet." He was repeatedly kicked before he was allowed to dress himself. As a result of the beatings Masri Ali Maher sustained a spiral fracture of the third metacarpal bone in his right hand as well as contusions on his back and chest.

Ussama Khaled Awad was detained on 31 December 1992 on Vaci utca. According to his account, he was told at the police station to empty his pockets but before he could obey this order he was allegedly kicked in the back. The four officers who brought him in started to kick and hit him and insult him, saying: "Go home you stinking Arab" and "You bastard Arab fag". They pushed him against the wall and kept on beating and insulting him. One officer took his pistol out and placed it in Ussama Khaled Awad's mouth. He was beaten from 12.15pm until 12.45pm when he was taken to another detention room where he was told to strip and beaten again. Ussama Khaled Awad was released after half an hour. He received medical treatment at a hospital for contusions on his chest, right thigh and right forearm.

A third man, whose identity is known to Amnesty international, said he was detained and reportedly beaten by police officers in 5th District Police Station on 30 December 1992. A week later, on 6 January 1993, at around 2.30pm, he was again stopped by police officers on Vaci utca and taken to the same police station where he was allegedly beaten by police officers for the second time. This man was reportedly also threatened by an officer who said: "If we see you again you will not escape alive". He was released at around 6pm. A medical certificate states that he sustained contusions on the right side of his chest, right lumbar region, over the vertebral column, in the lower back and on the left cheek.

Amnesty International wrote to the Hungarian Government in April 1993 urging it to initiate an independent and impartial inquiry into the alleged torture and ill-treatment of foreigners in 5th District Police Station in Budapest, to make public its findings and to bring to justice all those found responsible.