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SPAIN: SPANISH LAW-ENFORCEMENT OFFICERS CONVICTED OF ILL-TREATING
TWO TOURISTS FROM DENMARK

Four years after assaulting two tourists in Ibiza, five Spanish law-enforcement officers were found guilty of ill-treatment and of causing physical and mental injuries.

"There has been a major failure of the judicial system to conduct a fair and thorough investigation into the assault of the two tourists," Amnesty International said. "A proper investigation was only held following the publicity given to their case in the Spanish and foreign media and as a consequence of the personal intervention of the Attorney General."

Mohamed Hegazy, a taxi driver from Copenhagen, and his friend, Raed Shibli, were stopped by a patrol car of the paramilitary Civil Guard, supported by municipal police, in the town of San Antonio Abad in September 1991.

The officers later claimed that the two tourists had reacted violently when they were stopped and had therefore to be subdued by force. They were taken to the local police station where Mohamed Hegazy, in particular, was given a prolonged beating with a truncheon on his arms, buttocks, back and legs. He was in handcuffs at the time.

The Civil Guard officer chiefly responsible for this assault acknowledged at the trial that he had beaten Hegazy with a truncheon for approximately 15 minutes to "calm him down" because of his defiant attitude.

In September 1991 Hegazy and Shibli registered a judicial complaint against the officers. The judge requested to conduct the investigation into their complaint of ill-treatment ordered that the proceedings be halted after one and a half months. This decision was made even though the court had never interviewed the two complainants and despite the extensive medical and photographic evidence of their injuries.

Hegazy and Shibli were accused at the same time in another action of refusing to obey the officers' orders and of causing them injuries. In July 1993 they were sentenced to one month and one day's imprisonment for resisting arrest, but acquitted of injuring the officers.

The case received widespread publicity in Spain and as a result the Attorney General personally intervened and requested the reopening of the inquiry into Hegazy's and Shibli's complaints. In March 1995, nearly four years after the original assault, the five officers were brought to trial. An Amnesty International delegate observed the trial.

All the officers were found guilty and sentenced to terms of imprisonment of up to 30 days. Hegazy and Shibli were also awarded financial compensation for damages of up to half a million pesetas (over £2,600) and the officers were ordered to pay the trial costs.

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