

ROMANIA

The reported ill-treatment of Marius POPESCU and Eugen GALES

AMNESTY INTERNATIONAL'S CONCERN:

Amnesty International is concerned about new reports of cases of torture and ill-treatment by police officers in Romania. Amnesty International urges the Romanian authorities to investigate both reports promptly, impartially and thoroughly, to publish the results of these investigations and to bring to justice any police officers who are found responsible for violating human rights.

BACKGROUND:

According to information, received by Amnesty International, in the evening of 21 February 1996, Marius Popescu was detained by two police officers in Buz_u, a small town some 100 kilometres northeast of Bucharest. The following day at around 1am, Marius Popescu came home with injuries to his head and upper lip and unable to speak to his mother or sister. He was immediately admitted to the municipal hospital where he was treated for a contusion of the left side of the brain and aphasia (loss of speech). On 26 February he was transferred to an emergency hospital in Bucharest. According to a forensic medical certificate issued in March 1996, Marius Popescu's head injury which provoked the aphasia resulted from severe blows with a hard object to the back of the head.

Marius Popescu's mother and sister found a police statement in the pocket of his shirt, which was issued the night of 21 February¹ and which recorded a fine for 20,000 lei on the grounds that "under the influence of alcohol Marius Popescu refused to give information to establish his identity". While Marius Popescu was still in hospital, Cristina G_lean_, his sister, was called to Buz_u police station where the two police officers, who had detained and fined him, reportedly destroyed in front of her their copy of the police statement and told her that Marius Popescu should do the same and that he would not need to pay the fine. They also claimed that they saw Marius Popescu after he had fallen to the ground in the vicinity of a bar. They took him to the police station when he could not produce his identity card and, after issuing the fine, released him.

In April 1996, Cristina G_lean_ filed a complaint with the Military Prosecutor in Bucharest, who subsequently informed her that the case would be investigated by the Ploie_ti Military Prosecutor. In February 1997 the two officers suspected of having ill-treated Marius Popescu reportedly demanded again that he should destroy his copy of the police statement.

¹ The name of the police officer who signed this statement is known to Amnesty International.

Amnesty International has also received information about another incident of police ill-treatment in Buz_u. Eugen Gale_ alleges that he was tortured following his arrest by two police officers on 16 December 1996 at around 12pm in the municipal courthouse in Buz_u. He was waiting for a court hearing to which he had been summoned as a victim who had suffered bodily injury in a property dispute with his uncle and aunt. However, the officers took Eugen Gale_ to a prosecutor who ordered that he should be held under arrest pending an investigation for causing bodily injuries to the accused parties in the dispute before the court. Eugen Gale_ was then taken to the police lock-up where two police officers² reportedly beat him with fists and handcuffs and kicked him all over the body, forcing him to sign a statement confessing to the charges. Eugen Gale_ lost consciousness during the beating. According to a medical certificate issued after his release on 23 December 1996, Eugen Gale_ also suffered burns from a cigarette or a lighter and lesions on the soles of his feet which resulted from *flacara* (beatings on the soles of the feet with a blunt object).

Amnesty International is concerned that if confirmed these reports would represent 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 therefore urges the Romanian authorities to ensure that investigations into the alleged torture and other ill-treatment of Marius Popescu and Eugen Gale_ are thorough and impartial, that the findings are made public, and that anyone thought to be responsible for human rights violations is brought to justice.

Furthermore, Amnesty International urges the authorities to devise and implement effective training for police officers with special attention given to human rights issues and which will emphasize the strict criteria allowing for the use of force by police officers as laid down in international standards such as the United Nations Code of Conduct for Law Enforcement Officials.

² The names of the two police officers are known to Amnesty International.