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United Kingdom

TO: All Sections  
Campaign Coordinators  
Press Officers

FROM: Western Europe Research  
Campaign and Membership Department

DATE: 11 December 1992

**RACIST TORTURE AND ILL-TREATMENT BY POLICE IN WESTERN EUROPE**

**APPEAL CASES**

**Summary**

This circular contains the Appeal Cases for use during the action **Racist torture and ill-treatment by police in Western Europe**. It also contains, in appendix 1, the external **Recommendations to governments** to be used in this action. Please also refer to the Recommended Actions (EUR 03/02/92) and to the Order Form for Photographs (EUR 03/03/92) and the *Focus* in the February 1993 International Newsletter.

**Keywords**

AUSTRIA / FRANCE / GERMANY / GREECE / ITALY / PORTUGAL / SPAIN / UK / RACIAL DISCRIMINATION<sup>1</sup> / TORTURE/ILL-TREATMENT<sup>1</sup> / FOREIGN NATIONALS<sup>1</sup> / REFUGEES<sup>1</sup> / MIGRANT WORKERS<sup>1</sup> / MINORITIES / ARBITRARY ARREST / DEATH IN CUSTODY / MEDICAL CONFIRMATION / STRIP SEARCHING / POST MORTEMS / POLICE<sup>1</sup> / IMPUNITY / INVESTIGATION OF ABUSES /

**Distribution**

As above.

**Recommended actions**

These Appeal Cases and Recommendations to governments are for sections and groups participating in the action **Racist torture and ill-treatment by police in Western Europe**.

## AUSTRIA

**In March 1989 two Austrian citizens of Egyptian origin were severely beaten by police officers in Vienna. While in custody, one of the two men was pushed through a pane of glass in a corridor, after which he lost consciousness.**

On the evening of 22 March 1989, Mustafa Ali and a friend were crossing a road at traffic lights. Mustafa Ali and his friend said the pedestrian signal was green when they began to cross. As they crossed, two police officers ordered them to return to the side of the street and said they had begun to cross when the pedestrian signal had been red. According to their lawyer, the two men were the only non-Europeans among several pedestrians crossing the street and that was an important reason why they were the only ones to be stopped by the police officers. The two men were asked for their identity papers, subjected to racial insults and fined on the spot. Mustafa Ali refused to pay the fine. He was placed under arrest.

Mustafa Ali and his friend assert that the police officers then attempted to pull Mustafa Ali in the direction of a building site where there was a four-metre deep pit. The two men resisted this, as a result of which the police officers radioed for reinforcements. Mustafa Ali was placed in handcuffs. The two men describe how the additional police officers began to beat them with truncheons, and continued to do so even when Mustafa Ali, handcuffed, fell to the ground. Mustafa Ali's friend says that he was punched and beaten while three police officers were holding him.

Mustafa Ali was placed in a police car where he alleges he was beaten over the head with a truncheon and the handle of a pistol. He was taken to Leopoldstadt police station where his handcuffs were removed but the beating continued until he was pushed through a pane of glass in a corridor and lost consciousness. The police version of events was that Mustafa Ali had thrown himself through the glass. Mustafa Ali was taken to hospital bleeding profusely from his injuries. The examining doctor diagnosed concussion, facial wounds, bruising and tenderness below the eyes and on the cheekbone. He was released from hospital on 24 March. He had to report to the hospital a further nine times to receive treatment connected with his injuries.

Mustafa Ali made a formal complaint, but criminal proceedings against the officers responsible were dropped by the Vienna Public Prosecutor in March 1990 citing lack of evidence. However, a separate inquiry by the Austrian Constitutional Court found that his injuries were caused when an unidentified police officer pushed him into a pane of glass. In February 1991 the court concluded:

*"Without doubt it would require considerable force to break the thick and relatively small piece of glass. It would hardly be possible to gather the necessary impetus for this in the two-metre corridor."*

The court established that a number of police officers were present at the time Mustafa Ali was pushed into the glass.

In the light of the Constitutional Court's ruling, the Vienna Public Prosecutor re-examined the original complaint against the police officers concerned. He concluded, however, that there were insufficient grounds to reopen the case, mainly because no one officer could be identified as the offender. It can only be supposed that the identity of the offending police officer could not be established because the original investigation was not conducted with sufficient vigour. As a result, police officers responsible for Mustafa Ali's ill-treatment have escaped sanction. (In March 1992 Mustafa Ali was awarded substantial compensation for the injuries he suffered.)

## ~~WHAT YOU CAN DO~~

If what you have read about the case of Mustafa Ali concerns you, turn that concern into action. Write courteous letters in German -- if it is excellent German, otherwise in English or French -- to the Austrian authorities.

### *Points to raise in your letters*

- ***Say in your letter that you are always concerned about the violation of anyone's human rights. Explain that you are concerned about what appears to be a wave of racism spreading throughout Europe. Say that you fear that the case of Mustafa Ali in Austria could be an illustration of how racism and ill-treatment by government agents in western European countries could encourage the spread of racism. Explain that you believe that it is vital that governments ensure that their own agents cannot be accused of racially motivated abuses. Failure to do so reflects a lack of political will to deal with the problem in society at large.***
- ***Explain that your concern about racism and ill-treatment in Europe has led you to write to a number of western European governments. Say that these appeals are illustrated by cases from each of the countries concerned. Explain that you are appealing to each government to do all it can to ensure that ill-treatment does not occur.***
- ***Explain that in all cases of reported ill-treatment, Amnesty International calls for a thorough and impartial investigation, and for anyone responsible for ill-treatment to be brought to justice.***

- ***Express concern at the ill-treatment of Mustafa Ali while he was in police custody in Vienna in March 1989.***
- ***Say also that it appears that in the case of Mustafa Ali the investigation by the Vienna police authorities was inadequate. Stress that the Constitutional Court had established that a number of police officers were present at the time Mustafa Ali was pushed into the glass. However, the identity of the offending police officer had not been established by the Vienna police authorities, and no one has been brought to justice for the injuries sustained by Mustafa Ali.***
- ***Attach to your letter a copy of Amnesty International's recommendations. Commend these recommendations to the Austrian authorities and say that you believe that Mustafa Ali's ill-treatment would not have occurred if all these recommendations had been adopted and fully implemented.***

*Address your letters to:*

Director of the Human Rights Division, Ministry of Foreign Affairs

Dr. Nikolaus Scherk  
 Völkerrechtsbüro  
 Bundesministerium für Auswärtige Angelegenheiten  
 Ballhausplatz 2  
 A-1014 Wien  
 Austria

Minister of Internal Affairs

Dr. Franz Löschnak  
 Bundesministerium für Inneres  
 Postfach 100  
 A-1014 Wien  
 Austria

Please send copies of your letters to the Austrian Embassy in your country.

## FRANCE

September 1989, Paris -- a young black man resident in France was severely beaten by three plainclothes policemen who called him a "dirty nigger" and told him he was going "to pay for all the others".

Lucien Djossouvi

(c) Claudine Doury

On 5 September 1989 Lucien Djossouvi, a Benin national resident in France, was knocked from his motorbike while he was riding through the 18th district of Paris. He describes how a car cut in front of his path and made him crash. The car driver, dressed in civilian clothes, approached Lucien Djossouvi after the incident, subjected him to verbal racial abuse and demanded to see his identity papers. As he had no proof that the man was a police officer, and thus entitled to ask for the papers, Lucien Djossouvi refused to produce them. When the car driver then grasped him by the shoulder he knocked his hand away, remounted his bike and rode off. The driver got back in his car and followed Lucien Djossouvi for about 10 minutes before forcing him to stop once more.

This time the driver was not alone. Another car carrying two more men dressed in plain clothes arrived on the scene. Lucien Djossouvi was detained by the three men and handcuffed. When he protested and asked the reason for his arrest he was told that he was a "dirty nigger" and that he was going to "pay for all the others". He claimed that the three men then beat him with truncheons and threw his identity papers and money into a nearby rubbish bin. Passers-by, alarmed at what they saw, were told by the three men not to worry as they were just arresting a drug-dealer.

The three men had not finished. They pushed Lucien Djossouvi into the entrance of a near-by building where they choked him with his tie, tore his clothes, subjected him to further

racial insults and beat him severely all over his body. When they finished he was bleeding from his nose and from a cut above his eye. The three men then took him back to one of their cars and removed his handcuffs.

Lucien Djossouvi told the men, whom he now believed to be police officers, that he was going to report them. Their response was to handcuff him once more, hit him again and threaten him with deportation within 10 days if he made any complaint about them. With that, they left him on the roadside and drove off.

As Lucien Djossouvi sat on the pavement watching his assailants depart he noted one of their registration numbers. The number was later shown to belong to an official police car.

Later that evening Lucien Djossouvi was admitted to the Bichat Hospital in Paris for urgent treatment. He was later given a medical certificate which recorded that he had received a heavy blow to the head causing loss of consciousness and widespread facial bruising. His injuries led to him being kept in hospital for five days and he was recommended not to return to work for a further 10 days.

On 11 September Lucien Djossouvi lodged a formal complaint with the Public Prosecutor's office attached to the Fourth section of the Paris Law Courts alleging that he had been ill-treated by three plainclothes police officers. The Prosecutor's office ordered the *Inspection générale des services de la police*, the General Inspectorate of Police Services (an internal police body responsible for investigations of police misconduct) to carry out an investigation into the complaint. This investigation was concluded in 1990 and in June 1991, in response to Amnesty International's inquiries, the Public Prosecutor stated that the case against two police officers accused of ill-treating Lucien Djossouvi had been referred to a judge attached to the Versailles Law Courts for further investigation.

In November 1991 Lucien Djossouvi was called to a formal "confrontation" in the offices of the investigating judge in Versailles. During this confrontation he identified a police officer, who had been called as a witness to the events of September 1989, as his third assailant. The investigating judge, as required by law, asked the Court of Cassation to authorize the criminal investigation of the third officer. Further proceedings were halted pending the Court's decision. A year has now passed without news of any further judicial activity in this case.

~~WHAT YOU CAN DO~~

If what you have read about the case of Lucien Djossouvi concerns you, turn that concern into action. Write courteous letters, in French if possible, to the French authorities.

*Points to raise in your letters*

- *Say in your letter that you are always concerned about the violation of anyone's human rights. Explain that you are concerned about what appears to be a wave of racism spreading throughout Europe. Say that you fear that the case of Lucien Djossouvi in France could be an illustration of how racism and ill-treatment by government agents in western European countries could encourage the spread of racism. Explain that you believe that it is vital that governments ensure that their own agents cannot be accused of racially motivated abuses. Failure to do so reflects a lack of political will to deal with the problem in society at large.*
- *Explain that your concern about racism and ill-treatment in Europe has led you to write to a number of western European governments. Say that these appeals are illustrated by cases from each of the countries concerned. Explain that you are appealing to each government to do all it can to ensure that ill-treatment does not occur.*
- *Explain that in all cases of reported ill-treatment, Amnesty International calls for a thorough and impartial investigation, and for anyone responsible for ill-treatment to be brought to justice.*
- *Express concern about the racist ill-treatment that Lucien Djossouvi alleges he was subjected to by French police officers in Paris on 5 September 1989.*
- *Express concern that over three years after the opening of the judicial investigation, it has still not ended. Ask when it is likely to be completed.*
- *Seek assurances that Amnesty International will be informed of its findings and of any further judicial or disciplinary proceedings arising from it.*
- *Attach to your letter a copy of Amnesty International's recommendations. Commend these recommendations to the French authorities and say that you believe that Lucien Djossouvi's ill-treatment would not have occurred if all these recommendations had been adopted and fully implemented.*

*Address your letters to:*

Minister of Justice

Monsieur Michel Vauzelle  
Garde des Sceaux  
Ministre de la Justice  
Ministère de la Justice  
13 Place Vendôme  
75042 Paris  
France

Minister of the Interior

Monsieur Paul Quilès  
Ministre de l'Intérieur  
13 Place Beauvau  
75800 Paris  
France

Please send copies of your letters to the French Embassy in your country.



## GERMANY

**In June 1992 police raided a hostel for asylum-seekers in Gränitz. During the raid, police officers reportedly punched, kicked and struck the asylum-seekers with batons.**

On 11 June 1992 from 3.30am to 6am, police officers raided a hostel for asylum-seekers in Gränitz, near Freiberg in the eastern German state of Saxony. The purpose of the raid was to search the building for stolen property but, reportedly, nothing was found. The hostel houses about 50 asylum-seekers, mostly families and couples of various nationalities.

Police officers, many of whom were dressed in special combat gear and carried batons, reportedly forced their way into the hostel, waking the sleeping occupants with shouts of "Raus!". Some asylum-seekers were slow to open their doors, as they at first feared an attack by neo-Nazis. The police officers then started to break open some doors. The male occupants were ordered out of their beds and into a room where they had to stand with their faces to the wall and their legs apart and with their arms raised or their wrists handcuffed.

One asylum-seeker alleged that a police officer pulled him out of the top bunk of the bed he was occupying and that he injured his foot as he fell. One officer punched him in the back and another slapped him on the head. He claims that he was later hit several times in the face and on the head. A Syrian national alleged that he was struck on the back of the head and lost consciousness. One witness also said that he saw him being struck with a pistol butt. A Moldovan national claimed that he was hit in the face and struck on the back with a baton. A photograph taken on the day after the raid shows a large abrasion to his right shoulder. Another asylum-seeker alleged that he was kicked by officers several times and a Pakistani national claims that he was hit on the back of the head.

Many asylum-seekers were able to corroborate the allegations of ill-treatment made by their fellow asylum-seekers. Two of them reported seeing a Turkish Kurd hit in the face by one police officer and struck on the back by other officers with their batons as a result of which he lost consciousness. A photograph taken on the day after the raid shows abrasions to his left shoulder, his left cheek and across his lower back.

A criminal complaint was lodged with the Chemnitz Public Prosecutor against unknown police officers. Nine asylum-seekers made individual statements alleging that they themselves were ill-treated or that they witnessed the ill-treatment of other occupants of the hostel.

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<sup>1</sup>"Out!"

The allegations of ill-treatment were reportedly rejected, both by senior police officers and by the Interior Minister of Saxony. The Interior Minister stated that batons were only used against one asylum-seeker who tried to resist the police.

In September 1992 the Ministry of Justice of Saxony informed Amnesty International that the Chemnitz Public Prosecutor had launched a judicial investigation into the allegations of police ill-treatment.

## ~~WHAT YOU CAN DO~~

If what you have read about the case of the asylum-seekers in Gränitz concerns you, turn that concern into action. Write courteous letters in German -- if it is excellent German, otherwise in English or French -- to the authorities in the Federal Republic of Germany.

### *Points to raise in your letters*

- ***Say in your letter that you are always concerned about the violation of anyone's human rights. Explain that you are concerned about what appears to be a wave of racism spreading throughout Europe. Say that you fear that the case of the asylum-seekers in Gränitz in the Federal Republic of Germany could be an illustration of how the ill-treatment of asylum-seekers and other foreign nationals by government agents in western European countries could encourage the spread of racism. Explain that you believe that it is vital that governments ensure that their own agents cannot be accused of racially motivated abuses. Failure to do so reflects a lack of political will to deal with the problem in society at large.***
- ***Explain that your concern about racism and ill-treatment in Europe has led you to write to a number of western European governments. Say that these appeals are illustrated by cases from each of the countries concerned. Explain that you are appealing to each government to do all it can to ensure that ill-treatment does not occur.***
- ***Explain that in all cases of reported ill-treatment, Amnesty International calls for a thorough and impartial investigation, and for anyone responsible for ill-treatment to be brought to justice.***
- ***Express concern at the allegations of ill-treatment made by asylum-seekers in Gränitz when police officers raided their hostel in Gränitz in June 1992.***

- Say in your letter that you are seeking information about the findings of the judicial investigation into the allegations of ill-treatment that have been made. Ask whether the Public Procurator has decided to bring charges against the police officers involved. Also ask to be informed of the outcome of any proceedings against the officers involved.**
- Attach to your letter a copy of Amnesty International's recommendations. Commend these recommendations to the authorities of the Federal Republic of Germany and say that you believe that the asylum-seekers' ill-treatment would not have occurred if all these recommendations had been adopted and fully implemented.**

*Address your letters to:*

Please note: Given the number of addresses, sections are asked to divide them as equally as possible between letter-writers in your country.

Public Procurator, Chemnitz

Staatsanwaltschaft beim Bezirksgericht Chemnitz  
Hohe Strasse 23  
0-9005 Chemnitz  
Federal Republic of Germany

Minister of Justice of Saxony

Herrn  
Steffen Heitmann  
Staatministerium der Justiz  
Archivstrasse 1  
0-8060 Dresden  
Federal Republic of Germany

Federal Minister of the Interior

Rudolf Seitzers  
Bundesminister des Innern  
Graurheindorfer Str. 198  
5300 Bonn 1  
Federal Republic of Germany

State Interior Ministers:

Minister of the Interior of Baden-Württemberg

Frieder Birzele  
 Innenminister  
 Dorotheenstr. 6  
 7000 Stuttgart 1  
 Federal Republic of Germany

Minister of the Interior of Bavaria

Dr Edmund Stoiber  
 Staatsminister des Innern  
 Odionsplatz 3  
 8000 München 22  
 Federal Republic of Germany

Minister of the Interior of Berlin

Prof Dr Diether Hæckelmann  
 Senator für Inneres  
 Fehrbellinger Platz 2  
 1000 Berlin 31  
 Federal Republic of Germany

Minister of the Interior of Brandenburg

Alwin Ziel  
 Minister des Innern  
 Henning-von-Trzeskow-Str. 9-13  
 O-1561 Potsdam  
 Federal Republic of Germany

Minister of the Interior of Bremen

Friedrich van Nispen  
 Senator für Inneres  
 Contreseeperg 22/24  
 2800 Bremen 1  
 Federal Republic of Germany

Minister of the Interior of Hamburg

Werner Haackmann

Senator, Präsident der Behörde für Innere  
 Johanniswall 4  
 2000 Hamburg 1  
 Federal Republic of Germany

Minister of the Interior of Hesse

Dr Herbert Günther  
 Staatsminister des Innern  
 Friedrich-Ebert-Allee 12  
 6200 Wiesbaden  
 Federal Republic of Germany

Minister of the Interior of Mecklenburg-West Pomerania

Lothar Kupfer  
 Innenminister  
 Karl-Marx-Str. 1  
 O-2751 Schwerin  
 Federal Republic of Germany

Minister of the Interior of Lower Saxony

Gerhard Glogowski  
 Innenminister  
 Lavesallee 6  
 3000 Hannover 1  
 Federal Republic of Germany

Minister of the Interior of North Rhine-Westphalia

Dr. Herbert Schnoor  
 Innenminister  
 Haroldstr. 5  
 4000 Düsseldorf 1  
 Federal Republic of Germany

Minister of the Interior of Rheinland-Palatinate

Walter Zuber  
 Staatsminister des Innern  
 Schillerplatz 3-5  
 6500 Mainz  
 Federal Republic of Germany

Minister of the Interior of Saarland

Friedel Läßle  
 Minister des Innern  
 Franz-Josef-Röder-Str. 21  
 6600 Saarbrücken 1  
 Federal Republic of Germany

Minister of the Interior of Saxony

Heinz Eggert  
 Staatsminister des Innern  
 Archivstr. 1  
 O-8060 Dresden  
 Federal Republic of Germany

Minister of the Interior of Saxony-Anhalt

Hartmut Pörschau  
 Minister des Innern  
 Halberstädter Str. 2  
 O-3014 Magdeburg  
 Federal Republic of Germany

Minister of the Interior of Schleswig-Holstein

Prof Dr Hans-Peter Bull  
 Innenminister  
 Düsterbrookker Weg 92  
 2300 Kiel 1  
 Federal Republic of Germany

Minister of the Interior of Thuringia

Franz Schuster  
 Innenminister  
 Schillerstr. 27  
 O-5082 Erfurt  
 Federal Republic of Germany

Please send copies of your letters to the Embassy of the Federal Republic of Germany in your country.

## GREECE

In January 1991 a Turkish refugee was detained by the Anti-Narcotics Police and taken to the Police Headquarters in Athens. The day after his arrest he was taken unconscious to hospital where he died eight days later.

Süleyman Akyar

On 21 January 1991, 26-year-old Süleyman Akyar was arrested by members of the Athens Anti-Narcotics Police on suspicion of drug dealing. The day after his arrest Süleyman Akyar was taken unconscious to the Red Cross Hospital which referred him to the KAT Hospital in Athens.

The hospital certificate stated that Süleyman Akyar underwent surgery for a ruptured small intestine. The hospital found fractures on three ribs, severe cranial and brain injury, extensive bruising on his body and injuries on his genitals.

Süleyman Akyar was put on respiratory support but died on 29 January without regaining consciousness. The hospital certificate also stated that severe respiratory, kidney and liver failure and multiple organ deterioration resulted in his death.

A post-mortem carried out on 1 February concluded that Süleyman Akyar had died from pneumonia contracted as a result of injuries over his entire body caused by beating. A forensic pathologist examined the post-mortem and concluded that Süleyman Akyar had suffered beatings with a rod or whip and heavy blows to the abdomen, and had most probably died as a result of renal failure following multiple soft tissue and muscle damage. Another doctor stated that Süleyman Akyar had been hung up by his hands and beaten and a third doctor stated that the marks around the upper hands were consistent with those which would be left by ropes, not handcuffs.

The Minister of Public Order reportedly ordered an investigation into Süleyman Akyar's death. According to the press, he stated on 1 March that findings based on 38 statements taken

under oath indicated that police officers had acted in self-defence after Süleyman Akyar attacked them with a sergewdriver. In March 1991 the government informed the United Nations Special Rapporteur on torture, who had sent an urgent appeal in connection with the case, that:

*"Süleyman Akyar had tried to attack a police officer...and had been overpowered by other officers who handcuffed him. He then ran amok and knocked his head on the ground. At midnight, while he was being kept in an office of the Narcotics Branch, Süleyman Akyar felt ill all of a sudden and informed his guards accordingly. He later lost consciousness... The post-mortem examination established that death occurred as a result of pneumonia..."*

The Government added that the judicial authorities had already been involved and a preliminary investigation was being carried out.

Amnesty International has repeatedly sought information from the Greek authorities about the case of Süleyman Akyar and has called on the government to initiate a thorough and impartial investigation. In August the Greek authorities informed Amnesty International that the investigation into the circumstances surrounding Süleyman Akyar's death was still continuing. No disciplinary action has been taken against the officers involved, pending the outcome of internal and judicial investigations. As of November 1992 the investigation had not been concluded.

## ~~WHAT YOU CAN DO~~

If what you have read about the case of Süleyman Akyar concerns you, turn that concern into action. Write courteous letters in Greek, English, French or German, to the Greek authorities.

### *Points to raise in your letters*

- ***Say in your letter that you are always concerned about the violation of anyone's human rights. Explain that you are concerned about what appears to be a wave of racism spreading throughout Europe. Say that you fear that the case of Süleyman Akyar in Greece could be an illustration of how racism and ill-treatment by government agents in western European countries could encourage the spread of racism. Explain that you believe that it is vital that governments ensure that their own agents cannot be accused of racially motivated abuses. Failure to do so reflects a lack of political will to deal with the problem in society at large.***



- ***Explain that your concern about racism and ill-treatment in Europe has led you to write to a number of western European governments. Say that these appeals are illustrated by cases from each of the countries concerned. Explain that you are appealing to each government to do all it can to ensure that ill-treatment does not occur.***
- ***Explain that in all cases of reported ill-treatment, Amnesty International calls for a thorough and impartial investigation, and for anyone responsible for ill-treatment to be brought to justice.***
- ***Express your concern at the circumstances surrounding Süleyman Akyar's death which occurred eight days after his arrest by members of the Anti-Narcotics Police.***
- ***Refer in your letter to the authorities' reply to the United Nations Special Rapporteur on torture in March 1991 stating that an investigation was being carried out. Ask to be informed of the progress and outcome of internal and judicial investigations into Süleyman Akyar's death.***
- ***Attach to your letter a copy of Amnesty International's recommendations. Commend these recommendations to the Greek authorities and say that you believe that Süleyman Akyar's ill-treatment and subsequent death would not have occurred if all these recommendations had been adopted and fully implemented.***

*Address your letters to:*

Mr Ioannis Varvitsiotis  
 Minister of Justice  
 Ministry of Justice  
 96 Messogion Avenue  
 115 27 Athens  
 Greece

Mr Theodoros Anagnostopoulos  
 Minister of Public Order  
 Ministry of Public Order  
 1 Katchaki St  
 101 77 Athens  
 Greece

Please send copies of your letters to the Greek Embassy in your country.

## ITALY

**In March 1992 a Somali asylum-seeker was arrested by police officers at the aliens registration office in Rome. He was beaten unconscious in police custody.**

On the morning of 3 March 1992 Daud Addawe Ali, who had been resident in Italy for a year since he left Somalia, went to the aliens registration office attached to a Rome police station, in order to renew his residence permit. Daud Addawe Ali was waiting in a long queue in the street outside the office. When the office opened, people jostled to get into the small reception area. A female police officer, noticing a disturbance, approached Daud Addawe Ali and blamed him for creating the disturbance. An argument apparently ensued and male police officers became involved. Blows were exchanged and a police officer was reportedly injured. Four police officers then escorted Daud Addawe Ali to a room on the floor below.

A witness later informed the press that she heard shouts and cries for help coming from the room where Daud Addawe Ali had been taken. Daud Addawe Ali was in an unconscious state when he was taken under arrest to hospital. At the hospital, he was reportedly given heart massage to resuscitate him and put on an intravenous drip; a medical certificate recorded a trauma to the head and bruising to the left leg and the thorax, and stated that Daud Addawe Ali should be sent to the clinic of Regina Coeli prison for observation.

Daud Addawe Ali was transferred to Regina Coeli prison later that day, apparently under investigation on charges of insulting an officer of the state, resisting arrest and injuring an officer of the state. Daud Addawe Ali's sister visited him in the prison and told the press that he was held in a normal cell and not in the prison clinic, that he was limping and in a confused state, suffering severe pain and had bruises all over his body.

On 5 March two members of parliament demanded an inquiry into the case.

Daud Addawe Ali was released from prison on 20 March. He alleged to a doctor who examined him on 25 March that police officers had struck him to the ground with batons and that he had received blows to the thorax, back, wrists and legs and that his head was repeatedly knocked against a wall. The medical examination found injuries consistent with his allegations, with possible neurological damage. According to information received by Amnesty International, Daud Addawe Ali subsequently made a formal complaint of ill-treatment against the police.

On 30 April the United Nations Committee against Torture drew the attention of the Italian delegation to the apparently serious injuries suffered by Daud Addawe Ali and the existence of a medical report issued after his release. The delegation stated that, according to information supplied by the relevant authorities, Daud Addawe Ali's injuries were apparently

caused because he resisted arrest. The Committee asked to be kept informed of any official investigation into the alleged ill-treatment and of any resulting criminal prosecutions.

On 16 March 1992 Amnesty International sought information from the authorities about official steps being taken to investigate the alleged ill-treatment of Daud Addawe Ali. The organization had received no response from the authorities by November 1992.

## ~~WHAT YOU CAN DO~~

If what you have read about the case of Daud Addawe Ali concerns you, turn that concern into action. Write courteous letters, in Italian if possible, to the Italian authorities.

### *Points to raise in your letters*

- Say in your letter that you are always concerned about the violation of anyone's human rights. Explain that you are concerned about what appears to be a wave of racism spreading throughout Europe. Say that you fear that the case of Daud Addawe Ali in Italy could be an illustration of how racism and ill-treatment by government agents in western European countries could encourage the spread of racism. Explain that you believe that it is vital that governments ensure that their own agents cannot be accused of racially motivated abuses. Failure to do so reflects a lack of political will to deal with the problem in society at large.***
- Explain that your concern about racism and ill-treatment in Europe has led you to write to a number of western European governments. Say that these appeals are illustrated by cases from each of the countries concerned. Explain that you are appealing to each government to do all it can to ensure that ill-treatment does not occur.***
- Explain that in all cases of reported ill-treatment, Amnesty International calls for a thorough and impartial investigation, and for anyone responsible for ill-treatment to be brought to justice.***
- Express concern about Daud Addawe Ali's allegations of ill-treatment by police officers in Rome in March 1992.***
- Point out that Amnesty International wrote to the Minister of Justice on 16 March 1992, seeking his comments on Daud Addawe Ali's allegations***

*and information as to the official steps being taken to investigate them but received no reply.*

- *Ask the authorities, therefore, what official steps were taken to investigate the alleged ill-treatment of Daud Addawe Ali, and with what result.*
- *Attach to your letter a copy of Amnesty International's recommendations. Commend these recommendations to the Italian authorities and say that you believe that Daud Addawe Ali's ill-treatment would not have occurred if all these recommendations had been adopted and fully implemented.*

*Address your letters to:*

Minister of Justice

Onorevole Claudio Martelli  
 Ministro di Grazia e Giustizia  
 Ministero di Grazia e Giustizia  
 Via Arenula 70  
 00186 Rome  
 Italy

Minister of the Interior

Onorevole Nicola Mancino  
 Ministro degli Interni  
 Ministero degli Interni  
 Palazzo Viminale  
 Via Depretis  
 00184 Rome  
 Italy

Please send copies of your letters to the Italian Embassy in your country.

## PORTUGAL

In December 1991 a white Portuguese citizen born in Angola was reportedly severely beaten and subjected to racial insults by an officer of the Public Security Police in a police station in Setúbal.

Alexandre Luis Marques Pires Gravanita, a 19-year-old student, is a Portuguese citizen. He was born in Angola and he left the country when he was a small child.

Luis Gravanita said that on 6 December 1991 at 7pm he was on his way home from a training session in a local gymnasium; he was carrying a sports bag. As he was attempting to cross a road at a pedestrian crossing, an officer of the Public Security Police, whom he later identified, shouted at him to wait. The officer then asked to see his identity card and, after examining it, ordered Luis Gravanita to accompany him to the *Esquadra No. 1* (No.1 Police Station).

Luis Gravanita said that on route to the police station he asked the officer why he had been ordered to go to the station. The officer told him that it would all be explained to him once they had reached the station.

On arrival at the police station, they went into an interior room where Luis Gravanita was ordered to leave his bag on the table. After he had done this, the officer immediately assaulted him, punching and kicking him. At the same time he was shouting:

*"You worthless piece of Angolan shit. You are nothing. You are a nigger".*

During the assault, Luis Gravanita pleaded with the officer not to hit him in the mouth because a few months previously he had suffered a serious fracture of jaw after being hit with an iron bar. The officer allegedly ignored him. At one point the officer pushed him violently against the wall and opened the bag on the table. Luis Gravanita explained that the bag only contained his sports clothes and he had just come from a gymnasium. In reply the officer called him a "shitty pig" and threw the clothes into the air and continued assaulting him.

Finally Luis Gravanita was taken to the window behind which the duty officer sits, and gave the details on his identity card, his home address and profession. No information as to why Luis Gravanita had been ordered to go to the police station and had been assaulted there was ever given. He was not accused of any offence.

Luis Gravanita claimed that while they were still in the police station, the Public Security Police officer who had assaulted him threatened him by saying:

*"Look out! If I see you on the street again and you have the bad luck to pass by me, you will be in trouble. If you see me in the street, cross over to the other side!"*

After his identity card had been returned, Luis Gravanita went back to the gymnasium where he was seen by witnesses before returning home. His parents took him to the hospital. The hospital recorded general cuts and bruising, especially to the face and right eye, consistent with having received punches.

On 10 December Luis Gravanita made a formal complaint to the Public Prosecutor against the officer of the *Esquadra de Trânsito* (traffic unit) of the Public Security Police whom he identified by name. Luis Gravanita alleged that this officer had wilfully caused him bodily injuries and menaced him.

## ~~WHAT YOU CAN DO~~

If what you have read about the case of Alexandre Luis Marques Pires Gravanita concerns you, turn that concern into action. Write courteous letters in Portuguese if possible to the Portuguese authorities.

### *Points to raise in your letters*

- Say in your letter that you are always concerned about the violation of anyone's human rights. Explain that you are concerned about what appears to be a wave of racism spreading throughout Europe. Say that you fear that the case of Alexandre Luis Marques Pires Gravanita in Portugal could be an illustration of how racism and ill-treatment by government agents in western European countries could encourage the spread of racism. Explain that you believe that it is vital that governments ensure that their own agents cannot be accused of racially motivated abuses. Failure to do so reflects a lack of political will to deal with the problem in society at large.*
- Explain that your concern about racism and ill-treatment in Europe has led you to write to a number of western European governments. Say that these appeals are illustrated by cases from each of the countries concerned. Explain that you are appealing to each government to do all it can to ensure that ill-treatment does not occur.*

- ***Explain that in all cases of reported ill-treatment, Amnesty International calls for a thorough and impartial investigation, and for anyone responsible for ill-treatment to be brought to justice.***
- ***Express your concern at the racist ill-treatment to which Alexandre Luis Marques Pires Gravanita alleged he was subjected by an officer of the Public Security Police in Setúbal in December 1991.***
- ***Ask the Public Prosecutor whether an inquiry is being conducted into the complaint of ill-treatment, made to him by Luis Gravanita on 10 December, and, if not, urge him to do so. Ask him to keep you informed of the results.***
- ***Ask the Minister of the Interior to order a full and impartial investigation into these allegations and to inform you of its findings.***
- ***Attach to your letter a copy of Amnesty International's recommendations. Commend these recommendations to the Portuguese authorities and say that you believe that Luis Gravanita's ill-treatment would not have occurred if all these recommendations had been adopted and fully implemented.***

*Address your letters to:*

Public Prosecutor in Setúbal

Exmo Sr Agente do Ministério Público  
no Tribunal da Comarca de Setúbal  
Tribunal de Setúbal  
2900 Setúbal  
Portugal

Minister of the Interior

Exmo Sr Manuel Dias Loureiro  
Ministro da Administração Interna  
Ministério da Administração Interna  
Praça do Comércio  
1100 Lisboa  
Portugal

Please send copies of your letters to the Portuguese Embassy in your country.

## SPAIN

In September 1991 two Arab tourists, both resident in Denmark, were reportedly arrested and brutally beaten by Civil Guard officers in Ibiza.

Photograph of Mohamed Hegazy taken after his release, showing injuries to his buttock, back, arms and legs

Mohamed Mahmoud Amer Hegazy, an Egyptian citizen, and Emad Raed Shibli, a Palestinian holding an Israeli passport, were on holiday in San Antonio Abad in Ibiza. They say that on 6 September 1991 they stopped a Civil Guard car to ask for directions to their hotel. As neither of the two men speak Spanish, they spoke to the officer in Italian.

In the evening, Mohamed Hegazy and Raed Shibli went out to have dinner and at around 1.30am on 7 September they claim that they saw the same Civil Guard officer who had helped them, with another colleague. Mohamed Hegazy says that he went up to the officer and, speaking in Italian, greeted him and thanked him for his assistance earlier. (Mohamed Hegazy only later realized that he had mistaken the officer's identity.) However, the officer reacted violently and pulled his truncheon and held it to Mohamed Hegazy's throat. Mohamed Hegazy produced his passport to show that he was a tourist, but the officer threw it on the pavement, shouting "Italians, Italians", and then pushed Mohamed Hegazy against the wall.

Raed Shibli went to help his friend but he too was pushed against the wall. The officer's companion intervened and hit them both with his truncheon.

The police radioed for reinforcements and approximately 15 officers apparently gathered. Mohamed Hegazy and Raed Shibli were handcuffed and taken by car to the Civil Guard station in San Antonio Abad. During the journey, they were punched and beaten with truncheons.

In the Civil Guard station, Mohamed Hegazy and Raed Shibli were severely beaten with rubber truncheons, and punched and kicked all over their bodies. They alleged that they were threatened with a knife held to their throats and that their personal possessions were destroyed. They were then strip-searched and held in a cell.



A forensic surgeon examined them in custody and recorded multiple bruising to all parts of their bodies. Photographs of Mohamed Hegazy taken after his release showed severe injuries to his buttocks, back, arms and legs.

On 8 September a duty lawyer saw them in the station but he was unable to speak English -- which the two men understand -- and only recorded the police statement. On 9 September Mohamed Hegazy and Raed Shibli appeared in court where an interpreter was present. The judge only recorded part of their complaint of ill-treatment. The statement of the court contained no information as to the extent of the ill-treatment or the injuries they had suffered. However, the judge noted the medical reports describing their injuries.

Mohamed Hegazy and Raed Shibli were charged with resisting arrest and disobeying public officials and released into provisional liberty. Two days later they returned to Denmark.

As of November 1992 neither Amnesty International nor the two complainants, Mohamed Hegazy and Raed Shibli, have received any further information from the judicial authorities as to what action the court has taken to investigate the complaints of ill-treatment.

## ~~WHAT YOU CAN DO~~

If what you have read about the case of Mohamed Mahmoud Amer Hegazy and Emad Raed Shibli concerns you, turn that concern into action. Write courteous letters in Spanish if possible to the Spanish authorities.

### *Points to raise in your letters*

- Say in your letter that you are always concerned about the violation of anyone's human rights. Explain that you are concerned about what appears to be a wave of racism spreading throughout Europe. Say that you fear that the case of Mohamed Hegazy and Raed Shibli in Spain could be an illustration of how racism and ill-treatment by government agents in western European countries could encourage the spread of racism. Explain that you believe that it is vital that governments ensure that their own agents cannot be accused of racially motivated abuses. Failure to do so reflects a lack of political will to deal with the problem in society at large.***
- Explain that your concern about racism and ill-treatment in Europe has led you to write to a number of western European governments. Say that these appeals are illustrated by cases from each of the countries concerned. Explain that you***

*are appealing to each government to do all it can to ensure that ill-treatment does not occur.*

- *Explain that in all cases of reported ill-treatment, Amnesty International calls for a thorough and impartial investigation, and for anyone responsible for ill-treatment to be brought to justice.*
- *Express concern at the alleged ill-treatment of Mohamed Hegazy and Raed Shibli by Civil Guard officers in Ibiza in September 1991.*
- *Express also concern at the length of time the court in Ibiza is taking to investigate Mohamed Hegazy and Raed Shibli's complaint.*
- *Attach to your letter a copy of Amnesty International's recommendations. Commend these recommendations to the Spanish authorities and say that you believe that the ill-treatment of Mohamed Hegazy and Raed Shibli would not have occurred if all these recommendations had been adopted and fully implemented.*

*Address your letters to:*

Minister of the Interior

Excmo Sr. D. José Luis Coreuera Cuesta  
 Ministro del Interior  
 Ministerio del Interior  
 Castellana 5  
 Madrid  
 Spain

Attorney General

Excmo Sr. D. Eligio Hernández  
 Fiscal General del Estado  
 Tribunal Supremo  
 Palacio de Justicia  
 Plaza de la Villa de París  
 Madrid 4  
 Spain

Please send copies of your letters to the Spanish Embassy in your country.

## UNITED KINGDOM

**In April 1988 a black man was arrested, severely beaten and insulted by police officers in London.**

On the night of 13 April 1988, Leslie Burnett, a 34-year-old landscape gardener, was returning to his home in the Finsbury Park area of London. Two police officers arrested him at a short distance from his home, accusing him of having tampered with a car. Leslie Burnett says that he denied this and started to walk towards his front door.

Leslie Burnett claims that one of the police officers then jumped on his neck and tried to pull him down. He says that he was hit with truncheons on his head and body, and that he then punched the police officer in the face. The police officer reportedly said:

*"You, black bastard, you're going to get it now".*

Police cars and a van arrived. Leslie Burnett says that he was then kicked and stamped on and again hit with truncheons by police officers while he was on the ground. The beatings continued after he was placed in the police van.

Leslie Burnett was taken to Hornsey police station where he says that police officers continued to abuse him. They continued to racially insult him, calling him a "black bastard". He says that the police officers in the station treated him like a 'zoo exhibit'. They repeatedly came to his cell, where he lay bleeding and injured, and made remarks at him. He was detained for 18 hours and then charged with interfering with a car and assaulting two police officers.

Leslie Burnett went to hospital where the examining doctor recorded blurred vision in the right eye; a 4cm laceration needing stitches on the left side of the head; another of 2.2cm above the right eye; bruising; swelling in both eyelids; multiple bruising to the legs; and bruising to the left shoulder.

Leslie Burnett was tried before Wood Green crown court in December 1988. The police claimed that Leslie Burnett reacted so violently when he was approached that blows from the truncheon and fists were necessary. Leslie Burnett was acquitted of the charges after the jury heard independent evidence from eye-witnesses to the incident. After his acquittal, he told the press:

*"I was a youth worker. I had heard of cases of people being assaulted by the police... Now I am bitter. I have lost my trust."*

Leslie Burnett sued the London Metropolitan Police Force for assault and battery, false imprisonment and malicious prosecution. In July 1991 the police paid £40,000 in compensation, without admitting liability. Upon receiving compensation, Leslie Burnett told the press:

*"What about the officers who sent me to jail? ... I would like to see them sacked or charged".*

Leslie Burnett's question was answered by the Complaints Investigation Bureau of the Metropolitan Police. In a letter to Leslie Burnett's lawyer, the Deputy Director of the Complaints Investigation Bureau stated that they did not propose to take any further action (either disciplinary or by recommending the commencement of criminal proceedings) against the police officers who arrested, severely beat and insulted Leslie Burnett.

There have been several recent cases in which the Metropolitan Police Force paid compensation -- now totalling several hundred thousand pounds -- without admitting liability, to people who sued them for wrongful arrest or ill-treatment.

## ~~WHAT YOU CAN DO~~

If what you have read about the case of Leslie Burnett concerns you, turn that concern into action. Write courteous letters in English if possible to the authorities of the United Kingdom.

### *Points to raise in your letters*

- ***Say in your letter that you are always concerned about the violation of anyone's human rights. Explain that you are concerned about what appears to be a wave of racism spreading throughout Europe. Say that you fear that the case of Leslie Burnett in the United Kingdom could be an illustration of how racism and ill-treatment by government agents in western European countries reflects the spread of racism. Explain that you believe that it is vital that governments ensure that their own agents cannot be accused of racially motivated abuses. Failure to do so reflects a lack of political will to deal with the problem in society at large.***
- ***Explain that your concern about racism and ill-treatment in Europe has led you to write to a number of western European governments. Say that these appeals are illustrated by cases from each of the countries concerned. Explain that you are appealing to each government to do all it can to prevent ill-treatment.***
- ***Explain that in all cases of reported ill-treatment, Amnesty International calls for a thorough and impartial investigation, and for anyone responsible for ill-treatment to be brought to justice.***

- ***Express your concern at Leslie Burnett's allegations of ill-treatment while he was detained by police officers in London in April 1988.***
- ***Inquire what investigations took place, and when, as a result of his allegations.***
- ***Express concern that the police officers involved in Leslie Burnett's ill-treatment have not been subjected to disciplinary proceedings, nor have recommendations been made to prosecute these officers in criminal proceedings.***
- ***Attach to your letter a copy of Amnesty International's recommendations. Commend these recommendations to the authorities of United Kingdom and say that you believe that Leslie Burnett's ill-treatment would not have occurred if all these recommendations had been adopted and fully implemented.***

*Address your letters to:*

Mr Kenneth Clarke  
Secretary of State for the Home Department  
50 Queen Anne's Gate  
London SW1H 9AT  
United Kingdom

Sir Peter Imbert  
Commissioner of the Metropolitan Police Force  
New Scotland Yard  
Broadway  
London SW1H 0BG  
United Kingdom

Police Complaints Authority  
10 Great George St  
London SW1  
United Kingdom

Please send copies of your letters to the Embassy of the United Kingdom in your country.

**EXTERNAL**

**APPENDIX**

**RECOMMENDATIONS TO GOVERNMENTS**

## RACIST TORTURE AND ILL-TREATMENT BY POLICE IN WESTERN EUROPE

### Recommendations to Governments

In drawing attention to cases of alleged torture and ill-treatment in Western Europe in which racism appeared to be a factor, Amnesty International is not saying that such ill-treatment is systematic in any country, or even that such cases form the majority of ill-treatment cases about which the organization is informed in Western Europe. It has noted, however, that in a significant number of cases of torture and ill-treatment there appears to be a racist element. This is particularly disturbing at a time when racist attacks on foreigners, immigrants and members of racial minorities have been occurring in some Western European countries and when xenophobia and racism appear to be increasing. Governments have a responsibility to ensure that their police forces uphold the law and that in the performance of their duties do not engage in torture and ill-treatment, that police forces take all necessary steps to protect everyone in their country from assault, and in particular to make it very clear that racist behaviour by police officers will not be tolerated.

Amnesty International continues to call on all governments to ratify and implement the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. It calls on Council of Europe Member States to ratify and implement the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment. It also calls on all countries to implement Amnesty International's *12-Point Program for the Prevention of Torture* (see attached). It believes that the implementation of these measures is a positive indication of a government's commitment to abolish torture and eradicate ill-treatment.

In its work to stop human rights violations within its mandate, Amnesty International calls on governments to take the necessary steps to combat such violations. This is why the organization calls upon governments to combat racism - a key contributory factor to racist torture and ill-treatment. Amnesty International therefore recommends that governments should take particular care in the selection, training and monitoring of law enforcement personnel to ensure that in the performance of their duties their conduct is not in any way racist. Specifically, Amnesty International recommends that:

- The authorities at all levels should demonstrate their total opposition to racism. They should make clear to all law enforcement personnel that racist behaviour, or the condoning of such behaviour, will not be tolerated under any circumstances.
- There should be pre-employment screening of law enforcement personnel for cultural and racial sensitivity.
- Cross-cultural awareness programs should be an essential element in the training of law enforcement personnel and there should be mandatory periodic courses for officers at all levels.
- Any law enforcement recruits or officers who display racist attitudes or tendencies should be required to take further training or, in appropriate cases, be formally disciplined or dismissed.
- All complaints of racist behaviour by law enforcement officers should be promptly and impartially investigated.
- Complaints procedures should be independent and publicized in an appropriately wide range of languages.
- Interpretation facilities should be available to those in custody who require them.
- There should be effective oversight of the complaints system with auditing and monitoring of complaints and their disposition by an impartial, independent body.
- Governments should recognize that discrimination against foreigners, immigrants, asylum-seekers and racial minorities can be a key contributory factor to human rights abuses, including to racist torture and ill-treatment. Governments should initiate a plan of action against such discrimination.
- All governments should fulfil their obligation to ensure that internationally-protected human rights, including the prohibition of torture and other ill-treatment, are upheld without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, property, birth or other status.

*See also Amnesty International's 12-Point Program for the Prevention of Torture*



## Amnesty International

### 12-Point Program for the Prevention of Torture

Torture is a fundamental violation of human rights, condemned by the General Assembly of the United Nations as an offence to human dignity and prohibited under national and international law.

Yet torture persists, daily and across the globe. In Amnesty International's experience, legislative prohibition is not enough. Immediate steps are needed to confront torture and other cruel, inhuman or degrading treatment or punishment wherever they occur and to eradicate them totally.

Amnesty International calls on all governments to implement the following 12-Point Program for the Prevention of Torture. It invites concerned individuals and organizations to join in promoting the program. Amnesty International believes that the implementation of these measures is a positive indication of a government's commitment to abolish torture and to work for its abolition worldwide.

#### 1. Official condemnation of torture

The highest authorities of every country should demonstrate their total opposition to torture. They should make clear to all law-enforcement personnel that torture will not be tolerated under any circumstances.

#### 2. Access to prisoners

Torture often takes place while the victims are held incommunicado -- unable to contact people outside who could help them or find out what is happening to them. It is vital that all prisoners be brought before a judicial authority promptly after being taken into custody and that relatives, lawyers and doctors have prompt and regular access to them.

#### 3. No secret detention

In some countries torture takes place in secret centres, often after the victims are made to "disappear". Governments should ensure that prisoners are held in publicly

recognized places, and that accurate information about their whereabouts is made available to relatives and lawyers.

#### **4. Safeguards during interrogation and custody**

Governments should keep procedures for detention and interrogation under regular review. All prisoners should be promptly told of their rights, including the right to lodge complaints about their treatment. There should be regular independent visits of inspection to places of detention. An important safeguard against torture would be the separation of authorities responsible for detention from those in charge of interrogation.

#### **5. Independent investigation of reports of torture**

Governments should ensure that all complaints and reports of torture are impartially and effectively investigated. The methods and findings of such investigations should be made public. Complainants and witnesses should be protected from intimidation.

#### **6. No use of statements extracted under torture**

Governments should ensure that confessions or other evidence obtained through torture may never be invoked in legal proceedings.

#### **7. Prohibition of torture in law**

Governments should ensure that acts of torture are punishable offences under the criminal law. In accordance with international law, the prohibition of torture must not be suspended under any circumstances, including states of war or other public emergency.

#### **8. Prosecution of alleged torturers**

Those responsible for torture should be brought to justice. This principle should apply wherever they happen to be, wherever the crime was committed and whatever the nationality of the perpetrators or victims. There should be no "safe haven" for torturers.

## 9. Training procedures

It should be made clear during the training of all officials involved in the custody, interrogation or treatment of prisoners that torture is a criminal act. They should be instructed that they are obliged to refuse to obey any order to torture.

## 10. Compensation and rehabilitation

Victims of torture and their dependants should be entitled to obtain financial compensation. Victims should be provided with appropriate medical care or rehabilitation.

## 11. International response

Governments should use all available channels to intercede with governments accused of torture. Intergovernmental mechanisms should be established and used to investigate reports of torture urgently and to take effective action against it. Governments should ensure that military, security or police transfers or training do not facilitate the practice of torture. No one should be forcibly returned to a country where he or she risks being tortured.

## 12. Ratification of international instruments

All governments should ratify international instruments containing safeguards and remedies against torture, including the United Nations Convention against Torture and the International Covenant on Civil and Political Rights with its Optional Protocol which provides for individual complaints.

*The 12-Point Program was adopted by Amnesty International in October 1983 as part of the organization's Campaign for the Abolition of Torture. (Rev. 12/92)INTERNAL  
(for AI members only)*

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*Amnesty International  
International Secretariat  
1 Easton Street  
London WC1X 8DJ*

United Kingdom

TO: All Sections  
Campaign Coordinators  
Press Officers

FROM: Western Europe Research  
Campaign and Membership Department

DATE: 11 December 1992

RACIST TORTURE AND ILL-TREATMENT BY POLICE IN WESTERN EUROPE

APPEAL CASES

Summary

This circular contains the Appeal Cases for use during the action **Racist torture and ill-treatment by police in Western Europe**. It also contains, in appendix 1, the external **Recommendations to governments** to be used in this action. Please also refer to the Recommended Actions (EUR 03/02/92) and to the Order Form for Photographs (EUR 03/03/92) and the Focus in the February 1993 International Newsletter.

Keywords

AUSTRIA / FRANCE / GERMANY / GREECE / ITALY / PORTUGAL / SPAIN / UK / RACIAL DISCRIMINATION / TORTURE/ILL-TREATMENT / FOREIGN NATIONALS / REFUGEES / MIGRANT WORKERS / MINORITIES / ARBITRARY ARREST / DEATH IN CUSTODY / MEDICAL CONFIRMATION / STRIP SEARCHING / POST MORTEMS / POLICE / IMPUNITY / INVESTIGATION OF ABUSES /

Distribution

As above.

Recommended actions

*These Appeal Cases and Recommendations to governments are for sections and groups participating in the action **Racist torture and ill-treatment by police in Western Europe.***

## AUSTRIA

**In March 1989 two Austrian citizens of Egyptian origin were severely beaten by police officers in Vienna. While in custody, one of the two men was pushed through a pane of glass in a corridor, after which he lost consciousness.**

On the evening of 22 March 1989, Mustafa Ali and a friend were crossing a road at traffic lights. Mustafa Ali and his friend said the pedestrian signal was green when they began to cross. As they crossed, two police officers ordered them to return to the side of the street and said they had begun to cross when the pedestrian signal had been red. According to their lawyer, the two men were the only non-Europeans among several pedestrians crossing the street and that was an important reason why they were the only ones to be stopped by the police officers. The two men were asked for their identity papers, subjected to racial insults and fined on the spot. Mustafa Ali refused to pay the fine. He was placed under arrest.

Mustafa Ali and his friend assert that the police officers then attempted to pull Mustafa Ali in the direction of a building site where there was a four-metre deep pit. The two men resisted this, as a result of which the police officers radioed for reinforcements. Mustafa Ali was placed in handcuffs. The two men describe how the additional police officers began to beat them with truncheons, and continued to do so even when Mustafa Ali, handcuffed, fell to the ground. Mustafa Ali's friend says that he was punched and beaten while three police officers were holding him.

Mustafa Ali was placed in a police car where he alleges he was beaten over the head with a truncheon and the handle of a pistol. He was taken to Leopoldstadt police station where his handcuffs were removed but the beating continued until he was pushed through a pane of glass in a corridor and lost consciousness. The police version of events was that Mustafa Ali had thrown himself through the glass. Mustafa Ali was taken to hospital bleeding profusely from his injuries. The examining doctor diagnosed concussion, facial wounds, bruising and tenderness below the eyes and on the cheekbone. He was released from hospital on 24 March. He had to report to the hospital a further nine times to receive treatment connected with his injuries.

Mustafa Ali made a formal complaint, but criminal proceedings against the officers responsible were dropped by the Vienna Public Prosecutor in March 1990 citing lack of evidence. However, a separate inquiry by the Austrian Constitutional Court found that his injuries were caused when an unidentified police officer pushed him into a pane of glass. In February 1991 the court concluded:

*"Without doubt it would require considerable force to break the thick and relatively small piece of glass. It would hardly be possible to gather the necessary impetus for this in the two-metre corridor."*

The court established that a number of police officers were present at the time Mustafa Ali was pushed into the glass.

In the light of the Constitutional Court's ruling, the Vienna Public Prosecutor re-examined the original complaint against the police officers concerned. He concluded, however, that there were insufficient grounds to reopen the case, mainly because no one officer could be identified as the offender. It can only be supposed that the identity of the offending police officer could not be established because the original investigation was not conducted with sufficient vigour. As a result, police officers responsible for Mustafa Ali's ill-treatment have escaped sanction. (In March 1992 Mustafa Ali was awarded substantial compensation for the injuries he suffered.)

## ~~WHAT YOU CAN DO~~

If what you have read about the case of Mustafa Ali concerns you, turn that concern into action. Write courteous letters in German -- if it is excellent German, otherwise in English or French -- to the Austrian authorities.

### *Points to raise in your letters*

- ***Say in your letter that you are always concerned about the violation of anyone's human rights. Explain that you are concerned about what appears to be a wave of racism spreading throughout Europe. Say that you fear that the case of Mustafa Ali in Austria could be an illustration of how racism and ill-treatment by government agents in western European countries could encourage the spread of racism. Explain that you believe that it is vital that governments ensure that their own agents cannot be accused of racially motivated abuses. Failure to do so reflects a lack of political will to deal with the problem in society at large.***
- ***Explain that your concern about racism and ill-treatment in Europe has led you to write to a number of western European governments. Say that these appeals are illustrated by cases from each of the countries concerned. Explain that you are appealing to each government to do all it can to ensure that ill-treatment does not occur.***
- ***Explain that in all cases of reported ill-treatment, Amnesty International calls for a thorough and impartial investigation, and for anyone responsible for ill-treatment to be brought to justice.***

- ***Express concern at the ill-treatment of Mustafa Ali while he was in police custody in Vienna in March 1989.***
- ***Say also that it appears that in the case of Mustafa Ali the investigation by the Vienna police authorities was inadequate. Stress that the Constitutional Court had established that a number of police officers were present at the time Mustafa Ali was pushed into the glass. However, the identity of the offending police officer had not been established by the Vienna police authorities, and no one has been brought to justice for the injuries sustained by Mustafa Ali.***
- ***Attach to your letter a copy of Amnesty International's recommendations. Commend these recommendations to the Austrian authorities and say that you believe that Mustafa Ali's ill-treatment would not have occurred if all these recommendations had been adopted and fully implemented.***

*Address your letters to:*

Director of the Human Rights Division, Ministry of Foreign Affairs

Dr. Nikolaus Scherk  
 Völkerrechtsbüro  
 Bundesministerium für Auswärtige Angelegenheiten  
 Ballhausplatz 2  
 A-1014 Wien  
 Austria

Minister of Internal Affairs

Dr. Franz Löschnak  
 Bundesministerium für Inneres  
 Postfach 100  
 A-1014 Wien  
 Austria

Please send copies of your letters to the Austrian Embassy in your country.



## FRANCE

September 1989, Paris -- a young black man resident in France was severely beaten by three plainclothes policemen who called him a "dirty nigger" and told him he was going "to pay for all the others".

Lucien Djossouvi

(c) Claudine Doury

On 5 September 1989 Lucien Djossouvi, a Benin national resident in France, was knocked from his motorbike while he was riding through the 18th district of Paris. He describes how a car cut in front of his path and made him crash. The car driver, dressed in civilian clothes, approached Lucien Djossouvi after the incident, subjected him to verbal racial abuse and demanded to see his identity papers. As he had no proof that the man was a police officer, and thus entitled to ask for the papers, Lucien Djossouvi refused to produce them. When the car driver then grasped him by the shoulder he knocked his hand away, remounted his bike and rode off. The driver got back in his car and followed Lucien Djossouvi for about 10 minutes before forcing him to stop once more.

This time the driver was not alone. Another car carrying two more men dressed in plain clothes arrived on the scene. Lucien Djossouvi was detained by the three men and handcuffed. When he protested and asked the reason for his arrest he was told that he was a "dirty nigger" and that he was going to "pay for all the others". He claimed that the three men then beat him with truncheons and threw his identity papers and money into a nearby rubbish bin. Passers-by, alarmed at what they saw, were told by the three men not to worry as they were just arresting a drug-dealer.

The three men had not finished. They pushed Lucien Djossouvi into the entrance of a near-by building where they choked him with his tie, tore his clothes, subjected him to further

racial insults and beat him severely all over his body. When they finished he was bleeding from his nose and from a cut above his eye. The three men then took him back to one of their cars and removed his handcuffs.

Lucien Djossouvi told the men, whom he now believed to be police officers, that he was going to report them. Their response was to handcuff him once more, hit him again and threaten him with deportation within 10 days if he made any complaint about them. With that, they left him on the roadside and drove off.

As Lucien Djossouvi sat on the pavement watching his assailants depart he noted one of their registration numbers. The number was later shown to belong to an official police car.

Later that evening Lucien Djossouvi was admitted to the Biehat Hospital in Paris for urgent treatment. He was later given a medical certificate which recorded that he had received a heavy blow to the head causing loss of consciousness and widespread facial bruising. His injuries led to him being kept in hospital for five days and he was recommended not to return to work for a further 10 days.

On 11 September Lucien Djossouvi lodged a formal complaint with the Public Prosecutor's office attached to the Fourth section of the Paris Law Courts alleging that he had been ill-treated by three plainclothes police officers. The Prosecutor's office ordered the *Inspection générale des services de la police*, the General Inspectorate of Police Services (an internal police body responsible for investigations of police misconduct) to carry out an investigation into the complaint. This investigation was concluded in 1990 and in June 1991, in response to Amnesty International's inquiries, the Public Prosecutor stated that the case against two police officers accused of ill-treating Lucien Djossouvi had been referred to a judge attached to the Versailles Law Courts for further investigation.

In November 1991 Lucien Djossouvi was called to a formal "confrontation" in the offices of the investigating judge in Versailles. During this confrontation he identified a police officer, who had been called as a witness to the events of September 1989, as his third assailant. The investigating judge, as required by law, asked the Court of Cassation to authorize the criminal investigation of the third officer. Further proceedings were halted pending the Court's decision. A year has now passed without news of any further judicial activity in this case.

~~WHAT YOU CAN DO~~

If what you have read about the case of Lucien Djossouvi concerns you, turn that concern into action. Write courteous letters, in French if possible, to the French authorities.

*Points to raise in your letters*

- *Say in your letter that you are always concerned about the violation of anyone's human rights. Explain that you are concerned about what appears to be a wave of racism spreading throughout Europe. Say that you fear that the case of Lucien Djossouvi in France could be an illustration of how racism and ill-treatment by government agents in western European countries could encourage the spread of racism. Explain that you believe that it is vital that governments ensure that their own agents cannot be accused of racially motivated abuses. Failure to do so reflects a lack of political will to deal with the problem in society at large.*
- *Explain that your concern about racism and ill-treatment in Europe has led you to write to a number of western European governments. Say that these appeals are illustrated by cases from each of the countries concerned. Explain that you are appealing to each government to do all it can to ensure that ill-treatment does not occur.*
- *Explain that in all cases of reported ill-treatment, Amnesty International calls for a thorough and impartial investigation, and for anyone responsible for ill-treatment to be brought to justice.*
- *Express concern about the racist ill-treatment that Lucien Djossouvi alleges he was subjected to by French police officers in Paris on 5 September 1989.*
- *Express concern that over three years after the opening of the judicial investigation, it has still not ended. Ask when it is likely to be completed.*
- *Seek assurances that Amnesty International will be informed of its findings and of any further judicial or disciplinary proceedings arising from it.*
- *Attach to your letter a copy of Amnesty International's recommendations. Commend these recommendations to the French authorities and say that you believe that Lucien Djossouvi's ill-treatment would not have occurred if all these recommendations had been adopted and fully implemented.*

*Address your letters to:*

Minister of Justice

Monsieur Michel Vauzelle  
Garde des Sceaux  
Ministre de la Justice  
Ministère de la Justice  
13 Place Vendôme  
75042 Paris  
France

Minister of the Interior

Monsieur Paul Quilès  
Ministre de l'Intérieur  
13 Place Beauvau  
75800 Paris  
France

Please send copies of your letters to the French Embassy in your country.

## GERMANY

**In June 1992 police raided a hostel for asylum-seekers in Gränitz. During the raid, police officers reportedly punched, kicked and struck the asylum-seekers with batons.**

On 11 June 1992 from 3.30am to 6am, police officers raided a hostel for asylum-seekers in Gränitz, near Freiberg in the eastern German state of Saxony. The purpose of the raid was to search the building for stolen property but, reportedly, nothing was found. The hostel houses about 50 asylum-seekers, mostly families and couples of various nationalities.

Police officers, many of whom were dressed in special combat gear and carried batons, reportedly forced their way into the hostel, waking the sleeping occupants with shouts of "Raus!". Some asylum-seekers were slow to open their doors, as they at first feared an attack by neo-Nazis. The police officers then started to break open some doors. The male occupants were ordered out of their beds and into a room where they had to stand with their faces to the wall and their legs apart and with their arms raised or their wrists handcuffed.

One asylum-seeker alleged that a police officer pulled him out of the top bunk of the bed he was occupying and that he injured his foot as he fell. One officer punched him in the back and another slapped him on the head. He claims that he was later hit several times in the face and on the head. A Syrian national alleged that he was struck on the back of the head and lost consciousness. One witness also said that he saw him being struck with a pistol butt. A Moldovan national claimed that he was hit in the face and struck on the back with a baton. A photograph taken on the day after the raid shows a large abrasion to his right shoulder. Another asylum-seeker alleged that he was kicked by officers several times and a Pakistani national claims that he was hit on the back of the head.

Many asylum-seekers were able to corroborate the allegations of ill-treatment made by their fellow asylum-seekers. Two of them reported seeing a Turkish Kurd hit in the face by one police officer and struck on the back by other officers with their batons as a result of which he lost consciousness. A photograph taken on the day after the raid shows abrasions to his left shoulder, his left cheek and across his lower back.

A criminal complaint was lodged with the Chemnitz Public Prosecutor against unknown police officers. Nine asylum-seekers made individual statements alleging that they themselves were ill-treated or that they witnessed the ill-treatment of other occupants of the hostel.

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<sup>2</sup>"Out!"

The allegations of ill-treatment were reportedly rejected, both by senior police officers and by the Interior Minister of Saxony. The Interior Minister stated that batons were only used against one asylum-seeker who tried to resist the police.

In September 1992 the Ministry of Justice of Saxony informed Amnesty International that the Chemnitz Public Prosecutor had launched a judicial investigation into the allegations of police ill-treatment.

## ~~WHAT YOU CAN DO~~

If what you have read about the case of the asylum-seekers in Gränitz concerns you, turn that concern into action. Write courteous letters in German -- if it is excellent German, otherwise in English or French -- to the authorities in the Federal Republic of Germany.

### *Points to raise in your letters*

- ***Say in your letter that you are always concerned about the violation of anyone's human rights. Explain that you are concerned about what appears to be a wave of racism spreading throughout Europe. Say that you fear that the case of the asylum-seekers in Gränitz in the Federal Republic of Germany could be an illustration of how the ill-treatment of asylum-seekers and other foreign nationals by government agents in western European countries could encourage the spread of racism. Explain that you believe that it is vital that governments ensure that their own agents cannot be accused of racially motivated abuses. Failure to do so reflects a lack of political will to deal with the problem in society at large.***
- ***Explain that your concern about racism and ill-treatment in Europe has led you to write to a number of western European governments. Say that these appeals are illustrated by cases from each of the countries concerned. Explain that you are appealing to each government to do all it can to ensure that ill-treatment does not occur.***
- ***Explain that in all cases of reported ill-treatment, Amnesty International calls for a thorough and impartial investigation, and for anyone responsible for ill-treatment to be brought to justice.***
- ***Express concern at the allegations of ill-treatment made by asylum-seekers in Gränitz when police officers raided their hostel in Gränitz in June 1992.***

- **Say in your letter that you are seeking information about the findings of the judicial investigation into the allegations of ill-treatment that have been made. Ask whether the Public Procurator has decided to bring charges against the police officers involved. Also ask to be informed of the outcome of any proceedings against the officers involved.**
- **Attach to your letter a copy of Amnesty International's recommendations. Commend these recommendations to the authorities of the Federal Republic of Germany and say that you believe that the asylum-seekers' ill-treatment would not have occurred if all these recommendations had been adopted and fully implemented.**

*Address your letters to:*

Please note: Given the number of addresses, sections are asked to divide them as equally as possible between letter-writers in your country.

Public Procurator, Chemnitz

Staatsanwaltschaft beim Bezirksgericht Chemnitz  
Hohe Strasse 23  
0-9005 Chemnitz  
Federal Republic of Germany

Minister of Justice of Saxony

Herrn  
Steffen Heitmann  
Staatministerium der Justiz  
Archivstrasse 1  
0-8060 Dresden  
Federal Republic of Germany

Federal Minister of the Interior

Rudolf Seiters  
Bundesminister des Innern  
Graurheindorfer Str. 198  
5300 Bonn 1  
Federal Republic of Germany

State Interior Ministers:

Minister of the Interior of Baden-Württemberg

Frieder Birzele  
 Innenminister  
 Dorotheenstr. 6  
 7000 Stuttgart 1  
 Federal Republic of Germany

Minister of the Interior of Bavaria

Dr Edmund Stoiber  
 Staatsminister des Innern  
 Odionsplatz 3  
 8000 München 22  
 Federal Republic of Germany

Minister of the Interior of Berlin

Prof Dr Diether Hekelmann  
 Senator für Innere  
 Fehrbellinger Platz 2  
 1000 Berlin 31  
 Federal Republic of Germany

Minister of the Interior of Brandenburg

Alwin Ziel  
 Minister des Innern  
 Henning-von-Trzeskow-Str. 9-13  
 O-1561 Potsdam  
 Federal Republic of Germany

Minister of the Interior of Bremen

Friedrich van Nispen  
 Senator für Innere  
 Contrescarpe 22/24  
 2800 Bremen 1  
 Federal Republic of Germany

Minister of the Interior of Hamburg

Werner Haackmann



Senator, Präsident der Behörde für Innere  
 Johanniswall 4  
 2000 Hamburg 1  
 Federal Republic of Germany

Minister of the Interior of Hesse

Dr Herbert Günther  
 Staatsminister des Innern  
 Friedrich-Ebert-Allee 12  
 6200 Wiesbaden  
 Federal Republic of Germany

Minister of the Interior of Mecklenburg-West Pomerania

Lothar Kupfer  
 Innenminister  
 Karl-Marx-Str. 1  
 O-2751 Schwerin  
 Federal Republic of Germany

Minister of the Interior of Lower Saxony

Gerhard Glogowski  
 Innenminister  
 Levesallee 6  
 3000 Hannover 1  
 Federal Republic of Germany

Minister of the Interior of North Rhine-Westphalia

Dr. Herbert Schnoor  
 Innenminister  
 Haroldstr. 5  
 4000 Düsseldorf 1  
 Federal Republic of Germany

Minister of the Interior of Rheinland-Palatinate

Walter Zuber  
 Staatsminister des Innern  
 Schillerplatz 3-5  
 6500 Mainz  
 Federal Republic of Germany

Minister of the Interior of Saarland

Friedel Läßle  
 Minister des Innern  
 Franz-Josef-Röder-Str. 21  
 6600 Saarbrücken 1  
 Federal Republic of Germany

Minister of the Interior of Saxony

Heinz Eggert  
 Staatsminister des Innern  
 Archivstr. 1  
 O-8060 Dresden  
 Federal Republic of Germany

Minister of the Interior of Saxony-Anhalt

Hartmut Pörschau  
 Minister des Innern  
 Halberstädter Str. 2  
 O-3014 Magdeburg  
 Federal Republic of Germany

Minister of the Interior of Schleswig-Holstein

Prof Dr Hans-Peter Bull  
 Innenminister  
 Düsterbrookker Weg 92  
 2300 Kiel 1  
 Federal Republic of Germany

Minister of the Interior of Thuringia

Franz Schuster  
 Innenminister  
 Schillerstr. 27  
 O-5082 Erfurt  
 Federal Republic of Germany

Please send copies of your letters to the Embassy of the Federal Republic of Germany in your country.

## GREECE

In January 1991 a Turkish refugee was detained by the Anti-Narcotics Police and taken to the Police Headquarters in Athens. The day after his arrest he was taken unconscious to hospital where he died eight days later.

Süleyman Akyar

On 21 January 1991, 26-year-old Süleyman Akyar was arrested by members of the Athens Anti-Narcotics Police on suspicion of drug dealing. The day after his arrest Süleyman Akyar was taken unconscious to the Red Cross Hospital which referred him to the KAT Hospital in Athens.

The hospital certificate stated that Süleyman Akyar underwent surgery for a ruptured small intestine. The hospital found fractures on three ribs, severe cranial and brain injury, extensive bruising on his body and injuries on his genitals.

Süleyman Akyar was put on respiratory support but died on 29 January without regaining consciousness. The hospital certificate also stated that severe respiratory, kidney and liver failure and multiple organ deterioration resulted in his death.

A post-mortem carried out on 1 February concluded that Süleyman Akyar had died from pneumonia contracted as a result of injuries over his entire body caused by beating. A forensic pathologist examined the post-mortem and concluded that Süleyman Akyar had suffered beatings with a rod or whip and heavy blows to the abdomen, and had most probably died as a result of renal failure following multiple soft tissue and muscle damage. Another doctor stated that Süleyman Akyar had been hung up by his hands and beaten and a third doctor stated that the marks around the upper hands were consistent with those which would be left by ropes, not handcuffs.

The Minister of Public Order reportedly ordered an investigation into Süleyman Akyar's death. According to the press, he stated on 1 March that findings based on 38 statements taken

under oath indicated that police officers had acted in self-defence after Süleyman Akyar attacked them with a sergewdriver. In March 1991 the government informed the United Nations Special Rapporteur on torture, who had sent an urgent appeal in connection with the case, that:

*"Süleyman Akyar had tried to attack a police officer...and had been overpowered by other officers who handcuffed him. He then ran amok and knocked his head on the ground. At midnight, while he was being kept in an office of the Narcotics Branch, Süleyman Akyar felt ill all of a sudden and informed his guards accordingly. He later lost consciousness... The post-mortem examination established that death occurred as a result of pneumonia..."*

The Government added that the judicial authorities had already been involved and a preliminary investigation was being carried out.

Amnesty International has repeatedly sought information from the Greek authorities about the case of Süleyman Akyar and has called on the government to initiate a thorough and impartial investigation. In August the Greek authorities informed Amnesty International that the investigation into the circumstances surrounding Süleyman Akyar's death was still continuing. No disciplinary action has been taken against the officers involved, pending the outcome of internal and judicial investigations. As of November 1992 the investigation had not been concluded.

## ~~WHAT YOU CAN DO~~

If what you have read about the case of Süleyman Akyar concerns you, turn that concern into action. Write courteous letters in Greek, English, French or German, to the Greek authorities.

### *Points to raise in your letters*

- ***Say in your letter that you are always concerned about the violation of anyone's human rights. Explain that you are concerned about what appears to be a wave of racism spreading throughout Europe. Say that you fear that the case of Süleyman Akyar in Greece could be an illustration of how racism and ill-treatment by government agents in western European countries could encourage the spread of racism. Explain that you believe that it is vital that governments ensure that their own agents cannot be accused of racially motivated abuses. Failure to do so reflects a lack of political will to deal with the problem in society at large.***

- *Explain that your concern about racism and ill-treatment in Europe has led you to write to a number of western European governments. Say that these appeals are illustrated by cases from each of the countries concerned. Explain that you are appealing to each government to do all it can to ensure that ill-treatment does not occur.*
- *Explain that in all cases of reported ill-treatment, Amnesty International calls for a thorough and impartial investigation, and for anyone responsible for ill-treatment to be brought to justice.*
- *Express your concern at the circumstances surrounding Süleyman Akyar's death which occurred eight days after his arrest by members of the Anti-Narcotics Police.*
- *Refer in your letter to the authorities' reply to the United Nations Special Rapporteur on torture in March 1991 stating that an investigation was being carried out. Ask to be informed of the progress and outcome of internal and judicial investigations into Süleyman Akyar's death.*
- *Attach to your letter a copy of Amnesty International's recommendations. Commend these recommendations to the Greek authorities and say that you believe that Süleyman Akyar's ill-treatment and subsequent death would not have occurred if all these recommendations had been adopted and fully implemented.*

*Address your letters to:*

Mr Ioannis Varvitsiotis  
 Minister of Justice  
 Ministry of Justice  
 96 Messogion Avenue  
 115 27 Athens  
 Greece

Mr Theodoros Anagnostopoulos  
 Minister of Public Order  
 Ministry of Public Order  
 1 Katchaki St  
 101 77 Athens  
 Greece

Please send copies of your letters to the Greek Embassy in your country.

## ITALY

**In March 1992 a Somali asylum-seeker was arrested by police officers at the aliens registration office in Rome. He was beaten unconscious in police custody.**

On the morning of 3 March 1992 Daud Addawe Ali, who had been resident in Italy for a year since he left Somalia, went to the aliens registration office attached to a Rome police station, in order to renew his residence permit. Daud Addawe Ali was waiting in a long queue in the street outside the office. When the office opened, people jostled to get into the small reception area. A female police officer, noticing a disturbance, approached Daud Addawe Ali and blamed him for creating the disturbance. An argument apparently ensued and male police officers became involved. Blows were exchanged and a police officer was reportedly injured. Four police officers then escorted Daud Addawe Ali to a room on the floor below.

A witness later informed the press that she heard shouts and cries for help coming from the room where Daud Addawe Ali had been taken. Daud Addawe Ali was in an unconscious state when he was taken under arrest to hospital. At the hospital, he was reportedly given heart massage to resuscitate him and put on an intravenous drip; a medical certificate recorded a trauma to the head and bruising to the left leg and the thorax, and stated that Daud Addawe Ali should be sent to the clinic of Regina Coeli prison for observation.

Daud Addawe Ali was transferred to Regina Coeli prison later that day, apparently under investigation on charges of insulting an officer of the state, resisting arrest and injuring an officer of the state. Daud Addawe Ali's sister visited him in the prison and told the press that he was held in a normal cell and not in the prison clinic, that he was limping and in a confused state, suffering severe pain and had bruises all over his body.

On 5 March two members of parliament demanded an inquiry into the case.

Daud Addawe Ali was released from prison on 20 March. He alleged to a doctor who examined him on 25 March that police officers had struck him to the ground with batons and that he had received blows to the thorax, back, wrists and legs and that his head was repeatedly knocked against a wall. The medical examination found injuries consistent with his allegations, with possible neurological damage. According to information received by Amnesty International, Daud Addawe Ali subsequently made a formal complaint of ill-treatment against the police.

On 30 April the United Nations Committee against Torture drew the attention of the Italian delegation to the apparently serious injuries suffered by Daud Addawe Ali and the existence of a medical report issued after his release. The delegation stated that, according to information supplied by the relevant authorities, Daud Addawe Ali's injuries were apparently

caused because he resisted arrest. The Committee asked to be kept informed of any official investigation into the alleged ill-treatment and of any resulting criminal prosecutions.

On 16 March 1992 Amnesty International sought information from the authorities about official steps being taken to investigate the alleged ill-treatment of Daud Addawe Ali. The organization had received no response from the authorities by November 1992.

## ~~WHAT YOU CAN DO~~

If what you have read about the case of Daud Addawe Ali concerns you, turn that concern into action. Write courteous letters, in Italian if possible, to the Italian authorities.

### *Points to raise in your letters*

- ***Say in your letter that you are always concerned about the violation of anyone's human rights. Explain that you are concerned about what appears to be a wave of racism spreading throughout Europe. Say that you fear that the case of Daud Addawe Ali in Italy could be an illustration of how racism and ill-treatment by government agents in western European countries could encourage the spread of racism. Explain that you believe that it is vital that governments ensure that their own agents cannot be accused of racially motivated abuses. Failure to do so reflects a lack of political will to deal with the problem in society at large.***
- ***Explain that your concern about racism and ill-treatment in Europe has led you to write to a number of western European governments. Say that these appeals are illustrated by cases from each of the countries concerned. Explain that you are appealing to each government to do all it can to ensure that ill-treatment does not occur.***
- ***Explain that in all cases of reported ill-treatment, Amnesty International calls for a thorough and impartial investigation, and for anyone responsible for ill-treatment to be brought to justice.***
- ***Express concern about Daud Addawe Ali's allegations of ill-treatment by police officers in Rome in March 1992.***
- ***Point out that Amnesty International wrote to the Minister of Justice on 16 March 1992, seeking his comments on Daud Addawe Ali's allegations***

*and information as to the official steps being taken to investigate them but received no reply.*

- Ask the authorities, therefore, what official steps were taken to investigate the alleged ill-treatment of Daud Addawe Ali, and with what result.*
- Attach to your letter a copy of Amnesty International's recommendations. Commend these recommendations to the Italian authorities and say that you believe that Daud Addawe Ali's ill-treatment would not have occurred if all these recommendations had been adopted and fully implemented.*

*Address your letters to:*

Minister of Justice

Onorevole Claudio Martelli  
Ministro di Grazia e Giustizia  
Ministero di Grazia e Giustizia  
Via Arenula 70  
00186 Rome  
Italy

Minister of the Interior

Onorevole Nicola Mancino  
Ministro degli Interni  
Ministero degli Interni  
Palazzo Viminale  
Via Depretis  
00184 Rome  
Italy

Please send copies of your letters to the Italian Embassy in your country.



## PORTUGAL

In December 1991 a white Portuguese citizen born in Angola was reportedly severely beaten and subjected to racial insults by an officer of the Public Security Police in a police station in Setúbal.

Alexandre Luis Marques Pires Gravanita, a 19-year-old student, is a Portuguese citizen. He was born in Angola and he left the country when he was a small child.

Luis Gravanita said that on 6 December 1991 at 7pm he was on his way home from a training session in a local gymnasium; he was carrying a sports bag. As he was attempting to cross a road at a pedestrian crossing, an officer of the Public Security Police, whom he later identified, shouted at him to wait. The officer then asked to see his identity card and, after examining it, ordered Luis Gravanita to accompany him to the *Esquadra No. 1* (No.1 Police Station).

Luis Gravanita said that on route to the police station he asked the officer why he had been ordered to go to the station. The officer told him that it would all be explained to him once they had reached the station.

On arrival at the police station, they went into an interior room where Luis Gravanita was ordered to leave his bag on the table. After he had done this, the officer immediately assaulted him, punching and kicking him. At the same time he was shouting:

*"You worthless piece of Angolan shit. You are nothing. You are a nigger".*

During the assault, Luis Gravanita pleaded with the officer not to hit him in the mouth because a few months previously he had suffered a serious fracture of jaw after being hit with an iron bar. The officer allegedly ignored him. At one point the officer pushed him violently against the wall and opened the bag on the table. Luis Gravanita explained that the bag only contained his sports clothes and he had just come from a gymnasium. In reply the officer called him a "shitty pig" and threw the clothes into the air and continued assaulting him.

Finally Luis Gravanita was taken to the window behind which the duty officer sits, and gave the details on his identity card, his home address and profession. No information as to why Luis Gravanita had been ordered to go to the police station and had been assaulted there was ever given. He was not accused of any offence.

Luis Gravanita claimed that while they were still in the police station, the Public Security Police officer who had assaulted him threatened him by saying:

*"Look out! If I see you on the street again and you have the bad luck to pass by me, you will be in trouble. If you see me in the street, cross over to the other side!"*

After his identity card had been returned, Luis Gravanita went back to the gymnasium where he was seen by witnesses before returning home. His parents took him to the hospital. The hospital recorded general cuts and bruising, especially to the face and right eye, consistent with having received punches.

On 10 December Luis Gravanita made a formal complaint to the Public Prosecutor against the officer of the *Esquadra de Trânsito* (traffic unit) of the Public Security Police whom he identified by name. Luis Gravanita alleged that this officer had wilfully caused him bodily injuries and menaced him.

## ~~WHAT YOU CAN DO~~

If what you have read about the case of Alexandre Luis Marques Pires Gravanita concerns you, turn that concern into action. Write courteous letters in Portuguese if possible to the Portuguese authorities.

### *Points to raise in your letters*

- ***Say in your letter that you are always concerned about the violation of anyone's human rights. Explain that you are concerned about what appears to be a wave of racism spreading throughout Europe. Say that you fear that the case of Alexandre Luis Marques Pires Gravanita in Portugal could be an illustration of how racism and ill-treatment by government agents in western European countries could encourage the spread of racism. Explain that you believe that it is vital that governments ensure that their own agents cannot be accused of racially motivated abuses. Failure to do so reflects a lack of political will to deal with the problem in society at large.***
- ***Explain that your concern about racism and ill-treatment in Europe has led you to write to a number of western European governments. Say that these appeals are illustrated by cases from each of the countries concerned. Explain that you are appealing to each government to do all it can to ensure that ill-treatment does not occur.***

- ***Explain that in all cases of reported ill-treatment, Amnesty International calls for a thorough and impartial investigation, and for anyone responsible for ill-treatment to be brought to justice.***
- ***Express your concern at the racist ill-treatment to which Alexandre Luis Marques Pires Gravanita alleged he was subjected by an officer of the Public Security Police in Setúbal in December 1991.***
- ***Ask the Public Prosecutor whether an inquiry is being conducted into the complaint of ill-treatment, made to him by Luis Gravanita on 10 December, and, if not, urge him to do so. Ask him to keep you informed of the results.***
- ***Ask the Minister of the Interior to order a full and impartial investigation into these allegations and to inform you of its findings.***
- ***Attach to your letter a copy of Amnesty International's recommendations. Commend these recommendations to the Portuguese authorities and say that you believe that Luis Gravanita's ill-treatment would not have occurred if all these recommendations had been adopted and fully implemented.***

*Address your letters to:*

Public Prosecutor in Setúbal

Exmo Sr Agente do Ministério Público  
no Tribunal da Comarca de Setúbal  
Tribunal de Setúbal  
2900 Setúbal  
Portugal

Minister of the Interior

Exmo Sr Manuel Dias Loureiro  
Ministro da Administração Interna  
Ministério da Administração Interna  
Praça do Comércio  
1100 Lisboa  
Portugal

Please send copies of your letters to the Portuguese Embassy in your country.

## SPAIN

In September 1991 two Arab tourists, both resident in Denmark, were reportedly arrested and brutally beaten by Civil Guard officers in Ibiza.

Photograph of Mohamed Hegazy taken after his release, showing injuries to his buttock, back, arms and legs

Mohamed Mahmoud Amer Hegazy, an Egyptian citizen, and Emad Raed Shibli, a Palestinian holding an Israeli passport, were on holiday in San Antonio Abad in Ibiza. They say that on 6 September 1991 they stopped a Civil Guard car to ask for directions to their hotel. As neither of the two men speak Spanish, they spoke to the officer in Italian.

In the evening, Mohamed Hegazy and Raed Shibli went out to have dinner and at around 1.30am on 7 September they claim that they saw the same Civil Guard officer who had helped them, with another colleague. Mohamed Hegazy says that he went up to the officer and, speaking in Italian, greeted him and thanked him for his assistance earlier. (Mohamed Hegazy only later realized that he had mistaken the officer's identity.) However, the officer reacted violently and pulled his truncheon and held it to Mohamed Hegazy's throat. Mohamed Hegazy produced his passport to show that he was a tourist, but the officer threw it on the pavement, shouting "Italians, Italians", and then pushed Mohamed Hegazy against the wall.

Raed Shibli went to help his friend but he too was pushed against the wall. The officer's companion intervened and hit them both with his truncheon.

The police radioed for reinforcements and approximately 15 officers apparently gathered. Mohamed Hegazy and Raed Shibli were handcuffed and taken by car to the Civil Guard station in San Antonio Abad. During the journey, they were punched and beaten with truncheons.

In the Civil Guard station, Mohamed Hegazy and Raed Shibli were severely beaten with rubber truncheons, and punched and kicked all over their bodies. They alleged that they were threatened with a knife held to their throats and that their personal possessions were destroyed. They were then strip-searched and held in a cell.

A forensic surgeon examined them in custody and recorded multiple bruising to all parts of their bodies. Photographs of Mohamed Hegazy taken after his release showed severe injuries to his buttocks, back, arms and legs.

On 8 September a duty lawyer saw them in the station but he was unable to speak English -- which the two men understand -- and only recorded the police statement. On 9 September Mohamed Hegazy and Raed Shibli appeared in court where an interpreter was present. The judge only recorded part of their complaint of ill-treatment. The statement of the court contained no information as to the extent of the ill-treatment or the injuries they had suffered. However, the judge noted the medical reports describing their injuries.

Mohamed Hegazy and Raed Shibli were charged with resisting arrest and disobeying public officials and released into provisional liberty. Two days later they returned to Denmark.

As of November 1992 neither Amnesty International nor the two complainants, Mohamed Hegazy and Raed Shibli, have received any further information from the judicial authorities as to what action the court has taken to investigate the complaints of ill-treatment.

## ~~WHAT YOU CAN DO~~

If what you have read about the case of Mohamed Mahmoud Amer Hegazy and Emad Raed Shibli concerns you, turn that concern into action. Write courteous letters in Spanish if possible to the Spanish authorities.

### *Points to raise in your letters*

- Say in your letter that you are always concerned about the violation of anyone's human rights. Explain that you are concerned about what appears to be a wave of racism spreading throughout Europe. Say that you fear that the case of Mohamed Hegazy and Raed Shibli in Spain could be an illustration of how racism and ill-treatment by government agents in western European countries could encourage the spread of racism. Explain that you believe that it is vital that governments ensure that their own agents cannot be accused of racially motivated abuses. Failure to do so reflects a lack of political will to deal with the problem in society at large.***
- Explain that your concern about racism and ill-treatment in Europe has led you to write to a number of western European governments. Say that these appeals are illustrated by cases from each of the countries concerned. Explain that you***

*are appealing to each government to do all it can to ensure that ill-treatment does not occur.*

- *Explain that in all cases of reported ill-treatment, Amnesty International calls for a thorough and impartial investigation, and for anyone responsible for ill-treatment to be brought to justice.*
- *Express concern at the alleged ill-treatment of Mohamed Hegazy and Raed Shibli by Civil Guard officers in Ibiza in September 1991.*
- *Express also concern at the length of time the court in Ibiza is taking to investigate Mohamed Hegazy and Raed Shibli's complaint.*
- *Attach to your letter a copy of Amnesty International's recommendations. Commend these recommendations to the Spanish authorities and say that you believe that the ill-treatment of Mohamed Hegazy and Raed Shibli would not have occurred if all these recommendations had been adopted and fully implemented.*

*Address your letters to:*

Minister of the Interior

Excmo Sr. D. José Luis Coreuera Cuesta  
 Ministro del Interior  
 Ministerio del Interior  
 Castellana 5  
 Madrid  
 Spain

Attorney General

Excmo Sr. D. Eligio Hernández  
 Fiscal General del Estado  
 Tribunal Supremo  
 Palacio de Justicia  
 Plaza de la Villa de París  
 Madrid 4  
 Spain

Please send copies of your letters to the Spanish Embassy in your country.

## UNITED KINGDOM

**In April 1988 a black man was arrested, severely beaten and insulted by police officers in London.**

On the night of 13 April 1988, Leslie Burnett, a 34-year-old landscape gardener, was returning to his home in the Finsbury Park area of London. Two police officers arrested him at a short distance from his home, accusing him of having tampered with a car. Leslie Burnett says that he denied this and started to walk towards his front door.

Leslie Burnett claims that one of the police officers then jumped on his neck and tried to pull him down. He says that he was hit with truncheons on his head and body, and that he then punched the police officer in the face. The police officer reportedly said:

*"You, black bastard, you're going to get it now".*

Police cars and a van arrived. Leslie Burnett says that he was then kicked and stamped on and again hit with truncheons by police officers while he was on the ground. The beatings continued after he was placed in the police van.

Leslie Burnett was taken to Hornsey police station where he says that police officers continued to abuse him. They continued to racially insult him, calling him a "black bastard". He says that the police officers in the station treated him like a 'zoo exhibit'. They repeatedly came to his cell, where he lay bleeding and injured, and made remarks at him. He was detained for 18 hours and then charged with interfering with a car and assaulting two police officers.

Leslie Burnett went to hospital where the examining doctor recorded blurred vision in the right eye; a 4cm laceration needing stitches on the left side of the head; another of 2.2cm above the right eye; bruising; swelling in both eyelids; multiple bruising to the legs; and bruising to the left shoulder.

Leslie Burnett was tried before Wood Green crown court in December 1988. The police claimed that Leslie Burnett reacted so violently when he was approached that blows from the truncheon and fists were necessary. Leslie Burnett was acquitted of the charges after the jury heard independent evidence from eye-witnesses to the incident. After his acquittal, he told the press:

*"I was a youth worker. I had heard of cases of people being assaulted by the police... Now I am bitter. I have lost my trust."*

Leslie Burnett sued the London Metropolitan Police Force for assault and battery, false imprisonment and malicious prosecution. In July 1991 the police paid £40,000 in compensation, without admitting liability. Upon receiving compensation, Leslie Burnett told the press:

*"What about the officers who sent me to jail? ... I would like to see them sacked or charged".*

Leslie Burnett's question was answered by the Complaints Investigation Bureau of the Metropolitan Police. In a letter to Leslie Burnett's lawyer, the Deputy Director of the Complaints Investigation Bureau stated that they did not propose to take any further action (either disciplinary or by recommending the commencement of criminal proceedings) against the police officers who arrested, severely beat and insulted Leslie Burnett.

There have been several recent cases in which the Metropolitan Police Force paid compensation -- now totalling several hundred thousand pounds -- without admitting liability, to people who sued them for wrongful arrest or ill-treatment.

## ~~WHAT YOU CAN DO~~

If what you have read about the case of Leslie Burnett concerns you, turn that concern into action. Write courteous letters in English if possible to the authorities of the United Kingdom.

### *Points to raise in your letters*

- Say in your letter that you are always concerned about the violation of anyone's human rights. Explain that you are concerned about what appears to be a wave of racism spreading throughout Europe. Say that you fear that the case of Leslie Burnett in the United Kingdom could be an illustration of how racism and ill-treatment by government agents in western European countries reflects the spread of racism. Explain that you believe that it is vital that governments ensure that their own agents cannot be accused of racially motivated abuses. Failure to do so reflects a lack of political will to deal with the problem in society at large.*
- Explain that your concern about racism and ill-treatment in Europe has led you to write to a number of western European governments. Say that these appeals are illustrated by cases from each of the countries concerned. Explain that you are appealing to each government to do all it can to prevent ill-treatment.*
- Explain that in all cases of reported ill-treatment, Amnesty International calls for a thorough and impartial investigation, and for anyone responsible for ill-treatment to be brought to justice.*



- ***Express your concern at Leslie Burnett's allegations of ill-treatment while he was detained by police officers in London in April 1988.***
- ***Inquire what investigations took place, and when, as a result of his allegations.***
- ***Express concern that the police officers involved in Leslie Burnett's ill-treatment have not been subjected to disciplinary proceedings, nor have recommendations been made to prosecute these officers in criminal proceedings.***
- ***Attach to your letter a copy of Amnesty International's recommendations. Commend these recommendations to the authorities of United Kingdom and say that you believe that Leslie Burnett's ill-treatment would not have occurred if all these recommendations had been adopted and fully implemented.***

*Address your letters to:*

Mr Kenneth Clarke  
 Secretary of State for the Home Department  
 50 Queen Anne's Gate  
 London SW1H 9AT  
 United Kingdom

Sir Peter Imbert  
 Commissioner of the Metropolitan Police Force  
 New Scotland Yard  
 Broadway  
 London SW1H 0BG  
 United Kingdom

Police Complaints Authority  
 10 Great George St  
 London SW1  
 United Kingdom

Please send copies of your letters to the Embassy of the United Kingdom in your country.

**EXTERNAL**

**APPENDIX**

**RECOMMENDATIONS TO GOVERNMENTS**

## RACIST TORTURE AND ILL-TREATMENT BY POLICE IN WESTERN EUROPE

### Recommendations to Governments

In drawing attention to cases of alleged torture and ill-treatment in Western Europe in which racism appeared to be a factor, Amnesty International is not saying that such ill-treatment is systematic in any country, or even that such cases form the majority of ill-treatment cases about which the organization is informed in Western Europe. It has noted, however, that in a significant number of cases of torture and ill-treatment there appears to be a racist element. This is particularly disturbing at a time when racist attacks on foreigners, immigrants and members of racial minorities have been occurring in some Western European countries and when xenophobia and racism appear to be increasing. Governments have a responsibility to ensure that their police forces uphold the law and that in the performance of their duties do not engage in torture and ill-treatment, that police forces take all necessary steps to protect everyone in their country from assault, and in particular to make it very clear that racist behaviour by police officers will not be tolerated.

Amnesty International continues to call on all governments to ratify and implement the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. It calls on Council of Europe Member States to ratify and implement the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment. It also calls on all countries to implement Amnesty International's *12-Point Program for the Prevention of Torture* (see attached). It believes that the implementation of these measures is a positive indication of a government's commitment to abolish torture and eradicate ill-treatment.

In its work to stop human rights violations within its mandate, Amnesty International calls on governments to take the necessary steps to combat such violations. This is why the organization calls upon governments to combat racism - a key contributory factor to racist torture and ill-treatment. Amnesty International therefore recommends that governments should take particular care in the selection, training and monitoring of law enforcement personnel to ensure that in the performance of their duties their conduct is not in any way racist. Specifically, Amnesty International recommends that:

- The authorities at all levels should demonstrate their total opposition to racism. They should make clear to all law enforcement personnel that racist behaviour, or the condoning of such behaviour, will not be tolerated under any circumstances.
- There should be pre-employment screening of law enforcement personnel for cultural and racial sensitivity.
- Cross-cultural awareness programs should be an essential element in the training of law enforcement personnel and there should be mandatory periodic courses for officers at all levels.
- Any law enforcement recruits or officers who display racist attitudes or tendencies should be required to take further training or, in appropriate cases, be formally disciplined or dismissed.
- All complaints of racist behaviour by law enforcement officers should be promptly and impartially investigated.
- Complaints procedures should be independent and publicized in an appropriately wide range of languages.
- Interpretation facilities should be available to those in custody who require them.
- There should be effective oversight of the complaints system with auditing and monitoring of complaints and their disposition by an impartial, independent body.
- Governments should recognize that discrimination against foreigners, immigrants, asylum-seekers and racial minorities can be a key contributory factor to human rights abuses, including to racist torture and ill-treatment. Governments should initiate a plan of action against such discrimination.
- All governments should fulfil their obligation to ensure that internationally-protected human rights, including the prohibition of torture and other ill-treatment, are upheld without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, property, birth or other status.

*See also Amnesty International's 12-Point Program for the Prevention of Torture*

## Amnesty International

### 12-Point Program for the Prevention of Torture

Torture is a fundamental violation of human rights, condemned by the General Assembly of the United Nations as an offence to human dignity and prohibited under national and international law.

Yet torture persists, daily and across the globe. In Amnesty International's experience, legislative prohibition is not enough. Immediate steps are needed to confront torture and other cruel, inhuman or degrading treatment or punishment wherever they occur and to eradicate them totally.

Amnesty International calls on all governments to implement the following 12-Point Program for the Prevention of Torture. It invites concerned individuals and organizations to join in promoting the program. Amnesty International believes that the implementation of these measures is a positive indication of a government's commitment to abolish torture and to work for its abolition worldwide.

#### 1. Official condemnation of torture

The highest authorities of every country should demonstrate their total opposition to torture. They should make clear to all law-enforcement personnel that torture will not be tolerated under any circumstances.

#### 2. Access to prisoners

Torture often takes place while the victims are held incommunicado -- unable to contact people outside who could help them or find out what is happening to them. It is vital that all prisoners be brought before a judicial authority promptly after being taken into custody and that relatives, lawyers and doctors have prompt and regular access to them.

#### 3. No secret detention

In some countries torture takes place in secret centres, often after the victims are made to "disappear". Governments should ensure that prisoners are held in publicly

recognized places, and that accurate information about their whereabouts is made available to relatives and lawyers.

#### **4. Safeguards during interrogation and custody**

Governments should keep procedures for detention and interrogation under regular review. All prisoners should be promptly told of their rights, including the right to lodge complaints about their treatment. There should be regular independent visits of inspection to places of detention. An important safeguard against torture would be the separation of authorities responsible for detention from those in charge of interrogation.

#### **5. Independent investigation of reports of torture**

Governments should ensure that all complaints and reports of torture are impartially and effectively investigated. The methods and findings of such investigations should be made public. Complainants and witnesses should be protected from intimidation.

#### **6. No use of statements extracted under torture**

Governments should ensure that confessions or other evidence obtained through torture may never be invoked in legal proceedings.

#### **7. Prohibition of torture in law**

Governments should ensure that acts of torture are punishable offences under the criminal law. In accordance with international law, the prohibition of torture must not be suspended under any circumstances, including states of war or other public emergency.

#### **8. Prosecution of alleged torturers**

Those responsible for torture should be brought to justice. This principle should apply wherever they happen to be, wherever the crime was committed and whatever the nationality of the perpetrators or victims. There should be no "safe haven" for torturers.

## 9. Training procedures

It should be made clear during the training of all officials involved in the custody, interrogation or treatment of prisoners that torture is a criminal act. They should be instructed that they are obliged to refuse to obey any order to torture.

## 10. Compensation and rehabilitation

Victims of torture and their dependants should be entitled to obtain financial compensation. Victims should be provided with appropriate medical care or rehabilitation.

## 11. International response

Governments should use all available channels to intercede with governments accused of torture. Intergovernmental mechanisms should be established and used to investigate reports of torture urgently and to take effective action against it. Governments should ensure that military, security or police transfers or training do not facilitate the practice of torture. No one should be forcibly returned to a country where he or she risks being tortured.

## 12. Ratification of international instruments

All governments should ratify international instruments containing safeguards and remedies against torture, including the United Nations Convention against Torture and the International Covenant on Civil and Political Rights with its Optional Protocol which provides for individual complaints.

*The 12-Point Program was adopted by Amnesty International in October 1983 as part of the organization's Campaign for the Abolition of Torture. (Rev. 12/92)*