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Austria: The Alleged Ill-treatment of Maryam Movahedi-Borojerdi and Robert Philipe

In May 1998 Amnesty International expressed concern to the Austrian authorities about the alleged ill-treatment of an Austrian citizen Maryam Movahedi-Borojerdi and her Rwandan husband Robert Philipe. Amnesty International feared that both had been subjected to cruel, inhuman and degrading treatment by police officers following their arrest on 8 March 1998.

In written and oral statements to Amnesty International, Maryam Movahedi-Borojerdi alleged that four police officers, some or all of whom were armed, burst into her flat in Vienna while she and her husband were still in bed and told the couple they were looking for drugs and weapons. Maryam Movahedi-Borojerdi alleged that more than 15 officers carried out a search of the flat, during the course of which one officer struck her in the face. She also alleged that she saw another officer bang her husband's head against a wall. Both Maryam Movahedi-Borojerdi and Robert Philipe were taken to the police detention centre in Rossauerlände. There, Maryam Movahedi-Borojerdi stated, she heard her husband being questioned in the next room by a police officer. At one point she heard the sound of someone being hit, followed by screams. A police officer allegedly confirmed that the man being questioned was her husband. Maryam Movahedi-Borojerdi further stated that during the several days she spent in detention she experienced heavy bleeding as a result of her period. However, when she asked for sanitary towels the officers refused to give her any. Only when she insisted was she given a 30-centimetre length of paper. Maryam Movahedi-Borojerdi also alleged while she was in detention her requests to speak to her lawyer were denied.

Maryam Movahedi-Borojerdi made a formal complaint to the Ombudsman's Office (*Volksanwaltschaft*) about the ill-treatment to which she and her husband were subjected. In May 1998 Amnesty International wrote to the Austrian Ministry for Foreign Affairs to express concern about this case of alleged ill-treatment. The organization asked to be informed of the outcome of the complaint and asked whether a separate judicial investigation had been launched into Maryam Movahedi-Borojerdi's allegations that both she and her husband were subjected to cruel, inhuman and degrading treatment upon their arrest and in detention. Amnesty International also requested to be informed whether Maryam Movahedi-Borojerdi and Robert Philipe were examined by a doctor while

they were held in detention, and if so when the examinations occurred and what the findings were.

On 24 August 1998 the organization received a letter from the Ministry for Foreign Affairs stating that copies of Amnesty International's letter were being forwarded to the Ministry of Justice and the Ministry of Internal Affairs. The reply also stated that the Ministry for Foreign Affairs would forward the results of the inquiry to Amnesty International as soon as they received them. In early March 1999 Amnesty International wrote to the Ministry for Foreign Affairs once again to inquire into the results of the investigation. However, Amnesty International has yet to receive any further information about this case.

Amnesty International is urging the Austrian authorities to make public the results of the inquiry into Maryam Movahedi-Borojerdi's allegations that both she and her husband were subjected to cruel, inhuman and degrading treatment upon their arrest and in detention. Amnesty International is also concerned about the length of time taken by the authorities to reply to this allegation of ill-treatment.