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EXTERNAL



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HUNGARY: ALLEGED ILL-TREATMENT OF MÁRTON ILL

Amnesty International's concerns

Amnesty International (AI) is concerned about reports of the ill-treatment of Márton Ill by a police officer in Budapest on 2 July 1998. If confirmed, this incident would represent a violation of Hungary's international treaty obligations, including Article 7 of the International Covenant on Civil and Political Rights and Article 3 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, which state that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Background

According to information received by Amnesty International, the incident occurred on 2 July 1998 at around 1pm on Váci ut. in the 13th District of Budapest. A police patrol that was randomly inspecting north-bound vehicles stopped Márton Ill, who was on his way to Balassagyatra accompanied by Silvanus Utosu, Fiber Martins Johnson, and Numfor Viky. They were expected to appear at a court hearing concerning an asylum application. Márton Ill works as the Director of *Magyar Emberi Jogvedo Kozpont (MEJOK - the Hungarian Centre for the Defence of Human Rights)*, a local human rights organization which *inter alia* provides legal assistance to asylum-seekers in Hungary. After Márton Ill parked the car by the side of the road he was asked by two police officers (a man and a woman) to present his identity card, driving licence and the vehicle registration card. Although Márton Ill explained to the officers that he was in a hurry to attend a court hearing the officers inspected his documents, the documents of other passengers in the car, the car itself as well as Márton Ill's briefcase. He was then told that an explosion in central Budapest had killed and injured several people and that the police were searching for suspects.

After the inspection was completed Márton Ill asked the police officers for a statement which would explain to the court the reason for their delay. The officers referred Márton Ill to their superior officer, a Colonel, who, when approached, reportedly said: "You will not get any paper from us. Get lost!". When Márton Ill repeated his request the Colonel reportedly replied: "You little shit! Didn't you hear me when I told you to get lost!". The Colonel then approached Márton Ill, grabbed his upper right

arm and instructed a police officer to handcuff him. He then reportedly violently twisted Márton Ill's right arm behind his back and put the handcuffs on his wrists. Márton Ill was then taken to the police car. After 10 to 15 minutes the Colonel sat down on the left-hand side of the back seat next to Márton Ill and reportedly continued to verbally abuse him: "You little shit, how do you like this situation?" The Colonel then punched him in the abdomen. When Márton Ill began to shout for help the Colonel punched him on the left cheek breaking his spectacles. Márton Ill then tried to protect his face by lowering his head and lifting his knees. The Colonel repeatedly punched him on the left side of his head, all over the back, arms and abdomen. Márton Ill then lifted his feet and kicked the right-hand side window with the soles of his shoes, breaking the glass. The Colonel continued to punch him and then left the car. At this point Márton Ill was bleeding from injuries to the mouth, the lower back, where the handcuffs were rubbing against his skin, and on the right foot above the ankle, from an injury which he sustained while breaking the window. Márton Ill, who is a veterinarian, asked a police officer if he could use the first aid kit from his car or be taken to a hospital but the Colonel rejected this request, even rejecting his request for water. The Colonel then asked Márton Ill for his identity card, and hearing that it was in the glove compartment of his car, the Colonel reportedly replied: "So you refuse to present your I.D." Márton Ill was then taken to the 13th District Police Station. On the way he lost consciousness and only came to on arrival at the station. The officer on duty took off his handcuffs and brought Márton Ill some water. After the cuffs were removed dark bruises on his wrists were prominent, his fingers were numb and this sensation had not completely disappeared on the evening of 6 July when Márton Ill was interviewed by a representative of Amnesty International. Márton Ill then asked to contact his lawyer as well as to contact his relatives in order to arrange for his son to be picked up from summer school. Both requests were refused. Half an hour after his arrival at the station an ambulance came and a doctor disinfected the cuts and dressed his injuries. When Márton Ill explained that he had received blows to the head and that he felt dizzy and could be in a state of shock the police reportedly did not allow the ambulance to take him to the hospital.

At around 4pm Márton Ill's lawyer, who had been contacted by the other passengers in the car, arrived at the station. The officer on duty then explained that Márton Ill was not charged with any offence and asked him if he would like to make a complaint. Márton Ill declined, stating that he would be filing a criminal complaint against the Colonel. Ten minutes later Major Dr Jozsefné Offenberger, who conducts internal inquiries into abuses committed by police officers, came and took his statement. Márton Ill was then taken to a hospital where he was treated for injuries suffered as a result of the beating. A certificate of this examination is being forwarded to the prosecutor.

Amnesty International's recommendations

Amnesty International urges the Hungarian authorities to ensure that the investigations into these two incidents are carried out promptly and impartially, as required by Article 12 of the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Convention against Torture) which has been ratified by Hungary, that the findings are made public and that anyone found responsible for human rights violations is brought to justice.

Amnesty International also urges the Hungarian authorities to ensure that detainees receive adequate medical attention for any injuries they sustain, as required by Principle 24 of the UN Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment¹.

¹"A proper medical examination shall be offered to a detained or imprisoned person as promptly as possible after his admission to the place of detention or imprisonment, and thereafter medical care and treatment shall be provided whenever necessary. This care and treatment shall be provided free of charge."

