

PUBLIC



AI Index: EUR 71/02/99

Action Ref.: EERAN 05/99

Date: 9 March 1999

CZECH REPUBLIC: REPORTED ILL-TREATMENT OF STANISLAV PENC BY POLICE OFFICERS IN PRAGUE

Amnesty International's concerns

Amnesty International is concerned about the reported ill-treatment of Stanislav Penc by police officers in Prague. If confirmed, this incident would represent a violation of the Czech Republic'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, on 27 January 1999 at 0.40am 15 police officers wearing black uniforms and balaclavas entered *U Kavkç* restaurant in Prague. Two or three police officers wore plain clothes: reportedly no one wore official identification badges. Stanislav Penc, who is a member of the Czech Human Rights Committee, was sitting at a table with some friends when a few officers approached him and asked, in a reportedly rude manner, for his identity card. After Stanislav Penc questioned them about the reasons for what he perceived as an act of harassment one officer in plain clothes pointed at him and said: "Take that one". Two officers whose balaclavas were not fully drawn over their faces reportedly took Stanislav Penc by his hair and pulled him away from the table, beating him and dragging him out of the restaurant. As they escorted him towards the police station at near-by Bartolom•jská street, the officers reportedly held Stanislav Penc by his arms and hair while one of the officers repeatedly hit him in the ribs with his elbow.

At the Bartolom•jská street police station they took Stanislav Penc's personal belongings and reportedly pushed him into an empty office. After about an hour an officer came into the office and reportedly threw Stanislav Penc's belongings on the floor and rudely told him to get out. Stanislav Penc requested from the police officer a written statement about his detention. The police officer reportedly replied that they would not issue any statement and that he "might as well drop dead" (*at' si tedy v cele chcípne*). Thirty minutes later Stanislav Penc was released from custody and pushed out of the station without being given any explanation about the reasons for his detention.

On 28 January 1999 Stanislav Penc was examined at Thomayer University Hospital where he was issued with a medical certificate describing haematomas on both arms, left shoulder and forearm and bruising of the ribs. The following day he filed with the Ministry of the Interior a criminal complaint about the alleged ill-treatment and arbitrary detention.

Amnesty International's recommendations

Amnesty International urges the Czech authorities to ensure that the investigation into the described incident is 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 the Czech Republic. Amnesty International also urges that the findings are made public and that anyone found responsible for human rights violations is brought to justice.

In February 1999 Amnesty International, expressing its concern about this incident, wrote to Otokar Motejl, the Minister of Justice, and requested that a prompt and impartial investigation is carried out.