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PUBLIC



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## CZECH REPUBLIC: REPORTED ILL-TREATMENT OF DETAINEES BY POLICE OFFICERS IN PRAGUE

### Amnesty International's concerns

Amnesty International is concerned about the reported police ill-treatment of tens of detainees in Bartolomějska street police station and the police hospital *Na Mládkách* following a demonstration which took place on 16 May 1998 in Prague. If confirmed, these incidents 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, between 3pm and 6pm at náměstí Míru (Peace Square) around 3,000 young people attended "Global Street Party 98", a gathering organized by environmental and left-wing youth groups. Later an unauthorised march to the city centre resulted in several violent incidents. In the vicinity of the State Opera a small group of demonstrators demolished a billboard of the Republican Party. At the main railway station a police unit of around 30 officers blocked the route and clashed with demonstrators who continued the march towards Těšnev tunnel. A police car which reportedly drove into the crowd at the tunnel entrance was turned on its side by the demonstrators. More clashes reportedly occurred at the end of the tunnel which had been blocked by police cars and two fire engines. During the later stages of the march the police did not reportedly intervene and the march made its way peacefully through Revoluční and Dlouhá streets, and across the Staroměstské náměstí to Mariánské náměstí where the march came to an end. After the demonstrators started to disperse a window of the McDonald's restaurant was broken. The police reportedly clashed with a group of demonstrators who claimed that the wrong person had been arrested for breaking the window. Some of the demonstrators, including many who were reportedly not involved in any violence, headed for Vodičkova street where a number of other shop-windows were broken. Ten minutes later, at around 9pm, several emergency police vehicles blocked Vodičkova Street from Václavské náměstí and Školská street and around 100 police officers reportedly indiscriminately beat people with truncheons and kicked them.

Around 50 young people, suspected of participating in the demonstration, were assembled by the police in front of the building of the former girls' school. They were forced to lie on the pavement or to stand against the wall and were reportedly indiscriminately kicked and hit with truncheons. After they presented their identity documents, they were searched, their personal belongings were taken away and numbers were inscribed on their hands for identification purposes. They were then taken in vans to the police headquarters in Bartolomějska street where officers reportedly took them into the basement with their arms twisted behind their backs. Other officers then reportedly indiscriminately kicked and beat many of the detainees. Some were forced to kneel facing a wall with their hands held above their heads before they were detained in small cells - around twenty detainees in a cell that was two and a half to three metres long and two and a half metres wide. They were denied the use of toilets, to contact a lawyer or to inform a relative or a third party about their whereabouts. During the night the detainees, 10 at a time, were driven to the police hospital *Na Miřanskách*. Many detainees were ill-treated by police officers in front of the surgery, before and after the examination which was reportedly aimed solely at establishing whether they were under the influence of drugs or alcohol. They were then returned to Bartolomějska street station where they were interrogated in the early morning hours. Investigations against 26 persons were reportedly initiated on charges of hooliganism, assault of a public official and destruction of property; nine (11 according to one report) of them remained in detention while all others were released. Subsequently investigations against 18 people were reportedly dropped for lack of evidence. The Ministry of the Interior claimed that the conduct of the police officers involved had been legal and that force had only been used to restrain detained suspects.

Many of those who were detained on the night of 16 May 1998 in the Bartolomějska street station filed criminal complaints about the alleged police ill-treatment. Votřch Koryta was reportedly assaulted in Vodiřkova street by two police officers who shouted: "We will show you, you bastards, what happens when you break shop windows". They reportedly pushed him, making him fall to the ground and kicked and hit him with a truncheon all over the body. At Bartolomějska street station he shared a cell with a young man who had reportedly managed to run through a police cordon. The police then allegedly used a dog to apprehend him. His left hand had been bitten and he had an open wound on his arm. His shirt was covered in blood and there was blood on the bench. Later two doctors arrived and he was taken away. The officers reportedly told the doctors that the detainee had injured himself falling on broken glass. Votřch Koryta later saw in the police station a group of about 15 teenage girls who had visible bruises and lacerations. At the police hospital *Na Miřanskách*, Votřch Koryta, after he was reportedly kicked on leaving the van, found himself surrounded by six police officers who allegedly beat him with truncheons and kicked him. Inside the surgery he was reportedly kicked towards a wall where he was forced to kneel before he was called in and a doctor took a blood sample. He was then returned to the police station where he was interrogated and released at 5.30am.

Radek Mikula stated that after being taken to Bartolomějska street station he was reportedly forced with some other detainees to kneel in front of a long bench with hands held behind their heads. Officers who stood behind them reacted to any movement of their heads by hitting them.

Marketa Kovaříková was detained on Vodiřkova street and made to sit in a puddle in front of the former girls' school. One officer reportedly shouted at her: "you should lie in the puddle like a pig" and then beat her with a truncheon. Her friend who tried to protect her was also beaten for about two minutes. Later, Marketa Kovaříková was taken to a police van. One detained girl had a cut on her head that was bleeding and asked an officer if she could be provided with medical assistance but was allegedly refused. The young man who tried to protect Marketa Kovaříková asked another officer if he could get

treatment for his injured arm. The officer reportedly grabbed him by the injured arm and started to hit it against the van screaming “We will give you a reason to ask for treatment”.

Tomáš Znamenánek was also detained in front of the former girls’ school. Two police officers allegedly beat him with truncheons and pushed him against the wall where a number of people were standing with their hands held above their heads. The officers who continued to kick and hit them reportedly shouted at them: “Junkies, leftist bastards, you should be glad we did not use rubber bullets.” At the police hospital *Na Mířanských* Tomáš Znamenánek was taken out of the police van by two officers and was then surrounded by four others. He tried to protect himself by bending forward and folding his hands behind his head when he was reportedly kicked in the stomach making him fall to the ground where he was hit and kicked all over his body. The beating was observed by three men who work in the surgery, who were outside smoking cigarettes. After he stood up more blows made him fall again. In the surgery he asked a doctor for assistance and was reportedly told: “No one saw a thing.” Tomáš Znamenánek pointed to the cut on his head which he had allegedly suffered from a truncheon blow in Vodňanská street, and asked the doctor to examine it but he reportedly replied that he did not have time. After a blood sample was taken, Tomáš Znamenánek was reportedly dragged out of the surgery and beaten again in the courtyard.

Jaroslav Puchmertl, who had not taken part in the demonstration was standing at the tram station on Vodňanská street when he saw four police officer brutally kicking a man who was lying on the ground. After he shouted at the officers to stop the beating two riot police officers reportedly ran up to him, and kicked him repeatedly making him fall to the ground. They then dragged him towards the group of detained suspected demonstrators. In the courtyard of the police hospital *Na Mířanských* Jaroslav Puchmertl was ordered by four or five officers to kneel next to another detained man. The officers then questioned Jaroslav Puchmertl and reportedly kicked him in the back in the area of the kidneys. He was then taken into a corridor, three or four metres away from an open surgery door, and forced to kneel and lean against the wall with his hands raised. An officer allegedly grabbed him by the head and hit it against the wall five or six times until he began to bleed and then repeatedly kicked him in the back. Afterwards Jaroslav Puchmertl was examined by a doctor who was reportedly solely interested in establishing whether he was drunk. Afterwards, at Bartolomějská street station he was reportedly pushed down the stairs into the basement by an officer who repeatedly kicked him in the lower back and the kidney area. Six hours later he was taken for questioning and released. Jaroslav Puchmertl immediately went to the emergency medical centre in Kartouzská street. A medical report described a lesion on the right eyebrow and haematomas on the lower right arm, on the groin, the buttocks and the back.

### **Amnesty International’s recommendations**

Amnesty International urges the Czech authorities to ensure that the investigations into the described incidents and other complaints submitted by those who had been detained in Bartolomějská street station on 16 May 1998 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 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.

The investigation into the 16 May 1998 incident should also establish the responsibility of any medical personnel involved for failing to provide adequate medical assistance to those who were detained and subsequently examined for drugs and alcohol abuse. At the same time the investigation should

establish the responsibility of any police officers involved for failing to provide detainees with adequate medical treatment in violation of Principle 24 of the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment<sup>1</sup> which states that: “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”.

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<sup>1</sup>Adopted by UN General Assembly Resolution 43/173 of 9 December 1988.