



Covering events from January - December 2000

## GERMANY

### Federal Republic of Germany

**Head of state:** Johannes Rau

**Head of government:** Gerhard Schröder

**Capital:** Berlin

**Population:** 82.2 million

**Official language:** German

**Death penalty:** abolitionist for all crimes

**2000 treaty ratifications/signatures:**

Optional Protocol to the UN Children's  
Convention on the

involvement of children in armed conflict;  
Rome Statute of the International Criminal  
Court



**There were reports of police ill-treatment of detainees, and of abusive use of restraints. A mentally disabled man was shot dead by police. No criminal proceedings were taken against police officers who shot dead a man in controversial circumstances in 1999. An asylum-seeker committed suicide at Frankfurt-am-Main airport, where conditions of detention had previously been criticized by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment. No developments were reported in the investigation of the death of Aamir Ageeb in May 1999 during his forced deportation.**

### **Allegations of police ill-treatment**

There were continued allegations of ill-treatment of detainees by police officers. Complainants reported that they were subjected to repeated kicks, punches and blows from the knee. In some instances non-Caucasian and foreign nationals alleged they were abused with racist language. It sometimes took an unduly long time to bring offending police officers to justice.

- Three police officers in Cologne were suspended from duty for allegedly attacking a taxi driver of Tunisian origin in the early hours of 21 September. According to reports, the three police officers, who were off-duty and intoxicated at the time of the incident, physically assaulted the 48-year-old taxi driver after he refused to transport them and their two companions. He was reportedly knocked to the ground and repeatedly kicked and punched, resulting in bruising to his head and chest. Eyewitnesses stated that before the attack one of the police officers verbally abused the taxi driver with racist language.

- On 16 February a court in Frankfurt found two police officers guilty of ill-treating a detainee, referred to as C., more than three years earlier. C. was physically ill-treated by police officers at Frankfurt's main railway station during the night of 3 November 1996. The court sentenced the two police officers to conditional prison sentences of six months and fines.

### **Restraint techniques**

- A 20-year-old pregnant woman, originally from Togo, was arrested in June after she reportedly refused to leave a baby care shop in the town of Geldern in North Rhine-Westphalia. The woman and her husband alleged that during the arrest she was rolled onto her front although she was obviously pregnant, and she was subsequently handcuffed. The detainee, who had to undergo a gynaecological examination at St. Clemens hospital in Geldern to ensure that her unborn baby had not been injured, stated that police officers refused to remove her handcuffs. A gynaecologist at the hospital reportedly initially refused to examine her because she was in handcuffs. AI called for a prompt and impartial investigation into the allegations and asked to be informed why police officers refused to remove the handcuffs of the pregnant woman when she required medical treatment and a gynaecological examination.
- Thomas Müller, a 56-year-old man, who was being held in pre-trial detention for alleged fraud in Koblenz, was shackled to a hospital bed for three days, reportedly on grounds of security, while undergoing medical treatment at Kemperhof hospital in Koblenz in late June. An additional chain was reportedly linked around the shackles and attached to the hospital bed. In addition to the shackles and the chain, two prison officials were present in the hospital room. AI urged the authorities to review current practices regarding the prolonged shackling of detainees in hospital in order to ensure that the treatment of detainees does not constitute or lead to cruel, inhuman or degrading treatment.

### **Police shootings**

- A 28-year-old mentally disabled man of Vietnamese origin, referred to as Mr B. in the German media, who was in possession of a plastic toy gun, was shot dead by two police officers on 20 September in a wooded area near the town of Ulm. The man, who was a long-term resident of a home for the mentally disabled, had been reported missing earlier in the afternoon. The two police officers, who had been called to the area after receiving a report of a man roaming through the woods with a gun, reportedly shot at the man 21 times, hitting him eight times. AI expressed concern that the police officers appeared to have used little restraint in discharging their firearms in apprehending a suspect who had not returned fire.
- AI received a response from the Ministry of the Interior of Thuringia in March about the controversial fatal shooting of a 62-year-old man from Cologne in a hotel in Heldrungen in Thuringia in June 1999 by two plainclothes police officers. The letter stated that criminal proceedings against the police officers for manslaughter through culpable negligence had been terminated by the investigating state prosecutor on the basis that the officers had not acted in a culpable manner. The widow of the

deceased reportedly lodged an appeal.

### **Death during forced deportation**

By the end of 2000, there were no developments reported in the investigation into the death of 30-year-old Aamir Ageeb, a Sudanese national who died in late May 1999 during his forced deportation from Frankfurt-am-Main airport to Khartoum via Cairo, Egypt. AI had originally expressed concern that the federal border police may have contributed to his death by using restraint techniques which impeded breathing.

### **Conditions of detention**

An Algerian asylum-seeker committed suicide in the transit area holding facility of Frankfurt-am-Main airport on 6 May. The conditions of detention at Frankfurt-am-Main airport had previously been criticized in a report published in May 1999 by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (ECPT), which had visited the airport in May 1998. AI expressed concern that the conditions of detention at the airport, and the prolonged periods for which certain asylum-seekers were held there, might adversely affect both their physical and mental health. AI called on the German authorities, following the recommendations of the ECPT report of 1999, to improve conditions and to reconsider the practice of detaining asylum-seekers in the transit area holding facility for prolonged periods.

### **AI country reports**

- Concerns in Europe, January - June 2000: Germany (AI Index: [EUR 01/003/2000](#))
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