

a. Full name of the victim:

Michael Klaus Schubert

b. Date on which the incident(s) of torture occurred (at least as to the month and year);

24 November 2005

c. Place where the person was seized (city, province, etc.) And location at which the torture was carried out (if known); [e.g. name and address of psychiatric facility, or if outpatient commitment, if at home or in outpatient clinic]

Sigmund Freud Klinik
Wagner Jauregg Platz 1
A-8053 Graz
Austria
Name of ward: Psychiatrie 3 Station 2 (PS32)
<http://www.lsf-graz.at/cms/beitrag/10005892/2206347/>

d. Indication of the forces carrying out the torture; [e.g. were they employees of public hospital, private hospital, etc.]

Public psychiatric Hospital

a.) Three employees who were on duty that afternoon: Heike, Christian and Astrid. Last names unknown. Astrid has left the hospital.

b.) One patient: Ludwig Seerainer

c.) Dr. Peter Schwarzl (head physician)

After I was separated from my girl-friend, her two children, our dog and our home I suffer from depression (2002). So far I committed suicide four times (3/2002, 9/2003, 11/2005, 12/2006).

Because I still felt very depressive I refused to leave the ward – five days after I attempted suicide on the same ward. Dr. Peter Schwarzl, who left the ward at 2 pm that day, asked patient Seerainer and the three staff members to get me out of the ward. Seerainer started to threaten me to kill me, to throw me out of the window. The three staff members stood behind and watched the scene. Because I felt tired from an unknown medicine I put my head on the table. Seerainer came every 30 minutes to wake me up. Eihher he pushed me with his elbow or pushed against the table. He used strong language against me (throw the f*****g German out of the window, kill the German swine, German parasite etc.)

It lasted from approx. 2 pm till 6 pm. At 6 pm staff came to blame me I should leave Mr Seerainer in peace. We will now call the police. I left the clinic with shoes on – no police was called.

I was ever so shocked. Never in my life before I was so scared.

Almost one year later I have seen Ludwig Seerainer again. After that he told a lot of people what he has done to me and that he is „working“ for Dr. Schwarzl for several years. There are several witnesses. On that day I decided to put my experience online.

e. Description of the form of torture used and any injury suffered as a result; [e.g. forced drugging (name of drug if known), forced electroshock, restraint, etc. - I consider "forced" to also mean coerced, deceptive, etc., anything less than your own free and informed choice; and the injury/trauma suffered as a result]

I had to take medicine which made me sleepy. Nobody told me what sort of medicine I had to take. I am sure they would have forced if I refused. So I took it.

f. Identify of the person or organization submitting the report (name and address, which will be kept confidential). Additional sheets should be attached where space does not allow for a full rendering of the information requested. Also, copies of any relevant corroborating documents, such as medical or police records should be supplied where it is believed that such information may contribute to a fuller accounting of the incident. Only copies and not originals of such documents should be sent.

It's me:
Michael Schubert
A-Graz
Austria
0043

After nobody has helped me to sue the responsible staff I published my horrible experiences on the following website:

<http://www.mkschubert.de/austria/>

It's all written in German.

On this website all paper work is included. Everything what I tried to get help.

I. Identity of the person(s) subjected to torture

A. Family Name SCHUBERT

B. First and other names MICHAEL KLAUS

C. Sex: MALE

D. Birth date or age BORN 1962

E. Nationality GERMAN

F. Occupation WHOLESale MERCHANT

G. Identity card number N/A

F. Activities N/A

G. Residential address A-GRAZ, AUSTRIA

II. Circumstances surrounding torture

A. Date and place of arrest and subsequent torture

I was not arrested. After I committed suicide on 19 November 2005 I was admitted to a closed ward for five days.

B. Identity of force(s) carrying out the initial detention and/or torture (police, intelligence services, armed forces, paramilitary, prison officials, other)

a.) Three employees who were on duty that afternoon: Heike, Christian and Astrid. Last names unknown. Astrid has left the hospital shortly after that incident.

b.) One patient: Ludwig Seerainer

c.) Dr. Peter Schwarzl (head physician)

C. Were any person, such as a lawyer, relatives or friends, permitted to see the victim during detention? If so, how long after the arrest?

I arrived in Austria three months before that incident. After that short period of time I had no friends and no relatives in Graz. I was still unemployed and was not able to afford a lawyer.

Neither the patient lawyer in the clinic helped me – nor the quality clerk.

D. Describe the methods of torture used

Because I still felt very depressive I refused to leave the ward – five days after I attempted suicide on the same ward. Dr. Peter Schwarzl, who left the ward at 2 pm that day, asked patient Seerainer and the three staff members to get me out of the ward. Seerainer started to threaten me to kill me, to throw me out of the window. The three staff members stood behind and watched the scene. Because I felt tired from an unknow medicine I put my head on the table. Seerainer came every 30 minutes to wake me up. Eihier he pushed me with his elbow or pushed against the table. He used strong language against me (throw the f****g German out of the window, kill the German swine, German parasite etc.)

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E. What injuries were sustained as a result of the torture?

Internal injuries only. I have lost trust in justice at all. Because nobody helped me I worried and became sick. I need

one, more likely two operations (stomach ache, prostate gland, hernia). I will not allow an operation in Graz. Because I am working part-time only I am not able to save money to leave the country.

F. What was believed to be the purpose of the torture?

I was so desperate to leave the hospital, because I felt so depressive and was alone at home, had no money for the heating (November 2005 was very cold) and no food in the fridge. Because I begged the doctor not to discharge me and finally refused to leave he took action.

G. Was the victim examined by a doctor at any point during or after his/her ordeal? If so, when? Was the examination performed by a prison or government doctor?

No. Only GP and some specialists (urologist, internist, orthopaedist):
<http://www.mkschubert.de/austria/oll.html>

H. Was appropriate treatment received for injuries sustained as a result of the torture?

Not at all. I asked help organisations, newspapers, politicians to help me. Most of them said they are not responsible or did not even answer. See all details on my website.

I. Was the medical examination performed in a manner which would enable the doctor to detect evidence of injuries sustained as a result of the torture? Were any medical reports or certificates issued? If so, what did the reports reveal?

After I experienced no help at all I stopped trying.

J. If the victim died in custody, was an autopsy or forensic examination performed and which were the results?

I am still alive.

III. Remedial action

Were any domestic remedies pursued by the victim or his/her family or representatives (complaints with the forces responsible, the judiciary, political organs, etc.)? If so, what was the result?

I sued Dr. Schwarzl and Ludwig Seerainer. The case was ceased before going to court. No reason was mentioned to me. I applied for financial help to afford a lawyer, which was refused without a clear reason.

Although I publish photos from Dr. Schwarzl, mention his name and the name of the clinic no attempt was made to sue me. My website is well known in Graz and was clicked almost 70,000 times since October 2006. They do not want this case in court – under no circumstances, because Ludwig Seerainer is a very weak person and would not bear being questioned by justice.