

The Cluster Munition Coalition is led by a Steering Committee of:
Human Rights Watch, Landmine Action and Norwegian People's Aid (Co-Chairs)
Austcare, DanChurchAid, Handicap International, International Campaign to Ban Landmines,
IPPNW Russia-Zambia, Landmine Resource Centre (Lebanon),
Mines Action Canada, Pax Christi, Protection (Egypt), Survivor Corps.



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AUSTRIAN SECTION OF THE CLUSTER MUNITION COALITION (CMC)

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Co-Laureate Nobel Peace Prize 1997

AUSTRIAN SECTION
INTERNATIONAL CAMPAIGN TO BAN LANDMINES (ICBL)
Landmine Monitor Research Austria

H.E. János Martonyi
Minister of Foreign Affairs of the Republic of Hungary
Bem rakpart 47
1027 Budapest
HUNGARY

Dear Minister Martonyi,

Vienna, 22 October 2010

My name is Judith Majlath, sister of the late Eva Rhodes, a British citizen, who was brutally murdered in Hungary on 10 September 2008.

Firstly, I would like to congratulate you on your appointment as Minister of Foreign Affairs of the Republic of Hungary and as a person, who fled Communist ruled Soviet-occupied Hungary in 1956, I welcome the efforts being made in Hungary to hold the protagonists accountable for the atrocities committed in Budapest on the 50th anniversary of the Hungarian revolution in 2006.

In the spirit of this drive for truth and justice, I would appeal to you to help secure truth and justice for my late sister and her family for as I will outline below we have sadly so far been denied both by the Hungarian authorities.

As someone who has devoted the last 15 years to issues of Human Rights and in particular disarmament - for which we were awarded the Nobel Peace prize in 1997 - I, like you, believe



in those fundamental values of truth and justice for all. You are our last chance of achieving both.

Eva, who had run an Animal Rescue Sanctuary for 12 years, disappeared on 10 September 2008 in the west of Hungary. More than seven months later – after her disappearance was first raised by her family - her skull and a few of her bones were found on her estate in Böny/Szölöhegy.

Augusztinyi Csaba, 31, an unemployed, trained boxer, subsequently confessed to the murder. He admitted punching her in the face, striking her down, setting her on fire (it is unclear whether she was still alive when he burned her) burying her remains, and stealing her valuables before disappearing with the help of others.

For this horrific and barbaric crime, the murderer was sentenced to just 10 years imprisonment on 10 September 2010.(subject to appeal)

The case and investigations have been filled by mistakes, which raises deeply disturbing questions about the judicial process and denies us truth and justice. It is a case which reflects badly on Hungary.

The police have failed to conduct a thorough inquiry, evidence has been destroyed and contaminated, crucial forensic tests which would have established the truth refused and the family denied a voice. Indeed, during their drive for truth and justice the family have themselves suffered intimidation while coming-up against what we view as a conspiracy of silence orchestrated by those who should be helping.

The victim's daughter, Sophie Barta, who is suffering from multiple sclerosis, was falsely accused of disturbing the court, fined £2,000/500.000 HUF and ordered out of the courtroom; threatened with arrest by six armed policemen and denied the chance to challenge flawed evidence. The family was denied the right to sit next to their lawyer throughout the trial; instead the victim's family was forced to sit behind the murderer. On several occasions the family was exposed to cynical remarks and abuse by the judge.

This bias has its roots in 2001. Since then, the Court and the Police have been in litigation against Eva Rhodes and her daughter. Sophie Barta took the police to the Court of Human Rights in Strassbourg alleging Human Rights abuses, after she and her mother were physically assaulted by a Győr policeman. The Hungarian state was found guilty and ordered to pay compensation.

This background raises questions about the impartiality of the police, the prosecution and the court in the murder case of my sister. What has taken place would support the case the court has been prejudiced against both Eva and her family, who have been denied a fair trial. This incontestably suggests that the case must be moved from the Győr-Moson-Sopron judicature.

Early on in the investigation, I, as the victim's sister, was threatened with legal action by Győr's chief of police, Szabadi Arpad, in the presence of the local government for "criticism" over the police's handling of their inquiries. There is little doubt that evidence in the case was mishandled, destroyed and deliberately lost. The Hungarian forensic examination

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is incomplete and inconclusive and to this day Eva's torso is missing. Due to the Hungarian inconclusive forensic examination, to this day neither the circumstances nor the cause of Eva's death could be established.

Faced with so many problems, the case was taken up by the distinguished former British Foreign Secretary Sir Malcolm Rifkind, the family's London Member of Parliament.

There are tests available that would provide many answers and as Eva was a British citizen both Scotland Yard and scientists there are very willing to help but you will appreciate they must first be invited to do so by your government. The family's appeal to the courts in Győr to allow British assistance was formally rejected by the county court in Győr on 5 September 2010; this despite Hungarian forensic experts acknowledging in court their examinations were insufficient and questions remained unanswered.

This is a family tragedy both in Eva's death but also in our denial of justice and explanation - a denial highlighted in the international media.

The remains of Eva - such as they are - are held by the British Coroner in London (due to the authorities' and the family's decision), forensic experts of international standing are on stand-by and Scotland Yard has indicated its willingness to assist. All that is required is for your government to invite them to help the Hungarian authorities achieve surely what we all want and demand for our loved ones, truth and justice.

On behalf of my sister and her family, I would appeal to you to sanction this move. I would obviously be very happy to provide you with a full, detailed briefing of the case and what, after examination I am sure you will agree, are in the very least incompetence followed by a cover-up.

For further information please visit www.csizmaskandur.com

Yours sincerely,

Judith Majlath
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CMC Austria, www.stopstreubomben.at
Austrian Section & Founder Committee Member of the Cluster Munition Coalition, CMC,
www.stopclustermunitions.org
Austrian Aid for Mine Victims
Austrian Section/International Campaign to Ban Landmines, www.icbl.org,
1997 Nobel Peace Prize Co-Laureate * Intl. Tipperary Peace Award 2009

The Cluster Munition Coalition (CMC) is a network of 350 civil society organizations working in 95 countries to end the harm caused by cluster munitions. Founding members include Austrian Aid for Mine Victims,(CMC-Austria)Human Rights Watch, Handicap International

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and other leaders from the Nobel Peace Prize-winning International Campaign to Ban Landmines which secured the 1997 Mine Ban Treaty. www.stopclustermunitions.org/

Political solutions cannot be replaced by humanitarian aid – both must go hand in hand !

We thank our partners for their cooperation and support:

