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**FRANCE: THE ALLEGED ILL-TREATMENT BY POLICE OF ABDELKRIM BOUMLIK, A
16-YEAR-OLD MINOR**

Amnesty International is concerned about the alleged ill-treatment and racial abuse of a minor, Abdelkrim¹ Boumlik, by officers of the Anti-Crime Squad (*Brigade anticriminalité*, BAC) following a minor traffic misdemeanour in April 1996. The organization is further concerned about Abdel Boumlik's detention in Enghien-les-Biens police station for nearly 12 hours before his family was notified by telephone and about the police officers' apparent failure, on his arrival there, to inform a lawyer and the public prosecutor's office of his detention. The time and duration of detention was not recorded in the final statement by the police, thereby violating the legal requirements for custody records.

In May 1996 Abdel Boumlik's parents deposited a formal complaint with Pontoise Judge of Instruction², constituting themselves as a civil party in the proceedings³. Amnesty International is seeking the cooperation of the French authorities in informing the organization of the steps taken to investigate the complaint against the police officers and their eventual outcome.

Abdel Boumlik, a 16-year-old French citizen of Moroccan origin, is a weekly boarder at Saint-Ouen-l'Aumône technical college (*Lycée Industriel*) where he is in his second year of a vocational course on vehicle maintenance. Every weekend he returns to his family home in Soisy-sous-Montmorency, in the northern French region of Val d'Oise. He had never before been in trouble with the police or law.

The following information is based on the formal complaint lodged with the judicial authorities in Pontoise by Abdel Boumlik's parents, on a medical certificate issued in April 1996 and on a news report which featured in the French daily newspaper, *Libération*, in May 1996.

At approximately 10.45pm on 7 April 1996 Abdel Boumlik came across a friend in his home town of Soisy-sous-Montmorency, where he had returned to spend Easter with his family. They decided to go together to a well-known burger bar and Abdel Boumlik climbed on the back of a motorcycle, which was being ridden by his 15-year-old friend. Neither boy was wearing a helmet. En route to the burger bar they noticed a car coming towards them in the opposite direction. The two youths recognised one of the occupants as being a plain clothed police officer, well-known to the young people of the area because of his reputation for being aggressive. The two boys took fright and, abandoning the motorcycle on the side of the road, ran away. Three officers pursued them on foot and, according to the boys, were waving their service weapons in their direction.

¹Known to his family and friends as Abdel.

²*Doyen des Juges d'Instruction près le Tribunal de Grande Instance de Pontoise.*

³Under the Code of Penal Procedure, when the victim or family make an individual complaint, as a civil party, to the judge of instruction, in the proper manner, the judge will pass it to the Public Prosecutor (*Procureur de la république*) for a request of a judicial investigation to be made.

The officers caught up with Abdel Boumlik and his friend, whereupon the boys claimed that they insulted them and violently kicked, punched and beat them with truncheons. The officers attempted to throw Abdel Boumlik into a nearby lake; he only stopped himself from falling in by grabbing hold of a railing.

The ill-treatment continued as the two boys were placed in the police car where they were handcuffed and ordered to kneel down on the floor amid racial insults and verbal threats. Three officers were said to be involved in the ill-treatment, but the two boys recall one, in particular, who had been the most aggressive and who had been chiefly responsible for punching them on more than one occasion in the stomach.

They were taken to Enghien-les-Bains police station where they were bodily searched and then placed in a cell. The complaint notes that the boys were not seen by a lawyer and that, in contravention of the standard procedure, the public prosecutor's office⁴ was not informed of their detention nor was a proper custody record kept.

According to a statement attributed to Enghien-les-Bains police commissioner, reported in *Libération* on 3 May 1996, he affirmed that Abdel Boumlik had refused to see a lawyer and that the police officers had been unable to contact by telephone his parents on the night of 7 April 1996. However, Abdel Boumlik's parents later confirmed that, despite spending all evening at home, they had received no telephone calls.

When Abdel Boumlik complained to the duty police officer that he was suffering a lot of facial discomfort, due to the ill-treatment, he was given some ice which partly alleviated the pain. He also stated to the duty officer that he was unable to hear out of his left ear. The two officers, responsible for the supervision of detained minors, were said to have also racially insulted Abdel Boumlik and his friend.

At approximately 9.15am the following morning a police inspector, who was not part of the arresting team, interviewed them about the ownership of the motorcycle⁵. After drafting a statement (*procès-verbaux*), which contained an incomplete custody record, the inspector, who had generally been friendly, remarked to the two boys: "You refused to see a lawyer and you did that [pointing to the injuries] while falling"⁶. The police commissioner reportedly also attributed Abdel Boumlik's injuries to the motorcycle fall, adding that "Arrests are not always carried out in easy circumstances and it is sometimes necessary to use force"⁷.

⁴*Substitut du Procureur de la République de permanence.*

⁵Amnesty International does not know whether the motorcycle was stolen, although it notes the statement by the commissioner, in the newspaper article, that it had been stolen.

⁶*"Vous avez refusé de voir un avocat et vous vous êtes fait ça [en indiquant les blessures] en tombant".*

⁷*"Les interpellations ne se font pas toujours dans la facilité et il faut parfois utiliser la force" - Libération, 3 May 1996.*

One hour later, Abdel Boumlik's family was contacted by the police and his mother went to the station to collect her son. She was met by the interviewing inspector who explained that the two boys had acted "foolishly" (*"bêtises"*) but that the incident was not serious. He also gave his reasons for the visible injuries to her son, which contrasted with those given by Abdel Boumlik. Shortly afterwards, Abdel Boumlik left the police station with his mother without being charged with any offence.

Later that morning Abdel Boumlik sought medical treatment for his injuries and was examined by hospital doctors and his family practitioner. A medical certificate, issued on 8 April 1996 by Émile-Roux Hospital, Eaubonne, notes that Abdel Boumlik claimed to have received the injuries as a result of "beatings by truncheon" (*coups de matraque*). It further notes that he had a number of painful swellings and bruising, a marking in the region of the forehead, a haematoma on the upper left eyelid and bruising to the outer left ear. He complained of headaches and, in particular, pains in his left ear. Following an internal examination of his left ear, his ear drum was said to be undamaged and an x-ray revealed no visible bone fractures.