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**FRANCE: DEATH IN CUSTODY - THE CASE OF SIDNEY MANOKA NZEZA**

Amnesty International is concerned at the death of Sidney Manoka Nzeza in Tourcoing police station in November 1998. He had been taken there for questioning by officers of the Anti-Crime Brigade (*Brigade anticriminalité*, BAC) after becoming involved in an altercation with a member of the public. Judicial and administrative inquiries were opened and at the time of writing were still under way.

The following account is based on newspaper reports.

Sidney Manoka, a Zairean national in his mid-twenties, moved to France in 1984. He lived with his wife and baby son in Mouvaux (Nord). A keen amateur boxer, he was on the point of turning professional. It was reported that his last boxing match had taken place six months prior to his death.

On 6 November 1998 Sidney Manoka was roller blading through the streets of Tourcoing when he became involved in a heated argument with a car driver after striking the driver's wing mirror. Two police officers were called to the scene of the dispute where they attempted to apprehend Sidney Manoka, who at first resisted. They were soon afterwards joined by four BAC officers attached to Tourcoing police station.

According to the police, in order to control Sidney Manoka, three officers pinned him to the ground and held him there, face-down - one kneeling on his thorax, one on his buttocks and one on his legs - before handcuffing him. The police officers reportedly stated that standard methods of restraint were employed when attempting to bring Sidney Manoka under control. They denied hitting or beating him. Sidney Manoka was then taken to Tourcoing police station, where he collapsed 20 minutes later. The emergency services were called to the police station but he was pronounced dead following their arrival.

The organization SOS-Racisme, which was seeking to become a civil party to the case, reported having collected eye-witness accounts according to which Sidney Manoka collapsed on the pavement before arriving at the police station, and stated that medical help should have been sought immediately.

On 13 November 1998 the Public Prosecutor's office in Lille<sup>1</sup> publicly confirmed that an autopsy report had established that the death had been caused by "a process of asphyxia due to compression on the thorax"<sup>2</sup>. There was no indication that he had suffered blows.

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<sup>1</sup>Le parquet de Lille.

<sup>2</sup>« Un processus asphyxique par compression thoracique » - Nord Eclair, 14 November 1998.

An internal administrative inquiry was opened by the General Inspectorate of the National Police<sup>3</sup>. *It was expected to establish, in particular, whether the rules on police apprehension of suspects had been respected at the time of arrest.* According to Article 10 of the Code of Deontology of the National Police<sup>4</sup>: “All apprehended persons are placed under the responsibility and protection of the police....”<sup>5</sup>.

On 20 November 1998 the police officers involved in Sidney Manoka’s arrest were placed under formal investigation by the judge of instruction attached to Lille Tribunal<sup>6</sup>. Six police officers were under investigation in connection with a charge of failure to assist a person in danger (*non-assistance à personne en danger*). Four of these officers were also under investigation on a charge of manslaughter (*homicide involontaire*). On the order of the acting Minister of the Interior *three officers were suspended from work*, “pending the outcome of the inquiries”<sup>7</sup>.

Amnesty International is calling for a full, prompt and impartial investigation into the circumstances and causes of Sidney Manoka’s death and is seeking information from the French authorities about the progress and eventual outcome of the investigation, and any further judicial or administrative proceedings arising from it. It is also seeking information about methods of restraint employed by law enforcement officers when attempting to bring a suspect under control.

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<sup>3</sup>*Inspection générale de la police nationale* - IGPN. The IGPN is responsible for carrying out internal inquiries into complaints against the police.

<sup>4</sup>*Code de déontologie de la Police nationale.*

<sup>5</sup>« *Toute personne appréhendée est placée sous la responsabilité et la protection de la police ...* »

<sup>6</sup>*Tribunal de Grande Instance de Lille.*

<sup>7</sup>« *dans l’attente du résultat des enquêtes en cours* » - *Le Monde*, 24 November 1998.