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France: Recording interrogations is not enough - more safeguards needed for rights of detainees

Amnesty International welcomes the coming into force in France, on 1 June, of the provisions of the law of 4 March 2007 which make it compulsory to video- and audio-record interrogations by investigating judges and in police custody.

The Council of Europe's Committee for the Prevention of Torture (CPT) has repeatedly recommended such measures be implemented, as an important means of protecting detainees from torture and other ill-treatment, as well as protecting law enforcement officials from false accusations.

However, Amnesty International is concerned that the procedures introduced in France as of 1 June do not include video surveillance cameras in **all** custody areas of police stations where detainees may be present and that detainees held on charges relating to terrorism or organised crime are specifically excluded from these measures.

Whilst welcoming this initial step forward in protecting the rights of detainees, Amnesty International calls on the French authorities to extend the compulsory video- and audio-surveillance of detainees to include all areas where detainees may be present (except where this would violate the right to consult with a lawyer or doctor in private) including individual cells and communal areas of police stations, and for such measures to apply to all detainees regardless of the nature of the charges against them. Surveillance camera recordings should be kept in a secure facility and be available for viewing by both prosecuting and defence parties if required.

Background

Amnesty International has long expressed concerns about ongoing reports of ill-treatment in police custody in France. A report published in April 2005, *France: The search for justice. The effective impunity of law enforcement officers in cases of shootings, deaths in custody or torture and other ill-treatment* (AI Index EUR 21/001/2005) documented numerous such cases. Amnesty International, as well as UN and Council of Europe human rights bodies, continues to investigate allegations of similar incidents. Amnesty International is concerned by the frequent failure or reluctance of prosecutors and courts to investigate and prosecute effectively such allegations of human rights violations committed by police officers.

In line with the recommendations of the CPT, Amnesty International's research concluded that the introduction of audio-visual surveillance measures in police stations would be an important protection measure against ill-treatment. The organization has also called on the French authorities to introduce a range of legislative, judicial, and administrative measures to prevent torture and other ill-treatment and to ensure the prompt, independent, impartial and effective investigation of any case where there is reason to believe torture or ill-treatment may have occurred.

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