

AI Index: EUR 21/004/2011

Michel Mercier
Keeper of the Seals, Minister of Justice
Ministry of Justice
13 Place Vendôme
75042 Paris
France

30 November 2011

Dear Minister of Justice,

OPEN LETTER REGARDING CASES OF DEATHS IN POLICE CUSTODY

Amnesty International has been investigating allegations of ill-treatment and excessive use of force by law enforcement officials in France and subsequent *de facto* impunity that some of those responsible have received. Amnesty International's latest report, *Our lives are left hanging – families of victims of death in police custody wait for justice to be done* (AI Index: EUR 21/003/2011, 30 November 2011), which draws on five cases to illustrate the organization's concerns about the lack of independent and effective investigations into certain cases in which law enforcement officials were involved in deaths in police custody.

The briefing focuses on the impact that such slow and inadequate investigations is having on the victims' families, and is based largely on research carried out by Amnesty International and the testimonies of families, support committees and lawyers in France gathered by Amnesty International's delegates during a field mission in September and October 2011. Each family member interviewed by Amnesty International described the profoundly negative impact exerted by their relative's death and the lack of access, in their view, to truth and justice on their family and on their ability to grieve. All five cases concern persons belonging to ethnic minorities: one French citizen of Senegalese origin and four foreign nationals from Mali, Tunisia, Algeria and Morocco. The victims' families told Amnesty International that they had received little or no support from their respective governments throughout their search for justice.

The five cases detailed in the briefing are the following:

- **Abou Bakari Tandia**, a 38-year-old Malian man, died after being taken into police custody in December 2004, in Courbevoie;
- **Lamine Dieng**, a 25-year-old French citizen of Senegalese origin, died during arrest in June 2007, in Paris;
- **Abdelhakim Ajimi**, a 22-year-old Tunisian man, died during arrest in May 2008, in Grasse;
- **Ali Ziri**, a 69-year-old Algerian man, died following arrest in June 2009, in Argenteuil;
- **Mohamed Boukrourou**, a 41-year-old Moroccan man, died during arrest in November 2009, in Valentigney.

Amnesty International is deeply concerned by the fact that to this day, there has been little or no progress to fully investigate the allegations documented in the briefing in a prompt manner. The majority of law enforcement officials involved in the cases have not been subject to investigation or charge (*mise en examen*), and, to our knowledge, remain in post.

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France has an obligation to respect and protect the right to life and to ensure the absolute prohibition of torture and other ill-treatment. A crucial component of this obligation is the requirement to conduct prompt, thorough, impartial and independent investigations in accordance with international human rights law.

Furthermore, Amnesty International notes with concern that although persons of different ages, social backgrounds and nationalities are victims of human rights violations by law enforcement officials, a significant majority of the cases brought to Amnesty International's attention concern persons belonging to ethnic minorities. This pattern was also identified by Amnesty International in its previous publications of 2005, *France: The Search for justice* (AI Index: EUR 21/001/2005) and of 2009, *Public outrage: police officers above the law in France* (AI Index: EUR 21/003/2009).

In light of the above, Amnesty International urges you to take immediate steps to ensure that thorough, prompt, impartial and independent investigations are conducted without further delay into cases of deaths in police custody where law enforcement officials are involved, and in particular into the deaths of Abou Bakari Tandia, Lamine Dieng, Abdelhakim Ajimi, Ali Ziri and Mohamed Boukrourou .

Yours sincerely

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