

AI Index: PRE 01/129/2009
02 April 2009

France: Police above the law?

Unlawful killings, beatings, racial abuse and excessive use of force by law enforcement officials are prohibited under international law in all circumstances. Yet in France, reports of such human rights violations are rarely investigated effectively and those responsible seldom brought to justice, Amnesty International said in a new report published today.

“In a climate where police abuse can go unchecked, the pattern of de facto impunity with regard to law enforcement officials in France is unacceptable,” said David Diaz-Jogeix, Deputy Director of the Europe and Central Asia Programme at Amnesty International.

Amnesty International’s report [*Public Outrage: police officers above the law in France*](#), condemns the fact that allegations of police ill-treatment, racial abuse and excessive use of force continue while procedures for investigating such allegations are still failing to live up to the standards required by international law. The organization notes the increasing trend for people who are the victims of or witnesses to ill-treatment by law enforcement officials find themselves charged with the criminal offences of insulting or assaulting a police officer (“outrage” and “rebellion”).

The numerous [cases](#) that Amnesty International has researched in the course of preparing this report show that although the victims of ill-treatment and other human rights violations include men and women of all age groups, the vast majority of complaints concern French citizens from ethnic minorities or foreign nationals.

“Law enforcement officials in France perform a difficult and dangerous task, often at great personal risk. However, when police misconduct takes place it must be investigated promptly, thoroughly, independently and impartially,” David Diaz-Jogeix said.

“People need to trust their police. Currently, this is frequently not the case. This will not be possible until they see that appropriate disciplinary measures are taken in time and officers responsible for criminal conduct are brought to justice in impartial and independent proceedings. This is also essential in order to uphold the reputation of the majority of law enforcement officials who fulfil their duties professionally and lawfully.”

Although not every complaint made against the police has merit, the discrepancy between the number of complaints made and the number of disciplinary sanctions imposed raises questions about the thoroughness and impartiality of the investigations. According to limited information, from the 663 complaints examined by the police inspectorate in 2005, 16 resulted in dismissal, while in 2006, from the 639 allegations of violence, only eight ended with dismissal. A high number of complaints against law enforcement officials are closed by the prosecutor without reaching trial.

“People have a right to complain, but when it comes to the police, the odds are stacked against you if you

want to make a complaint. The judicial system is institutionally biased in their favour. Victims, many of whom are French citizens from an ethnic minority or foreign nationals, are all too often left without justice,” David Diaz-Jogeix said.

Amnesty International continues to call on the French authorities to take steps to reform the current system and create an independent police complaints commission with adequate powers and resources to conduct thorough and effective investigations.

“The French authorities must take measures to ensure that no-one is above the law. It is crucial that the public has confidence in the police force,” David Diaz-Jogeix said.

Background

Amnesty International has longstanding and continuing concerns regarding allegations of human rights violations by law enforcement officials in France, and the failure to bring those responsible to justice through independent, impartial and effective investigations. In 2005 the organization published the report [France: The search for justice](#) (AI index: EUR21/001/2005), which examined allegations of serious human rights violations by law enforcement officials going back to 1991.

See: [Case studies](#), AI Index: EUR 21/007/2009