

# AMNESTY INTERNATIONAL PUBLIC STATEMENT

19 April 2012

AI Index: EUR 21/005/2012

## **France: The European Committee for the Prevention of Torture calls for “zero tolerance” of ill-treatment**

Amnesty International urges the French authorities to promptly implement the recommendations made by the European Committee for the Prevention of Torture (CPT) in its report published today. The published report documents the CPT's observations, concerns and recommendations following its visit to France in November and December 2010. The CPT delegation visited a number of places of detention in different parts of France. These included police stations, immigration detention centers, prisons and hospitals for people with mental disabilities and for detainees requiring psychiatric care.

On the issue of ill-treatment, the CPT found that while most people who were or had recently been in police custody said they had been treated correctly, the delegation did receive some allegations of excessive use of force during arrest and shortly after, including allegations of excessive use of force against people who had been restrained. Some of the allegations received by the CPT's delegation concerned minors and people with psychiatric disorders.

The CPT recommended that the leadership of the National Police regularly convey to all police officers under their direction a message of “zero tolerance” of ill-treatment. The CPT stressed that those in command must make clear that during arrest, the police must not use any more force than is strictly necessary for the purpose of restraining them.

Amnesty International welcomes the CPT's recommendations to the French authorities concerning ill-treatment. Amnesty International echoes these recommendations and reiterates its call on the French authorities to ensure that when ill-treatment does take place, investigations that comply with international standards of independence, impartiality and thoroughness are conducted without delay and that those found responsible of torture and other ill-treatment are promptly brought to justice.

Amnesty International also welcomes the French authorities' statement, in their response to the CPT's report, that they share its concern for ensuring the widest and most effective dissemination of instructions concerning the use of force during arrest. In their response the French authorities referred to a memorandum concerning security measures with regard to people in pre-charge detention or held in custody in police stations issued in September 2011. Amnesty International regrets that this memorandum has not been made public and calls on the French authorities to publish it and other instructions to law enforcement officials concerning the use of force during arrest and detention.

Amnesty International further regrets that the French authorities have not to date made public the instructions on the use of Conducted Energy Devices (CEDs, also known as Tasers) and calls on them to release the documents relating to their use provided to the CPT. The CPT has raised concerns about the increased authorization given to law enforcement officials for the use of this type of weapon, and reaffirmed that the use of the CEDs must be strictly limited to situations where they are necessary to avoid a serious threat to human safety and that police must avoid deploying CEDs against individuals who may be particularly vulnerable such as small children, people with diseased hearts, the elderly, pregnant women and other “potentially at-risk individuals”. Over the years, Amnesty International has urged the French authorities to develop and implement specific guidelines and rigorous training for law enforcement officials on the use of CEDs, and insisted that any such training must be in accordance with the UN Basic Principle on the Use of Force and Firearms by Law Enforcement Officials and the UN Code of Conduct for Law Enforcement Officials.

## Background

In June 2010 Amnesty International addressed a confidential briefing to the CPT in which it raised its main concerns with regard to torture and other ill-treatment by law enforcement officials during arrest and while in police custody. The briefing highlighted individual cases of persons who had allegedly been subjected to such treatment, including people who died while in police custody.

Indeed for many years Amnesty International has been documenting cases of human rights abuses by law enforcement officials in France, including unlawful killings, torture and other cruel, inhuman or degrading treatment (ill-treatment). The organization has found that law enforcement officials who committed such abuses enjoy *de facto* impunity, in a context where police, prosecutors and judges were reluctant to thoroughly investigate and prosecute such human rights abuses. In its most recent report, "*Our lives are left hanging: Families of victims of deaths in custody still wait for justice to be done*", Amnesty International documented five cases of deaths in police custody which reflect systemic shortcomings of investigations and accountability in such cases. Since the report's publication in November 2011, Amnesty International has continued to monitor these cases but while there has been a conviction in one of them, there has been limited or no progress in the others.

Amnesty International has also drawn the attention of other international bodies, most notably the United Nations Committee against Torture, its concerns on torture and ill-treatment in France.

## Publications

*France: A small first step towards justice in the case of Mohamed Boukrourou* (AI Index ER 21/003/2012)

<http://amnesty.org/en/library/info/EUR21/003/2012/en>

*France: No impunity for deaths in custody – Suspended prison sentences for the policemen convicted of Hakim Ajimi's death* (AI Index EUR 21/004/2012)

<http://amnesty.org/en/library/info/EUR21/004/2012/en>

*France: Not forgotten: Seventh anniversary of the death in police custody of Abou Bakari Tandia* (AI Index: EUR 21/001/2012)

<http://www.amnesty.org/en/library/info/EUR21/001/2012/en>

*France: Open letter regarding cases of deaths in police custody* (AI Index: EUR 21/004/2011)

<http://www.amnesty.org/en/library/info/EUR21/004/2011/en>

*France: "Our lives are left hanging": Families of victims of deaths in custody wait for justice to be done* (AI Index: EUR21/003/2011)

<http://amnesty.org/en/library/info/EUR21/003/2011/en>

*France: Committee against Torture urges France to investigate allegations of ill-treatment by law enforcement officials* (AI Index: EUR 21/003/2010)

<http://www.amnesty.org/en/library/info/EUR21/003/2010/en>

*France: Briefing to the UN Committee against Torture* (AI Index: EUR 21/002/2010)

<http://www.amnesty.org/en/library/info/EUR21/002/2010/en>

*Public outrage: Police officers above the law in France* (AI Index: EUR 21/003/2009)

<http://amnesty.org/en/library/info/EUR21/003/2009/en>

*France: The Search for justice* (AI Index: EUR 21/001/2005)

<http://amnesty.org/en/library/info/EUR21/001/2005/en>