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FRANCE: THE ALLEGED ILL-TREATMENT OF CORNÉLIE CHAPPUIS BY ROUBAIX POLICE OFFICERS

Amnesty International is concerned about the alleged cruel, inhuman and degrading treatment by Roubaix police officers of Cornélie Chappuis, a 34-year-old French woman of Zairean origin. In a complaint lodged with the judicial authorities in March 2000 she claimed that in January 2000 she was physically and verbally, including racially, abused and threatened by the police officers after they were called to her home in Roubaix (Nord) to investigate a reported domestic dispute. She further claimed that she was arbitrarily arrested by the police officers and illegally detained overnight in Roubaix police station. Amnesty International welcomes the opening of judicial and administrative inquiries into Cornélie Chappuis' allegations and is seeking confirmation from the French authorities that thorough and impartial investigations are being conducted, in the manner required by international standards. The organization is also asking for cooperation in informing Amnesty International of the progress and eventual outcome of the investigations, and of any further administrative or criminal proceedings arising from them.

The following account is based on Cornélie Chappuis' formal complaint, on two medical certificates and on a number of French newspaper reports.

At the time of the incident Cornélie Chappuis and her husband were involved in divorce proceedings. A court order of December 1999 had provided for the couple to live apart, in separate residences, but the husband had reportedly not yet moved from his wife's home. On the night of 31 January 2000, following a telephone call to the police station from her husband, four police officers went to the house to investigate a domestic dispute. According to a press report the police officers said that she was "manifestly intoxicated"¹ when they arrived at the scene. Another press report quoted Cornélie Chappuis as saying that her husband told the police that she had been drinking that evening and had threatened their daughter.

Dressed only in her pyjamas and wearing no shoes, she was taken from her house against her will, placed in a police vehicle and driven to Victor-Provo Hospital, Roubaix, where at approximately 11.30pm she was clinically examined by a duty doctor, at the request of the police officers. A medical certificate -- drawn up by the doctor the following day at Cornélie Chappuis' request -- noted that at the time she complained of tenderness at the base of her neck, where she said her husband had earlier attempted to strangle her. It noted that there was "no visible evidence of blows or bruising" («...sans trace visible de coups ni hématomes...»). It further noted that she appeared psychologically stable for a woman who was "not under the influence of alcohol" (« n'était pas sous l'emprise alcoolique ») and who gave clear, measured and calm responses. It finally noted that she only began shouting when the law enforcement officers escorted her back to their vehicle.

¹ « en état d'ivresse manifeste » - *Le Monde*, 20-21 February 2000.

Once inside the police vehicle, police officers handcuffed her and threw her face down on the floor. She claimed that on the way to Roubaix police station a police officer made threatening remarks. These relate to the well-known case of the death by asphyxiation of a Nigerian woman during an attempt to forcibly deport her from Belgium in 1998, and who had allegedly been subjected to the so-called "cushion technique". The officer's remark that he would like to use the same technique on Cornélie Chappuis caused her to panic. She began to shout and protest whereupon a police officer pulled her hair and, holding her head back, said: "If you continue like that, I'll punch you in the gob"².

On arrival at Roubaix police station Cornélie Chappuis was taken to a cell where she claimed she was subjected to cruel and degrading treatment and to racial remarks. She stated that she was made to strip while police officers looked on and made lewd comments. She said that she was refused permission to speak with the commanding officer and that one police officer referred to her as a "nigger"³. She further stated that when she asked for a drink of water she was told by officers that she could quench her thirst by drinking water from a shower head. Article 10 of the Code of Deontology of the National Police states: "All apprehended persons are placed under the responsibility and protection of the police; they should not be the subject of any violence or of any inhuman or degrading treatment by law enforcement officers or a third party."⁴

At approximately 6.30am the following morning Cornélie Chappuis was allowed to leave the police station but she claimed no police escort was provided to take her home. She stated that she was never formally questioned by the police officers while in police detention and it would appear that she was not charged with any offence (a press report indicated that before leaving the station she refused to sign a form, accusing her of being "drunk on a public highway").

A four-page medical certificate, issued by her family doctor on the afternoon of 1 February 2000, noted Cornélie Chappuis' claim that she had been "roughly handled" (« *malmenée* ») the previous evening. Her family doctor recorded injuries to her body which, on the basis of the medical certificate issued by the doctor who examined her at Victor-Provo Hospital, had not been there the previous evening. The certificate noted the following injuries: painful swellings, circular in shape, to her wrists; bruising to her left hand, left elbow and left and right arms; linear bruising to her right thigh and left and right legs. It indicated that she was psychologically upset by the incidents and that she would need three days' rest to recover from the distress.

Following a request by the departmental *préfet*⁵ an internal administrative inquiry was opened by the General Inspectorate of the National Police⁶ some two weeks after the alleged incidents took place and on 6 March 2000 Cornélie Chappuis lodged a formal complaint against persons unknown⁷ with the judicial authorities in Lille.

²« *si tu continues comme ça, je vais te foutre mon poing dans la gueule...* » - taken from Cornélie Chappuis formal complaint.

³« *... une négresse* » - Ibid.

⁴*Code de déontologie de la police nationale* : « *Toute personne appréhendée est placée sous la responsabilité et la protection de la police ; elle ne doit subir, de la part des fonctionnaires de police ou de tiers, aucune violence ni aucun traitement inhumain ou dégradant.* »

⁵Prefects (*préfets*) represent the State in the departments and regions of France and are the only high-ranking civil servants whose jurisdiction has a basis in the Constitution. According to article 72 of the Constitution of the Fifth Republic the prefect has "responsibility for national interests, administrative control and the enforcement of the law".

⁶*Inspection générale de la police nationale* - IGPN. The IGPN is responsible for carrying out internal inquiries into complaints against the police.

⁷*Plainte avec constitution de partie civile contre X.*

Anyone wishing further details relating to Amnesty International's concerns in France should consult the following recent publication:

- *Amnesty International Concerns in Europe: July - December 1999* (AI Index: EUR 01/01/00).