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France: Justice fails victims of police brutality

The French government ministers, judges and senior police officers are allowing members of the police force to use excessive and sometimes lethal force against suspects of Arab and African origin without fear of serious repercussions, Amnesty International said today.

In its report *France: The Search for Justice*, through 10 years of documenting and exposing cases, Amnesty International has uncovered evidence of widespread failure of the judicial system to prosecute and punish human rights violations. This includes a "two-speed justice" -- which prosecutes cases brought by police officers far more quickly than those brought by their victims. The cases of Youssef Khaïf (police killing) and Aïssa Ilich (death in custody), for example, both took 10 years to come to court. This pattern of impunity contributes to a lack of public confidence that law enforcement officials operate under the rule of law and are held accountable for their actions. Amnesty International has found that a large number of cases never reach the courtroom. When they do, convictions are rare, and sentences often nominal.

"In our view, there is effective impunity for police officers committing human rights violations - we have identified a widespread failure of the judicial system to effectively investigate, prosecute and punish human rights violations in law enforcement affairs," said Nicola Duckworth of Amnesty International.

The number of fatal shootings by police officers or gendarmes, in disputed circumstances, has declined in recent years, but complaints of ill-treatment have increased. Complaints about police conduct increased by 18.5 per cent in 2004.

In addition, Amnesty International is concerned at the continuing lack of respect for internal guidelines or codes of conduct, as well as for international norms. Among the concerns are the reluctance of public prosecutors to pursue cases against police officers; mistreatment and lack of safeguards in police custody; unnecessarily lengthy delays in judicial proceedings; and the lack of a full definition of torture in the Penal Code.

The organisation is calling for the French authorities to create an independent mechanism to investigate all allegations of serious human rights violations; bring those responsible to justice after prompt and thorough investigations; ensure that all detainees are granted access to a lawyer from the outset of police custody; and ensure that the victims receive redress.

"The prevention of torture and ill-treatment is primarily a matter of political will," said Nicola Duckworth. "There must be full accountability for everyone involved no matter what their rank."

The Search for Justice: The effective impunity of law enforcement officers in cases of shootings, deaths in custody or torture and ill-treatment
<http://web.amnesty.org/library/Index/ENGEUR210012005>.

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For more information please call Amnesty International's press office in London, UK, on +44 20 7413 5566

Amnesty International, 1 Easton St., London WC1X 0DW. web: <http://www.amnesty.org>

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