

Human Rights Watch report exposes French state of emergency

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In a report published February 3, international NGO Human Rights Watch (HRW), has denounced the abuses of the Police and the French State under the State of urgency. HRW's report points to the systematic, arbitrary denials of basic democratic rights by the French police, unchecked by the judiciary under the terms of the state of emergency, and targeting of people of Muslim descent.

HRW declares, "France has carried out abusive and discriminatory raids and house arrests against Muslims under its sweeping new state of emergency law. The measures have created economic hardship, stigmatized those targeted, and have traumatized children."

According to Human Rights Watch (HRW) data, supported by many reports in the French media, attacks on democratic rights are taking place on a vast scale. In over 3,289 warrantless searches of homes and buildings, police SWAT teams and gendarmes have broken in, attacked occupants, hand-cuffed them and assaulted them. They routinely and wantonly damage doors, furniture and people's possessions, leaving them to repair the damage without any hope of state compensation.

HRW referred to the case of Mr. Alami, a 64-year-old of Moroccan descent who lives with his wife and three of their children. Six policemen broke the door in at 2 a.m. on November 26, 2015: "They didn't give us a chance to speak. They pushed me, put my hands behind my back, and put me on the floor, face down. One of them put his knee on my back. I felt like I was being broken in half. I said, 'You're hurting me!' He pulled me by the hair and pushed my head down to the floor, breaking four of my teeth. They searched the apartment until 5:45 a.m., then they asked my wife and me for our identity documents. Their chief said, 'We've made a mistake.' [...] They didn't apologize."

Alami said that the warrant was for his daughter, who lives elsewhere with her husband, and whose home was raided at the same time. His front door is still broken, and policemen told him: "It's the state of emergency. We have the right to break things. We can do whatever we want."

The state of emergency declared after the November 13 terrorist attacks in Paris is about to be renewed for a further three months, bringing its total to six and a half months. Prime Minister Manuel Valls has already warned that it will be maintained permanently until the Islamic State in Iraq and Syria (ISIS) militia is destroyed—that is, for all practical purposes, indefinitely.

Reports by human rights groups make clear what is at stake with moves to create a permanent state of emergency. It would amount to the creation of a authoritarian regime, in which basic democratic rights are flouted, and the people has no redress if they are attacked or assaulted by police.

The day after the HRW report, Amnesty International (AI) published its own report, "Upturned Lives, The Disproportionate Impact of France's State of Emergency." It states, "This report reviews a number of cases highlighting the flaws in the implementation of emergency measures, in particular house searches and assigned residence orders, and concludes that these measures have been applied in an overly-broad manner and, in some instances, arbitrarily. In particular, French authorities have restricted human rights, and more specifically the rights to liberty, private life, freedom of movement and freedom of assembly, beyond what was strictly required by the exigencies of the situation.

"Moreover, in some instances, the measures were applied in a discriminatory manner. Some Muslims were targeted mainly on the basis of their religious

practice, with no evidence pointing to their involvement in any criminal offence.”

AI, like HRW, details many cases of violence, discrimination mainly against the Muslim population by state forces. In one example, “A member of the association running a mosque in Aubervilliers (Paris region), which was searched on 16 November, said: ‘The search was very violent, for us it was a desecration, it hurt our feelings and it scared us [...] The head of the mosque was also put in pre-charge detention afterwards...but no charges were pressed against any of us, there were no concrete elements. That’s the worst... If there were serious suspicions, they would have launched an investigation....but at the moment it’s like we’re being punished for nothing’.”

Another incident was reported by *Rue89* in Strasbourg: on Saturday, November 21 at 4 p.m., a Police SWAT team blew open the door to an apartment in Strasbourg. Living there were an 80-year-old man with his 46-year-old mentally disabled daughter. The man jumped up with the sound of the blast and immediately fainted.

He had just returned from being hospitalized for renal failure and a pulmonary infection. The police lifted him up and handcuffed him face down on the floor with his daughter. The two were then put in a room whilst they searched the house. The apartment was devastated; holes were even punched in the ceiling of the home, which had just been refurbished. The man had to return to hospital for 5 days.

The search had been triggered by the interrogation of two of the man’s sons on the way to visit one of the brothers’ wife and daughter in Basel, Switzerland. Though the two were released without charge, Swiss customs reported the interrogation to Strasbourg prosecutor’s office with the man’s address.

The thousands of warrantless searches and hundreds of house arrests imposed since November are having a devastating impact. More than 407 house arrests have been imposed, and HRW reports that as of February 2, 303 were still in force. Such house arrests, which impose reporting to a police station 3 or 4 times a day, make it impossible for people to work. Many have lost businesses or jobs.

Remarkably, while 488 supplementary investigations have been opened pursuant to the searches, none of these are related to terrorism. Only five terrorist-related

investigations have been initiated, and 21 investigations for “apology for terrorism” (excusing terrorism), which does not however imply any terrorist activity.

The failure of the mass anti-terror dragnet, operating without judicial restrictions and with the full gamut of mass electronic spying technology at its disposal, to find more than a handful of terror suspects raises serious questions about the police build-up now taking place in France.

After the *Charlie Hebdo* attacks, intelligence forces and mass spying programs were strengthened with thousands of new recruits. The fact that their activity has turned up only five terror suspects raises the question: what are the real targets of their spying activity?



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