

Beat: Miscellaneous

UPTURNED LIVES - THE DISPROPORTIONATE IMPACT OF FRANCE'S STATE OF EMERGENCY

REPORT FROM AMNESTY INTERNATIONAL

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USPA NEWS - Heavy-handed emergency measures, including late night house raids and assigned residence orders, have trampled on the rights of hundreds of men, women and children, leaving them traumatized and stigmatized, according to a new briefing released by Amnesty International on February 3...

Heavy-handed emergency measures, including late night house raids and assigned residence orders, have trampled on the rights of hundreds of men, women and children, leaving them traumatized and stigmatized, according to a new briefing released by Amnesty International on February 3 ahead of Friday's French parliamentary debate on entrenching emergency measures in the constitution.

'Upturned Lives : The Disproportionate Impact of France's State of Emergency' details how, since the state of emergency was declared shortly after the November 13, 2015 Paris attacks, more than 3,242 house searches have been conducted and more than 400 assigned residence orders imposed. Most of the 60 people Amnesty International interviewed said that harsh measures were applied with little or no explanation and sometimes excessive force. One woman said that armed police burst into her house late at night as she minded her three-year-old child. Other people told Amnesty International that the stigma of being searched had caused them to lose their jobs.

'While governments can use exceptional measures in exceptional circumstances, they must do so with caution. The reality we have seen in France is that sweeping executive powers, with few checks on their use, have generated a range of human rights violations. It is difficult to see how the French authorities can possibly argue that they represent a proportionate response to the threats they face,' said John Dalhuisen, Amnesty International's Director for Europe and Central Asia.

Many of those interviewed by Amnesty International, since it began documenting cases shortly after the three-month state of emergency was instigated, said that they received almost no information showing how they were implicated in any security threats. The intelligence files presented in court have contained little information to substantiate claims that individuals represent a threat to public order. Many have struggled to challenge the restrictions imposed on them as a result.

Ivan said that the 40 police officers who in November raided his Parisian suburb restaurant, as men, women and children were eating supper, were unnecessarily heavy-handed.

'They told everyone to put their hands on the table, then they searched everywhere for about 35 minutes. They forced open three doors. I told them I had the keys, I could have opened the doors for them, but they ignored me,' he told Amnesty International researchers.

'What really struck me is that, on the basis of the search order, they thought they could have found some people who constituted a public threat in my restaurant. However, they did not check the ID of any of the 60 clients who were there.'

Emergency measures have had a significant impact on the human rights of the people targeted. Some have lost their jobs. Almost all were left with stress and anxiety.

Issa and his wife Samira's house was searched on December 4 on the unspecified grounds that he was a 'radical Islamist.' Although the police never pursued any criminal investigation against Issa and Samira, they copied all data on Issa's computer, imposed a nightly curfew on Issa, obliged him to report three times a day to a police station and not leave the town he lives in. He had to turn down a job as a delivery man as a result and has spent most of his savings on legal fees.

People told Amnesty International that house searches had caused fear, stress and other health-related issues.

'I don't sleep well anymore and if someone speaks loudly I tremble,' Fahima told Amnesty International after police with firearms had burst into her house in the middle of the night as she was minding their three-year-old child.

Most of those interviewed by Amnesty International for the report said that the current emergency measures are implemented in a discriminatory manner, specifically targeting Muslims, often on the basis of their beliefs and religious practices rather than any concrete evidence of criminal behavior.

Several mosques and prayer rooms have also been shut down by French authorities since the Paris attacks. One such mosque in Lagny-sur-Marne near Paris was shut down despite police reports indicating that 'no element justifying the opening of an investigation has been found.'

'If there are allegations against one or two people, why don't they target them specifically ? Why do they target a whole community ? There are about 350 Muslims in Lagny who are now left with no place to worship,' the president of the mosque and three organizations dissolved by the authorities told Amnesty International.

The emergency measures in France have come at great cost to people's human rights, but yielded few tangible results, calling into question the proportionality of the measures. According to media reports, the 3,242 raids carried out in the past month have resulted in only four criminal investigations for terrorism-related offences and 21 investigations under the vague "apologie du terrorisme" provision. A further 488 investigations resulting from these raids were for unrelated criminal offences.

'It is all too easy to make general claims about a terrorism-related threat requiring the adoption of emergency powers. However, the French government needs to demonstrate unambiguously that a state of emergency still exists and parliamentarians should scrutinize this claim carefully. Even if satisfied on this count, meaningful safeguards need to be restored to prevent the abusive, disproportionate and discriminatory use of emergency measures.'

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