



FRANCE

Civic space in France is rated "narrowed" on the CiViCUS Monitor

The associative sector in France is strong, mature and growing, with averagely 70 000 new associations each year.¹ It is a recognised economic force. A sizable part of associations deals with human rights and civil liberties issues. Associations are quite vocal on rights' violations, as well as on advocacy towards policy-makers. France has a strong associative and mobilisation culture, with thousands of assemblies and protests, carried out peacefully every year, most often led by associations and trade unions. While fundamental freedoms are protected by the law and generally respected, civil society and civil liberties have been put under increasing pressure since 2015, when the state of emergency was introduced in response to the terrorist attacks. More recently, the heavy-handed state response to the unstructured and leaderless Yellow Vests movement is also bringing at the forefront police violence that has already a long story rooted in the discrimination of vulnerable groups in poor suburban "ghetto" areas.

¹ Chiffres 2017 - Le paysage associatif français, Le Mouvement Associatif

THE SECTOR IN NUMBERS (2017)

Population:
66.77 million

Number of associations:
1.5 million

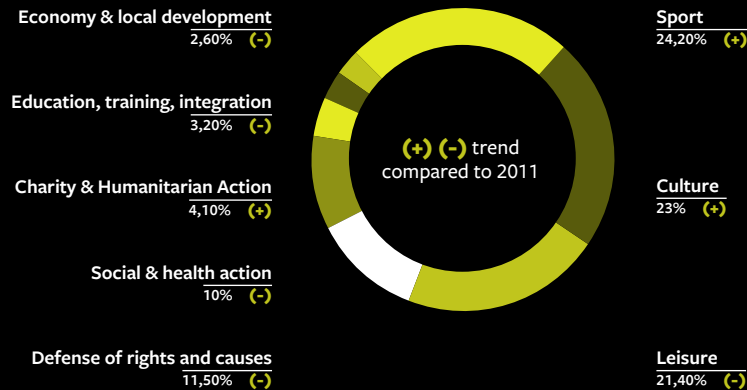
Number of employees:
1.8 million

Number of volunteers:
22 million

89.4% (+) of associations are only composed of volunteers

159,000 (-) employing associations

DISTRIBUTION OF ASSOCIATIONS BY FIELDS OF ACTIVITY



THE ECONOMIC WEIGHT OF THE SECTOR

The associations' budget amounts to

113 billion euros in 2017.

+10,2% compared to 2011

It represents **3.3%** of national GDP

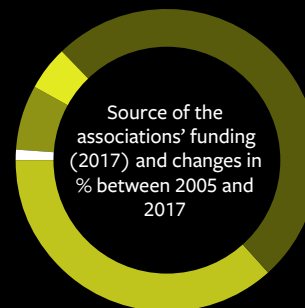
Private donations and sponsorships
4,60% **-0,2%**

Other
6,50% **-3,5%**

EU funding
1% =

Public funding
37% **-3,4%**

Own funding (fees and economic activities)
50,90% **+6,9%**



SHIFTING TOWARDS A PREVENTIVE APPROACH TO MAINTAINING PUBLIC ORDER

Restricting the right to demonstrate from exception to routine

By Arié Alimi, Ligue des droits de l'Homme

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The Charter of Fundamental Rights of the European Union guarantees the right to freedom of assembly and association (Article 12) and the right to freedom of expression and information (Article 11). The French constitution protects freedom of expression, assembly and demonstration. However, in practice, civil society in France is increasingly under attack, resulting in a restriction of access to public space and an increase in the criminalisation of civil society actors.

Despite the strong reactions of all human rights organisations in France and European and international institutions (the Commissioner for Human Rights of the Council of Europe, the European Parliament, the UN High Commissioner for Human Rights and the UN Special Rapporteurs), the government has not ended these severe violations of the right

to protest and has done nothing against the physical damages inflicted to protestors.

RESTRICTING THE RIGHT TO PROTEST FROM EXCEPTION TO ROUTINE

The right to assembly has been severely attacked since the *state of emergency* that was set up following the attacks of 13 November 2015 and repeatedly extended by the Parliament upon the proposal of the government for nearly two years.

The *state of emergency* gave the Prefect, that represents locally the government, the power to carry out house searches without the authorisation of a judge. Many violent raids at night have been reported. Police officers entered a house tearing down the front door, handcuffing people in the house, sometimes violently and in the presence of children.

It also gave the government the power to keep people under house arrest because of alleged elements that could link them to a terrorist threat. House arrest consisted in confining a person in a place from 8 p.m. to 7 a.m. with the obligation to report to a police station up to three times a day. These restrictions prevented any normal

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work or family life. Victims of these administrative decisions reported the loss of their job and income and “de-socialisation”. Most of the people were targeted by these decisions for practising

Islam, based on abusive denunciations from neighbours or employers. This mechanism should only have been implemented in exceptional situations such as combating the terrorist threat.

However, it also legally justified restrictions to the right to protest against activists beyond the risk of terrorism. In December 2015, several environmental and left-wing activists were placed under house arrest under the provisions of the *state of emergency* in order to prevent them from demonstrating in the context of the 21st United Nations Climate Change Conference (known as the COP 21). Nevertheless, the Council of State, the administrative court of last resort that rules on the legality of administrative decisions, validated its use against these activists on the grounds that this decision allowed the police forces to be more available to fight the terrorist threat. Similarly, a large number of ordinances were issued by Prefects prohibiting social protests which did not represent a terrorist threat. For example, in spring 2016 the movement led by trade unions against the Labour Law, known as the El-Khomri Law, which aimed to remove certain protective provisions for employees from the Labour Code, was targeted by numerous administrative bans to demonstrate. The bans on demonstrations have multiplied with increasingly wider geographical perimeters, sometimes to include entire cities, such as the whole Paris territory (see infographics).

In October 2017, a new law « *to reinforce internal security and fight terrorism* » (*loi renforçant la sécurité intérieure et la lutte contre le terrorisme, (SILT)*) was adopted. It transposed some of the exceptional

Breakdown of police violence against the Yellow Vests since November 2018

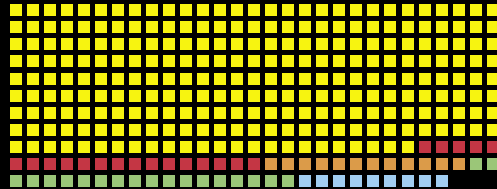
SOURCE: ALLÔ PLACE BEAUVAU ? [HTTPS://ALLOPLACEBEAUVAU.MEDIAPART.FR/](https://alloplacebeauveau.mediapart.fr/)

“ALLÔ PLACE BEAUVAU”

Types of injuries

Updated on 22/11.2019 at 12:27

316 head injuries



18 hand injuries



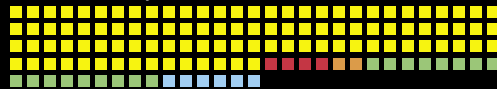
28 back injuries



75 upper limb injuries



131 lower limb injuries



4 injuries to the genitals



125 others, not indicated



164 Intimidations, insults, restrictions on press freedom



“Allô Place Beauveau” is a database of police violence against the “Yellow Vests” movement in France by the freelance reporter David Dufresne. Each case is documented – photos, videos, medical certificates, complaints – and classified based on type of injury caused, type of weapon, location, law enforcement involved.

861 reports

2 casualties

316 head injuries

25 blinded

5 lost a hand

Breakdown of the victims

636 protesters

49 minors and high school students

28 Passersby

115 journalists

33 doctors

Official figures (Ministry of the Interior) as of 21.11.2019: 2,448 wounded, 561 reports filed with the police disciplinary body (IGPN), 313 criminal investigations, 8 administrative investigations, 23 criminal investigations by the gendarmerie disciplinary body (IGGN), 212 investigations reported to the Prosecutor’s Office, 19,071 LBD shootings, 1,428 flash tear gas grenades, 5,420 de-embarking grenades, 474 injured gendarmes, 1,268 injured police officers.

SIMILARLY, A LARGE NUMBER OF ORDINANCES WERE ISSUED BY PREFECTS PROHIBITING SOCIAL PROTESTS WHICH DID NOT REPRESENT A TERRORIST THREAT.

powers of the Prefect into ordinary law, including the power to place individuals under house arrest and surveillance and to delimit “security” perimeters in cities. It also gave primacy to administrative measures in the fight against terrorism leading to the establishment of a *posteriori* rather than a *priori* judicial review¹.

THE ROUTINISATION OF THE VIOLENCE BY POLICE OFFICERS

In the contexts of demonstrations, new technics were introduced in police practices. When demonstrations were not banned, the doctrine of “maintaining public order” contributed to significantly restrict the effective exercise of the right to protest. Among these practices, we saw the repeated use of the “kettling” technique, consisting of encircling a large number of demonstrators for several hours and immobilising them.

Many people were injured as a result of disproportionate use of violence and, more specifically, the use of weapons introduced in the arsenal of police units. In particular, the LBD 40, a successor of the Flash Ball, caused numerous serious injuries to the demonstrators, as did the

GLI F4 explosive grenades, composed of 26 g of TNT and very aggressive tear gas, and the dispersal grenades that emit rubber pellets at very high speed. This disproportionate use of bludgeoning and tear gas has become a deterrent against demonstrations.

The use of these weapons increased considerably since December 2018, when the so-called Yellow Vests movement was starting to peak. This movement, differently from movements organised by trade-unions or civic organisations, does not have recognised leaders nor an operational structure. Its actions have been marked by various acts of violence perpetrated by some of the people joining. The reaction of the State showed police violence to a level rarely seen for many decades. Some journalists, such as David Dufresnes through Twitter, have been able to count hundreds of seriously injured people, including twenty-five people losing an eye and five who had one hand ripped off (see infographic). It should also be noted that a woman died in Marseille after receiving a tear gas grenade on her face while she was at her window on the 5th floor.

The state violence results from a change in the doctrine of policing during demonstrations. In that framework, the objective of the police has traditionally been to keep the violent demonstrators at a distance in order to prevent as much as possible

MANY PEOPLE WERE INJURED AS A RESULT OF DISPROPORTIONATE USE OF VIOLENCE AND, MORE SPECIFICALLY, THE USE OF WEAPONS INTRODUCED IN THE ARSENAL OF POLICE UNITS.

having participants been injured. Now, the routinised use of weapons inside demonstration creates a climate of fear among the demonstrators conducive to a disincentive to demonstrate. Additionally, the deployment at the frontlines of police officers poorly prepared to policing assemblies with commands often unexperienced has been well-documented even by gendarmes (another law enforcement agency) who have repeatedly refused to intervene using this approach.

JUDICIARY PROCESSES INSTRUMENTED THROUGH SO-CALLED PREVENTIVE ACTIONS

Civil society has become regularly a target of the judiciary, which is increasingly “instrumentalised” by the government through Public Prosecutors (In French: Procureurs de la République). The Public Prosecutor is a judge who has the power to initiate criminal prosecutions. The European Court of Human Rights has several times ruled that Public Prosecutors should not be considered a judicial authority as they are not independent of the government. They act under the authority of the Ministry of Justice, which has the power to appoint them and to give them instructions on general criminal policies. Despite this lack of independence and the numerous criticisms of

¹ Office of the High Commissioner for Human Rights, Preliminary findings of the visit: UN Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism concludes visit to France, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=23128&LangID=E>, 2018.

18 MONTHS OF STATE OF URGENCY

(Nov. 2015 – March 2017):

155 demonstrations banned

639 individuals prohibited from attending demonstrations:

21 linked to demonstrations for COP21, **574** to the protests

against the labour law

Source: Amnesty International France (2017)

their status raised by the European Court of Human Rights, they hold very significant power, particularly with regard to protesters.

In December 2018, an emblematic episode was the arrest of 152 high school students in the low-income neighbourhood of Mantes la Jolie during a demonstration against draft legislation creating a selection for the admission to a university. A video posted online by police officers showed these 152 high school students, mostly minors, kneeling, arms on their heads and sometimes handcuffed, left in this position for two hours. In addition to the humiliating nature of this posture, which evokes images of France's colonial past, these minors were placed in police custody in unacceptable conditions. This event created an emotional reaction that went far beyond France. Later, the Ministry of the Interior sued a trade union for defamation after it published a poster showing a police boot crushing a stuffed toy covered in blood. This judicial procedure is still ongoing.

With the Yellow Vests movement starting in November 2018, the judicial mechanism evolved to a more coordinated work between Prefects and Public Prosecutors to establish a system of so-called "preventive" arrests. This mechanism has allowed widespread use of identity checks, bag searches and car inspections before Yellow Vests demonstrations. It aimed at systematically arresting people suspected of wishing to participate in the protests². These arrests resulted in two days of police custody to prevent the persons from taking part in the demonstrations. Police custody is part of the Public Prosecutor's powers to allow the detention of a person against whom there are grounds for suspecting that they have committed an offence or a crime, by

² Note of the editor: In mid-January, LDH reported "More than 5,500 arrests, some of them preventive even before the rallies, thousands of detainees and more than a thousand severe sentences have been recorded." Read more: <https://www.ldh-france.org/manifeste-sans-risque/>.

questioning him or her about the charges brought against them. At the end of these two days, the authorities often carry out a *rappel à la loi*, meaning *reminder of the law*. The Public Prosecutor has the power to remind a person of the law they have violated. It is not a court decision following a trial. A very large number of people have been the subject to such *rappel à la loi*. Although the *rappel à la loi* does not imply a conviction, it makes it possible to file a judicial record of the persons who are subjected to it, even if they committed no offence.

Alternatively, *immediate appearances* before a Criminal Court have been carried out leading to remand or permanent detention on the grounds of the offence of "grouping with the purpose of committing violence or degradation". The *immediate appearances* are short trials held at the end of a period in custody and used to speedily prosecute people when the offences charged are minor or committed in flagrante. This procedure, which should be in principle exceptional, has become a norm in criminal proceedings. The problem is that the accused persons have at their disposal extremely short time to

prepare their defence with a lawyer, often only a few minutes. The extensive use of this emergency procedure with the Yellow Vests has led to a considerable number of convictions, often for the sole reasons they wanted to take part in a demonstration (see infographics). This means that the judiciary has started adopting a preventive approach to maintaining of the public order, whereas its traditional function was only to punish acts already committed or about to be committed and proven by the prosecution.

In April 2019, a new law ("*loi visant à renforcer et garantir le maintien de l'ordre public lors des manifestations*") dubbed « anti-rioters » has further toughened the doctrine, providing the authorities with the



THE AUTHOR

Mr Arié Alimi is a lawyer for the French League of Human Rights (LDH). He is a lawyer at the Paris Bar with over 15 years of professional experience. In 2002, he founded his law firm Arié Alimi Avocats and developed a specialization in commercial real estate law. Mr. Alimi is also a recognised specialist in criminal law, labour law and corporate law. He was the lawyer of Nabil Koskossi, a Palestinian defender and initiator of a demonstration in Sarcelles, and he is also the lawyer of Rémi Fraisse's family in a case of police violence. Arié Alimi is also a lecturer in legal liability and criminal law at the University of Paris X Nanterre.

WITH THE YELLOW VESTS MOVEMENT STARTING IN NOVEMBER 2018, THE JUDICIAL MECHANISM EVOLVED TO A MORE COORDINATED WORK BETWEEN PREFECTS AND PUBLIC PROSECUTORS TO ESTABLISH A SYSTEM OF SO-CALLED "PREVENTIVE" ARRESTS

IN APRIL 2019, A NEW LAW DUBBED "ANTI-RIOTERS" HAS FURTHER TOUGHENED THE DOCTRINE, PROVIDING THE AUTHORITIES WITH THE POWER TO SEARCH BAGS AND CARS IN AND AROUND DEMONSTRATIONS

power to search bags and cars in and around demonstrations if requested by the Prosecutor. It also established the "crime" of covering, even partially, one's face during demonstrations, punishable with one-year imprisonment and a 15 000 Euro sanction³.

REPRESSION OF THE OBSERVATION OF POLICE PRACTICES

This criminalisation of the right to protest has also resulted in an increasing number of prosecutions of journalists while exercising their function and members of NGOs monitoring police practices during demonstrations. For instance, in the framework of the civil society actions

taken during the G7 that took place in Biarritz in August 2019, three female observers from the Ligue des droits de l'Homme were arrested in Bayonne, although perfectly identifiable as observers and able to prove their credentials. They have been placed under police custody under an accusation of carrying some protective equipment for their safety. Similarly, several journalists were arrested during the demonstrations and prosecuted on the same basis of carrying protective equipment and therefore "identified" as demonstrators who allegedly could commit violence or degradation. During these demonstrations, journalists and members of NGOs were also targeted by numerous incidents of police violence as it was extensively reported (see infographics).

THE GOOD NEWS REGARDING THE CRIMINALISATION OF ASSISTANCE TO MIGRANTS

Another front that should be assessed in relation to civic space in France is the repression of activities assisting migrants. Many legal proceedings for facilitating illegal immigration have been opened against individuals or associations helping migrants and unaccompanied minors at risk in the Roya Valley located on the French side of the border with Italy. This offence is commonly referred to as "solidarity offence". After several convictions,

the French Constitutional Council, which is in charge of ensuring that the law complies with the constitution, has overturned several of these prosecutions by constitutionalising the principle of fraternity which is now to be applied to actions as those prosecuted. NGOs protecting migrants in the Mediterranean Sea have also been the target of verbal attacks by the Ministry of Interior accusing them of "*playing the game of the smugglers*", i.e. of being accomplices in criminal offences related to illegal immigration. These attacks mirror some by the former Italian Interior Minister Salvini.

CONCLUSION

All these developments in police practices and judicial behaviour are taking place in the context of a general deterioration of the rule of law. We are witnessing the regression of standards and the development of mass surveillance tools without any real control mechanisms or accepted counter-powers.

This trend is affecting many countries that are considered democratic, where governments have chosen to reduce civil liberties in the name of measures presented as increasing security under the wrong assumption that both should evolve as communicating vessels. The consequent moral relativism is reflected in police practices that were unimaginable for decades. ■

The text was written in French and translated.

CRIMINALISATION OF THE YELLOW VESTS SINCE NOVEMBER 2018:

2,907 protesters arrested

1,304 (nearly half) of the arrests dismissed

515 immediate court proceeding

30 investigations were still ongoing.

Source: Paris Prosecutor (as of May 2019)

On the 19th of July 2016, the young Adama Traoré, aged 24, fearful of a police identity check, flees and ends up being brutally arrested in Beaumont-sur-Oise, a Parisian suburb. His arrest by prone restraint leads to his death, in the police station. The circumstances of his death have been largely commented and analysed in the French media for the past three years. Whether he fled for good reasons or not, he should not have died. The “struggle for Adama” began then. His family, with the lead of his sister, Assa Traoré, fights for the truth about his death to be recognised. “Justice and Truth” is what Assa is asking for. The Comité pour Adama settled with this aim has become very well-known in France. It has become the symbol of the struggle for all victims of police mistreatment without justice. It is a fight against violence from the police, against impunity for public officials, and, by extension, for the right to live and to be safe whether you are white, black or Arabic, whether you are rich or living in a poor neighbourhood. In July we interviewed **Assa Traoré**, who has since become the target of four lawsuits by gendarmers and police officers she publically accused of being accomplices to the death of her brother and covering the truth, and activist **Almamy Kanouté**. Their struggle is not over.

Camille Champeaux, Project officer at the Centre de recherche et d'information pour le développement (CRID)

FIGHTING FOR JUSTICE AND TRUTH FOR VICTIMS OF MISTREATMENT BY THE POLICE

Police violence has a long history in the suburbs

Interview with Comité pour Adama

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Can you tell us your brother's story and the events of July 2016 in Beaumont-sur-Oise?

ASSA TRAORÉ: On July 19th, my brother's day began at 10 a.m. when the local town hall called us to inform that his identity card was ready. This ID had a very important role that day. Unfortunately, Adama never had time to pick it up, and when he met the gendarmes who were checking the identity of his brother Bagui to arrest him¹ around 5 p.m., Adama did not have his identity document.

Like all the young boys in the suburbs, like all black or foreign origin men when they do not carry their identity document, Adama immediately felt scared. He ran away from the police checkpoint, even though he was not the one they were looking for.

This was 2016, but this experience is undoubtedly the inheritance of France' slavery and colonisation times. As Elsa Dorlin wrote in one of her books, the first French passport was created for slaves. It was okay to beat a slave on the street if he was caught without an identity document. In 2016, my brother was still killed because he did not have that shield in his pocket, he did not have that bulletproof vest, he did not have his ID. In France, today, young people of colour who do not have this shield, this identity document, can die as a result.

That day, my brother ran away. The police chased him. At first, he was knocked in front of the Town Hall. He ran again to hide in the apartment of a person he knew. There, the police subjected him to prone restraint²: he was kept by police officers with his face to the floor with over 250

kg weight on top of him. This immobilisation technique is prohibited in several European states, but it is still used in France leading to the death of many black and Arab people arrested by the police. That day, Adama told them "I can't breathe anymore", but they continued to compress his rib cage. They put him

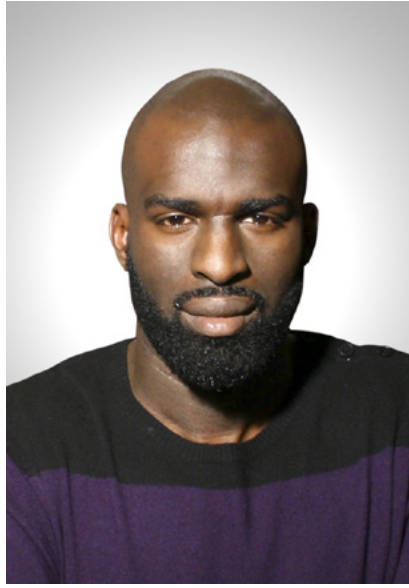
LIKE ALL THE YOUNG BOYS IN THE SUBURBS, LIKE ALL BLACK OR FOREIGN ORIGIN MEN WHEN THEY DO NOT CARRY THEIR IDENTITY DOCUMENT, ADAMA IMMEDIATELY FELT SCARED.

¹ Note of the editor: This was linked to an open investigation.

² Note of the editor: Prone restraint means a restraint in which the targeted person is held face down to the floor.



Assa Traoré



Almamy Kanouté

in their vehicle. There again Adama told them “I can’t breathe anymore”; he urinated on himself. Yet, they did not take him to the hospital even though the hospital was only two minutes away. Instead, they took him to their barracks, the gendarmerie. They left him in the yard. They let him die.

Later, when the firemen arrived at the scene, he was handcuffed, his stomach against the ground. The police later said they had given him first aid and put him in the recovery position³. Though, thanks to our lawyer Yacine Bouzrou we found out that the first-aid doctors’ reports were missing. According to these reports, when the firemen arrived at the gendarmerie, Adama was not in the recovery position. He had not been given first aid. A fireman asked the police to remove the handcuffs, and the police answered: “No, he’s faking it!” The fireman insisted that “He is a 24-year-old young man; it is not possible

³ Note of the editor : The recovery position refers to one of a series of variations on a lateral recumbent or three-quarters prone position of the body, in to which an unconscious but breathing casualty can be placed as part of first aid treatment.

to let him die”. My brother’s death was officially declared at 7:05 p.m.

The day went on. Someone came to see my brother, Samba: “Adama had a heart issue, go see if he is in the hospital”. My family went to the hospital, but Adama was not there. Samba called the fire brigade, who tipped him directly towards the gendarmerie. This was abnormal.

Around 9 p.m. Tata, Adama’s mother⁴, went to the gendarmerie explaining that she had heard that her son had felt unwell and that she wanted to see him. The response was: “Your son is fine; you can’t see him, it’s late.” She asked whether it was necessary to call a lawyer. The gendarmes replied that “If Adama needs a lawyer, we will call a lawyer”. She said a sentence that makes sense today: “If anything bad happens to my son, I will sue you”.

Fifteen minutes later, my other brother Yacouba brought three sandwiches to the gendarmerie: one for Bagui, one for his friend and one for Adama. The gendarmes took them – so he felt that something weird was happening. At this point,

⁴ Note of the editor: Adama and Assa are step brothers.

rumours had started spreading; people had begun gathering in front of the gendarmerie. At around 11 p.m. Yacouba put his foot in front of the door of the gendarmerie, blocked it and forced himself in. He went to see a senior officer, and he was told: “if we tell you something, will you take it the wrong way?” Of course, my family said “no” as the possibility of death never crossed their mind. That is when the police told them that Adama Traoré was dead. It was around 11:15 p.m. So the death had been hidden for several hours. Uprisings started taking place in the neighbourhood. As for Yacouba, he was put in prison for “violent intrusion into the gendarmerie” because he obstructed the door with his foot. We went to pick him up from prison one year later, on July 19, 2017. The revolts lasted several days in the neighbourhood. The Prosecutor immediately communicated that Adama Traoré was under the influence of alcohol and drugs, that he had died of a severe infection, linked to his heart. This was false. We knew our brother very well. That is when we realised that we would have were going to have to fight for the truth. Three days later, we were summoned to the prefecture of Cergy-Pontoise. We were informed that authorities had taken the liberty of contacting Air France and the authorities of Charles De Gaulle Airport in Paris so that my brother’s body could be sent to Mali the day after. We

THE POLICE SUBJECTED HIM TO PRONE RESTRAINT : HE WAS KEPT BY POLICE OFFICERS WITH HIS FACE TO THE FLOOR WITH OVER 250 KG WEIGHT ON TOP OF HIM

told them “no”. We asked for a counter autopsy. Babacar Gueye, who died in 2015 after being shot by the police with five bullets in his body was not that lucky. His sister did not speak and read French very well. The authorities sent his body directly to Senegal, without an autopsy.

Authorities often play on the fact that many citizens do not know how to exercise their rights. They tried with us as well, but the doctors had told us not to take Adama’s body out of France: the body would be contaminated and it would not have been any longer possible to do a second autopsy. This is why we made a brutal gesture: we refused the body, although we are Muslims and in our religion, the body must be buried within three days from the death. We were right to do so. The counter-autopsy revealed that Adama Traoré did not die of a severe illness, nor of alcohol or drug consumption. Our lawyer then asked the prosecutor Yves Jannier to be removed from the case. This happened three weeks later when the case was relocated under the jurisdiction of the Paris Prosecutor. The fight continued. In August we went to Mali, we buried my brother.

When the case arrived at the Paris Court, in January 2017, three judges requested further expertise – a rare occurrence in cases of police violence. We already had two expert opinions, one refuting and the other one confirming the causes of heart disease and severe infection. The result of this further autopsy was released in September 2018. One of the experts, specialised in cardiology, demonstrated that Adama did not have any heart problems: he had an athletic heart. An expert on infections said that he did not have any severe infections. However, Professor Barbet, a forensic expert, concluded that Adama Traoré had sickle cell disease. As he ran 480 meters in 15 minutes, he died out of breath.

We asked for a new counter-autopsy, but the court refused it. We carried it out anyway and paid for it. It was released in

February 2019, made by internationally recognised specialists who confirmed that Adama did not die of an illness. He died of suffocation following his arrest. On the morning of the reveal of this expert report, the gendarmes wanted the case to be closed. However, the judges decided to reopen it that very evening. We filed a complaint against the first expert who stated that the cause of death was a heart disease because the cardiologist of the counter autopsy confirmed that there was no evidence of any heart disease. We discovered that this first expert had been summoned twice by the Order of Physicians for unethical conduct due to false expertise.

Today, that is where we stand.

Your fight for truth and justice has taken on a national dimension, but it is still very locally organised, right?

ASSA TRAORÉ: From the start, the fight was carried out locally. The strength of the fight is its local dimension. For one year, we did a massive work locally, and only then we asked people from outside to join. The “Comité” was not created by anyone specific; it was really something that was done collectively. It was a local fight that was fought by the local community. People came from the neighbourhood; the fight is fought inside the neighbourhood with the people from the neighbourhood. But then, from the very beginning, Almamy Kanouté, who is here, and several activists and campaigners joined: Almamy Kanouté, Youcef Brakni, Samir and photographers Noman and Anne-Charlotte, there were Adama’s friends, my brothers. All of them have a very important role. Tell us, Almamy, what is your role?

ALMAMY KANOUTÉ: As activists, we are supposed to be at the service of families or people who need support, protection. We are simply available with our experience, but it is the Traoré family that makes the choices and takes the decisions. Even for external relations, it is the family who

FROM THE START, THE FIGHT WAS CARRIED OUT LOCALLY. THE STRENGTH OF THE FIGHT IS ITS LOCAL DIMENSION.

decides with whom to work or not, with whom to exchange or not. It is like this also for today’s interview, it is like this with any European network.

ASSA TRAORÉ: All these activists, Almamy, Youcef, Samir and the others, had a very important role since they already knew the environment of such a situation, which my family and I did not know. It was crucial in order not to fall into misguided exploitation by people who were there to use our story. Immediately, they helped us to protect our story and to say that no one would speak on behalf of the Traoré family except the Traoré family. I think that this is also one of the Comité’s strengths: no one is speaking for us.

The Comité Adama is indeed a local struggle. But if we are here today, with you from the European Civic Forum, it is a sign that our base is solid. It has been three years since the death of Adama, and the fight would have already run out of steam without people all across the country saying “We are going to march”. On Saturday (July 20, 2019), a march will be held from our home with the residents of the neighbourhood. The security and the kitchen will only be done by the local people. The base is there, and that is what supports us today to reach out to other cities. You say this is the fight for Adama, in fact this is the fight for all the other Adama Traoré. This fight is about the invisibility of our suburbs. We said this is the fight we are taking with the suburbs. We are not going to fight FOR the suburbs, we are going to fight together WITH the suburbs. I am not a spokesperson [for the fight], I am



only a spokesperson for my family, and I am Adama Traoré's sister.

The goal is for the voices of all these people in the suburbs to be heard and for people to say "Their voice is as valuable as anyone's". Their word must be visible. Our role is to show that they are there, but no one will speak for them. The goal is to have spokespersons chosen everywhere in the suburbs and to have their voices as strong and powerful. That is right: not to speak for them, but for them to speak.

AS THE FAMILY MEMBERS SAY: "WE WEPT ADAMA ONE DAY, THE NEXT DAY WE WENT INTO BATTLE".

Almamy, why did you decide to support the Comité Adama among so many others?

ALMAMY KANOUTÉ: First of all, the suburbs rose up. We can go back to 2005 when Zyed and Bouna died while escaping police controls. There was a lot of anger, which was expressed spectacularly. The violence of the people has turned against their own space, and this can be shocking. When people start destroying their own living space, it is because they have reached their limit. In the case of Adama, his story had a similar effect in the suburbs; the press took hold of the damage caused, the fire, the riotings. This had an international impact.

France is concerned when its image is tarnished at the international level, so the government was forced to answer questions in the Assembly. Unfortunately, as it often happens in these cases, they defended the police and justified this repression. They justified the violence against Adama like it was legitimate. This response of incriminating victims of police violence is systemic — however,

this time they had to face a family that decided to stand up.

As the family members say: "We wept Adama one day, the next day we went into battle".

Nowadays, with the Yellow Vests mobilisation, the issue of police violence is central, and as we see not new...

ASSA TRAORÉ: There is one thing I insist on: we worked on the issue of police violence for two years, but we learned from what happened in 2005 when the people in the suburbs stood up, fought. A lot of kids went to jail; it turned out negatively. The Comité Adama worked for the past two years to make this fight against police violence a priority. Had it been a priority before, maybe my brother would not have died. Today's violence against the Gilets Jaunes is a fact in itself, but when we discuss it, we need to be very accurate. I warn journalists: "Yellow Vests do not legitimise the fight against police violence in our suburbs". On the other hand, when the Yellow Vests talk about police violence,



Mobilisation against police violence. February 2019.

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they are told: “Be careful, there is a long story behind.”

It starts in the suburbs, all those young people who died... and my brother. I tell them, many young people of colour have been suffering police violence for long. Today, we will join with the Yellow Vests in the fight against police violence keeping in mind the history of this violence that dates back long, long before 2018. It has roots in France’s history of slavery and colonisation.

With the Yellow Vests, many people are becoming aware of police violence. When we call on the Yellow Vests to go on together in this fight, it is to be reminded that there have been battles and struggles that have been fought long before. We are not asking them to legitimise Adama’s fight, they can just learn from his story.

Beyond the French perspective, there are movements against police violence on black people that are increasingly asserting themselves throughout Europe

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and the world: the Black Lives Matter campaign, for example. Are you in contact with other fights outside France? Do you have links with other movements?

ASSA TRAORÉ: There are Comités that have been set up all over the world. We went to Canada with Almamy, he also went to

Kenya. We went to Italy, and we are going to Germany soon, then Spain. We saw people from the US Black Lives Matter last weekend; we call on them to support our movement too.

ALMAMY KANOUTÉ: We have many similarities with the movement in North America. That said, we are not going to talk about a *convergence of struggles*. To talk about convergence implies that these struggles are separate, while we are all fighting for the same things, for the same rights. We build relationships on common points, without trying to get everyone with our banners. In France, we consider that we all represent a hand, but this hand is open, it is harmless.

The “Comité” has always been open to cooperation with other organisations, even if we have to be vigilant about certain organisations pushing their own agenda through our fight. We really hope that one day the organisations opposing police violence can create a true coalition, with common funds, and that we can reduce the legal costs for families by supporting them. That would be a huge step



forward because we are facing a power system that regularly covers the perpetrators of crimes, whether financially, politically, in the media...

We have no member of the Parliament to support us, to speak for us in the National Assembly. We hoped that some of the MPs who had more or less taken a stand in the Adama case would take symbolic action, like the American MPs after the Trevon Martin case, where they put on a hoodie in Congress. We just see that this did not happen.

Would you expect some help could come from the European level?

ASSA TRAORÉ: Of course! The day when Europeans will have seen enough and will denounce what France is doing. We must show other Europeans and the rest of the world that France is a racist country, a country where human rights are not respected, where there are inhuman treatments and violence. That is the work we are contributing to. French authorities are afraid that other countries will point the finger at France. It will hurt them to be denounced like the United States are.

Since 2016, the Government in France has changed, but has anything changed for the “Comité”, have you felt a change in the attitude of

the authorities towards your demands?

ASSA TRAORÉ: Not at all. On the contrary, this government is even more repressive. We are facing a war machine that has no feelings, no moods, no remorse. Fortunately, from the beginning until now, the strength we have is in the “WE”. WE, the Yellow Vests. WE, the citizens. WE, the suburbs. Whether or not you are subjected to violence, [regardless of] your sexual orientation, religion, hair colour... we have to go together because none of us is represented in this political system.

FACED WITH INJUSTICE, WITH HOSTILE MEDIA, WITH THE POLITICAL POWER OF THE FRENCH STATE, WITH ITS VIOLENCE, A GROUP OF INHABITANTS – A FAMILY – HAVE SUCCEEDED IN CREATING A BALANCE OF FORCES THAT WE HAVE NOT SEEN IN THE 2000S

I am referring to all political parties, whether they are from the left or the right, in no way they represent us. They are part of a system where they share power and responsibilities. This is a system that stifles us at best. That is what we want to incorporate in the public debates with the book *Le Combat Adama*.

We question this power and how it is distributed in the system: what is the role of the prosecutor and the police in this repressive system? How can we dismantle it? How can we occupy public space? How can our messages be heard?

ALMAMY KANOUTÉ: People are used to standing still, they tend to be in a sort of wait-and-see attitude, so it seems that nothing is moving forward. The book *Combat Adama* demonstrated a balance of power. Faced with injustice, with hostile media, with the political power of the French state, with its violence, a group of inhabitants – a family – have succeeded in creating a balance of forces that we have not seen in the 2000s. And when the Comité Adama dares responding to a press release from the Prefecture of Police, dares responding to statesmen and stateswomen who convey lies, it necessarily provokes an electroshock.

People think we are crazy to stand up to the state. We have to tell them that this is unfortunately what we must do, to demand the enforcement of our rights and to demand truth and justice, something that is just supposed to be in accordance to the rule of law.

We have shown that we have to push in order to see even a small piece of truth. The state tried to incriminate the victim of its violence, to spread lies. Prosecutor Jannier was even thanked for openly lying to the public. But in the end, the Traoré family managed to demonstrate that they were telling the truth from the beginning, thanks to the latest medical expertise we were able to present. ■

The interview was carried out in French.