

# WITNESS PROTECTION IN FRANCE

## GUIDE FOR WITNESSES OF CRIMES COMMITTED IN SYRIA

Syria Justice and  
Accountability Centre



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# Purpose of this Guide

If you witnessed serious crimes committed in Syria, you might have valuable information for legal proceedings in France. You may have reasonable concerns about your safety, privacy or immigration status which are preventing you from contacting authorities. However, some witness protection measures are available. In this document, you will find basic information needed to benefit from witness protection measures in France, answering the most common questions. Your testimony might allow more credible evidence to come to light and help the judges uncover the truth on criminal charges against alleged perpetrators.

## **In this Guide, You Will Learn:**

1. Conditions for becoming a witness in a legal proceeding;
2. Rights and duties of a witness;
3. Witness protection measures;
4. Consequences of your testimony on your family, your asylum procedure, etc.

For the sake of readability, this guide is written in the third person masculine. However, all provisions apply equally to men and women.

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*The Syria Justice and Accountability Centre (SJAC) is a Syrian-led, multilaterally supported nonprofit that envisions a Syria defined by justice, respect for human rights, and rule of law. SJAC promotes transitional justice and accountability processes in Syria by collecting and preserving documentation. The purpose of the documentation SJAC collects is to create a record of the conflict and to push for appropriate justice mechanisms that will respond to the needs and interests of Syrians.*

*The information in this document is true and complete to the best of SJAC's knowledge. This document is intended to provide helpful information on the French legal system and is not meant to be used, nor should it be used, as a substitute for legal advice. It is highly recommended you contact a licensed lawyer with experience in French law before initiating any testimony in legal proceedings. A frivolous testimony could lead to consequences, such as lawsuit or fines. SJAC and the authors of this document are not responsible for testimony given in France and are not liable for any costs or negative consequences incurred by any person reading or following the information of this document.*

# GLOSSARY

**CNPR:** French National Protection and Reintegration Commission (Commission nationale de protection et de réinsertion)

**CP:** French Criminal Code (Code pénal)

**CPP:** French Code of Criminal Procedure (Code de procédure pénale)

**OCLCH:** Central Office for Combating Core International Crimes and Hate Crimes (Office central de lutte contre les crimes contre l'humanité et les crimes de haine)

**OFPRA:** French administrative authority for asylum (Office français de protection des réfugiés et apatrides)

**PNAT:** National Anti-terrorist Prosecutor's Office (Parquet national anti-terroriste)

**SJAC:** Syria Justice and Accountability Center

# I. ELIGIBILITY: Who is eligible for witness status in France?

*This guide is intended for general informational purposes only and does not constitute legal advice. Each case is unique, and witnesses are encouraged to seek personalized legal counsel to ensure that their rights are fully protected, and their individual interests are addressed.*

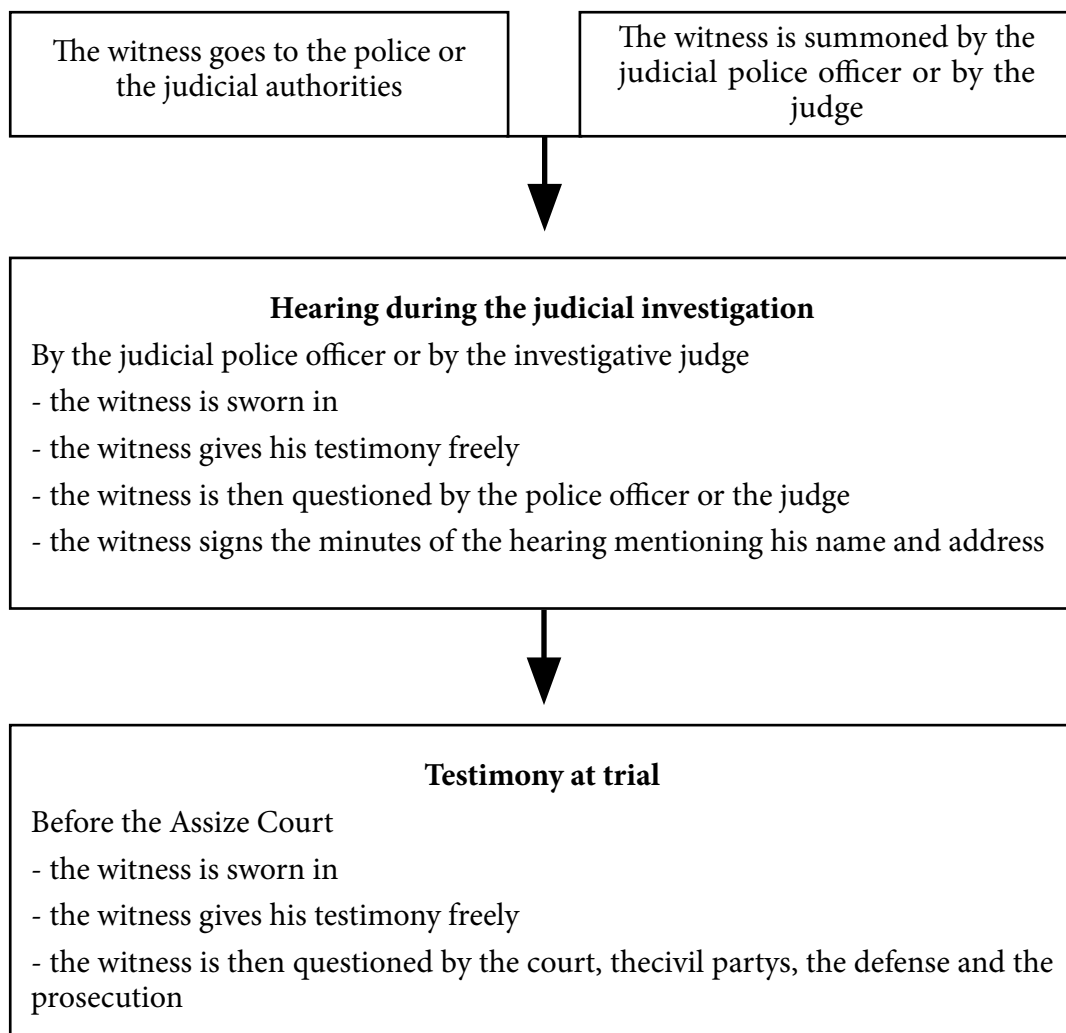
## What is a “witness” and under what conditions can he or she testify?

Witnesses are «**persons against whom there are no plausible grounds for suspecting that they have committed or attempted to commit an offence and who are likely to provide evidence relevant to the proceedings**» (art.706-57 CPP). They may be adults or minors.

Persons against whom there is serious and corroborating evidence of involvement in the acts being prosecuted may not be heard as witnesses (art. 105 CPP).



**Giving a testimony to an evidence-gathering NGO does not necessarily mean that the person will become a witness in a judicial investigation.**



## The normal procedure for testifying in court unfolds as follows:

The competent body for investigations related to crimes against humanity, war crimes, genocide, enforced disappearances and torture committed in Syria is the **Central Office for Combating Core International Crimes and Hate Crimes** (OCLCH). At the judicial level, the **Crimes against Humanity unit of the National Anti-terrorist Prosecutor's Office** (PNAT) is competent. In these proceedings, witnesses will be in contact with these two Paris-based institutions.

## Is a witness necessarily innocent?

Seeking the witness's criminal liability is not the primary objective of an investigation. However, certain situations may lead the judicial authority to examine the witness's liability. For example :

- If the witness is suspected of having participated in the crime but there is no serious and corroborating evidence of his involvement, he can be heard as an "assisted" witness (see below);
- In certain cases provided for by law, a person who has committed a crime may have the length of his custodial sentence reduced if, having alerted the administrative or judicial authorities, he has enabled identifying other perpetrators or accomplices (art. 132-78 CP);
- The witness may have committed other acts recognized as crimes or offenses under French law.



**In most cases, providing information to the courts does not exempt a person from prosecution if he is involved in the crime at stake.**

What is the difference between a civil party, a witness, an « assisted » witness and a person indicted while in investigation or at trial?

A witness is not a party to the proceedings or trial; he does not have the status of a civil party, nor of a person indicted while in investigation or at trial.

### Civil party

A civil party is someone who has been the victim of an offense and has filed a complaint. By becoming a civil party, they express their intention to request compensation for the damage caused by the crime.

However, the French compensation system differs according to the victim's nationality and the place where the crime was committed. **If the victim is a foreigner and the acts were committed outside French territory, no compensation can be obtained by the victim** (art. 706-3 3° CPP).

French victims can refer to a public body, the Service d'aide au recouvrement des victimes d'infraction (Sarvi), which compensates victims. Syrian victims of crimes committed in Syria do not benefit from this service.

Victims can also claim damages (called "dommage et intérêts") directly from the person responsible for their bodily, moral or material injury. A victim can therefore ask the court to order this person to pay compensation for their loss. **This possibility is open to Syrian victims.**

## Indicted while under investigation or accused at trial

- Under investigation: the person indicted while under investigation (mis en examen) is someone against whom there are serious and concordant indications that he has committed or participated in the offense. If the investigation uncovers sufficient evidence, he may be referred to a court for trial, where he becomes a defendant, or “accused”.
- At trial: the accused, or defendant, is someone suspected of having committed a crime and appears before the Assize Court.

## “Assisted” witness (témoin assisté)

In France, the “assisted witness” corresponds to the status of someone suspected of having taken part in a crime, but evidence of his involvement is not “serious and concordant”. This is why the assisted witness cannot be fully indicted (mis en examen) (art. 113-1 à 113-8 CPP).

The status of assisted witness gives rights before the investigative magistrate: right to a lawyer, right to remain silent, right to access the case file and right to be confronted with the individuals implicating him.

Unlike a witness, the assisted witness is not sworn in before testifying before the judge. Unlike an indicted person, the assisted witness cannot be placed under judicial supervision, house arrest or pre-trial detention.

The status of assisted witness may vary during the course of investigation:

- If the evidence against him becomes “serious or concordant”, the witness may be indicted while under investigation (mis en examen) by the investigative magistrate.
- On her own initiative, the assisted witness may ask the investigative magistrate to indict him. The person then benefits from all rights granted to the defense.

The information presented in this guide solely concerns the classical witness status.

## What information can a witness provide in legal proceedings?

Anyone who has information on the case (about what happened, when, where and how) can become a witness. This information constitutes important evidence to adjudicate on the crime.

**The most valuable testimonies from a judicial perspective are from people who directly witnessed the crime, and were present when it occurred.**

However, **indirect testimonies** are also useful in uncovering the truth. Those witnesses can provide information about the facts, the defendant’s personality or character.



**Witnesses are advised not to spread the information they have around them, as some people may exploit it and make it less valuable. Witnesses should rather keep this information to themselves until the hearing with the police or the judge!**

Testimony can be given orally or in writing by letter to the service in charge of investigation, in this case the Central Office for Combating Core International Crimes and Hate Crimes.

## **Does a witness have to tell the truth?**

The witness is sworn in prior to being heard by a judge or a judicial police officer, i.e. he pledges to tell the whole truth and nothing but the truth (art. 103 and 109 CPP). Children under the age of 16 are heard without being sworn in.

**It is normal that uncertainties or gaps in memory form over time.** This is no reason for concern. If a witness is unsure whether he recalls something correctly, it is important that he states this clearly during his testimony.

However, if a witness fails to tell the truth despite taking an oath, he is giving false testimony, which is punishable under French law. False testimony is a misleading declaration given under oath before any court or judicial police officer (art. 434-13 CP).

False testimony is punishable by up to 5 years' imprisonment and a €75,000 fine. This penalty may be increased if the witness has received money to give false testimony and if the facts about which he testifies are crimes.

However, a witness is not convicted if he spontaneously retracts his false testimony before the court's decision.

## **Is the witness' participation in an investigation or a trial always voluntary?**

The witness may decide to testify voluntarily during the investigation, but he can also be summoned, i.e. be ordered to testify.

During investigation, the summons is issued by the police or gendarmerie, or by the examining magistrate. At trial, the summons can be issued by the civil party, by the public prosecutor or by the defense.

When summoned, the witness is liable to prosecution if he fails to appear, refuses to testify or gives false evidence (art. 434-15-1 and 434-13 CP). In addition, he may be compelled to testify by the police (art. 101 CPP).

However, the judge generally shows understanding and does not prosecute a witness who withdraws his testimony because of his fear of appearing in public.

The summons to appear at a trial must be made within a certain period of time before the hearing of a witness. When the trial takes place in Paris, the summons must be made:

- at least 10 days before the hearing if the witness resides in mainland France;
- at least 10 days and 1 month before the hearing if the witness resides overseas.

## **Does the witness have to be located in France?**

No. If the witness is located outside French territory, the investigative magistrate may ask the authorities of the foreign country to conduct the hearing on his behalf, or request to travel to meet the witness himself (art. 112 CPP). It is also possible to organize a hearing by video-conference.

It is possible for a witness located abroad to be summoned to attend trial in France. In this case, the summons must be received :

- at least 10 days and 1 month before the hearing if the witness resides within the European Union;
- at least 10 days and 2 months before the hearing if the witness resides abroad outside the European Union.

Conversely, a magistrate from a foreign country can ask to hear a witness living in France, or request that he or she attend a hearing in the given country.



Lastly, the French services are in constant contact with their European counterparts. If the information you hold is likely to be of interest to the authorities of another country as part of an ongoing investigation, you can contact the PNAT or the OCLCH (see useful contacts below) who will forward your information to the relevant foreign authority.

### **Can the witness use his mother tongue during testimony?**

The witness may choose to testify in the language of his choice, whether during investigation or at trial. The judge then requests an interpreter sworn in by the court of appeal of the relevant jurisdiction. In case he is not already sworn in, the interpreter must take an oath to assist the judicial system to the best of his honor and conscience.

### **Which compensation(s) a witness is entitled to?**

A witness is solely entitled to compensation related to his travel to court:

- Compensation for loss of earnings caused by his presence at a court hearing;
- Reimbursement of travel expenses.

The claim for compensation is filed with the court registrar at the hearing and must be supported by an attestation of the employer or a pay slip justifying the loss of salary or wages, and by travel tickets (e.g. train, plane, bus) to justify transportation costs.

If the witness is unable to pay his travel expenses to come testify, he can ask the court for an advance on his compensation. This advance can be requested from the court's finance department.

Please note: unlike travel to court, travel to the police or the gendarmerie for a hearing does not entitle you to compensation. However, the investigative body may issue a summons that the witness can present to his employer to justify his absence.



**Unlike a victim who became a civil party, a witness cannot obtain financial compensation even if the accused is convicted and sentenced.**

## II. BENEFITS : Witness protection measures in France

The assistance of a lawyer can be beneficial to understanding and requesting the implementation of protection measures before cooperating with the justice system. However, in France, the witness cannot be heard in presence of a lawyer.

### I don't want to be a witness: Transmission of information to the police

If a person does not wish to give any personal information to the gendarmerie, the police or judicial authorities, they can choose to make a spontaneous declaration of information to investigators to help them in an ongoing investigation or alert them to facts of which they are not yet aware.



**The person will not become a witness in the proceedings. Thus, the information obtained may help investigators to guide their inquiries, but cannot be used by the judge at trial to prove the guilt or innocence of the accused.**

**PROCEDURE :** The person goes directly to the police to make a statement, but is not interviewed as a witness.

If a person detains **objects that could contain or constitute evidence** (hard drive, USB flash drive, etc.) but does not wish to become a witness, he can pass these objects on to SJAC, which will transfer them to the investigators.

If you do decide to become a witness in legal proceedings, there are a number of measures you can take to protect yourself, as detailed below.

### I want to be a witness : Concealment of the witness's domicile

If the witness does not want his personal address to appear in the file (art. 706-57 CPP) :

- It is possible for the witness to declare the address of the police or gendarmerie department in charge of the investigation.
- If the witness has been summoned because of his or her profession, the address declared may be his or her business address.



**If authorization is obtained, the witness's personal address is still recorded in a register that can be consulted solely by the police/gendarmerie or the public prosecutor.**

After moving, the witness whose address has been concealed has one year to inform the police or gendarmerie in charge of the case of his new address (art. R53-24 CPP).

Revealing the witness' address is punishable by 5 years' imprisonment and a €75,000 fine (art. 706-59 CPP).

**PROCEDURE :** Concealment of the domicile is obtained at the witness's request and with the authorization of the public prosecutor or examining magistrate.

## I want to be a witness: Concealment of the witness's identity

### a - The anonymous witness (art. 706-58 CPP)

**Witnesses may be heard anonymously during the investigation and at trial.** The witness's signature does not appear in the minutes of the hearing. Instead, the witness's identity and address are recorded in a separate record signed by the person concerned, which is placed in a file separate from the proceedings.

If a confrontation is organized between the anonymous witness and the person indicted while under investigation or accused at trial, **the witness may be heard remotely by means rendering his voice unidentifiable (art. 706-61 CPP)**. In this way, the other parties to the proceedings, and in particular the defendant, do not recognize the identity of the witness.

Anonymous testimony is permitted under the following conditions:

- The hearing is likely to seriously endanger the life or physical integrity of the witness, members of his family or close relatives,
- The witness already benefits from concealment of his personal address (art. 706-57 CPP),
- The person is an "insider witness" and as such, may benefit from protection to ensure his safety (Art 706-63-1 CPP),
- Crimes are punishable by at least three years' imprisonment.

If anonymity is granted:

- In the file shared with all parties to the proceedings, the minutes of the witness' hearing do not show his identity, address or signature;
- **A number is assigned to each witness** (art. R53-29 CPP). Only this number appears on the minutes of the witness' hearing shared with the parties to the proceedings ;
- The identity, address and signature of the witness that are linked to this number appear only in a separate file and a register stored at the public prosecutor's office. This separate file and register may only be communicated to the judge of liberties and custody or the investigative judge (art. R53-28 CPP), and not to the parties to the proceedings.



**If the witness wishes to testify anonymously at trial, it is best to request anonymity at the investigation stage.**

**The person indicted while under investigation may contest the concealment of a witness' identity within 10 days** after the anonymous hearing, if this anonymity prevents him from exercising his rights of defense. This request is examined by the Court of Appeal which can order that the anonymity be maintained, the identity of the witness revealed, or that the testimony be annulled (art. 706-60 CPP).

### **PROCEDURE (art. R53-27 to R53-32 CPP).**

- The public prosecutor or investigating judge refers the matter to the judge of liberties and custody.
- The public prosecutor and the investigating judge may attach to their request a record of the witness' hearing in which he expresses his agreement to testify anonymously, explaining the risks to him, his family or close relatives if he testifies without anonymity. A report from the investigators justifying the anonymous hearing may also be attached to the request sent to the judge or prosecutor;

- The final decision is taken by the judge of liberties and custody (art. 706-58 CPP).

### **b -The non-public or confidential witness (art. 706-62-1 CPP)**

In the case of a non-public or confidential testimony, the witness's identity will appear in the proceedings and be known to the parties, but will not be mentioned in public hearings or in orders, judgments or rulings that may be made public. There, the witness is referred to by a number.

This measure can be granted under the following conditions:

- Public disclosure of the witness's identity is likely to seriously endanger the life or physical integrity of the witness or his close relatives,
- Crimes are punishable by at least three years' imprisonment.

Revealing the identity of a confidential witness or disseminating information enabling the witness to be identified or located is punishable by five years' imprisonment and a €75,000 fine.

### **PROCEDURE**

- The request is made by the public prosecutor or the parties to the proceedings or is ordered ex officio by the investigative magistrate or the president of the court;
- The investigative magistrate or the president of the court adjudicates on the request and, without delay, sends a copy of the decision to the public prosecutor or to the parties;

Unlike the measure of anonymous testimony, the decision ordering the confidentiality of the witness' identity can not be appealed.

### **c -The assumed identity**

Certain witnesses may be given an assumed identity, if their appearance at the hearing is likely to seriously endanger them or their close relatives.

The assumed identity may only be used during court sessions, and not during hearings conducted during the investigation (art. 706-62-2 paragraph 2 CPP).

The assumed identity may be granted to:

1. the so-called "insider witness", also known as a "repentant" in France: i.e. a witness who was involved in the crime, but has cooperated with the judicial authorities, thus helping to prevent the offense from being committed, to put an end to it, to prevent the offense from causing damage, or to identify the perpetrators or accomplices (art. 132-78 CP and 706-63-1 CPP);
2. Witnesses of crimes against humanity, war crimes, organized crime or terrorism, when their hearing is likely to seriously endanger them or their close relatives (art. 706-62-2 CPP).

Family members and close relatives may also be authorized to use an assumed identity.

Revealing that a person is using an assumed identity, or revealing any information enabling the person to be identified or located, is punishable by five years' imprisonment and a fine of €75,000.

### **PROCEDURE**

- Authorization by the president of the court, at the request of the president of the National Protection and Reintegration Commission (CNPR).

- The Ministry of the Interior's technical assistance service is responsible for creating assumed identities. It is the only body authorized to store all identities and to link assumed identities with real identities.

As of March 1, 2022, the CNPR no longer has the right to decide alone on the withdrawal of an assumed identity granted to an insider witness.

### **I want to be a witness: other protection and reintegration measures (art. 706-62-2 and 706-63-1 CPP)**

Insider witnesses, or witnesses of crimes against humanity, war crimes, organized crime, and terrorism, may benefit from other protective and reintegration measures in addition to the use of an assumed identity.

These measures are granted if a person's hearing is likely to seriously endanger him or his close relatives.

These measures can take various forms: physical protection, re-domiciliation of witnesses and their families, psychological follow-up, schooling for children, vocational training, etc.

The person's family members and close relatives can also benefit from these protective measures.

### **PROCEDURE**

- Requisition by the public prosecutor;
- These measures are defined by the CNPR, which sets the obligations to be met by the person and monitors the protection and reintegration measures, which the commission can modify or terminate at any time (art. 706-63-1 CPP).

### **I want to be a witness: Trial behind closed doors**

A trial behind closed doors means that the court sessions take place without the presence of the public. A trial might be held completely or partially behind closed doors, i.e., during the entire trial or only during certain trial sessions (art. 306 and 306-1 CPP).

It can be decided to hold a trial behind closed doors in the following cases:

- The president of the assize court may decide to hold the trial behind closed doors at the request of a party if **publicity would threaten public order and morals**;
- Proceedings related to **torture accompanied by sexual assault** or to **human trafficking** may be held behind closed doors at the request of the civil party;
- In proceedings related to **crimes against humanity, enforced disappearance, torture or acts of barbarism and war crimes** (art. 306-1 CPP), the assize court, without the assistance of the jury, may decide to hear a witness behind closed doors if his public testimony would seriously endanger the life or physical integrity of the witness or his relatives.

**PROCEDURE: The victim who became a civil party can request that measure, or the court can decide to apply it.**



**The court's ruling must always be handed down in a public audience at the end of the trial.**

## **Punishability of pressuring a witness and increased penalties for witness offenses**

Pressuring a witness to make statements or to refrain from making a statement, inciting him to make false statements, or attempting to influence his statements by publishing comments is punishable under French law (art. 434-15 and 434-16 CP).

The law also protects the interpreter who translates the witness's words from outside influences. Any attempt to subordinate him is also punishable (art. 434-19 CP).

Certain offenses, such as acts of violence, torture, or murder, are punished more severely when committed against a witness to prevent him from denouncing the facts or giving evidence in court or because of his denunciation or testimony before a national or international court (art. 221-4 5°, 222-3 5°, 222-9 5°, etc. CP).



**If someone is acutely threatening you, please contact the police at 17 (French emergency hotline)**

### **III. LIMITS : What to consider before becoming a witness in France?**

#### **Is testimony really useful?**

It is still difficult for French magistrates to gain access to Syrian territory to carry out their investigations. Alongside the regime's administrative documents, videos, and photographs, testimonies, therefore, constitute particularly important evidence in Syrian cases.

However, it takes a long time to see the result of a testimony. Judicial investigations last several years (around 4 to 6 years), and the witness can remain without news of the proceedings for a long time. Once the trial has been held and judgment handed down, the defense, the prosecution, or the civil parties can appeal the decision. Appeal judgments are handed down around 2 to 3 years after the first-instance judgment.

#### **At what time of the proceeding should a witness request a protection measure?**

It is best to request protection as early as possible, at the investigation stage and without waiting for the trial. If the request for protection is not made during the police or judicial investigation phase, it may be more difficult to obtain the opportunity to testify anonymously at trial.

#### **When may protection be refused by the judge ?**

Protective measures must be proportionate and adapted to each individual case.

**It is not possible to conceal the identity of a person being heard if such a measure makes it impossible for the defense to exercise its rights** (art. 706-60 CPP). An accused may challenge anonymity if knowledge of the witness's identity is essential to exercising defense rights. The judge can then make three decisions (art. 706-60 CPP):

- Maintaining anonymity of testimony.
- Ordering the cancellation of the hearing without revealing the identity of the witness.
- Order that the witness's identity be revealed, only if the witness agrees to the lifting of anonymity. If the witness disagrees, his hearing is canceled.

This possibility is accessible to the defense only in cases of anonymous testimony (art. 706-58 CPP). It does not apply to non-public witnesses (art. 706-62-1 of the CPP) or to people who have been granted an assumed identity (art. 706-62-2 CPP). In these two last cases, concealment of identity cannot be contested.

Testimony given by a person benefiting from a protective measure is less powerful than open testimony. In fact, no conviction can be handed down solely on the basis of the testimony of an anonymous witness, or on the basis of remote confrontations with a witness whose voice has been camouflaged (Art.706-62 CPP).

#### **Can a protected witness be confronted with the accused?**

Yes, the accused may ask to be confronted with a witness whose identity is concealed (art. 706-61 CPP). In this case, the witness or his lawyer is interviewed without him being visible and his voice is masked.

#### **Can the witness talk to anyone other than the court?**

When a person has undertaken to testify in court, it is preferable not to share the information he holds to other organizations, institutions, or individuals.

Indeed, some people could exploit these statements and make them less valuable. Police officers and judges may hear different witnesses who may repeat these statements but with discrepancies or errors, making it more difficult to identify where the truth lies.

## Can a witness located abroad benefit from protection measures?

Yes, within the European Union, witness protection measures can be requested via judicial cooperation. However, there is currently no binding system. The French authorities cannot ensure that another country takes protective measures.

The French judicial authorities are not in a position to ensure the protection of a witness outside European territory, such as in Turkey or Syria.

## Can the family of a witness also benefit from protection measures?

Yes, anonymous or confidential testimony may be used when the hearing is likely to seriously endanger the life or physical integrity of the witness, members of his family, or close relatives.

The court may order the hearing of a witness to be held behind closed doors if the witness's public testimony is likely to seriously endanger his physical integrity or that of his close relatives.

In certain cases, a witness's family members and close relatives may benefit from these protection and reintegration measures, and may use an assumed identity.

## Can testifying in court have an impact on the asylum application or asylum status?

In most cases not.

Your testimony may have an impact on the asylum request of an alleged perpetrator, but not on yours directly.

This is because the judicial authority is independent of the administrative authority that grants asylum (OFPRA), and testifying in court has no impact on the decision on the asylum application. Thus, the fact of having information of interest to the courts will have no influence on whether or not asylum is granted.

However, if you commit an offense as a witness, for example, by giving false testimony, this may have repercussions on your asylum application.



**If you're awaiting a decision on asylum, it's best to seek legal advice before giving your testimony to court.**

Although it is not a court, **it can be important to provide OFPRA with information on the crimes you have witnessed in Syria, especially on the people you suspect of having committed these crimes and who may be located in France or Europe.** OFPRA can refuse asylum to a person if there are serious grounds for believing that he has committed a crime against peace, a war crime, a crime against humanity, or another serious non-political crime outside the host country before being admitted as a refugee (Geneva Convention of July 28, 1951). OFPRA can also withdraw asylum from anyone it subsequently discovers to have committed such crimes.

OFPRA will then inform the public prosecutor's office of any suspicions against a person or any information relating to a crime committed in Syria, with a view to prosecution. Indeed, any official of the French State who, in the course of his duties, acquires knowledge of a crime or offense likely to have been committed is required to notify the public prosecutor without delay (art. 40 CPP).

Considering the limited jurisdiction of French courts on crimes committed abroad, OFPRA does not report all crimes committed in Syria, but systematically refers cases to the prosecutor when:



- The crime began abroad and continues in France;
- The perpetrator is located in France or Europe;
- The victim or perpetrator is of French nationality;
- The crime involves high ranking members of the Syrian regime.

In such cases, OFPRA will lift the confidentiality of the interview and forward the information given by the asylum seeker to the public prosecutor. OFPRA will also encourage the asylum seeker to testify in person before judicial bodies.

OFPRA may also be required to provide information, such as interview reports, at the request of the police and gendarmerie.

## IV. KNOW YOUR RIGHTS

### Helpful websites (in French)

Please note some links may not work outside Europe

#### Witness hearings during a criminal investigation:

<https://www.service-public.fr/particuliers/vosdroits/F1489>

#### Witness hearings at a criminal trial:

<https://www.service-public.fr/particuliers/vosdroits/F34165>

<https://www.cours-appel.justice.fr/nancy/je-suis-cite-comme-temoin-devant-une-cour-dassises>

<https://www.vie-publique.fr/fiches/268693-quest-ce-quun-faux-temoignage>

#### Assisted witness status:

<https://www.vie-publique.fr/fiches/268694-quest-ce-quun-temoin-assiste>

<https://www.service-public.fr/particuliers/vosdroits/F1807>

#### Victims and compensations:

<https://www.vie-publique.fr/eclairage/287825-justice-levolution-du-statut-de-la-victime-dans-la-procedure-penale>

#### Universal jurisdiction of French courts:

<https://syriaaccountability.org/universal-jurisdiction/#france>

### Contacts

#### NGO

- Syria Justice and Accountability Centre – [info@syriaaccountability.org](mailto:info@syriaaccountability.org)
- Centre syrien pour les médias et la liberté d'expression - [info@scm.ngo](mailto:info@scm.ngo) et <https://scm.bz/en/contact-us/>
- Impact litigation – [contact@impactlitigation.fr](mailto:contact@impactlitigation.fr)

### French police and judicial institutions

- The Syria Justice and Accountability Center is in contact with the French Central Office for Combating Core International Crimes and Hate Crimes, which investigates crimes committed in Syria. We can put you in touch with this service depending on your testimony.
- Witnesses can contact the National Anti-Terrorism Prosecutor's Office at [sec.perm.pnat.tj-paris@justice.fr](mailto:sec.perm.pnat.tj-paris@justice.fr)



Syria Justice and  
Accountability Centre

