

EUROPEAN COMMITTEE OF SOCIAL RIGHTS
COMITE EUROPEEN DES DROITS SOCIAUX



1 July 2009

Case Document No 3

European Council of Police Trade Unions (CESP) v. France
Complaint n° 54/2008

**RESPONSE OF THE CESP TO THE GOVERNMENT'S
SUBMISSIONS ON THE MERITS**

Registered at the Secretariat on 30 June 2009



Conseil Européen des Syndicats de Police

Organisation Internationale Non Gouvernementale au Conseil de l'Europe

Mr Branko PRAH
President of the European Council of Police
Trade Unions

to

The Executive Secretary of the European
Social Charter
Council of Europe
Directorate General of Human Rights and Legal
Affairs
67075 STRASBOURG CEDEX

Lyon, 30 June 2009.

Subject: Complaint lodged by the European Council of Police Trade Unions against France for the incorrect application of Article 2, paragraphs 1 and 2 and Article 4, paragraph 2 of the revised European Social Charter.

**Your reference: European Council of Police Trade Unions (ECPTU) v. France
Complaint no. 54/2008**

Dear Sir,

In a letter of 7 May 2009, the European Committee of Social Rights forwarded us the French Government's observations on our collective complaint of 3 December 2008, registered under the number 54/2008 and declared admissible in a decision of 17 February 2009.

You ask us to reply to the arguments put forward by the Minister for Foreign Affairs on behalf of the French Government.

I – The alleged failure to exhaust domestic remedies

1° - The French Government submits that the complaints submitted are inadmissible because they have not been examined in the domestic courts. This argument cannot be accepted.

As the Minister for Foreign Affairs rightly points out, none of the provisions of the European Social Charter requires domestic remedies to be exhausted before a complaint is referred to the Committee. Given these circumstances, it is hard to see how any aspect of customary international law such as that referred to by the French Government would validate this argument.

It should also be pointed out that the Minister for Foreign Affairs raised the same argument on behalf of the French Government in response to a previous complaint, registered under the number 38/2006 and presented by the same

complainant organisation. In its decision of 3 December 2007, the Committee rejected this argument on the following grounds:

"The Committee notes that the Additional Protocol to the Charter establishing the collective complaints system does not make the exhaustion of domestic remedies a condition of admissibility. ... The Committee therefore dismisses the Government's objection". For these reasons, this argument must be dismissed.

2° - In the alternative, the French Government asks the Committee to defer consideration of this complaint to a later date, and for it to be considered only if the complainant organisation – the European Council of Police Trade Unions (ECPTU) – does not gain satisfaction in the domestic courts. This request cannot be granted.

It should be pointed out that the applications made in the French courts against the regulations complained of in the current procedure were filed not by the complainant organisation but by a French trade union, the *Syndicat National des Officiers de Police* (National Union of Senior Police Officers).

As a result, although the National Union of Senior Police Officers is one of its members, the ECPTU is not a party to the cases in the French courts. The two organisations have entirely separate legal personalities so they cannot be considered one and the same party.

Furthermore, the statutes of the ECPTU do not allow it to take action in the French courts as its aims are described as follows:

- "1. to unite the senior police officers who are members of its constituent organisations;*
- 2. to fight for the full exercise of trade union rights and against any unwarranted restriction on European senior police officers' fundamental and statutory rights by steadfastly opposing any breach thereof;*
- 3. to take action to enhance and harmonise the work, pay and living conditions of European police officers;*
- 4. to defend the pecuniary and non-pecuniary interests of its constituent organisations and their members in the European institutions and courts."*

Its complaint to the Committee was lodged in the context of point 4.

Although this complaint by the ECPTU to the European Committee of Social Rights relates to the effects of regulations adopted by the French state on the status of senior French police officers, the Committee's decision will also establish case-law that is likely to benefit other European police officers, which will not apply to any decisions given by the French courts.

The applications by the National Union of Senior Police Officers to the French courts are therefore of a quite different nature to the current complaint by the ECPTU to the European Committee of Social Rights.

This complaint also follows on – at least partly – from a previous complaint by the ECPTU, namely complaint no. 38/2006, alleging that France had violated Article 4 of the revised Charter. In response to this complaint, the Committee acknowledged the merits of the ECPTU's views and found that France had failed to comply with the revised Charter.

When, in April 2008, France amended its domestic regulations on national police officers, it infringed the revised Charter again, particularly Article 4§2, and ignored the recommendations made by the Committee in its decision on complaint no. 38/2006.

Accordingly, the Committee has entire authority to examine the action taken in response to its opinions and decisions, irrespective of the actions of the French courts.

For these reasons, this request must be dismissed.

II. The complaint under Article 2§1 of the Social Charter, concerning working hours

1. The alleged contesting of a memorandum of understanding

The French Government has no hesitation in asserting as follows: *"In this complaint, the European Council of Police Trade Unions (CESP) challenges regulations that derive directly from a memorandum of understanding signed by the Government and the representative trade unions that accepted the terms"*. This assertion is a complete misrepresentation of the facts.

While it is true that the National Union of Senior Police Officers, which is a member of the ECPTU, did sign a "memorandum of understanding" with the Minister of the Interior on 17 June 2004, it is also true that there is nothing in the current complaint which questions this memorandum.

Some of the points in the memorandum of 2004 were drafted in very general terms and included provision for further negotiations with the trade unions about subsequent arrangements.

Therefore, the amendments to the regulations on senior police officers adopted by France in April 2008, which are the subject of this complaint, derived from another memorandum of understanding, which supplemented that of 2004. However, it is essential to note that only one minority trade union signed this memorandum. It was never agreed to by any of the other trade unions, including the National Union of Senior Police Officers, which is the majority trade union, having won over 53% of the vote in the latest workplace elections in November 2006.

The French Government deliberately fails to point out that the reason why the National Union of Senior Police Officers refused to sign the memorandum of understanding was that the new memorandum did not comply with the terms of the memorandum of 17 June 2004 and contained provisions which infringed both European regulations and domestic law.

Faced with the Minister of the Interior's clear desire to "push the memorandum through", the National Union of Senior Police Officers had no choice but to refer the case to the *Conseil d'Etat*.

The French Government cannot therefore argue that there was a prior agreement by the ECPTU or any of its members with regard to the contested provisions. There is not and has never been any such agreement.

2. The infringement of Article 2§1 of the revised Social Charter

To back up its argument that the working hours of French police officers under the April 2008 regulations are in compliance with Article 2§1 of the revised Social Charter, the French Government submits that these regulations make no difference to the statutory weekly and yearly working times as laid down by Decree 2000-815 of 25 August 2000.

It states as follows: "*In practice, these restrictions maintain a dual restriction on the working hours of senior police officers, with annual and weekly limits of 1607 and 35 hours respectively, irrespective of any additional duties that these officers may be required to perform*".

The French Government cannot assert, without fear of contradicting itself, that French police officers' working hours are still restricted while recognising that the new regulations prohibit overtime from being taken into account.

Proof of this is provided by the letter of 14 August 2008 from the director of the private office of the Director General of the national police force (attached to the complaint) in which he explicitly refuses to count police officers' working hours.

This refusal is clearly incompatible with the requirement under the revised Social Charter for a "*legal framework providing adequate guarantees*" on working hours. This is especially true in view of the fact that, because of the unusual nature of their activities, police officers are subject to particular obligations regarding their availability, which justify exceptions to the rules on statutory working hours, as the French Government was at pains to point out in its observations.

Clearly, senior police officers are very frequently called on to do overtime, as proved by the various claims made by trade union organisations in relation to the payment of arrears in overtime in 2007, which showed that the command corps category of French police officers had done over 5 million hours of overtime that year.

The failure to count these hours makes it impossible to assess the real length of the working hours performed by police officers over and above the statutory weekly or annual limit.

In turn this makes it impossible to know how many hours police officers work in total per year and hence to assess to what extent their working hours may be unreasonable.

The French Government's argument that the statutory limit on working hours has been maintained cannot be accepted as confirmation that the rules on national police officers' working hours are in conformity with the revised Social Charter, particularly Article 2§1.

As demonstrated above, this limit is now purely notional as there is no longer any means of supervising its implementation, it being impossible to calculate actual working hours.

3. Treatment of certain police officers as “managers”

The French Government has no hesitation in asserting that now that the status of France's senior police officers has been changed, they have been treated, since April 2008, as “managers”, whose duties have justified changes in the organisation of their working time.

It argues that under the revised Social Charter, senior police officers need not be awarded increased pay for overtime because of the exceptional nature of their duties, as such officers form a particular category of public servants warranting special rules for the “organisation of their work time”.

It states in particular that “they may be required to manage entities such as *département* police directorates, district offices, training units or other operational units such as regional intervention groups. In these cases, they have authority over all personnel attached or seconded to them and exercise all the responsibilities specified in Article 111-4 of the national police force general regulations, and all the powers associated with this type of post. They may also act as deputy to a head of department”.

This reasoning cannot be accepted by the Committee.

The duties described here by the French Government relate to specific management posts and senior police officers assigned to them are covered by special working arrangements relating only to such posts. They are listed exhaustively in an order of the Minister of the Interior of 14 March 2007 (Appendix No. 1) and cover only a small minority of senior police officers, i.e. less than 3% of the whole corps.

The management jobs and posts of public servants of the French state are generally subject to the particular employment rules set out in Article 10 of Decree 2000-815, which allows derogations to the limits on working time and, in domestic law, to increased pay for overtime.

This is not, however, the situation of senior national police officers, as they do not perform management jobs, they are not covered by Article 10 of Decree 2000-815 and in no respect can they be considered “*senior officials*” or “*senior managers*”.

The large majority of senior police officers are still covered by the system of restrictions on, and counting of, hours, as the French Government has acknowledged.

The fact that they now belong to a new category of so-called managers can be no justification for the lack of a precise legal framework, providing sufficient safeguards concerning the length of their working hours, as provided for and guaranteed in the revised Social Charter.

As a result, and contrary to what the French Government claims, none of France's senior police officers (except the 3% covered by Article 10 of Decree 2000-815) have any legal means of organising their working hours themselves to limit their overtime hours. They are still obliged to respect the daily limit on hours and are required to perform any overtime requested by their employers, on which there is no limit (see Article 22 of Decree 95-654 of 9 May 1995).

It should be emphasised that in no event can senior police officers be considered “*senior officials*” within the meaning of the Committee's case-law.

This is shown clearly by the fact that the command corps to which senior police officers belong is not the highest-ranking corps in the national police force, being outranked by the police commissioners' corps.

* * *

The Committee is asked therefore to recognise that French senior police officers are subject to labour regulations which do not provide sufficient legal safeguards on working hours and hence fail to satisfy the requirements of Article 2§1 of the revised Social Charter.

III. The complaint under Article 4§2 of the Social Charter concerning working hours

Before replying to the substance of the arguments presented by the French Government, it is important to respond to the introductory comments made by the Minister for Foreign Affairs on France's behalf.

1. The minister's introductory comments

1.1. The infringement of Article 2§1 of the revised Social Charter

1.1.1. The Committee's case-law

The French Government attempts to argue that because senior police officers have been regarded as “managers” since 1 April 2008 their situation is a “special case”, warranting an exception to the principle that overtime must be paid at an increased rate, as stipulated in Article 4§2 of the revised Social Charter. This argument cannot be accepted.

With regard to the public services, the Committee has only ever granted this exception so far in respect of “senior civil servants” and senior police officers do not form part of this category (see ECSR case-law digest, page 44).

As pointed out above, the command corps to which senior police officers belong is not the highest-ranking corps in the national police force. They are outranked by the planning and management corps, or the police commissioners.

Consequently, Article 4§2 of the revised Social Charter is fully applicable to the situation of French senior police officers.

1.1.2. The incompatibility with French domestic law

Furthermore, the French Government cannot rely on this argument without breaching its domestic law.

As the French Government itself points out on page 10 of its observations, France grants its public servants the following two possible statuses under Decree 2008-815 of 25 August 2000 (Appendix 2), as amended, on the adjustment and reduction of working hours in the national public service and national legal service:

- ✓ the status described in Article 4, under which each hour of overtime worked is counted and used to calculate pay;
- ✓ the status described in Article 10, under which working hours are not counted and there is no compensation for overtime.

Public servants classified by the Minister of Foreign Affairs as “managers” may be granted either one of these statuses.

In addition, as the French Government has confirmed, most senior police officers are subject to the rules on the counting of hours referred to in Article 4 and only a limited number are covered by the rules of Article 10.

In this connection, it is essential to point out that fewer than 3% of senior police officers are covered by Article 10 of Decree 2000-815 of 25 August 2000.

The French Government cannot therefore argue without fear of contradicting itself that all senior police officers are a “special case” where it comes to increased pay for overtime while acknowledging at the same time that only a very small proportion of such officers (less than 3%) are covered in domestic law by a status which overrides the principle that all hours will be limited and all working time must be counted.

1.2. The alleged inapplicability of the Committee's decision of 3 December 2007

1.2.1. Senior police officers are not planning and management staff

The Committee acknowledged in its decision on the merits of complaint No. 38/2006 that the tasks of French senior police officers did “not always equate to planning and management tasks” and therefore that “the system of flat-rate payments for overtime established by Article 3 of Decree No. 2000-194 ...[had] the effect of denying the proper increase required by Article 4§2 of the Revised Charter to officers who cannot be excluded from entitlement to increased remuneration because of the nature of their duties”.

Despite the French Government's assertions about the “manager” status of senior French police officers, the regulations of 1 April 2008 did not introduce any new provisions whereby their status could be equated to that of planning and management staff.

The only changes to have affected the status of senior police officers since April 2008 are those which deprived them of payment for overtime, as their functions and powers have remained strictly the same since the adoption on 29 June 2005 of Decree 2005-716, which established the national police command corps (of senior police officers).

In particular, although the management functions performed by senior police officers have increased since the reform of the corps in 1995, this still does not make them planning and management staff, as this is a specific corps of the French national police governed by Decrees 95-654 of 9 May 1995 and 2005-939 of 2 August 2005, establishing the national police planning and management corps, which is the police commissioners' corps.

1.2.2. The fact that there has been no change in this situation

The French Government states as follows in relation to the decision of the Committee of 3 December 2007: "Since this decision and the implementation of the regulations arising from the most recent agreements with the trade unions representing members of the police, the situation of senior officers of the command corps has changed considerably. The duties assigned to them and the benefits they acquired in December 2007 mean that they now unquestionably perform a management role". This assertion is totally untruthful and is designed to mislead the Committee.

The ECPTU would point out most firmly that:

- ✓ the National Union of Senior Police Officers, which is one of its members unions, is the majority union in the command corps;
- ✓ it did not sign the agreement to which the French Government refers;
- ✓ this agreement was only signed by a minority trade union within the command corps.

The ECPTU would like to make it clear that the very reason why the National Union of Senior Police Officers refused to sign the agreement of December 2007 was that it believed that it infringed European and domestic rules on the employment of management staff and the payment of overtime. This in turn is why the ECPTU has now referred the matter for a ruling by the Committee through Complaint No. 54/2008.

Furthermore, as stated above, the only changes to have affected the status of senior police officers since April 2008 are those which deprived them of payment for overtime, as their functions and powers have remained strictly the same since the adoption on 29 June 2005 of Decree 2005-716.

At all events, the Committee's decision on Complaint No. 38/2006 still fully applies to the senior police officers, whose situation as regards the requirement that they must be awarded increased pay for overtime has not changed since 1 April 2008.

2. The infringement of Article 4§2 of the revised Social Charter

2.1. The lack of a system of compensation for overtime

The French Government points out – rightly – that Article 22 of Decree 95-654 of 9 May 1995, amended, establishes the principle that overtime must be compensated for in the form of time or payment of an allowance.

It then goes on to say that for senior police officers – of the command corps – a "special allowance system" was introduced on 1 April 2008 by means of "special regulations".

However, it tries to mislead the Committee by incorrectly asserting that since this date, senior police officers have had "no established entitlement to overtime payments" whereas Article 22 cited above provides for two means of compensating for overtime.

Yet, Article 113-37 of the version of 15 April 2008 of the general regulations governing employment in the national police force, stipulates as follows:

"The members of the command corps of the national police force who are not covered by the provisions of Article 10 of Decree 2000-815 of 25 August 2000 cited above shall also be subject, because of their membership of this corps, to a specific obligation in terms of availability and attendance. They shall therefore be excluded from the taking into account for the purposes of compensatory time off of their recalls to duty and of the hours worked in excess of the working day or the shift.

The payment system which applies to them shall compensate them in the form of a flat-rate payment for their exclusion from the benefit of such compensatory time off. It shall exclude the compensatory time off for which Decree No. 2000-194 of 3 March 2000, as amended, provides."

It is therefore clearly established that overtime carried out by senior police officers will no longer be offset by compensatory time off. Therefore, it has to be paid for in accordance with Article 4 of Decree 2000-815 of 25

August 2000, which states that staff working overtime must be “the subject of compensatory time off ... Failing which, they shall receive a compensatory allowance”.

The French Government cannot therefore decide, without fear of contradicting itself, both to refuse to offset senior police officers through compensatory time-off and to deny them any compensatory allowance.

The ECPTU would emphasise that under Article 4§2 of the revised Social Charter, the allowance system should result in increased pay for any overtime carried out.

In an attempt to evade this legal fact, the French Government submits as follows: “The specific nature of the duties performed by members of the command corps are reflected in a special allowance system that takes account both of the these officers' work patterns and the additional duties they are called on to perform, in accordance with Article 113-37 of the general regulations governing employment in the national police force” (Appendix 3).

This assertion is entirely at odds with reality as the only reason given for the payment system applicable to senior police officers since 1 April 2008 is “the particular responsibilities they exercise and the specific constraints inherent to the duties that they carry out” and this clearly has nothing to do with their working arrangements or their overtime.

In point of fact, the payment system for senior police officers established by Decree 98-115 of 27 February 1998 (Appendix 4) was never intended to compensate for overtime, either before or since the amendments to these officers' status in April 2008.

This is quite obvious if this text is compared with the decree that replaced it, Decree 2008-341 of 15 April 2008. The wording of Article 1 describing the nature of this compensation is exactly the same.

In this connection the ECPTU would point out that the flat-rate payment system for French senior police officers was not examined in the French domestic courts because they did not consider that it had anything to do with the incompatibility of these officers' status with the requirements regarding overtime.

It should also be pointed out that since 1 April 2008, senior police officers have not been covered by the provisions of Decree 2000-194 of 3 March 2000, under which they were paid for overtime. The Committee had already ruled that this decree was not in conformity with the requirements of Article 4§2 of the revised Social Charter in its findings on Complaint No. 38/2006 by the ECPTU.

By extension, the Committee must also find the principle of paying for overtime by means of a monthly flat-rate premium incompatible, bearing in mind that no such premium is available to senior police officers.

2.2. Changes in senior police officers' duties and the need to take specific account of their work pattern and the additional duties performed

2.2.1. Preliminary comment

The French Government refers to Decree 2005-716 of 29 June 2005 on the status of the command corps of the national police force as evidence that senior police officers exercise greater responsibilities.

The ECPTU would draw the Committee's attention to the fact that these greater responsibilities do not make senior police officers “*senior managers*” or “*senior officials*” within the meaning adopted consistently by the Committee in its case-law.

2.2.2. The two sets of working arrangements established by Articles 4 and 10 of Decree 2000-815 of 25 August 2000

For the issues at stake to be understood fully, a clear distinction has to be made between the situations of senior police officers who are and those who are not covered by Article 10 of Decree No. 2000-815 of 25 August 2000 on the adjustment and reduction of working hours in the national public service.

2.2.2.1. Officers not covered by Article 10 of Decree 2000-815 of 25 August 2000

The French Government acknowledges that senior police officers' overtime is no longer taken into account and has no hesitation in asserting that they are now compensated by means of a flat-rate payment system. This is a completely untrue assertion.

The command bonus referred to by the Government, established by Decree 98-115 of 27 February 1998 and reproduced in Decree 2008-341 of 15 April 2008, was never intended to compensate for overtime.

Before April 2008 it was already paid to senior police officers when all their overtime was compensated in the form of compounded time off and this clearly shows that its purpose was not to compensate for overtime.

Furthermore, the regulations on this premium were not amended in substance before the change in the status of senior police officers in April 2008.

This becomes quite clear if Article 1 of Decree 98-115 is compared with Article 1 of Decree 2008-341.

| Article 1 of Decree 98-115 | Article 1 of Decree 2008-341 |
|--|---|
| <i>Because of the particular responsibilities they exercise and the specific constraints inherent to the duties that they carry out, a command bonus, from which no deductions shall be made for the state civil pension, may be awarded to officers in the command and management corps of the national police, with the exception of cadets.</i> | <i>Because of the particular responsibilities they exercise and the specific constraints inherent to the duties that they carry out, a command bonus may be awarded to officers of the national police command corps, with the exception of cadets.</i> |

Furthermore, the revaluation of this bonus on 15 April 2008 and the fact that it may vary in size have nothing to do with overtime, merely with the responsibilities exercised and the way in which duties are carried out.

Furthermore, for information, the Committee should note that the annual bonus may be paid only to a maximum of 25% of all senior officers, implying that its purpose cannot be to compensate overtime carried out individually by each officer, even at a flat rate (see Instruction DAPN/AGF/RR1 No. 712 of the Minister of the Interior of 21 May 2008 – *Appendix No. 5*).

Lastly, the French Government states that for overtime resulting from stand-by duty, senior police officers still receive compensatory time off.

In this respect, the Committee should note that under Article 113-37 of the general regulations governing employment in the national police force (Appendix 6) and the Minister of the Interior's instruction INT/C/08/00092/C of 17 April 2008 (Appendix 7), overtime completed by senior police officers as part of stand-by duty are compensated at 100%, within the limit of scheduled hours, and this clearly rules out any increased hours in compensation and hence is incompatible with Article 4§2 of the revised Social Charter.

In any case, since there is no link between the flat-rate payment system for senior police officers and overtime, and consequently these officers are not really compensated for overtime, the Committee will have to find by extension that the requirement under Article 4§2 of the revised Charter for overtime to be paid at an increased rate is not met.

2.2.2.2. Officers covered by Article 10 of Decree 2000-815 of 25 August 2000

As stated above, senior police officers covered by these employment rules occupy management positions of police services or units which are listed exhaustively in an order of the Minister of the Interior, and currently amount to less than 3% of the whole corps.

These rules grant them “a broad degree of discretion in how they organise their own work”, which makes it futile to attempt to count their working hours. As a result it is difficult to work out exactly how much overtime such officers may have worked. Accordingly, under French domestic law, these hours are compensated by means of a flat-rate payment.

This explains why such officers receive a monthly “duty allowance” which rules out any other form of compensation for overtime although it is stated nowhere what proportion of the allowance corresponds to the flat-rate compensation of overtime.

It should be made clear to the Committee that the rule changes which affected the status of senior police officers in April 2008 did not concern officers covered by Article 10 of Decree 2000-815.

Lastly, the French Government mentions that to coincide with the reform of their working hours, these officers were placed on a higher pay scale, which applied to all remuneration other than bonuses and allowances. However, this fact cannot be used as justification.

It will be clear to the Committee that all public servants' monthly salaries are calculated on the basis of their working hours and their grade and step in the scale and therefore that this cannot include the payment of overtime in advance.

Moreover, as senior police officers do not form part of the categories of public servant receiving the highest pay, such as senior civil servants, managers and executives and officers making up the planning and management corps, they are not covered by the exceptions granted under Article 4§2 of the revised Charter.

In the present case and as the French Government acknowledges, the higher pay scales applied to senior police officers were designed to reflect the increase in their level of responsibility, irrespective of the length of their working hours and hence of the amount of overtime they might do.

* * *

Given these circumstances, there can be no doubt that the failure to pay the overtime carried out by senior police officers constitutes a violation of Article 4§2 of the revised Social Charter.

VI - Conclusion

Clearly, in the light of all the above, the collective complaint lodged by the ECPTU and declared admissible on 17 February 2000 is particularly well founded in law and in fact.

Consequently, all the French Government's arguments should be dismissed.

It must therefore be declared that France has violated the articles of the European Social Charter cited above.

In addition, France should be asked to bring its regulations into conformity with the provisions of Articles 2§1 and 4§2 of the revised European Social Charter which they currently violate so that operational members of the command corps of the national police force may benefit from a restriction of their working time and from compensation for the overtime that they perform.

Branko Prah
President of the ECPTU

Appendices

Appendix 1: Order of the Minister of the Interior of 14 March 2007

Appendix 2: Decree 2000-815 of 25 August 2000

Appendix 3: Article 113-37 of the general regulations governing employment in the national police force

Appendix 4: Decree 98-115 of 27 February 1998

Appendix 5: Instructions DAPN/AGF/RRI No. 712 from the Minister of the Interior of 21 May 2008

Appendix 6: Article 113-37 of the general regulations governing employment in the national police force

Appendix 7: Instruction INT/C/08/00092/C from the Minister of the Interior of 17 April 2008

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