

Document #2043588

HRW – Human Rights Watch

World Report 2021 - France

Announced changes in law enforcement and crowd control tactics fell short of addressing concerns of abusive and disproportionate use of force by the police, including during demonstrations. Discriminatory police identity checks targeting minority youth continued. Child protection authorities often failed to provide unaccompanied migrant children appropriate care and services. Migrants and asylum seekers faced inhuman and degrading living conditions, as well as police abuse and harassment. Instances of harassment and attacks remained high against minorities, including ethnic, religious, national, and lesbian, gay, bisexual, transgender (LGBT) minorities.

In its October [rule of law report](#), the European Commission flagged that the efficiency of civil justice has deteriorated in recent years and that France adheres to media pluralism and independence, despite a surge of online and offline threats against journalists.

Covid-19

France’s state of health emergency, declared in March in response to the Covid-19 pandemic, was criticized by rights groups, [lawyers](#), [magistrates](#), and the [Human Rights Consultative Commission](#) for giving excessive power to the executive branch to restrict freedoms. Lockdown was imposed from March 16 to May 11. The [law](#) lifting the state of emergency in July [maintained](#) some emergency powers. On October 17, the state of emergency was declared again. Parliament adopted a [law](#) extending the state of health emergency until February 16. Lockdown was imposed again on October 30, for at least four weeks.

In March, the government [adopted](#) a [massive aid plan](#) for companies, employees, and independent workers and ensured the right to parental leave for childcare. The nongovernmental organization (NGO) Secours Populaire [estimated](#) in September that one out of three people had lost income since the first lockdown and millions of people faced poverty. The unemployment insurance agency (Unedic) expected 420,000 additional unemployed persons in 2020 compared to 2019. The government extended the normal winter evictions ban until July 10.

Schools were closed for 14 weeks, during which the government organized online classes, but children have unequal access to computers and the internet. The United Nations Children’s Fund (UNICEF) France and other groups [pointed](#) to the disproportionate impact of school closures on children in child protection structures and living in precarious situations. In April, the education minister [said](#) that 15 to 25 percent of children in overseas departments were falling behind in school during lockdown compared to 4 percent of students in metropolitan France.

In mid-April, the government [extended](#) the legal timeframe for medical abortion at home from seven to nine weeks to minimize hospital visits during the pandemic.

Law Enforcement and Police Abuse

In September, the Interior Ministry [published](#) a new National Scheme for Law Enforcement, following [criticism](#) of police crowd control and anti-riot tactics during demonstrations in 2018 and 2019. It replaces the controversial GLI-F4 tear gas grenade by a non-explosive grenade, called GM2L, which releases tear gas while having a deafening effect and has also been [criticized](#) by rights groups. The scheme [fails](#) to ban the use of other weapons, such as rubber bullet launchers, which have [injured thousands of people](#), despite [calls](#) from the French ombudsperson and [rights groups](#). Journalists and rights groups [raised concerns](#) about new rules that could hamper the ability to observe and report on demonstrations.

Discriminatory police identity checks continued, including during the enforcement of Covid-19 [lockdown measures](#). Human Rights Watch [found](#) that police target minority youth, including children as young as 12, for the stops, which often involve invasive, humiliating body pat-downs and searches of personal belongings.

Following demonstrations against police abuse in France, President Emmanuel Macron said he wanted to generalize the wearing of body cameras by police officers by the end of his term in 2022. [Rights groups](#) and [lawyers](#) have long stressed that body cameras alone are not an effective means of combating ethnic profiling.

Unaccompanied Migrant Children’s Rights

The [French National Human Rights Consultative Commission](#) (CNCDH) and the [French Ombudsperson](#) said authorities do not guarantee to unaccompanied migrant children access to basic rights and the care to which they are entitled. Child protection authorities in different regions of the country [failed](#) to provide shelter and other essential services even during the Covid-19 pandemic, putting them at further risk.

In April, a court ordered authorities in [Marseille](#) and [Gap](#) to provide unaccompanied children with shelter, more than a month after lockdown measures were implemented. On March 30, the European Court for Human Rights (ECtHR) [ordered](#) France to provide a Guinean boy “housing and food until the end of the [COVID-19] lockdown” after he ended up on the streets when authorities refused to recognize him as a child.

Unaccompanied children [camped in a Paris park](#) for a month in July before the authorities gave them shelter in a gymnasium and a few weeks later in a hotel. At time of writing, they were still awaiting placement in permanent accommodations.

In June, the ECtHR [ruled against](#) France for detaining and deporting in November 2013 two unaccompanied children, aged 3 and 5 at the time, from Mayotte, a French overseas department, to Comoros.

France committed in May to welcome 350 unaccompanied children from overcrowded and unsuitable refugee camps on the Greek Aegean islands by the end of the year. In late August, it [relocated](#) the first 49 children. After a fire destroyed the Moria camp on Lesbos in early September, France [announced](#) it will relocate up to 150 additional children. In November, it [relocated](#) 54 children.

Migrants and Asylum Seekers’ Rights

In July, the ECtHR [ruled](#) that France violated the rights of three asylum seekers in depriving them material and financial support to which they were entitled, forcing them to live in the streets in “inhuman and degrading living conditions.”

In Calais, NGOs providing assistance to migrants and asylum seekers [reported](#) continued harassment and abuse by police against migrants and aid workers. In September, the interior minister [prohibited](#) food distribution by NGOs not authorized or contracted by the State through [December 14](#). The French Ombudsperson [said](#) the measure constitutes “discrimination based on nationality.”

France continued to detain people in immigration detention centers during the pandemic despite calls in March from the French Ombudsperson and the [General Controller for Prisons](#) for their closure given the risks of contracting Covid-19 and the fact that deportations could not be carried out in a reasonable timeframe due to travel restrictions. In September, the [government announced](#) it would use a detention center outside Paris for people who tested positive for the virus that causes Covid-19 while they awaited deportation.

Discrimination and Intolerance

In June, the CNCDH published [data](#) on bias crimes in 2019 from the Interior Ministry: racist acts increased by almost 57 percent compared to 2018, with anti-Semitic acts increasing by 27 percent, anti-Muslim acts by 54 percent, and “all other racist acts” by 131 percent. The ministry’s statistics unit recorded 5,350 victims of offenses due to ethnicity, nationality, religion, or race in 2019, an increase of 11 percent over 2018.

In May, the ECtHR [ruled](#) that France breached the rights to private and family life and to an effective remedy of several Roma families when it dismantled the informal settlement where they lived outside Paris without offering alternative accommodation.

Sexual Orientation and Gender Identity

In June, SOS Homophobic, an NGO, [said](#) it received 26 percent more reports of physical and verbal abuse targeting lesbian, gay, bisexual, transgender, and intersex people for 2019 compared to 2018. The number of recorded physical attacks against transgender people increased by 130 percent.

In August, the National Assembly [adopted](#) a bill allowing lesbian couples and single women to access fertility treatments available currently only to heterosexual couples. The bill, under examination in the Senate at time of writing, excludes transgender persons from these treatments.

Women’s Rights

[Rights groups and feminist organizations](#), as well as a [Senate report](#), point to the lack of resources allocated to implement government [measures](#) announced in 2019 against domestic violence. According to French authorities, reports of domestic violence [rose by more than 30 percent](#) during the first week of lockdown. Service providers and women’s rights groups said the government response did not ensure adequate support for victims during the pandemic. By December, [90 women](#) had been killed by a current or former intimate partner in 2020. In July,

Parliament [approved a law](#) increasing sentences for perpetrators whose actions led to a victim’s suicide or attempted suicide and permitting doctors to break patient confidentiality in cases where they believe there is immediate danger to a victim’s life.

In April, the CNCDH [called](#) on France to ratify by the end of 2020 International Labour Organization [C190 Convention](#) concerning the elimination of violence and harassment in the world of work.

In October, the National Assembly [adopted](#) a bill, before the Senate at time of writing, extending the legal deadline for abortion on any grounds from 12 to 14 weeks.

Rights of Persons with Disabilities

In July, the [French Ombudsperson welcomed progress](#) on implementation of the Convention on the Rights of Persons with Disabilities, such as guarantees of the rights to vote and marry for all adults living under some form of guardianship, while pointing at shortcomings, particularly in terms of accessibility of infrastructure open to the public, housing, public transport, and online public services. In 2019, 23 percent of the ombudsperson’s cases concerned discrimination based on disability.

Prisons

In January, the ECtHR [found that detention conditions](#) amounted to cruel and degrading treatment in a joined case involving 32 inmates in 6 prisons. The court ordered France to take action to end overcrowding, improve general conditions, and establish an effective preventive remedy for inmates to seek redress.

In October, the Constitutional Court [ruled](#) that French legislators should pass a new law by March 2021 allowing people in pretrial detention to enforce their right that their conditions of incarceration do not violate human dignity.

Between mid-March and late May, during Covid-19 lockdown measures, around 7,000 detainees serving short sentences were [released](#) as part of measures to reduce crowding and prevent further spread of the disease.

Counterterrorism

In August, the Constitutional Court [struck down](#) a provision in a 2020 security law that imposed restrictions on freedom of movement and other security measures on persons convicted for terrorism offenses after they served their prison sentence.

In April, France repatriated a seriously ill 7-year-old French girl from a locked camp holding family members of Islamic State (ISIS) suspects in northeast Syria, followed in June by a group of 10 children.

Taking a case-by-case approach, French authorities have brought back a total of 28 French children since March 2019, leaving more than 250 French children and their mothers in indefinite and arbitrary detention in deeply degrading, and often inhuman and life-threatening conditions, despite calls by [France’s independent rights institutions](#) and UN bodies for their repatriation. France continued to refuse to repatriate French men and boys detained without judicial review in northeast Syria for suspected ISIS links.

In September, the [trial](#) of 14 people for the January 2015 attacks against the satirical newspaper *Charlie Hebdo* and a kosher supermarket began in Paris. Later that month, a man [stabbed](#) two people outside the newspaper’s former office. In October, a man [beheaded](#) a history teacher who had shown caricatures of the Prophet Muhammad in a class on freedom of expression. At the end of the month, three people were killed and several were injured in a [knife attack](#) inside a church in Nice. The government responded by announcing it would [close some mosques and Muslim associations](#), and [deport](#) foreigners it deemed “radicalized.”

Environment and Human Rights

A group of 15 children lodged a [United Nations complaint](#) against France and four other countries for its lagging efforts to fight the global climate crisis. The government disputed that the complaint falls within the jurisdiction of the child rights treaty. France’s independent [High Council for the Climate](#) reported that France is not on track to meet its emissions reductions target.

Foreign Policy

France claimed [multilateralism, human rights, and international humanitarian law](#) as key priorities for its diplomacy but the record is mixed.

France played an active role at the UN Security Council [to try to secure access to humanitarian aid in Syria](#), and backed [the efforts at the Organization for the Prohibition of Chemical Weapons](#) to investigate chemical attacks by Syrian government forces. In June and September, it also defended the International Criminal Court against attacks by the Trump administration and [firmly condemned](#) unprecedented US sanctions against court officials.

In October, France [was elected](#) for a three-year membership term at the UN Human Rights Council. As an observer state for most of the year, France [showed little leadership](#) on addressing specific human rights situations and was sometimes slow to endorse resolutions and joint statements proposed by others, such as on China, Libya, Saudi Arabia, and Yemen.

France [increased](#) its military presence in the Sahel amid continued attacks by [armed Islamist groups](#) against civilians, including [French aid workers](#), and serious [human rights abuses](#) by security forces and affiliated militias in Burkina Faso, Mali, and Niger.

France [continued to sell arms to Saudi Arabia](#) and the United Arab Emirates despite risks they could be used against civilians in Yemen. It also provided unconditional military and strategic support to the government of Egypt’s President Abdel Fattah al-Sisi, despite its dismal human rights record.

France has slowly emerged from its [silence](#) over China’s attacks on human rights but failed to take concrete measures. In July, France [criticized](#) the National Security Law in Hong Kong and in September, President Macron [called](#) for a UN mission to go to Xinjiang.

In August, Macron [co-hosted with the UN](#) a donors’ conference to mobilize international aid for the Lebanese people after the explosion at Beirut’s port and pressed Lebanese political leaders [to commit to a roadmap of structural reforms](#), including to fight corruption.

President Macron took a [strong stance](#) against the flawed elections in Belarus in August and [expressed support](#) for the peaceful demonstrators. In September, France supported [the triggering of inquiries](#) into abuses committed in Belarus at the Organisation for Security and Cooperation in Europe and the UN Human Rights Council.

In August, [France condemned](#) the poisoning of Russian opposition leader Alexei Navalny and called on Russia to investigate.

In September, France reiterated its position [against ratifying the European Union-Mercosur trade agreement](#) until concerns regarding deforestation of the Brazilian Amazon were addressed.

ecoi.net summary:

Annual report on the human rights situation in 2020

Country:

France

Source:

[HRW – Human Rights Watch](#)

Original link:

<https://www.hrw.org/world-report/2021/country-chapters/france>

Document type:

Periodical Report

Language:

English

Published:

13 January 2021

Document ID:

2043588

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ecoi.net is run by the Austrian Red Cross (department ACCORD) in cooperation with Informationsverbund Asyl & Migration. ecoi.net is funded by the Asylum, Migration and Integration Fund, the Austrian Ministry of the Interior and Caritas Austria. ecoi.net is supported by ECRE & UNHCR.

