



Demonstration against police violence organised by the Adama Committee. Amnesty International France (AIF) took part in the 3rd march organised by the Truth for Adama Committee in Beaumont-sur-Oise on 20 July 2019 to support the calls for justice for the family of Adama Traoré, three years on from her death, and to denounce the increasingly excessive, even arbitrary, use of force by the law enforcement agencies. © Benjamin Girette

FRANCE

French Republic

Head of state: **Emmanuel Macron**

Head of government: **Édouard Philippe**

The authorities disproportionately restricted the right to freedom of peaceful assembly. Thousands of protesters suffered injuries at the hands of police or were arrested and prosecuted on flimsy grounds or offences that are protected under human rights law and standards.

Human rights observers, independent journalists, environmental activists and activists defending the rights of refugees and migrants, were subjected to frequent police intimidation and harassment.

France continued to sell arms to Saudi Arabia and the United Arab Emirates despite the risk that they would be

used to commit human rights violations against civilians in the conflict in Yemen.

FREEDOM OF ASSEMBLY

The social movement of the “Yellow Vests” (*“gilets jaunes”*), which started in November 2018, continued to mobilize throughout the year with the stated aim of achieving greater social and economic justice.

According to official statistics, 1,944 law enforcement officers and 2,945 protesters were injured during protests of “Yellow Vests”.

Law enforcement officials very often used arbitrary or disproportionate force, especially, but not exclusively, in the context of demonstrations. They frequently resorted to using dangerous weapons including imprecise rubber bullets and tear gas grenades (GLI-F4)

that should not be used for policing public assemblies. At least 25 protesters lost an eye and five protesters lost a hand as a result. Steve Maia Caniço, a 24-year-old man, and Zineb Redouane, an 80-year-old woman, both died during law enforcement operations.

In March, the UN High Commissioner for Human Rights recommended a “full investigation” into allegations of excessive use of force by police. At the end of the year, the authorities had not set up any independent mechanisms to investigate such allegations. In October, a police unit tasked with investigating allegations of excessive use of force by police (*Inspection Générale de la Police Nationale (IGPN)*) had opened 313 criminal investigations since the beginning of the movement. At the end of the year, only one police officer had been convicted for unlawful use of force during the protests.

In August, the President acknowledged that the strategy for policing public assemblies had to be reviewed to reduce the number of injuries. At the end of the year, a working group set up by the Ministry of Interior was drafting a new strategy.

In the first six months of the year, around 11,000 protesters were placed in pre-charge detention and more than 3,000 people were convicted, mostly through fast-track proceedings. Hundreds of protesters were arrested and prosecuted for conduct that is protected by human rights law, including contempt of public officials, concealing the face or failure to comply with notification requirements. In the first nine months of the year, 954 protesters were convicted for “forming a group with a view to committing violence”, a vaguely defined offence which allowed arrests of protesters who had not engaged in any violent act.

In April, a new law aimed at protecting public order in the context of protests entered into force. It established a blanket ban on face coverings during protests.

FREEDOM OF EXPRESSION

Hundreds of journalists reported injuries while covering the protests. On 5 December alone, 34 journalists were injured during protests against the pension reform. In most of these cases the injuries resulted from excessive or arbitrary use of police force. Independent journalists Gaspard Glanz and Taha Bouhafs were arrested and prosecuted for charges including contempt and rebellion. In November, the former was convicted to a €300 fine for contempt of public officials.

Intelligence services (*Direction Générale de la sécurité intérieure*) summoned at least nine journalists for a hearing in the context of a preliminary investigation into the “Yemen papers”, a series of publications of classified documents that proved that the weapons that the government had sold to Saudi Arabia and the United Arab Emirates were likely to

be used against the civilian population of Yemen.

ARMS TRADE

The authorities continued not to comply with France’s commitments resulting from the 2014 ratification of the Arms Trade Treaty, according to which arms should not be sold when there is a substantial risk that they could be used to commit abuses of international human rights and humanitarian law. In 2018, Saudi Arabia and the United Arab Emirates were respectively the first and fifth largest recipient of war materials from France, despite their involvement in the Yemen conflict.

According to the Stockholm International Peace Research Institute (SIPRI), France was the third largest exporter of arms worldwide during 2019. However, the French government failed to provide detailed, exhaustive and up-to-date information on the arms transfers authorized by the Prime Minister.

HUMAN RIGHTS DEFENDERS

Environmental activists and activists defending the rights of refugees and migrants were often harassed, intimidated or prosecuted.

Loan Torondel, a defender of migrants’ rights in Calais, was convicted and given a suspended fine for defamation for having reported ill-treatment of migrants by police. In June, Tom Ciotkowski, a young British activist in Calais, was acquitted of charges of contempt and assault. In May, he filed a complaint with the IGPN against the police officer who pushed him and against other officers who provided false reports to support his arrest and prosecution. At the end of the year, the investigation was still pending. These prosecutions were symptomatic of the criminalization of acts of solidarity at the European level and were likely to have a chilling effect on other activists.

In December 2018, France had announced that it would prioritize the protection of human rights defenders

worldwide. However, there was no consistent and sustainable strategy to that purpose. While the Foreign Minister criticized the harassment that human rights defenders experienced in Turkey and Russia, the authorities remained silent about human rights defenders in Saudi Arabia.

REFUGEES AND ASYLUM-SEEKERS

In the first six months of the year, 33,628 migrants and refugees, including unaccompanied children, were stopped at the French borders and pushed back to Italy and Spain without the possibility to seek asylum in France.

In 2018, 690 Iraqi, 320 Iranian, 278 Afghan, 247 Sudanese, 165 Eritrean and 133 Syrian nationals, whose asylum applications had been rejected, were detained awaiting deportation to their countries, despite the risk of grave human rights violations that they could suffer upon return. Among them were several families with children. In June 2019, NGOs reported that 12, seven and 10 individuals had been returned to Sudan, Iran and Iraq respectively in 2018.

In September, parliament ratified the cooperation agreement between the European Union and Afghanistan, which facilitated forced returns of Afghan nationals to Afghanistan. By September, the authorities deported two individuals whose asylum claims had been rejected to Afghanistan, where they faced risks of grave human rights violations.

In November, the French government withdrew its decision to donate six boats to the Libyan Navy and Coast Guard. A coalition of eight NGOs challenged the donation, which had been announced by the French Defence Minister in February, in court by arguing that the boats would be used to intercept refugees and migrants and pull them back to Libya, where they would suffer serious human rights violations.

Individuals providing humanitarian support to refugees and migrants

continued to be prosecuted and convicted, in particular on the French-Italian border near Briançon. In January, Pierre Mumber was convicted and given a suspended three-month prison sentence for “facilitating irregular entry” after having offered tea and warm clothing to migrants near the French-Italian border. In November, he was acquitted on appeal.

DISCRIMINATION

Sexual and reproductive rights

On 24 July, the government introduced a bill in parliament that would give access to in-vitro fertilization treatment to all women irrespective of sexual orientation or marital status. If adopted, the law would put an end to discrimination experienced by lesbian couples and single women in the access to sexual and reproductive health and rights. On 15 October the National Assembly adopted the bill which was pending before the Senate at the end of the year.

Freedom of religion and belief

On 29 October, the Senate adopted a law to ban parents from wearing religious symbols when accompanying children on school outings. At the end of the year, the law was pending before the National Assembly. If adopted, this law would violate the rights to freedom of expression and to freedom of religion or belief and

would discriminate against Muslims on grounds of religion or belief.

Forced evictions

NGOs reported that the authorities forcibly evicted throughout the year thousands of people, including many Roma, migrants and refugees, who lived in informal settlements or occupied buildings or other dwellings without security of tenure.

Hate crimes

In March, NGOs reported 38 hate crimes against Roma in informal settlements in the Paris region, following rumours on social media about child kidnapping by Roma people. Judicial authorities convicted some of the perpetrators. On 28 October, a man attempted to burn a mosque in Bayonne and fired shots at two men, seriously injuring them.

COUNTER-TERROR AND SECURITY

Between 1 November 2018 and 31 October 2019, the Minister of Interior had imposed 134 new control measures, which corresponded to an 84% increase from the previous year. These measures, which include forbidding individuals from leaving a specific town, requiring them to report to the police daily and prohibiting them from contacting certain people, are often applied to individuals without any reasonable suspicion that they had been

involved in the preparation of a crime.

In February, the Ministry of Interior changed the conditions of the assigned residence that had been imposed on Kamel Daoudi, a man who had been subject to control measures since 2008. He was allowed to move to a town closer to his family and to report to a police station twice instead of three times a day.

INTERNATIONAL JUSTICE

On 23 March, the reform of the justice system entered into force. In November 2018, the government had opposed an amendment that would have facilitated the exercise of universal jurisdiction for crimes under international law in France. The parliament eventually voted down the amendment.

BUSINESS AND HUMAN RIGHTS

Companies continued to fail to comply with the 2017 law on the duty of vigilance of parent companies and sub-contracting companies. In 2019, most companies published vague and incomplete plans on how they intended to comply with the law. The government failed to propose measures to strengthen the monitoring system established by law.