

# 2024 Country Reports on Human Rights Practices: France

## EXECUTIVE SUMMARY

The human rights situation in France worsened during the year.

Significant human rights issues included credible reports of serious restrictions on freedom of expression, including enforcement of or threat of criminal or civil laws in order to limit expression; and crimes, violence, or threats of violence motivated by antisemitism.

The government took some credible steps to identify and punish officials who committed human rights abuses.

Section 1.

## Life

### a. Extrajudicial Killings

There were no reports the government or its agents committed arbitrary or unlawful killing during the year.

In June 2023, a police officer shot and killed Nahel M. in the western Paris suburb of Nanterre after he failed to stop for a traffic check. The National Police Inspector General and prosecutors each initiated investigations. In June 2023, prosecutors charged the officer with voluntary homicide and placed him in detention while awaiting trial. In November 2023, authorities released the officer while awaiting trial. A trial date was not set by year's end.

### b. Coercion in Population Control

There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Section 2.

## Liberty

### a. Freedom of the Press

The constitution and law provided for freedom of expression, including for members of the press and other media, and the government generally respected these rights. An independent media, an effective judiciary, and a functioning democratic political system combined to promote freedom of expression, including for media members.

While individuals could criticize the government publicly or privately without reprisal, there were some limitations on freedom of speech. Strict antidefamation laws prohibited racially or religiously motivated verbal and physical abuse. Written or oral speech that incited racial or ethnic hatred and denied the Holocaust or crimes against humanity was illegal. Authorities could deport a noncitizen for publicly using “hate speech” or speech constituting a threat of terrorism. Except in cases of absolute urgency, the prefect of the department of residence or the minister of interior was required to summon the noncitizen before a commission prior to making a decision. If an expulsion decision were made, the noncitizen could be forcibly removed from the country, unless a court order prohibited it. Acts of online hate speech with the intent to cause harm targeting public sector employees, elected officials, journalists, or a child were punishable by up to five years’ imprisonment and a substantial fine. Offenses targeting other members of the population – other than public sector employees, elected officials, journalists, or children – were punishable by three years’ imprisonment and a fine. The law also made it easier for authorities to block or delist websites promoting hate speech and accelerate legal proceedings against them.

## **b. Worker Rights**

### **Freedom of Association and Collective Bargaining**

The constitution and labor law provided workers the right to form and join unions of their choice without prior authorization or excessive requirements. The law provided for the right to bargain collectively and allowed unions to conduct their activities without interference. Workers had the right to strike unless the strike threatened public safety. The law prohibited antiunion discrimination and forbade removing a candidate from a recruitment procedure for asking about union membership or trade union activities. The Ministry of Labor and Employment treated such discrimination as a criminal offense and prosecuted cases of discrimination by both individuals and companies.

The government effectively enforced laws protecting freedom of association, collective bargaining, and the right to strike for workers. Public-sector workers were required to declare their intention to strike at least 48 hours before the strike started. In addition, a notification of intent to strike was permissible only after negotiations between trade unions and employers had broken down. Workers were not entitled to be paid while striking, although wages could be paid retroactively. Health-care workers were required to provide a minimum level of service during strikes. In the public transportation (buses, metro) and rail sectors, the law required the continuity of public services at minimum levels during strikes. This minimum service level was defined through collective bargaining between the employer and labor unions for each transportation system. For road transportation strikes, the law on minimum service provided for wages to be calculated proportionally to time worked while striking.

Authorities effectively enforced relevant laws and regulations, including those prohibiting retaliation against strikers. Penalties for violations were commensurate to those under other laws related to the denial of civil rights, and penalties were regularly applied against violators, although union representatives noted antiunion discrimination occasionally occurred, particularly in small companies.

The law allowed for collective bargaining between employers and employee representatives when no union was present. Unions alleged this allowed some employers to bypass union organizations or to negotiate exceptions to sector-wide agreements. In the civil service, collective bargaining agreements were not legally binding.

The government implemented several measures regarding trade union rights through an April 2023 law that modernized and strengthened collective bargaining and social rights, especially in small and medium-sized enterprises. The Collective Bargaining Reinforcement Act mandated that businesses with more than 50 employees had to establish a collective bargaining committee, even if no trade union represented its workers. The law allowed for sectoral agreements to override

company-level agreements in cases where they provided better conditions for workers. This change aimed to prevent companies from using local agreements to undercut sector-wide standards. The law aimed to reorganize the trade union landscape by encouraging the creation of strong unions and eliminating the shifting of union allegiances and ensuring fairness among all unions. Article 1 of the law mandated that unions remain free from political influence. Article 2 recognized the exercise of trade union rights in all companies, while respecting the rights and freedoms guaranteed by the constitution.

Workers freely exercised their rights to form and join unions and choose their employee representatives, conduct union activities, and bargain collectively. Most workers' organizations stressed their independence from political parties. Some union leaders, however, did not conceal their political affiliations.

On April 3, the Court of Cassation ruled a duly negotiated and concluded agreement could determine the levels at which compulsory bargaining should take place, as provided in the labor code, among different entities within companies.

### **Forced or Compulsory Labor**

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

### **Acceptable Work Conditions**

#### **Wage and Hour Laws**

The law provided for a minimum wage for all sectors and all French territories. By law, the minimum wage was adjusted every January 1st according to the consumer price index. The minimum wage met the poverty income level, and employers in the formal sector generally adhered to the minimum wage.

The official workweek was 35 hours, although companies could negotiate exceptions with employees. The maximum number of working days for workers was 235 per year. Maximum hours of work were set at 10 per day, 48 per week, and an average of 44 per week during a 12-week work period. Workdays and paid or compensated overtime hours were fixed by a convention or an agreement in each sector in accordance with the labor code.

#### **Occupational Safety and Health**

The government set occupational safety and health (OSH) standards in addition to those set by the EU. Government standards covered all employees and sectors. OSH standards were appropriate for the main industries in the country. Labor unions played a role in formulating health and safety guidelines for the Ministry of Labor. The guidelines were regularly updated, most recently in 2021. Individual workers could report work hazards to labor inspectors, unions, or their company health committee (for companies with more than 50 employees). Workers had a right to remove themselves from a situation presenting grave and imminent danger without fear of reprisal.

The government proactively identified unsafe conditions and responded to workers' OSH complaints. Its labor inspectors carried out 255,000 interventions in 2021, the last year for which data were available, notably in combating illegal employment, preventing falls from height, and dealing with the COVID-19 health crisis.

#### **Wage, Hour, and OSH Enforcement**

The Ministry of Labor, Full Employment, and Social Inclusion enforced wage, hour, and OSH laws and performed this responsibility effectively in both the formal and the informal economy. The government permitted salaries below the minimum wage for specific categories of employment, such as subsidized jobs and internships, which were required to conform to separate and clearly defined standards. The number of labor inspectors was sufficient to enforce compliance with labor laws. Inspectors had the authority to make unannounced inspections and initiate sanctions. The labor code protected employees from abuse of power by their employers in cases of disciplinary sanctions. Employees could pursue appeals in a special labor court up to the Court of Cassation. Sanctions depended on the loss sustained by the victim and were usually applied on a case-by-case basis.

Penalties for wage, hour, and OSH violations depended on the status of the accused and were generally commensurate with those for similar crimes such as fraud or negligence. Penalties were regularly applied against violators.

During the year, the government increased the frequency of workplace inspections and imposed stricter penalties for violations of OSH regulations. Initiatives were launched to promote workplace well-being, including stress management programs and mental health support. The government encouraged the use of digital tools for reporting workplace accidents and health hazards. Under pressure from the Court of Cassation, on April 24 the government brought the provisions of the labor code on work stoppages into compliance with European law. As of April 24, employees could accrue paid leave while taking sick leave or workplace accident leave.

According to the *Quarterly Informal Economy Survey*, the informal economy comprised an estimated 13 percent of national GDP, representing \$452 billion.

### **c. Disappearance and Abduction**

#### **Disappearance**

There were no reports of enforced disappearances by or on behalf of government authorities.

#### **Prolonged Detention without Charges**

The constitution and law prohibited arbitrary arrest and detention and provided for the right of any person to challenge the lawfulness of their arrest or detention in court. The government generally observed these requirements.

Long delays in bringing cases to trial and lengthy pretrial detention were problems. The usual length of time between charging and trial was approximately three years. Although standard practice allowed pretrial detention only in cases involving possible sentences of more than three years in prison, some suspects spent many years in detention before trial. As of August, pretrial detainees made up 25.7 percent of the prison population.

### **d. Violations in Religious Freedom**

See the Department of State's annual *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

### **e. Trafficking in Persons**

See the Department of State's annual *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

## Security of the Person

### a. Torture and Cruel, Inhuman, or Degrading Treatment or Punishment

While the constitution and law prohibited such practices, there were a few accusations that security and military personnel had committed abuses.

The annual report of the inspector general of the National Police (IGPN), published on November 19, found the number of investigations carried out by the inspectorate slightly decreased compared with the same period in 2023. More than half (51 percent) of the 1,015 investigations in 2023 pertained to “willful violence” by officers. The IGPN reported 36 police-related deaths (38 in 2022) and 91 serious injuries (79 in 2022).

On January 19, a criminal court in Seine-Saint-Denis ruled the truncheon blow inflicted on Théodore Luhaka by a police officer during an identity check in a Paris suburb in February 2017 that left Luhaka permanently disabled was illegitimate police violence. The officer was sentenced to a one-year suspended prison sentence, a five-year ban on carrying a weapon, and restricted duty (i.e., office work). Two other police officers received three-month sentences for intentional violence in the same case.

### b. Protection of Children

#### Child Labor

The law prohibited all the worst forms of child labor. The minimum age for employment was 16, with exceptions for persons enrolled in certain apprenticeship programs or working in the entertainment industry, family-owned businesses, or age-appropriate work during school vacations. These individuals were subject to further labor regulations for children. The law generally prohibited persons younger than 18 from performing work considered arduous or dangerous, such as working with dangerous chemicals, high temperatures, heavy machinery, electrical wiring, metallurgy, dangerous animals, working at heights, or work that exposed children to acts or representations of a pornographic or violent nature. Persons younger than 18 were prohibited from working on Sunday, except as apprentices in certain sectors, including hotels, cafes, caterers, and restaurants. Youth were prohibited from working between 8 p.m. and 6 a.m. when they were younger than 16 and between 10 p.m. and 6 a.m. when they were between 16 and 17. The government effectively enforced labor laws. Penalties were commensurate with those for analogous crimes. The government sometimes applied penalties against violators of child labor laws, reporting a small number of fines were issued in 2021.

There was no significant presence of the worst forms of child labor. Inspectors from the Ministry of Labor investigated workplaces to enforce compliance with all labor statutes. To prevent violations of child labor statutes, inspectors could place employers under observation or refer them for criminal prosecution. In its 2022 report, the Group of Experts on Action against Trafficking in Human Beings GRETA expressed concern police continued to arrest and prosecute children engaged in forced begging and forced criminality without screening for trafficking indicators.

A law for adapting to EU law on transparent and predictable working conditions that went into effect in November 2023 required companies to submit detailed records of child employees and obliged regional labor offices to conduct more frequent inspections in industries with historically higher rates of child employment, such as agriculture, entertainment, and hospitality. The 2023

INSEE *Labor Force Survey* indicated there was a 15 percent reduction in child labor violations compared to the previous year, attributed to enhanced enforcement and awareness campaigns.

The country's child labor policies were closely aligned with international standards, particularly the International Labor Organization's Conventions on Minimum Age for Employment and Worst Forms of Child Labor.

Legal amendments that went into effect in October further specified the types of work that were hazardous for minors, expanding the list to include employment in environments with exposure to harmful chemicals and operations involving heavy machinery. The amendments limited the work hours for minors younger than 18 to a maximum of 35 per week and eight per day, with an exception for those in apprenticeship programs under strict supervision.

### **Child Marriage**

The legal minimum age for marriage was 18 and authorities effectively enforced the law. Early marriage occurred mainly within communities from the Maghreb, sub-Saharan Africa, and South Asia. The law provided for prosecution in cases of forced marriages, even when the marriage occurred abroad, and allowed officials to interview couples separately when there were concerns the relationship might be a forced marriage. Penalties for violations were up to three years in prison and a fine. Women and girls could seek refuge at shelters if their parents or guardians threatened them with forced marriage. The government offered educational programs to inform young women of their rights.

### **c. Protection to Refugees**

The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

#### **Provision of First Asylum**

The laws provided for the granting of asylum or refugee status, and the government had a system for providing protection to refugees.

The Office for the Protection of Refugees and Stateless Refugees (OFPRA) provided asylum application forms in 24 languages. Applicants were required to complete the forms in French, however, generally without government-funded language assistance. Applications for asylum had to be made on French territory or at a French border-crossing point. Asylum seekers outside of the country were able to request a special visa from a French embassy or consulate for the purpose of seeking asylum. After arrival in the country, the visa holder had to follow the same procedure as other asylum seekers. These visa holders were authorized to work while their application was processed and evaluated. Asylum seekers could appeal OFPRA's decisions to the National Court on Asylum Law.

On June 20, the nongovernmental organization (NGO) Forum-Refugies published a report stressing that a growing proportion of asylum seekers were deprived of any material assistance, while only 61 percent of those who did receive assistance were housed in an accommodation in a reception center for asylum seekers or other similar facility.

On July 11, for the first time, the National Court of Asylum granted asylum to an Afghan woman because of her sex. In a statement, the court noted that since returning to power in August 2021, the Taliban had "harmed the fundamental rights and freedoms of Afghan women and girls." The court thereby recognized all Afghan women as a social group eligible for protection as refugees.

In its 2022 report, GRETA cited instances where trafficking victims in the asylum system had numerous interactions with law enforcement but were never identified as victims, and where NGOs had identified trafficking victims but law enforcement disagreed or deported the victim despite the victim having lodged a complaint. The government did not uniformly screen undocumented migrants in Mayotte for trafficking indicators prior to their deportation, which might have left some trafficking victims unidentified. While trafficking victims were eligible for international protection under refugee status or subsidiary protection status in cases where victims had a credible fear of retaliation, including from public authorities in their country of origin, if returned, the government did not make this international protection available to victims in Mayotte.

## **Resettlement**

The government provided a range of solutions for integration, resettlement, and return of migrants and unsuccessful asylum seekers. The government accepted refugees for resettlement from other countries and facilitated local integration and naturalization, particularly of refugees in protracted situations. The government assisted in the safe, voluntary return of migrants and unsuccessful asylum seekers to their home countries. The government offered an allowance of €650 (\$676) per person for the voluntary return of asylum seekers from countries whose citizens needed an entry visa and €300 (\$312) per person for individuals from countries whose citizens did not need a visa or were citizens of Kosovo.

## **d. Acts of Antisemitism and Antisemitic Incitement**

To promote equality and prevent discrimination, the law prohibited the collection of data based on race, ethnicity, and religion. A 2023 report by the Berman Jewish Agency estimated there were 440,000 Jews in the country.

NGO and government observers reported numerous antisemitic incidents, including physical and verbal assaults on individuals and attacks on synagogues, cemeteries, and memorials.

On January 25, the Representative Council of Jewish Institutions in France reported antisemitic acts in 2023 nearly quadrupled to 1,676, up from 436 in the previous year. The council's report indicated antisemitic acts increased by 1,000 percent since the October 7, 2023, Hamas attacks against Israel, with 1,242 acts reported between October and December 2023, equaling those of the prior three years combined. Nearly 60 percent of the incidents involved physical violence, threats, or menacing gestures. Antisemitic acts also increased by 1,200 percent in "the school environment."

According to official figures released on October 7 by the Ministry of Interior, 887 antisemitic acts were reported during the first six months of the year, representing a 192 percent increase compared with the same period in 2023. The government deployed approximately 3,000 military personnel throughout the country to patrol sensitive sites, including places of worship.

In May, the government launched consultations with religious leaders and civil society representatives to share best practices to tackle increasing hostility toward Jews. In a gesture of solidarity following violence at a soccer game abroad, President Emmanuel Macron attended a France-Israel soccer game along with other top government officials.

On August 24, an Algerian man was arrested in Nimes after reportedly setting fire to two cars outside the Beth Yaacov Synagogue half an hour before Shabbat service. No one inside was harmed, but one police officer was slightly injured when one of the cars exploded. Security cameras captured the suspect wearing a Palestinian flag and a keffiyeh. President Macron denounced the incident as a "terrorist attack," saying "the fight against antisemitism is a constant battle and concerns the entire nation." Then-Prime Minister Gabriel Attal and then-Minister of Interior Gerald Darmanin visited the site and announced reinforced security around Jewish sites. The Paris National Anti-Terrorist Prosecutor's Office took charge of the case.

For further information on incidents of antisemitism in the country, whether or not those incidents were motivated by religion, and for reporting on the ability of Jews to exercise freedom of religion or belief, see the Department of State's annual *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.