

## France

Despite government measures to mitigate its economic impact, the Covid-19 pandemic exacerbated poverty and inequality. Police targeted minority youth for discriminatory police identity checks. Child protection authorities often failed to provide unaccompanied migrant children with appropriate care and services. Migrants and asylum seekers faced inhumane living conditions and police abuse. Racist violence remained a concern. Persons with disabilities faced discrimination. The forced dissolution of a leading anti-discrimination group and the increased use of accelerated procedures in the legislative process raise rule of law concerns.

### ***Poverty and Inequality***

According to the [National Institute of Statistics and Economic Studies](#) and the [National Council for Poverty and Social Exclusion Policies](#), the Covid-19 crisis exacerbated the precariousness of the poorest people, despite government support and safeguard measures. The pandemic led to more people experiencing food insecurity and seeking food aid, and exacerbated domestic violence.

According to [government data](#), vaccination rates were lower among people in poverty. Although vaccination is open to all, in practice [many obstacles](#) remained for the most marginalized populations, such as far distances from health care centers or lack of access to information.

The annual [winter evictions moratorium](#), including a ban on suspending gas and electricity for non-payment, was [extended](#) by two months, to the end of May. A coalition of nongovernmental groups (NGOs) [warned in mid-July](#) against an increase in evictions from informal settlements since June 1.

### ***Migrants and Asylum Seekers***

Throughout the year, adults and children living in [informal encampments in Paris](#) and in and around Calais in northern France were subjected to [repeated mass evictions](#), police harassment, and restrictions on humanitarian assistance. The CNCDH [denounced](#) in February the living conditions and rights violations of migrants in northern France hoping to travel onward to the UK. Irregular boat cross-



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# Enforced Misery

The Degrading Treatment of Migrant Children and Adults  
in Northern France

ings in the Channel [more than doubled in 2021](#) compared to 2020. France criticized a UK plan to push boats back as contrary to maritime law and the obligation to safeguard life at sea.

French border police [unlawfully expelled](#) migrants, including unaccompanied children, at the French-Italian border.

In April, France [deported](#) a Chechen who was an important witness in a torture case to Russia despite a decision by the national asylum court prohibiting his expulsion; he was arbitrarily detained by Chechen security officials two days after his deportation. In a separate April case, the European Court of Human Rights (ECtHR) [urged](#) France to assess in a “complete and precise” way the risks that a Chechen national would face before being deported to Russia.

In July, the ECtHR [ruled](#) that the 2018 detention pending deportation of a Malian woman and her four-month-old daughter violated their rights to liberty and security and the prohibition of inhuman and degrading treatment.

By the end of August, France had [evacuated](#) 2,600 Afghans from Kabul. French authorities opened a dedicated office to process their asylum claims, which will undergo [expedited processing](#).

## ***Rule of Law***

In September, the Council of State, France’s highest administrative court, approved the December 2020 [dissolution by decree](#) of the Collective against Islamophobia in France (CCIF), disappointingly accepting the government’s argument that the prominent anti-discrimination group engaged in incitement to discrimination, hatred, and violence. The dissolution of CCIF is part of a broader crack-down on liberties in response to [attacks attributed to Islamist extremists](#).

The CNCDH and the [European Commission](#) expressed concerns that the law “[consolidating the principles of the Republic](#)” intended to “fight against separatism and attacks on citizenship,” adopted in August, might violate fundamental rights, including freedom of association, information, and education.

In March, the French defender of rights warned against the proliferation of laws in response to Covid-19 that the pandemic did not always justify, and the multiplication of norms regulating individual freedoms without judicial control. In its

July report on European rule of law, the European Commission [noted](#) that the use of accelerated procedures, including for laws with a significant impact on individual freedoms, has become the norm and denounced the shrinking space for civil society.

A new security [law](#) enacted in May prompted [concerns](#) over its potential impact on freedom of expression and information, and on the right to protest.

The state of health emergency introduced in March 2020 in response to Covid-19 was successively extended during the year. Concerns were raised about the risks to individual liberties under the state of emergency. The defender of rights pointed to the potential for discrimination, violations of children's rights, the risks to vulnerable populations, and data protection in relation to the creation of an obligatory health pass in August.

### ***Law Enforcement and Police Abuse***

In July, six civil society groups including Human Rights Watch filed an unprecedented [case](#) before the Council of State over systemic racial discrimination by the police with respect to unlawful ethnic profiling during identity checks.

In April, Reporters Without Borders (RSF) warned against police [attacks on journalists covering protests](#). Similarly, in its July [rule of law report](#), the European Commission noted attacks on journalists and media workers, both by protestors and police, despite France's solid legal framework to ensure media pluralism and independence.

In May, the Constitutional Council [declared unconstitutional](#) some provisions included in a "global security law," in particular one that would have made it an offense to disseminate images of law enforcement officers in the exercise of their duties.

### ***Children's Rights***

The French defender of rights [raised concerns](#) about the placement of unaccompanied children in closed reception facilities, in some departments across France, and called on authorities to house children in adequate and dignified facilities.

At time of writing, a draft [law](#) on child protection that would prohibit the placement of unaccompanied children in hotels, where they face overcrowding, isolation, weak surveillance, and proximity to places of trafficking, was pending before the Senate. NGOs have criticized some provisions as contrary to the best interest of the child, including the imposition of biometric registration of unaccompanied children.

By September, France had [relocated](#) 379 unaccompanied children and 366 other asylum seekers deemed vulnerable from Greece.

The National Assembly adopted a [law](#) in April defining as rape any act of sexual penetration between an adult and a child under the age of 15, punishable by up to 20 years in jail, without having to prove coercion.

In a February [report](#), the controller general of places of deprivation of liberty expressed concerns about the increase in detention of children, the frequent failure to strictly separate children and adults in prisons and in police custody cells, and the lack of access of children deprived of their liberty to education and mental and physical care.

### ***Discrimination and Intolerance***

According to official data [published](#) in July, overall bias crimes decreased by 26 percent in 2020 compared to 2019 but anti-Muslim acts increased by 52 percent. The interior ministry registered 5,086 victims of offenses due to ethnicity, nationality, religion, or race in 2020, a 5 percent decrease compared to 2019. According to the same report, Roma and Travellers continued to be stigmatized, with polls compiled by the CNCDH showing that 75 percent of respondents consider Roma people as a “separate group” in society.

In a July [report](#), the CNCDH suggested that, while there had been fewer serious bias acts during Covid-19 lockdowns, there had been an increase in online hate speech.

A [law](#) on bioethics allowing fertility treatments for lesbian couples and single women was adopted in August. Transgender people continued to be [legally](#) excluded from these treatments.

In a May [report](#), the nongovernmental group SOS Homophobie concluded that violence targeting lesbian, gay, bisexual and transgender (LGBT) people, particularly youth, by their families and their communities increased during the pandemic as measures to try to prevent the spread of Covid-19 were enforced.

### ***Women's Rights***

The National Assembly voted to [ratify](#) the Violence and Harassment at Work Convention of the International Labour Organization (ILO) in July; it was [voted](#) by the Senate in October. France's minister of labor [said](#) that the current legal framework is sufficient to address sexual harassment at work, but feminist groups and labor unions argue [further reform](#) is necessary, in accordance with the convention and its standards.

In September, the government [announced](#) that free contraception, previously available only to girls under 18, would be extended to women up to the age 25, beginning in 2022.

In August, France's interior minister [announced](#) a series of measures to address domestic violence, including the appointment of officers specializing in domestic violence to each police station and each gendarmerie brigade across France. He noted that domestic violence "is becoming the primary reason for police and gendarme intervention," with 400,000 police interventions in 2020. France's [femicide](#) rate remains among the highest in Europe, and [failures by police](#) in high-profile cases led to protests and calls for improvements in authorities' response to violence against women.

A [study](#) commissioned by the European Parliament found that female employment was disproportionately impacted by the Covid-19 pandemic.

### ***Disability Rights***

In its September [concluding observations](#), the UN Committee on the Rights of People with Disabilities expressed concerns about discrimination; limited implementation of accessibility in public services and facilities; deprivation of legal capacity and the lack of supported decision-making; deprivation of liberty on

grounds of disability; the high number of children with disabilities in segregated education settings; and barriers in access to justice.

It also criticized inhuman and degrading conditions, including violence, humiliation and sexual abuse in residential and mental health facilities, forced psychiatric treatment, and the use of solitary confinement, seclusion, chemical and physical restraints, including on children.

The committee also noted the lack of a disability-inclusive response to the disproportionate impact of the Covid-19 pandemic on persons with disabilities. Among other things, it called on the government to initiate emergency deinstitutionalization and ensure safe and independent living in the community and to actively consult with people with disabilities and their representative organizations in public decision-making.

### ***Counterterrorism***

Several [civil society organizations](#) criticized a counterterrorism law, adopted in July, for permanently renewing emergency measures adopted in 2015 and 2017 and [giving](#) intelligence services [new powers of mass surveillance](#), including the possibility of using algorithms to scan internet connections and browsing data, and the interception of satellite communications. The law also empowers the government to close places of worship where terrorism, hatred, or discrimination is promoted, as well as spaces affiliated with these places of worship.

The trial [opened](#) in September of 20 suspects of the extremist armed group Islamic State (ISIS), charged with involvement in the November 2015 Paris attacks, which killed 130 people and injured hundreds more.

### ***Climate Change Policy and Impacts***

As one of the [EU's biggest greenhouse gas emitters](#), France is contributing to the climate crisis taking a growing toll on human rights around the globe. France [committed](#) to reducing emissions by 40 percent by 2030. From January 2020 through March 3, [43 percent of the almost US\\$57 billion](#) Covid-19 recovery were subsidies for fossil fuels. In a February [report](#), the [High Council for the Climate](#) said that, while progress has been made, the government's efforts remain too

slow to achieve the 2030 target. France has already warmed by 1.7 degrees and severe climate impacts such as heat waves and forest fires will become more frequent and intense.

In February, the Paris Administrative Court [held](#) in a landmark ruling that climate change constitutes environmental damage to which state inaction has contributed. In October, the court issued an [additional ruling](#) in this case finding that France has to make up for its past failures and achieve additional emission reductions by December 2022. In June, the Senate adopted the “climate and resilience” [law](#). Despite some positive measures, it has been severely criticized for its lack of ambition. In July, the Council of State [ordered](#) the government to take additional measures by March 2022 to put France on track to meet its commitment to reduce greenhouse gas emissions.

Despite [poor implementation](#) by the government, civil society groups are increasingly using the [French Duty of Vigilance Law](#) to hold private actors to account for harming the climate. In February, the Nanterre civil court [held](#) that it had jurisdiction over a case against Total, an energy company, claiming it had not taken adequate measures to prevent human rights, health, and environmental damage resulting from its contribution to climate change.

### ***Foreign Policy***

France continued to support scrutiny under Article 7—the European Union mechanism to deal with EU members putting the union’s values at risk—to address rule of law concerns in Hungary and Poland. The European Affairs Minister [claimed](#) he was denied access to an “LGBT-free” zone by Polish authorities during an official visit in March. In June, he [called](#) the anti-LGBT law adopted in Hungary “a scandal.”

In February, France [condemned](#) the jailing of Russian opposition leader Alexei Navalny, supported EU sanctions against Russia and [stated](#) that President Putin and Russian authorities would be held responsible and face further sanctions if Navalny died.

In May, France [condemned](#) the unlawful forced landing of a Ryanair flight by the Belarus authorities, calling it an “act of state piracy,” and the consequent

arbitrary arrest of a prominent blogger and political activist and his partner, and called for “a strong and united response from the EU.”

Although France signed on to a [joint declaration](#) at the UN Human Rights Council condemning the human rights situation in Egypt in March, in May it announced a deal, financed through French loans, for the sale of 30 Rafale fighter jets to Egypt. A few months before, President Emmanuel Macron [said](#) he would not make the sale of weapons to Egypt conditional on human rights.

Despite mounting evidence of war crimes by the Saudi and UAE-led coalition in Yemen and lack of accountability for these crimes, Saudi Arabia was France’s [biggest arms buyer](#) in 2020. In December, France [concluded](#) with the UAE what the government characterized as its largest arms contract ever, totaling US\$19 billion, including the sale of 80 Rafale fighter jets.

In May, French Foreign Minister Jean-Yves Le Drian [warned](#) of “a risk of apartheid” in Israel’s treatment of Palestinians, noting that “even the status quo produces this.” France, though, abstained at the Human Rights Council on a [resolution](#) that established a commission of inquiry into violations in Israel and the Occupied Palestinian Territory (OPT).

In August, France [announced](#) €100 million in humanitarian aid for the Lebanese people during a donors’ conference it co-sponsored with the UN, but has not yet supported calls from victims and civil society for an international independent investigation into the Beirut blast.

In May, in Kigali, Macron [said](#) he recognized France’s “responsibilities” in the genocide in Rwanda and hoped for forgiveness, while indicating that “France was not complicit” in the massacres. In March, a [report](#) commissioned by Macron concluded that France had “heavy and overwhelming responsibilities” in the 1994 genocide.

In February, the foreign minister [denounced](#) “institutionalized repression” of Uyghurs by China’s authorities and [called](#) for an impartial, independent mission to Xinjiang under the auspices of the UN High Commissioner for Human Rights. In October, France led a cross-regional [joint statement](#) at the UN General Assembly’s Third Committee condemning the Chinese government’s widespread violations in Xinjiang.

France [failed to show leadership](#) in pushing for sanctions on Myanmar's oil and gas revenues. Like the US and the UK, it also failed to push for a global arms embargo at the UN Security Council in response to the February 1 military coup in Myanmar and the junta's atrocities.