

The State of the World's Human Rights; France 2024

Discrimination

French women athletes at the 2024 Paris Olympic and Paralympic Games were banned from wearing sports hijabs. Similar discriminatory bans continued to apply to sports in general at both professional and amateur levels, effectively ruling out the participation of Muslim women and girls who wore head coverings.

In September the Council of State affirmed the ban on students wearing the *abaya* or *qamis*, in accordance with the discriminatory 2004 law restricting “signs or clothing showing religious affiliation in public schools, colleges and high schools”.

In December the UN Human Rights Committee expressed regret that France had failed to reconsider its restrictions on the wearing of religious symbols and clothing in public places, and indeed had extended them into the domain of sports. It noted the likely discriminatory impact of such measures, especially on Muslim women and girls.

In February, during a visit to the island of Mayotte, the then interior minister announced plans for a constitutional change withdrawing the right to French citizenship by birth for children born to foreign parents on the overseas territory. A draft bill to introduce the change was suspended but not repealed by year’s end.

Serious concerns were raised by reports of increased antisemitic, Islamophobic and racist hate crimes. The government’s approach to tackling racism continued to be undermined by its refusal to address systemic racism alongside its failure to collect reliable data. The Human Rights Committee again called on the French government to develop policies to combat racial discrimination based on statistics gleaned from more effective data collection tools, relying on the principles of self-identification and anonymity.

Racial profiling

Despite concerns and questions raised by expert UN bodies throughout the year, authorities continued to deny the existence of systemic racism in policing. Meanwhile the widespread use of discriminatory identity checks persisted. In April, five French and international NGOs complained to the CERD Committee that, despite having acknowledged the existence of racial profiling in 2023, the Council of State had failed to compel the government to implement reforms.

In November the Defender of Rights said in an interview that she was “appalled” at the government’s failure to make progress towards eliminating discriminatory identity checks.

Freedom of expression and assembly

People expressing solidarity with Palestinians faced excessive and disproportionate restrictions. In response to spontaneous demonstrations against Israel’s assault on Rafah in June, authorities in Paris, Lyon, Alençon and other cities across France enforced pre-emptive protest bans. Peaceful protesters and bystanders were also fined for “participation in an undeclared or banned protest”.

Scores of human rights defenders, trade union representatives, politicians, journalists, academics and medical practitioners expressing solidarity with Palestinians were investigated for “apology for terrorism” – an overly-broad and vaguely defined offence that threatened free expression.

On 11 August, eight members of the Les Hijabeuses campaign collective against discriminatory bans on sports hijabs were subjected to arbitrary identity checks and arrests while watching a friend run in the marathon as part of the Paris Olympic Games. Police accused them of participating in an unlawful protest as they were displaying banners that referred to “hijabis”. The women were questioned, detained overnight and arbitrarily required to remove their hijabs while in custody before being eventually released without charge.

Other groups also faced excessive restrictions. In July, climate change protests were banned by local prefects in Vienne and Deux-Sèvres departments. Following a visit to the Tarn region in February, the UN Special Rapporteur for environmental defenders under the Aarhus Convention expressed concern at policing methods he had witnessed being used against environmental activists engaging in civil disobedience to protest at the construction of the A69 motorway.

Excessive and unnecessary use of force

Law enforcement officers were alleged to have used excessive and deadly force in the overseas territory of Kanaky New Caledonia during unrest, which erupted after parliament adopted a bill in May changing the territory’s voting rules.¹ In August, UN experts expressed concern at the allegations as well as at reports of widespread arbitrary arrests, detentions and enforced disappearances.

In December the UN Human Rights Committee expressed grave concern at reports of excessive use of force during road traffic checks, arrests, forced evacuations and demonstrations. It noted that such cases disproportionately affected members of certain minority groups, in particular people of African descent or of Arab origin, Indigenous Peoples and migrants.

The committee also pointed to lack of sanctions and apparent impunity for police, noting that no one had yet been found responsible for the killing of Adama Traoré, a young man of African descent, during a stop-and-search operation by police in 2016. In May a higher court upheld a 2023 judicial decision dismissing prosecutions against the three gendarmes involved, prompting the victim’s family to file a second appeal.

In November the government put out a new tender worth EUR 27 million for sting-ball grenades, an inherently dangerous military-grade weapon used by police and known to have caused serious injuries among protesters.

Irresponsible arms transfers

A lack of transparency continued to shroud arms transfers, with the government failing in its legal requirement to submit a report on the previous year’s transfers by 1 June.

France continued to license arms exports to Israel despite calls by UN experts for the immediate cessation of such transfers, which were likely to violate international humanitarian law, and despite President Emmanuel Macron’s call in October for an embargo on arms for use in Gaza.

French-manufactured weapons systems supplied to the United Arab Emirates continued to be used on the battlefield in Sudan, likely in violation of the EU and UN arms embargoes on Darfur.²

Impunity

In June the Paris Court of Appeal upheld the validity of an arrest warrant issued in 2023 against the then-Syrian president Bashar al-Assad for chemical attacks against civilians in Eastern Ghouta and Douma. In July, however, the French public prosecutor subsequently challenged this decision before the Court of Cassation.

Following the ICC's decision to issue arrest warrants for Israeli Prime Minister Benjamin Netanyahu and former defence minister Yoav Gallant, as well as senior Hamas leader Mohammed Diab Ibrahim Al-Masri, in connection with alleged war crimes and crimes against humanity, France initially signalled that it would fulfil its obligations to make arrests should any of the men visit the country. However, the Ministry of Foreign Affairs later claimed that the Israeli ministers had immunity as Israel was not a member of the ICC.

Mass surveillance

In June the National Commission for Human Rights concluded that there were insufficient safeguards in place to ensure that video surveillance by law enforcement was necessary and proportionate.

In July the Orléans administrative court declared that the city's installation of an artificial intelligence-powered audio surveillance system linking microphones to CCTV cameras was a disproportionate interference with privacy rights and illegal as it had no basis in law.

In December the UN Human Rights Committee expressed concern that the use by law enforcement of mass video surveillance technology powered by artificial intelligence during the Olympic Games was a disproportionate interference with the right to privacy.

A coalition of rights groups brought a complaint before the Council of State in October, calling for the Social Security Agency's National Family Allowance Fund to stop using a discriminatory risk-scoring algorithm to detect potentially fraudulent receipt of benefit payments. The algorithm discriminated against low-income households, people living in disadvantaged neighbourhoods, those spending a significant portion of income on rent, and working people in receipt of a disability allowance.

Refugees' and migrants' rights

In January the Constitutional Council removed many measures from the discriminatory, xenophobic Immigration Control and Integration Act of November 2023. However, the final version retained provisions including increased administrative powers to detain and expel foreign nationals deemed a "threat to public order" regardless of their link to France.³ In December the UN Human Rights Committee expressed concern that the law weakened procedural safeguards for asylum seekers, including safeguards against the risk of expulsion when appeals were pending.

Ten decrees linked to the Immigration Control and Integration Law were issued in July. One made the issuing of residency documents for foreign nationals conditional upon "respect for Republican values", an overly broad condition that risked arbitrary and discriminatory interpretation.

The demonizing, xenophobic rhetoric that marred debates over this legislation continued to be encouraged by many politicians. In September the interior minister promised increased powers for local and regional authorities to deport irregular migrants and prevent them from regularizing their status. He also renewed calls to further restrict their access to state medical aid.

French and British authorities continued to neglect their human rights responsibilities as 2024 became the deadliest year on record for migrants attempting to cross the English Channel irregularly by boat. More than 70 people died trying to reach the UK from France. In October the

French interior minister noted that deaths during crossings were “harmful consequences” of “efficient” law enforcement.

France continued to issue expulsion orders to, and detain citizens from, countries including Afghanistan, Haiti, Iran, Syria and Sudan, where a forced return would amount to refoulement. In July the National Asylum Court recognized Afghan women as a social group warranting refugee protection on the grounds of their gender. However, France made no progress towards ensuring access to visas for Afghan women in Afghanistan, Pakistan or Iran. As a result, there continued to be almost no regular and safe pathways for them to find sanctuary in France.

Sexual and reproductive rights

In March, France became the first country in the world to explicitly include abortion as a guaranteed freedom in its constitution. However, this precedent-setting legislative development failed to guarantee the right to abortion for all who could become pregnant including transgender men and non-binary people.

In July the European Court of Human Rights ruled against sex workers seeking redress for the infringement of their rights resulting from the criminalization of their work. In *MA and others v. France*, the court had examined the human rights impact of the so-called “Nordic model” – a legal framework adopted by France in 2016 making it illegal to buy sex and criminalizing organizational aspects of sex work.⁴

Gender-based violence

Migrant women, sex workers and transgender women faced systemic barriers when trying to file complaints of sexual violence. Barriers included denial of their right to register a complaint and threats of expulsion, as well as being subjected to prejudiced attitudes and stereotyped assumptions from law enforcement officials.⁵

Right to a healthy environment

According to figures for January to September, France slowed its progress in reducing fossil fuel emissions, compared to 2023. Expansion of the renewable energy sector remained insufficient to meet long-term targets, with gaps in both policy and implementation. Climate and the environment were deprioritized, with delays in the adoption of energy and adaptation policies.

In June the Paris Court of Appeal deemed two separate cases against energy companies to be admissible. The cases were brought under the Duty of Vigilance law which requires companies to set out how they will prevent human rights abuses and environmental damage arising from their activities.
