



International Convention on the Elimination of All Forms of Racial Discrimination

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108th session

Summary record of the 2929th meeting*

Held at the Palais Wilson, Geneva, on Tuesday, 15 November 2022, at 3 p.m.

Chair: Ms. Shepherd

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Combined twenty-second and twenty-third periodic reports of France

* No summary records were issued for the 2927th and 2928th meetings.

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The meeting was called to order at 3.05 p.m.

Consideration of reports, comments and information submitted by States parties under article 9 of the Convention

*Combined twenty-second and twenty-third periodic reports of France
(CERD/C/FRA/22-23; CERD/C/FRA/Q/22-23)*

1. *At the invitation of the Chair, the delegation of France joined the meeting.*
2. **Ms. Elizéon** (France), introducing her country's combined twenty-second and twenty-third periodic reports (CERD/C/FRA/22-23), said that, because of its truly global history, France was keenly aware of the contribution made to its economic, social, cultural and political development by populations of foreign origin. In keeping with a 1905 law on the separation of church and State, France welcomed all religions, beliefs and philosophies. The island where she had grown up, Réunion, was home to the Noor-e-Islam Mosque, the first mosque built on French territory.
3. Through its Constitutions of 1946 and 1958, France had extended the principle of equality in dignity and rights enshrined in the Universal Declaration of Human Rights, by prohibiting discrimination on the grounds of race, origin or religion. That radical break with the laws of the Vichy regime had shaped the diversity of the French population. By 2019–2020, immigrants had accounted for 9 per cent of those living in mainland France. In 2021, over 130,000 people had been granted French citizenship, significantly more than in previous years. It was thanks to that model, nurtured by the French Republic, that she herself was able to appear before the Committee representing France.
4. Since France had submitted its combined periodic reports on 9 May 2019, progress had been made in the implementation of the national plan to combat racism and antisemitism for the period 2018–2020. France had a long-standing commitment to the fight against racism and discrimination. On 1 July 1972, one year after France had acceded to the Convention, the French parliament had unanimously adopted a law specifically criminalizing racist insults and defamation, as well as incitement to racial discrimination, hatred or violence, and enabling victims' associations to sue for damages in criminal proceedings.
5. The Government was aware of the challenges that the country still faced. It was attentive to civil society and was working to implement proposals to address those challenges through the work of the National Consultative Commission on Human Rights and the Defender of Rights. The advent of the Internet and so-called social networks, far from promoting mutual respect, had fuelled conspiracy theories, the rejection of others and the stigmatization of differences. In response, the Government had adopted two laws, on 20 June 2020 and 24 August 2021, to combat hateful online content and lay the groundwork for the entry into force, in 2024, of European instruments imposing new responsibilities on online platforms.
6. Since its inception within the Paris Public Prosecutor's Office in January 2021, the National Centre to Combat Online Hate Speech had dealt with 1,135 cases, 21 per cent of which had involved hate speech offences. The staff of the PHAROS platform, which collected reports of online hate speech, had doubled, thus allowing the platform to increase its effectiveness. In 2021, of the 263,825 reports that it had received, 3.4 per cent had concerned racist content; the proportion had risen to nearly 5 per cent in 2022. In August 2020, a hate crimes division had been created within the Central Office for Combating Crimes against Humanity, Genocide and War Crimes, which was responsible for handling and/or coordinating criminal investigations of complex crimes motivated by racism, xenophobia, religious hatred, sexual orientation or gender identity, including those committed online. Internationally, France had made the fight against racist hatred and discrimination one of the priorities of its presidency of the Council of the European Union in the first half of 2022. On 4 March 2022, the Justice and Home Affairs Council had unanimously adopted conclusions on combating racism and antisemitism.
7. It was now generally recognized that online hatred found its way onto the streets. The murder of Samuel Paty on 16 October 2020 had served as a stark reminder of that inescapable reality and had strengthened the Government's resolve to foster mutual respect through

education, to teach history in all its complexity and to transmit the values of liberty, equality and fraternity of the French Republic. Prime Minister Élisabeth Borne had made it a priority to mainstream the principle of equality in all public policies, including the national plan to combat racism, antisemitism and discrimination based on origin, a plan that had been unveiled on 8 September 2022. The previous plan, announced in March 2018, had placed emphasis not only on the fight against online hate, but also on the protection of citizens, education against prejudice and support for actors on the ground.

8. A network of focal points, including 2,400 persons working in the National Police and the Gendarmerie, had been set up to facilitate access to justice for victims of racism and discrimination. Moreover, support was provided through 99 family protection centres across the country, 205 judges tasked specifically with combating racism and antisemitism and 140 specialist investigators appointed to render the judicial processing of complaints even more efficient. The Interministerial Task Force to Combat Racism, Antisemitism and Anti-LGBT Hatred, in partnership with the National School for the Judiciary, dispensed training to investigators and judges.

9. In schools, 335 anti-harassment focal points and more than 400 academic teams responsible for transmitting the values of the French Republic provided close support to teaching staff. In universities, focal points addressing racism and antisemitism were gradually being recruited to listen to students' concerns and develop plans of action in response to them. Paris 8 University had recently started offering a degree in the fight against racism and antisemitism.

10. The increase in the numbers of complaints of and convictions for racism and antisemitism in recent years illustrated the importance of pursuing training activities within the judiciary. In 2021, the Ministry of the Interior had recorded 12,500 complaints of racism, xenophobia and religious hatred, 19 per cent more than in 2019, yet racism and antisemitism remained hugely underreported in France. The Government was fully aware of the nefarious impact they had on national unity. In 2021, convictions had been handed down in relation to 1,382 racist or racially aggravated offences, 45 per cent more than in 2020 and considerably more than in the period from 2016 to 2019, when the number of convictions per year had fluctuated between 630 and 770. Most of the penalties had involved prison sentences, generally coupled with fines, which, for racist insults and defamation, had averaged nearly €800.

11. The Ministry of Education had taken steps to train and equip teachers to combat prejudice and raise awareness of the issue among students. A brochure entitled "Acting against racism and antisemitism" had been developed to promote an understanding of the causes of such discrimination and prevent hateful behaviour in schools. The Internet platform "Educate against racism and antisemitism" offered pedagogical tools to integrate education against prejudice into all teaching content. A press and media week and the special week of education and action against racism and antisemitism, which took place every year around 21 March, were opportunities for pupils and students to reflect on the construction of stereotypes and prejudices with media professionals and anti-racism campaigners.

12. Regarding access to education for Roma children, Decree No. 2020-811 of 29 June 2020 had relaxed the requirements for registration on school lists by specifying that a sworn statement was sufficient to prove the identity of children, their legal guardians and their domicile. In addition, school mediators had been deployed to work with associations on the ground to facilitate the school attendance of children living in shanty towns, camps and squats. In 2021, around 3,200 Roma children had been able to attend school, compared with 1,900 in 2020. A documentary film written and directed by Déborah da Silva was being used to stimulate debate on the rights of Roma children, and the Government was in regular dialogue with a dynamic network of anti-racism associations with which it had partnered to provide training to the internal security forces. Operational committees to combat racism, antisemitism and anti-LGBT hatred were forums for dialogue and the implementation of relevant public policies.

13. Since 2017, the financial support provided by the State to anti-racism associations and places of history and remembrance had increased by more than 50 per cent, with €7.8 million allocated in 2022. The State also supported national and local initiatives in urban areas to

combat racism, antisemitism and discrimination based on origin: the National Agency for Territorial Cohesion had allocated €6 million to such action in 2022. The new national plan to combat racism, antisemitism and discrimination based on origin covered the period from 2023 to 2026 and established five main objectives: (1) acknowledging the reality of racism while reaffirming the country's principle of universalism; (2) measuring the extent of racism, antisemitism and discrimination; (3) training all actors from the earliest possible age; (4) penalizing perpetrators of racist actions through criminal, civil and disciplinary proceedings; and (5) supporting the people and localities affected by such practices. The new plan had two new aspects, with the inclusion of measures to tackle discrimination based on origin and the adoption of measures to combat anti-Roma behaviour. The proposals put forward in the plan included an annual survey by the Ministry of the Interior on experiences and perceptions of security, training for civil servants and the strengthening of class actions in the employment sector. In 2022, the annual survey had sampled over 200,000 respondents and had included questions on racist and antisemitic attacks and discrimination. The resulting data would help to gauge the impact of the plan over the coming four years. By 2025, all State officials would be trained to combat racism, antisemitism and discrimination based on origin. To enhance the effectiveness of class actions in the employment sector, a proposal had been made to extend the right to sue to associations formed for the purposes of a given case, to extend the possible scope of such actions to cover discrimination in the implementation of employment contracts and to allow reparation to be obtained for any harm identified prior to the filing of an action.

14. Some people questioned the universalist approach adopted by France to combat racism, antisemitism and racial discrimination and instead advocated the recognition of specific rights for groups of individuals at the intersection of racial/ethnic and sexual minority status, or for groups that suffered discrimination on other grounds. However, the Government's faith in its approach had been strengthened by the results of a mobility and origins survey of 26,500 people conducted between July 2019 and November 2020. The survey had found that the number of families in France that were composed of people from a variety of backgrounds was growing: 27 per cent of immigrants had a partner with no direct background related to immigration, while the proportion for their offspring was much higher, at 66 per cent. Access to education was also improving significantly, as 72 per cent of children with two immigrant parents had obtained a qualification higher than that possessed by their parents, compared with 57 per cent of those with both parents born in France. Despite that progress, the Government was unceasingly working to combat hatred and racial discrimination, which were present in all spheres of French society.

15. On 4 November 2022, the National Assembly had imposed a heavy penalty on Grégoire de Fournas, a member from the National Rally party, for a racist remark that he had made during a statement delivered by another legislator. Mr. de Fournas had been banned from the National Assembly for two weeks and had been docked half his parliamentary allowance for two months. The President of the Assembly had pointed out that the sanction was the most severe provided for by the Assembly's rules of procedure and had been imposed on only one other occasion since 1958.

16. The French President, Emmanuel Macron, had stated during his televised address of 15 June 2021 that France was a nation where everyone, whatever their origins or religion, had their place and that the State would be uncompromising in the face of racism and antisemitism.

17. **Ms. Lafourcade** (French National Consultative Commission on Human Rights), recalling the importance of the universal framework provided by the Convention, said that she wished to clear up any ambiguity regarding two issues. The first related to French secularism, which was sometimes misunderstood. Secularism provided a framework that promoted respect for the freedom to believe or not to believe and to practise one's religion or to change it; it protected citizens against interference by State officials. The second issue was the question surrounding statistics on ethnicity. The prohibition of ethnic categorization by the State was a result of the French ambition to refuse to define people according to their ethnicity or race, but it did not prevent detailed research on discriminatory practices.

18. The National Consultative Commission on Human Rights welcomed the increase in the resources allocated to the Interministerial Task Force to Combat Racism, Antisemitism

and Anti-LGBT Hatred and the Task Force's affiliation with the highest level of government. It also welcomed the new national plan to combat racism, antisemitism and discrimination based on origin, in which the Government worked closely and constructively with a broad range of partners. It hoped that the plan would be ambitious, include indicators and be implemented fully.

19. There remained several areas of concern. Persons who were Jewish or perceived to be Jewish were subjected to a large number of particularly violent acts. People still died in France on account of being Jewish. The Commission had noted a rise in conspiracy theories, particularly on social networks, closely associated with antisemitism. Another major concern was the weakness of criminal policy with regard to racism. Underreporting was a massive problem, and the inadequacy of investigations led to a very high proportion of cases that were dropped. Around 1,000 convictions were secured each year, yet the annual number of victims of racism was estimated at 1.2 million.

20. The Commission called for profound change to remove obstacles to filing complaints and to restore minorities' trust in the police and the justice system. It also called for complaint forms to be reformulated to capture discriminatory motives behind offences. No convictions for discrimination had been recorded in the most recent year for which figures were available, which revealed an urgent need for related prevention, awareness-raising and criminal policy measures.

21. Despite warnings from civil society and the Commission about discriminatory police practices and the illegitimate use of force by the police, the public authorities did not appear to be taking action commensurate with the problem. A recently published internal report commissioned by the Ministry of the Interior on the fight against discrimination in the actions of the security forces contained several interesting proposals, one of which was to criminalize non-public racist insults by law enforcement officers.

22. The Commission measured levels of prejudice on an annual basis and had found that prejudice against Roma people was by far the most common form of racism, as it involved multiple discrimination: there were not enough sites to accommodate them, while those that did exist were often polluted and were located far away from basic services. People living in informal settlements were at risk of eviction, which hindered their children's access to education and health care. The Commission welcomed the national strategy for Roma inclusion and encouraged the public authorities to provide the Interministerial Task Force on Accommodation and Access to Housing with the resources necessary for its implementation.

23. The Commission had noticed a rise in xenophobic political discourse. During its field missions at the country's borders, particularly in Calais, it had documented violations of migrants' rights and the harassment of migrants' rights defenders. It called on the Government to adopt a human rights-based approach in designing public policies based on the specific difficulties that people faced in exercising their rights, especially people living in poverty and those who faced intersectional and multiple discrimination.

24. **Mr. Amir** (Country Rapporteur) said that he completely agreed with the sentiments expressed by Ms. Elizéon in her opening statement. It was not easy to deal with the sensitive issue of racial discrimination in a nation such as France, whose history had been marked by colonialism and slavery. Modern times had ushered in a period of reckoning, including in relation to Algeria, with President Macron recently announcing the creation of a joint commission of historians to study the period of French colonial rule in that country. The global presence that France maintained was its strength, but also its weakness.

25. Unfortunately, in France, certain factions on the extreme right opposed the efforts made by the Government to move forward and combat racial discrimination. France was home to people from all over the world, including many with origins in countries it had colonized. Although progress had been made, much remained to be done. Representatives of French civil society had voiced their concerns to the Committee about the reality on the ground, including the challenges they faced in protecting victims of racism before the courts and supporting them to gain access to housing and health care. The French Government must listen to the victims of racial discrimination and take the necessary measures to combat racism. The French parliament had recently led by example by banning a politician for his racist remarks. The Committee's role was to help States parties review and improve their

policies and legislation to ensure that no one was left behind. France must act with conscience to save itself from the scourges of racism and discrimination.

26. **Mr. Diabay** (Country Task Force) said that France had played a leading role in the transatlantic slave trade and colonial domination, which had given rise to structural forms of discrimination in the territories concerned. Hopefully, following the constructive dialogue with the Committee, France would play a similarly active role in combating racism and discrimination.

27. Given the lack of statistics disaggregated by racial or ethnic origin in the periodic report, the Committee would appreciate information on the results of the second mobility and origins survey, which was mentioned in the report. It would also be interested to know whether the new mandatory module on diversity and combating discrimination for all new civil servants included training on combating racial discrimination and racism.

28. In the light of a recent report issued by the European Commission against Racism and Intolerance which addressed the prevalence of racist hate speech in France, particularly against Travellers and Roma people and persons of African and Arab descent, the Committee would welcome detailed information on the results of measures taken to address hate speech and incitement to racial discrimination. In particular, the delegation might indicate the number of complaints, investigations, prosecutions and convictions for offences related to such phenomena.

29. A 2020 report entitled “Mapping hate in France” highlighted the intersection between racist hate speech and hate speech against other groups, such as lesbian, gay, bisexual and transgender persons and Muslims, for example. With that in mind, the Committee would like to know whether the State party planned to incorporate an intersectional perspective in its policies to combat racial discrimination and hate speech. It would also be interested to hear about measures to prevent and combat racist and xenophobic political discourse and the spreading of racist messages on the Internet, as well as examples of the penalties imposed on persons who had engaged in such activities.

30. The Committee would like to have more information on the implementation, results and evaluation of the national plan to combat racism and antisemitism for the period 2018–2020 and the development of the new plan. Specifically, it would like to know the extent to which the concerns expressed by the National Consultative Commission for Human Rights about previous plans had been taken into account in the drafting process and to find out about the financial resources made available for the implementation of the new plan. The Committee would like to hear more about the mandate and activities of the operational committees against racism and antisemitism and the content of the local plans, including whether they took account of the Convention. Had such committees now been established in all departments?

31. The delegation might also provide additional information on specific action taken to combat racial discrimination and structural discrimination against minorities, including Roma, Arab and African persons, persons of African descent and non-nationals, and the impact such action had had on their enjoyment of their rights, particularly their economic, social and cultural rights, including access to employment, housing and health care.

32. The Committee would be interested to know what was being done to address the underreporting of racism and to provide specific training to members of the National Police and the Gendarmerie on issues related to racist offences. It would also welcome details of the support given to victims, including measures taken to inform them about possible judicial proceedings and to avoid discouraging them from further pursuing their complaints.

33. It would be of interest to hear about the handling of police violence, including in the specific case of the death of Adama Traoré, with information on investigations, prosecutions, convictions and sentences. The Committee would welcome information on the internal and external oversight mechanisms responsible for monitoring the use of force by the police.

34. The Committee would appreciate it if the delegation could provide further information on the closure of places of worship and the number of expulsions carried out pursuant to a 2020 circular on antiterrorism measures, as well as a description of the remedies available to the persons affected. In that context, the delegation might also comment on the legal value

of “*notes blanches*” (briefing memos) drafted by the French intelligence services concerning persons who were considered to represent a threat to national security and the guarantees available to such persons against the risks of falsified intelligence documents.

35. **Mr. Rayess** (Country Task Force) said that the history of France was intrinsically linked with the history of democracy and the development of human rights. While the foundational role played by France in promoting democratic principles and human rights must be recognized, it should also be acknowledged that there was often a gap between the ideal and the reality. Having ratified many relevant international and regional instruments and developed its own domestic laws, France could be said to have fulfilled the letter of article 4 of the Convention by criminalizing all forms of discrimination. However, the same could not necessarily be said about the spirit of the Convention.

36. It would be useful if the delegation could provide examples of cases in which the Convention had been applied by the courts or invoked by the parties in legal proceedings. The Committee would also appreciate information on any administrative proceedings resolved on the basis of the Convention. It would also like to know whether the annual anti-discrimination training provided to judges included information on the content of the Convention. The delegation might also comment on the concerns expressed by non-governmental organizations (NGOs) with respect to the burden of proof in administrative proceedings.

37. The Act of 29 July 1881 on freedom of the press contained provisions criminalizing “the public expression of an ideology that claims the superiority of a group of persons or that deprecates, denigrates or incites discrimination against such a group of persons”. He would like to know whether the provisions of that law covered all forms of public dissemination of ideas based on superiority or racial hatred, or only those published in the press. The Committee would appreciate information on the application of those provisions and examples of recent cases related to the dissemination of an ideology based on racial superiority.

38. According to the periodic report, there was a “dark figure” of incidents of racist verbal abuse that went unreported and, according to the European Commission against Racism and Intolerance, there was a widespread practice of encouraging victims who wished to file a formal complaint to instead simply file a police report. The Committee therefore wished to know the number of police reports filed for racial discrimination and the number that had been followed up by the police.

39. **Mr. Kut** (Follow-up Coordinator) said that, in its concluding observations following the last dialogue with the State party ([CERD/C/FRA/CO/20-21](#)), the Committee had requested the State party to provide information on its follow-up to the recommendations contained in paragraphs 4 (Application of the Convention at the local level), 11 (Minorities, Indigenous Peoples and persons of African descent in the overseas collectivities) and 17 (Human rights and terrorism). Regrettably, the Committee had never received a response to that request. The Committee attached great importance to the follow-up procedure and hoped that the French authorities would provide a timely interim report following the current dialogue.

40. In paragraph 4 of the previous concluding observations, the Committee had recommended that the State party should take the necessary steps to ensure that the devolution of powers to local governments did not interfere with vulnerable persons’ and groups’ enjoyment of their rights under the Convention and that it should provide local governments with the necessary training and sufficient resources to enable them to discharge their responsibilities in respect of the State party’s obligations under the Convention. Although the State party’s periodic report contained information on the application of the Convention at the local level in paragraphs 37–50, it covered only the period up to 2019. One of the cases highlighted in the periodic report – a 2017 decision by the Lille Administrative Court on water and sanitation facilities for migrants – was a weak example. The Committee needed stronger, more relevant examples of the application of the Convention at the local level. The report also included general remarks on the training offered to interested parties, but it did not provide details of the number of participants or the outcome and impact of the training.

41. With regard to the Committee's recommendation in paragraph 11 of the concluding observations, paragraphs 164–212 of the periodic report dealt with minorities, Indigenous Peoples and persons of African descent, which would be discussed in the second part of the dialogue. In paragraph 17 of the concluding observations, the Committee had recommended that the State party should establish sufficient guarantees to ensure that the practical application of antiterrorism measures did not interfere with the exercise of Convention rights, particularly those relating to racial or ethnic profiling, racist hate speech and incitement to racial hatred and discrimination. That issue was addressed in paragraphs 51–64 of the periodic report. Paragraph 63 contained a reference to a 2016 ruling by the Court of Cassation on 13 appeals concerning checks based on racial profiling, in which the court had recalled that an identity check carried out on the basis of physical characteristics associated with a person's actual or presumed origin were discriminatory and constituted gross negligence on the part of the State. That case was very relevant, and the Committee would welcome more information on what had happened after that ruling.

42. **Ms. Stavrinaki** said that the Committee had received a number of credible reports concerning racial profiling, excessive use of force and identity controls by the police and other law enforcement officers. She drew attention in that connection to the Committee's general recommendation No. 36 on preventing and combating racial profiling by law enforcement officials. It appeared that the State party had failed to take effective action to prevent conduct by law enforcement officers that disproportionately affected people who were deemed to be immigrants or to belong to minority groups. Such conduct tended to impede the filing of complaints by such groups and the launching of independent investigations.

43. **Ms. Esseneme** said that, if the State party welcomed all religions, she wondered why a number of sources, including television channels, had issued reports concerning discrimination against Muslims. Noting that training courses on combating racism and antisemitism were organized for the judiciary, she said that the Committee would be interested to hear about the impact of such training in terms of the legal response to racial discrimination. The Committee had been informed that numerous complaints of racial discrimination by the police had not been registered and had not given rise to any legal proceedings. Such inaction was conducive to impunity. The Committee therefore wished to know what steps were being taken to promote investigations in such cases and to incorporate the requirement of registration and investigation of complaints into the Code of Criminal Procedure.

44. The Committee had been informed that many fines prescribed by law were imposed directly and immediately by the police on migrants, Travellers and other vulnerable persons, thereby jeopardizing their access to justice. A bill providing for the extension of such fines to more offences had reportedly been submitted to the National Assembly. It would be useful to know whether the persons concerned had any means of sharing their version of events and of securing access to a fair trial.

45. **Ms. Tebie** noted that the principle of equal rights was enshrined in the French Constitution. She therefore wished to know what measures were being taken to prohibit discrimination against Muslims and Roma persons and to counter widespread antisemitism. It would be of interest to the Committee if the delegation could indicate the reasons for the increases in the number of complaints filed and in the number of reports of racist offences. The periodic report referred to an analysis of trends in the convictions and sentences handed down for racist or anti-religious acts. The Committee would appreciate information concerning the number of convictions handed down and sentences imposed since the submission of the periodic report. It would also be interested to hear about the results of the surveys that had been conducted since 2007 of victims of racist, antisemitic or xenophobic violence, threats or insults.

46. **Ms. Tlakula** said that the Committee had been informed that most cases concerning racial violence were dismissed by the courts. It would therefore be useful to know what kind of training was provided to police officers, judges and prosecutors who dealt with such cases.

The meeting was suspended at 4.30 p.m. and resumed at 4.50 p.m.

47. **Ms. Elizéon** (France) said that the increase in the number of complaints filed by the Ministry of the Interior in 2021 was partly attributable to the implementation of the National Plan to Combat Racism and Antisemitism 2018–2020, which had provided for more systematic training of police officers, gendarmes and judges. It was also attributable to awareness-raising campaigns and support for the filing of complaints by victims, as well as to the support provided by associations, including the partners of the Interministerial Delegation to Combat Racism, Antisemitism and Anti-LGBT Hatred.

48. Initial training courses for police officers, gendarmes and judges were compulsory and included instructions on action to combat racism and antisemitism. Attention was drawn to the Convention and other treaties that France had ratified. The National Unit against Online Hatred had launched an investigation following the publication of numerous antisemitic tweets on social media against a competitor for Miss France in 2021. Eight persons had been prosecuted and seven had been convicted. In addition, the Online Hate Speech Observatory cooperated with State-run services and private-sector associations in combating online hatred. It focused on the identification of such phenomena and provided support for all parties involved in combating them.

49. The mayors represented the State in each commune and were responsible for ensuring compliance with all legal provisions. The Anti-Discrimination Act promulgated on 1 July 1972 provided guidance and recommendations on compliance with the provisions of the Convention. While no distinction could be made by the Government on the basis of a person's origin, ethnicity or race, studies could be commissioned with a view to ascertaining developments in the components of the population and identifying victims of diverse forms of discrimination.

50. **A representative of France** said that the National Institute for Statistics and Economic Studies (INSEE) undertook a large number of investigations and studies aimed at ascertaining the situation of different groups of persons based on their geographic origin, such as immigrants and their children and grandchildren born in France. A recent study had focused on the situation in the labour market, including barriers faced by individuals of diverse geographic origins. It had been found, however, that the access of descendants of immigrants to the labour market was quite similar to that of descendants of non-immigrants.

51. The Trajectories and Origins survey had been conducted jointly by INSEE and the National Institute for Demographic Studies (INED) among over 26,000 respondents between July 2019 and November 2020. The questionnaire focused on respondents' access to employment, housing, health care and other services, and it also addressed the issue of discrimination. The initial results had been published in the summer of 2022. The survey had shown that there was an extremely high level of intermarriage in France. For instance, 50 per cent of the grandchildren of immigrants had only one immigrant grandparent. There had also been an increase in the number of immigrants studying for university degrees. The initial results had also demonstrated possible areas of discrimination in social life and an increase in awareness of the reasons underlying such discrimination. More detailed analyses would be undertaken in due course.

52. **A representative of France** said that the Ministry of Justice had not provided the courts with specific instructions regarding the context in which the Convention could be invoked. However, French domestic legislation had been adjusted to comply with the country's obligations under international treaties. It could therefore be invoked, in particular, by defence counsel to ensure that any violations of the Convention, including racist or discriminatory offences in the private or public sphere and online hate speech, were prosecuted.

53. The Act on freedom of the press of 1881 criminalized all racist or discriminatory publications and speech, including public defamation of a person's membership of a particular race, ethnicity, nationality or religion. The scope of that law had been expanded by a law adopted on 24 August 2021, which specified additional aggravating circumstances when such acts were perpetrated by public authorities in the performance of their duties. The Criminal Code prohibited the endangerment of an individual through the dissemination of personal information, for instance on social media. People could be rendered vulnerable by information concerning their membership of a particular ethnicity or religious group or

concerning their sexual orientation. The courts regularly prosecuted offences such as incitement to racial hatred, online hate speech, cyberbullying and sexual harassment.

54. **A representative of France** said that victims of acts of discrimination clearly required support, including legal aid. The budget allocated for the purpose of facilitating access to the legal system had been increased by about 30 per cent in the past year, to approximately €12.2 million. Support for consultations on access to the legal system at the departmental level was funded by the Government in conjunction with partner associations such as the Inter-Movement Committee for Assistance to Refugees (CIMADE) and the National Association of Travellers Citizens (ANGVC). Awareness-raising campaigns were also conducted, on behalf of all citizens.

55. Training courses aimed at combating discrimination were provided for judges, court registry staff, prison staff, prosecutors and lawyers. The 30-month training courses for judges addressed issues of discrimination in both theoretical and practical terms. The courses were improved each year. For instance, online courses would shortly be available for prosecutors. Initial training on discrimination had been provided for court registry staff since 2018. In-service training was also compulsory for the members of the judiciary. Some courses were provided by the National School for the Judiciary, and others were carried out in cooperation with the Council of Europe.

56. **A representative of France** said that the Ministry of the Interior had extended the length of initial training for law enforcement officers to 12 months and had incorporated various modules on combating discrimination into the syllabus. In one module, psychiatrists provided information on forms of verbal and non-verbal communication and techniques for recognizing prejudice and stereotypes. Another module dealt with ethical responses to situations faced by police officers on a daily basis, the aim being to allow trainees to understand the psychological impact of discriminatory acts on persons who were arrested or stopped. Combating discrimination on grounds of race, religion, gender and sexual orientation was also covered in the initial training course.

57. Further training courses placed particular emphasis on the obligations of public servants in ensuring the equal treatment of all citizens. A new training course had been introduced on the treatment of victims and members of the public at police stations. Guidance was provided at all police stations and gendarmerie units, and a six-hour training module was provided on communication strategies to be employed during identity checks. In 2020, a new methodological guide for investigators dealing with hate crimes had been prepared and distributed.

58. The criteria and procedures for using police reports instead of formal complaints to record crimes had been clearly established. Police reports could be used to record incidents that did not constitute a criminal offence or for minor offences where the victim did not wish to press charges immediately, provided that the victim's decision was not motivated by fear or pressure and the victim's personal safety or property were not at risk of further harm. Since 2008, the Inspectorate General of the National Police had carried out around 100 spot checks on the treatment of members of the public at police stations throughout mainland France. During such checks, the Inspectorate ensured that police registers were used appropriately and were drafted adequately. Victims were informed of the difference between filing police reports and lodging formal complaints. Where it was found that the victim had not been informed, the Inspectorate investigated the matter further.

59. **A representative of France** said that victims who had changed their mind and wished to lodge a formal complaint were able to do so, either with the police or directly with the public prosecutor. There was a network of prosecutors in all jurisdictions who specialized in assisting victims of acts of racism or antisemitism and ensuring their access to justice.

60. **Ms. Elizéon** (France) said that victims of racism or antisemitism were entitled to lodge a complaint at the police station of their choosing. They could thus avoid dealing with police officers whom they knew, and they could be accompanied by any individual of their choice. In the process of drafting the next national plan to combat racism and antisemitism, the question of banning the use of police reports had been raised. However, several victims' associations preferred to retain them, since they enabled the police to keep track of the situation in cases where victims, for whatever reason, did not wish to file a formal complaint.

Information recorded in the police reports could subsequently be used to support any future formal complaint filed by the victim.

61. **A representative of France** said that great care was taken to ensure that excessive use of force did not go unpunished. Victims of violence at the hands of the internal security forces had the right to effective remedy and any officer who was suspected of using excessive force was subject to administrative or judicial investigation. Senior officers and the Inspectorate General of the National Police conducted checks and punished the inappropriate use of force. Administrative or judicial investigations were always opened when a police officer or gendarme fired a weapon and caused injury or death. In order to safeguard the principle of impartiality in judicial proceedings, if an accused officer or gendarme had a connection to the judge hearing their case, the proceedings was referred to a different court. In 2018, a database had been set up of persons who had been killed or wounded by the police. It was available on the Ministry of the Interior's website and contained information regarding the circumstances in which the incidents had occurred. In 2021, a controversial chokehold technique used by the police had been prohibited and replaced with alternative methods of restraint.

62. Under the 2014 Code of Ethics of the National Police and the National Gendarmerie, officers were prohibited from carrying out identity checks on persons based purely on grounds of physical appearance or distinctive features, except when acting in response to a report. Prosecutors ensured the legality of identity checks, and officers who breached the Code of Ethics faced disciplinary action or judicial proceedings. Persons who believed that they had been the victim of racial profiling could file an online complaint with the Inspectorate General of the National Police or the Defender of Rights and seek compensation for the moral harm caused. An 18-member ethics committee had been created in late 2020 to assess the actions of the National Police. It dealt with issues related to police practice, developments within the field of ethics, awareness-raising among police officers and the relationship between the police force and the general public, and it would soon issue a set of recommendations concerning identity checks. A complaints mechanism had been set up in 2018 for persons who had been the victim of discrimination during identity checks, and there were several platforms provided by the Inspectorate General of the National Police, the Inspectorate General of the Gendarmerie and other bodies, which allowed officers to report discrimination at work.

63. **Ms. Elizéon** (France) said that over 6,000 breaches of the code of ethics by police officers had been reported in 2020, and nearly 4,000 penalties had been imposed in response to those reports.

64. **A representative of France** said that, in the initial training course for trainee officers, a case was presented in which three officers who had made racist comments about an Egyptian suspect had been severely punished, and one had been permanently discharged from the police force.

65. **A representative of France** said that the European Commission had adopted a strategic framework for Roma equality, inclusion and participation for the period 2020–2030. The strategy covered both Roma and Traveller peoples, who often suffered from racial discrimination and stereotyping that was still widely considered socially acceptable. In France, the legal framework would be strengthened to combat discrimination against those groups and a training module would be introduced to raise awareness of the discrimination against them among judges and court officials.

66. In 2016, the President of France had recognized the country's responsibility for the internment of approximately 6,500 Travellers and Roma persons between 1940 and 1946, and a monument had been erected in remembrance. The requirement for Travellers and persons with no fixed abode to hold in-country travel permits had been abolished in 2017. That same year, a government instruction had been issued to renew illegal camp and slum clearance efforts and to help former inhabitants find jobs or enrol in education. Over the previous four years, the population of illegal camps and slums had decreased significantly.

67. **Ms. Elizéon** (France) said that work had begun in September 2022 on a new national plan to combat racism and antisemitism, in broad consultation with ministers, NGOs, the National Consultative Commission for Human Rights and the Defender of Rights, and that 22 strategic objectives and a large number of indicators had been set. The plan was expected to be completed in December 2022 and would include action to address the “dark figure” of racist incidents that went unreported, to improve training of police officers and gendarmes so that they could identify racist acts and to make complaints procedures more accessible.

The meeting rose at 5.55 p.m.