

FRANCE 2019 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

France is a multiparty constitutional democracy. Voters directly elect the president of the republic to a five-year term. They elected Emmanuel Macron to that position in 2017. An electoral college elects members of the bicameral parliament's upper house (Senate), and voters directly elect members of the lower house (National Assembly). Observers considered the 2017 presidential and separate parliamentary (Senate and National Assembly) elections to have been free and fair.

Under the direction of the Ministry of the Interior, a civilian national police force and gendarmerie units maintain internal security. In conjunction with specific gendarmerie units used for military operations, the army is responsible for external security under the Ministry of Defense. Civilian authorities maintained effective control over the security forces.

Significant human rights issues included: criminal defamation laws and societal acts of violence and threats of violence against Jews, migrants and members of ethnic minorities, and lesbian, gay, bisexual, transgender and intersex (LGBTI) persons.

The government took steps to investigate, prosecute, and punish officials who committed human rights abuses. Impunity was not widespread.

Note: The country includes 11 overseas administrative divisions covered in this report. Five overseas territories, in French Guiana, Guadeloupe, Martinique, Mayotte, and La Reunion, have the same political status as the 13 regions and 96 departments on the mainland. Five divisions are overseas "collectivities": French Polynesia, Saint-Barthelemy, Saint-Martin, Saint-Pierre and Miquelon, and Wallis and Futuna. New Caledonia is a special overseas collectivity with a unique, semiautonomous status between that of an independent country and an overseas department. Citizens of these territories periodically elect deputies and senators to represent them in parliament, like the mainland regions and departments.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were no reports that the government or its agents committed arbitrary or unlawful killings.

As of December 30, the country had experienced three terrorist attacks during the year. On March 5, a radicalized inmate attacked and seriously wounded two prison guards in a knife attack at a high-security prison in the northwest city of Conde-sur-Sarthe. The attack occurred during a visit by the inmate's partner in the family visitation unit. The attacker and his partner subsequently locked themselves in the unit for 10 hours. After negotiations failed, a rapid intervention police unit conducted a raid during which the prisoner was injured and his partner, reportedly pregnant, was killed. On May 24, a bomb exploded near a bakery on a street in Lyon, injuring 13. A suspect arrested three days later admitted to carrying out the bombing; the public prosecutor charged him with attempted murder, criminal terrorist conspiracy and manufacturing, possessing and carrying an explosive device in relation to a terrorist undertaking. On October 3, a computer technician at the Paris police headquarters killed four persons and injured one before he was shot and killed. The attacker reportedly converted to Islam in 2008 and had shown signs of radicalization in recent years.

b. Disappearance

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

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

While the constitution and law prohibit such practices, there were a limited number of accusations that security and military personnel committed abuses.

In January the Paris Criminal Court sentenced two police officers to seven years in prison for raping a Canadian tourist in 2014 inside police headquarters.

On December 5, the European Court of Human Rights ruled that France in 2007 violated the European Convention on Human Rights Article 3 prohibition against inhuman or degrading treatment by using disproportionate force against a prisoner and by transferring him almost naked between prisons. The court also said the

detainee did not receive an effective investigation of his complaints and ordered France to pay 18,000 euros (\$19,800) in damages.

On March 12, the Defender of Rights, a constitutionally created, independent civil rights watchdog institution, reported registering 1,520 complaints against the security forces' intervention methods in 2018, representing a 23.8 percent increase compared with the previous year.

Governmental and nongovernmental organizations (NGOs) criticized security forces' use of crowd control and antiriot tactics during "Yellow Vest" protests that took place most Saturdays across the country beginning in November 2018 and continued during the year. Demonstrators protested the government's tax policy and socioeconomic inequality. In a report released January 17, the Defender of Rights called for the government to suspend use of riot guns, which reportedly injured dozens of persons since the beginning of the Yellow Vest protests.

A February 26 memorandum from the Council of Europe commissioner for human rights cited reports that "intermediate" weapons, specifically rubber bullet rounds, instant tear gas grenades, and hand-held sting grenades were present in 253 of 428 reports of police violence, and that the incidents resulted in nearly 300 injuries.

On March 6, the UN high commissioner for human rights, Michelle Bachelet, called for a "full investigation" into possible excessive use of force by police in responding to the Yellow Vest protests. Prime Minister Edouard Philippe responded defending French rule of law and noting that police used force in response to "incidents of extreme violence" committed by the protesters. On May 16, Paris prosecutor Remy Heitz stated that his office had reviewed more than 170 cases of police violence. As of August 29, the General Inspectorate of the National Police had opened 313 judicial inquiries into alleged police violence during Yellow Vest protests.

On May 13, the Interior Ministry released figures indicating that 11 persons died in connection with the protests since they began in November 2018, most in traffic accidents related to blockades in November and December 2018. One case was provisionally attributed to police and was under investigation: 80-year-old Zineb Redouane died after being hit by a gas canister at her window on the margins of a Yellow Vest protest in the southern city of Marseille in December 2018.

The Interior Ministry also reported that 2,448 demonstrators and 1,797 police and gendarmes were injured during the protests. An independent journalist, David

Dufresne, reported that among the 2,448 demonstrators injured, 24 lost an eye, 289 suffered head injuries, and five lost hands. Several cases involved the use of rubber-bullet launchers.

On December 19, a Paris court convicted two police officers of using excessive force during the Yellow Vest protests in Paris. One officer was given a two-month suspended sentence after he was caught on camera throwing a stone at demonstrators during a particularly violent Yellow Vest protest on May 1. The second officer was given a four-month suspended sentence for slapping demonstrators in a separate incident also on May 1.

On the night of June 21, 24-year-old Steve Maia Canico disappeared during a police operation to break up a concert he was attending in the western city of Nantes. Police used tear gas and rubber bullets after concertgoers threw various objects at them; 14 persons fell into the river, including Canico, who did not know how to swim. His body was found in the Loire River on July 29. An inquiry ordered by Interior Minister Castaner found a “lack of judgement” on the part of police and resulted in the demotion of the police chief responsible to a position with no law enforcement responsibilities. A judicial investigation was underway separately.

Prison and Detention Center Conditions

While prisons and detention centers met international standards, credible NGOs and government officials reported overcrowding and unhygienic conditions in prisons.

Physical Conditions: In 2017 the Council of Europe’s Committee for the Prevention of Torture (CPT) published a report on its visit to the country in 2015. The report expressed concerns regarding overcrowding in detention centers and prisons, derogatory comments against detainees, particularly against minors, a lack of windows and ventilation systems in detention centers, and prolonged isolation of violent inmates in psychiatric centers. The committee conducted an ad hoc visit in November 2018, but as of the end of the year, it had not published its report on the visit.

As of July 1, the overall occupancy rate in the country’s prisons stood at 117 percent (71,710 prisoners for 61,105 spaces), with the rate at some facilities reaching 185 percent. NGOs agreed that detention conditions for women were often better than for men because overcrowding was less common.

Overcrowding in overseas territories tracked the national trends. The Ministry of Justice reported in July that the occupancy rate for all prisons in overseas territories was 112 percent and reached 186 percent at the Faa'a Nuutania prison in French Polynesia.

On March 28, the Council of State ordered the state to pay 100,000 euros (\$110,000) in economic damages to the family of an inmate who died in 2004 in a Rouen prison after the court of Douai ruled in 2016 his death resulted from inadequate care by the prison staff.

Administration: Authorities generally conducted proper investigations of credible allegations of mistreatment.

Independent Monitoring: The government permitted prison visits by independent human rights observers, both local and foreign. In addition to periodic visits by the CPT, the UN Committee against Torture regularly examined prisons. In December a CPT delegation conducted a periodic visit to examine detention conditions in some remand prisons, police facilities, and psychiatric establishments.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention and provide for the right of any person to challenge the lawfulness of his or her arrest or detention in court. The government generally observed these requirements, but lengthy pretrial detention remained a problem.

Arrest Procedures and Treatment of Detainees

The law requires police to obtain warrants based on sufficient evidence prior to detaining suspects, but police can immediately arrest suspects caught committing an illegal act. While in police custody, a person has the right to know the legal basis and expected duration of the detention, to remain silent, to representation by counsel, to inform someone such as a family member or friend, and to examination by a medical professional. Defense lawyers have the right to ask questions throughout an interrogation. Authorities generally respected these rights.

The law allows authorities to detain a person up to 24 hours if police have a plausible reason to suspect such person is committing or has committed a crime. A district prosecutor has the authority to extend a detention by 24 hours. A special

judge, however, has the authority to extend detention by 24-hour periods up to six days in complex cases, such as those involving drug trafficking, organized crime, and acts of terrorism. A system of bail exists, and authorities made use of it.

Detainees generally have access to a lawyer, and the government provides legal counsel to indigent detainees. The law also requires medical examiners to respect and maintain professional confidentiality. The law forbids complete strip searches except in cases where authorities suspect the accused of hiding dangerous items or drugs.

Pretrial Detention: Long delays in bringing cases to trial and lengthy pretrial detention were problems. 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 July pretrial detainees made up 29 percent of the prison population.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary. The government generally respected judicial independence and impartiality, although delays in bringing cases to trial were a problem. The country does not have an independent military court; the Paris Tribunal of Grand Instance (roughly equivalent to a district court) tries any military personnel alleged to have committed crimes outside the country.

Trial Procedures

The constitution and law provide for the right to a fair trial, and an independent judiciary generally enforced this right. The usual length of time between charging and trial was approximately three years. Defendants enjoyed a presumption of innocence, and authorities informed defendants of the charges against them at the time of arrest. Except for those involving minors, trials were public. Trials were held before a judge or tribunal of judges, except in cases where the potential punishment exceeded 10 years' imprisonment. In such cases a panel of professional and lay judges heard the case. Defendants have the right to be present and to consult with an attorney in a timely manner. Authorities provided an attorney at public expense if needed when defendants faced serious criminal charges. Defendants were able to question the testimony of prosecution witnesses and present witnesses and evidence in their defense. Authorities allowed defendants adequate time and facilities to prepare a defense. Defendants have the

right to remain silent and to appeal. Defendants who do not understand French are provided with an interpreter.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

There is an independent and impartial judiciary in civil matters and access to a court to submit lawsuits seeking damages for, or cessation of, human rights violations. Individuals may file complaints with the European Court of Human Rights for alleged violations of the European Convention on Human Rights by the government once they have exhausted avenues for appeal through the domestic courts.

Property Restitution

The government has laws and mechanisms in place for property restitution, and NGOs and advocacy groups reported the government made significant progress on resolution of Holocaust-era claims, including for foreign citizens.

In 2014 France and the United States signed the bilateral Agreement on Compensation for Certain Victims of Holocaust-Related Deportation from France Who Are Not Covered by French Programs. The agreement provides an exclusive mechanism to compensate persons who survived deportation from France (or their spouse or other designee) but did not benefit from the pension program established by the government for French nationals or from international agreements concluded by the government to address Holocaust deportation claims. Pursuant to the agreement, the government of France transferred \$60 million to the United States, which the United States used to make payments to claimants that it determined to be eligible under the agreement.

On February 6, the United States approved the second and final round of payments to individuals with approved claims in connection with the Holocaust Deportation Claims Program. Living survivors of deportation received \$402,000 each, and living spouses of deportees received \$100,500 each, to be paid from the funds allocated under the bilateral agreement. Heirs of survivors and of surviving spouses received a portion of those amounts.

The country's government launched an official mission in the spring for the discovery and restitution of Nazi-looted art held in French museums. A newly dedicated office within the Ministry of Culture, the Mission for Research and Restitution of Spoliated Cultural Property, employed a five-person staff and a 200,000 euro (\$220,000) annual budget to seek out the rightful owners or heirs of artworks, including those in museums and galleries, stolen or sold under duress during the country's occupation. The office coordinated research and investigated claims submitted to the Commission for the Compensation of Victims of Spoliation. It also mobilized museum experts, supported university-level research, and aided in the appointment of in-house specialists at art institutions. As of April the Ministry of Culture did not have the final say on restitution; the authority for final decisions on restitution rests with the Commission for the Compensation of Victims of Spoliation under the Office of the Prime Minister. The separation of authority seeks to address criticisms that museum officials would be reluctant to hand over valuable artwork. The office works closely with counterparts in Germany, Austria, the Netherlands, and the United Kingdom, in addition to museums and universities. The Ministry of Culture also stated it would take a more active role in the search and restitution of stolen properties.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The constitution and law prohibit interference with privacy, family, home, or correspondence, and there were no reports of government failure to respect these prohibitions.

The government continued implementing amendments to the law passed in 2015 that allow specialized intelligence agencies to conduct without approval from a judge real-time surveillance on both networks and individuals for information or documents regarding a person identified as posing a terrorist threat. Following passage of the amendments, the Council of State, the country's highest administrative court that hears cases in first and last instance and is both advisor to the government and the Supreme Administrative Court, issued three implementing decrees designating the agencies that may engage in such surveillance, including using devices to establish geolocation.

To prevent acts of terrorism, the law permits authorities to restrict and monitor the movement of individuals, conduct administrative searches and seizures, close religious institutions for disseminating violent extremist ideas, implement enhanced security measures at public events, and expand identity checks near the

country's borders. The core provisions of the antiterrorism law are to expire at the end of 2020 unless renewed by parliament.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

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

Freedom of Expression: While individuals could criticize the government publicly or privately without reprisal, there were some limitations on freedom of speech. Strict antidefamation laws prohibit racially or religiously motivated verbal and physical abuse. Written or oral speech that incites racial or ethnic hatred and denies the Holocaust or crimes against humanity is illegal. Authorities may deport a noncitizen for publicly using “hate speech” or speech constituting a threat of terrorism.

Press and Media, Including Online Media: While independent media were active and generally expressed a wide variety of views without restriction, print and broadcast media, books, and online newspapers and journals were subject to the same antidefamation and hate speech laws that limited freedom of expression.

The law provides protection to journalists who may be compelled to reveal sources only in cases where serious crimes occurred and access to a journalist's sources was required to complete an official investigation.

Violence and Harassment: In April the NGO Reporters without Borders (RSF) released its annual report that noted growing hatred directed at reporters in the country and an “unprecedented” level of violence from both protesters and riot police directed at journalists during Yellow Vest protests. RSF reported dozens of cases of police violence and excessive firing of flash-ball rounds at reporters.

Secretary general of RSF Christophe Deloire met with President Macron on May 3 to discuss the issue, and with Interior Minister Castaner on June 18. According to Deloire, President Macron committed to following the issue closely. Following the Castaner meeting, RSF described the exchange as frank and constructive and said Castaner promised to consider RSF's proposals to limit police violence against

journalists. Nonetheless, on December 20, RSF filed a complaint with the Paris public prosecutor's office related to police violence during the Yellow Vest demonstrations between November 2018 and May 2019.

Libel/Slander Laws: Defamation is a criminal offense, although it does not carry the possibility of imprisonment as punishment. The law distinguishes between defamation, which consists of the accusation of a particular fact, and insult, which does not.

National Security: The Committee to Protect Journalists raised concerns about police and prosecutors questioning reporters on national security grounds. On May 23, police summoned a senior correspondent for *Le Monde* newspaper who had been reporting extensively on a corruption scandal within the Macron government centered on the misconduct of a former security aide, Alexandre Benalla. The reporter, Ariane Chemin, was brought for questioning for having published the name of a former member of the special forces, a charge which stemmed from the antiterrorism law.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications without appropriate legal authority.

Under the law intelligence services have the power to monitor suspected threats to public order and detect future terrorists. The law also provides a legal framework for the intelligence services' activities. Laws against hate speech apply to the internet.

The annual report of the National Commission on Informatics and Liberties (CNIL), the government's data protection authority, showed a significant decrease in the number of requests made to authorities to remove online terrorist- and child-pornography-related content. The report, which was released April 15, stated the Central Office for the Fight against Crime Related to Information and Communication Technology issued 25,474 withdrawal requests between March 2018 and February 2019, a decrease of 27 percent from the previous year. Of these, 9 percent concerned terrorist content and 91 percent child pornography. CNIL attributed the decrease in withdrawal requests related to terrorism to a decline in production of propaganda content by the ISIS terrorist group. The Platform for Harmonization, Analysis, Cross-referencing and Signal Orientation,

the online watchdog that helped monitor online hate content, also reported a decrease in reports.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

b. Freedoms of Peaceful Assembly and Association

The constitution and law provide for the freedoms of peaceful assembly and association, subject to certain security conditions, and the government generally respected these rights.

Freedom of Peaceful Assembly

The government enacted security legislation on April 10 that gave security forces greater powers at demonstrations, including the power to search bags and cars in and around demonstrations. It also approved making it a criminal offense for protesters to conceal their faces at demonstrations, punishable by a year in prison and 15,000 euros (\$16,500) in fines.

The Council of Europe's human rights commissioner criticized authorities' handling of the Yellow Vest protests that began in November 2018. In a February 26 memorandum, the human rights commissioner criticized the use of rubber ball launchers and other "intermediate" weapons for riot control. In a written response to the memorandum, authorities stressed the use of force by police is "strictly regulated" under the law and that the Council of State, the country's highest administrative body, has ruled that security forces have a right to use the rubber ball launchers for crowd control (see section 1.c.).

Freedom of Association

The constitution and law provide for the freedom of association, and the government generally respected this right.

c. Freedom of Religion

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

d. Freedom of Movement

The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights. The law permits the government to cancel and seize passports and identification cards of French nationals in some circumstances, such as when there are serious reasons to believe that they plan to travel abroad to join a terrorist group or engage in terrorist activities.

In-country Movement: The law requires persons engaged in itinerant activities with a fixed domicile to obtain a license that is renewable every four years. Itinerant persons without a fixed abode must possess travel documents.

e. Internally Displaced Persons

Not applicable.

f. Protection of Refugees

Abuse of Migrants, Refugees, and Stateless Persons: Local authorities of Grande-Synthe, in the north of France, and eight local associations approached the Council of State with concerns about the migrants' living conditions, the "inaction" of the state, and the "violation of fundamental rights" at a gymnasium in the commune of Grande-Synthe housing hundreds of migrants in conditions NGOs described as a violation of fundamental rights. On June 21, the Council of State, the country's highest administrative court, ordered authorities to install water points, showers, and toilets in the gymnasium. The Council of State gave regional authorities eight days to install "sufficient" resources and to provide some 700 migrants with information, in their own languages, about their rights. The Council ruled that the state had been deficient in executing its responsibility to ensure "the right not to be submitted to inhuman or degrading treatment." Regional authorities cooperated with the ruling. In September police moved approximately 1,000 persons from the gymnasium and the surrounding tent settlement to emergency shelters elsewhere in northern France. NGOs, including Doctors of the World and Care4Calais, criticized the lack of transparency on where migrants were being taken and described the evictions as a "show of institutional violence."

Beginning November 6, the government began a push to evacuate migrant camps before the end of the year and resettle or relocate inhabitants "in line with government regulations." From November 6 to December 4, police evacuated at

least four migrant camps housing an estimated 3,500 to 4,000 migrants around the country. On November 28, a group of 20 NGOs, including Doctors without Borders and the human rights organization La Cimade, issued a statement criticizing the “infernally cycle of camps, evacuations, and police harassment” and the continuation of evacuations without providing viable long-term housing solutions. Within 48 hours of one evacuation, the group noted “the return to the street of dozens of people” who did not “meet the required administrative criteria” for more permanent housing.

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

Refoulement: Amnesty International France and La Cimade criticized the country for its deportation of migrants to Afghanistan, stating on October 25 that the level of attacks on civilians in Afghanistan meant “forced deportations of Afghans are illegal and violate the principle of nonrefoulement.” On September 9, *InfoMigrants* news organization reported the Ministry of Interior confirmed 11 deportations to Afghanistan in 2018, the same number as in the previous year. Deportations to Afghanistan continued during the year.

Access to Asylum: The country’s laws provide for the granting of asylum or refugee status, and the government has a system for providing protection to refugees. The system was active and accessible to those seeking protection. The Office for the Protection of Refugees and Stateless Refugees (OFPRA) provided asylum application forms in 24 languages, including English, Albanian, Russian, Serbo-Croatian, Turkish, Tamil, and Arabic. Applicants, however, must complete them in French, generally without government-funded language assistance. Applications for asylum must be made on French territory or at a French border-crossing point. Asylum seekers may request from a French embassy or consulate a special visa for the purpose of seeking asylum in France. After arrival in France, the visa holder must follow the same procedure as other asylum seekers in France; however, the visa holder is authorized to work while his or her asylum application is processed and evaluated, unlike other applicants. Asylum seekers may appeal decisions of the OFPRA to the National Court on Asylum Law.

In 2018 parliament adopted an asylum and immigration bill intended to reduce the average time for processing asylum applications to six months and shorten from 120 to 90 days the period asylum seekers have to make an application. It also

includes measures to facilitate the removal of aliens in detention, extend from 45 to 90 days the maximum duration of administrative detention, and from 16 to 24 hours the duration of administrative detention to verify an individual's right to stay. The new law extends the duration of residence permits for subsidiary and stateless refugees from one year to four years and enables foreigners who have not been able to register for asylum to access shelter. It includes measures to strengthen the protection of girls and young men exposed to the risk of sexual mutilation, states that a country persecuting LGBTI persons cannot be considered "safe," and adopts protective provisions on the right to remain for victims of domestic violence. By law unaccompanied migrant children are taken into the care of the child protection system.

OFPPRA stated that priority attention was given to female victims of violence, persons persecuted on the basis of their sexual orientation, victims of human trafficking, unaccompanied minors, and victims of torture.

In a report published June 5, Amnesty International accused authorities of harassing, intimidating, and assaulting people offering aid to migrants in the north of France in a deliberate attempt to discourage their work. The report, *Targeting Solidarity*, noted that security forces engaged in a deliberate attempt "to curtail acts of solidarity" offered by activists to migrants, asylum seekers and refugees. Authorities harassed, intimidated, and even violently assaulted people offering humanitarian aid and other support.

Safe Country of Origin/Transit: The government considered 16 countries to be "safe countries of origin" for purposes of asylum. A "safe country" is one that provides for compliance with the principles of liberty, democracy, rule of law, and fundamental human rights. This policy reduced the chances of an asylum seeker from one of these countries obtaining asylum but did not prevent it. While individuals originating in a safe country of origin may apply for asylum, they may receive only a special form of temporary residence status that allows them to remain in the country. Authorities examined asylum requests through an emergency procedure that may not exceed 15 days. Countries considered "safe" included Albania, Armenia, Benin, Bosnia and Herzegovina, Cabo Verde, Georgia, Ghana, India, Kosovo, Mauritius, Moldova, Mongolia, Montenegro, North Macedonia, Senegal, and Serbia.

Freedom of Movement: Authorities maintained administrative holding centers for foreigners who could not be deported immediately. Authorities could hold undocumented migrants in these facilities for a maximum of 90 days, except in

cases related to terrorism. There were 24 holding centers on the mainland and three in the overseas territories with a total capacity of 1,970 persons.

On June 4, six refugee and migrant assistance associations (Association Service Social Familial Migrants, Forum-Refugies-Cosi, France Terre d'Asile, Cimade, Ordre de Malte, and Solidarite Mayotte) released a joint annual report that estimated 45,000 undocumented migrants were placed in administrative holding centers in 2018, representing a slight decrease from 47,000 in 2017.

According to the associations' annual report, the government detained 1,429 children. The report noted, however, that in 86 percent of the cases, the duration of detentions did not exceed 48 hours. Since the law prohibits the separation of children from their parents, they were detained together. Civil society organizations continued to criticize the provision of the 2018 asylum and immigration bill that doubled the maximum detention time for foreigners subject to deportation to up to 90 days.

On September 17, authorities cleared more than 800 migrants, mainly Iraqi Kurds, from a makeshift camp near the northern port of Dunkirk, after the Lille administrative court ruled on September 4 it had become a health and security hazard. A total of 811 persons, including 506 young men and 58 unaccompanied minors, were cleared from the gym and makeshift camp. They were resettled in public facilities elsewhere in the country while they waited for the government to register and review their eligibility for asylum.

Durable Solutions: The government has provisions to manage 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. In 2018 the government voluntarily repatriated 10,678 undocumented migrants, including 2,709 minors, to their countries of origin. On September 6, the Ministry of the Interior announced a temporary increase of financial return aid to foreigners (except those from the EU or visa-exempt countries) from 650 euros (\$715) to 1,850 euros (\$2,035).

Temporary Protection: Authorities may grant individuals a one-year renewable permit and can extend the permit for an additional two years. According to

OFPPRA, the government did not grant temporary protection in 2018, the most recent year for which information was available.

g. Stateless Persons

OFPPRA reported there were 1,370 stateless persons in the country at the end of 2016, the most recent period for which statistics are available. It attributed statelessness to various factors, including contradictions among differing national laws, government stripping of nationality, and lack of birth registration. As the agency responsible for the implementation of international conventions on refugees and stateless persons, OFPPRA provided benefits to stateless persons. OFPPRA's annual report stated that it granted stateless status to 71 persons in 2018. The government provided a one-year residence permit marked "private and family life" to persons deemed stateless that allowed them to work. After two permit renewals, stateless persons could apply for and obtain a 10-year residence permit.

The law affords persons the opportunity to gain citizenship. A person may qualify to acquire citizenship if: either of the person's parents is a citizen, the person was legally adopted by a citizen, the person was born in the country to stateless parents or to parents whose nationality does not transfer to the child, or the person marries a citizen. A person who has reached the legal age of majority (18) may apply for citizenship through naturalization after five years of habitual residence in the country. Applicants for citizenship must have good knowledge of both the French language and civics.

Section 3. Freedom to Participate in the Political Process

The constitution and law provide citizens the ability to choose their government through free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Recent Elections: Observers considered the 2017 presidential and separate parliamentary (Senate and National Assembly) elections to have been free and fair.

Participation of Women and Minorities: No laws limit participation of women or minorities in the political process, and they did participate.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, and the government generally implemented the law effectively. There were some reports of government corruption during the year.

Corruption: On October 18, Patrick Balkany, mayor of the Parisian suburb Levallois-Perret, and his wife Isabelle, deputy mayor, received prison sentences for money laundering of five and four years, respectively. The couple, both 71, were also barred from holding public office for 10 years. The court dropped corruption charges for lack of evidence. The sentence came a month after their conviction on tax fraud charges, for which Patrick Balkany received a four-year sentence and Isabelle a three-year sentence, in addition to a 10-year bar on holding elected office. The pair were charged with hiding two luxury villas and other assets from the tax authorities and evading around four million euros (\$4.4 million) in taxes.

Financial Disclosure: The president, members of parliament and the European Parliament, ministers, regional and departmental council heads, mayors of larger communities, and directors of government-owned companies (post office, railway, and telephone) are required to declare their personal assets to the Commission for the Financial Transparency of Political Life at the beginning and end of their terms. The commission issued and made available to the public periodic reports on officials' financial holdings on a discretionary basis at least once every three years. Officials who fail to comply are subject to sanctions.

The Central Office for Combating Corruption and Financial and Tax Crimes investigated offenses including tax fraud, influence peddling, and failure of elected officials to make financial disclosures or report their own violations of the law.

On September 15, Justice Minister Nicole Belloubet admitted that she “forgot to mention” her ownership shares, totaling 336,000 euros (\$370,000), of three properties in a 2017 financial disclosure. She corrected the document after being questioned by political opponent Jean-Luc Melenchon. The properties did not appear in a first statement filed in 2017, but they were included in a later 2017 disclosure. Belloubet stated the omission was in error and added that she had declared these properties in previous asset declarations. She stated that the High Authority for the Transparency of Public Life had recognized she had “no intention of fraud.”

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights

A wide variety of domestic and international human rights organizations generally operated, investigated, and published their findings on human rights cases without government restrictions. Government officials were cooperative and responsive to their views.

Government Human Rights Bodies: The National Consultative Commission on Human Rights (CNCDH) advised the government on human rights and produced an annual report on racism and xenophobia. Domestic and international human rights organizations considered the CNCDH independent and effective. Observers considered the Defender of Rights independent and effective, with access to all necessary resources.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Women

Rape and Domestic Violence: The law criminalizes rape of men or women, including spousal rape, and the government generally enforced the law effectively. The penalty for rape is 15 years' imprisonment, which may be increased. The government and NGOs provided shelters, counseling, and hotlines for rape survivors.

The law prohibits domestic violence against women and men, including spousal abuse, and the government generally enforced the law effectively. The penalty for domestic violence against either gender varies from three years in prison and a fine of 45,000 euros (\$49,500) to 20 years in prison.

On November 19, the Council of Europe Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) released its baseline evaluation report for the country. The report noted significant shortcomings in the legal framework on violence against women, including that the definition of sexual assault and rape is not based on the absence of consent but rather on the use of violence, coercion, threat, or surprise. The report also pointed out the inadequacy and unbalanced geographical distribution of housing facilities and emergency assistance centers for victims of rape and domestic violence.

In November the government's Interministerial Agency for the Protection of Women against Violence and Combatting Human Trafficking (MIPROF) published data showing that in 2018 approximately 213,000 women older than age

18 declared they had been victims of physical or sexual violence at the hands of a partner or former partner. MIPROF reported that, over the same period, 94,000 women declared they had been victims of rape or attempted rape.

In December the National Observatory of Crime and Criminal Justice, an independent public body, and the National Institute of Statistics and Economic Studies (INSEE) published a joint study showing that the number of persons who consider themselves victims of sexual violence committed by a person who does not live with them declined from 265,000 in 2017 to 185,000 in 2018. In 2017 there was a sharp increase in the number of estimated victims, so despite this decline the 2018 estimate reflected the second-highest level since the organizations began collecting data in 2008.

The government sponsored and funded programs for women victims of violence, including shelters, counseling, hotlines, free mobile phones, and a media campaign. The government also supported the work of 25 associations and NGOs dedicated to addressing domestic violence.

The government implemented its 2017-19 interministerial plan to address violence against women. The program's three main objectives are ensuring women's access to rights; strengthening public action to protect the most vulnerable groups, such as children, young women, and women living in rural regions; and uprooting the culture of sexism.

On July 1, the High Council for Equality, an independent, consultative body, issued a statement expressing alarm over the number of femicides in the country. It highlighted "the pathways and possible failures [in the judiciary, gendarmerie or police] that have led to the killing of 70 women since the beginning of the year." According to NGOs such as NousToutes and Fondation des Femmes, as of December, 148 women were killed in such crimes during the year.

On September 3, the government launched a national forum on domestic violence and brought together dozens of ministers, judges, police officers, victims' relatives and feminist groups. Approximately 100 conferences took place across the country from September 3 to November 25. At the closure of the series of consultations on November 25, the international day for the prevention of violence against women, Prime Minister Philippe announced 40 measures aimed at preventing domestic violence against women, focusing on three areas: education (educating children on gender equality); protection (ensuring the immediate safety of victims and their children); and restriction (preventing further violence from the

perpetrators). Among concrete measures announced were the creation of 1,000 new places in shelters for victims and improved training for those who work with victims of domestic violence.

Female Genital Mutilation/Cutting (FGM/C): FGM/C was practiced in the country, particularly within diaspora communities. Various laws prohibit FGM/C and include extraterritorial jurisdiction, allowing authorities to prosecute FGM/C, which is punishable by up to 20 years in prison, even if it is committed outside the country, and up to 30 years if the FGM/C leads to the death of the victim. The government provided reconstructive surgery and counseling for FGM/C victims.

According to the latest statistics available from the Ministry of Gender Equality and the Fight against Discrimination, between 40,000 to 60,000 FGM/C victims resided in the country. The majority were recent immigrants from sub-Saharan African countries where FGM/C was prevalent and where the procedure was performed. According to the Group against Sexual Mutilation, 350 excisions were performed in the country each year. On June 21, the junior minister of gender equality and the fight against discrimination, Marlene Schiappa, launched a national action plan to combat FGM/C, focusing on identifying risks, preventing FGM/C, and supporting female victims.

On July 23, the National Public Health Agency released a report that estimated the number of victims of FGM/C rose from 62,000 in the early 2000s to 124,355 in the middle 2010s.

Sexual Harassment: The law prohibits gender-based harassment of both men and women in the workplace. Sexual harassment is defined as “subjecting an individual to repeated acts, comments, or any other conduct of a sexual nature that are detrimental to a person’s dignity because of their degrading or humiliating character, thereby creating an intimidating, hostile, or offensive environment.” The government enforced the law.

On July 16, the University Toulouse Jean-Jaures announced that two professors would be barred from positions in all public higher-education institutions due to “sexual and moral harassment” of several students.

In August 2018 parliament passed a law against “sexual and sexist violence” that provides for on-the-spot fines of 90 to 750 euros (\$99 to \$825) for persons who sexually harass others on the street (including wolf whistling), and up to 3,000 euros (\$3,300) if there are aggravating circumstances. The law covers sexual or

sexist comments and behavior that is degrading, humiliating, intimidating, hostile, or offensive. The bill also increases sanctions for cyberstalking and prohibits taking pictures or videos under someone's clothes without consent, which is punishable by up to one year in prison and a fine of 15,000 euros (\$16,500).

In August the Ministry of Gender Equality and the Fight against Discrimination reported that authorities fined 713 men for harassing women in public since the introduction of the new law in 2018.

On June 17, a Paris court sentenced a man to an eight-month suspended sentence after he masturbated on the Paris metro in front of a woman and told her she was "beautiful." The man, 48, was ordered to pay 500 euros (\$550) in damages to the woman who filmed the offense, as well as to another woman who reported the same behavior. The perpetrator was also ordered to undergo psychiatric treatment.

According to the latest statistics released by the Interior Ministry in January, reported cases of sexual harassment and sexual violence surged in 2018, with 28,900 complaints registered by police, up 20 percent over the previous year.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization.

Discrimination: The law prohibits gender-based job discrimination and harassment of subordinates by superiors, but this prohibition does not apply to relationships between peers. The constitution and law provide for the same legal status and rights for women as for men, including under family, religious, personal status, labor, property, nationality, and inheritance laws. The Ministry of Gender Equality and the Fight against Discrimination is responsible for protecting the legal rights of women. The constitution and law provide for equal access to professional and social positions, and the government generally enforced the laws.

There was discrimination against women with respect to employment and occupation, and women were underrepresented in most levels of government leadership.

Children

Birth Registration: The law confers nationality to a child born to at least one parent with citizenship or to a child born in the country to stateless parents or to parents whose nationality does not transfer to the child. Parents must register

births of children regardless of citizenship within three days at the local city hall. Parents who do not register within this period are subject to legal action.

Child Abuse: There are laws against child abuse, including against rape, sexual assault, corruption of a minor, trafficking, kidnapping, child prostitution, and child pornography. The government actively worked to combat child abuse. Penalties are generally severe.

The GREVIO report found courts rarely applied legislative mechanisms to prioritize children's safety in custody disputes and thus did not sufficiently incorporate children's risk of exposure to violence in custody and visitation decisions. The report also found a lack of support and assistance for children who have witnessed violence.

On November 20, the government presented a three-year plan to end violence against children. The junior secretary for children, Adrien Taquet, presented 22 measures "to end once and for all violence against children." New measures include 400,000 euros (\$440,000) in additional funding for responses to the "child in danger" emergency hotline and strengthened implementation of background checks for those working in contact with children.

Early and Forced Marriage: The minimum legal age for marriage is 18. Early marriage was a problem mainly for communities from the Maghreb, Sub-Saharan Africa, and South Asia. The law provides for the prosecution of forced marriage cases, even when the marriage occurred abroad. Penalties for violations are up to three years' imprisonment and a 45,000 euro (\$49,500) 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.

Sexual Exploitation of Children: The law criminalizes sexual exploitation of children. The minimum age of consent is 15, and sexual relations with a minor aged 15 to 18 are illegal when the adult is in a position of authority over the minor. For rape of a minor younger than 15 the penalty is 20 years' imprisonment, which can be increased in the event of aggravating circumstances. Other sexual abuse of a minor under the age of 15 is punishable by up to 10 years in prison and a fine of 150,000 euros (\$165,000). The law provides that underage rape victims may file complaints up to 30 years after they turn 18.

The government enforced these laws effectively but faced criticism from NGOs such as Coup de Pouce, Acting against Child Prostitution, and the French Council of Associations for the Rights of the Child that argued children cannot provide legal consent regardless of circumstance.

The law also criminalizes the commercial sexual exploitation of children. The minimum penalty for sexual exploitation of children is 10 years' imprisonment and a fine of 1.5 million euros (\$1.65 million). The law prohibits child pornography; the maximum penalty for its use and distribution is five years' imprisonment and a 75,000 euro (\$82,500) fine.

As part of the 2020-22 plan to combat violence against children released November 20, the government released estimates that more than 130,000 girls and 35,000 boys annually suffer rape or attempted rape, and 140,000 children are exposed to domestic violence. According to an IPSOS poll released October 7 conducted with victims of childhood sexual abuse, the victims' average age is 10 years and 83 percent of victims are girls. Victims file a lawsuit in only 25 percent of the cases.

Displaced Children: On February 28, the European Court of Human Rights ordered the state to pay 15,000 euros (\$16,500) in reparations for the mistreatment of a 12-year-old Afghan in 2016 who spent six months at the Calais migrant camp. The court stated that authorities did not do everything within their power to protect the child from the uncertainty and poor conditions after the government demolished the camp.

By law unaccompanied migrant children are taken into the care of the country's child protection system. In a September 5 report, Human Rights Watch (HRW) found that authorities in the Hautes-Alpes border region, Paris, and elsewhere used flawed assessments to evaluate migrant children's age, leading to unjust denial of protections for minors that was inconsistent with international standards. HRW found that examiners used various justifications to deny children protection, including children's minor mistakes with dates, reluctance to discuss traumatic experiences in detail, or work they did in home countries or while in transit. HRW and the Defender of Rights, among others, also found that border police summarily returned unaccompanied migrant children attempting to cross the border from Italy to France, rather than referring them to the child protection system.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the

Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

Anti-Semitism

To promote equality and prevent discrimination, the law prohibits the collection of data based on race, ethnicity, and religion. A 2018 report by the Berman Jewish Data Bank estimated there were 453,000 Jews in the country, depending on the criteria chosen.

NGO and government observers reported numerous anti-Semitic incidents, including physical and verbal assaults on individuals and attacks on synagogues, cemeteries, and memorials, particularly in the Alsace-Lorraine region. The number of anti-Semitic acts increased by 74 percent in 2018, according to government statistics, while the number of violent attacks fell from 97 in 2017 to 81.

On May 22, a Jewish driver working for a ride-sharing company was mugged and beaten by perpetrators who targeted him because of his Jewish-sounding name. The victim reported that a man in his 20s was waiting for him at the appointed place and asked to sit in the front seat, following which a group of about 10 young men surrounded the car. One of the perpetrators told him, "you must have money; we're going to need to frisk you." The men then beat the driver, causing him to black out. He sustained injuries and a concussion. In July authorities charged four individuals for the attack and one, a teenager, was placed in pretrial detention because the anti-Semitic nature of the attack was considered an aggravating circumstance.

According to the latest statistics released by the Defense Ministry, the government deployed 10,000 security personnel throughout the country to protect sensitive sites, including vulnerable Catholic, Jewish, and Muslim sites and other places of worship.

On February 2, police arrested 19 persons in Strasbourg when a Yellow Vest protest turned violent, and approximately 50 protesters threw rocks at police and tried to damage local property, including the main synagogue. Some protesters shouted anti-Semitic insults and reportedly launched firecrackers toward the synagogue entrance. Several other Yellow Vest protests also included anti-Semitic acts. On February 16, a man participating in a Yellow Vest march in Paris shouted

epithets, including “dirty Zionist” and “dirty race,” at renowned French Jewish intellectual Alain Finkielkraut, an early supporter of the Yellow Vest movement who had recently turned against it. Despite being convicted for violating the country’s antiracism laws, which prohibit verbal attacks based on religion, ethnicity or race, the man was given a two-month suspended sentence by a Paris court.

Anti-Semitic threats of violence singled out public spaces and figures. On June 21, death threats and racist and anti-Semitic graffiti on the walls of the City Hall of Schirrhoffen targeted Jean-Claude Distel, the mayor of nearby Thal-Marmoutier in Bas-Rhin Department. Schirrhoffen has a large Jewish population, and Distel was a known supporter of refugees and migrants. The tags read, “A stabbing is coming quickly,” and “Distel you are going to die.” Another tag, “Distel=Lubcke,” referred to a proimmigrant German leader who was killed in early June.

Anti-Semitic vandalism targeted Jewish sites, including Holocaust memorials and cemeteries. In Quatzenheim, near Strasbourg, vandals defaced more than 90 graves at a Jewish cemetery in February. On February 19, President Macron and Interior Minister Castaner visited the site to support the Jewish community in the region, and prefecture and local politicians also voiced their rejection of the anti-Semitic attack. On December 2, more than 100 graves in the Jewish cemetery of Westhoffen, also in eastern France, were desecrated. Spray-painted swastikas and the number “14,” associated with white supremacy, covered headstones. Both President Macron and Interior Minister Castaner condemned the acts, and Castaner visited the site with community leaders on December 4. On May 13, police opened an investigation of the vandalism of a commemorative plaque in Paris devoted to Jewish children arrested by the French Vichy government in 1942 and deported to Nazi death camps. The graffiti included the number 4,115, representing the number of children arrested by Vichy police, and the word “extermination.” Paris 15th District mayor Philippe Goujon denounced the defacement.

After news that an administrator at an Orthodox Jewish high school leaked national examination materials to students in an effort to boost the school’s results, users posted hundreds of anti-Semitic posts on Twitter. The tweets included tropes that the students would avoid punishment because Jews “control everything” in France.

Trafficking in Persons

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

Persons with Disabilities

The constitution and law protect the rights of persons with physical, sensory, intellectual, and mental disabilities, including their access to education, employment, health services, information, communications, buildings, transportation, the judicial system, and other state services. The government generally enforced these provisions effectively.

An estimated 350,000 persons with intellectual or mental disabilities were deprived of the right to vote. The law allows a judge to deny the right to vote to individuals who are assigned guardians to make decisions on their behalf, which mainly affected persons with disabilities.

While the law requires companies with more than 20 workers to hire persons with disabilities, many such companies failed to do so.

The law requires that buildings, education, and employment be accessible to persons with disabilities. According to the latest government estimates available, 40 percent of establishments in the country were accessible. In 2015 parliament extended the deadline for owners to make their buildings and facilities accessible by three to nine years. In 2016 then president Hollande announced that 500,000 public buildings across the country were undergoing major renovation to improve accessibility. The Ministry of Social Affairs and Health (now called the Ministry for Solidarity and Health) reported in 2016 that only 300,000 of one million establishments open to the public were fully accessible. Public transport is not accessible, or is only partially accessible, in Paris and Marseille, the two largest cities in the country.

The UN special rapporteur on the rights of persons with disabilities, Catalina Devandas-Aguilar, visited the country in 2017. In her report, published January 8, the special rapporteur explored issues relating to the rights of persons with disabilities in the country in light of international human rights norms and standards. On the issue of education, the report highlighted that despite efforts to enroll children with disabilities in mainstream education, these children still faced multiple barriers to equal access to education in the form of lack of accessible infrastructure, lack of specialized training for teachers' assistants, and no curricular adaptations and accommodation in classrooms.

In its most recent report on the country in 2016, the UN Committee on the Rights of the Child stated that autistic children in the country “continue to be subjected to widespread violations of their rights.” The committee found the majority of children with autism did not have access to mainstream education and that many “are still offered inefficient psychoanalytical therapies, overmedication, and placement in psychiatric hospitals and institutions.” Parents who opposed the institutionalization of their children were intimidated and threatened and, in some cases, lost custody of their children, according to the report. The law provides every child the right to education in a mainstream school, but the Council of Europe criticized authorities for not implementing it. Pressure groups such as Autism France estimated that only 20 percent of autistic children were in school. In April 2018 the government began implementing a 340 million euro (\$374 million) strategy to give autistic children access to education. The plan includes increasing diagnosis and early years support for children with autism, increasing scientific research, and training doctors, teachers, and staff.

National/Racial/Ethnic Minorities

Societal violence and discrimination against immigrants of North African origin, Roma, and other ethnic minorities remained a problem. Many observers, including the Defender of Rights and the CNCDH, expressed concern that discriminatory hiring practices in both the public and private sectors deprived minorities from sub-Saharan Africa, the Maghreb, the Middle East, and Asia of equal access to employment.

On February 12, the Ministry of Interior announced the government registered 1,137 hate crimes involving threats or violence in 2018, a 20 percent increase from the number recorded in 2017. This overall increase stemmed entirely from the surge in anti-Semitic acts, which numbered 541, up 74 percent from 2017. Anti-Muslim acts and other acts of racism actually decreased during the same period. The Ministry registered 100 anti-Muslim acts, down 17 percent from 2017, and 496 other acts of racism, down 4 percent from 2017.

Government observers and NGOs, including the French Council for the Muslim Religion and the Collective against Islamophobia, reported a number of anti-Muslim incidents during the year, including slurs against Muslims, attacks on mosques, and physical assaults. The number of registered violent acts of racism against Muslims decreased from 73 in 2017 to eight in 2018. Over the same

period, threats against the Muslim community increased by 12 percent, while total anti-Muslim acts declined 17 percent, from 121 to 100, the lowest level since 2010.

On October 28, a man shot and seriously injured two elderly men who spotted him trying to set fire to the door of the mosque in Bayonne in southwestern France. President Macron, Interior Minister Castaner, and National Rally leader Marine Le Pen, among others, all condemned the attack. As of October 31, the suspect, 84-year-old Claude Sinke, had been placed in custody for attempted murder, and judicial police had opened an investigation.

Under the counterterrorism law, prefects have authority to close places of worship “in which statements are made, ideas or theories are disseminated, or activities take place that lead to violence, hatred or discrimination, provoke the commission of acts of terrorism, or make apologies for such acts.” On May 16, the minister of the interior stated that since 2018, the Ministry of Interior had closed 27 places of worship on this basis, of which 20 were still closed as of October. In June the Muslim Rights Action group published a report calling the closures “collective punishment” and a violation of religious liberty.

Beginning on February 7, the prefect of Isere closed the al-Kawthar Mosque in Grenoble for a period of six months. According to the Ministry of Interior, the mosque’s YouTube channel posted videos that incited hatred and violence towards Christians and Jews, the imam’s sermons justified armed jihad, and the mosque was frequented by known extremists.

On July 18, *Le Point* magazine reported the Interior Ministry had during the year expelled 44 radicalized foreigners as of that month. While the article did not provide deportation figures for 2018, it reported the country deported just 20 radicalized foreigners in 2017.

Societal hostility against Roma, including Romani migrants from Romania and Bulgaria, continued to be a problem. There were reports of anti-Roma violence by private citizens. Romani individuals, including migrants, experienced discrimination in employment. Government data estimated there were 20,000 Roma in the country.

On June 29, the CNCDH highlighted in its annual report that intolerance of Roma remained particularly stark and had changed little since 2016. The 2018 report noted the presence of “intensified racism” leading to abuse of the fundamental rights of the Roma and that anti-Roma sentiment in the country was expressed both

by public “rejection of [their] cultural differences” and the perception that Roma posed a “threat to the national [security] order.” The report also cited authorities’ “ambiguous policy towards slum dismantling,” which in turn encouraged “organized wandering” by members of the Romani community.

In March, Romani camps near Paris faced a series of attacks from groups wielding makeshift weapons after false rumors spread that Roma were kidnapping children from Paris’ poorer suburbs. In April a 19-year-old French man received an 18-month sentence for participating in the attacks and was ordered to pay 3,000 euros (\$3,300) in compensation to each of the victims. On July 3, the Bobigny criminal court found six men guilty of planning an attack against a Romani camp near Paris. Four of the men received five- to six-month sentences; the other two received five-month suspended sentences.

Authorities continued to dismantle camps and makeshift homes inhabited by Roma. According to Romeurope data, authorities evicted 9,688 Roma from 171 different localities in 2018, a 14.3 percent decrease from the previous year.

Citizens, asylum seekers, and migrants may report cases of discrimination based on national origin and ethnicity to the Defender of Rights. According to the most recent data available, the office received 5,631 discrimination claims in 2018, 14.9 percent of which concerned discrimination based on ethnic origin.

The government attempted to combat racism and discrimination through programs that promoted public awareness and brought together local officials, police, and citizens. Some public school systems also managed antidiscrimination education programs.

Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

The law prohibits discrimination based on sexual orientation and gender identity in housing, employment, nationality laws, and access to government services. Authorities pursued and punished perpetrators of violence based on sexual orientation or gender identity. The statute of limitations is 12 months for offenses related to sex, sexual orientation, or gender identity.

According to an online survey of 1,229 LGBTI individuals, more than one-half reported having been victims of homophobic, biphobic, or transphobic behavior.

The survey was conducted by the French Institute of Public Opinion between April 12 and April 24.

Anti-LGBTI acts in the country increased by 15.5 percent in 2018, compared with 2017, according to an annual report published on May 14 by the domestic NGO SOS-Homophobie. The results marked the third consecutive year that the number of reported anti-LGBTI acts increased in the country. The NGO stated it received 1,905 reports of anti-LGBTI incidents of all types in 2018, compared with 1,650 incidents in 2017. The data reflected a 66 percent increase in reports of physical assaults in 2018, to 231 cases, compared with 139 cases in 2017. The majority of victims were men (73 percent) and 34 years of age or younger in cases where the victim's age was known (56 percent). The report noted there was a 42 percent increase in anti-lesbian incidents, and that 23 percent of anti-LGBTI incidents occurred on the internet.

On July 18, 12 students of the Catholic Institute of Higher Studies faced trial in the criminal court of La Roche-sur-Yon (Loire Region) for destroying a display during the International Day against Homophobia, Transphobia, and Biphobia on May 18. Three students were previously expelled from the university, and their appeal to the Catholic bishop of the diocese was denied, with the bishop stating that the expulsions were “justified and proportionate to the gravity of each individual’s misconduct.” In response to the incident, La Roche-sur-Yon mayor Luc Bouard hosted an antihomophobia demonstration with more than 800 participants.

On July 27, a same-sex couple was hospitalized near Lyon after a group of approximately 20 persons armed with iron bars attacked and shouted homophobic slurs at them. The couple fled to a nearby building where they took refuge and called police. When police arrived shortly thereafter, they were also attacked by men with iron bars. Police dispersed the mob using tear gas, and the couple was then able to be taken to the hospital. The prosecutor opened an inquiry for aggravated violence.

Human rights organizations such as Inter-LGBTI criticized the government for continuing to require transgender persons to go to court to obtain legal recognition of their gender identity.

On May 22, the Paris Criminal Court convicted a man of “assault on the basis of sexual orientation or gender identity.” The defendant was filmed punching a transgender woman near a Paris metro station on March 31. He was sentenced to

10 months in prison (four of them on parole), issued a restraining order, and fined 8,000 euros (\$8,800).

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The constitution and labor law provide workers the right to form and join unions of their choice without previous authorization or excessive requirements. The law provides for the right to bargain collectively and allows unions to conduct their activities without interference. Workers, except those in certain essential services such as police and the armed forces, have the right to strike unless the strike threatens public safety. The law prohibits antiunion discrimination and forbids removing a candidate from a recruitment procedure for asking about union membership or trade union activities. The Ministry of Labor treats such discrimination as a criminal offense and prosecutes cases of discrimination by both individuals and companies.

Penalties were generally sufficient to deter violations, although union representatives noted antiunion discrimination occasionally occurred, particularly in small companies.

Public-sector workers must declare their intention to strike at least 48 hours before the strike commences. In addition a notification of intent to strike is permissible only after negotiations between trade unions and employers have broken down. Workers are not entitled to receive pay while striking. Wages, however, may be paid retroactively. Health-care workers are required to provide a minimum level of service during strikes. In the public transportation (buses, metro) and rail sectors, the law requires the continuity of public services at minimum levels during strikes. This minimum service level is defined through collective bargaining between the employer and labor unions for each transportation system. For road transportation strikes, the law on minimum service provides for wages to be calculated proportionally to time worked while striking. Transportation users must also receive clear and reliable information on the services that would be available in the event of a disruption. Authorities effectively enforced laws and regulations, including those prohibiting retaliation against strikers.

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 vis-a-vis political parties.

Some union leaders, however, did not conceal their political affiliations. Union representatives noted that antiunion discrimination occasionally occurred, particularly in small companies.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor. The law recognizes the offenses of forced labor and forced servitude as crimes. The government effectively enforced the law, and penalties were sufficient to deter violations. The government also provided financial support to NGOs that assist victims.

Men, women, and children, mainly from Eastern Europe, West Africa, and Asia, were subject to forced labor, including domestic servitude (also see section 7.c.). There were no government estimates of the extent of forced labor among domestic workers; however, in 2018 the NGO Committee against Modern Slavery assisted 181 victims of forced labor, 75 percent of whom were women.

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

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits the worst forms of child labor. The minimum age for employment is 16, with exceptions for persons enrolled in certain apprenticeship programs or working in the entertainment industry, who are subject to further labor regulations for minors. The law generally prohibits 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 exposes minors to acts or representations of a pornographic or violent nature. Persons younger than 18 are prohibited from working on Sunday, except as apprentices in certain sectors, including hotels, cafes, caterers, and restaurants. Youth are prohibited from working between 8 p.m. and 6 a.m. when they are younger than 16 and between 10 p.m. and 6 a.m. when they are between 16 and 18.

The government effectively enforced labor laws, although some children were exploited in the worst forms of child labor, including commercial sexual exploitation (also see section 6, Children) and forced criminal activity. Inspectors from the Ministry of Labor investigated workplaces to enforce compliance with all labor statutes. To prohibit violations of child labor statutes, inspectors may place

employers under observation or refer them for criminal prosecution. Penalties for the use of child labor proved generally sufficient to deter violations.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/> for information on the French overseas collective of Wallis and Futuna.

d. Discrimination with Respect to Employment and Occupation

The labor code prohibits discrimination based upon an individual's national origin; sex; customs; sexual orientation; gender identity; age; family situation or pregnancy; genetic characteristics; particular vulnerability resulting from an economic situation that is apparent or known to the author of the discrimination; real or perceived ethnicity, nationality or race; political opinions; trade union or mutual association activities; religious beliefs; physical appearance; family name; place of residence or location of a person's bank; state of health; loss of autonomy or disability; and ability to express oneself in a language other than French. Authorities generally enforced this prohibition, and penalties were sufficient to deter violations in this area. The International Labor Organization raised concerns that the labor code does not prohibit discrimination based on social origin.

A gender equality law provides measures to reinforce equality in the workplace as well as sanctions against companies whose noncompliance could prevent women from bidding for public contracts. The law also requires employers to conduct yearly negotiations with employees on professional and pay equity between women and men in companies with more than 50 employees.

Employment discrimination based on sex, gender, disability, and national origin occurred. The country's Romani community faced employment discrimination. The law requires that women receive equal pay for equal work. In March, INSEE released a study indicating that in 2015, the most recent year for which data were available, women working the equivalent of full time earned 18.5 percent less than men.

The Fund Management Organization for the Professional Integration of People with Disabilities (AGEFIPH) and the fund for the Inclusion of Persons with Disabilities in the Public Service released an audit in June that showed unemployment among persons with disabilities stood at 18 percent (515,531 individuals) in 2018, compared with 9 percent unemployment for the general population. Job seekers with disabilities stayed out of work for 832 days on

average, compared with 630 days for the general population. They were also older, on average, than the general population: some 50 percent of job seekers with disabilities were 50 years or older, although they constituted just 26 percent of all job seekers.

The law requires at least 6 percent of the workforce in companies with more than 20 employees to be persons with disabilities. Noncompliant companies must contribute to a fund managed by AGEFIPH. The funds go to financial support for persons with disabilities seeking employment or firms employing persons with disabilities, research and analysis on disability employment issues, and support for employment retention of persons with disabilities. Approximately 51 percent of private-sector enterprises (41,270) met the workforce requirement in 2018, while the companies that did not complete the requirement contributed to a 400-million euro (\$440 million) fund and a small number (mostly large corporations) received an exemption from the government based on a negotiated action plan, according to AGEFIPH. In 2017 President Macron initiated a plan to promote the inclusion of workers with disabilities in the workplace. Companies required to employ disabled workers must complete an annual mandatory declaration regarding employment of disabled workers before March 1 of each year. The declaration documents company procedures for fulfilling the obligation to employ workers with disabilities.

e. Acceptable Conditions of Work

The minimum wage adequately met the poverty-line income level, which employers in the formal sector generally adhered to. The government effectively enforced wage laws, and penalties were sufficient to deter violations.

The official workweek is 35 hours, although companies may negotiate exceptions with employees. The maximum number of working days for workers is 235 days per year. Maximum hours of work are set at 10 hours per day, 48 hours per week, and an average of 44 hours per week during a 12-week work period. Workdays and overtime hours are fixed by a convention or an agreement in each sector in accordance with the labor code. Under an executive order signed in 2017, companies with fewer than 50 employees may negotiate working conditions directly with employees without involvement of labor unions.

The law gives employees the “right to disconnect” digitally from their work. Companies with 50 or more employees must negotiate the use of digital tools with employees or their collective bargaining units and publish clear rules on “the right

to disconnect” from email, text messages, and other electronic communications after working hours.

Employees are entitled to a daily rest period of at least 11 hours and a weekly break of at least 24 hours. Employers are required to give workers a 20-minute break during a six-hour workday. Premium pay of 25 percent is mandatory for overtime and work on weekends and holidays; the law grants each worker five weeks of paid leave per year for a full year of work performed. The standard amount of paid leave is five weeks per year (2.5 weekdays per month, equivalent to 30 weekdays per year). Some companies also allowed other compensatory days for work in excess of 35 hours to 39 hours per week, called “spare-time account.” Work in excess of 39 hours per week was generally remunerated.

The government sets occupational health and safety standards in addition to those set by the EU. Government standards cover all employees and sectors. Individual workers could report work hazards to labor inspectors, unions, or their company health committee (for companies with more than 50 employees). Workers have a right to remove themselves without fear of reprisal from a situation presenting grave and imminent danger.

The Ministry of Labor enforced the law governing work conditions 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, that must conform to separate and clearly defined standards. Labor inspectors enforced compliance with the labor law. Disciplinary sanctions at work are strictly governed by the labor code to protect employees from abuse of power by their employers. Employees could pursue appeals in a special labor court up to the Court of Cassation (Supreme Court). Sanctions depend on the loss sustained by the victim and were usually applied on a case-by-case basis.

Penalties for labor violations depend on the status of the accused and were generally sufficient to deter violations.

Immigrants were more likely to face hazardous work, generally because of their concentration in sectors such as agriculture, seasonal employment, construction, and hospitality services. On September 23, three Bulgarians and a French citizen were detained and indicted on charges of exploiting 160 Bulgarian grape harvesters in the Beaujolais region of the country. The accused recruited Bulgarians for seasonal work, forced the men to sign French-language contracts that they did not

understand, and retained the majority of their wages. French law enforcement officers worked with Bulgarian authorities and the French Central Office against Illegal Work, in coordination with Europol, to discontinue the operation.