

# **France 2023 Human Rights Report**

## **Executive Summary**

There were no significant changes in the human rights situation in France during the year.

Significant human rights issues included credible reports of: police violence, including against protesters and journalists covering the protests; crimes involving threats of violence against Muslims; crimes, violence, or threats of violence motivated by antisemitism; and crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer, or intersex persons.

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

## **Section 1. Respect for the Integrity of the Person**

### **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 killing, including extrajudicial killings, during the year. Mechanisms to investigate security force killings and pursue prosecutions

included the police disciplinary body, the Inspector General of the National Police (IGPN); the gendarmerie police disciplinary body, the Inspector General of the National Gendarmerie, and a separate and independent magistrate that could investigate police abuses.

On June 27, a police officer shot and killed Nahel M., age 17, in the western Paris suburb of Nanterre after he failed to stop for a traffic check. The IGPN and prosecutors each initiated investigations. On June 29, prosecutors charged the officer with voluntary homicide, and placed him in detention while awaiting trial. On November 15, authorities released the officer while awaiting trial. The investigation continued as of November 21.

In a June 30 media briefing, Ravina Shamdasani, spokeswoman for the Office of the UN High Commissioner for Human Rights, urged the country to address issues of racism and discrimination in law enforcement. She also called for compliance with principles such as legality, necessity, and proportionality in the use of police force.

## **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, and Other Related Abuses**

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

During the year there were reports police used excessive force during routine traffic violations. The National Prosecutor's Office investigated most of these cases and suspended officers from their duties during investigation proceedings. As of September 12, police during the year killed two individuals after they failed to obey an order to stop, compared to 13 individuals killed in 2022. The annual report of the inspector general of the IGPN, published on September 21, found the number of investigations carried out by the inspectorate remained constant compared with the same period in 2022. Fewer than half (48 percent) of the 1,065 investigations in 2022 pertained to "willful violence" by officers, a stable number from 2021. The report noted the complaints related to racism and discrimination remained stable with 52 complaints registered in 2022 compared with 51 in 2021.

## **Prison and Detention Center Conditions**

While prisons and detention centers generally met international standards, nongovernmental organizations (NGOs) and government officials reported overcrowding and unhygienic conditions in prisons.

**Abusive Physical Conditions:** As of August 1, the overall occupancy rate in the country's prisons stood at 122.4 percent. NGOs agreed overcrowding was less common for women, making their detention conditions often better than those for men. In its June 2021 report, the latest available, the Council of Europe's Committee for the Prevention of Torture (CPT) noted that, at the time of its visit in 2019, occupancy rates exceeded 200 percent in some establishments. The CPT noted it received a small number of allegations of intentional violence by staff against prisoners as well as a larger number of allegations of excessive use of force. The CPT also noted that prisoner-on-prisoner violence was a significant problem at some establishments (Bordeaux-Gradignon, Lille-Sequedin, and Maubeuge). In the women's wards at Bordeaux-Gradignon and Lille-Sequedin prisons, the establishments offered women prisoners fewer activities and work opportunities than men. Reports indicated that the freedom of movements and procedures at the prisons favored women.

Overcrowding in prisons located in overseas territories was consistent with national trends. The Ministry of Justice reported in August the occupancy rate for all prisons in overseas territories was 150.3 percent and reached 239.5 percent at the Majicavo prison in Mayotte.

On July 6, the European Court of Human Rights (ECHR) criticized the country for substandard detention conditions. The court found the detention of three former prisoners between 2016 and 2019 at the Fresnes prison, which

had a 197 percent occupancy rate, violated the European Convention on Human Rights. The court ordered the government to pay a total of €46,000 (\$49,700) to the three plaintiffs.

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

On May 22, a Mulhouse court condemned a prison officer to a three-month suspended prison sentence for acts of violence committed against an inmate in the prison of Mulhouse-Lutterbach in 2022.

**Independent Monitoring:** The government permitted prison visits by independent human rights observers, both local and foreign. The Controller-General for Places of Deprivation of Liberty, an independent administrative authority, was able to visit and report on conditions at psychiatric hospitals, police custody facilities, juvenile detention centers, immigration processing centers, and prisons.

## **d. Arbitrary Arrest or Detention**

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

## **Arrest Procedures and Treatment of Detainees**

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

The law allowed authorities to detain a person up to 24 hours if police had a plausible reason to suspect such person was committing or had committed a crime. A district prosecutor had the authority to extend a detention by 24 hours. A special judge, however, had the authority to extend detention by 24-hour periods for up to six days in complex cases, such as those involving drug trafficking, organized crime, and acts of terrorism. A system of bail existed, and authorities made use of it.

Detainees generally had access to a lawyer, and the government provided legal counsel to indigent detainees. The law also required medical examiners to respect and maintain professional confidentiality. The law forbade complete strip searches except in cases where authorities suspected the accused of hiding dangerous items or drugs.

## **e. Denial of Fair Public Trial**

The constitution and law provided for an independent judiciary. The government generally respected judicial independence and impartiality, although delay in bringing cases to trial was a problem.

### **Trial Procedures**

The constitution and law provided 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. Except for those involving children, trials were public.

### **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees.

## **f. Transnational Repression**

Not applicable.

## **g. Property Seizure and Restitution**

The country endorsed the Terezin Declaration in 2009 and the Guidelines and Best Practices in 2010. The government had 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. The country had restitution and reparation measures in place covering all three types of immovable property: private, communal, and heirless.

On July 13, parliament unanimously passed a bill to facilitate the restitution of artworks looted from Jewish persons during Germany's Nazi era (1933-1945). The law created a general framework to streamline the process for returning looted property in public collections. Before this law, each restitution to rightful owners from public collections required the passage of a separate law. The new law allowed for the removal of items from public collections after consultation with the Commission for the Compensation of Victims of Spoliation.

The Department of State's *Justice for Uncompensated Survivors Today (JUST) Act Report* to Congress, released publicly in July 2020, can be found on the Department's website: <https://www.state.gov/reports/just-act-report-to-congress/>.

## **h. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence**

The constitution and law prohibited such actions, and there were no reports of government failure to respect these prohibitions.



## **Section 2. Respect for Civil Liberties**

### **a. Freedom of Expression, Including for Members of the Press and Other Media**

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

**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 prohibited racially or religiously motivated verbal and physical abuse. Written or oral speech that incited racial or ethnic hatred and denied the Holocaust or crimes against humanity was illegal. Authorities could deport a noncitizen for publicly using “hate speech” or speech constituting a threat of terrorism.

Acts of online hate speech targeting public sector employees, elected officials, journalists, or a child with the intent to cause harm were punishable by up to five years’ imprisonment and a substantial fine.

Offenses targeting other members of the population were punishable by three years’ imprisonment and a fine. The law also made it easier for

authorities to block or delist websites promoting hate speech and accelerate legal proceedings against them.

On June 26, the Nice administrative court criticized the government for restricting freedom of expression after police officers covered a bookstore front to hide feminist slogans targeting Minister of Interior Gerard Darmanin as he was visiting Nice in December 2022. The messages read, “He who sows impunity reaps wrath” and “Sophie, we believe you,” in reference to Sophie Patterson-Spatz, who filed a complaint against the minister for rape; the courts later dismissed the charges. The bookstore’s owners filed a lawsuit. The judge ruled the slogans did not constitute a “threat to public order” and ordered the state to pay €1,000 (\$1,080) as compensatory damages to the two plaintiffs.

**Violence and Harassment:** On May 15, the NGO Reporters without Borders (RSF) called for a “strong political, administrative and judicial response to the surge in police violence against journalists.” It criticized the fact that reporters covering pension reform experienced almost as much police violence in the prior two months (15 incidents) as they had in the previous two years (16 incidents). RSF also criticized the rise of arbitrary arrests, stating that at least five journalists were arrested since the beginning of the year.

### **Censorship or Content Restrictions for Members of the Press and Other**

**Media, Including Online Media:** While independent media were active and

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generally expressed a wide variety of views without restriction, print and broadcast media, books, and online newspapers and journals were subject to the country's antidefamation and hate-speech laws.

**Libel/Slander Laws:** Defamation was a criminal offense, although it did not carry the possibility of imprisonment as punishment. The law distinguished between defamation, which consisted of the accusation of a particular fact, and insult, which did not.

**National Security:** RSF continued to raise concerns regarding police and prosecutors questioning reporters on national security grounds.

On September 20, RSF released a statement expressing dismay over the September 19 arrest of investigative reporter Ariane Lavrilleux. Agents of the General Directorate for Internal Security held her for 39 hours, conducted a 10-hour search of her home, and interrogated her before releasing her on September 20. Lavrilleux contributed five articles to Disclose, an investigative NGO, including a 2021 piece revealing the misuse of French intelligence in an Egyptian-French counterterrorism operation. In 2022, the Paris prosecutor initiated an investigation against her after the Ministry of Armed Forces accused Disclose of leaking national defense secrets. Various press associations and human rights groups criticized her arrest, highlighting threats to press freedom. Protests demanding her release took place in Paris, Lyon, and Marseille.

**Nongovernmental Impact:** On July 4, RSF condemned the attacks by rioters on journalists who covered the protests and riots following the police killing of a boy age 17 in the Parisian suburb of Nanterre on June 27. RSF reported attackers targeted at least 18 media professionals covering the unrest from June 27 to June 30 in several cities.

## **Internet Freedom**

The government did not restrict or disrupt access to the internet or censor online content.

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

On June 14, the country's Data Protection Authority released its annual report. According to the report, the Central Office on the Fight against Crimes Linked to Information and Communication Technology ordered the removal of 15,177 terrorist-related online items during 2022.

## **b. Freedoms of Peaceful Assembly and Association**

The constitution and law provided 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 law gave security forces greater powers at demonstrations, including the power to search bags and cars in and around demonstrations. It also was a criminal offense for protesters to conceal their faces at demonstrations, punishable by one year in prison and a fine.

On January 9, the Human Rights League filed a complaint in the Administrative Court of Paris against the Paris police prefect for violating freedom of assembly by fining organizers of demonstrations deemed too “noisy.” On June 15, UN experts urged authorities to review their policing strategies to facilitate peaceful protests and public participation, following mass demonstrations against the government’s proposed pension reform and water management policies. They emphasized the right to peaceful assembly as fundamental to democratic governance.

## **Freedom of Association**

The law gave authorities broad powers to monitor and close religious organizations and groups. The government dissolved several Muslim organizations accused of inciting hatred, violence, and discrimination. As of March 30, authorities closed seven mosques in the framework of the fight against separatism. Some religious groups, in particular Muslim groups, criticized the law for unfairly targeting religious organizations and for infringing on their freedom of association.

On June 21, the cabinet council dissolved Soulèvements de la Terre (SLT), a climate activist organization, after violent clashes between some of its supporters and police. Interior Minister Darmanin accused SLT of promoting sabotage and property damage. In response, SLT organized protests in multiple cities on June 21, and appealed the dissolution to the Council of State. On August 11, a judge temporarily suspended the group's dissolution, pending a final ruling.

### **c. Freedom of Religion**

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

### **d. Freedom of Movement and the Right to Leave the Country**

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

**In-country Movement:** The law required persons engaged in itinerant activities with a fixed domicile to obtain a license, renewable every four

years. Itinerant persons without a fixed abode were required to possess travel documents.

## **e. Protection of Refugees**

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

**Access to Asylum:** The laws provided for the granting of asylum or refugee status, and the government had 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 Albanian, Arabic, English, Russian, Serbo-Croatian, Tamil, and Turkish. Applicants were required to complete the forms in French, however, generally without government-funded language assistance. Applications for asylum had to be made on French territory or at a French border-crossing point. Asylum seekers outside of the country were able to request a special visa for the purpose of seeking asylum from a French embassy or consulate. After arrival in the country, the visa holder had to follow the same procedure as other asylum seekers. Unlike other applicants, however, visa holders were authorized to work while their application was processed and evaluated.

Asylum seekers could appeal decisions of OFPRA to the National Court on Asylum Law.

On May 10, five NGOs (Amnesty International, Anafe, La Cimade, Doctors of the World, and Doctors Without Borders) published a report accusing the government of violating the rights of migrants at the French-Spanish border. The joint report, entitled *Migration controls at the Franco-Spanish border: between violations of rights and solidarity struggles*, denounced violations of the law and persons being refused entry at the Franco-Spanish border without their protection needs being assessed. The report stressed persons who wished to seek asylum in the country were unable to do so due to internal border control measures.

**Abuse of Refugees and Asylum Seekers:** In May, magistrates filed preliminary charges against five French maritime rescue personnel in connection with the sinking of a migrant vessel in the English Channel in 2021, which resulted in the death of 27 individuals. These personnel, all military members, were charged with nonassistance to persons in danger.

**Freedom of Movement:** On April 26, six refugee and migrant assistance associations (Association Service Social Familial Migrants, Forum-Refugies-Cosi, France Terre d’Asile, the Inter-Movement Committee for Aid of Evacuees, Ordre de Malte, and Solidarite Mayotte) released a joint annual report characterizing the detention and the deportation of children from Mayotte’s holding center as serious violations of their fundamental rights.



The exercise of an effective remedy against detention and deportation decisions in Mayotte was very limited due to the national government's restrictions on access to French nationality for children born on the island and the rapidity of evictions. Many children were detained illegally without at least one of their parents. According to the migrant assistance associations' 2023 report, in 2022 authorities placed French citizens in a holding center and deported seven of them to the Comoros.

On May 22, authorities initiated an operation to remove migrants from slums in Mayotte and deport those without papers to the Comoran island of Anjouan. Various organizations criticized the operation as a “brutal measure” that violated migrants' rights. Jean-Marie Burguburu, chairman of the National Consultative Commission on Human Rights (CNCDH), warned that the “mass expulsions” would violate fundamental rights. Interior Minister Darmanin reported that by September 11, authorities had carried out the demolition of 400 informal homes, 1,327 arrests – including 55 of the 59 previously identified gang leaders – and an average of 70 daily deportations.

**Durable Solutions:** The government had 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. The government offered an allowance of €650 (\$703) per person (adults and children) for the voluntary return of asylum seekers from countries whose citizens needed an entry visa and €300 (\$324) per person (adults and children) for those from countries whose citizens did not need a visa or were citizens of Kosovo.

**Temporary Protection:** Authorities could grant individuals a one-year renewable permit and extend the permit for an additional two years to individuals who might not qualify as refugees. Following the exceptional authorization issued by the Council of the European Union in March 2022 to grant temporary protection to displaced persons from Ukraine, the government granted temporary protection to Ukrainian nationals who were residing in Ukraine before February 24, 2022; to non-Ukrainian nationals benefitting from protection (international or equivalent national protection) granted by Ukrainian authorities before the same date; and to family members of displaced individuals in either category. On February 23, the Ministry of Interior announced the government spent €490 million (\$530 million) to welcome Ukrainian refugees fleeing the war. The country took in more than 100,000 Ukrainians, “nearly 80 percent women,” between March 10, 2022, and January 30. The country issued “temporary residence permits” to 87,928 Ukrainians (excluding children) over this period, and nearly 146,000 when considering permit renewals.

## **f. Status and Treatment of Internally Displaced Persons**

Not applicable.

## **g. Stateless Persons**

OFPPRA reported 1,799 stateless persons existed in the country at the end of 2022. 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 made 325 stateless status requests in 2022 and granted stateless status to 108 persons. Among those who claimed stateless person status, men made up 76 percent. 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 afforded persons the opportunity to gain citizenship. A person could qualify to acquire citizenship if either of the person's parents was 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 did not transfer to the child, or the person married a citizen. A person who had reached the legal age of majority (18) could apply for citizenship through

naturalization after five years of habitual residence in the country.

Applicants for citizenship were required to have good knowledge of both the French language and civics.

## **Section 3. Freedom to Participate in the Political Process**

The constitution and law provided 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**

**Abuses or Irregularities in Recent Elections:** Observers considered the September 24 parliamentary (Senate) elections fair and free of abuses and irregularities.

## **Section 4. Corruption in Government**

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

**Corruption:** Five months after former President Nicolas Sarkozy appeared before the Paris Court of Appeals on charges of corruption and influence-

peddling in the “wiretapping affair” in December 2022, the court upheld on May 17 a 2021 three-year prison sentence with two years suspended – to be served at home with an electronic bracelet. Sarkozy was also banned from public office and from voting for three years. The verdict found him guilty of offering a judge a job in Monaco in exchange for classified information regarding an inquiry into his 2007 campaign finances. Sarkozy’s lawyer announced plans to appeal the ruling at the country’s highest appeals court, the Court of Cassation.

For additional information about corruption in the country, please see the Department of State’s *Investment Climate Statement* for the country, and the Department of State’s *International Narcotics Control Strategy Report*, which includes information on financial crimes.

## **Section 5. Governmental Posture Towards International and Nongovernmental Monitoring and 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 generally 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 and Societal Abuses**

### **Women**

**Rape and Domestic Violence:** The law criminalized rape of a person, regardless of gender, including spousal rape, and the government generally enforced the law effectively. The minimum penalty for rape was 15 years' imprisonment. The government and NGOs provided shelters, counseling, and hotlines for rape survivors.

The law prohibited domestic violence against women and men, including spousal abuse, and the government generally enforced the law effectively. The penalty for domestic violence varied from three years to 20 years in prison and a substantial fine.

The government sponsored and funded programs for survivors of gender-based violence, including shelters, counseling, hotlines, free mobile phones, and a media campaign. As of November 25, prosecutors gave 1,171 emergency telephones to survivors of abuse to make calls in case of

imminent danger. The government also supported the work of 25 associations and NGOs dedicated to addressing domestic violence.

To protect domestic violence survivors, the law authorized doctors to waive medical confidentiality and report to police if a patient's life was in "immediate danger." The law reinforced harassment penalties and included a 10-year prison sentence in cases where violence led to a victim's suicide. The law also made it possible for authorities to suspend parental rights in cases of domestic violence.

Judges in five courts (Bobigny, Pontoise, Douai, Angouleme, and Aix-en-Provence) could order domestic violence offenders to wear electronic tracking bracelets with a monitor that alerted survivors and police if the abuser came within a certain distance of the survivor. Judges could order trackers for men charged with assault, even if not yet convicted, provided sufficient grounds were met and the suspect accepted. If a suspect refused a tracker, the judge could order prosecutors to open a criminal inquiry. Survivors were given a warning device, and alleged offenders had to submit to restraining orders as defined by judges.

On February 28, parliament passed a bill creating "universal emergency financial assistance" to help survivors of domestic violence find shelter quickly. The text stipulated that women forced to leave their homes due to financial dependance on a violent spouse should receive an interest-free loan within three days. A government amendment completed the measure

by introducing the possibility of public aid without compensation.

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

According to the latest statistics available from the Ministry of Gender Equality and the Fight against Discrimination, 53,000 FGM/C survivors resided in the country. The majority came from sub-Saharan African countries where the practice was prevalent. According to the most recent statistics that the Group against Sexual Mutilation released in 2016, practitioners performed 350 excisions in the country each year.

The country offered asylum for women who were survivors of sexual mutilation. In 2022, OFPRA granted refugee status to approximately 3,000 women and girls on these grounds. As of December 2022, OFPRA protected 17,308 children on grounds of risk of FGM/C, mostly from Guinea and Ivory Coast.

**Discrimination:** The law provided the same legal status and rights for women as for men, and those laws were generally respected. The law



prohibited gender-based job discrimination and harassment of subordinates by superiors, but this prohibition did not apply to relationships between peers. The constitution and law provided 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.

On January 23, a report published by the country's High Authority on Equality, a consultative body, found many young men judged discriminatory or violent behavior against women to be acceptable. While most respondents bemoaned sexism in principle, "they fail to reject it in practice." According to the report, the public had become more aware of gender inequality, partly thanks to the #MeToo movement, but "bias and gender stereotypes, sexist cliches and everyday sexism are still commonplace."

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

On January 1, emergency contraception became free for all women. Since that date, women had access to the pill from pharmacies without a prescription. The government provided access to sexual and reproductive health services for survivors of sexual violence. Emergency contraception was available as part of the clinical management of rape.

## **Systemic Racial or Ethnic Violence and Discrimination**

The country's laws protected members of racial or ethnic minorities or groups from violence and discrimination, and the government generally enforced them effectively. The criminal code prescribed increased penalties for violent crimes committed for racial and ethnic reasons. Discrimination law covered everyday measures and practices. Discrimination was defined as the unequal and unfavorable treatment of an individual or group of individuals based on prohibited grounds and in a specific area defined by law such as employment, education, housing, or health care. The criminal code and associated laws stipulated nearly 25 discrimination grounds, including origin, gender, physical appearance, or the economic circumstances of an individual.

On July 4, the CNCDH published its annual report on combating racism, antisemitism, and xenophobia. The report emphasized that, despite a challenging environment marked by international unrest and elections that often linked immigrants to security issues, tolerance towards minorities remained high across almost all indicators. The report also found interconnected prejudices against various groups. It showed anti-immigrant sentiment had the strongest correlation with other forms of hatred and intolerance. For example, those who rejected immigrants were more likely to hold misogynistic, antisemitic, or anti-Muslim views, identify with racist views, or believe some races were superior. The report also discovered a

strong correlation between anti-Muslim sentiment and other forms of intolerance, finding persons hostile to Islam were statistically less committed to secularism, less supportive of women's rights, and more likely to condemn homosexuality.

Government observers and NGOs reported several anti-Muslim incidents during the year, including slurs, attacks on mosques, and physical assaults.

Societal hostility against Roma, including migrants from Romania and Bulgaria, was prevalent. 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 July 4, the CNCDH stated in its annual report that the Romani community remained the one regarded most negatively in public opinion. The report found 60 percent of citizens considered it "a community apart within the society." The report pointed out, however, that political, social, and media elites scapegoated Roma less than in previous years. Roma and unaccompanied children were at risk for forced labor trafficking, specifically forced begging and forced theft.

Authorities continued to dismantle camps and makeshift homes inhabited by Roma.

In September, the European Roma Rights Center and eight French NGOS

filed a collective lawsuit against the country to the European Committee of Social Rights asserting that expedited procedures for the imposition of fixed fines on travellers for “illegal halting in order to set up a home even temporarily” were “discriminatory in specifically targeting a minority group, and repressive in allowing no room for discretion, and taking no account of individual circumstances.”

Citizens, asylum seekers, and migrants were able to report cases of discrimination based on national origin and ethnicity to the Defender of Rights. 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. The Interministerial Delegation to Fight Against Racism, Antisemitism, and Anti-LGBT Hate (DILCRAH), an organization reporting to the prime minister, coordinated the government’s efforts to combat racism, antisemitism, and homophobia.

## Children

**Child Abuse:** There were laws against child abuse, including rape, sexual assault, corruption of a child, and kidnapping. The government enforced the law and actively worked to combat child abuse. Penalties were generally severe.

Sex with children under the age of 15 was legally considered rape,

punishable by up to 20 years in prison, unless there was a small gap in age between the two partners. The law also made it illegal for an adult to have sex with a relative younger than 18.

**Child, Early, and Forced Marriage:** The minimum legal age for marriage was 18. Early marriage was a problem mainly for communities from the Maghreb, Sub-Saharan Africa, and South Asia. The law provided for the prosecution of forced marriage cases, even when the marriage occurred abroad, and allowed city hall officials to interview couples separately when there were concerns the relationship might be a forced marriage. Penalties for violations were up to three years in jail and a €45,000 (\$48,600) 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 prohibited the sale, grooming, or use of children for commercial sexual exploitation, including sex trafficking. The minimum age of consent was 15, and sexual relations with a person between the ages of 15 and 18 were illegal when the adult was in a position of authority over the child. For rape of a child younger than 15, the penalty was 20 years' imprisonment, which could be increased in the event of aggravating circumstances. Other sexual abuse of a person younger than 15 was punishable by up to 10 years in prison and a substantial fine. The law provided that underage rape survivors could file complaints up to 30 years

after they turn 18.

The law also criminalized child sex trafficking with a minimum penalty of 10 years' imprisonment and a substantial fine. The law prohibited child pornography; the maximum penalty for its use and distribution was five years' imprisonment and a substantial fine.

The government enforced these laws effectively.

On June 1, the Committee on the Rights of the Child published its final observations on the protection of children's rights in the country. The committee emphasized its concern regarding violence against children, especially sexual violence, which it said remained at a high level and required greater attention from the government. It noted there were many child victims of sexual abuse in the overseas territories. As of October 1, some 1,285 requests had been sent to the Independent National Instance for Recognition and Reparation (INIRR) since its establishment in January 2022 to address child abuse in the country by Catholic priests since the 1950s. Decisions were rendered in 421 cases, 408 of which included an average financial compensation of €36,000 (\$38,900), according to the INIRR.

## **Antisemitism**

To promote equality and prevent discrimination, the law prohibited 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.

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

On October 12, President Macron announced that 582 Jewish religious and cultural facilities in the country received stepped-up police protection after the October 7 Hamas attacks on Israel. On November 14, Interior Minister Darmanin reported authorities recorded 1,762 antisemitic acts during the year, including 1,518 since the Hamas attacks began. The government continued to deploy 3,000 military personnel throughout the country to patrol sensitive sites, including vulnerable Catholic, Jewish, and Muslim sites, and other places of worship. This could go up to as many as 10,000 personnel at times of high threat. Some Jewish leaders requested the government also provide static armed guards at Jewish places of worship.

On September 13, the Marseille Prosecutor's Office opened an investigation into a September 9 attack on a Jewish man. The local branch of the Representative Council of Jewish Institutions reported that a passing driver yelled antisemitic slurs at a man wearing a kippah, forced him to kneel, and stole his watch and bracelets. Authorities were treating the case as an aggravated hate crime. Marseille Mayor Benoît Payan strongly condemned

the attack, as did other local politicians. The attacker remained at large.

For further information on incidents in the country of antisemitism, whether or not those incidents were motivated by religion, please see the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

## Trafficking in Persons

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

## Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

**Criminalization:** No laws criminalized consensual same-sex sexual conduct between adults, cross-dressing, or other sexual or gender characteristic-related behaviors. There were no reports that seemingly neutral laws were disproportionately applied to lesbian, gay, bisexual, transexual, queer, intersex, or other sexual minority (LGBTQI+) persons.

**Violence and Harassment:** Homophobic violence and hate speech in the country increased by 11 percent in 2022, with 2,420 acts compared to 2,170 in 2021, according to Ministry of Interior statistics released May 23. Insults



constituted 57 percent of the offenses. Victims were mainly men (72 percent) and under the age of 30 (52 percent). The Ministry of Interior stressed the statistics were based on reported cases and actual figures were likely higher.

In 2022, physical assaults against LGBTQI+ persons rose by 28 percent, with 184 acts reported, up from 144 in 2021, according to SOS Homophobie's annual report released on May 16. The most common venues for hate expression included the internet, social media, family settings, businesses, and public areas. Rejection, insults, and harassment were the most frequent abuses. Transphobic incidents increased by 26 percent, totaling 227 incidents. SOS Homophobie recommended that the government start a national awareness campaign, allocate more resources for investigating crimes, and improve law enforcement training.

On September 28, a Paris court ordered former presidential candidate Eric Zemmour to pay a €4,000 (\$4,320) fine for using homophobic language in a 2021 book denying that Nazis rounded up and deported homosexuals while occupying the country during World War II. His lawyer appealed the ruling.

**Discrimination:** The law prohibited discrimination by state and nonstate actors based on sexual orientation, gender identity or expression, or sex characteristics and recognized LGBTQI+ individuals, couples, and their families. The law prohibited discrimination in housing, employment, nationality laws, and access to government services. The government

enforced these laws. Authorities generally pursued and punished perpetrators of violence based on sexual orientation or gender identity.

**Availability of Legal Gender Recognition:** Human rights organizations such as Inter-LGBT continued to criticize the government for requiring transgender persons to secure a judge’s concurrence before obtaining legal recognition of their gender identity. On January 30, the European Court of Human Rights ruled that French authorities’ refusal to allow a person to modify their gender marker to “neutral” or “intersex” breached the European Convention on Human Rights and called on the country to reform its legislation accordingly. The court acknowledged, however, that future developments in Council of Europe member states could change its interpretation. A court ruled in 2015 that an intersex plaintiff who was designated male at birth, could use the term “neutral gender” on personal official documents. This decision was overturned by a French appeals court.

**Involuntary or Coercive Medical or Psychological Practices:** The law banned the practice of so-called conversion therapy. Those found guilty could face two years’ imprisonment and a significant fine. The punishment could rise to three years in prison and a larger fine for attempts involving children or other particularly vulnerable persons.

On August 30, the government directed DILCRAH to involve the public prosecutor in investigating the French Christian organization Torrents de Vie. The organization hosted a July camp aimed at “helping people who

struggle with their sexual orientation,” which a BFM TV report characterized as “disturbing therapies.” After viewing the footage, the Minister for Equality between Women and Men and the Fight against Discrimination, Bérangère Couillard, strongly condemned the activities. She said evidence would go to the public prosecutor for investigation into Torrents de Vie’s actions and encouraged victims to file complaints with the police.

There were no reports of surgeries performed on children or nonconsenting adult intersex persons. The government or medical associations did make efforts to limit this practice, however.

#### **Restrictions of Freedom of Expression, Association, or Peaceful Assembly:**

There were no laws or other restrictions on individuals speaking or media reporting on LGBTQI+ matters, on the ability of LGBTQI+ individuals to assemble in public or private or to form associations, or on the ability of LGBTQI+ organizations to legally register or convene events.

### **Persons with Disabilities**

The constitution and law protected the rights of persons with physical, sensory, intellectual, and mental disabilities, including their access to education, employment, health services, information, communications, public buildings, transportation, the judicial system, and other state services on an equal basis with others. The government did not always enforce these provisions effectively. Government information and communication

on disability concerns was provided in accessible formats.

While the law required companies with 20 or more employees to hire persons with disabilities, many such companies failed to do so and paid penalties.

The law required 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. On January 19, Isabelle Saurat was appointed interagency delegate in charge of advancing accessibility to buildings, a position created in October 2022.

According to statistics released in September by the education ministry, 430,000 children with disabilities attended schools in the country, including 67,000 in hospitals or social health-care institutions and 363,000 in “ordinary” schools. The government did not provide detailed statistics on how many of those 363,000 children attended class full time or for only a few hours per week, or whether they had the help of assistants for children with disabilities, as required.

On April 11, the government assessed the progress of its five-year strategy (2018-2022) to give autistic children access to education and announced it had allocated €636 million (\$681 million) to the plan. It reported 45,000 autistic children attended schools in 2022 and that 425 specific classes for autistic children had been created.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

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

The government effectively enforced laws protecting freedom of association, collective bargaining, and the right to strike for workers. Public-sector workers were required to declare their intention to strike at least 48 hours before the strike commenced. In addition, a notification of intent to strike was permissible only after negotiations between trade unions and employers had broken down. Workers were not entitled to receive pay while striking. Wages, however, could be paid retroactively. Health-care

workers were required to provide a minimum level of service during strikes. In the public transportation (buses, metro) and rail sectors, the law required the continuity of public services at minimum levels during strikes. This minimum service level was defined through collective bargaining between the employer and labor unions for each transportation system. For road transportation strikes, the law on minimum service provided for wages to be calculated proportionally to time worked while striking. Transportation users were also entitled to 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. Penalties for violations were commensurate to those under other laws related to the denial of civil rights, and penalties were regularly applied against violators, although union representatives noted antiunion discrimination occasionally occurred, particularly in small companies.

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

Workers freely exercised their rights to form and join unions and choose their employee representatives, conduct union activities, and bargain

collectively. Most workers' organizations stressed their independence from political parties. Some union leaders, however, did not conceal their political affiliations.

## **b. Prohibition of Forced or Compulsory Labor**

See the Department of State's annual *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 prohibited all the worst forms of child labor. The minimum age for employment was 16, with exceptions for persons enrolled in certain apprenticeship programs, working in the entertainment industry, family-owned businesses, or age-appropriate work during school vacations, who were subject to further labor regulations for children. The law generally prohibited persons younger than 18 from performing work considered arduous or dangerous, such as working with dangerous chemicals, high temperatures, heavy machinery, electrical wiring, metallurgy, dangerous animals, working at heights, or work that exposed children to acts or representations of a pornographic or violent nature. Persons younger than 18 were prohibited from working on Sunday, except as apprentices in certain sectors, including hotels, cafes, caterers, and restaurants. Youth

were prohibited from working between 8 p.m. and 6 a.m. when they were younger than 16 and between 10 p.m. and 6 a.m. when they were between 16 and 17. The government effectively enforced labor laws. Penalties were commensurate with those for analogous serious crimes.

During the year, there were no confirmed reports of the worst forms of child labor. Inspectors from the Ministry of Labor investigated workplaces to enforce compliance with all labor statutes. To prohibit violations of child labor statutes, inspectors could place employers under observation or refer them for criminal prosecution. In its 2022 report, the Group of Experts on Action against Trafficking in Human Beings expressed concern that police continued to arrest and prosecute child victims of forced begging and forced criminality without screening for trafficking indicators. The government sometimes applied penalties against violators of child labor laws, reporting a small number of fines were issued in 2021.

#### **d. Discrimination (see section 6)**

#### **e. Acceptable Conditions of Work**

**Wage and Hour Laws:** The minimum wage adequately met the poverty line income level, and employers in the formal sector generally adhered to the minimum wage.

The official workweek was 35 hours, although companies could negotiate



exceptions with employees. The maximum number of working days for workers was 235 days per year. Maximum hours of work were 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 paid or compensated overtime hours were fixed by a convention or an agreement in each sector in accordance with the labor code. Under an executive order, companies with fewer than 50 employees could negotiate working conditions directly with employees without involvement of labor unions.

**Occupational Safety and Health:** The government set occupational safety and health (OSH) standards in addition to those set by the EU. Government standards covered all employees and sectors. Individual workers could report work hazards to labor inspectors, unions, or their company health committee (for companies with more than 50 employees). Workers had a right to remove themselves without fear of reprisal from a situation presenting grave and imminent danger. OSH standards were appropriate for the main industries in the country. OSH experts actively identified unsafe conditions, such as potential falls from a height. Labor unions continued to be instrumental in formulating health and safety guidelines for the Ministry of Labor. The guidelines were regularly updated, most recently in 2021.

The government proactively identified unsafe conditions and responded to workers' OSH complaints. Its labor inspectors carried out 255,000

interventions in 2021, the last year for which data were available, notably in the fields of combating illegal employment, preventing falls from height, and the COVID-19 health crisis.

Immigrants were more likely to face hazardous work, generally because of their concentration in sectors such as agriculture, seasonal employment, construction, and hospitality services.

**Wage, Hour, and OSH Enforcement:** The Ministry of Labor, Full Employment, and Social Inclusion enforced wage, hour, and OSH laws and performed this responsibility effectively, in both the formal and the informal economy. The government permitted salaries below the minimum wage for specific categories of employment, such as subsidized jobs and internships, which were required to conform to separate and clearly defined standards. The number of labor inspectors was sufficient to enforce compliance with the labor laws. Inspectors had the authority to make unannounced inspections and initiate sanctions. Disciplinary sanctions at work were 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 depended on the loss sustained by the victim and were usually applied on a case-by-case basis.

Penalties for wage, hour, and OSH violations depended on the status of the accused and were generally commensurate with those for other similar

crimes. Penalties were regularly applied against violators. Throughout 2022, the Labor Inspectorate carried out a large internal consultation to create a new action plan. One focus of the plan was to increase attention on the exploitation of vulnerable workers and more strongly support them.

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