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Universal periodic review

Written statement* submitted by Organization for Defending Victims of Violence, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[22 August 2023]

* Issued as received, in the language of submission only.

Widespread violation of the rights of minorities and refugees in France

While in the previous UPR cycle, France has supported 24 recommendations on minority rights and non-discrimination, it continues to violate its human rights obligations towards minorities.

This organization draws the attention of the Human Rights Council to the approval of the Law of the “republican principles” by France. Public officials expressed stereotypical views and prejudices against Muslims during public debates on the “republican principles” legislation. Aiming to protect neutrality and “secularism”, the law strengthened the ban on manifesting religion or belief in the public sector, including by non-employee contributors to a public service. Under international human rights law, these were not legitimate aims justifying restrictions to the right to freedom of religion or belief.

The approval of this law leads to stereotyping against Muslims as terrorists and the further isolation of this marginalized minority and the increase of violence against Muslims.

On the other hand, the principles of equality and non-discrimination are principal grounds of a democratic government which France seems to violate. Police in France engages in longstanding and widespread ethnic profiling that constitutes systemic discrimination. Ethnic profiling is a pervasive and systemic problem in French policing. An especially widespread occurrence involves disproportionate targeting of young men for identity checks, frisks, and searches based on their skin color, presumed ethnicity, race, religion, or national origin.

Also, recently, a 17-year-old Algerian teenager was killed by the French police due to traffic violations. Discrimination and violence of the French police led to Nahel's murder. After this incident, widespread protests were formed throughout France, and the French police continued to try to control the situation by resorting to force and violence. Nearly 4,000 people have been arrested and extensive damage has been done to public places. The trial of the detainees was done very quickly so that the defendants did not have enough time to prepare a defense.

ODVV asks the relevant special procedures and treaty bodies to pay special attention to the systematic discrimination and organized violence of the French police against minorities in this country and to hold the French government accountable for the "structural and systematic causes of racial discrimination, including in law enforcement".

ODVV is also concerned about the violation of the rights of refugees and migrants in France.

Adults and children living in informal encampments in Paris and in and around Calais in northern France were subjected to repeated mass evictions, police harassment, and restrictions on humanitarian assistance.

In September 2021, the National Consultative Commission on Human Rights (CNCDH) raised concerns regarding a speech that President Emmanuel Macron had made during the Taliban's takeover of Afghanistan. President Macron emphasized the need to ensure protection of asylum seekers while countering “irregular migration” from Afghanistan.

ODVV urges France to effectively protect the rights of refugees and migrants, and to take measures to address the issue and to accelerate asylum determination procedures. In line with the accepted recommendations received on ensuring the rights of migrants and protection of human rights in the context of migration and asylum (1).

Recommendations No. 145.210, 145.266, 145.267, 145.269, 145.271, 145.272, 145.273, 145.274, 145.275, 145.276, 145.277, 145.278, 145.279, 145.280, 145.281 and 145.282