

# FRANCE 2020 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

France is a multiparty constitutional democracy. Voters directly elect the president of the republic to a five-year term. President Emmanuel Macron was elected 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 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. Members of the security forces committed some abuses.

Significant human rights issues included: violence against journalists; 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 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. Mechanisms to investigate security force killings and pursue prosecutions include the police disciplinary body, the Inspector General of the National Police (IGPN), the Gendarmerie police disciplinary body, the Inspector General of the National Gendarmerie (IGGN), and a separate and independent magistrate that can investigate police abuses.

As of November 20, the country had experienced seven terrorist attacks during the year in Paris, Metz, the southeastern town of Romans-sur-Isere, Conflans-Sainte-Honorine, and Nice. A total of seven persons were killed and 12 injured. Each attack was carried out by a single individual. Police killed three attackers, injured one, and arrested three others for the attacks. In one of the attacks on January 3, for example, a man stabbed several persons in the Parisian suburb of Villejuif while reportedly yelling “Allahu akbar.” He killed one person and injured two others before police killed him. The national antiterrorist prosecutor’s office (PNAT) took jurisdiction of the investigation due to the suspect’s evident radicalization and planning for the attack. On October 29, a Tunisian terrorist killed three Christian worshippers in a church in Nice.

### **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 number of accusations that security and military personnel committed abuses.

On March 24, the Council of Europe’s Committee for the Prevention of Torture (CPT) published a report on its 2018 visit to examine the treatment and conditions of persons detained under immigration and asylum law. In each of the five administrative detention centers visited, a small number of persons claimed to have been physically abused by border police officials, most often in the context of verbal altercations. Several persons also reported insults, in particular of a racist nature, and disrespectful remarks on the part of border police officials, in the

detention centers and in the waiting area (terminals and ZAPI 3) of the Roissy-Charles-de-Gaulle airport.

During the year there were reports that police used excessive force during regular antigovernment demonstrations by “Yellow Vest” protesters over perceived social inequality and loss of purchasing power, demonstrations against pension reforms in late 2019 and at the beginning of the year, and protests against alleged police racism and brutality. The annual report of the Inspector General of the National Police (IGPN), published on June 8, found that the number of investigations carried out by the inspectorate increased by nearly a quarter, compared with the same period in 2019. More than half of the 1,460 investigations pertained to “willful violence” by officers, a 41 percent increase from 2018, while nearly 39 percent of the cases of alleged police use of force pertained to public demonstrations. The report noted that the Yellow Vest protests had led to “an overload for the IGPN” with 310 related complaints.

On July 16, judicial sources announced three police officers were charged with manslaughter after the January death of a Paris delivery driver from asphyxia during his arrest by police. A fourth police officer was under investigation but had not been charged. The victim, Cedric Chouviat, was stopped by police close to the Eiffel Tower on January 3 in a routine traffic stop. In a video acquired by investigators, Chouviat was heard saying, “I’m suffocating,” seven times in 22 seconds as police held him down, allegedly in a chokehold.

Following several protests across the country against police violence and racism, on June 8, then interior minister Castaner announced adoption of new measures, including banning police use of chokeholds, improving and continuing training, requiring law enforcement officers to make their police identification number visible, increasing the use of body cameras, suspending officers under investigation for racism, and strengthening the IGPN to make it more “coherent” and independent.

### **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: As of July 1, the overall occupancy rate in the country’s prisons stood at 97 percent (58,695 prisoners for 60,592 spaces), with the rate at

some facilities reaching 150 percent. Due to COVID-19 prevention measures, the number of prisoners hit a record low, the first time in decades the overall prison population was below capacity.

On May 20, the Ministry of Justice released an internal memo directing its prosecutors and judges to apply fully a March 25 legal reform that limits new prison entries and ensures the prison population remains within capacity. The internal memo requires “sustained mobilization in favor of penalty adjustment,” which in practice leads to curtailing some sentences as they near completion and limits courts’ ability to apply short prison sentences.

NGOs agreed that detention conditions for women were often better than for men because overcrowding was less common.

The CPT visited five administrative detention centers, four waiting areas, and the Franco-Italian border to examine the situation of persons not admitted to French territory. In its March 24 report, the CPT expressed concern regarding the austerity of the facilities, the absence of activities for detainees, and the lack of contact with staff. The visit to the “sheltering” premises at a police station in Menton-Pont-Saint-Louis for detained migrants revealed substandard physical conditions. A small number of detainees also claimed to have been subjected to violence by codetainees.

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 100 percent and reached 149 percent at the Faa’a Nuutania prison in French Polynesia.

On January 30, the European Court of Human Rights ruled the state violated protections in the European Convention on Human Rights against inhuman and degrading treatment by allowing overcrowding and unsanitary conditions in its prisons after it heard complaints from 32 inmates held in prisons in Nice, Nimes, and Fresnes as well as the overseas territories of Martinique and French Polynesia. In response to the decision, the Supreme Court issued a ruling on July 8 that allows judges to release prisoners when they determine detention conditions to be degrading. The Supreme Court reversed case law, ruling that it was up to the judge to ensure adequate detention conditions and that if conditions violating human dignity could not be remedied, the judge should order the prisoner’s immediate release.

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. On July 6-10, a CPT delegation carried out an ad hoc visit to assess the situation of persons deprived of their liberty in Alsace, a region particularly affected by the COVID-19 pandemic. The delegation visited various detention facilities and examined measures taken to protect both detainees and staff before, during, and after the two-month COVID-19 lockdown imposed by authorities.

#### **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 may 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 have representation by counsel, to inform someone such as a family member or friend, and to be examined 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 34 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**

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

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.

France endorsed the 1998 Washington Principles on Nazi-confiscated Art and set up a commission to address the restitution of and/or compensation, primarily providing compensation to individual victims or their heirs. As of year's end, few artworks had been returned, in part because France had not yet passed a law permitting state museums to deaccession objects in their collections. Critics contend that restitution was haphazard and that French museums were slow or even loathe to return Nazi-looted art.

The country's government launched an official mission in 2019 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

Stolen Cultural Property, employed a five-person staff and a 200,000 euro (\$240,000) 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 (CIVS). It also mobilized museum experts, supported university-level research, and aided in the appointment of in-house specialists at art institutions. As of April 2019, 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 worked 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.

On July 1, in a final and definitive ruling, the Supreme Court upheld a decision to restore a Camille Pissarro painting to the descendants of a Jewish family who owned the artwork before it was seized during World War II. "The Picking of Peas," painted in 1887 and stolen in 1943, reappeared in Paris in 2017. A foreign couple claimed to own it, but several courts ruled the work belonged to the descendants of Jewish collector Simon Bauer and ordered its restitution.

On September 30, a Paris appeals court ordered the French state to return three pieces of art to the heirs of a Jewish collector who died in a German concentration camp in 1945. The artworks by Andre Derain were housed at the modern art museum in Troyes and the Cantini museum in Marseille. They had initially been in the collection of Parisian gallery owner Rene Gimpel, who was denounced by a rival dealer after joining the resistance. The works were expropriated when he was arrested. In the ruling, the court overturned the judgment of a lower court that in 2019 rejected a bid for the artworks' restitution to Gimpel's heirs. The lower court had found there were doubts regarding the authenticity of the paintings, but appeals judges stated there were "accurate, serious and consistent indications" that the works were the same ones taken from Gimpel.

On September 25, the Council of State--the country's top administrative court--rejected two travelers' associations' claims for restitution of goods looted during World War II. The UDAF and FLV associations asked the Council of State to annul or expand provisions of a 1999 decree that provides compensation for "victims of looting under the anti-Semitic laws." But in a ruling that closely

followed prior decisions, the court found it legal to differentiate between victim groups, because only Jews were subject to a “policy of systematic extermination” under the Nazi occupation and laws.

The Department of State’s Justice for Uncompensated Survivors Today (JUST) Act report to Congress, released publicly on July 29, 2020, can be found on the Department’s website: <https://www.state.gov/reports/just-act-report-to-congress/>.

#### **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 were to expire at the end of the year 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 Speech: 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.

On June 18, the Constitutional Council invalidated core provisions of the new law against online hate speech, adopted by parliament on May 13. The so-called Avia Law required online platforms to remove within 24 hours the following: hateful content based on race, gender, disability, sexual orientation, and religion; language trivializing genocide or crimes against humanity; and content deemed sexual harassment. Content related to terrorism and child pornography had to be removed within one hour of being flagged by a user. Social media companies faced fines up to 1.25 million euros (\$1.75 million) if they failed to remove the content within the required timeframes. The Constitutional Council ruled that these provisions of the law infringed on freedom of speech and were “not appropriate, necessary, and proportionate.”

On June 19, the Constitutional Court found unconstitutional the law against downloading and possessing files that condone or justify terrorism. The judges found it violated freedoms of expression and communication and stated it was duplicative of existing antiterrorist laws. Introduced following the 2015 wave of terrorist attacks, the law was intended to “prevent the indoctrination of individuals susceptible to commit such acts.”

Freedom of 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 2019 the NGO Reporters without Borders (RSF) 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 between 2018 and May 2019. The RSF, which reported dozens of cases of police violence and excessive firing of flash-ball rounds at reporters, filed a complaint with the Paris public prosecutor's office in December 2019. As of year's end, the investigations were ongoing.

On September 17, Interior Minister Darmanin introduced a new national law-enforcement doctrine aimed at reducing injuries by law enforcement personnel during demonstrations. Certain provisions, including the designation of a referent officer responsible for engaging credentialed members of the press aroused concern from human rights and press organizations, who argued the rules could be used to restrict press access. On September 22, the RSF and 40 media companies requested clarification from Interior Minister Darmanin.

UNESCO's September report, *Safety of Journalists Covering Protests--Preserving Freedom of the Press During Times of Civil Unrest*, pointed to the use of flash ball ammunition by French law enforcement agencies as an example of disproportionate use of force. Several journalists were injured by flash balls in 2018, including Boris Kharlamoff, a journalist for the audio press agency A2PRL, who claimed he was hit in the side even though he presented a press badge, and *Liberation* reporter Nicolas Descottes, who was struck in the face.

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.

Nongovernmental impact: On September 2, to mark the start of the trial of the January 2015 attacks against the satirical magazine *Charlie Hebdo*, the magazine reprinted on its front page the controversial cartoons of the Prophet Muhammad that led terrorists to target its headquarters. The reprinted cover provoked condemnation from several Muslim countries and threats from al Qaeda. After receiving death threats, *Charlie Hebdo* senior staffer Marika Bret required police assistance to be exfiltrated from her home on September 14. On September 23, more than 100 news outlets signed an open letter calling for public support of *Charlie Hebdo*.

## **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.

In a May 28 report, the Central Office on the Fight against Crimes Linked to Information and Communication Technology announced it had ordered the removal of 4,332 terrorist-related online contents from February to the end of December, 2019, a 57 percent decrease compared with the previous year. Of 30,883 URLs that internet users flagged to authorities, the report noted it assessed 14,327 (46 percent) of them to be illegal, including 656 URLs related to terrorism-- a 63 percent decrease from 2018. The office attributed the drop in terrorist-related content to less online publication by terrorist organizations and to successful EUROPOL efforts in countering and preventing terrorist propaganda online. The majority of illegal content the office found related to child pornography.

## **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 in 2019 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 one year in prison and 15,000 euros (\$18,000) in fines.

In 2019, 210 persons were detained under a new ban on wearing face coverings to protests, which many did to protect themselves from police tear gas. In a report released on September 29, Amnesty International accused authorities of using “vague laws” to crack down on antigovernment protesters and deter others from exercising their right to demonstrate. The report said many peaceful demonstrators had been fined, arrested, and prosecuted. According to Amnesty, more than 40,000 persons were convicted in 2018 and 2019 “on the basis of vague laws” for crimes including “contempt of public officials,” “participation in a group with a view to committing violent acts,” and “organizing a protest without complying with notification requirements.”

On January 27, then interior minister Christophe Castaner announced police would stop using GLI-F4 grenades, tear gas grenades containing 26 grams of TNT, that reportedly injured numerous protesters at demonstrations.

On September 17, the government enacted legislation establishing a new doctrine for maintaining order at demonstrations that was intended to be “more protective for the demonstrators” and “reduce the number of injured during demonstrations.” Among the changes are replacing the hand grenade model that is in service with a new model deemed less dangerous, putting in place stricter supervision of defense ball launchers, and implementing the widespread presence of a “supervisor” who assists the shooters to “assess the overall situation and the movements of the demonstrators.”

## **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.

On March 16, President Macron announced nationwide lock-down measures aimed at curbing the COVID 19 pandemic outbreak. Residents were asked to stay at home except to buy groceries, travel to work, exercise, or seek medical care. Approximately 100,000 police and gendarmes were mobilized throughout the country to enforce the measures, including with the help of drones and helicopters in some regions. Violators faced fines of 135 euros (\$162) for first-time offenders, increasing to 3,700 euros (\$4,440) for multiple offenses with maximum punishment of up to six months in prison for more than four offenses in a single month.

The Ministry of the Interior announced that police executed 20.7 million interventions, resulting in 1.1 million fines and 570 trials. Several cities and municipalities, including Nice and Cannes, introduced curfews. The country never completely closed its borders, but travel became heavily restricted beginning in April. Persons travelling from within Europe were allowed in for essential reasons only and needed to present travel permits at the border. After eight weeks, the government lifted lockdown measures on May 11. On June 15, the government lifted coronavirus restrictions on movement at its European borders (land, air, and sea) for EU members and a few other countries.

On October 14, President Macron announced a 9 p.m. to 6 a.m. curfew in areas most impacted by COVID-19, which included Paris and the Ile-de-France region, Grenoble, Lille, Lyon, Aix-Marseille, Montpellier, Rouen, Saint-Etienne, and Toulouse. On October 22, Prime Minister Castex announced the extension of the curfew to an additional 38 departments in France, bringing the total number of persons who must adhere to the restrictive measures to 46 million (two-thirds of population) in 54 departments.

On October 28, President Macron announced a second wave of nationwide lock-down measures aimed at curbing the COVID 19 pandemic outbreak. French citizens were required to stay at home except to buy groceries, go to school, travel to work, exercise, or seek medical care.

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. Status and Treatment of Internally Displaced Persons**

Not applicable.

### **f. 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, asylum seekers, stateless persons, returning refugees, and other persons of concern.

Abuse of Migrants, Refugees, and Stateless Persons: Calais continued to be a gathering point for migrants from the Middle East and Africa trying to reach the United Kingdom. As of September authorities estimated that approximately 1,000 migrants and refugees lived around Calais, while support groups said the number was closer to 1,500.

On July 21, several human rights groups warned in a letter to Interior Minister Darmanin that hundreds of migrants in the Calais area “no longer had access to drinking water, showers, [and] food.” The regional prefect claimed that two meal distribution sites were functioning and had the capacity to distribute 1,000 meals per day. He stated, “We also have shuttles bringing people to showers, and demand has been consistent for several weeks with about 150 showers per day.” In a September 24 statement issued following a two-day visit to Calais, however, the defender of rights denounced the “degrading and inhumane” living conditions of migrants living in the city. On September 25, the Council of State refused to suspend the order issued by the region’s prefect banning feeding migrants in the center of Calais. On September 29, police dismantled a camp of an estimated 800 migrants and refugees there. According to the prefect, it was the largest dismantling of a Calais camp since the “Jungle” was cleared of approximately 9,000 migrants in 2015 and 2016. The Pas-de-Calais prefecture asserted that conditions in the 500 tents at the site posed “serious problems of security, health, and order,” particularly for staff and patients of a nearby health center. The evacuated migrants were brought to shelters in Pas-de-Calais, other departments in the north, and other regions of the country.

On July 7, the Aix-en-Provence Court of Appeals upheld the May 7 conviction of two police officers for the illegal arrest in April of a legally documented Afghan refugee. The officers drove the man 18 miles from the point of arrest and abandoned him; he also claimed they beat him. One officer received a three-year

prison sentence (one year suspended), and the other 18 months (six months suspended), a reduction of their original sentences. The officers were prohibited from police work, one permanently and one for three years.

On July 2, the European Court of Human Rights convicted France for violating protections against inhuman and degrading conditions, prohibited by the European Convention on Human Rights, in the 2013 case of three adult male asylum seekers. The court awarded the victims a total of 32,000 euros (\$38,400). The court noted the individuals had to wait between 90 and 131 days before being able to register their asylum claims, rather than the 15 days France required at the time. After registering, the men still could not access lodging and the temporary allowance for asylum seekers, forcing them to live on the streets for months.

Access to Asylum: The 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 outside of the country may request from a French embassy or consulate a special visa for the purpose of seeking asylum. 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 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 law extends the duration of residence permits for persons granted subsidiary protection and for 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 lesbian, gay, bisexual, transgender, and intersex (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.

On September 29, the Anafe migrant assistance group alleged rights violations on the country's borders, including officials preventing new arrivals from filing asylum claims. "France violates daily the international conventions it has ratified, European law, and its own internal legislation," Anafe claimed. The report claimed authorities engaged in illegal practices, abuse of procedures, and violations of fundamental rights.

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 protection 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 pending deportation. Authorities could hold undocumented migrants in these facilities for a maximum of 90 days, except in cases related to terrorism. There were 23 holding centers on the mainland and three in the overseas territories, with a total capacity of 1,970 persons.

On September 22, 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 (Cimade), Ordre de Malte, and Solidarite Mayotte) released a joint annual report that estimated 54,000 undocumented migrants were placed in administrative holding centers in 2019, representing a 20 percent increase from 45,000 persons in such centers in 2018.

According to the associations' annual report, the government detained 3,380 children, including 3,101 in Mayotte. The report noted, however, that in 80 percent of the cases, the duration of detentions did not exceed 24 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. In 2019 the government did not report uniformly screening migrants in Mayotte for trafficking indicators prior to their deportation. The government did not report taking steps to address the 3,000 to 4,000 unaccompanied Comorian minors at risk for sex and labor trafficking in the French department of Mayotte by offering protection services such as medical, shelter, or education.

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 latest year for which statistics were available, the government voluntarily repatriated 10,678 undocumented migrants, including 2,709 minors, to their countries of origin. As of April the government offered an allowance of 650 euros (\$780) per person (adults and children) for voluntary return for all asylum seekers coming from countries whose citizens need a visa for France and 300 euros (\$360) per person (adults and children) coming from countries whose citizens do not need a visa for France and citizens coming from Kosovo.

A parliamentary report released on September 23 found that despite recognizing significant progress since 2018, progress remained to be made in the integration of refugees and asylum seekers in the country. The report stressed the need to improve access to French learning and employment. It recommended the creation of counselors specialized in accompanying refugees to facilitate access to employment.

Temporary Protection: Authorities may grant individuals a one-year renewable permit and may extend the permit for an additional two years. According to OFPRA, the government did not grant temporary protection in 2019, the most recent year for which information was available.

### **g. Stateless Persons**

OFPPRA reported there were 1,493 stateless persons in the country at the end of 2019. 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 364 stateless status requests in 2019 and granted stateless status to 56 persons in 2019. 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 (National Assembly) elections to have been free and fair.

Participation of Women and Members of Minority Groups: 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 November 23, former president Nicolas Sarkozy stood trial on corruption charges for trying to obtain classified information through his lawyer from a judge. Prosecutors claimed he offered to help the judge obtain a well paid post in Monaco in exchange for the information, leading to charges of corruption and influence peddling.

On May 27, the former mayor of Levallois-Perret, Patrick Balkany, and his wife, Isabelle, lost their appeal of a money laundering and tax fraud conviction. They were sentenced to prison terms of five and four years respectively. They remained free, however, pending an appeal to the country's highest court. In March the two lost an appeal against tax fraud convictions after they were found guilty of using offshore accounts to hide at least 13 million euros (\$15.6 million) in assets. The appeals court upheld the seizure of assets fine of one million euros (\$1.2 million) in damages, declaring the couple had implemented a system of "persistent fraud." The couple was also sentenced to 10 years' political ineligibility and fined 100,000 euros (\$120,000) each.

On June 26, the inspector general of the National Police placed six officers from a Paris unit into custody on charges of theft, drug possession, and extorting money from drug dealers. In July, four of them were formally charged. The officers were part of the Security and Intervention Unit (CSI 93) in the Seine-Saint-Denis department, one of the poorest in the country. CSI 93, tasked with addressing urban violence and crime, had 17 preliminary investigations open against its officers for violations. On September 22, the inspector general placed four other officers in custody on violence and forgery charges.

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.

### **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 generally cooperative and responsive to their views.

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

Following the spring protests against police violence and racism, on September 8, the National Assembly established an investigative committee to assess the ethics of police actions, practices, and law and order doctrine.

### **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 to 20 years in prison and a substantial fine.

In November 2019 the government's Interministerial Agency for the Protection of Women against Violence and Combatting Human Trafficking published data

showing that in 2018 approximately 213,000 women older than 18 declared they had been victims of physical or sexual violence at the hands of a partner or former partner. The agency reported that, over the same period, 94,000 women declared they had been victims of rape or attempted rape.

In December 2019 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 considered themselves victims of sexual violence committed by a person who did 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.

In September 2019 the government launched a national forum (*grenelle*) 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 to November 2019. At the closure of the series of consultations in November 2019, the international day for the prevention of violence against women, then prime minister Philippe announced 43 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 survivors and improved training for those who work with survivors of domestic violence. On November 25, the government reported that among the 43 measures announced, 23 of them had been implemented and that 1,000 places in shelters were available to women who had to get away from their homes.

On October 9, the High Council for Equality issued a report assessing the results of its commission on domestic violence. The high council noted persistent failures in caring for victims and called for a sixth interministerial plan, to include annual assessments of implementation. The report called for funding "at the level of need," citing the estimated annual, societal cost of domestic violence of 3.6 billion

euros (\$4.3 billion). The high council issued 44 recommendations to “better protect women” and “put an end to the impunity of attackers.”

On July 21, parliament adopted a bill to protect domestic violence victims that authorizes doctors to waive medical confidentiality and report to police if a patient’s life is in “immediate danger.” The law reinforces harassment penalties and includes a 10-year prison sentence in cases where violence led to a victim’s suicide. The law also makes it possible to suspend parental authority in cases of domestic violence.

Starting on September 25, judges in five courts (Bobigny, Pontoise, Douai, Angouleme, and Aix-en-Provence) may order domestic violence offenders to wear electronic tracking bracelets. A GPS monitor alerts victims and police if known abusers come within a certain distance of their victims. Judges may order GPS trackers for men charged with assault, even if not yet convicted, provided sufficient grounds are met and the suspect accepts. If a suspect refuses, the judge may order prosecutors to open a criminal inquiry. Victims will be given a warning device, and alleged offenders must submit to restraining orders as defined by judges.

The government estimated more than 200,000 women were victims of marital violence each year, with many cases never reported. Official statistics showed that 149 women were killed in domestic violence cases in 2019, up from 121 in 2018. On November 16, the Ministry of Interior reported 142,310 individuals, both men and women, reported being victims of domestic violence in 2019, representing a 16 percent increase from the previous year. Women represented 88 percent of the victims, while men represented 12 percent. Three percent of the crimes reported concerned rape or sexual assault, with women being the victims in 98 percent of cases. On March 26, then interior minister Castaner stated reports of domestic violence across the country had jumped by more than 30 percent since the COVID-19 lockdown began on March 17. The sharp rise in the numbers prompted the government to establish temporary support centers outside supermarkets and provide pharmacists with guidelines to advise domestic abuse victims who sought help. The government agreed to pay for 20,000 overnight stays in hotels and shelters for survivors who left their partners during the lockdown. The feminist collective Nous Toutes reported that, as of September 29, 69 women had been killed by their partners or former partners since the beginning of the year.

On March 16, a Paris court found the State guilty of negligence for police failure to prevent a woman’s former partner from murdering her and ordered payment of

100,000 euros (\$120,000) to her family. A woman whose sister and parents were murdered by the sister's former partner asked a court to find the state responsible for their deaths, again citing failure to protect.

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 and 60,000 FGM/C survivors 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. In June 2019 then 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.

In 2019 the National Public Health Agency estimated the number of victims of FGM/C rose from 62,000 in the early 2000s to 124,355 in the middle 2010s.

On February 6, the International Day of Zero Tolerance for Female Genital Mutilations, then junior minister of gender equality Schiappa announced the allocation of 60,000 euros (\$72,000) to implement a key provision of the 2019 national action plan to eradicate FGM/C. The funds were to support initial trials of a system to study the prevalence of FGM/C in France.

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.

The law provides for on-the-spot fines for persons who sexually harass others on the street (including wolf whistling), and substantial fines if there are aggravating circumstances. The law covers sexual or sexist comments and behavior that is

degrading, humiliating, intimidating, hostile, or offensive and provides for increased 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 substantial fine. On October 13, Junior Minister for Citizenship Schiappa reported that authorities fined 2,005 men for harassing women in public spaces since the introduction of the law in 2018, including 694 during the year.

On May 20, a labor court convicted National Assembly member Stephane Trompille of sexual harassment of his female staffer and ordered him to pay a substantial amount in damages. In its ruling, the court specified that "under the guise of sexist and crude jokes," Stephane Trompille adopted "conduct detrimental to the health" of the staffer, the only woman on the team, who then suffered "health consequences."

On May 28, then gender equality minister Marlene Schiappa unveiled a plan to fast-track court proceedings for street sex offenders and a campaign to keep women safe on the streets. The measures are part of a "cat-calling law," which already allows for on-the-spot fines. The new provisions tighten enforcement for street harassment against women, allowing prosecutors to hear cases immediately. The plan, backed by the UN, allows women who feel in danger "to know where they can find refuge if there are no police officers at hand to take their statement." Refuge shelters can be bars, restaurants, pharmacies, or any business willing to take part in the program. Women will be able to recognize participating locations by a label displayed outside the business.

On September 24, a young man in Mulhouse received a two-month suspended jail sentence under the fast-track procedure for harassing two women, chastising them for their choice of attire. The man was ordered to perform 75 hours of community service and attend citizenship classes.

According to the latest statistics released by the Interior Ministry in January 2019, 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 on the part of government authorities.

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, employment, property, nationality, and inheritance laws, access to credit, and owning or managing businesses or property in line with the Department's commitments under the Women's Global Development and Prosperity Initiative. The Ministry of Gender Equality, Diversity, the Fight against Discrimination and Equal Opportunities 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, kidnapping, child pornography, and human trafficking, including both child sex trafficking and labor trafficking. The government actively worked to combat child abuse. Penalties were generally severe.

The Group of Experts on Action against Violence against Women and Domestic Violence (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 had witnessed violence.

In November 2019 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 (\$480,000) 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. Of the 22 points, approximately

one-third had been implemented before the end of the year and the rest were still in progress.

On June 4, the European Court of Human Rights ruled the state had violated the European Convention on Human Rights by failing to protect an eight-year-old girl from abuse by her parents. She died in 2009 despite teachers repeatedly reporting abuse to authorities and despite the girl spending a month in the hospital due to the abuse. The court ordered the state to pay a token amount of one euro (\$1.20) in damages to the association Innocence en Danger that brought the case in addition to a substantial amount in costs.

Child, 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 substantial 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.

On September 8, a Nimes court sentenced a father and his partner to 18-month suspended prison sentences for compelling the father's daughter to leave France and forcing her to get married in Morocco.

Sexual Exploitation of Children: The law criminalizes sexual exploitation of children. The minimum age of consent is 15, and sexual relations with a minor age 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 may be increased in the event of aggravating circumstances. Other sexual abuse of a minor under 15 is punishable by up to 10 years in prison and a substantial fine. 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 asserted children cannot provide legal consent regardless of circumstance. On November 20, the government released estimates that 130,000 girls and 35,000 boys annually suffered rape or attempted rape and that 140,000 children were exposed to domestic violence. According to an IPSOS poll released in October 2019 conducted with victims of

childhood sexual abuse, the victims' average age was 10 and 83 percent of victims were girls. Victims filed a lawsuit in only 25 percent of the cases.

On October 5 and 6, police arrested 61 persons for involvement in a vast child pornography network, including at least three individuals who raped children on camera. Several suspects' professions put them in regular contact with children. They were arrested in coordinated operations in 30 regions across the country, following months of investigation of child pornography shared on peer-to-peer networks online.

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

Displaced Children: By law unaccompanied migrant children are taken into the care of the country's child protection system. The defender of rights again assessed that border police summarily returned unaccompanied migrant children attempting to enter from Italy, rather than referring them to the child protection system. In a July 22 decision, the defender of rights issued recommendations to improve the reception and care of unaccompanied minors in Paris, especially through improved coordination.

In an October 5 report, several associations, including Doctors of the World, Amnesty International, Cimade, Doctors without Borders, and Catholic Relief of France (Le Secours-Caritas France), found France failed to protect isolated minors at its borders. The report highlighted dysfunctions observed at the borders with Spain, Italy, and the United Kingdom. The government did not report taking steps to address the 3,000 to 4,000 unaccompanied Comorian minors who were at risk for sex and labor trafficking in the French department of Mayotte by offering them medical, shelter, education, or other protection services. Traffickers exploited the large influx of unaccompanied minors who entered the country in recent years. Roma and unaccompanied minors were at risk for forced begging and forced theft.

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 27 percent (687 acts total) in 2019, according to government statistics, while the number of violent attacks against individuals decreased by 44 percent in 2019.

According to the latest statistics released by the Defense Ministry in August, the government deployed 7,000 military personnel throughout the country to patrol sensitive sites, including vulnerable Catholic, Jewish, and Muslim sites and other places of worship. This number could go up to 10,000 personnel at times of high threat. Some Jewish leaders requested the government also provide static armed guards at Jewish places of worship.

Many anti-Semitic threats of violence singled out public spaces and figures. A 38-year-old man was charged for extortion with aggravated circumstances following an August 26 anti-Semitic incident in Strasbourg. A young artist who was hired by the city to decorate a public building was assaulted by a group of individuals for wearing a T-shirt with “Israel” printed on it. After ordering the artist to leave the site, one of the assailants added, “Jews and bitches forbidden” graffiti on the sidewalk. Both the victim and a local Jewish association filed a complaint.

On August 6, a man was attacked by two persons who shouted anti-Semitic insults, stole his watch, and beat him unconscious in the hallway of his parents’ apartment building in Paris. Justice Minister Dupond-Moretti tweeted, “I know the immense emotion that besets the entire Jewish community. It is the emotion of the whole nation and of course mine.” Two men were charged with violent theft motivated by religious reasons and placed in pretrial detention on August 28.

Anti-Semitic vandalism targeted Jewish sites, including Holocaust memorials and cemeteries. On January 5, a Jewish cemetery was vandalized in Bayonne, resulting in damage to several headstones, vaults, and a memorial to a young child deported to Auschwitz during World War II. The cemetery, the oldest of its kind in the

country, contained Jewish burial sites dating to the late-17th century. The president of the Bayonne/Biarritz Jewish community condemned the desecrations, noting that “when it comes to attacking the dead, I don’t think there is anything more cowardly.”

On May 18, the hashtag #sijetaitunjuif (If I were a Jew) trended on Twitter France before the company took it down following condemnation by French officials and Jewish and antihate organizations. The hashtag originated with six coordinated, individual users and was then amplified by others who added anti-Semitic smears and references to the Holocaust. Twitter France took the hashtag off its list of trending topics for violating the company’s hate-speech rules.

On August 3, Facebook confirmed it had banned the notorious comedian Dieudonne M’Bala from its platforms for repeatedly violating its policies by posting anti-Semitic comments and for “organized hatred.” Dieudonne was also banned from YouTube in June. He had more than one million followers on Facebook and 36,000 on Instagram before being banned from both platforms. Dieudonne has been convicted multiple times for hate speech, including anti-Semitism. Meanwhile, his loyal followers continued to defend his right to free speech and continued to attend his “shows.” During the COVID-19 second wave, on October 10, he illegally organized a performance before 200-300 persons in Strasbourg.

### **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. Adults with disabilities received a 900 euro (\$1,080) allowance per month from the government. The government did not always enforce these provisions effectively. According to official statistics, disability affected 12 million citizens.

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 and paid penalties.

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.

According to statistics released November 23 by the Education Ministry, in 2019, 408,000 children with disabilities attended schools in the country, a little more than 80,000 in hospitals or medicosocial establishments and nearly 337,800 in “ordinary” schools.

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. Advocacy groups such as Autism France estimated that only 20 percent of autistic children were in school. In 2018 the government began implementing a 340 million euro (\$408 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.

On March 10, the National Agency of Public Health reported that as of 2017, 119,206 persons were identified as autistic in the country, representing 0.18 percent of the population. On the occasion of World Autism Awareness Day on April 2, President Macron announced autistic persons were exempted from COVID-19 lockdown restrictions, enabling them to visit reassuring places to counter anxiety.

### **Members of National/Racial/Ethnic Minority Groups**

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 June 8, the defender of rights, a constitutionally created, independent civil rights watchdog, reported registering 1,957 complaints against the security forces' intervention methods in 2019. The defender of rights noted a 29 percent increase in complaints related to the "ethics of security" in 2019 compared with the previous year. While only 10.7 percent of cases investigated revealed a fault by security agents, the defender of rights stated the complaints revealed a "crisis of confidence" in the security forces. In his annual report, the defender of rights also found that individuals in the country perceived as black or Arab were 20 times more likely to be stopped by police than those perceived as white. In addition blacks and Arabs were more likely to be treated with a lack of professionalism by police. According to Jacques Toubon, the defender of rights at the time, the results of the study indicated a "degraded relationship between security forces and [minority] groups."

In a June 24 report, *Policing the Pandemic: Human Rights Violations in the Enforcement of COVID-19 Measures in Europe*, Amnesty International asserted that enforcement of COVID-19 lock-down measures in the country had a disproportionate impact on members of racial and ethnic minorities. According to the report, "The COVID-19 pandemic further revealed the heavy policing and the recurrent unlawful use of force in urban areas in France with high rates of poverty and where a large proportion of the population are of North African or other minority ethnic origin."

On January 26, the Ministry of Interior announced the government registered 1,142 racist and xenophobic hate crimes involving threats or violence in 2019, a 132 percent increase from the number recorded in 2018 with 496 acts. The ministry reported 687 anti-Semitic acts, up 27 percent from 2018. The ministry also registered 154 anti-Muslim acts, up 54 percent from 2018. The Ministry of Justice reported it reviewed 6,603 cases related to racism in 2019 (compared with 6,122 in 2018) and 393 racist offenses were punished with convictions.

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 slightly increased from eight in 2018 to nine in 2019. Over the same period, threats against the Muslim community increased by 65 percent, while total anti-Muslim acts increased by 54 percent, from 100 to 154.

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 October 2, President Macron stated that since 2018, the Interior Ministry had closed 15 places of worship in the “fight against radicalization.” In October 2019 the Prime Minister’s Office announced that since November 2017, 370 foreigners flagged for radicalization and living illegally in the country had been deported.

On August 7, the Omar Mosque in Bron, a suburb of Lyon, was set on fire. The president of the regional Council of the Muslim Faith denounced the fire, while regional and religious leaders expressed solidarity with the Muslim community and lamented the country was experiencing “rising hatred.” On August 12, a fire broke out at the Essalam Mosque in the city of Lyon. The mayor of Lyon’s Second Arrondissement, Pierre Oliver, strongly condemned the suspected arson.

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 18, the CNCDH highlighted in its annual report that intolerance of Roma remained particularly stark and had changed little since 2016. The CNCDH 2019

report had called hatred towards Roma the “most commonplace form of racism that arouses the least reprobation.” This form of hatred is “underestimated by the media and in public opinion,” the report went on, which “contributes to maintaining stereotypes” of Roma. Roma and unaccompanied minors in France were at risk for forced begging and forced theft.

Authorities continued to dismantle camps and makeshift homes inhabited by Roma. According to the Observatory for Collective Expulsions from Informal Living Places, authorities evicted persons from 1,159 places between November 2018 and October 31, 2019. Among those expelled, the Observatory identified 15,400 persons “mainly coming from Eastern Europe, (who were) Romani or perceived as such.”

On May 14, the European Court of Human Rights ordered France to pay more than 40,000 euros (\$48,000) in compensation to six Roma who were evicted from their caravans on municipal land in La Courneuve in 2013. The court emphasized the litigants belonged to “an underprivileged social group” and that authorities failed to take their particular needs into account. The court ruled that authorities had violated their rights under the European Convention on Human Rights.

On May 25, a Versailles administrative appeals court ruled that separate classes for Romani children in Ris-Orangis denied the children equal access to education. The court rejected the appeal of the municipality of Ris-Orangis and upheld a 2017 ruling that found separate classes for Romani children to be illegal.

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 5,448 discrimination claims in 2019, 14.5 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, Criminalization, 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.

The government announced April 24 an emergency plan to help LGBTI persons during COVID-19 lock-downs, including authorizing 300,000 euros (\$360,000) to fund 6,000 hotel nights for young persons facing homophobic violence at home. Then gender-equality minister Schiappa also confirmed LGBTI individuals could notify police at pharmacies or text a hotline, which was also possible for victims of domestic violence. The government reopened the SOS Homophobia association's LGBTI hotline, which had been suspended due to technical difficulties. It also funded a mobile application, FLAG!, that was launched on April 24 by the LGBTI police and gendarme association to report acts of violence.

The associations Stop Homophobia and Mousse took legal action against the Lyon daily newspaper *Le Progres* for "homophobic defamation" following its April 18 publication of an inflammatory article that implied members of the gay community did not respect COVID-19 lock-down rules, accusing them of risky sexual encounters and drug parties.

Homophobic violence and hate speech increased 36 percent in 2019, with 1,870 acts compared to 1,380 in 2018, according to Interior Ministry statistics released May 16. Insults constituted 33 percent of the offenses, while physical and sexual violence made up 28 percent. Victims were mainly men (75 percent) and young persons (62 percent were under 35). The ministry noted "these figures testify to the deep anchoring of homophobia and transphobia in society." The ministry categorized homophobic hatred within the broader increase in "hate acts and identity extremism."

On August 31, a couple sitting on a bench in Lyon was attacked and harassed with homophobic comments. The victims notified the police, who arrested two individuals the following day and took them into police custody. The prefecture reacted on social networks stating, "homophobia and hatred have no place in our Republic."

On September 15, blogger Bassem Braiki appeared before Lyon criminal court for a homophobic Snapchat comment equating suicide with a "cure" for homosexuality. Three advocacy organizations fighting homophobia filed a complaint against him. The prosecutor called for eight months in prison and a

substantial fine. On October 20, the court sentenced him to an eight-month suspended prison sentence and to a 2,500 euros (\$3,000) fine.

According to a BVA survey of 1,001 individuals conducted in September and published on October 5, approximately 65 percent of the population said they had heard homophobic or transphobic comments in public: 51 percent reported multiple instances, while 31 percent reported witnessing a homosexual or transgender person being insulted. The same poll found that 39 percent of the population believed the way society accepted homosexual, transgender, and transidentity persons had improved over the past three years. Nearly 50 percent of the population believed the state was not sufficiently involved in this area, while 37 percent believed public authorities were doing enough.

On October 14, Junior Minister of Gender Equality Elisabeth Moreno unveiled a three-year national plan to combat hatred and discrimination against LGBTI persons. Moreno told media the plan emphasizes the importance of inclusive education in stamping out homophobia and aims to make members of the LGBTI community “citizens in their own right.” It comprises 42 measures designed to tackle homophobia or transphobia in the home, school, university, work, health care, and sports, and will be “amplified” between now and 2023. The plan also aims to act against conversion therapy, which Moreno stated constitutes “abject and medieval practices”; “we (the country) want to ban them outright.”

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.

## **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 for violations were commensurate to those under other laws related to the denial of civil rights, 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.

During the COVID-19 pandemic, firms were required to consult labor unions before implementing organizational change in the workplace, including health and safety measures related to the sanitary crisis. Unions successfully sued firms they believed did not properly consult them. The government specifically requested proposals from labor unions on how to improve health and safety measures, optimize work schedules, and leverage teleworking capabilities. Also, labor unions were instrumental in formulating health and safety guidelines for the Labor Ministry.

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

The law prohibits all forms of forced or compulsory labor. The government effectively enforced the law, and penalties for violations were commensurate with those for other analogous serious crimes. The government also provided financial support to NGOs that assist victims.

Men, women, and children, mainly from Eastern Europe, West Africa, and Asia, were subjected 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. In 2019 the NGO Committee against Modern Slavery assisted 200 victims of forced labor, 74 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 child sex trafficking (also see section 6, Children) and labor trafficking through 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 were commensurate with those for other analogous serious crimes.

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; particularly 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 for violations were commensurate with those under other laws related to civil rights.

Employment discrimination based on sex, gender, disability, and national origin occurred. The country's Romani community faced employment discrimination.

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. The companies must publish on their company websites an estimate of salary disparities between men and women. The law requires that women receive equal pay for equal work. The economic statistics institute INSEE indicated that women working the equivalent of full time earned 18.5 percent less than men in 2015, the most recent year for which data were available.

A June report on the employment and unemployment of persons with disabilities from the Fund Management Organization for the Professional Integration of People with Disabilities (AGEFIPH) showed a 4 percent decrease in the unemployment of persons with disabilities, compared with the same period in 2019, and represented 8.6 percent unemployment for the general population. Job seekers with disabilities were out of work for 853 days on average, compared with 650 days for the general population. They were also older, on average, than the general population: an estimated 5 percent of job seekers with disabilities were 50 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 met the workforce requirement in 2018, while the companies that did not complete the requirement contributed to a 400 million euro (\$480 million) fund and a small number (mostly large corporations) received an exemption from the government based on a negotiated action plan, according to AGEFIPH. Since January 1, new companies have five years to comply with the 6 percent requirement, instead of the previous 3 percent. Furthermore, under the government's recovery plan, companies hiring workers with disabilities for a fulltime contract of at least three months between September 1 and February 28, 2021 are entitled to a yearly 4,000-euro (\$4,800) bonus.

### **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 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 effectively enforced wage and overtime laws, and penalties for violations were commensurate with those for other similar crimes.

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, must 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 are strictly governed by the labor code to protect employees from abuse of power by their employers. Employees may 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 occupational safety and health violations depend on the status of the accused and generally were commensurate with those for other similar crimes.

Immigrants were more likely to face hazardous work, generally because of their concentration in sectors such as agriculture, seasonal employment, construction, and hospitality services. In 2019, 1,098 major industrial accidents occurred, according to the Ministry of Ecological Transition, causing death or serious injury to workers.