

XENOPHOBIA AND RADICALISM IN FRANCE (2016)

1. Changes in Legislation.

The problem with legislation on minorities is that they are not recognized as such, so there is very seldom a law that is passed on this specific issue. Nevertheless, there are laws dealing with what the French call "diversity" and which aim at enhancing the rights of people from an immigrant background or who originate from our overseas territories. One such piece of legislation was the Loi Egalité et Citoyenneté, which was passed on 22 December 2016¹. The purpose of this law was to make French society more inclusive and more cohesive, in the aftermath of the 2015 and 2016 terrorist attacks. Chapter one of the law provided for the creation of a volunteer corps of citizens who are willing to perform duties such as helping schoolchildren to master the French language and learn the basics of the French Civil Rights legislation, as well as the basics of what being a French citizen means and implies. What we call the "Civic Service"², that is a volunteer corps of youth aged below 25 who are willing to help in social services, NGOs, or the administration, has been opened to foreigners residing legally in France and to refugees as well. Chapter two deals with subsidiarized housing, which in France is often the only way migrant families and those with an immigrant background, with a lower than average income can find a decent place to live in, especially in the big cities³. From now on, 25% of the flats that are allocated by the State or the local authorities will have to be rented to those with the lowest income or who are in a dire situation of urgency. The law also provides that those residents who are eligible to settle in subsidiarized housing be scattered in each and every district of the cities, in order to avoid forming urban ghettos. It is also provided that from now on, those who need to learn French, or perfectionate their use of French, will be allowed to do so within the frame of adult professional training that is, with financing from their employer. A State Agency is to be set up⁴, the duty of which is to provide the basics of learning French to those who, whether they are residents or arrive in France, need to master our language in order to find a job and insert into French society. Also, racial discrimination or incitement to hatred is now punishable by a 1 year prison sentence and a 45,000 euros fine. Before the law was passed, that was a 6 months sentence and a 22,500 euros fine. All crimes will now be punished more harshly if it was committed with the aggravating circumstance of inciting to racial hatred or homophobia. Discrimination on the job market and on the work place is to be fought by a communications campaign

¹ Text here : https://www.legifrance.gouv.fr/affichTexte.do;jsessionid=D7C6EFBCC1385E4D89361C7CD52CEDCF.tpdila10v_1?cidTexte=JORFTEXT000033934948&categorieLien=id

² See the goals and procedures here : <http://www.service-civique.gouv.fr/>

³ Such housing accounts for 19% of the total number of houses and apartments in the country.

⁴ See the Government's November 2016 press release on this topic : <http://www.gouvernement.fr/partage/8459-creation-de-l-agence-de-la-langue-francaise-pour-la-cohesion-sociale>

2. Changes in the Law enforcement practice.

The practice of Law Enforcement has changed since the State of Emergency was proclaimed by then-President François Hollande, the day following the massive terrorist attack of 13 November 2015⁵. The state of emergency measures are set out in a 1955 law and are designed to be used in “cases of imminent danger resulting from serious breaches of public order, or in case of events threatening, by their nature and gravity, public disaster”.

The measures give a number of exceptional powers to the authorities, including the right to set curfews, limit the movement of people and forbid mass gatherings, establish secure zones where people can be monitored and close public spaces such as theatres, bars, museums and other meeting places.

The state of emergency also gives more powers to the security services and police, such as the right to conduct house searches at any time without judicial oversight, enforce house arrest and confiscate certain classes of weapons, even if people hold them legally. A state of emergency can be put in place by the French president for a maximum of 12 days, after which he must get parliamentary approval for an extension. Parliament approved the extension of the State Emergency three times before the Soccer Euro Championship which took place in France in June 2016 and was considered a possible target for another ISIS or al Qaeda-sponsored attack. When there were plans to lift it, the Nice terror attack took place on 14 July and it was extended up to this day. As a consequence, all demonstrations which are staged since 2013, and all public events, are dealt with more police presence and the use of defensive grenades by the Compagnies Républicaines de Sécurité (CRS) have been widely criticized by Left-wing parties and NGOs, at the time when trade unions demonstrated in 2016 against the so-called El Khomri law on the reform of the Code of Labour. However, the State of Emergency is aimed at preventing the spread of Radical Islam: it has enabled the Intelligence Services to search and raid the homes of 4500 suspected activists in 2016-2017; more than 700 suspects have been asked by police not to move from their town and report daily or once a week; about 30 Radical Mosques have been closed on suspicion of inciting people to fight the Jihad. The Opération Sentinelle⁶, which began after the 2015 attacks, adds more than 10,000 professional soldiers to the civilian Police force in taking care of the terrorist threat. Soldiers are deployed on street patrols and also have the task of protecting synagogues, Jewish communal buildings, major Christian sites and various Muslim gatherings or personalities that are considered as being under threat from the Radicals. Opération Sentinelle was reconducted in 2016.

One specific change in Law Enforcement practice is that according to a 3 June 2016 Law, the legitimate use of weapons by police officers in a shot-to-kill intention also applies to cases where the officer thinks a terrorist can open fire with the intent to kill. When on 13 June 2016 a couple of police officers were murdered at their home by an Islamic terrorist, a controversy erupted within police trade unions as to whether the safety of off-duty police officers was sufficient, whether they were trained enough to shooting and whether they should be allowed to carry their gun all the time when off-duty. Soldiers serving with Opération Sentinelle are also concerned with their safety when off-duty and have been targeted by terrorists when on duty: on 1 January 2016 in Valence, 29 years-old Raouf El Ayeb, from Tunisia, drove his car

⁵ The Presidential Decree on the State of Emergency :

<https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000031473404&dateTexte=&categorieLien=id>

⁶ Ministry of Defence communiqué on Opération Sentinelle :

<http://www.defense.gouv.fr/operations/operations/france/operation-sentinelle/sentinelle-10-000>

into a group of soldiers who were protecting the local mosque. He made no victims and was arrested⁷.

Outside of the scope of the State of Emergency, there remain problems of institutional Racism which have been addressed for decades by NGOs such as SOS-Racisme, LICRA, Ligue des Droits de l'Homme and MRAP. Discrimination in housing, on the labor market, in education and other fields where the State is an actor, still exist, although they are illegal. In 2016 for the second time in history, a public housing company has been sentenced by the courts for discrimination on the basis of ethnic origin⁸. In the public school system, representatives of the Jewish Community have repeatedly told the authorities that in several areas of the country, whether it be Paris and its suburbs or Lyon and Marseille, families had to enlist their children in Jewish schools because Antisemitism was rampant, not because of the teachers and administration, but because of anti-Jewish slurs from non-Jewish pupils and safety issues and the children's way to and from schools⁹. On the other hand, some Muslim organizations and Civil Rights NGOs continue to oppose the ban on the hijab in public schools and have opposed Manuel Valls's idea of banning the hijab in Universities¹⁰. The basic reasoning for making a difference between schools and universities is that university students are aged more than 18 (with a few exceptions), so they are adults whose civil rights would be infringed by the ban, while minors under 18 should be protected from adults who can force them to wear the veil against their will. The major problem of institutional racism remains that of racial prejudices in the Police, whether it be ethnic profiling, unnecessary identity checks targeting coloured people and minorities or physical violence used by police officers against minorities. The problem is acknowledged by the authorities¹¹, who have introduced courses on Racism in the curriculum of Police officers, but further progresses have yet to be achieved.

3. French government rhetoric in 2016 in terms of minorities

As said before, the notion of "minorities" does not legally exist in France. It is estimated that there are between 400, 000 and half a million Jews and a 2016 Pew Research survey gave an estimate of Muslims representing 7,5% of a population of 66 million (that is, 4,7 million)¹². Given the non-recognition of minorities, the government has to use such words as "people from a Muslim background" when speaking about people who are often the second or third generation of French citizens with a Muslim background. With the terrorist attacks of 2015-2016, immigration and Islam have become central topics in the political discourse. On August 1, 2016, just after a terrorist had killed a Catholic priest near Rouen, then Prime Minister Manuel Valls published an op-ed on Islam in France in the *Journal du Dimanche*¹³. A proponent of a sound secularist policy, Valls was criticized for writing that "Islam has to help the French State if it wants the State to protect it as a religion". The controversy with Muslim organizations is that according to them, the terrorists are not acting on behalf of Islam but on

⁷ See : http://www.lemonde.fr/societe/article/2016/01/03/l-agresseur-des-militaires-devant-la-mosquee-de-valence-mis-en-examen_4841070_3224.html

⁸ <https://www.alternatives-economiques.fr/logement-social-discrimination-a-etages/00003255>

⁹ <http://www.la-croix.com/Religion/Judaisme/Pourquoi-familles-juives-desertent-ecoles-publiques-2016-03-11-1200745971>

¹⁰ http://www.lemonde.fr/campus/article/2016/04/13/interdiction-du-voile-a-l-universite-valls-re lance-le-debat_4901346_4401467.html

¹¹ See the CNCDH report on this topic :

http://www.cncdh.fr/sites/default/files/161108_avis_pratiques_des_controls_didentite.pdf

¹² See survey : <http://www.pewresearch.org/fact-tank/2016/07/19/5-facts-about-the-muslim-population-in-europe/>

¹³ <http://www.lejdd.fr/Politique/Manuel-Valls-Reconstruire-l-islam-de-France-800035>

behalf of a deviant ideology that is not Islam. On the other hand, the Valls government and the Conservative opposition have repeatedly pointed to the ineffectiveness of the CFCM, the central body of Muslim organizations, in reaching out to the core of the Muslim community in order to prevent radicalism. Therefore in December 2016, the Government launched the Fondation pour l'Islam de France¹⁴, a registered charity headed by former Minister Jean-Pierre Chevènement, the aim of which will be to train imams in the French language and culture, with the intent of reducing the influence of Morocco, Algeria, Tunisia and Turkey, which for the moment retain an enormous influence over their populations living in France, through the appointment of imams and the financing of mosques. This situation tends to make the French population think that Muslims are not their fellow citizens, but agents of foreign countries whose loyalty to France can be questioned. The same problem was faced by the Government when it tried to pass legislation that would have authorized stripping a bi-national terrorist of his French citizenship.

When it comes to the Jewish communities, the relationship with the State was particularly good under Prime Minister Manuel Valls, who very severely condemned the Boycott Israel campaign¹⁵ and holds the belief that Anti-Zionism is the contemporary form of Anti-Semitism¹⁶. The lay organization of French Jewry (CRIF) as well as the Chief Rabbinate and non-Orthodox communities, enjoy a good working relationship with the State, whose officials attend all commemorations including the very exclusive annual dinner of CRIF, which the President usually attends (in 2016 he was replaced by the Prime minister, being retained in Brussels by a summit with Turkey).

A new concern for the State is the situation of the Chinese community, which is half a million strong and retains very close ties with the P.R. of China. After a Chinese man working in the garment industry was killed in Aubervilliers in August 2016, the Chinese community demonstrated on the streets with several thousand people¹⁷. The number of burglaries and assaults targeting Chinese shopkeepers and workers of the clothing industry has sky-rocketed in Paris and its suburbs, with the prejudice being spread that Chinese people make high gains in their businesses and always use cash money, thus becoming targets. The local authorities in Aubervilliers and Paris are supportive of the Chinese population's call for a widespread campaign against this new form of Racism.

4. Public opinion towards minorities. Level of anti-immigration sentiments, national and religious phobias and attitudes towards other minority groups.

According to the annual report of the CNCDDH¹⁸, tolerance is on the rise in France, with 64% of the French being tolerant of minorities, the highest level being 66% in 2008. 52% of the French say they are not racist (43% in 2014) and 33% (+8%) do not believe in the existence of races. Only 8% say that there are "superior races". Negative stereotypes still exist, though. In the aftermath of the terrorist attacks, the report concludes that 34% of the French think that Islam is a problem and 50% think it is a threat to national security. The Roma have a negative image

¹⁴ <https://www.interieur.gouv.fr/Archives/Archives-des-communiqués-de-presse/2016-Communiqués/Lancement-de-la-Fondation-de-l-Islam-de-France>

¹⁵ See his 15 December 2015 declaration here : <http://www.lcp.fr/la-politique-en-video/mouvement-bds-manuel-valls-condamne-toutes-les-campagnes-de-boycott-legend-des>

¹⁶ Report of his 8 March 2016 speech at CRIF annual venue : <http://www.lefigaro.fr/politique/2016/03/07/01002-20160307ARTFIG00395-diner-du-crif-pour-valls-l-antisionisme-est-synonyme-de-l-antisemitisme.php>

¹⁷ See : <http://www.leparisien.fr/info-paris-ile-de-france-oise/les-chinois-disent-stop-a-la-violence-17-08-2016-6048777.php>

¹⁸ Access to the full 2016 report here : <http://www.cncddh.fr/fr/publications/rapport-2016-sur-la-lutte-contre-le-racisme-lantisemitisme-et-la-xenophobie>

with 57% of the French, who say they are unwilling to assimilate, but there is an improvement when compared to 77% in 2014. Prejudices against the Jews remain: 20% think they have too much power in politics and 20% associate being a Jew with having money. With regard to immigration, 59% think there are too many immigrants but on the other hand, 79% say that they should be allowed to stay and feel like home, because they contribute positively to the French economy. As much puzzling is the fact that 60% think that the immigrants come with the intent of taking benefits from the Welfare State, but 68% say that their presence is positive because it brings cultural diversity. Terrorism has become the main concern of 18% of the French, compared to 22% who think the major topic is unemployment. One consequence of this concern is that the French are ready to sacrifice some of their civil liberties in exchange for more security. For example, 88% of those surveyed agree with the proposal of the Conservative parties that the State should be able to detain any suspect of involvement in terrorist activity, even when there are no charges against him. There has been an ongoing debate in 2016 on the topic of changing the law, so that the 15,000 individuals who have an intelligence file for their suspected support of Radical Islam, could be detained in specific camps. The Left parties have consistently opposed this legislative move.

According to an opinion poll conducted by the Odoxa Institute for *Le Parisien* daily in March 2016¹⁹, the Catholic Church has a negative image for 56% of the French. 83% say the Church is too conservative, and 64% think that it does not take into consideration the daily problems of the citizens. However this survey was conducted in the aftermath of a scandal, when several former young laymen accused some priests of pedophilia, and sued the Bishop of Lyon, Cardinal Barbarin, for not having reported what he knew to the police (he was later considered not guilty). It is to be noted that at the end of 2016, the newspaper *Famille chrétienne* asked IFOP institute to survey church-going Catholics and their political leanings: 49% intended to vote for François Fillon, the mainstream Conservative candidate to the 2017 Presidential election, but 25% intended to vote for Marine Le Pen, the Extreme-Right candidate²⁰.

5. Radicals

Radical Parties that are registered and incite to hatred are very few, if only because the 1990 Loi Gayssot²¹ puts a ban on any kind of expression of, or incitement to hatred, including denying the Holocaust. Strictly speaking, the Front National, which in December 2015 took 28% of the national vote in the Regional elections²² and continued to be a potent force in 2016, does not incite to hatred. Its proposal is to ban further legal immigration from outside Europe and it wants to enact a « French First » policy which would give legal priority to the French citizens over foreigners when it comes to housing, social benefits, retirements schemes and health care²³. This policy of « National Priority » is contrary to the 1958 Constitution, but FN as a party, takes great care in using words in its official documents and manifestos, which are not seen as inciting to hatred. Fringe Extreme-Right movements with a combined membership of no more than a few thousands do exist, which openly use Racist rhetoric. They can be

¹⁹ http://www.lexpress.fr/actualites/1/styles/sondage-56-des-francais-ont-une-mauvaise-image-de-l-eglise-catholique_1775021.html

²⁰ <http://www.famillechretienne.fr/politique-societe/politique/presidentielle-un-catholique-pratiquant-sur-deux-voterait-francois-fillon-211152>

²¹ Text here :

<https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000000532990&dateTexte=&categorieLien=id>

²² Full results : https://www.interieur.gouv.fr/Elections/Les-resultats/Regionales/electresult__regionales-2015/%28path%29/regionales-2015/FE.html

²³ See Le Pen's Presidential Project (2017) here : <http://www.frontnational.com/le-projet-de-marine-le-pen/>

Skinhead Neo-Nazi movements such as the French branches of Hammerskin Nation²⁴ or Blood and Honour²⁵ ; racist groups such as Terre et Peuple²⁶ and Parti Nationaliste Français²⁷, who stand against the rights of Jews and non-Whites and also want to ban Freemasonry ; one weekly magazine, *Rivarol*²⁸, which is sold at newstands since 1951 and local groups such as Picard Crew²⁹, White Wolves Klan (WWK)³⁰, Lemovice Crew³¹ and a few others, which in 2016 have been under strong pressure from the police, with their top leaders either in prison and indicted (WWK) or obliged to stop their activities. One hotspot of violence is the city of Calais, where thousands of illegal immigrants are living in camps with the hope of crossing the Channel. On 6 February 2016, a demonstration of the Extreme-Right against immigrants was banned³². The French branch of the PEGIDA movement, which convened the demonstration, was only able to bring in around 200 people: it is absolutely irrelevant.

The popularity of Radical Parties at the beginning of 2016 can be asserted by the results of the Regional elections held on 6 and 13 december 2015. The FN polled 6, 82 million votes nationwide, that is 27%. The Left Front, led by Jean-Luc Mélenchon, got 541,409 votes, that is 2,49% and the Communist Party had 337,390 (1,5%). 2016 was a year without elections, but we can compare with opinion polls that were conducted at the start of the Presidential campaign. Two opinion polls were conducted at the end of November 2016, that is after the primary election of the Right and before that of the Socialist Party. At that time, François Fillon was ahead of Marine Le Pen with 27% and 24% respectively³³. It was nevertheless clear that Le Pen would stand on the second round of the election. Left-Wing candidate Mélenchon was credited with 13% while the two Trotskyite candidates, Nathalie Arthaud and Philippe Poutou, got 1% each. Later on, Fillon's campaign was marred by allegations that he had illegally used public money, and he ultimately failed to qualify for the second round, receiving 19%. Le Pen received 23,9% on voting day and Mélenchon was the big surprise with 19,58%³⁴.

The Kantar-TNS Institute issues an annual survey of the image of FN³⁵. The February 2016 survey shows that 31% of the French agree with the party's ideas (-2% when compared to 2015). This approval rate sinks to 26% on the Frexit topic and only 24% agree that foreigners should have lesser social rights than nationals. Moreover, 56% of the French (+2% when compared to 2015), see FN as "a threat to democracy", an all-time high since Marine Le Pen took the chair in 2011. 23% (minus 6%) wanted Le Pen to play a more important role in the future. Only 22% said she would do well as Head of State, whereas 66% said the opposite

²⁴ Link to French branch on the internet : <http://www.hammerskins.net/fhs/>

²⁵ Link : <https://28hexagone.wordpress.com/>

²⁶ <http://www.terreetpeuple.com/>

²⁷ <https://parti-nationaliste-francais.com/>

²⁸ Website : <https://www.rivarol.com/>

²⁹ Report of Picard Crew's first public gathering in April 2016: <http://www.thomasjoly.fr/2016/03/succes-de-la-1ere-journee-patriote-du-picard-crew-a-amiens.html>

³⁰ January 2017 report of WWK activities on the Antifascist website La Horde : <http://lahorde.samizdat.net/2017/01/04/serge-ayoub-encore-dans-une-histoire-de-bourrage-de-crane-de-militants-nationalistes-en-picardie/>

³¹ Link to the official Facebook page of Lemovice, which is the Roman name for the city of Limoges : <https://www.facebook.com/lemovice.official/>

³² See report : http://www.liberation.fr/france/2016/02/06/manifestation-de-pegida-a-calais-l-ex-commandant-de-la-legion-etrangere-arrete_1431565. It is to be noted that 6 February is the date of the 1934 aborted coup of the Extreme-Right against the Republic.

³³ <http://www.leparisien.fr/elections/presidentielle/presidentielle-deux-sondages-placent-fillon-devant-marine-le-pen-au-premier-tour-27-11-2016-6383253.php>

³⁴ Results of the election : <https://www.interieur.gouv.fr/Elections/Election-presidentielle-2017/Resultats-globaux-du-second-tour-de-l-election-du-President-de-la-Republique-2017>

³⁵ <http://www.tns-sofres.com/publications/barometre-2016-dimage-du-front-national>

Islamist radicals who incite to hatred are mostly Sunni preachers and militants belonging to the Jihadi wing of the Salafi movement. In 2016 they were said to control around 180 mosques/prayer rooms³⁶, which can only be closed by the administrative authorities if they are illegally built or occupied, or if the imam is believed to promote or condone Jihad or Racist/Antisemitic beliefs. In 2016, 17 foreigners who were suspected of being an imminent threat to national security because they promoted Jihad were deported to their native countries³⁷. Such decisions can always be appealed by the person who is deported, including in the case that he has effectively been deported and wants to return legally. In the case of French citizens, it is not possible to deport the person, and it is only on very exceptional ground that he/she can be stripped of his citizenship. A proposal by then Prime Minister Manuel Valls to allow terrorists or those fighting alongside terrorist organizations being stripped off their citizenship was presented to Parliament in February 2016³⁸, with the assent of President Hollande, but with the majority of the Socialist Party and the rest of the Left opposing this legislation, because it could create Stateless people. In March 2016 President Hollande admitted this proposal had split the Left and had to be withdrawn³⁹. One of the peculiarities of France, when compared to some countries like the United Kingdom, is that the radical Muslims belonging to the salafi/jihadi movement are not organized into such high-profile groups as Hizb ut Tahrir or al Muhajiroun, the first of which only made a brief appearance in France in 1995 and 2009. The reason could be that those are movements which are rooted in the Middle-East and the Indian subcontinent, while the overwhelming majority of French Muslims originate from the Maghreb⁴⁰. The major legal groups representing Orthodox Sunni Islam here are in line with the Muslim Brotherhood's offshoots in the Maghreb. They are gathered under an umbrella organization, the Union des organisations islamiques de France (UOIF)⁴¹, which enjoyed recognition by the State and sat on the State-sponsored Conseil français du culte musulman (CFCM) until it decided to go its own way. UOIF has been suspected by its opponents of promoting an agenda that goes against the French notion of Secularism, and some of the foreign guests it invited in the past were banned from entering because they were said to condone Jihad⁴². UOIF held two controversial rallies in Lille (February 2016) and Le Bourget (May 2016). However no foreign guests were banned from entering France. In 2016 Hani Ramadan, a Swiss citizen and Geneva-based imam, was banned from entry and several of his conferences in Nîmes and Le Havre (fall 2016) were not allowed to take place, because of his ambiguous talk on Jihad and his opposition to gender equality⁴³.

We have very few means to adequately measure the support for ISIS/al Qaeda among Muslims in France, apart from the figure released in December 2015 by DGSI (the French Intelligence

³⁶ A Muslim website with a full list of active French mosques put the figure at 179 in 2017. See: <https://muzulmania.wordpress.com/2015/01/04/mosquees-salafistes-en-france/>

³⁷ <http://www.lefigaro.fr/actualite-france/2016/12/01/01016-20161201ARTFIG00362-la-france-expulse-les-islamistes-au-compte-gouttes.php>

³⁸ The proposed legislation is here : <http://www.assemblee-nationale.fr/14/projets/pl3381.asp>

³⁹ http://www.lemonde.fr/attaques-a-paris/article/2016/03/30/francois-hollande-renonce-a-la-decheance-de-nationalite-et-au-congres_4892426_4809495.html

⁴⁰ The best database of information on immigration and the Muslim communities is the Trajectoires et Origines survey, by the Institut national d'études démographiques, a State Agency. Link: <http://teo.site.ined.fr/>

⁴¹ Website : <http://www.uoif-online.com/>

⁴² See this article for a 2012 controversy : http://www.lepoint.fr/societe/quatre-predicateurs-musulmans-invites-par-l-uoif-interdits-d-entree-en-france-29-03-2012-1446293_23.php and this article in the Conservative daily Le Figaro, with regard to the 2016 meeting: [figaro.fr/vox/societe/2016/05/13/31003-20160513ARTFIG00149-congres-de-l-uoif-sous-couvert-de-deradicalisation-l-appel-au-djihad-arme.php](http://www.lefigaro.fr/vox/societe/2016/05/13/31003-20160513ARTFIG00149-congres-de-l-uoif-sous-couvert-de-deradicalisation-l-appel-au-djihad-arme.php)

⁴³ See : <http://www.midilibre.fr/2016/09/19/nimes-le-tribunal-confirme-l-interdiction-de-la-conference-d-hani-ramadan,1395443.php>

Agency), that 1923 French citizens were either fighting in Syria and Irak or had shown the will to leave France to join ISIS⁴⁴. At the end of 2016, as the roll-back of ISIS was under way, the same sources estimated that around 700 French people remained there⁴⁵. The opinion of Muslims on terrorism is not surveyed. Nevertheless, an IFOP poll conducted in September 2016 for the Liberal think-tank Institut Montaigne, concluded that 26% of those surveyed said they have a “stringent” observance of Islam, while 25% said they were “conservative”. 20% of the men and 28% of the women were in favor of allowing the full-face veil. 29% said that sharia stands above the laws of the French Republic. 50% of those aged between 18 and 25 y.o. see their belief in Islam as a way of opposing French values⁴⁶.

Far-Left political parties do not call for hatred and are supportive of foreigners’ rights, including that of refugees to settle permanently in France. The Communist Party, the Trotskyite Nouveau Parti Anticapitaliste and Jean-Luc Mélenchon’s Parti de Gauche strongly support integration of immigrants, including those undocumented, whom they believe should be granted legal status⁴⁷. The only topic on which the Far-Left has been criticized is that of supporting the Boycott Israel campaign known as BDS. The boycott of Israel, but not the BDS movement itself, is illegal since a ruling of the French Higher Court in October 2015⁴⁸. There is a debate on whether something like “anti-French Racism” does exist. The latest case we have of a conviction on this count goes back to June 2015 and it is indeed possible to sentence someone on the ground that he/she overtly shot racist abuse such as “Dirty French, Dirty White” (that was the ground of the 2015 conviction). The debate is going on, as to whether “anti-French racism” is downplayed in State statistics and not sufficiently taken into account by anti-Racist NGOs. In a landmark case, on 29 March 2016, the anti-Racist NGO, Ligue internationale contre le racisme et l’antisémitisme” (LICRA) won its case against a Muslim man of Turkish origin who had insulted a French White national aboard a train near Lyon⁴⁹. Small Leftist groups such as the Parti des Indigènes de la République (PIR)⁵⁰, are increasingly under the spotlight for their will to categorize all those with an immigrant, non-european background, as a separate category within the Nation-State. In March 2016 Houria Bouteldja, the iconic leader of PIR, published an essay, *Les Blancs, les Juifs et Nous* (La Fabrique éditions), in which she asked White people to renounce their whiteness, while she also asked the Jews to renounce Zionism and their link to Israël⁵¹. Her contention is that the descendants of the former colonized people have the right to organize themselves separately, including by staging events which are forbidden to “whites”.

⁴⁴ <http://www.cnews.fr/monde/video/qui-sont-les-combattants-etranagers-de-letat-islamique-146695>

⁴⁵ <http://www.leparisien.fr/faits-divers/syrie-irak-plus-de-200-djihadistes-francais-sont-morts-26-09-2016-6152001.php>

⁴⁶ Full study : <http://www.institutmontaigne.org/fr/publications/un-islam-francais-est-possible>

⁴⁷ Mélenchon reiterated his position during the 2017 Presidential campaign, see :

<http://www.bfmtv.com/mediaplayer/video/jean-luc-melenchon-veut-la-regularisation-de-tous-les-travailleurs-sans-papiers-924887.html>

⁴⁸ See ruling here :

www.legifrance.gouv.fr/affichJuriJudi.do?oldAction=rechJuriJudi&idTexte=JURITEXT000031374097&fastReqId=434382946&fastPos=1

⁴⁹ See : <http://www.lefigaro.fr/actualite-france/2016/04/01/01016-20160401ARTFIG00315-trois-mois-ferme-pour-du-racisme-anti-blanc.php>

⁵⁰ On this group, one of the few academic articles is: Robine Jérémy, « Les « indigènes de la République » : nation et question postcoloniale. Territoires des enfants de l’immigration et rivalité de pouvoir », *Hérodote*, 2006/1 (n° 120), p. 118-148. DOI : 10.3917/her.120.0118. URL : <http://www.cairn.info/revue-herodote-2006-1-page-118.htm>

⁵¹ For a critic of the book from the point of view of the Social-Democrat-leaning daily Libération, see: http://www.liberation.fr/debats/2016/05/24/la-derive-identitaire-de-houria-bouteldja_1454884

The Front national is opposed by the successive governments from the Conservative Right and the Left. Although President Hollande was not allowed to directly criticize FN, his warning against “Populism” during his Bastille Day 2016 speech was a clear warning before the 2017 elections year⁵². Prime Minister Manuel Valls was more outspoken and on 11 December 2015, warned that the FN “could lead to civil war”⁵³. As late as in November 2016, he also warned that Marine Le Pen was in a position to win the Presidential election. What caused several Left-wing intellectuals from the Radical Left, as well as some NGOs, to pretend that the Government was playing the game of the Right-Wing Radicals is the extension of the State of Emergency and the proposed legislation to strip convicted terrorists of their French citizenship. A March 2016 petition to stop the State of Emergency⁵⁴ (argued that the Government was using the attacks in order to curtail civil liberties and bring in a “government of fear”). A poll conducted in July, after the Nice attack, however confirmed that 76% of the French were in favor of the State of Emergency⁵⁵. In January 2016, the proposed legislation on French nationality had the support of 75%⁵⁶, despite calls from the Left, including Justice Minister Christiane Taubira, to drop the intended text. Taubira resigned from the Cabinet. Several NGOs such as the Muslim CCIF or the Left-Wing Ligue des Droits de l’Homme, have attacked the ban on the Muslim swimsuit known as “burkini”, which was enacted by some 30 mayors, most of them Conservatives, during the summer of 2016⁵⁷. Prime Minister Manuel Valls was criticized for having expressed his view that the burkini was a mean to restrict Women’s Rights⁵⁸. The ban was edicted by the mayors because they saw the swimsuit as a threat to public order. But the higher French administrative jurisdiction, the Conseil d’Etat, suspended or cancelled most of the bans, on the ground that public order was not at stake and that secularism was not intended to decide what kind of garb people are authorized to wear, as long as it is not the full-face veil, which has been banned by law in 2004⁵⁹.

6. Hate crime

The Police figures for 2016 is 1125 racist, antisemitic and antimuslim incidents, that is a 44,7% decrease when compared to 2015. Antisemitic incidents were 335, antimuslim incidents were 182 and racist incidents (i.e targeting other communities) were 608. A new trend is anti-Christian incidents, that is desecrations of cemeteries and churches: they are on the rise with 949 incidents, only 14 of which were committed by satanists⁶⁰.

⁵² http://www.lemonde.fr/politique/article/2016/07/14/francois-hollande-appelle-emmanuel-macron-a-respecter-les-regles_4969449_823448.html

⁵³ [lemonde.fr/elections-regionales-2015/video/2015/12/11/pour-valls-le-fn-peut-conduire-a-la-guerre-civile_4829710_4640869.html](http://www.lemonde.fr/elections-regionales-2015/video/2015/12/11/pour-valls-le-fn-peut-conduire-a-la-guerre-civile_4829710_4640869.html)

⁵⁴ see: <https://www.solidaires.org/NON-a-l-etat-d-urgence>

⁵⁵ Poll :

https://d25d2506sfb94s.cloudfront.net/cumulus_uploads/document/b96zcrr1sl/Results%20for%20Huffington%20Post%20%28Barom%C3%A8tre%20-%20juillet%29%20094%20290716.pdf

⁵⁶ See poll : /data/sondage/sondage_fiche/1793/fichier_bva_-_orange_-_i-tele_-_les_francais_et_la_lutte_antiterroriste_-_janvier_2016ecf3c.pdf

⁵⁷ Report on the ban and the subsequent rulings of the courts against them : [w.lemonde.fr/port-du-voile/article/2016/08/31/les-arretes-anti-burkini-invalides-les-uns-apres-les-autres_4990240_4987696.html](http://www.lemonde.fr/port-du-voile/article/2016/08/31/les-arretes-anti-burkini-invalides-les-uns-apres-les-autres_4990240_4987696.html)

⁵⁸ Link to his declaration : ancetvinfo.fr/societe/religion/laicite/polemique-sur-le-burkini/arrete-anti-burkini-invalide-pour-manuel-valls-la-decision-du-conseil-d-etat-n-epuise-pas-le-debat_1796891.html

⁵⁹ See the text of the law in its 2010, updated version :

<https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000022911670&categorieLien=id>

⁶⁰ See then Minister of the Interior Bruno Le Roux commenting the figures: <https://www.interieur.gouv.fr/Archives/Archives-ministre-de-l-interieur/Archives-Bruno-Le-Roux-decembre-2016-mars-2017/Interventions-du-ministre/Bilan-statistique-2016-des-actes-racistes-antisemites-antimusulmans-et-antichretiens>

The figures from CRIF, the umbrella organization of French Jewry, match with those of the authorities. The problem is with antimuslim incidents, because organisations such as CCIF (Comité contre l'islamophobie en France), have a definition of islamophobia which is much broader than that of the police. In 2016, CCIF recorded 580 incidents, including discriminatory attitudes (319), assaults (39), threats (98) and attacks on mosques (25)⁶¹.

The anti-Roma incidents are included in the broader "racism" category.

The SOS Homophobie NGO recorded 1575 anti-LGBT incidents (+19,5%) but there is no data as to how many resulted in a complaint being filed. At this time, we only have the 2015 data on convictions: 2571 individuals were convicted, most of them getting suspended sentences and/or fines⁶². The association's report, by far the most complete and accurate, seems to show that the peak in anti-LGBT attitudes peaked in 2013, when a coalition of Arch-Conservative, pro-Family and pro-Life associations, supported by a significant part of the mainstream Right and the Extreme-Right, started demonstrating against the legislation on same-sex marriage. In September 2016, a survey was commissioned by the Association des familles homoparentales (ADFH or Association of Same-Sex Parents). This IFOP survey showed that 62% of the French do not want the repeal of the law on same-sex marriage⁶³. According to the same source, 72% of the French now openly admit that they know homosexuals among their friends/close relations.

Data on prejudices is measured by the annual report of the Commission nationale consultative des droits de l'Homme (CNCDH). The 2017 report, which surveys attitudes in 2016, includes an overall measure of tolerance towards minorities: 65% of the French are tolerant towards them, an increase of 10% when compared to 2013. When it comes down to prejudices towards specific communities, 53% think "there are too many immigrants"; 38% think that Muslims form a separate group within society; 25% think the Asian people are also living apart, and 23% they that of the Jews. The group that has the worst image is the Roma community (less than 0,5% of the population): 66% say the Roma are not integrated into French society because they do not want to.

7. Interethnic or religious clashes.

There was no violent clash between ethnic groups as such, the last clash on the streets between Jewish militants and pro-Palestine demonstrators having taken place in Paris and Sarcelles in July 2014⁶⁴. However, despite high-profiled media initiatives aimed at gesturing goodwill between moderate Muslims and the Jewish community, the level of distrust between the two groups remain high⁶⁵. What remains a quite common occurrence in France are clashes between ethnic minorities apart from the Jews, and the Police, especially in the suburbs of the bigger cities. The reason is nearly always the death or serious injury of a youth of immigrant background during an identity check by the Police. Such was the case in July 2016 when 24

⁶¹ Ccif Report : <http://www.islamophobie.net/articles/2016/02/10/sortie-rapport-annuel-2016-ccif/>

⁶² SOS-Homophobie report : <https://www.sos-homophobie.org/rapport-annuel-2016>

⁶³ <https://adfh.net/portfolio-items/sondage-ifopadfh-la-presidentielle-2017-et-les-droits-des-homosexuel-le-s-et-des-familles-homoparentales/>

⁶⁴ Report of the incidents in Sarcelles and Paris respectively :

http://www.lemonde.fr/societe/article/2014/07/22/sarcelles-sous-le-choc-des-violences-antisemites_4461039_3224.html and <http://www.leparisien.fr/paris-75/paris-des-manifestants-pro-palestiniens-tendent-de-s-en-prendre-a-deux-synagogues-13-07-2014-3998677.php>

⁶⁵ A survey by the Conservative-leaning Fondapol Think-tank especially focused on anti-Jewish prejudices among Orthodox Muslims, but also found a higher-than-average level of prejudice among supporters of FN. See: <http://www.fondapol.org/wp-content/uploads/2014/11/CONF2press-Antisemitisme-DOC-6-web11h51.pdf>

year-old Adama Traoré died in Beaumont sur Oise, north-west of Paris, in circumstances which, according to the police, were that natural death (the young man had a heart condition) but which in fact seem to have been caused by asphyxia, as Traoré was subject to the unusual and unnecessary use of force by the police when he was interrogated⁶⁶. The controversy over this case still goes on and various demonstrations with up to 2,000 people regularly take place in his hometown and in Paris. Human Rights NGOs have pointed to the fact that immigrant youth are often subject to undue pressure by the police, only because of their skin colour, including identity checks which border on harrasment.

The area of France where the strife between communities is the worst is on the island of Corsica, where an Independantist movement (part legal, part underground and violent) is seeking to built a separate State. Clashes took place in 2016 between natives and people of Moroccan descent, in the city of Bastia and in smaller cities. One incident in Sisco, a seaside resort, gained national coverage when a Moroccan family whose women wore the hijab and several dozen locals⁶⁷. Previously, in April, a Muslim prayer room had been destroyed by fire⁶⁸ and in the last week of 2015, serious clashes between the police and Muslim youth in Ajaccio⁶⁹. The concern with the situation in Corsica is also that some locals among those who favor separation from France are prejudiced against people from the mainland, to the extent that the slogan I francesi fora (« Frenchmen out ! »)⁷⁰ is a common graffiti on the island. Another specific situation is that of the Gipsy people. Clashed between the Gipsy and the police took place in Moirans (Isère), after two of their people who were detained in a nearby penitentiary were denied the right to attend the funeral of a relative⁷¹. In February 2016, other Gipsy people had been sentenced to prison terms, after they had caused traffic to stop on Highway 1, north of Paris, as a form of protest against a judge having refused a Gipsy convict the right to attend a funeral service near Amiens⁷². Contrary to the immigrant Roma from the Balkans, the Gipsy people have been living in France for centuries and number around 250,000, 70,000 of them living as Travellers, 60,000 as semi-Travellers and the rest living in permanent housing⁷³.

8. Sports-related Xenophobia.

The problem of skinheads acting as hooligans has been taken care of as early as the mid-1990s at Paris Saint-Germain stadium and in other cities⁷⁴. There remain, however, small groups of Far-Right, racist supporters in Lyon, Nice, Lille, among others. Hooligans with a pro-independance, sometimes anti-Arab and anti-French prejudices, are active in Bastia, Corsica. In

⁶⁶ The Traoré case is not closed. For the facts see: http://www.lexpress.fr/actualite/societe/fait-divers/violences-dans-le-val-d-oise-apres-la-mort-d-un-homme-arrete_1814471.html

⁶⁷ Report : http://www.liberation.fr/france/2016/08/17/sisco-dans-cette-affaire-il-n-y-a-pas-des-horribles-radicalises-contre-de-mechants-racistes_1473054

⁶⁸ <http://www.corsematin.com/article/ajaccio/ajaccio-lincendie-de-la-salle-de-priere-est-criminel-selon-le-prefet>

⁶⁹ http://www.lemonde.fr/corse/article/2015/12/28/corse-retour-sur- quatre-jours-de-tensions-a-ajaccio_4838739_1616678.html

⁷⁰ The slogan « Arabi fora » is also commonplace, see : http://www.lexpress.fr/actualite/societe/corse-arabi-fora-ne-peut-pas-etre-considerere-comme-un-slogan-nationaliste_1749157.html

⁷¹ <http://www.leparisien.fr/faits-divers/violences-a-moirans-une-quinzaine-d-interpellations-apres-les-incidents-d-octobre-18-01-2016-5461131.php>

⁷² [e.fr/societe/article/2015/08/29/fusillade-de-roye-des-gens-du-voyage-bloquent-l-a-1-dans-le-sens-paris-lille_4739679_3224.html](http://www.leparisien.fr/faits-divers/violences-a-moirans-une-quinzaine-d-interpellations-apres-les-incidents-d-octobre-18-01-2016-5461131.php)

⁷³ See the 2008 study of Travellers and Roma people in France published by CNCDDH:

<http://www.cncdh.fr/fr/publications/etude-sur-la-situation-des-roms-et-des-gens-du-voyage-en-france>. Recent (2015) figures here: <http://www.lefigaro.fr/international/2015/08/26/01003-20150826ARTFIG00144-gens-du-voyage-roms-des-realites-bien-differentes.php>

⁷⁴ The reference academic research on hooligans is : Hourcade Nicolas, « Hooliganisme : un phénomène pluriel », *Revue internationale et stratégique*, 2014/2 (n° 94), p. 127-134. DOI : 10.3917/ris.094.0127. URL : <http://www.cairn.info/revue-internationale-et-strategique-2014-2-page-127.htm>

anticipation of the Euro- 2016, the French Soccer Federation met with representatives of the FARE (Football Against Racism in Europe)⁷⁵ in order to prevent Racist incidents during the competition. Although there remain cases of African or West Indian players being harassed by racist slurs and monkey-sounds when they are on the field (as in Bastia with Italian player Mario Balotelli), the most serious incidents which took place during the Euro, on June 12,2016 in Marseille, opposed 300 Russian hooligans to as many British hooligans⁷⁶. Ten people were arrested and 35 were hurt. Russian nationalist groups of supporters such as the well-known Orel Butchers and LPDR staff member Alexandre Shprygin, who was arrested by the police. While the media has focused on the Russian hooligans and the possibility that they might have acted with the support of, or at least the unspoken consent of, the Russian authorities, they denied the accusations and issued a complaint with the Ambassador of France to Russia . In April 2016, new anti-hooligan legislation has been passed and is known as Loi Larrivé, from the name of the Conservative MP who first drafted it⁷⁷. It enables soccer clubs to refuse selling tickets to supporters who are known for their offensive behaviour, even if they are not among those supporters who are denied access to the stadiums because of a conviction. Hooligans who are the most violent can be denied access to the stadiums for up to 2 years, and 3 years in case of a former interdiction. The authority who can issue the ban is the Préfet, the State top representative in each Département, the basic administrative level above the cities.

9. Glorification of Nazism or Nazi collaborators.

National-Socialists are part of the lunatic fringe of the Extreme-Right and no political party, elected official or Civil Service member is a known public supporter of this ideology. There are a number of NS websites such as www.combat18.wordpress.com; <http://franceblanche.tumblr.com>; www.suavelos.eu (by Holocaust-denier and Jew-baiter Daniel Conversano) or www.jeune-nation.com. The most-widely read of the websites with an Antisemitic, Holocaust-denying content, bordering on Nazi ideology is Alain Soral's www.egaliteetreconciliation.fr, which in 2016 ranked among the 30 most widely-read political websites, with a total of 8,1 million reads that year. Regarding events, there were a few skinhead concerts, with the most active band, Lemovice, playing in June and October 2016 and in June at the Winter Fest in Brazil⁷⁸. In November 2016, a huge concert of the Nazi-Metalcore scene took place in the Provence region and two National-Socialist Black Metal bands, *Peste Noire* and *Baise ma hache*, have toured France in 2016, finding a home at the Lyon-based headquarters of the neo-Nazi GUD (Groupe Union Défense), a pub named *Le Pavillon Noir*⁷⁹. Holocaust-deniers are few. The first generation of them is growing old (Faurisson turned 88 and Pierre Guillaume is aged 77) and there are but a few noteworthy activists of the younger generation. The best known is Vincent Reynouard (1969), who is currently on the run in the UK, following a 2015 conviction⁸⁰. Other noteworthy rabid anti-Semites are Hervé Ryssen (1967) who was sentenced to two months in jail (in March 2016), then in September 2016 to a

⁷⁵ <https://www.fff.fr/actualites/171112-578118-reunion-fare-a-la-fff>

⁷⁶ On the Marseille incidents : http://www.lexpress.fr/actualite/sport/des-hooligans-russes-expulses-de-france_1802002.html

⁷⁷ <https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000032510750&categorieLien=id>

⁷⁸ <https://www.facebook.com/lemovice.official/>

⁷⁹ Report of 2016 NSBM activity on an Antifascist webzine based in Lyon : <https://rebellyon.info/Deux-rassemblements-National-Socialist-17005>

⁸⁰ <http://france3-regions.francetvinfo.fr/normandie/le-negationniste-vincent-reynouard-definitivement-condamne-1030731.html>

one year non-suspended sentence⁸¹. On 21 April 2016 another such figure, Boris Le Lay, received a two years sentence in absentia. He allegedly fled to Japan⁸².

The Extreme-Right in France mainly consists of the Front national, founded in 1972. In 2016 it had 2 MPs and 2 Senators, had 14 elected Mayors, 358 Regional Councillors and 24 members of the European Parliament, two of whom have defected since 2014. As other political parties in France, FN receives public funding, on the basis of the number of votes it gets in the National elections. In 2015 (last data available), the party received 4 921 595,30 €un public funding⁸³. However, there have been reports of financial misdemeanors against the party. In 2016, two distinct judicial inquiries were pending. One dealt with a very sophisticated scheme which would have enabled the party to get more money from the State than the amount that should have been granted⁸⁴. The other one deals with the party employing staff members paid by the European Parliament without any sufficient proof that they served on the staff of Euro-MPs. The Parliament gives an estimate of 5 million euros being unduely paid⁸⁵. There have been numerous reports in the press of the FN having received Russian money. The party has acknowledge having been granted a 9 million euros 2014 loan by the now defunct First Czech-Russian Bank, whose CEO was Roman Popov. In December 2016, the Russian media reported that the Control Authority of the Russian banking system was trying to get reimbursed by FN⁸⁶. The daily newspaper Le Monde has published a survey of the many visits to Russia made by FN officials until the 24 March 2017 meeting between Marine Le Pen and President Putin⁸⁷. However, there is no proof that Putin himself gave an order to any Russian bank or company to finance FN. We have shown that the support given by FN and other small Extreme-Right parties (such as Parti de la France, led by Carl Lang) was not because of financial reasons in the first place but that, on the contrary, FN might have received Russian financial help because it supports the ideological and geopolitical claims of the Putin administration on such issues as moral values, the necessity to weaken the EU, the anexation of Crimea, the Russia-Ukraine crisis in the Donbass and the necessity to lift sanctions against Russia⁸⁸.

Since Marine Le Pen was elected as chairperson of the party in January 2011, she has tried to change the image of the party, with the goal of attaining power through the electoral process, and without signing any pact with the mainstream Right. She genuinely wanted to get rid of the most notoriously neo-Fascist militants in the party and fired quite a lot of them, including key leaders of the now-banned Œuvre française. She has also parted ways with her father, Jean-Marie Le Pen, on the ground that he kept on making allegedly racist and anti-Jewish remarks. Subsequently, she has banned him from seating on the party's Executive Board. Le Pen Sr. Retorted by suing his daughter in court and won his lawsuit in 2016⁸⁹. Marine Le Pen has also

⁸¹ <http://www.actuj.com/2016-09/france/4023-antisemitisme-sur-les-reseaux-sociaux-herve-ryssen-condamne-a-un-an-de-prison-ferme>

⁸² ce3-regions.francetvinfo.fr/bretagne/finistere/brest/deux-ans-de-prison-ferme-pour-l-ultranationaliste-boris-le-lay-980896.html

⁸³ Government data : <http://www.data.gouv.fr/fr/datasets/comptes-des-partis-et-groupements-politiques/>

⁸⁴ http://www.lemonde.fr/politique/article/2017/02/25/front-national-un-systeme-de-financement-a-l-opacite-organisee_5085550_823448.html

⁸⁵ <https://www.lesechos.fr/politique-societe/politique/0212020871523-pour-la-commission-europeenne-le-fn-a-detourne-5-millions-deuros-2083054.php>

⁸⁶ <https://rns.online/it-and-media/aSV-podalo-v-sud-iz-za-dolga-po-kreditu-partii-Marin-Le-Pen-v-PCHRB-2016-12-26/>

⁸⁷ http://www.lemonde.fr/les-decodeurs/article/2016/11/18/le-front-national-et-la-russie-une-idylle-qui-dure_5033857_4355770.html

⁸⁸ J. Y. Camus : Le FN et les relations internationales (2016) : <https://jean-jaures.org/nos-productions/le-front-national-et-les-relations-internationales>

⁸⁹ http://www.lexpress.fr/actualite/politique/fn/fn-la-justice-valide-l-exclusion-de-jean-marie-le-pen-qui-reste-president-d-honneur_1851412.html

tried to lure Gay people, and even Jews into joining the party, by claiming that only FN can protect them from Islamism, which she says is the new Totalitarianism of this century. She was not at the forefront of the demonstrations against same-sex marriage. However, when it comes to the Jews, her political programme calls for a ban on ritual slaughter and wearing the kippah on the streets. Despite those moves towards a more mainstream attitude, the outcome of the 2017 elections show that her party is still perceived as extreme.

10. Persecution of human rights activists

A January 2016 inquiry published by Human Rights Watch expressed concern that after the State of Emergency was enacted, 18 people were detained without a serious motive and several of them have been ill-treated⁹⁰. The CCIF gave a figure of 180 Muslim people who reported that they had been under house arrest, or their home had been searched, without serious motive⁹¹. Because of the COP 21 summit which was held in Paris in December 2015, two dozen Left-Wing activists had been targeted by the police, for fear that they might want to disrupt the event. The sanctions against them were later lifted. Starting in May 2016, demonstrations against the reform of the Labour Code were organized by trade unions and Left-Wing parties on an almost daily basis. Several Left-Wing activists belonging to the Anarchist, Autonomous Left and the so-called Black Blocs were targeted by administrative sanctions, for example banning them from attending demos⁹². Article 5 of the State of Emergency Law allow the Préfet, in the name of the State, to take such a step. However when in May, 10 people were banned from the demos and chose to challenge the decision in court, 9 of the bans were lifted⁹³. There have been calls from the FN and even by Manuel Valls to ban Extreme-Left groups which had engaged into violence against the police during the Labour Law protests⁹⁴. There was no action taken.

Conclusion

· **General recommendations for the accession to international agreements and conventions.**

The major concern at the end of 2016 is the situation of refugees. During 2016, clashes between police and migrants continued in Calais after the authorities moved in to dismantle parts of the refugee camp known as the “Jungle” where approximately 3,500 people lived⁹⁵. Amnesty International rightly pointed out that both the French and UK governments had to live up to their responsibilities in facilitating access to asylum proceedings in France and getting visas to the UK for those with family members there⁹⁶. The sanitary condition of those still living there, the violent clashes that often take place between different ethnic groups of migrants and the danger of clandestine immigrants dying when they try to cross the Channel through the railway tunnel or in trucks where they are smuggled by traffickers, needs immediate action. In Paris,

⁹⁰ <https://www.hrw.org/fr/news/2016/02/03/france-abus-commis-dans-le-cadre-de-letat-durgence>

⁹¹ <http://www.islamophobie.net/articles/2017/06/22/temoignages-etat-durgence/>

⁹² See Environmentalists denouncing the ban : <http://www.bfmtv.com/societe/cop21-les-militants-ecologistes-denoncent-les-abus-de-l-etat-d-urgence-932603.html>

⁹³ http://www.lemonde.fr/police-justice/article/2016/05/17/interdiction-de-manifester-la-justice-suspend-neuf-arretes-sur-dix-a-paris_4920974_1653578.html

⁹⁴ <http://lesmoutonsenrages.fr/2016/06/24/manuel-valls-envisage-de-dissoudre-des-groupes-dextreme-gauche/>

⁹⁵ The best assessment of the migrant’s situation in France is a Senate report from Conservative Senator Jacques Legendre and his socialist colleague, Gaétan Gorce: <http://www.senat.fr/rap/r15-795/r15-795-syn.pdf>

⁹⁶ <https://www.amnesty.fr/refugies-et-migrants/actualites/evacuation-du-camp-de-calais--des-familles-attendent>

although the municipality opened in November 2016 a shelter home that can cater to the needs of 400 migrants, there are now around 800 who live outside the camp, including children⁹⁷. Unsufficient funding from the State does not allow the City of Paris to accommodate more people.

· **General recommendations for adjustments to the legal framework.**

The European Charter for Regional or Minority Languages (ECRML) a European treaty (CETS 148) adopted in 1992 under the auspices of the Council of Europe to protect and promote historical regional and minority languages in Europe, should be ratified by Parliament.

· **General recommendations for the executive bodies in the field of enforcement of law and human rights.**

It is advisable that, taking into account the existing terrorist threat, which remains very high, the Government foresees a way to end with the State of Emergency. A new Antiterrorist Law has been passed in July 2017⁹⁸, that would make it possible to exit the State of Emergency next fall. There is a concern among NGOs that the upcoming legislation will make house-arrests and home searches legal for an indefinite period of time. The Passenger Name Record (PNR) legislation adopted by the European Parliament in 2016, would be extended to travel agencies and maritime transportation. Eavesdropping on private communications will be extended. It is essential that the implementation of the new Law takes into account the necessary control of such measures in order that civil liberties will prevail.

It is also advisable that the authorities continue to act against Antisemitism and hatred of the Muslims, both through education and more accurately taking into account Racism and Antisemitism as aggravating circumstances when an attack is obviously, and even at least partially, motivated by ethnic/religious prejudice. It is also advisable that even when the State of Emergency is over, community buildings, schools and events can be protected at a higher level than before the 2015 attacks.

New trends and risks.

The major risk in 2017 and after is what will become of those people residing in France who have joined ISIS and who might return with the intent to take action on our soil. The present situation is that those who have been captured by the Iraqi forces and who have violated local law will be prosecuted in Iraq and appear before the local courts. Those who surrender to Allied forces, including the French, will be repatriated and stand trial here, unless the Iraqi also want to put them to court for offenses they may have committed⁹⁹. This problem means that the French Government will have to think both about the intelligence work it must set up so that those former fighters do not strike in France, and about a more efficient scheme of reinsertion and desindoctrination for those same people.

How to improve the situation?

It should finally be said that one of the major problems we face in France is the ban on ethnic and religious statistics. The debate on this topic has been going on for years, if not decades,

⁹⁷ http://www.liberation.fr/france/2017/02/27/a-paris-le-nouveau-centre-pour-migrants-deja-sature_1551416

⁹⁸ Text : <http://www.senat.fr/leg/tas16-115.html>

⁹⁹⁹⁹ <http://www.europe1.fr/societe/les-djihadistes-francais-dirak-beneficient-de-laide-consulaire-3393071>

both within Human Rights NGOs, elected officials and the academia. First of all, even those who are in favor of such statistics do not want to set up legal categories of ethnic and religious denominations. What is wanted is that people are authorized to state where their family comes from and what is their religion, when a general census of the population is made. All data would be collected on a voluntary basis. It is understandable that, in the French context of the Nation-State and Secularism, Civil Rights activists and NGOs such as SOS-Racisme oppose ethnic statistics. However, one can also argue that the absence of such statistics enables the Extreme-Right to play with fears by saying that the country is “swamped” by foreigners and refugees, or that Muslims are between 15 and 20 million when they are less than 5 million¹⁰⁰.

¹⁰⁰ (see: <http://resistancerepublicaine.eu/2016/08/12/il-y-a-en-france-environ-20-millions-de-musulmans-un-tiers-de-notre-population/>)