

Organization for Defending Victims of Violence (ODVV)

UPR Submission

43th session of UPR Working Group (May 2023)

France



سازمان دفاع از قربانیان خشونت
Organization for Defending Victims
of Violence

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About ODVV

1. The Organization for Defending Victims of Violence (ODVV) is a non-governmental, non-profit, non-political organization in Special Consultative Status to ECOSOC. ODVV was established in 1988 in Tehran and has been active in the field of human rights and humanitarian activities.

2. ODVV is also associated to the United Nations Department of Global Communications (DGC), a member of the Conference of Non-Governmental Organizations (CONGO), AMAN Network of Rehabilitation Centers in the Middle East and North Africa and International Rehabilitation Council for Torture Victims (IRCT). ODVV has cooperated with international organizations in a variety of issues and has working relations with many NGOs in Iran and around the globe.

3. ODVV is focused on promoting human rights, supporting victims of violence, empowering Iranian civil society, and offering human rights consultations to the Iranian institutions and organizations. ODVV is actively involved in running various human rights education courses, workshops, seminars, and conferences. Other activities include:

- Participation in UN Commission on Human Rights and the Human Rights Council sessions in Geneva;
- Publication of different books and booklets on human rights such as Rights of the Child, Unilateral Coercive Measures (Economic Sanctions), Racism, Racial Discrimination, Islamophobia and Xenophobia;
- Publishing *Defenders* Quarterly (in English), human rights news and developments *Weekly* (in Farsi), daily updating ODVV websites in English, Farsi and Arabic;
- Internship for Iranian and international students.

4. ODVV is submitting the following report on the human rights situation of France in order to contribute to the improvement of human rights in the country.

Minority Rights and Islamophobia

5. France is in breach of its human rights obligations with regards to minorities. While, in previous UPR cycle, the country has supported 24 recommendations on minority rights and non-discrimination.¹

6. Public officials expressed stereotypical views and prejudices against Muslims during public debates on the “republican principles” legislation. Aiming to protect neutrality and “secularism”, the law strengthened the ban on manifesting religion or belief in the public sector, including by non-employee contributors to a public service. Under international human rights law, these were not legitimate aims justifying restrictions to the right to freedom of religion or belief.²

7. Policies created under this guise aim to further stereotype all Muslims as terrorists and further isolating an already marginalized minority. According to official data published in July 22, overall bias crimes decreased by 26 percent in 2020 compared to 2019 but anti-Muslim acts increased by 52 percent.³ This is while the country has received 8 recommendations on the situation of Muslims and other minorities and accepted⁴ or partially accepted⁵ 7 recommendations including to "Step up efforts against anti-Semitism and anti-Muslim violence."⁶

8. The principles of equality and non-discrimination are principal grounds of a democratic government which France seems to violate. Police in France engages in longstanding and widespread ethnic profiling that constitutes systemic discrimination. Ethnic profiling is a pervasive and systemic problem in French policing. An especially widespread occurrence involves disproportionate targeting of young men for identity checks, frisks, and searches based on their skin colour, presumed ethnicity, “race”, religion, or national origin. In July 2021, a coalition of organizations filed a class action lawsuit to the Council of State arguing that the government had failed to take measures to prevent racial profiling and systemic racial discrimination by police.⁷

¹ Recommendations No. 145: .37-48-185-207-219-208-186-130-55-297-73-78 and etc.

² <https://www.amnesty.org/en/location/europe-and-central-asia/france/report-france/>

³ <https://www.hrw.org/world-report/2022/country-chapters/france>

⁴ Recommendations No. 145.55, 145.67, 145.73, 145.296 (accepted on minorities and Muslims)

⁵ Recommendations No. 145.64, 145.72, 145.206 (partially accepted on minorities and Muslims)

⁶ . Recommendations No. 145.67

⁷ <https://www.justiceinitiative.org/newsroom/a-class-action-lawsuit-in-france-challenges-racist-police-tactics>

Refugees and Migrants Rights

9. The authorities continue to forcibly return ethnic Chechens to Russia despite high risks of their suffering serious human rights violations there.

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

11. In September 2021, the National Consultative Commission on Human Rights (CNCDH) raised concerns regarding a speech that President Emmanuel Macron had made during the Taliban's takeover of Afghanistan.⁸ President Macron emphasized the need to ensure protection of asylum seekers while countering "irregular migration" from Afghanistan.

12. All this is despite the fact that France has supported 34 recommendations⁹ in regards to migrants, asylum seekers and refugees in the last UPR cycle in 2018 and has committed to better act to provide support for them¹⁰.

Arms Trade and Foreign Policy

13. France has accepted recommendation 145.31 offered by Panama and has agreed to refrain from "transferring conventional weapons when these can be used to violate human rights or international humanitarian law, in line with its obligations under the Arms Trade Treaty and target 16.4 of the Sustainable Development Goals". This is while mounting evidence of war crimes by the Saudi and UAE-led coalition in Yemen and lack of accountability for these crimes, Saudi Arabia was France's biggest arms buyer in 2020. In September 2021, civil society organizations launched court proceedings to ensure transparency and access to information on arms transfers from France to Saudi Arabia and the United Arab Emirates, which had a substantial risk of being used to commit or facilitate serious violations of international human rights or humanitarian law in the conflict in Yemen. The government and parliament failed to reach an agreement to establish a parliamentary oversight mechanism on arms transfers.¹¹ In June 2022, three non-governmental organisations said they had filed a lawsuit at a Paris court against three top French arms' producers for alleged war crimes

⁸ <https://www.amnesty.org/en/location/europe-and-central-asia/france/report-france/>

⁹ Recommendations No. 145: 48-68-187-276-289-278-280-293-281-154-171-186-286-294-266 and etc

¹⁰ For example, in No. 145.272 France agreed to "Further increase efforts aimed at protecting asylum seekers and migrants."

¹¹ <https://www.amnesty.org/en/location/europe-and-central-asia/france/report-france/>

complicity in Yemen after selling weapons to Saudi Arabia and the UAE.¹²

14. Although France signed on to a joint declaration at the UN Human Rights Council condemning the human rights situation in Egypt in March, in May, it announced a deal, financed through French loans, for the sale of 30 Rafale fighter jets to Egypt.¹³ A few months before, President Emmanuel Macron said he would not make the sale of weapons to Egypt conditional on human rights.¹⁴

15. In May, French Foreign Minister Jean-Yves Le Drian warned of “a risk of apartheid” in Israel’s treatment of Palestinians, noting that “even the status quo produces this.” However, France abstained at the Human Rights Council on a resolution that established a commission of inquiry into violations in Israel and the Occupied Palestinian Territory (OPT). Also, the French president has equated opposition to Israel’s Zionist political ideology with hatred of Jews.¹⁵

Recommendations

16. ODVV believes that special attention must be paid to the human rights of minorities and France should enhance policies aimed at combating racial discrimination, xenophobia and Islamophobia in line with the 10 accepted and partially accepted recommendations on the previous UPR Cycle to "prevent", "address", "eliminate", "combat" and provide "effective response to xenophobia and racism in the country.

17. The French government should take steps to eliminate all forms of discrimination against minorities including Muslims. France should take the necessary measures to punish hate speech, especially on the social media against minorities, in line with the accepted recommendations on the previous UPR Cycle. France has received 10 recommendations on "addressing", "prohibiting", "punishing" and "combating" hate speech in 2018, and accepted all 10 recommendations in this regard.¹⁶

18. ODVV urges France to effectively protect the rights of refugees and migrants, and to take measures to address the issue and to accelerate asylum determination procedures. In line with the accepted recommendations received on ensuring the rights of migrants and protection of human rights in the context of migration and asylum¹⁷.

¹² <https://www.france24.com/en/middle-east/20220602-rights-groups-allege-french-arms-makers-complicit-in-yemen-war-crimes>

¹³ <https://www.hrw.org/world-report/2022/country-chapters/france>

¹⁴ <https://www.reuters.com/article/france-egypt-macron-arms-idUSKBN28H1G1>

¹⁵ <https://electronicintifada.net/blogs/ali-abunimah/france-rejects-apartheid-label-israel>

¹⁶ Recommendations No. 145.80, 145.81, 145.82, 145.83, 145.85, 145.87, 145.88, 145.89, 145.95, 145.96.

¹⁷ . Recommendations No. 145.210, 145.266, 145.267, 145.269, 145.271, 145.272, 145.273, 145.274, 145.275, 145.276, 145.277, 145.278, 145.279, 145.280, 145.281 and 145.282

19. France should refrain from transferring weapons when these can be used to violate human rights or international humanitarian law. In line with the accepted recommendation 145.31, paragraph 13 present submission.