

# France - Human Rights Scorecard <sup>1</sup>

France, in Western Europe, encompasses medieval and port cities, tranquil villages, mountains and Mediterranean beaches. Paris, its capital, is known worldwide for its couture fashion houses, classical art museums including the Louvre and monuments like the Eiffel Tower. France is a key member of the European Union, and plays a key role in establishing EU policy and stability. France has also been the target of several terrorist attacks in recent years, making it increasingly susceptible to restrictions on liberties.<sup>2</sup>

**Official languages:** French

**Ethnic groups:** 85% French or white European; 10% Maghrebis; 3.5% of diverse African ethnicities; 1.5% of diverse Asian ethnicities

**Government:** Unitary semi-presidential constitutional republic

- President: François Hollande

- Prime Minister: Manuel Valls

- President of the Senate: Gérard Larcher

- President of the National Assembly: Claude Bartolone

**Death penalty:** Abolitionist for all crimes

**Population:** 66.6 millions

**Life expectancy:** 78 years for men/ 85 years for women

**Under-5 mortality:** 44 per 1000

**Adult literacy:** 99 percent



## Section 1: Respect for the Integrity of the Person

Respect for the integrity of the individual is the most fundamental of human rights groupings. It guarantees protection of the person to ensure the right to life, and freedom from torture. It also prevents arbitrary detention, and disappearances, and ensures the right to a free and fair trial when accused.

### Freedom from arbitrary or unlawful deprivation of life



**Respected**<sup>3</sup>

There were no reports that the government or its agents committed arbitrary or unlawful killings.

### Freedom from disappearance



**Respected**<sup>4</sup>

There were no reports of politically motivated disappearances, abductions, or kidnappings.

### Freedom from torture and other cruel, inhuman or degrading treatment or punishment



**Partially respected**<sup>5</sup>

The constitution and law prohibit such practices. There were, however, occasional accusations of police engaging in discriminatory or degrading treatment.

### Freedom from arbitrary arrest or detention



**Respected**<sup>6</sup>

The constitution and law prohibit arbitrary arrest and detention, and the government generally observes these prohibitions, although lengthy pre-trial detentions have sometimes been a problem.

### Freedom from denial of fair public trial



**Respected**<sup>7</sup>

The constitution and law provide for an independent judiciary and the government respects judicial independence.

### Freedom from arbitrary interference with privacy, family, home or correspondence



**Respected**<sup>8</sup>

The constitution and law prohibit interference with privacy, family, home, or correspondence, and there were no reports that the government failed to respect these prohibitions.

## Section 2: Respect for Civil Liberties

*Civil liberties are a basic category of internationally recognized human rights. They include the freedoms of expression, assembly, association, education, and religion. These are inalienable rights which should not be breached by government, and should ensure the rights of all, including women and minority groups.*

### Freedom of speech and press (*Reporters Without Borders Press Freedom Index*)<sup>9</sup>



**Score: 21.89, Rank: 39 / 179 – Mostly free, diverse, and independent**<sup>10</sup>

The constitution provides for freedom of speech and press “in conditions prescribed by the law,” but the government at times restricted these rights. The government intimidated and arrested journalists who expressed views it deemed critical on sensitive topics.

### Freedom from academic censorship



**Respected**<sup>11</sup>

There were no government restrictions on academic freedom.

### Freedom of peaceful assembly and association



**Respected**<sup>12</sup>

The constitution and law provide for the freedoms of assembly and association, and the government generally respects these rights.

### Freedom of religion



**Partially respected**<sup>13</sup>

The constitution and other laws and policies protect religious freedom and, in practice, the government generally ensures these protections. However, some laws and policies restrict religious expression in public (e.g. laws that prohibits the wearing of the niqab, etc.)

### Protection of refugees and stateless persons



**Respected**<sup>14</sup>

The constitution and law provide for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respects these rights.

### Overall protection of civil liberties (*FreedomHouse Civil Liberties Index*)<sup>15 16</sup>



**1/ 7 – Free**<sup>17</sup>

The media operate freely and represent a wide range of political opinions. Freedom of assembly and association are respected. The rule of law is firmly established.

## Section 3: Respect for Political Rights

*Political rights ensure all members of society are able to influence the political process. The assessment of political rights includes an examination of the electoral process and the selection of representatives, the political empowerment of the general public, the tolerance of dissent, the accountability of government, etc..*

### Overall protection of political rights (*FreedomHouse Political Rights Index*)<sup>18</sup>



**1 / 7 – Free**<sup>19</sup>

Parties organize and compete on a free and fair basis. Ministers and political personalities are placed under investigation when suspected of corruption, fraud or tax evasion. Members of the cabinet have to publicly declare their assets.

## Section 4: Corruption and Lack of Transparency in Government

*The civil, political, economic and social rights exercised within a country are often modulated by the degree of transparency and freedom from corruption. Various international metrics assess transparency and corruption, including the OECD anti-bribery convention, the Bribe Payers Index, and the Open Budget Index.*

### Transparency and freedom from corruption (*Transparency International Corruption Perceptions Index*)<sup>20</sup>



**Score: 70%, Rank: 23 / 168 – Limited corruption**<sup>21</sup>

In France, anti-corruption measures are guaranteed by the constitution and generally well enforced by the government, according to Transparency International.

## Section 5: Governmental Response to Criticism

This section deals specifically with the response heads of state have to civil society or international human rights reports.

### Governmental attitudes vis-à-vis independent investigations of alleged human rights violations



#### Respected<sup>22</sup>

A wide variety of domestic and international human rights organizations generally operate, investigate, and publish their findings on human rights cases without government restrictions. Government officials are cooperative and responsive to their views.

## Section 6: Discrimination and Societal Abuses

Legal and social discriminatory practices related to sex, race, creed or sexual orientation, are violations of human rights. Countries with strong civil liberty traditions should have a fair legal system that ensures the rule of law, allows free economic activity, and ensures equality of opportunity for all.

### Rights of women (World Economic Forum Gender Gap Index)<sup>23</sup>



#### Score: 76.1, Rank: 15/ 145 – Somewhat unequal rights<sup>24</sup>

Women in France are underrepresented in the Parliament and do not enjoy wage quality for similar work or senior positions. However, they have access to the same number of ministerial positions and, on average, their educational levels are higher than that of men.

### Rights of Children (KidsRights Index Overall Score)<sup>25</sup>



#### Score: 90%, Rank: 10 / 165 –Protected<sup>26</sup>

Its ranking as a runner in the top 10 well indicates that France is one the countries to best protect rights of children in the world.

### Rights of persons with disabilities



#### Respected<sup>27</sup>

The constitution and law prohibit discrimination against persons with physical or mental handicaps in employment, education, access to transportation and health care. The government generally enforced these provisions effectively.

### Rights of national/racial/ethnic minorities (e.g. discrimination, Islamophobia, anti-Semitism etc.)



#### Largely disrespected<sup>28</sup>

Societal violence and discrimination against ethnic minorities remain a problem. Discriminatory hiring practices in both the public and private sectors deprive minorities of equal access to employment. Anti-Roma and anti-Muslim incidents are common in France.

### Freedom from abuse and discrimination based on sexual orientation or gender identity



#### Respected<sup>29 30</sup>

Same-sex marriage and adoption for same-sex couples are legal in France since 2012. Authorities pursued and punished perpetrators of violence against lesbian, gay, bisexual and transgender persons.

## Section 7: Workers' Rights

Workers' rights are a group of legal rights relating to labour relations between workers and their employers. At their core are things like the ability to negotiate pay, benefits, terms of employment, and safe working conditions. These rights often devolve from the right to unionize and access to collective bargaining.

### Rights to freedom of association and to collective bargaining



#### Respected<sup>31</sup>

The constitution and labour law protect the rights of workers, including migrant workers, to form and join unions of their choice. The law provides for the right to bargain collectively and allows unions to conduct their activities without interference.

### Freedom from forced or compulsory labour



#### Partially respected<sup>32</sup>

The law prohibits all forms of forced or compulsory labour, and it is punishable of up to 10 years of imprisonment. In the informal economy, men, women and children (mainly from Eastern Europe, West Africa, and Asia) can still face conditions of forced labour, including domestic servitude.

## Freedom from forced labour for children, and a minimum age of employment



### Partially respected<sup>33</sup>

The government effectively enforced labour laws, although some children continued to be exploited in the worst forms of child labour, including commercial sexual exploitation and forced criminal activity.

## Right to acceptable conditions of work



### Respected<sup>34</sup>

The minimum wage is of 9.53 euros (\$11.90) per hour. The official workweek is 35 hours. The government sets occupational health and safety standards in addition to those set by the EU. The government generally enforces these laws effectively.

## Right to employment



### 10.5% - High unemployment<sup>35</sup>

Unemployment in France has climbed over the past years, and is projected to further climb in the coming years.

<sup>1</sup> A hybrid human rights and freedoms model, leveraging both legal principles and intuitive classifications, has been used for this human rights assessment. The CJPME Foundation has sought to integrate as many independent sources and metrics into its summary analysis as possible. In many cases, for qualitative material pertaining to the respect for a particular right in a country, the CJPME Foundation has drawn on material from Human Rights Watch and the US State Department country reports. Human Rights Watch (HRW) publishes a World Report which assesses the respect for human rights in each country. HRW uses a methodology of local reporting and interviewing, combined with research and analysis to assess the level of respect of human rights. The U.S State Department keeps an updated publication on the state of human rights internationally. Their system of research and accountability draws from the research of official US State Department officials, as well as local civil-society and international human rights organizations.

<sup>2</sup> Commonly-known information on the country is drawn from various Internet sources, including Google country pages, and Amnesty International. For death penalty see: "Death sentences and executions in 2015." Amnesty International. Accessed February 25, 2016. <https://www.amnesty.org/en/what-we-do/death-penalty/>

<sup>3</sup> "Country Reports on Human Rights Practices for 2014 France." U.S Department of State. January 1, 2014. Accessed February 25, 2016. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>4</sup> Ibid. U.S Department of State. For purposes of the present analysis, a "disappearance" is different than simple arbitrary detention because a "disappearance" is considered permanent.

<sup>5</sup> Ibid. U.S Department of State.

<sup>6</sup> Ibid. U.S Department of State.

<sup>7</sup> Ibid. U.S Department of State.

<sup>8</sup> Ibid. U.S Department of State.

<sup>9</sup> The Press Freedom Index published by Reporters Without Borders ranks the level of freedom of information in 180 countries. This is determined through the polling of local NGOs and freedom of expression civil society organizations across the globe. This index is also determined by local correspondents and follow-up work done on reports of infringement to press freedom where ever it takes place. Their methodology looks at six different indicators: 1) Media pluralism, 2) Media independence, 3) Media atmosphere and self-censorship, 4) the Law around media, 5) Media transparency, and 6) Media infrastructure. The score from these six indicators is combined with a rating for the violence against journalists in the country to create an overall score. The CJPME Foundation classifies the Press Freedom Index as follows: 0 – 14.99 (16 countries), Largely free, diverse and independent; 15 – 24.99 (37 countries), Mostly free, diverse and independent; 25 – 29.99 (31 countries), Partially free, diverse and independent; 30 – 39.99 (39 countries), Partially controlled, limited or intimidated; 40 & higher (57 countries), Highly controlled, limited or intimidated.

<sup>10</sup> "World Press Freedom Index." Reporters Without Borders: For Freedom of Information. January 1, 2015. Accessed February 25, 2016. <https://rsf.org/index2014/en-index2014.php>

<sup>11</sup> "Country Reports on Human Rights Practices for 2014 France" U.S Department of State. January 1, 2014. Accessed February 25, 2016. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>12</sup> "France" World Report 2014: France. January 1, 2014. Accessed February 25, 2016. <http://www.hrw.org/world-report/2014/country-chapters/bahrain>.

<sup>13</sup> "France." International Religious Freedom Report for 2014. January 1, 2014. Accessed February 25, 2016.

<http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>.

<sup>14</sup> "France." World Report 2014: France. January 1, 2014. Accessed February 25, 2016. <http://www.hrw.org/world-report/2014/country-chapters/france>.

<sup>15</sup> Freedom House is an internationally recognized NGO based in the U.S which documents and rates the quality of democratic practice in a given country. Freedom House splits its grading system between the two areas of civil and political rights in a country. On each scale, the Freedom House rating is 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free).

<sup>16</sup> Freedom House's Civil Liberties index measures things such as a) freedom of expression and belief, b) associational and organizational rights, c) the rule of law, and d) personal autonomy and individual rights. Freedom House rates countries as 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free). Accessed February 25, 2016 [https://www.freedomhouse.org/report/freedom-world-2014/methodology#\\_VidwWzHF98F](https://www.freedomhouse.org/report/freedom-world-2014/methodology#_VidwWzHF98F)

<sup>17</sup> "France." Freedom in the World 2014: France. January 1, 2014. Accessed February 25, 2016. <https://freedomhouse.org/report/freedom-world/2014/france>

<sup>18</sup> See footnote about the Freedom House organization above. The Freedom House Political Rights assessment looks at a) the electoral process, b) political pluralism and participation, and c) the functioning of government. Accessed February 25, 2016. <https://freedomhouse.org/report/freedom-world/2014/france>

<sup>19</sup> "France." Freedom in the World 2014: France. January 1, 2014. Accessed February 25, 2016. <https://freedomhouse.org/report/freedom-world/2014/france>

<sup>20</sup> Transparency International (TI) publishes a "Corruption Perceptions Index" annually, which is based on independent research and polling. The main categories of corruption are broken down within the index to provide particulars on issues including things such as perceptions of corruption, control of corruption, and financial secrecy. A country receives a score on 100; the higher the score, the less corrupt the society. The CJPME foundation has classified them into categories as follows:

80-100 (11 countries): Very limited corruption; 60-79 (27 countries): Limited corruption; 40-59 (41 countries): Some corruption; 20-39 (80 countries): Highly corrupt; 0-19 (15 countries): Extremely corrupt

<sup>21</sup> "France" Corruption by Country. January 1, 2014. Accessed February 25, 2016. <http://www.transparency.org/country#FR>.

<sup>22</sup> "Country Reports on Human Rights Practices for 2014 France." U.S Department of State. January 1, 2014. Accessed February 25, 2016. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>23</sup> This metric is based on the World Economic Forum's Gender Gap Index. 0.00 denotes inequality between the sexes, and 1.00 denotes fully equality between the sexes. This index looks at four subdomains: economic participation and opportunity; educational attainment; health and survival; and political empowerment. Each country is given a percentage score; the higher the percentage, the better the protections. The CJPME Foundation classed the percentages as follows: 80-100% (5 countries): Almost equal rights; 70-79% (60 countries): Somewhat unequal rights; 0-69% (77 countries): Very unequal rights

<sup>24</sup> "France." World Economic Forum. January 1, 2015. Accessed February 25, 2016. <http://reports.weforum.org/global-gender-gap-report-2015/economies/#economy=FRA>

<sup>25</sup> This metric is based on the KidsRights Index Overall Score. This index has five subdomains: life expectancy and maternal mortality; health; education; protection; and child rights environment. Each country is given a percentage score; the higher the percentage, the better the protections. KidsRights classes the countries according to these percentages, and the CJPME Foundation has given each class a term as follows: 70-100% (77 countries): Protected; 60-70% (29 countries): Somewhat protected; 45-50% (33 countries): Slightly vulnerable; 30-45% (12 countries): Highly vulnerable; Lower than 30% (11 countries): Extremely vulnerable

<sup>26</sup> "The KidsRights Index: Overall Ranking." The KidsRights Index. Accessed February 25, 2016. <http://www.kidsrightsindex.org/>

<sup>27</sup> "Country Reports on Human Rights Practices for 2014 France." U.S Department of State. January 1, 2014. Accessed February 25, 2016. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>28</sup> Ibid. U.S Department of State.

<sup>29</sup> "ILGA World Map." International Lesbian Gay and Intersex Association. January 1, 2015. Accessed February 25, 2016. <http://ilga.org/>. See also Ibid. U.S Department of State.

<sup>30</sup> ILGA, the International, Lesbian, Gay, Bisexual, Trans and Intersex Association, was founded in 1978 on the principle of highlighting state sponsored homophobia where it exists around the world. ILGA annually publishes a map with an accompanying report on sexual and gender based harassment, which focuses on both the legal and non-legal acts of state sponsored discrimination.

<sup>31</sup> "Country Reports on Human Rights Practices for 2014 France." U.S Department of State. January 1, 2014. Accessed February 25, 2016. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>32</sup> Ibid. U.S Department of State.

<sup>33</sup> Ibid. U.S Department of State.

<sup>34</sup> Ibid. U.S Department of State. See also a well-done Wikipedia comparison of wage, income and work week metrics across countries at [http://en.wikipedia.org/wiki/List\\_of\\_minimum\\_wages\\_by\\_country](http://en.wikipedia.org/wiki/List_of_minimum_wages_by_country)

<sup>35</sup> "Global Employment Trends." International Labour Organization. January 1, 2014. Accessed February 25, 2016. [http://www.ilo.org/global/research/global-reports/global-employment-trends/2014/WCMS\\_233936/lang--en/index.htm](http://www.ilo.org/global/research/global-reports/global-employment-trends/2014/WCMS_233936/lang--en/index.htm).