

# FRANCE 2015 HUMAN RIGHTS REPORT

## EXECUTIVE SUMMARY

France is a multiparty constitutional democracy. The president of the republic is elected by popular vote for a five-year term. Voters elected Francois Hollande to that position in 2012. The upper house (Senate) of the bicameral parliament is elected indirectly through an electoral college, while the public elects the lower house (National Assembly) directly. The 2012 presidential and National Assembly elections, the 2014 elections for the Senate, and the 2015 regional elections were considered free and fair. Authorities generally maintained effective control over the security forces.

The most significant human rights problems during the year included an increasing number of anti-Semitic and anti-Muslim incidents. Government evictions of Roma from illegal camps were also reported. There continued to be significant problems as well in the judicial system, including lengthy pretrial detention and protracted investigations and trials.

Other reported human rights problems included instances of excessive police use of force against detainees at time of arrest and against migrants and asylum seekers, credible allegations of child sexual abuse by French peacekeeping forces in Africa, overcrowding and unhygienic conditions in prisons, societal violence against women, trafficking in persons, and employment discrimination based on sex, gender, disability, and national origin.

The government took steps to prosecute and punish security forces and other officials who committed abuses. Impunity was not widespread.

Terrorists targeted the country during the year. The country suffered two major attacks, at least two terror-related individual killings, and several attempted attacks that led to investigations and prosecutions. As of the end of the year, police and prosecutors continued to investigate elements of the attacks.

*Note: The country includes 11 overseas administrative divisions covered in this report. Four overseas territories in French Guiana, Guadeloupe, Martinique, and La Reunion have the same political status as the 22 metropolitan regions and 101 departments on the mainland. Five divisions are overseas “collectivities”: French Polynesia, Saint-Barthelemy, Saint-Martin, Saint-Pierre and Miquelon, and Wallis and Futuna. New Caledonia is a special overseas collectivity with a*

*unique, semiautonomous status between an independent country and an overseas department. Citizens of these territories periodically elect deputies and senators to represent them in parliament, like the other overseas regions and departments.*

## **Section 1. Respect for the Integrity of the Person, Including Freedom from:**

### **a. Arbitrary or Unlawful Deprivation of Life**

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

Between January 7 and 9, there were a series of coordinated terrorist attacks in the Paris metropolitan area. On January 7, Said and Cherif Kouachi stormed the Paris offices of satirical magazine Charlie Hebdo, killing 12 persons, including cartoonists and police officers. On January 8, Amedy Coulibaly killed a female police officer and injured a sanitation worker in Montrouge. On January 9, Coulibaly attacked a kosher grocery in Paris and killed four shoppers.

An Algerian student, Sid Ahmed Ghlam, accused of plotting a terrorist attack on a church in Villejuif, was allegedly responsible for the April 19 murder of a 32-year-old woman in the same town.

On June 26, Yassin Salhi killed and beheaded his boss in Saint-Quentin-Fallavier, near Lyon.

On November 13, 130 persons were killed in terror attacks carried out in Paris and Saint-Denis in coordinated assaults conducted by at least nine attackers working in three separate teams, for which the Islamic State in Iraq and the Levant terrorist group claimed responsibility.

### **b. Disappearance**

There were no reports of politically motivated disappearances.

### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

The constitution and law prohibit such practices, and security and military personnel usually respected human rights principles in their work. There were, however, occasional accusations of abuses.

There were reports that police beat, kicked, and used pepper spray against migrants and asylum seekers in the port city of Calais (see section 2.d.).

In 2012 the Council of Europe's Committee for the Prevention of Torture (CPT) released a report on its 2010 visit to the country. The report noted detainee allegations of excessive use of force by police during arrests and beatings shortly after arrest, some of which involved minors and persons suffering from psychiatric disorders. In many cases CPT physicians identified injuries to prisoners consistent with the allegations.

There were credible allegations of sexual abuse by French peacekeepers during the year in Sub-Saharan Africa that were currently under investigation by the government. The allegations emerged in April and included the sexual abuse of homeless children by French troops stationed in the Central African Republic's capital Bangui as part of Operation Sangaris. The Ministry of Defense condemned the alleged abuse, stating that it would ensure the strictest sanctions against anyone responsible. The case was under investigation by the Paris prosecutor's office.

On December 30, according to reliable international press sources, UN international peacekeeping troops, allegedly from France, Burundi, Morocco, and Gabon, were listed as using a prostitution ring in the M'Poko camp, paying 50 cents to \$3 for sex with young girls. While the UN has not officially confirmed participant nationalities, UN officials were cited in the press accounts as the source for these countries being implicated.

### **Prison and Detention Center Conditions**

While prisons and detention centers met many international standards, credible nongovernmental organizations (NGOs) and government officials reported overcrowding and unhygienic conditions in prisons.

Physical Conditions: The maximum acceptable capacity for the country's 191 prisons was 57,759 inmates. As of September, the Prison Service reported the country's prisons held 65,544 inmates, representing 113 percent of prison capacity. The number of inmates decreased slightly from the end of 2014. Detention conditions for women were often better than for men because overcrowding was less common. The occupancy rate was 177.5 percent at the Faa'a Nuutania prison in French Polynesia and 218 percent at the Ducos prison in Martinique.

On July 30, following a request filed by the International Observatory for Prisons, the Council of State, the country's highest administrative court, ordered the prison administration to take "all the necessary measures" to improve detention conditions at the Nimes prison, where the occupancy rate was 186 percent.

Although there were no known deaths in prison due to mistreatment or adverse conditions during the year, prison suicides remained a problem. According to the Ministry of Justice, 93 inmates committed suicide in 2014, a rate considerably higher than that outside prison.

On August 4, the Criminal Court of Amiens sentenced a prison warden to a six-month suspended prison sentence and a fine of approximately 10,000 euros (\$11,000) for failure to assist a prisoner with suicidal tendencies. The prisoner's family received the compensation after the individual committed suicide in 2011.

In its 2012 report, the CPT raised concerns about inadequate medical and psychiatric staffing and degrading treatment of prisoners by prison staff during medical evaluations in some prisons. The CPT also noted overall good conditions in detention centers but mentioned detainee complaints of derogatory comments by staff and the lack of opportunities for detainees to work or engage in other activities.

Administration: Authorities investigated credible allegations of inhuman conditions and documented the results in a publicly accessible manner.

Independent Monitoring: The government permitted prison visits by independent human rights observers, both local and foreign. In addition to periodic visits by the CPT, the UN Committee against Torture regularly examined prisons, most recently in 2010.

#### **d. Arbitrary Arrest or Detention**

The constitution and law prohibit arbitrary arrest and detention, and the government generally observed these prohibitions, although lengthy pretrial detention was a problem.

#### **Role of the Police and Security Apparatus**

Under the direction of the Ministry of the Interior, Overseas France, Local Authorities, and Immigration, a civilian national police force of 145,000 and a

national gendarmerie of 98,000 maintained internal security. In conjunction with specific gendarmerie units used for military operations, the army was responsible for external security under the Ministry of Defense. Observers considered police and gendarmes generally effective.

Civilian authorities maintained effective control over the national police force, the gendarmerie, and the army, and the government has effective mechanisms to investigate and punish abuse and corruption. Official impunity was not widespread. The inspector general of national police and the Office of Judicial Police investigated and prosecuted allegations of brutality in the police force and the gendarmerie, a unit within the armed forces responsible for general law enforcement. The defender of rights, the equivalent of an official ombudsman for civil liberties, investigated allegations of misconduct by municipal police, gendarmes, and private security forces and reported its findings to the prime minister and parliament. According to the 2014 defender of rights report, individuals filed 702 complaints against security forces in 2014.

In February 2014 a prosecutor on Reunion Island charged four police officers with voluntary aggravated assault and failure to assist a person in danger after they fired a flash-ball (a nonlethal, handheld weapon), causing a teenager to lose an eye. The date of the trial had not been set by year's end.

On July 21, the defender of rights called for a ban on police using flash-ball guns during demonstrations following several cases in which demonstrators sustained injuries from the weapon. In 2013 and 2014, the defender of rights was called upon to examine seven cases in which serious injuries or permanent infirmities were allegedly sustained due to the use of flash-ball guns. On July 22, Interior Minister Bernard Cazeneuve announced he would not ban police use of flash-balls.

On June 24, in five decisions, the Paris Court of Appeals ordered the government to pay damages to five men who were subjected to unwarranted police identity checks that observers believed constituted racial profiling. The government must pay a 1,500 euro (\$1,650) fine to each. The complaints had initially been dismissed in a 2013 trial. The plaintiffs claimed they had been subject to unjustified identity checks because of the color of their skin.

### **Arrest Procedures and Treatment of Detainees**

The law requires police to obtain warrants based on sufficient evidence prior to detaining suspects, but police can immediately arrest suspects caught committing

an illegal act. Individuals have the right to a judicial notification on the legality of their detention during their first hour in custody, and authorities generally respected this right.

By law police must inform persons taken into custody of their right to remain silent and their right to have a lawyer present during questioning. Authorities must inform detainees of charges against them once they are in police custody, and defense lawyers can ask questions throughout the interrogation. If a medical examination is required, the examiner must respect professional confidentiality. The law forbids complete strip searches except in cases where authorities suspect the accused of hiding dangerous items or drugs. A system of bail exists, and authorities made use of it. Detainees generally had access to a lawyer, and the state provides legal counsel to indigent detainees. The law allows police to detain individuals for up to 24 hours if police suspect them of having committed a crime punishable by a prison sentence. Authorities may extend this period of detention for an additional 24 hours regardless of the seriousness of the crime.

In cases involving terrorism or drug trafficking, the law allows extended periods of detention before notification to counsel. Authorities may hold suspects for up to 96 hours without charge or access to a lawyer and may petition a judge to extend detention by an additional 48 hours. Following this maximum six-day period, authorities must either charge suspects or release them.

Pretrial Detention: Long delays in bringing cases to trial and lengthy pretrial detention were problems. Although authorities generally allowed pretrial detention only in cases involving possible sentences of more than three years in prison, some suspects spent many years in detention before trial. As of August pretrial detainees made up approximately 26 percent of the prison population.

#### **e. Denial of Fair Public Trial**

The constitution and law provide for an independent judiciary, and the government generally respected judicial independence; however, delays in bringing cases to trial were a problem. The country does not have an independent military court; rather, the Paris Magistrates Court tries any military personnel who commit crimes outside the country.

#### **Trial Procedures**

The constitution and law provide for the right to a fair trial, and an independent judiciary generally enforced this right. Defendants enjoy a presumption of innocence, and authorities inform defendants of the charges against them at the time of arrest. Except for those involving minors, trials are public and usually held before a judge or tribunal of judges. In cases where the potential punishment exceeds 10 years' imprisonment, a panel of professional and lay judges hears the case. Defendants have the right to be present and to consult with an attorney in a timely manner. Authorities provide an attorney at public expense if needed when defendants face serious criminal charges. Defendants are able to question the testimony of prosecution witnesses and present witnesses and evidence in their defense. Authorities allow defendants adequate time and facilities to prepare a defense. Defendants and their attorneys have access to government-held evidence relevant to their cases. Defendants have the right to remain silent and to appeal.

### **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees.

### **Civil Judicial Procedures and Remedies**

There is an independent and impartial judiciary in civil matters and access to a court to bring lawsuits seeking damages for, or cessation of, human rights violations. Individuals can file complaints with the European Court of Human Rights for alleged violations of the European Convention on Human Rights by the state once they have exhausted avenues for appeal through the domestic courts.

### **f. Arbitrary Interference with Privacy, Family, Home, or Correspondence**

The constitution and law prohibit interference with privacy, family, home, or correspondence, and the government generally respected these prohibitions.

## **Section 2. Respect for Civil Liberties, Including:**

President Hollande declared a state of emergency in the wake of the November 13 terrorist attacks. On November 20, parliament voted to extend the nationwide state of emergency beyond the normal 12-day limit, from November 26 to February 26, 2016. An extended state of emergency gives significantly expanded powers to the police and state authorities. Prefects in all regions are able to decide on the provisional closure of concert halls, restaurants, or any public place. They also have authority to prohibit public demonstrations or gatherings, as appropriate. A

state of emergency also gives the police and prefects authority to search homes without a warrant. Authorities may place persons of interest and their relatives under house arrest if they are deemed to pose a threat to national security. Since the state of emergency was authorized, police have, as of December 15, carried out 2,700 antiterrorism raids across the country. Authorities arrested a total of 334 persons as a result of these raids, of which 287 were placed in custody for questioning.

The state of emergency does not include censorship of the press, but does allow blocking of websites and social networks linked to or advocating terrorism. It also includes the possibility of dissolving associations acting in favor of serious disruption of public order. Some NGOs and Green Party members of parliament expressed concerns that the state of emergency poses a threat to the balance between security and individual rights.

#### **a. Freedom of Speech and Press**

The constitution and law provide for freedom of speech and press, and the government generally respected these rights. An independent press, an effective judiciary, and a functioning democratic political system combined to ensure freedom of speech and press.

Freedom of Speech and Expression: While individuals could criticize the government publicly or privately without reprisal, there were some limitations of freedom of speech. Strict antidefamation laws prohibit racially or religiously motivated verbal and physical abuse. Written or oral speech that incites racial or ethnic hatred and denies the Holocaust or crimes against humanity is illegal. Authorities may deport a noncitizen for publicly using “hate speech” or speech constituting a threat of terrorism.

On March 17, a Paris court found controversial comedian Dieudonne M’bala M’bala guilty of condoning terrorism for a comment he made on Facebook suggesting he sympathized with one of the jihadists responsible for the January terror attacks in Paris. The court gave him a suspended sentence to two months in prison. On November 10, the European Court of Human Rights ruled in a separate case against M’bala M’bala, who had appealed the state’s fining him for making anti-Semitic comments during his performances on freedom of speech grounds. The court ruled that laws on freedom of expression did not offer protection for anti-Semitic comments or statements denying the Holocaust.



Press and Media Freedoms: While the independent media were active and generally expressed a wide variety of views without restriction, the media were subject to the same antidefamation and hate speech laws that limited freedom of speech. The law provides protection to journalists, who can be compelled to reveal sources only in cases where serious crimes occurred and access to a journalist's sources was required to complete an official investigation.

### **Internet Freedom**

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications without appropriate legal oversight. Of the general population, nearly 84 percent used the internet in 2014, according to the International Telecommunication Union.

On June 24, the parliament adopted an intelligence bill that granted new powers to the intelligence services to monitor suspected threats to public order and detect future terrorists. The bill also provided an enhanced legal framework for the intelligence services' activities. Civil liberties groups and digital freedom activists expressed their opposition to the text and argued that the new rules on intelligence gathering could lead to mass surveillance with inadequate oversight. On July 23, following its review, the Constitutional Council announced that it approved the majority of the legislation, rejecting only three articles.

In March the government ordered the blocking of five websites suspected of condoning terrorism and spreading hate speech, using the provisions of a 2014 anti-terrorism bill for the first time. Internet service providers were given 24 hours to take "all necessary measures" to block the listing of sites provided by the government.

According to the law, during a state of emergency exceptional powers allow the interior minister to take "all the measures" necessary to block sites suspected of "condoning terrorism or encouraging acts of terrorism."

### **Academic Freedom and Cultural Events**

There were no government restrictions on academic freedom or cultural events.

### **b. Freedom of Peaceful Assembly and Association**

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

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at [www.state.gov/religiousfreedomreport/](http://www.state.gov/religiousfreedomreport/).

### **d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons**

The constitution and law provide for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights. The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to refugees, asylum seekers, stateless persons, and other persons of concern.

The law requires persons engaged in itinerant activities with a fixed domicile to obtain a license that is renewable every four years. Itinerant persons without a fixed abode must possess travel documents.

In a July 7 ruling, the Administrative Court of Paris overturned the government's administrative ban against a French citizen leaving the country and ordered the state to return her passport and identity card and to pay 1,500 euros (\$1,650) compensation for damages. The court ruled that the Ministry of Interior committed a "mistake of judgment" in confiscating relevant documents and did not adequately justify its decision to prevent her travel.

### **Protection of Refugees**

During the year many countries in the EU and Southeast Europe experienced an unprecedented wave of migration from the Middle East, Africa, and Asia, consisting of a mix of asylum seekers/potential refugees, economic migrants, and trafficking victims, among others. For simplicity, this report will refer to these populations as "migrants and asylum seekers" if more specific information is not available

Access to Asylum: The country's laws provide for the granting of asylum or refugee status, and the government has a system for providing protection to

refugees. The system was active and accessible to those seeking protection. The Office for the Protection of Refugees and Stateless Refugees (OFPRA) provided asylum application forms in 24 languages, including English, Albanian, Russian, Serbo-Croatian, Turkish, Tamil, and Arabic, although applicants must complete them in French, generally without government language assistance.

On July 15, the parliament adopted a law on asylum reform to improve procedures for assessing asylum cases. The law requires the reduction of application processing times, from 24 months to nine, and introduces a directed housing system so that asylum seekers are not concentrated in a handful of regions and enjoy better reception conditions.

Authorities maintained administrative holding centers for foreigners who could not be immediately deported. Authorities could hold undocumented migrants in these facilities for a maximum of 45 days. There were 25 holding centers on the mainland and three in the overseas territories with a total capacity of 1,755.

Safe Country of Origin/Transit: The government considered 16 countries to be “safe countries of origin” for purposes of asylum. A “safe country” is one that provides for compliance with principles of liberty, democracy, rule of law, and fundamental human rights. This policy reduced the chances of an asylum seeker from one of these countries obtaining asylum but did not prevent it. While individuals originating from a safe country of origin may apply for asylum, they may receive only a special form of temporary residence status that allows them to remain in the country. Authorities examined asylum requests through an emergency procedure that cannot exceed 15 days. Countries considered “safe” included Albania, Armenia, Benin, Bosnia and Herzegovina, Cabo Verde, Georgia, Ghana, India, Macedonia, Mauritius, Moldova, Mongolia, Montenegro, Senegal, Serbia, and Tanzania. Kosovo was removed from the list in October 2014.

In June the government began systematic checks at the border with Italy near the town of Ventimiglia in order to return migrants and asylum seekers to be processed in the first EU country where they arrived or requested protection, as required under EU regulations.

Refoulement: While the government provided protection against the expulsion or return of persons to countries where their lives or freedom would be threatened, human rights groups regularly criticized the government’s deportation practices for their strict adherence to the law. During the year several French NGOs provided

legal advice to migrants and asylum seekers and criticized individual cases of deportations.

Refugee Abuse: On June 22, Human Rights Watch (HRW) submitted a report to the UN Human Rights Committee alleging police abuse of migrants and asylum seekers in the port city of Calais. The report stated that, in November and December 2014, HRW had documented police beating and using pepper spray against migrants and asylum seekers as they walked in the streets or hid in trucks in hope of traveling to the United Kingdom. The report also noted that, on May 11, a local group posted a video online, taken on May 5, that appeared to show police officers pushing, kicking, and beating migrants and asylum seekers who tried to hide in trucks and spraying pepper spray in their direction, even as they were leaving the road. According to the report, on May 12, authorities announced that the national police's internal inspectorate, the public prosecutor of Boulogne-sur-Mer, and the defender of rights were looking into the matter.

Access to Basic Services: In 2013 the defender of rights submitted his report on the overall migration situation in the department of Mayotte, located in the Indian Ocean. Observing that approximately 3,000 unaccompanied foreign minors on the island were not receiving assistance, the defender of rights sent a letter to the interior minister in February 2014 that urged the government to establish a representation of the French Office for Immigration and Integration on Mayotte to provide better support to minors. Since 2012 local police can detain suspected undocumented migrants up to four hours for not having a residency permit.

Durable Solutions: The government has provisions to manage a range of solutions for integration, resettlement, and return of refugees and asylum seekers. The government accepted refugees for resettlement from other countries and facilitated local integration and naturalization, particularly of refugees in protracted situations. The government assisted in the safe, voluntary return of refugees to their homes.

The government continued to promote an EU-wide approach to the European migrant crisis as the primary solution to the influx of migrants and asylum seekers to Europe during the year. According to the Ministry of Foreign Affairs and International Development, between 2011 and 2014, the country admitted 10,000 Syrian refugees. On September 7, President Hollande announced that the country would accept an additional 24,000 refugees over the next two years. On September 24, Prime Minister Valls confirmed that the number of refugee admissions would not exceed 30,000.

Temporary Protection: Temporary protection is a procedure that provides for immediate temporary protection in the case of a mass influx or an imminent influx of displaced persons. Authorities often initiated this protection when the asylum system was unable to process such an influx. Authorities may grant individuals a one-year renewable permit, which could be extended for an additional two years. According to OFPRA the government granted temporary protection to 14,589 persons in 2014.

### **Stateless Persons**

OFPRA reported there were 1,288 stateless persons in the country as of December 2014, which OFPRA attributed to various factors, including contradictions between differing national laws, government stripping of nationality, or lack of birth registration. As the agency responsible for the implementation of international conventions on refugees and stateless persons, OFPRA provided benefits to stateless persons. The government provides a one-year residence permit marked “private and family life” to persons deemed stateless, which allows them to work. After two permit renewals, stateless persons can apply for and obtain a 10-year resident permit.

The laws afford individuals the opportunity to gain citizenship. A person may become a citizen if either parent is a citizen, is legally adopted by a citizen, is a child born in the country to stateless parents or to individuals whose nationality does not transfer to the child, or through marriage to a citizen. A person who has reached the legal age of majority, 18, may apply for citizenship through naturalization after five years of habitual residence in the country. Applicants for citizenship must have good knowledge of both the French language and civics.

### **Section 3. Freedom to Participate in the Political Process**

The constitution and law provide citizens the ability to change their government through free and fair periodic elections based on universal and equal suffrage, and citizens exercised that ability.

### **Elections and Political Participation**

Recent Elections: The 2012 presidential and national assembly elections were considered free and fair, as were the September 2014 Senate and the December 2015 regional elections.

#### **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for corruption by officials, and the government generally implemented the law effectively. There were some reports of government corruption during the year.

Corruption: On September 11, a prosecutor requested a two-year suspended prison sentence, a 20,000 euros (\$22,000) fine, and five years of ineligibility for public office for a Socialist senator over bribery charges. He was accused of having provided public housing benefits in exchange for money. On October 22, the Nanterre criminal court found the senator guilty and sentenced him to two years in prison, including a one-year suspended sentence, and five years of ineligibility for public office and fined him 20,000 euros (\$22,000).

The inspector general of national police and the Inspectorate of the National Gendarmerie actively investigated and prosecuted allegations of police and gendarme corruption. Citizens can report police abuses on the internet through the Ministry of Interior's website, provided they identify themselves. In 2014 citizens registered 3,162 reports online.

Financial Disclosure: The president, members of the parliament and the European Parliament, ministers, regional and departmental council heads, mayors of larger communities, and directors of state-owned companies (post office, railway, and telephone) are required to declare their personal assets to the Commission for the Financial Transparency of Political Life at the beginning and the end of their terms. The commission issued and made available to the public periodic reports on officials' financial holdings on a discretionary basis at least once every three years.

The Central Office for the Prevention of Corruption (SCPC) is responsible for combating corruption. The SCPC is an interministerial agency formally attached to the Ministry of Justice. The SCPC's main role is to collect information regarding corruption-related offenses and use it to prevent corruption.

The Central Office for Combating Corruption and Financial and Tax Crimes investigates offenses including tax fraud, influence peddling, and failure of elected officials to make financial disclosures or report their own violations of the law.

Public Access to Information: The law provides for public access to government information, and the government provided access for citizens and noncitizens, including foreign media.

### **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights**

A wide variety of domestic and international human rights organizations generally operated, investigated, and published their findings on human rights cases without government restrictions. Government officials were cooperative and responsive to their views.

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

### **Section 6. Discrimination, Societal Abuses, and Trafficking in Persons**

The constitution and law prohibit discrimination based on race, sex, religion, political opinion, national origin or citizenship, social origin, disability, sexual orientation; age, language, or HIV or other communicable disease status, and the government generally enforced these prohibitions.

#### **Women**

The Ministry of Social Affairs, Health and Women's Rights is responsible for preparing and implementing government policies that enforce women's rights in society, fight discriminatory practices, and promote protection for female victims of violence and harassment. The ministry played a key role in drafting laws promoting gender equality and laws to redress women's precarious financial situation and to prevent domestic violence.

Rape and Domestic Violence: The law criminalizes rape, including spousal rape, and the government generally enforced the law effectively. The penalty for rape is 15 years' imprisonment, which may be increased, depending on the age of the victim and the rapist's relationship to the victim. The government and NGOs provided shelters, counseling, and hotlines for rape victims.

According to an inquiry conducted in 2013 by the Ministry for Social Affairs, Health, and Women's rights, 83,000 women were victims of rape or attempted rape each year. An estimated 11 percent of them reported the crime. On August 11, the daily *Le Figaro* published figures showing that the number of reported rapes in France increased by 18 percent from 2010 to 2014, while rape allegations involving children rose by more than 20 percent in the same period. Crimes against women who belong to an ethnic minority were generally underreported as they were less likely to file a lawsuit if their presence in the country was undocumented.

The law prohibits domestic violence against women and men, including spousal abuse, and the government generally enforced the law. The penalty for domestic violence against either gender varies according to the type of crime, ranging from three years in prison and a fine of 45,000 euros (\$49,500) to 20 years in prison. The government reported that spouses killed 118 women and 23 men in domestic violence cases in 2014, a 3.5 percent decrease from 2013. The ONDRP estimated that 216,000 women between the ages of 18 and 75 residing in the country were victims of physical and sexual domestic violence in metropolitan France in 2010-13. The government sponsored and funded programs targeted at female victims of violence, including shelters, counseling, hotlines, free mobile phones, and a media campaign. The government also supported the work of 25 associations and NGOs dedicated to fighting domestic violence.

The government budgeted 66 million euros (\$73 million) to fund its 2014-16 interministerial plan to combat violence against women, a 50 percent increase over the previous three-year plan. The program focused on enhancing protection and social assistance for survivors, increasing the number of social workers in police stations and beds in emergency shelters, expanding the operating hours of a free emergency domestic abuse hotline, raising public awareness about rape and violence against women, and improving training to help health care and other government employees identify victims.

Female Genital Mutilation/Cutting (FGM/C): FGM/C was a problem. The law prohibits FGM/C as “violence involving mutilation or permanent infirmity.” It is punishable by up to 10 years in prison (20 years if it involves a minor under the age of 15 and when the offence is committed by any person with authority over the minor) and a fine of 150,000 euros (\$165,000). The law also criminalizes inciting a minor to undergo FGM and inciting another person to perform FGM. Both are punishable by up to five years’ imprisonment and a fine of up to 75,000 euros



(\$82,500). The government provides reconstructive surgery and counseling for FGM/C victims.

According to the Ministry of Social Affairs, Health, and Women's Rights, during 2014, approximately 20,000 women, half of whom were minors, were circumcised or at risk of FGM/C. According to a study released in 2007 by the National Institute for Demographic Studies (INED), 53,000 circumcised women resided in the country. The majority of FGM/C victims were recent sub-Saharan African immigrants who had had the procedure performed in their country of origin.

Sexual Harassment: The law prohibits gender-based job discrimination and harassment of subordinates by superiors. Sexual harassment is defined as “subjecting an individual to repeated acts, comments, or any other conduct of a sexual nature that are detrimental to a person's dignity because of their degrading or humiliating character, thereby creating an intimidating, hostile, or offensive environment.” The law divides sexual harassment into two categories: the first, for repeated instances of harassment, carries a maximum sentence of two years' imprisonment and a 30,000 euros (\$33,000) fine; the second, for a single serious offense, carries a maximum sentence of three years' imprisonment and a 45,000 euros (\$49,500) fine. The law also criminalizes discrimination against transgender individuals.

The Ministry of Justice estimated that 300,000 cases of sexual harassment occurred in the country each year but that only approximately 1,000 victims filed complaints. Of those, approximately 80 resulted in convictions, with an average penalty of 1,000 euros (\$1,100). In 2014 the defender of rights published a French Institute of Public Opinion survey which indicated that one in five women reported facing sexual harassment in her professional life and that 5 percent of those cases were brought to trial.

In 2014 Defense Minister Le Drian announced an action plan to fight sexual harassment and violence against women in the French armed forces. The plan focused on four main areas: victims' assistance, prevention, transparency (notably the publication of annual statistics on this matter), and disciplinary sanctions. The plan also included the creation of a surveillance unit to protect victims of sexual harassment and violence in the army.

On July 9, Minister of State for Women's Rights Boistard, Interior Minister Cazeneuve, and Transport Minister Vidalies announced a 12-point plan to combat sexual harassment on public transport, including a new text alert system to report

incidents more rapidly. The announcement followed a report, published on April 16 by the High Council for Equality between Men and Women, in which 100 percent of 600 women from Seine-Saint-Denis and Essonne surveyed said they had experienced sexual harassment on public transport.

Reproductive Rights: Couples and individuals have the right to decide the number, spacing, and timing of their children, manage their reproductive health, and had the information and means to do so, free from discrimination, coercion, and violence.

Discrimination: The law prohibits gender-based job discrimination and harassment of subordinates by superiors, but does not apply to relationships between peers. The constitution and law provide for the same legal status and rights for women as for men, including under family, labor, property, nationality, and inheritance laws. There was discrimination against women with respect to employment and occupation (see section 7.d.) and were underrepresented in most levels of government leadership.

The Ministry for Social Affairs, Health and Women's Rights is responsible for the legal rights of women. The constitution and law provide for equal access to professional and social positions.

## **Children**

Birth Registration: The law confers nationality to a child born to at least one parent with French citizenship or a child born in the country to stateless parents or to parents whose nationality does not transfer to the child. Parents must register births of children regardless of citizenship within three days at the local city hall. Parents who do not register within this period are subject to legal action.

Child Abuse: There are strict laws against child abuse by parents or guardians, and the government generally enforced the law effectively and prosecuted abusers. The defender of rights acts as the government's advocate for children and is in charge of defending and promoting children's rights. The government provided counseling, financial aid, foster homes, a free emergency number for abused children, and orphanages for abuse victims. Various NGOs helped minors in cases of mistreatment by parents.

On June 23, police arrested and placed in custody eight members of a human trafficking network after they allegedly forced Bosnian women and children to beg

and steal in the streets of several French cities. The operation was conducted jointly with Bosnian authorities. An investigation was ongoing as of November.

Early and Forced Marriage: The minimum legal age for marriage is 18. Child marriage was a problem, particularly in communities of African or Asian descent. According to human rights observers, 70,000 children between the ages of 10 and 18 were at risk of forced marriage. Although most forced marriage ceremonies occurred outside the country, authorities took steps to address the problem. The law provides for the prosecution of forced marriage cases, even when the marriage occurred abroad. Penalties for violations are up to three years' imprisonment and a 45,000 euro (\$49,500) fine. Women and girls could seek refuge at shelters if their parents or guardians threatened them with forced marriage. The government offered educational programs to inform young women of their rights.

Female Genital Mutilation/Cutting (FGM/C): See information regarding girls under 18 in the women's section above.

Sexual Exploitation of Children: The law criminalizes the statutory rape of minors under the age of 15, the minimum age for consensual sex, and the government generally enforced the law effectively. The penalty for statutory rape is 15 years' imprisonment, which can be increased, depending on the age of the victim and relationship to the accused. The government and NGOs provided shelters, counseling, and hotlines for statutory rape survivors.

The law prohibits child pornography, and the maximum penalty for its use and distribution is five years' imprisonment and a 75,000 euro (\$82,500) fine. According to the most recent estimate available, a 2007 parliamentary report by the Commission on Foreign Affairs, between 3,000 and 8,000 children were sexually exploited in the country each year. Unaccompanied foreign minors were exploited for sexual purposes. Reports indicated that significant numbers of children, primarily from Romania, West Africa, and North Africa, were victims of forced prostitution in the country.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's report on compliance at [travel.state.gov/content/childabduction/english/legal/compliance.html](http://travel.state.gov/content/childabduction/english/legal/compliance.html), as well as country-specific information at [travel.state.gov/content/childabduction/english/country/france.html](http://travel.state.gov/content/childabduction/english/country/france.html).

## Anti-Semitism

There were approximately 550,000 Jewish residents in the country. NGO and government observers reported numerous anti-Semitic incidents during the year, including murders, physical and verbal assaults, and attacks on synagogues, cemeteries, and memorials. Anti-Semitic incidents and violence surged following the January 7 terrorist attack on the offices of the Charlie Hebdo satirical weekly in Paris. President Hollande and other government leaders condemned anti-Semitism during the year, particularly after the January 9 attack on a Paris kosher supermarket that resulted in the deaths of four Jewish hostages.

Both the Ministry of Interior and the Jewish Community Protection Service's (SPCJ) annual report cited 851 anti-Semitic incidents in 2014, compared with 423 in 2013. On July 13, the SPCJ cited 508 anti-Semitic acts in the first five months of 2015, representing an 84 percent increase over the same period in 2014. Although they made up only one percent of the country's population, Jews were the object of approximately 40 percent of hate crimes. The SPCJ accounting indicated that Jews were far more likely than members of other groups in the country to be the objects of verbal abuse or harassment.

On January 9, Amedy Coulibaly killed four Jewish hostages and critically injured four other Jewish hostages at a Hyper Cacher supermarket in Paris. Police killed Coulibaly during the incident. As of November, six men had been formally charged and placed in pretrial detention for their alleged links to Coulibaly. Following the attack, the government deployed 7,000 soldiers and 3,000 police to protect the 717 Jewish sites in the country.

On February 3, a knife-wielding man in Nice attacked three French soldiers providing security to a Jewish community center housing the consistory, a local radio station, and a Jewish NGO. Two of the soldiers were wounded in the attack and the assailant was arrested shortly after. President Hollande condemned the attack "in the strongest terms" and reaffirmed the state's determination "to act to protect the security of our compatriots." The soldiers had been deployed following the January terrorist attacks to protect Jewish religious and cultural sites throughout the country.

In October, Paris mayor Anne Hidalgo joined Mayors United against Anti-Semitism, an initiative calling on municipal leaders to publicly address and take concrete actions against anti-Semitism.

On February 12, hundreds of graves at a Jewish cemetery in Sarre-Union in France's Alsace region were desecrated, with tombstones pushed over and vaults opened. Five youths between the ages of 15 and 17 were arrested for damaging or destroying 250 tombs. The youths were charged with "the desecration of burial places due to the religion of the deceased" and with deliberately vandalizing property on public land, according to local prosecutor Philippe Vannier. The prosecutor stated that there was a clear "anti-Semitic motive" behind the alleged act.

On April 25, three assailants attacked a 53-year-old man as he was leaving a synagogue in Saint-Ouen. The assailants reportedly struck the victim on the head, spat on him, and repeatedly called him a "dirty Jew" as he was on his way home following the Shabbat service. One of the attackers threatened the victim with a knife but fled when bystanders intervened. A police investigation continued as of November.

### **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **Persons with Disabilities**

The constitution and law prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, air travel and other transportation, access to health care, and the provision of other government services. The government generally enforced these provisions effectively.

While the law requires companies with more than 20 workers to hire persons with disabilities. As of 2013 approximately 48 percent of the companies covered by the law had failed to do so (see section 7.d.).

The law requires that buildings, education, and employment be accessible to persons with disabilities. According to the government, an estimated 40 percent of establishments in the country were accessible. In 2014 the parliament allowed the government to extend deadlines for making buildings and facilities accessible and enabled it to issue new decrees regarding building accessibility. The decrees could give public and private establishments receiving public funds additional time to

meet accessibility requirements. On July 21, the parliament ratified the decrees, giving owners three to nine more years to make their buildings accessible.

The law also requires the establishment of centers in each administrative department to help individuals with disabilities in receiving compensation and employment assistance. During the year one million persons with disabilities received financial support from the government. As of September, the government paid each adult with disabilities 800.45 euros (\$880) per month.

In 2013 the Council of Europe issued a resolution that criticized the country for not fulfilling its educational obligations to persons with autism. The council's European Committee of Social Rights concluded that the country was violating the European Social Charter and called on it to report on its progress towards improvement in the schooling of children and training of young adults with autism. According to NGOs, only 20 percent of the estimated 80,000-100,000 children with autism attended school. On April 16, the minister of state for disabled people and the fight against exclusion announced a reinforcement of the government's autism plan for 2013-17.

On July 15, a Paris administrative court ordered the state to pay 240,000 euros (\$264,000) compensation to seven families of children with autism for deficiencies in their state-provided care. Following the ruling, the minister of state for disabled people and the fight against exclusion announced that the government would not appeal the court decision and admitted that the country had "an historical delay" in supporting children with autism.

In February 2014 authorities in Grenoble charged two teenagers with abuse of a vulnerable person while participating in a group that was recording and broadcasting violent images. The teenagers allegedly filmed themselves assaulting a young mentally disabled man and posted the video on Facebook. A third teenager was charged with complicity. On March 10, a Grenoble children's court gave the two teenagers one- and two-month suspended prison sentences. The third individual received a three-month prison sentence and a two-year suspended prison sentence. The court also ordered him to provide compensation to the victim.

### **National/Racial/Ethnic Minorities**

Societal violence and discrimination against immigrants of North African origin, Roma, and other ethnic minorities remained a problem. Many observers expressed concern that discriminatory hiring practices in both the public and private sectors

deprived minorities from sub-Saharan Africa, the Maghreb, the Middle East, and Asia of equal access to employment.

Citizens may report cases of discrimination based on national origin and ethnicity to the defender of rights. According to the most recent data available, in 2014 the defender of right's office received 4,535 discrimination claims, 23.7 percent of which concerned discrimination based on origin.

Following the 2013 publication of the far-right satirical weekly *Minute* with a cover comparing the country's black justice minister, Christiane Taubira, to a monkey, the Paris prosecutor's office opened a preliminary investigation into alleged "public insults of a racist nature." The magazine's headline read, "Crafty as a monkey, Taubira gets her banana back." Several antiracist NGOs filed lawsuits against the weekly. In October 2014 a Paris criminal court fined the director of the publication 10,000 euros (\$11,000) for racial hatred. The Paris prosecutor's office appealed the ruling. On September 17, a Paris appeals court upheld the fine. Taubira had faced repeated racist attacks allegedly linked to her advocacy of same-sex marriage.

In 2013 the National Front party suspended a local electoral candidate, Anne-Sophie Leclere, for a Facebook posting indicating she would prefer to see Minister Taubira "swinging from the branches rather than in government." In July 2014 the criminal court in Cayenne, French Guiana, sentenced her to nine months in prison, banned her from holding public office for five years, and fined her 50,000 euros (\$55,000). The court also fined the National Front 30,000 euro (\$33,000). Both parties appealed the ruling. On June 22, the Cayenne appeals court cancelled the nine-month prison sentence. The court also ruled that the legal action against Leclere, filed by the Guyanese association Walwari, was not admissible.

The government estimated the Muslim community to be between five and six million persons, consisting primarily of immigrants from former French North African and sub-Saharan colonies and their descendants. Government observers and NGOs reported a number of anti-Muslim incidents during the year, including slurs against Muslims, attacks on mosques, and physical assaults. The National Islamophobia Observatory of the French Council of the Muslim Faith, citing Interior Ministry figures, registered a 281 percent increase in anti-Muslim racist acts over the first six months of the year compared with the same period in 2014.

On November 19, the National Islamophobia Observatory of the French Council of the Muslim Faith announced that, since the November 13 terror attacks in Paris, 24

anti-Muslim acts were registered in the country. According to the government, 400 anti-Muslim acts were committed in the country during the year.

On March 24, two men attacked a pregnant Muslim woman in a public area in Toulouse as she was taking her two children to school. The men grabbed her veil, insulted her, and threw her to the ground, where she was struck several times. The woman filed a lawsuit that was pending at year's end. In a March 27 statement, Interior Minister Cazeneuve condemned "in the strongest possible manner" the attack and reiterated the government's determination to combat anti-Muslim acts.

On January 11, a fire of criminal origin broke out briefly at a mosque under construction in Poitiers. A few days earlier, on January 8, the mosque had been attacked by vandals who spray-painted "Death to Arabs" on the gate. An investigation was opened and the site was placed under police guard.

Following a December 25 demonstration against an ambush on December 24 that injured two firefighters in a housing project in Ajaccio, Corsica, a mob attacked a Muslim prayer room and tried to set fire to copies of the Quran. The mob also vandalized a kebab shop and shouted slogans such as "Arabs get out!" and "This is our home!" in the Corsican language. Corsican nationalist leaders condemned both incidents as "racist acts completely contrary to the Corsica that we want to see." Interior Minister Cazeneuve condemned the acts as "intolerable" acts against a place of worship that carried the "odor of racism and xenophobia." Corsica's prefect, Christophe Mirmand, announced that he would ban protests in and around the Jardins de l'Empereur estate after riot police and gendarmes stopped a crowd of about 300 persons from entering it on December 27. Police detained two men for links to the attack on firefighters.

Societal hostility against Roma, including many migrants from Romania and Bulgaria, continued to be a problem. There were reports of anti-Roma violence by private citizens.

In its annual report covering 2014, Amnesty International reported that authorities conducted forced evictions of Roma, failed to provide adequate alternative housing to evicted Romani individuals and families, did not track hate crimes against Roma, and did not take into account allegations of discriminatory motives when they investigated reports of attacks against Roma.

Authorities continued to dismantle camps and makeshift homes inhabited by Roma throughout the year. In the first half of the year, the European Roma Rights Center



reported the eviction of 3,947 Roma in 37 different localities. According to data collected by the European Roma Rights Center and the Human Rights League, authorities evicted 11,128 Roma from 111 illegal camps in 2015, an 18 percent decrease from 2014, when 13,483 Roma were evicted. According to the study, of the 111 settlement evictions, 76 followed a court decision and 31 followed a municipal or prefect order. Given the lack of housing alternatives, individuals generally moved to new camps after their eviction. According to a government study, an estimated 20,000 Roma resided in the country.

Romani migrants continued to experience discrimination in employment and occupation (see section 7.d.).

On February 17, the Council of Europe's Commissioner for Human Rights released a report on his September 2014 visit to the country. The commissioner noted that Roma continued to be targeted and stigmatized by hate speech by certain politicians and in the media. They were also the victims of violence by private individuals and at times members of law enforcement agencies, in particular during forced eviction operations. The commissioner also underlined the urgent need to provide Roma access to health care, education, housing, and employment, and to conduct public awareness-raising activities to combat stereotypes and prejudices against Roma and Travelers. On April 9, the French National Consultative Commission on Human Rights (CNCDH) noted in its annual report persistent societal tensions regarding the acceptance of certain minorities, notably the Romani population, and emphasized that anti-Roma prejudice remained high.

On May 15, the UN Committee for the Elimination of Racial Discrimination (CERD) adopted a concluding observation that expressed concern on the treatment of Roma in the country. Among the experts' concerns were the growing stigmatization of Roma and the increasing hate speech directed against them.

On September 11, the UN high commissioner for human rights, Zeid Raad al Hussein, expressed serious concern about ongoing forced evictions of Roma and Travelers in the country. He warned that authorities appeared to be making such evictions "systematic national policy" since 2012, noting the August 27 eviction of more than 150 inhabitants of a shantytown in the Paris suburb of La Courneuve. Al Hussein noted that failure to improve treatment of Roma "simply exacerbates entrenched popular discrimination against what is already one of Europe's most deprived and marginalized communities." He also noted that during the year both the CERD and the Human Rights Committee asked authorities to refrain from forced evictions if they did not provide alternative housing.

In 2014 the government voluntarily repatriated 4,477 undocumented migrants, to their countries of origin.

During the year there were several statements made by public figures regarded by NGOs as demeaning to members of the country's ethnic and racial minorities.

According to a study by the European Roma Rights Center, at the beginning of 2014, less than half of the children interviewed in six Romani settlements across the country were attending school, notwithstanding the law requiring municipalities to provide access to education for all children between the ages of six and 16. In 60 percent of the cases, local officials' refusal to accept Romani children was cited as the reason children were not enrolled.

Regarding "gens du voyage" (or Travelers), the law requires municipalities with more than 5,000 inhabitants to provide a campsite for "gens du voyage" with sanitary facilities and access to water and electricity. This law aims to accommodate Travelers by preventing them from parking on unauthorized sites. As of 2010, the most recent year for which data was available, municipalities had built only 52 percent of the campsites required by law.

The government attempted to combat racism and discrimination through programs that promoted public awareness and brought together local officials, police, and citizens. Some public school systems also managed antidiscrimination education programs. On September 9, the Ministry of Justice launched a website to inform and assist victims of discrimination.

### **Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity**

The law prohibits discrimination based on sexual orientation and gender identity. The statute of limitations is 12 months for offenses related to sex, sexual orientation, gender identity, and disability. Authorities pursued and punished perpetrators of violence based on sexual orientation or gender identity.

The NGO SOS Homophobia reported 2,197 homophobic acts in 2014, a 38 percent decrease from 2013. It reported 162 instances of physical assault, a 14 percent decrease from the previous year.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The constitution and labor law provide workers, including migrant workers, the right to form and join unions of their choice without previous authorization or excessive requirements. The law provides for the right to bargain collectively and allows unions to conduct their activities without interference. Workers, except those in certain essential services such as police and the armed forces, have the right to strike unless the strike threatens public safety. The law prohibits antiunion discrimination and forbids removing a candidate from a recruitment procedure for asking about union membership or trade union activities. The Ministry of Labor, Employment, Vocational Training, and Social Dialogue enforces related regulations.

Public-sector workers must declare their intention to strike at least 48 hours before the strike commences. Furthermore, a notification of intention to strike is permissible only after negotiations between trade unions and employers have broken down. Workers are not entitled to receive pay while striking. In practice, however, wages may be paid retroactively. For road transportation strikes, the law on minimum service provides for wages to be calculated proportionally to time worked while striking. Health care workers are required to provide a minimum level of service during strikes. Laws in the rail and passenger transport sectors prescribe minimum service levels that public transport workers must maintain during a strike; transport users must also receive clear and reliable information on the services that will run in the event of a disruption. Authorities effectively enforced laws and regulations prohibiting retaliation against strikers.

Workers freely exercised their rights to form and join unions, conduct union activities, and bargain collectively. Workers' organizations stressed their independence vis-a-vis political parties. Some of their leaders, however, did not conceal their political affiliations. Although the law prohibits antiunion discrimination, union representatives noted that it occasionally occurred, particularly in small companies.

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

The law prohibits all forms of forced or compulsory labor. The law recognizes the offenses of forced labor and servitude as crimes and provides for punishment of up to seven years' and up to 10 years' imprisonment, respectively, for violations.

Men, women, and children, mainly from Eastern Europe, West Africa, and Asia, were subject to forced labor, including domestic servitude (also see section 7.c.). There were no government estimates on the extent of forced labor among domestic workers, many of whom were migrant women and children. In 2014 the NGO Committee against Modern Slavery assisted 180 victims of forced labor, the majority of whom were women employed in domestic work.

On January 28, a criminal court in the city of Chantal, Aurillac, sentenced a logger to three years in prison for human rights violations. The 45-year-old French-Moroccan man had enslaved two young men who had come from his native village in Morocco. His son, who was found complicit in kidnapping and extortion with violence, was sentenced to one year in prison.

Also see the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The minimum age for employment is 16. There are exceptions for persons enrolled in certain apprenticeship programs or working in the entertainment industry, who are subject to further labor regulations for minors. The law generally prohibits persons under the age of 18 from performing work considered arduous or working between 10 p.m. and 6 a.m.

The government effectively enforced labor laws, although some children continued to be exploited in the worst forms of child labor, including commercial sexual exploitation and forced criminal activity. Inspectors from the Ministry of Labor, Employment, Vocational Training, and Social Dialogue investigated workplaces to enforce compliance with all labor statutes. To prohibit violations of child labor statutes, inspectors can impose penalties ranging from putting employers under observation to criminal prosecution. Employers convicted of using child labor risk up to five years' imprisonment and a 75,000 euro (\$82,500) fine. According to the 2013 report of the Labor Inspectorate, the country had 2,101 inspectors and comptrollers.

There were reports of Romani children engaged in forced begging, and some migrant children were in situations of domestic servitude. Commercial sexual exploitation of children also occurred (see section 6, Children).

### **d. Discrimination with Respect to Employment or Occupation**

The labor code prohibits discrimination based upon an individual's national origin, sex, lifestyle, sexual orientation, age, family situation, pregnancy, and state of health or disability. Authorities generally enforced this prohibition.

A gender equality law provides measures to reinforce equality in the workplace as well as sanctions against companies whose noncompliance could prevent women from bidding for public contracts. The law also requires employers to conduct yearly negotiations with employees on professional and pay equity between women and men in companies with more than 50 employees.

Employment discrimination occurred based on sex, gender, disability, and national origin.

The law requires that women receive equal pay for equal work. In a study released in 2013, the National Institute of Statistics and Economic Studies (INSEE) reported that in 2010, the most recent year for which data were available, the average annual private sector salary was 21,700 euros (\$23,900) for men, while women on average earned 15,603 euros (\$17,200) or 72 percent of the average salary for men. In 2013 the Ministry of Labor announced that, when working full-time, men earned 16 percent more than women. In the public sector, an INSEE study released in August reported that women's salaries were 85 percent those of men. Although they constituted 65 percent of the public sector workforce, women were underrepresented in managerial careers and faced continuing difficulties in attaining positions of higher responsibility. A 2012 INSEE study also indicated that 19 percent of salaried men in the private sector held managerial positions, while 12 percent of women with similar skills were managers. Women were generally much more likely to work part time, due in part to child-care responsibilities.

In a 2014 defender of rights report, 80 percent of women surveyed reported workplace discrimination due to pregnancy. According to a 2014 survey on gender equality by the defender of rights, pregnant women were most vulnerable to workplace discrimination. One-third of those surveyed reported they witnessed discrimination after a woman had returned to work from maternity leave.

The Fund Management Organization for the Professional Integration of People with Disabilities (AGEFIPH) reported that the unemployment rate for persons with disabilities grew 22 percent in 2014, faster than the growth rate for the general population (11 percent). The law requires that at least 6 percent of the workforce

in companies with more than 20 employees be persons with disabilities. The law requires noncompliant companies to contribute to a fund managed by AGEFIPH. Approximately 52 percent of companies met the requirement in 2013; 48 percent contributed into the fund, while a small number (mostly large corporations) received an exemption from the government based on a negotiated action plan, according to AGEFIPH.

As of January 2014, the country lifted work restrictions for Romanian and Bulgarian citizens. Access by Romani migrants to the country's labor market, however, did not improve their living conditions because of France's high unemployment rate, the lack of requisite professional skills and experience among many Roma, and employer reluctance to hire them.

#### **e. Acceptable Conditions of Work**

During the year, the government raised the national minimum wage to 9.61 euros (\$10.60) per hour, effective January 1. The Ministry of Labor enforced the minimum wage. According to 2012 data, the most recent year for which data was available, the poverty-level income rate was 987 euros (\$1,090) per month for an individual, 1,481 euros (\$1,630) for a couple, and 2,073 euros (\$2,280) for a couple with two children under the age of 14.

The official workweek is 35 hours, although companies may negotiate exceptions with employees. The maximum number of working days for white-collar workers is 235 days per year. Maximum hours of work are set at 10 hours per day, 48 hours per week, and an average of 44 hours per week over a 12-week work period. Workdays and overtime hours are fixed by a convention or an agreement in each sector in accordance with the labor code. Companies allow payment of overtime or special leave called RTT (reduction work-time).

Employees are entitled to a daily rest period of at least 11 hours and a weekly break of at least 24 hours total, not including the daily rest period. Employers are required to give workers a 20-minute break during a six-hour workday. Premium pay of 25 percent is mandatory for overtime and work on weekends and holidays. The standard amount of leave is five weeks per year (2.5 weekdays per month, equivalent to 30 weekdays per year). Some companies also allowed other compensatory days for hours worked in excess of 35 per week up to 39 called "spare-time account" and/or RTT. Hours worked in excess of 39 generally were remunerated.

The government sets occupational health and safety standards in addition to those set by the EU. Government standards cover all employees and sectors. Individual workers could report work hazards to labor inspectors, unions, or (for companies with more than 50 employees) their company health committee, but they did not have an explicit right to remove themselves from a hazardous workplace.

The Ministry of Labor, Employment, Vocational Training, and Social Dialogue is responsible for enforcing the law governing conditions of work and did so effectively. The government permitted salaries below the minimum wage for certain categories of employment, such as subsidized jobs and internships, which must conform to separate, clearly defined standards. In 2013, the most recent year for which data was available, there were an estimated 781 labor inspectors and 1,320 labor controllers in the country. Labor inspectors enforced compliance with the labor law. Disciplinary sanctions at work are strictly governed by the labor code to protect employees from abuse of power by their employers. Employees could pursue appeals in a special labor court up to the Court of Cassation. Sanctions depend on the loss sustained by the victim and were usually applied on a case-by-case basis.

Employers, except those in the informal economy, generally adhered to the minimum wage requirement. Immigrants were more likely to face hazardous work, generally because of their concentration in sectors like agriculture, construction, and hospitality/services.