



January 2007

La France à la loupe

Combating racism and anti-semitism in France

France has long had particularly advanced legislation, with **protection against all forms of discrimination** dating back to the 1789 French Declaration of the Rights of Man and of the Citizen.

INSTITUTIONAL MECHANISM

On 8 December 2003, the President of the French Republic issued a **decree** creating the **French Interministerial Committee to Combat Racism and Anti-Semitism** (CILRA) briefed to define policy guidelines to address these concerns. The committee oversees the consistency and effectiveness of the different ministries' actions in this area. It draws up an action programme and supervises its implementation. It works in six major areas: Security, Justice, Education, Social Cohesion, Communication and Foreign Affairs (see **press kit**).

The **High Authority to Fight Discrimination and to Promote Equality** (HALDE) was created by **Act 2004-1486 of 30 December 2004** and **Decree 2005-215 of 4 March 2005**. It is briefed to inform and guide the general public, assist victims of discrimination (and, where necessary, set up a preliminary inquiry following an official complaint), and promote and disseminate best practices. It issues opinions, launches outreach actions and conducts research and studies.

PREVENTIVE MECHANISM

The government's stated aim is to prevent such acts by upholding common values underpinned by:

- The mobilisation of the national education system to end sectarian drifts (see the **measures**);

- The reassertion of the principle of secularism;
- The maintenance of a high level of vigilance;
- The promotion of the French model of integration with the creation of the [High Council for Integration](#);
- An emphasis on the duty to remember.

Non-governmental organisations also play an important role in combating racism and anti-Semitism: Aide à Toute Détresse – Quart Monde (ATD Quart Monde), le Mouvement contre le Racisme et pour l’Amitié entre les Peuples (MRAP), la Ligue Internationale Contre le Racisme et l’Antisémitisme (LICRA) and Amnesty International.

LEGISLATIVE MECHANISM

The French legislative mechanism to combat racism and anti-Semitism is made up of a number of acts:

- The [act of 29 July 1881](#) on the freedom of the press (Chapter IV), the first law to **make public discriminatory statements an offence**;
- Act 72-546 of 1 July 1972 on combating racism, whereby a certain number of **everyday acts were made offences** (for example, the refusal to provide a good or dismissal for racial reasons);
- Act 90-615 of 13 July 1990 to crack down on all acts of racism, anti-Semitism and xenophobia with, in particular, **the creation of the offence of negation of crimes against humanity**;
- The new Criminal Code, which came into force on 1 March 1994, created **new offences and stepped up legal measures against racist offences** (legal entities may be declared criminally liable);
- Act 2003-88 of 3 February 2003 providing for **harsher penalties for racist, anti-Semitic and xenophobic offences**;
- [Act 2004-204 of 9 March 2004](#) to bring the justice system into line with new patterns of criminal behaviour specifies as an **aggravating circumstance the case where the offence is “preceded, accompanied or followed by the spoken word, the written word, images, objects or acts” that are racist or anti-Semitic.**

The law provides for different criminal sanctions to punish racist offences, ranging from a fine through loss of civil rights to imprisonment. For example, a racial insult is punishable by a maximum of six months’ imprisonment and/or a maximum fine of €22,500. The refusal to provide a good or service for reasons of national, ethnic, racial or religious discrimination is punishable by a maximum of two years’ imprisonment and a maximum fine of €30,000.

[Act 2004-575 of 21 June 2004](#) on confidence in the digital economy improves the prevention and enforcement system on the Internet. Internet service providers and hosts are now bound to contribute to the prevention of the dissemination of paedophilic, revisionist and racist data (see the [dossier](#) on this act by the French Internet Rights Forum).

SOME FIGURES

At the 7th meeting of the French Interministerial Committee to Combat Racism and Anti-Semitism held on 30 January 2006 (see the [press release](#)), the French Prime Minister presented the figures on the effectiveness of this policy: anti-Semitic acts fell 47% in 2005 compared with 2004, while other racist and xenophobic acts fell 22%.

The National Advisory Commission on Human Rights (CCNDH) details these figures in its latest report. It points out that there was a sharp rise in these acts in 2004, which was significantly reduced in 2005 by strong mobilisation and collective awareness building. Nevertheless, the CCNDH notes that these figures are still very high compared with the 1995-1999 period.

The HALDE's 2005 Annual Report presents a breakdown by discrimination criteria of the official complaints filed with the high authority: the highest percentage (39.6%) concerns discrimination on the basis of origin.

To find out more

DOCUMENTATION

- **Lutte contre l'antisémitisme, le racisme et la xénophobie (Combating Anti-Semitism, Racism and Xenophobia)**/Presidency of the French Republic website.
http://www.elysee.fr/elysee/elysee.fr/francais/les_dossiers/lutte_contre_l_antisemitisme_le_racisme_et_la_xenophobie/lutte_contre_l_antisemitisme_le_racisme_et_la_xenophobie.21477.html
- **Racisme et antisémitisme : une lutte efficace contre l'inacceptable (Racism and anti-Semitism: effectively combating the unacceptable)**/French Prime Minister's website, July 2005.
http://www.premier-ministre.gouv.fr/chantiers/racisme_antisemitisme_623/
- **Cybercriminalité : la politique du Gouvernement : la lutte contre le racisme et l'antisémitisme sur Internet (Cybercrime: the government's policy: combating racism and anti-Semitism on the Internet)**/French Internet website, April 2005.
<http://www.internet.gouv.fr/information/information/dossiers/cybercriminalite-politique-du-gouvernement/lutte-contre-racisme-antisemitisme-sur-internet-30.html>
- **For a Republic Based on Equality**/French Prime Minister's website, October 2004.
http://www.premier-ministre.gouv.fr/en/information/reports_98/for_republic_based_on_412/
- **Para una Republica de la Igualdad**/Portal del Gobierno, octubre de 2004.
http://www.premier-ministre.gouv.fr/es/information/temas_actualidad_124/para_una_republica_igualdad_413/
- **Les lois antiracistes** : les guides de la Justice (**The antiracist laws**: justice guides)/Ministry of Justice, April 2003.
http://www.vie-publique.fr/documents-vp/lois_antiracistes.pdf

PUBLICATIONS

- **High Authority to Fight Discrimination and to Promote Equality: Annual Report**, April 2006.
<http://www.halde.fr/rapport-annuel/2005/>
- **La lutte contre le racisme, l'antisémitisme et la xénophobie : année 2005 (Combating racism, anti-Semitism and xenophobia: 2005)**/National Advisory Commission on Human Rights – La Documentation Française, March 2006.
<http://www.ladocumentationfrancaise.fr/rapports-publics/064000264/index.shtml>
- **Les moyens de la lutte contre l'expression raciste, antisémite, ou xénophobe sur l'internet : dossier de presse (Resources to combat expressions of racism, anti-Semitism and xenophobia on the Internet: press kit)**/French Internet Regulation Forum, June 2004.
http://www.foruminternet.org/telechargement/forum/dp_racisme_20040616.pdf
- **Les dispositions pénales en matière de lutte contre le racisme, l'antisémitisme et les discriminations (Criminal provisions to combat racism, anti-Semitism and discrimination)**/French Ministry of Justice, April 2004.
<http://www.justice.gouv.fr/publicat/guideracisme.pdf>
- **Le Comité interministériel de lutte contre le racisme et l'antisémitisme (French Interministerial Committee to Combat Racism and Anti-Semitism)**/French Prime Minister's Press Office
http://www.premier-ministre.gouv.fr/IMG/pdf/DP_-_CILRA_-_17_01_2005.pdf

ARTICLES

- **Les actes racistes et antisémites, aujourd'hui, en France (Racist and Anti-Semitic Acts in France Today)**/G. Fellous. – Regards sur l'Actualité, No. 305, November 2004.
- **Le droit pénal face au racisme (Criminal Law and Racism)**/M. Bourrette. – Regards sur l'Actualité, No. 305, November 2004.
- **La lutte contre les discriminations raciales (Combating Racial Discrimination)** – Regards sur l'Actualité, No. 299, March 2004.