

**Universal Periodic Review (UPR) NGO Alternative Report (43rd session
(April – May 2023)**

France

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(UK)



Islamic Human Rights Commission (IHRC) is a not-for-profit campaign, research and advocacy organisation founded and based in the United Kingdom. It was set up in 1997 and works for redress of human rights violations and a better understanding of rights and norms across confessional, ethnic, national, political and other boundaries.

IHRC has consultative status with the UN – ECOSOC.

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NGO Submission to the United Nations Universal Periodic Review of France, current cycle

About IHRC

IHRC is a not-for-profit human rights organisation based in London, UK. It has held consultative status with UN since 2007. It was founded in 1997. Since its founding it has been active in advocating for victims of rights abuses, campaigning on policy and structural issues, and researching the violations of human rights.

Relevant recommendations from the third UPR cycle, Human Rights Council Compilation on France

145.1 Fully accept the International Convention on the Elimination of All Forms of Racial Discrimination (Mongolia);

145.37 Increase its efforts to combat all forms of discrimination against women and girls belonging to certain religious or ethnic minorities, including the prevention of discrimination in the labour market (Qatar)

145.51 Adopt measures to eliminate all forms of discrimination, xenophobia and religious intolerance (Sudan)

145.52 Ensure an effective State response to matters related to racism, discrimination, Islamophobia and xenophobia (Afghanistan)

145.70 Take effective steps to repeal discriminatory by-laws, including those prohibiting the hijab, and ensure that Muslims are not discriminated against because of their religion or ethnicity, and that education of girls and adolescents is not adversely affected (Pakistan)

145.71 Develop national plans to address all forms of religious discrimination (United States of America)

145.79 Set up efforts to curb racist and xenophobic discourse in public life and political spheres, particularly by elected representatives (Botswana);

1145.72 Take all necessary measures to combat all forms and manifestations of racism and to prevent discrimination in the workplace and the labour market concerning Muslim women wearing the headscarf (Islamic Republic of Iran)

145.81 Continue efforts to combat all forms of racial discrimination and hate speech directed against certain groups on the basis of race or religion, in order to promote a culture of diversity and tolerance (Tunisia);

145.206 Combat all forms of discrimination against women and girls belonging to racial, ethnic and religious minorities, and ensure that Muslim women wearing the hijab are not discriminated against in the labour market (Pakistan);

145.297 Fight all forms of discrimination against women belonging to ethnic and religious minorities (Libya).

Relevant recommendations from the Report of the Office of the United Nations High Commissioner for Human Rights Compilation on France

33. The Human Rights Committee was of the view that the laws on the wearing of religious symbols and face coverings infringed the freedom to express one's religion or belief and that they had a disproportionate impact on members of specific religions and on girls. The Committee recommended that France review relevant legislation in the light of its obligations under the International

53. The Committee on the Elimination of Discrimination against Women was concerned that Muslim women and girls were exposed to a heightened risk of discrimination and Islamophobic acts and that the risk of discrimination was compounded by the current social and political context. The Committee recommended that France combat all forms of discrimination against women and girls belonging to racial, ethnic, national and religious

minorities, including those living in sensitive urban areas.

IHRC FINDINGS AND RECOMMENDATIONS

Notwithstanding the above recommendations and conclusions, France, through the punitive use of law, has continued to attenuate the personal and religious freedoms of its Muslim population. The state continues to target Muslims and their values through the "systematic obstruction" policy and the 2021 "law consolidating respect for the principles of the Republic" (dubbed the anti-separatism law) which delegitimises Islam and further renders its followers a subaltern, securitised and suspect population.

Since the last UPR, France has doubled down on its discrimination against Muslims with the ostensible aim of "washing out" beliefs that run counter to the values of the republic. Instead of addressing the entrenched structural racism that characterises its treatment of Muslims and other racialised minorities, France has problematised these communities by accusing them of rejecting mainstream values. This approach of blaming the victim plays to the surge in populist nativism seen across the European continent. France has raided dozens of mosques, Muslim and anti-racism NGO's, shutting down many of them.

According to a [2022 report](#) by the UK human rights organisation CAGE, in 2018 the French government initiated a secretive and draconian Islamophobic policy which it trialled in 15 unknown areas of the country. The plan, later known as the "Plan to fight radicalisation"- an Islamophobic policy targeting mosques, Islamic schools or any Muslim run businesses was publicly revealed the following year by the then Minister of the Interior Christophe Castaner alongside the announcement that it was now to be implemented on the entire territory of France. The Interior Ministry described the methodology of the policy as "systematic obstruction". The report finds that using the policy the French state has dismantled the foundations of the Muslim community's autonomy through calculated persecution, spreading terror among an entire religious community.

The policy was given legal expression in 2021 with the passing of the "law consolidating respect for the principles of the Republic". So far it has led to over 700 closures, 24,884 inspections and the seizure of 46 million euros.

Among the organisations the state has dissolved are the Collective Against Islamophobia in France, The Coordination against Racism and Islamophobia (CRI), the Islamic publishing house NAWA, the African Defense League and Baraka City, all banned under the pretext that they promulgate "Islamist" views and/or engage in activities that encourage "separatism", a catch-all that encompasses everything from pro-Palestine campaigning to the criticism of government policies. The policy amounts to criminalising the fight against racism and Islamophobia and the forced acculturation of Muslims to values dictated by the state. By dint of threats, intimidation, financial inducements and punishment, the re-culturation strategy is aimed at socially re-engineering Muslims into compliant, secularised citizens absorbed into an imaginary national monoculture.

France's bans on Muslim female attire are emblematic of its persecution of Muslims. These bans are still in place and, if anything, their scope is being extended. In 2004, the French government banned the display of "conspicuous" religious symbols in state schools and hospitals, effectively prohibiting Muslim women from wearing headscarves or other Islamic garments. In 2010, the country prohibited full-face veils like niqabs in public spaces like streets, parks and public transportation. In 2012 it banned veiled Muslim mothers attending school outings 2012. In 2015 it prohibited veiled Muslim women from working as nannies. In 2022 French lawmakers voted to ban women and girls from wearing religious clothing while playing sports. Many municipalities still apply a ban on "modesty swimsuits" or so-called burkinis within their jurisdictions.

The 2021 anti-separatism law, which also permits the state to challenge decisions which it thinks undermine France's secular principles, has already been used to reinforce the burkini ban in the city of Grenoble. After the local council voted to allow burkinis in the city's pools, the state launched and won a legal challenge against the decision.

It is worrying that France has wilfully ignored the UNOHCHR's recommendations against anti-Muslim discrimination and persecution and continued on the same course. These recommendations must be implemented forthwith.