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Draft report of the Working Group on the Universal Periodic Review*

France

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Introduction

1. The Working Group on the Universal Periodic Review (UPR), established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its fifteenth session from 21 January to 1 February 2013. The review of France was held at the 1st meeting on 21 January 2013. The delegation of France was headed by His Excellency, M. François Zimeray, Ambassador for Human Rights. At its 10th meeting held on 25 January 2013, the Working Group adopted the report on France.
2. On 14 January 2013, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of France: Congo, Italy and Kuwait.
3. In accordance with paragraph 15 of the annex to resolution 5/1 and paragraph 5 of the annex to resolution 16/21, the following documents were issued for the review of France:
 - (a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/15/FRA/1);
 - (b) A compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/15/FRA/2);
 - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/15/FRA/3).
4. A list of questions prepared in advance by Mexico, Netherlands, Norway, Slovenia, Spain, and the United Kingdom was transmitted to France through the troika. These questions are available on the extranet of the UPR.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. La délégation française a rappelé le rôle qu'ont joué les droits de l'Homme dans la construction de la République française et leur ancrage profond dans les Institutions françaises. Il y avait toujours des marges de progrès et le regard extérieur et la critique étaient essentiels pour aider la France à renforcer son niveau d'exigence.
6. L'Examen Périodique Universel était un outil fondamental qui revêtait un caractère permanent. Un rapport à mi-parcours avait été publié en 2008. Le rapport national pour le second examen avait été le résultat de la consultation de toutes les parties prenantes, y compris la société civile.
7. Une personne qui vivait en France avait vu ses droits renforcés depuis 2008. Jusqu'à une date très récente, le contrôle de la constitutionnalité d'une loi ne pouvait être exercé qu'avant son entrée en vigueur à certaines conditions très précises. Depuis une réforme constitutionnelle majeure, toute personne qui saisissait un tribunal français pouvait soutenir qu'une loi déjà en vigueur portait atteinte aux droits et libertés garantis par la Constitution.
8. Une personne qui vivait en France pouvait désormais s'adresser gratuitement à une institution unique si elle estimait que ses droits étaient lésés par le fonctionnement d'une administration publique. Il s'agissait du Défenseur des droits, mis en place en mars 2011, qui regroupait les missions anciennement dévolues à d'autres autorités administratives indépendantes.

9. Une personne qui vivait en France avait davantage de possibilités pour dénoncer une discrimination dont elle serait victime, notamment dans l'emploi. Chaque parquet des tribunaux français disposait d'un pôle anti-discrimination dont la compétence recouvrait tous les actes commis en raison de l'appartenance de la victime à une ethnie, une nation, une race, une religion ou du fait de son orientation sexuelle.

10. Une personne qui vivait en France était mieux protégée dans ses relations avec les forces de l'ordre. Les autorités françaises étaient très attentives aux conditions dans lesquelles devaient être traitées les personnes lors d'une interpellation, d'une garde à vue ou de toute autre mesure privative de liberté. Cette attention reposait sur trois grands principes: le respect absolu des personnes, quelle que soit leur nationalité ou leur origine; l'utilisation strictement nécessaire et proportionnée de la force; ainsi que la protection des personnes appréhendées et le respect de leur dignité.

11. Le gouvernement issu des élections du printemps 2012 avait la volonté d'ancrer son action dans la recherche de davantage de protection des libertés fondamentales. Un Ministère des Droits des femmes avait été instauré pour promouvoir toutes les mesures destinées à faire respecter et promouvoir les droits des femmes dans la société. Ce Ministère était également chargé d'animer la coordination du travail gouvernemental contre les violences et les discriminations liées à l'orientation sexuelle et à l'identité de genre.

12. La France s'était dotée d'un plan national d'action contre le racisme et l'antisémitisme (2012-2014) (cf infra). Elle avait également élaboré une «Stratégie du gouvernement français pour l'inclusion des Roms» (cf infra).

13. La Ministre de la justice avait annoncé une série de mesures destinées à poursuivre l'amélioration de la politique pénitentiaire de la France (cf infra).

14. Enfin, le gouvernement issu des élections du printemps 2012 s'était engagé à porter une nouvelle politique d'immigration, à la fois dans un esprit de responsabilité et dans un souci d'humanité. Un projet de loi était en préparation afin de créer un titre de séjour pluriannuel pour les étrangers et ainsi renforcer leur intégration en France. La législation sur la naturalisation faisait également l'objet d'une réflexion approfondie.

15. L'entrée et le séjour des étrangers sur le territoire étaient contrôlés et la France accordait certains droits, comme le droit au travail et l'accès à certaines prestations sociales, aux seuls étrangers en situation régulière. Cependant, les étrangers sur le sol français, sans considération de leur statut, pouvaient avoir accès à l'hébergement d'urgence et bénéficier de l'aide médicale d'Etat qui leur donnait accès aux soins de santé.

16. Toutes les avancées dans le domaine des droits de l'Homme depuis 2008 s'appliquaient aux territoires d'outre-mer, en raison du principe d'égalité entre les citoyens français. Toutefois, chaque territoire se caractérisait par une réalité géographique, historique et sociale propre. Ces difficultés ne pouvaient pas toujours être traitées à l'identique de la métropole et l'Etat s'efforçait d'apporter des réponses adaptées comme, en cette période de crise économique, en organisant des conférences économiques et sociales dans chaque territoire.

17. Enfin, la France était une «République sociale» et était ainsi très attachée à l'interdépendance des droits économiques, sociaux et culturels avec les droits civils et politiques.

B. Interactive dialogue and responses by the State under review

18. During the interactive dialogue, 84 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

19. Italy commended France on its National Plan of Action against racism and anti-Semitism and asked about resources allocated for its implementation. Italy enquired on the measures taken to address concerns about the rights of detainees and their access to medical assistance and for further combating child prostitution and pornography. Italy made recommendations.
20. Japan welcomed the fact that half of the Cabinet posts were filled by women and hoped that the *Ministère des Droits des Femmes* would contribute to respect for women's rights. Japan appreciated the announced elimination of the eviction of Roma and efforts to eradicate ethnic discrimination. Japan made recommendations.
21. Jordan noted the ratification of CRPD and CPED. It welcomed the strengthening of the institutional framework through the establishment of the Ministry of Women's Rights and the Defender of Rights, and hoped that France would support those bodies to discharge their mandates effectively. Jordan made recommendations.
22. Kuwait noted the significant role that France played through its commitments and contributions to set-up the rules of the international system to protect and promote human rights. It commended the establishment of the Defender of Rights and efforts to eliminate discrimination against foreigners and persons of different beliefs. Kuwait made recommendations.
23. Lao People's Democratic Republic praised progress in implementing the previous UPR recommendations. It noted that France had taken important initiatives aimed at guaranteeing human rights. It encouraged strengthening cooperation with the UN, other international organizations and stakeholders to overcome challenges for ensuring realization of the rights of its citizens.
24. Libya commended the legislative and institutional measures to protect women's rights, to combat racism, including, inter alia, awareness-raising and training in academic institutions. Libya also commended the measures taken to enhance the diversity of cultures and languages, and policies to integrate migrant women in employment. Libya made recommendations.
25. Malaysia, while noting measures taken to enforce anti-discrimination legislation, was concerned at the xenophobic approach utilized in election campaigns; the implementation of Act No. 2004/228 effectively prohibiting students wearing religious symbols from attending public school and the reported rise of racism acts directed against persons of Northwest African origin and Muslims. Malaysia made recommendations.
26. Mauritania noted the efforts of the Government to implement UPR recommendations. It also acknowledged the establishment of the Ombudsman, with a constitutional status. It encouraged France to continue fighting against xenophobic public statements made by political or media personalities. It called on France to keep improving the situation of the immigrant population.
27. Mexico acknowledged that the promotion of human rights and democracy were central to French foreign policy. It noted the establishment of the ombudsman and praised the measures undertaken to implement previous UPR recommendations, including the lifting of the declaration on article 124 of the Rome statute. It made recommendations.
28. Peru highlighted that since its first UPR France had established a Ministry on Women's rights and an ombudsman, as well as adopting a national plan against racism. It requested information on measures taken to reduce prisons' overcrowding and improve prisons' conditions. Peru made recommendations.
29. Namibia commended France's ratification of international human rights instruments, its strengthening of anti-racism policies and condemnation of the slave trade and slavery as

crimes against humanity. However, it was concerned at the situation of ethnic minorities, including the Roma. Namibia made recommendations.

30. Nepal commended such measures as the Defender of Rights' introduction in the Constitution, the adoption of a national plan of action on protecting women from violence and the establishment of the Ministry of Women's Rights as well as the promotion of diversity in the civil service. Nepal made recommendations.

31. The Netherlands regarded France as an example for the international community and asked what effective measures had been taken to implement the recommendation on improving conditions in the prison system made during the first universal periodic review of France. The Netherlands made recommendations.

32. New Zealand commended the establishment of a minister of Women's Rights asking about concrete steps to coordinate action in combating violence and discrimination against LGBT persons. It expressed concern about the impact of the law banning facial coverings in public spaces. It made recommendations.

33. Norway noted an apparent increase in discrimination and violence against French Muslims and French citizens of North African descent and the lack of adequate statistics on these matters groups. It was concerned by the use of tasers and the practice of body searches in prisons. Norway made recommendations.

34. Oman commended the French Government's commitment to promoting and protecting human rights. It noted that France had taken a number of measures to give effect to its international obligations, locally and internationally, and to participate in international efforts to promote and protect human rights. Oman made recommendations.

35. Pakistan expressed concern at the inadequate legal protection against ethnic profiling by the police and the influence of race and religion on employment opportunities. Increased public hate speech was compounded by legislation on the hijab or niqab, which discriminated against Muslim women. Pakistan made recommendations.

36. The State of Palestine welcomed the efforts made to protect and promote women's rights and rights concerning education and immigration. It noted the signing of the OP-ICESCR and commended the national action plan implementing Security Council resolution 1325. It made a recommendation.

37. Paraguay noted the signing of OP-CESCR and the ratification of CEPD, CRPD and OP-CAT. It recognized, inter alia, the establishment of a Ministry on Women's Rights and the national plan against racism and anti-semitism. Paraguay considered that the new immigration policy was grounded on clear, fair and stable rules. Paraguay made recommendations.

38. Morocco recalled the historical engagement of France with the promotion and protection of human rights. Morocco acknowledged the new immigration measures and stressed the delicate situation of unaccompanied migrant children. It requested information on the measures taken to fight against racist discourse and hate speech. Morocco made a recommendation.

39. Philippines noted the great importance France attached to human rights, as indicated by its ratification of OP-CAT, CRPD and CPED. It welcomed the deep concern of France for the protection of migrant workers. Philippines made recommendations.

40. Germany, concerned by various acts of discrimination against Roma, asked how France ensured that it met its obligations under international law, given the treatment of Roma by police. Noting the over-crowding and poor conditions in prisons, it asked what measures were being envisaged to improve the situation.

41. Le chef de la délégation française a déclaré que la France ne pouvait se satisfaire de la situation de ses prisons. Les critiques internationales sur les conditions de détention faisaient écho aux critiques internes. Un contrôle accru des lieux de détention avait été organisé (par l'autorité judiciaire, les Parlementaires, les mécanismes de contrôle interne à l'administration).

42. Depuis 2007, la France s'était dotée de plusieurs mécanismes supplémentaires de contrôle pour garantir une meilleure protection des droits des personnes détenues comme le Contrôleur général des lieux de privation de libertés ainsi que les 150 délégués du Défenseur des droits qui intervenaient en milieu carcéral.

43. La France avait pour objectif de rénover et de moderniser le parc pénitentiaire en poursuivant les fermetures d'établissements vétustes et en lançant de nouvelles constructions pour permettre l'augmentation du nombre de places. Certaines de ces places seraient dédiées à la réinsertion sociale des prisonniers. En outre, la loi pénitentiaire du 24 novembre 2009 avait posé le principe de l'aménagement de toute peine d'emprisonnement ferme en faisant de l'incarcération l'exception. Le développement des mesures alternatives à la détention devait être encore favorisé.

44. Par ailleurs le personnel pénitentiaire était davantage formé à la prévention du suicide en prison. La loi du 24 novembre 2009 encadrait strictement le recours à la force par les agents de l'administration pénitentiaire, limitant ce recours à la légitime défense, en cas de résistance violente et sous réserve d'un usage proportionné et strictement nécessaire à la prévention des évasions ou au rétablissement de l'ordre.

45. La France ne reconnaissait pas l'existence de groupes ou de communautés disposant de droits spécifiques, en application des principes d'indivisibilité de la République, d'égalité devant la loi et d'unicité du peuple français. Ainsi, la France ne reconnaissait pas les Roms en tant que groupe et ne collectait pas de statistiques ethniques. Cependant, elle ne minimisait pas les difficultés auxquelles elle était confrontée et inscrivait son action dans le cadre européen puisque l'ensemble du continent était concerné. Une Stratégie nationale pour l'inclusion des Roms avait été adoptée en février 2012 laquelle fait de l'accès à l'éducation, à l'emploi, à la santé et au logement des priorités.

46. Le démantèlement de campements illicites répondait notamment à un danger ou à un risque sanitaire immédiat. Il revenait toutefois localement aux services l'Etat, en partenariat avec les collectivités territoriales et les associations, d'apporter une réponse adaptée à la situation des personnes et des familles concernées. Les préfets devaient désormais, dès l'installation d'un campement, établir un diagnostic en matière de santé, d'emploi, de scolarisation des enfants. Ils devaient surtout prévoir l'hébergement d'urgence, avant de procéder au démantèlement d'une installation illégale. Un délégué interministériel à l'hébergement et à l'accès au logement était en charge de développer à tous les échelons, du niveau local au niveau national, une coordination qui permettra de répondre à la complexité des situations.

47. La laïcité en France était un principe de liberté qui avait une triple dimension: neutralité des agents du service public ; prise en compte du fait religieux, égale attention des pouvoirs publics à l'égard des différentes religions. Ainsi le droit français permettait notamment d'accorder des autorisations d'absence pour le respect des jours de fêtes religieuses, de procéder à l'abattage rituel, de prévoir des espaces particuliers dans les cimetières pour religions non chrétiennes, d'accorder des aides indirectes à la construction et à l'entretien des lieux de culte.

48. La loi encadrant le port de signes ou de tenues manifestant ostensiblement une appartenance religieuse dans les écoles, collèges, lycées publics avait fait l'objet d'une application sereine. L'immense majorité des cas avait été réglés par le dialogue. Le Médiateur de l'Education nationale n'avait jamais été saisi et il n'y avait aucun jugement

pendant devant les tribunaux. La Cour Européenne des Droits de l'Homme avait confirmé que les restrictions prévues par la loi étaient justifiées par le principe constitutionnel de laïcité et conformes à la Convention européenne de sauvegarde des droits de l'Homme et des libertés fondamentales.

49. Qatar commended France's ratification of human rights treaties and protocols hoped that the establishment of the Ministry of Women's Rights and the Defender of Rights would further the protection, promotion, awareness and implementation of human rights. The steps taken to combat stereotypes and prevent discrimination against minority groups were noted. Qatar made a recommendation.

50. Republic of Korea commended concrete actions to ensure gender equality including the creation of the Ministry of Women's Rights and the adoption of the National Action Plan against Racism and Anti-semitism. It also noted an increase in racist and xenophobic political speeches since. It made recommendations.

51. The Republic of Moldova welcomed the creation of the ombudsman. It congratulated France on the adoption of measures to promote gender equality, the progress made in combating violence against women and the commitment of France to the protection of children. It made recommendations.

52. Romania welcomed the setting up of a new body responsible for combating discrimination and asked what powers the new body would enjoy with regard to the sanctions for discrimination, beyond the referral of matters to the office of the public prosecutor. Romania made a recommendation.

53. The Russian Federation took note of the progress made in recent years regarding the fulfilment of France' international human rights obligations. It observed, however, that a range of problems persisted in the field of legal protection. The Russian Federation made recommendations.

54. Senegal remarked on the significant progress made in promoting and protecting women's rights, both in legislation and through the establishment of institutions, such as the Ministry of Women's Rights. Further efforts were required to meet existing challenges regarding immigration and discrimination. Senegal made a recommendation.

55. Slovakia welcomed the ratification of CRPD, CPED and OP-CAT. It particularly noted the Roma Inclusion Strategy, the Ministry of Women's Rights and the amendment granting the right to apply to the Constitutional Council for a ruling on the constitutionality of a law. Slovakia made recommendations.

56. Slovenia noted positive developments in gender equality. Slovenia expressed concern on the high number of severely endangered languages while welcoming France's stated intention to ratify the European Charter for Regional or Minority Languages. It asked as to whether steps had been taken and about the time-frame for such ratification. Slovenia made recommendations.

57. Spain welcomed the establishment of a ministry that focused specifically on women's rights. It asked what measures were being developed to further promote gender equality and to combat gender-based violence. It expressed concern at reports of poor conditions in detention centres. Spain made recommendations.

58. Sri Lanka welcomed the establishment of the Ministry of Women's Rights, the launch of a related inter-ministerial action plan and the introduction of measures to combat unequal remuneration. It noted the national action plan to combat racism in the period 2012-2014. It made recommendations.

59. Sudan expressed concerns raised by the treaty bodies, including the Human Rights Committee towards the law of 2004/228 prohibiting wearing overt religious symbols in

public schools, which prevented some children who followed those religious customs from attending school. Sudan made recommendations.

60. Switzerland shared the concerns of the European Committee for Prevention of Torture regarding allegations of the excessive use of force by police during arrests. Regarding the issue of trafficking in persons, it emphasized the importance of clear, comprehensive and enforceable legal standards. Switzerland made recommendations.

61. Thailand noted France's commitment to fighting discrimination and xenophobia, and welcomed plans to address racism, anti-Semitism and the exclusion of Roma. It remained concerned by persistent discrimination in accessing public services on the grounds of race, ethnic origin or religion. Thailand made recommendations.

62. Timor-Leste recognized the ratification of several human rights treaties and commended the measures and plans to combat racism and xenophobia and enhance gender equality and looked forward to their implementation. Timor-Leste made a recommendation.

63. Togo expressed disquiet over discriminatory political discourse and encouraged France to take action against the increasing number of racially motivated incidents against persons of the Maghreb and Black African origin. Conditions of detention and high rates of prison suicides were serious concerns. Togo made a recommendation.

64. Trinidad and Tobago noted France's historic association with human rights, its contribution to the work of OHCHR and its ratification of key human rights instruments. Trinidad and Tobago made recommendations.

65. Tunisia noted the ratification of international instruments concerning persons with disabilities, torture and enforced disappearance, the establishment of structures including the Defender of Rights and the national action plan to combat racism. It commended the commitment of France to official development assistance. Tunisia made recommendations.

66. Turkey welcomed the establishment of the Defender of Rights and the introduction of the "constitutionality priority question." It noted that a policy contradicting the right to free expression had been invalidated by the Constitutional Council on 28 February 2012 and encouraged France to combat racist and Islamophobic attacks. Turkey made recommendations.

67. Ukraine recognized the strong commitment of France to the protection and promotion of human rights and welcomed efforts to ensure a more coherent approach to fighting discrimination on the grounds of origin. Ukraine made recommendations.

68. The United Kingdom of Great Britain and Northern Ireland asked about measures to improve gender equality, in particular to improve recourse to justice for victims of sex crimes and to address the low level of domestic violence reporting. It asked about measures to improve anti-discrimination legislation. It made recommendations.

69. The United States of America remained concerned about the prohibition on wearing religious symbols in schools and wearing garments covering the face in public. It was concerned by overcrowding and poor hygiene in prisons, and evictions of and social intolerance towards Roma. It made recommendations.

70. Uruguay commended the ratification of CPED, CRPD, OP-CRPD and OP-CAT. It welcomed the establishment of the Ministry of Women's Rights, the adaptation of legislation in accordance with the Rome Statue and the introduction of a national plan to combat racism and anti-Semitism. Uruguay made recommendations.

71. Au sujet de la lutte contre le racisme et l'antisémitisme, le chef de la délégation française a souligné que les pouvoirs publics faisaient preuve d'une vigilance accrue et avaient considérablement renforcé les moyens de répression. L'augmentation des actes

racistes était pour partie due à une meilleure connaissance statistique du phénomène et à l'augmentation du nombre de condamnations pour des infractions en matière de racisme. Depuis quelques années, on constatait cependant une tendance à l'augmentation du nombre de passages à l'acte motivés par la haine raciale, ainsi qu'une contamination de la parole publique et d'Internet.

72. La France avait développé un arsenal juridique très complet contre le racisme et l'antisémitisme. Un plan national d'action contre le racisme et l'antisémitisme (2012-2014) avait également été adopté. Ce plan, dont la coordination avait été confiée à un délégué interministériel, avait pour objectif de mieux recenser les actes à caractère raciste et antisémites, de réprimer de manière systématique ces comportements, de lutter contre les discriminations et d'inscrire la lutte contre le racisme et l'antisémitisme dans la politique d'intégration et de promotion de l'égalité des chances.

73. De surcroît, la France avait instauré en 2012 un ministère des Droits des femmes et en 2013 un Haut Conseil à l'égalité. Outre le fait que le gouvernement français était paritaire, tous les ministres avaient nommé auprès d'eux un haut-fonctionnaire chargé de favoriser l'égalité entre hommes et femmes dans leur ministère.

74. La France avait mis en place plusieurs mesures pour assurer l'égalité de genre sur le lieu de travail et dans les instances dirigeantes publiques et privées (adoption d'une loi relative à la représentation équilibrée des femmes et des hommes au sein des conseils d'administration et de surveillance et d'une loi relative à l'accès à l'emploi et à la lutte contre les discriminations dans la fonction publique).

75. Uzbekistan noted that there were concerns about absorbing various ombudsman functions into the institution of the Defender of Rights. Concerns were also raised about discriminatory political speech and increased racism preventing the integration of immigrants, the treatment of Roma and police brutality. Uzbekistan made recommendations.

76. Viet Nam noted France's accession to a number of international treaties, and the establishment of the Defender of Rights and the Ministry of Women's Rights. It encouraged France to launch a comprehensive plan to combat discrimination against all vulnerable groups who were experiencing economic difficulties.

77. Algeria observed discrimination against minorities, attacks on religious freedom, violence against women and the erosion of the right to family life. It noted that immigrants did not enjoy, among others, the right to employment, and suggested addressing discriminatory rhetoric from the police. Algeria made recommendations.

78. Angola noted France's ratification of various international conventions and the establishment of the Defender of Rights and the Ministry of Women's Rights. It remarked on the introduction of plans to address racism and anti-Semitism, women, peace and security, and gender equality. Angola made recommendations.

79. Argentina welcomed French participation in the campaign for universal ratification of CPED. It commended the establishment of the Ministry of Women's Rights and plans to combat racism and integrate Roma. Despite the explanation of France, it viewed ICRMW as providing additional protection. Argentina made recommendations.

80. Armenia welcomed the recognition of regional languages and plans to tackle racism and anti-Semitism, and discrimination in schools. It noted the efforts made to eliminate impunity for crimes against humanity and welcomed legislation combating the denial of the crime of genocide. Armenia made a recommendation.

81. Finland asked whether France intended to review its position with respect to children belonging to minority groups and consider withdrawing its reservation to article 30

of CRC. It also asked what measures would be taken to address the corporal punishment of children. Finland made a recommendation.

82. Austria expressed concern about the educational, employment and social rights of Roma. It requested information on measures to address detainee treatment and prison overcrowding and plans to sign the OP-CRC-IC and ratify the CoE Convention on preventing and combating violence against women and domestic violence. Austria made recommendations.

83. Bahrain, welcoming advances made in the area of women's rights and gender equality, encouraged the Government to increase female representation in high-level and managerial positions and in the private sector. It was concerned at increasing hate crimes against Muslims and Muslim communities. Bahrain made recommendations.

84. Bangladesh noted the concerns of several treaty bodies over persistent discriminatory practices, measures and stereotyping. In particular, the CRC was concerned about discrimination against children residing in the Overseas Departments and Territories, asylum-seeking and refugee children and children from minority groups. Bangladesh made recommendations.

85. Belarus noted the numerous reservations and declarations of France to international conventions restricting the application of their norms in legislation. The authorities did not cooperate sufficiently with special procedures for civil and political rights, in terms of visits, despite violations. It also noted the increasing practice of discrimination against migrants and minorities. Belarus made recommendations.

86. Belgium noted that the legal framework relating to human trafficking focused more on suppressing the scourge than on ensuring victims' rights. It asked whether the French authorities intended to take steps to develop a more specific legal framework, including victims' rights. Belgium made recommendations.

87. Brazil welcomed France's ratification of OP-CAT and the national plan to combat racism. Events in Mali were worrying. The use of force must lead to less violence and instability; the protection of civilians was paramount. Brazil associated with the High Commissioner's statement of September 2012 concerning the Roma and made recommendations.

88. Bulgaria, while appreciating the active role played by the authorities in promoting the condemnation and rejection of xenophobia and anti-Semitism, noted that cases had been reported of intolerance towards minorities, especially involving adolescents, and requested some examples of its good practices in countering the trend.

89. Burkina Faso welcomed progress towards ratifying international instruments relating to human rights and the rights of immigrant women and victims of violence. Efforts to protect individual and collective rights and freedoms of detainees held in anti-terrorism cases were also noteworthy. It made a recommendation.

90. Burundi applauded France for the establishment of the Ministry of Women's Rights to promote women's rights and combat gender discrimination. It strongly encouraged government efforts to develop a policy to combat racism, xenophobia and anti-Semitism. Burundi made recommendations.

91. Cambodia commended efforts to protect human rights, particularly the adoption of the plan guaranteeing the right to social security, and the measures favouring women's rights and combating discrimination. It welcomed ratification of CAT. Cambodia made recommendations.

92. Canada requested an update on measures taken to prevent and end racism perpetrated by law enforcement officers and other public officials. It was concerned about

reports of increasing anti-Semitic and islamophobic acts. Discrimination in employment against Muslims, especially veiled women, was worrying. Canada made recommendations.

93. Chad commended France on its efforts to implement the recommendations made following consideration of its report submitted under the UPR in 2008 and to put in place a number of structures with a view to ensuring human rights. Chad made recommendations.

94. Chile welcomed progress made by France at the regulatory and structural level in the protection of human rights. It commended in particular the establishment of the Ministry of Women's rights and the ratification of the CPED. Chile made recommendations.

95. China praised France's efforts to protect human rights, especially the rights of women, children and persons with disabilities. China expressed concern, however, at the prominence of racism, xenophobia and discrimination against minorities, particularly Muslim women. China made recommendations.

96. Congo welcomed the creation of the post of Defender of Rights and the Ministry of Women's Rights and efforts to combat discrimination and racism and address minority issues, although further measures were encouraged. It urged France to take steps to reduce prison overcrowding and improve detention conditions.

97. Le chef de la délégation française a déclaré que les contrôles d'identité cristallisaient les critiques et le ressenti négatif de la population même s'ils étaient indispensables. Ces contrôles ne pouvaient se fonder sur aucune caractéristique physique ou signe distinctif sauf dans le cas où le contrôle était motivé par un signalement précis. La pratique de contrôles dits « au faciès » heurterait les principes républicains d'égalité. Ils devaient se fonder exclusivement sur des critères objectifs et en excluant toute discrimination. Des mesures avaient été prises pour améliorer la relation entre la population et les forces de l'ordre dans le cadre des contrôles d'identité notamment en rendant les agents identifiables au moment de l'intervention grâce à leur numéro de matricule apparent et à l'élaboration d'un nouveau code de déontologie.

98. Par ailleurs, les 8000 mineurs et jeunes majeurs étrangers isolés constituaient un groupe particulièrement vulnérable et devaient être protégés. Parmi eux, les mineurs concernés étaient dispensés de l'obligation de produire un titre de séjour, ne pouvaient subir de mesure d'éloignement forcé vers leur pays d'origine et avaient un accès à l'ensemble des dispositifs de droit commun et notamment au système éducatif. Ils pouvaient être maintenus en zone d'attente à la frontière seulement le temps strictement nécessaire à l'examen de leur situation et en bénéficiant de toutes les garanties juridiques. S'il était établi qu'ils étaient exposés à des risques en cas de retour dans leur pays d'origine, ils étaient admis sur le territoire et pris en charge au titre de la protection de l'enfance dans un centre spécialisé. Un groupe de travail interministériel sur les mineurs étrangers isolés avait été créé afin d'établir un diagnostic de la situation en France et de définir les mesures de protection appropriées.

99. L'immigration continuerait d'être une chance pour la France. Pour être bénéfique pour les migrants eux-mêmes, l'immigration doit être régulée et organisée. Le gouvernement s'était engagé à porter une nouvelle politique d'immigration responsable, fondée sur des règles claires, justes et stables. Cette politique allie fermeté dans la lutte contre l'immigration irrégulière et les filières d'immigration clandestine et sécurisation de l'immigration légale. La transparence et l'objectivité guident l'action gouvernementale. Des procédures justes seront mises en place, le dialogue avec les associations et les institutions de protection des droits de l'Homme sera encouragé, la coordination avec les collectivités territoriales, renforcée. Le gouvernement avait notamment œuvré pour faciliter l'admission au séjour des étudiants hautement qualifiés qui souhaitaient demeurer en France, en abrogeant la circulaire du 31 mai 2011 sur les étudiants étrangers.

100. Costa Rica commended France on adopting a national plan of action to combat racism and anti-Semitism (2012-2014) and on legislation enacted to address domestic violence, including criminalizing marital violence, and to combat the commercial exploitation of children. Costa Rica made recommendations.

101. Côte d'Ivoire welcomed the establishment of the Ministry of Women's Rights and France's commitment to preventing human rights violations worldwide. It encouraged France to intensify efforts to improve the situation of migrant workers and members of their families and to implement anti-discrimination legislation.

102. Cuba noted steps taken by France to protect human rights and prevent discrimination, but encouraged it to do more to eliminate discrimination against the Roma. It asked how the rights of Roma children and other minorities would be guaranteed, especially those living in illegal camps. Cuba made a recommendation.

103. Cyprus welcomed France's commitment to the worldwide dissemination of the right not to be subjected to enforced disappearance and to women's rights. It asked how the Government dealt with cases of violence against women involving women who refused, or were unable, to cooperate with the authorities.

104. Djibouti thanked France for the submission of its second report and noted its efforts in a number of areas in the protection and promotion of human rights nationwide and the importance it accorded to the UPR process. Djibouti made recommendations.

105. Ecuador commended France on signing the ICESCR. It was concerned, however, about the situation of the Roma, especially given the Government's policy on forced evictions and expulsions. Poverty and belonging to a racial minority were no justification for discrimination, intolerance, xenophobia and racism. Ecuador made recommendations.

106. Egypt welcomed efforts to combat discrimination and hate crimes, but was concerned about the banning of religious symbols in public schools and an act prohibiting the wearing of the Niqab in public places, which had serious ramifications on Muslim women's rights. Egypt made recommendations.

107. Estonia recognized the importance of human rights in domestic and foreign policies and efforts to ensure gender equality and women's rights, especially the establishment of the Ministry of Women's Rights and the global promotion of sexual and reproductive health rights. It welcomed France's participation in the Freedom Online Coalition.

108. Australia welcomed ongoing programmes to modernize and build new prisons, but was concerned about aspects of prison management, including overcrowding and the high suicide rate. It noted reports about the rights of people of Roma origin concerning immigration camps and compulsory repatriation. Australia made recommendations.

109. Poland appreciated continued engagement of France in the field of human rights and its continuous support to the OHCHR. Poland made recommendations.

110. Greece requested more information on the Defender of Rights institution and how it would strengthen the human rights protection system in relation to previous mechanisms. It also requested more details on the broad outlines of the policy to promote gender equality. Greece made recommendations.

111. Guatemala asked whether France could provide statistics on the impact of measures adopted to prevent and suppress racist acts by law enforcement officers and whether there had been a fall in the number of cases as a result of those measures. Guatemala made a recommendation.

112. Hungary welcomed the adoption of the Roma Inclusion Strategy, but remained concerned about the ongoing evictions and expulsion of Roma. It hoped that France would

ensure that its practices and policies in that regard would conform to international law. Hungary made a recommendation.

113. India drew France's attention to the views adopted by the Human Rights Committee at its 106th session in November 2012 on the expulsion of an Indian student from a public school for wearing a keski and urged France to provide an effective and enforceable remedy. India made recommendations.

114. Indonesia welcomed the 2008 constitutional reform, the creation of the Roma Inclusion Strategy and the Ministry of Women's Rights. It encouraged France to formulate a comprehensive action plan to ensure the mainstreaming of gender awareness and eliminate gender discrimination. Indonesia made recommendations.

115. Iraq commended France's determination to protect and promote human rights and improve the situation with respect to fundamental freedoms. It particularly welcomed efforts to promote gender equality and women's rights and provide social services. Iraq made a recommendation.

116. Ireland commended France on the measures adopted to improve women's rights. Ireland also welcomed the development of a national action plan to combat racism and anti-Semitism, but was concerned about on-going patterns of *de facto* discrimination against minorities. Ireland made recommendations.

117. Iran (Islamic Republic of) drew attention to concerns expressed by the human rights treaty bodies and mechanisms over human rights violations by the French Government, particularly in the areas of child prostitution and child pornography, and increasing discrimination against Muslims and the Roma. It made recommendations.

118. Le chef de la délégation française a signalé que le droit d'asile était un droit fondamental. Le gouvernement français, entend respecter pleinement ce droit, qui est son honneur et une référence de liberté. Au cours de l'année 2012, la France a enregistré plus de 60000 demandes. Ces chiffres illustrent l'importance de ce droit dans notre pays mais expliquent aussi les difficultés auxquelles notre pays est actuellement confronté. La politique d'asile sera réformée autour de trois axes: le renforcement des capacités d'hébergement, l'amélioration des délais d'examen, la révision des procédures. Cette réforme sera menée dans un esprit de responsabilité, avec une exigence d'humanité et de respect des droits et en s'inscrivant dans le cadre du droit communautaire d'asile.

119. En guise de conclusion, le chef de la délégation française a rappelé que le combat des droits de l'Homme se portait sur tous les fronts simultanément, qu'il n'était jamais abouti, que la France était consciente de la tension séparant son ambition des réalités. Formant le vœu que l'échange de cette session ait permis de dissiper des malentendus sur la perception de la France, il a souligné que celle-ci accueillait le dialogue, la critique voire la contestation comme un moteur de progrès en matière de droits de l'Homme.

II. Conclusions and/or recommendations

120. **The following recommendations will be examined by France which will provide responses in due time, but no later than the 23rd session of the Human Rights Council in June 2013:**

120.1. **Ratify the other international conventions on human rights to which it is not a party, in particular the convention relating to the rights of migrant workers and members of their families (Burkina Faso);**

120.2. **Step up its efforts to sign and ratify the other human rights instruments which it has committed to sign and ratify (Cambodia);**

- 120.3. Consider the possibility of withdrawing its reservation to article 30 of the Convention on the Rights of the Child in line with the principles of the French Constitution, especially after the 2008 reform (Italy);
- 120.4. Withdraw its reservation to article 29 of CRPD and engage in consultation with organizations of persons with disabilities to identify steps needed to implement the Convention (Slovakia);
- 120.5. Withdraw its reservations to article 4 of the ICERD and article 27 of the ICCPR, and adopt immediate and positive measures to eliminate all forms of discrimination, xenophobia and stigmatisation (Bahrain);
- 120.6. Consider ratifying the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Peru);
- 120.7. Apply the recommendations that, on the new immigration policy, have made several treaty bodies, particularly the request for ratification of the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Paraguay);
- 120.8. Ratify the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Philippines);
- 120.9. Ratify ICRMW in line with the recommendations made by CRC, CERD and CESCR (Sudan);
- 120.10. Consider ratification of the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Trinidad and Tobago);
- 120.11. Reconsider the ratification of the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Turkey);
- 120.12. Follow up on the repeated calls to ratify the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Algeria);
- 120.13. Analyze the possibility of ratifying the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Argentina);
- 120.14. Accede to the Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (Belarus);
- 120.15. Continue to consider the possibility of ratifying the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, due to its universal nature and specific content, as well as ILO Convention 169, of 1989, concerning Indigenous and Tribal Peoples (Guatemala);
- 120.16. Ratify the Convention on the Protection of the Rights of Migrant Workers and Members of Their Families (Indonesia);
- 120.17. Consider an early ratification of the third OP to CRC on a communication procedure (Slovakia);
- 120.18. Consider signing the third optional protocol to the Convention on the Rights of the Child providing for a procedure on the presentation of communications (Belgium);

- 120.19. **Sign and ratify the third Optional Protocol to the Convention on the Rights of the Child (Iran);**
- 120.20. **Consider the ratification of ILO Convention 169 and the third optional protocol to the Convention on the Rights of the Child (Costa Rica);**
- 120.21. **Consider ratifying ILO Convention 189 (Philippines);**
- 120.22. **Ratify the 1961 Convention on the Reduction of Statelessness (Slovakia);**
- 120.23. **Look into amending the ban on students wearing religious symbols in schools, including the hijab (Kuwait);**
- 120.24. **Consider revising its law prohibiting people from wearing religious symbols in public schools (Malaysia);**
- 120.25. **Undertake a comprehensive study of the repercussions of the ban on facial coverings in public spaces for immigrant women and the effect on their access to public services (New Zealand);**
- 120.26. **Lift the ban on Hijab and respect the right of Muslim women to express their beliefs (Pakistan);**
- 120.27. **Review the law 228/2004 to guarantee equality and non-discrimination and protect the humane rights of all groups, including the right to education (Sudan);**
- 120.28. **Not to treat the issue of Hijab for Muslims as if it were only an accessory or a religious symbol rather than a compulsory religious edict that a large number of Muslim women want to observe (Sudan);**
- 120.29. **Reconsider both the bans on students wearing ostentatious, religious symbols in public schools and on full-face concealment in public spaces to ensure expression of freedom of religion or belief (Thailand);**
- 120.30. **Strengthen the surveillance of the law of 15 March 2004 with the aim of not adversely affect the education of girls and adolescents who profess the Muslim, Jewish or Sikh religion, and develop all necessary measures to promote inclusion (Uruguay);**
- 120.31. **Reconsider the Act on banning conspicuous religious symbols in public schools and the Act on banning Niqab in public places in the light of its relevant obligations under the international human rights law (Egypt);**
- 120.32. **Take further measures to enhance relevant human rights laws and regulations (Oman);**
- 120.33. **That every effort be made, given the importance of the Defender of Rights and the amalgamation of previous independent authorities, that it be given all necessary resources and powers to exercise its functions (Ireland);**
- 120.34. **Continue developing the institutional framework with respect to the promotion and protection of human rights (Jordan);**
- 120.35. **Further strengthen its national framework for the promotion and protection of human rights (Trinidad and Tobago);**
- 120.36. **Give continuity to strengthening national human rights institutions (Nepal);**

- 120.37. Establish the National Observatory of violence against women (Republic Moldova);
- 120.38. Continue to strengthen the institutional and legal framework to combat discrimination (Romania);
- 120.39. Set up adequate mechanisms that allow for the development of legislation and support prevention and protection policies for children in all fields (Oman);
- 120.40. Reinforce the legislative framework and institutional mechanisms to exclude all discriminatory practices that prevent equal access to employment for persons belonging to ethnic, national or religious minorities (Ukraine);
- 120.41. Continue its efforts to contribute on the prevention of crimes against humanity, particularly genocide, and to the fight against negationism of past historical facts (Armenia);
- 120.42. Improve its policies to protect the rights of women (Namibia);
- 120.43. Adopt and publish a plan by 2015 to highlight measures the Government will take to improve gender equality in France, including by enforcing existing anti-discrimination legislation more effectively (United Kingdom);
- 120.44. Continue its policies on improving the rights of the child (Jordan);
- 120.45. Continue the transversal approach focused on the rights of children, in order to develop a national strategic framework for the protection of children (Republic Moldova);
- 120.46. Support the legislative framework and institutional mechanisms to combat discrimination in the area of employment, and provide access to basic social services for minorities and migrants (Libya);
- 120.47. Find a suitable methodology for data collection, allowing a response tailored to the problems of vulnerable groups (Paraguay);
- 120.48. Reconsider the recommendation made from its first UPR cycle on the collection of statistics based on the notions of ethnic origin or identity and in accordance with conditions of confidentiality and objectivity as given in the French Council of State's opinion of 1 April 2010 (Thailand);
- 120.49. Promote understanding, tolerance and friendship between nations and racial and ethnic groups (Ukraine);
- 120.50. Intensify its efforts to enhance the protection of the rights of vulnerable groups and persons with disabilities, particularly women and children and speed up the accession to the Optional Protocol to the ICESCR (Iraq);
- 120.51. Prevent any intervention contrary to General Comment 34 of the Committee of Human Rights (Turkey);
- 120.52. Increase its Official Development Aid with a view to reaching the UN target of 0.7 percent (Namibia);
- 120.53. Continue its efforts to reach the international standard of 0.7% of the GDP devoted to official development assistance (Tunisia);
- 120.54. Step up its efforts to bring its ODA up to the international commitment of 0.7 % of GDP (Bangladesh);

- 120.55. Organise visits of the Special Rapporteurs on contemporary forms of racism, rights of migrants and torture to the country (Belarus);
- 120.56. Continue to deploy efforts to increase equity and equality between men and women in public service, particularly with the establishment of the High State Council for Equality and move forward with measures and legislation for social integration of migrant workers (State of Palestine);
- 120.57. Continue its efforts to promote equality between men and women (Paraguay);
- 120.58. Perform systematically a study of the impact of all measures (laws and decrees) regarding women's rights (Republic of Moldova);
- 120.59. Gender equality in the workplace, particularly concerning the executive level and the possibility of women gaining management positions, concerning both public enterprise and the private sector, as well as equal pay for men and women (Netherlands);
- 120.60. Continue efforts to combat gender inequality in the workplace and implement measures to increase representation of women at senior level and managerial positions in government and other sectors (Sri Lanka);
- 120.61. Take all necessary measures to promote and facilitate the professional evolution of women to positions of higher responsibilities (Canada);
- 120.62. Continue taking measures to eliminate racial and ethnic discrimination (Japan);
- 120.63. Continue its efforts to combat racism against foreigners (Kuwait);
- 120.64. Take more effective measures to combat racism, racial discrimination and xenophobia against minority groups in the country, in particular prejudice against the Muslims (Malaysia);
- 120.65. Take measures to produce data adequate for combating discrimination and violence against minorities more efficiently (Norway);
- 120.66. Further enhance the integration of indigenous peoples and communities of migrants by granting them more rights and by combating discrimination and racism (Oman);
- 120.67. Continue to strengthen its anti-racism and anti-discriminatory policies and measures, especially for the Roma and other minorities (Namibia);
- 120.68. Continue the efforts to prevent and combat all forms of racial discrimination and xenophobia, and provide the full support to implement the national action plan against racism 2012-2014 (Qatar);
- 120.69. Step up its efforts to combat racist, anti-Semitic and extremist expressions and actions (Russian Federation);
- 120.70. In line with Article 1 of the French Constitution, take further measures to combat racial discrimination, xenophobia and other forms of intolerance and address related issues such as access to education, employment, housing and health of the people belonging to minority groups (Sri Lanka);
- 120.71. Incorporate relevant materials in the school curriculum to combat negative preconception against sections of the French society of migrant background, to complement the national action plan against racism and anti-Semitism (Timor Leste);

- 120.72. Intensify its efforts to fight against discrimination and intolerance, particularly against Muslims, immigrants and people of African descent, and encourage senior Government officials and politicians to take a clear position against racist or xenophobic political discourse (Tunisia);
- 120.73. Use every means possible to combat the rise of racism and xenophobia, including in the Internet (Uruguay);
- 120.74. Adopt effective measures to prevent any form of discrimination, racism and xenophobia (Uzbekistan);
- 120.75. Continue the implementation of the national plan of action against racism and anti-semitism (Angola);
- 120.76. Continue the measures to combat discrimination and intolerance experienced by racial and ethnic minorities, especially those measures to eradicate the dissemination of stereotypes which may encourage discrimination and xenophobic manifestations towards migrants (Argentina);
- 120.77. Reinforce its legislative framework and institutional mechanisms to combat all discriminatory practices and measures based on race, colour, religion and origin or other status (Bangladesh);
- 120.78. Continue to provide better protection for the rights of all its citizens through the implementation of the national action plan against discrimination which reflects the firm resolve of the Government to combat all forms of discrimination on the grounds of origin in accordance with its international obligations (Cambodia);
- 120.79. The effective implementation of the repressive action provided for in the National Action Plan against Racism and Antisemitism (2012-2014), considering the rise of this phenomenon from another age (Chad);
- 120.80. Strengthen the fight against xenophobia and Islamophobia (Chad);
- 120.81. Take effective measures in legislation and law enforcement to honestly combat racism, xenophobia and discrimination against minority groups to ensure all human rights of minorities through various means of harmonious ethnic co-existence and common development (China);
- 120.82. Continue efforts to eliminate all forms of discrimination based on race, language, religion, nationality, ethnicity, etcetera, and seek to regulate the xenophobic and racist discourse of certain media (Costa Rica);
- 120.83. Continue its efforts in the struggle for the elimination of all forms of racial discrimination and xenophobia, especially those forms which are a violation of the human rights of minorities (Cuba);
- 120.84. Allocate the necessary resources for the implementation of the National Plan of Action against racism and anti-Semitism (Greece);
- 120.85. Provide consistent clear response to reject any discriminatory political speech in order to promote understanding, tolerance and friendship between nations and racial, religious and ethnic groups (Indonesia);
- 120.86. Take legal measures to alleviate the difficulties faced by members of minority groups, including Muslims, Roma and African people as well as the enjoyment of their economic, social and cultural rights (Iran);

- 120.87. **Adopt further legislative measures in order to combat racist, xenophobic and Islamophobic acts and manifestations, particularly against Muslim sanctities including in the political arena and in the media (Iran);**
- 120.88. **Continue deploying efforts to combat employment discrimination (Peru);**
- 120.89. **That equality between women and men in the workplace becomes effective in the near future (Burundi);**
- 120.90. **Take all necessary measures to prevent discrimination in hiring in the active population, since access to employment on the part of minorities is limited (Canada);**
- 120.91. **Reinforce the legislative framework and institutional mechanisms aimed at excluding all discriminatory practices that prevent equal access to employment for persons belonging to ethnic, national or religious minorities (Poland);**
- 120.92. **That its legislative framework and relevant institutional mechanisms be strengthened in order to exclude all discriminatory practices that prevent equal access to employment for persons belonging to ethnic, national or religious minorities (Ireland);**
- 120.93. **Ensure that all serious allegations of ill-treatment are investigated promptly through independent inquiries (New Zealand);**
- 120.94. **Investigate cases of disproportionate use of force by police during arrests, custody and interrogations of suspects in particular migrants (Russian Federation);**
- 120.95. **Take the necessary steps to ensure that allegations of ill-treatment by security forces in detention centers are promptly investigated, through a transparent and independent procedure, especially when they relate to particularly vulnerable groups such as minors (Spain);**
- 120.96. **Ensure that all allegations of violent acts perpetrated by security forces or penitentiary personnel be the subject of a prompt, independent and effective investigation to avoid impunity (Switzerland);**
- 120.97. **Take all necessary measures to prevent and avert illegal treatment by law enforcement authorities (Uzbekistan);**
- 120.98. **Ban explicitly the use of racial profiling in the conduction of identity checks (Mexico);**
- 120.99. **Take measures to prevent ethnic profiling by law enforcement officials and private businesses and provide effective remedies for victims (Pakistan);**
- 120.100. **Take the necessary measures to stop malpractices by police officers, especially identity searches based on racial profiling of Muslims and people from Arab or African descent (Egypt);**
- 120.101. **Put an end to the practice of ethnic profiling which is ineffective and counter-productive (India);**
- 120.102. **Consider ending the use of tasers and full body searches in prisons (Norway);**
- 120.103. **Ban the use of harmful devices such as ultra sound and flash ball devices and taser guns (India);**

- 120.104. Take the necessary measures to ensure that all detainees have equal conditions regarding access to a lawyer from the outset of their detention, regardless of the nature of the alleged offense (Mexico);
- 120.105. Bring-up French prisons to the level of international standards (Netherlands);
- 120.106. Continue to strengthen regulation of the penitentiary facilities to fully ensure the rights of and conditions for detained persons (Republic of Korea);
- 120.107. A greater use of alternative measures to detention facilities and penalties (Togo);
- 120.108. Continue to implement alternative measures to imprisonment aimed at reducing prison over-crowding (Austria);
- 120.109. Introduce and publish a national action plan to improve conditions and address over-crowding in prisons, including an increased focus on rehabilitation (UK);
- 120.110. Allocate more resources to improve the conditions of prisons around the country and in French overseas territories and provide additional training to prison staff (US);
- 120.111. Work to improve detention conditions, particularly with regard to high suicide rates and the number of people suffering from mental health problems in prisons (Algeria);
- 120.112. Implement measures to improve conditions in French prisons, including by allocating greater resources to rehabilitation of detainees, improving prisoners' access to medical treatment and instituting preventive measures to lower suicide rates (Australia);
- 120.113. Take further measures in the same direction of the previous ones for the social reintegration of juvenile delinquents (Greece);
- 120.114. Continue the implementation of the national plan on "Women, Peace and Security," in the context of the implementation of Security Council Resolution 1325 pertaining to the protection of women against violence in conflict and post-conflict situations as well as the simplification of the procedures for naturalization and their integration into society (Angola);
- 120.115. Combat domestic violence against women and children (Russian Federation);
- 120.116. Take all the necessary legal measures to explicitly ban the corporal punishment of children in all settings, including the family, schools and institutions (Uruguay);
- 120.117. Introduce legislation to explicitly prohibit all corporal punishment of children as recommended by the Committee on the Rights of the Child (Finland);
- 120.118. Consider introducing provisions explicitly prohibiting corporal punishment against children (Poland);
- 120.119. Implement CRC recommendations by setting a national plan to fight trafficking in women and children (Libya);

- 120.120. Consider adopting a national plan to combat trafficking in persons in the context of the measures taken to promote and protect the rights of women and children (Peru);
- 120.121. Establish a national plan to combat trafficking in persons and trafficking in women and children (Spain);
- 120.122. Design and implement a national plan against trafficking in persons that would include a national coordinating body (Switzerland);
- 120.123. Develop a national strategy to combat trafficking of women and children, and prohibit and criminalize child exploitation and prostitution (Bahrain);
- 120.124. Adopt a national plan to fight against trafficking in persons (Belgium);
- 120.125. Provide an update at the mid-term review on which specific measures it has put in place to combat trafficking of children and child prostitution (Hungary);
- 120.126. Adopt comprehensive measures to combat paedophilia and the increase of child prostitution (Belarus);
- 120.127. Establish structures providing assistance and systematic protection to all minors in the situation of prostitution (Belgium);
- 120.128. Continue making every effort to ensure greater protection against child prostitution and pornography (Chile);
- 120.129. Increase its efforts to prevent and combat all forms of abuse of children and adopt preventative measures and provide protection and services for their recovery (Iran);
- 120.130. Adopt additional measures for the protection of the family institution and stop propaganda on relations between same-sex couples at the state level. Bring up the issue of adoption of children by same-sex couples to the public consideration (Belarus);
- 120.131. Ensure the birth registration of all children in French Guyana (Brazil);
- 120.132. Make efforts to adopt legislation to prevent incitement to religious and racial hatred (Libya);
- 120.133. Take measures to prohibit hate speech, racist and xenophobic acts and their manifestation (Pakistan);
- 120.134. Redouble its attention with regard to the denial of religious intolerance and xenophobia (Senegal);
- 120.135. Effectively implement its obligation to ensure freedom of religion in accordance with the ICCPR (Uzbekistan);
- 120.136. Withdraw its deposited interpretation of Article 4 of the ICERD, and include within the updated national plan enhanced accountability measures on combating the religious and ethnic incitement and hate speech, particularly with respect to elections and media (Egypt);
- 120.137. Continue efforts in safeguarding the welfare of all segments of society and the protection of their rights (Nepal);

- 120.138. Take effective measures to guarantee people's economic and social rights, lower female unemployment rate, and improve the living conditions of the poor (China);
- 120.139. Take effective measures to further strengthen the implementation of its legal framework to combat sub-standard housing for individuals and families who live in sub-standard housing characterized by the unsafe and unhealthy conditions (Iran);
- 120.140. Ensure that school textbooks do not contain elements that compromise the objectivity and freedom of historical research as well as the respect of rights and dignity of all (Turkey);
- 120.141. Ensure that the public broadcasting system increases the time allocated to regional language programmes and that sufficient financial and human resources are made available for this purpose (Slovenia);
- 120.142. Engage the NGOs in the field of language protection in the follow-up to the UPR and in the preparation of the next UPR report (Slovenia);
- 120.143. Ratify the European Charter for Regional or Minority Languages of the Council of Europe (Austria);
- 120.144. Fight against the unemployment rate of people with disabilities, which still is three times higher than the average (Djibouti);
- 120.145. Pursue its efforts to combat discrimination against Roma (Austria);
- 120.146. Continue to respond to the previous recommendations by several Special Rapporteurs to ensure that its policies and practices regarding the dismantling of Roma settlements and the expulsion of migrant Roma conform in all respects to European and international human rights law. (Japan);
- 120.147. Introduce more careful approaches to the questions related to Roma being moved from their camps, as well as further efforts for their integration into French society (Republic of Korea);
- 120.148. Pay close attention to the problem of violation of the rights of Roma, to their social situation, medical care, and their possibility to obtain adequate education (Russian Federation);
- 120.149. Ensure that evictions from unauthorized Roma camps are carried out in full adherence with the law and work to better integrate Romani individuals into French society through provision of educational and employment opportunities (US);
- 120.150. Certify that all its policies on the Roma are in line with the ICERD (Brazil);
- 120.151. Ensure that all policies concerning Roma are consistent with the provisions of the Convention on the Elimination of all Forms of Racial Discrimination (Poland);
- 120.152. That social integration of Roma becomes a reality (Burundi);
- 120.153. Use all appropriate policies to ensure equal access for everyone to employment, regardless of racial or religious origins (Burundi);
- 120.154. End the practice of forced evictions against the Roma population, by amending existing laws and enacting new ones aimed at the protection of this vulnerable group from forced evictions (Ecuador);

- 120.155. Review policies to ensure that the rights of Roma people in migration camps are fully respected and that they are not unlawfully targeted for removal and that removal orders are subject to a full individual assessment (Australia);
- 120.156. Take immediate and effective steps to address discrimination perpetrated against the Roma people (India);
- 120.157. Continue enhancing and developing policies for the social integration of migrants (Kuwait);
- 120.158. Adopt measures to reduce the level of unemployment among migrants and provide support for their integration into the labour market (Russian Federation);
- 120.159. Further strengthen the protection of the rights and dignity of foreigner subjected to identity checks or expulsion procedures (Tunisia);
- 120.160. Consider, especially, the access of the most disadvantaged groups to health centers and services, particularly in the case of asylum seekers and migrants (Chile);
- 120.161. Continue and intensify efforts to promote access for persons of foreign origin to the public function, especially among the most disadvantaged (Djibouti);
- 120.162. Ratify the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, improve the situation of detention of migrants and shorten the time they spent in detention facilities, punish all acts of violence against a migrant committed by any citizen, law enforcement officer, judicial or Government authority so that there is no room for impunity (Ecuador);
- 120.163. Guarantee that decisions to expel asylum seekers, including those subject to the priority procedure, are not executed until a competent judge has ruled on the matter (Mexico);
- 120.164. Limit the use of detention of migrants and asylum seekers, especially when families with young children are concerned (Norway);
- 120.165. Pay particular attention to unaccompanied migrant children and undertake specific measures to ensure their adequate protection (Morocco).
121. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

Annex

Composition of the delegation

The Delegation of France was headed by His Excellency, François Zimeray, Ambassador for Human Rights and composed of the following members:

- S.E. M. Nicolas NIEMTCHINOW, Ambassadeur, Représentant Permanent de la France auprès de l'Office des Nations Unies à Genève;
- -M. Jacques PELLET, Représentant Permanent Adjoint de la France auprès de l'Office des Nations Unies à Genève;
- -M. Régis GUYOT, Délégué interministériel à la lutte contre le racisme et l'antisémitisme, Délégation interministérielle à la lutte contre le racisme et l'antisémitisme;
- -M. Manuel DEMOUGEOT, Directeur de cabinet de la Délégation interministérielle à l'hébergement et à l'accès au logement (DIHAL);
- -M. Rodolphe JUY-BIRMANN, Chef du service des affaires juridiques et institutionnelles au sein de la Délégation générale à l'Outre-mer, Ministère des Outre-mer;
- -Mme Gladys DUROUX, Sous-directrice du Conseil juridique et du contentieux à la Direction des Libertés Publiques et des Affaires Juridiques (DLPJ), Ministère de l'Intérieur;
- -M. Roger VRAND, Sous-directeur de la vie scolaire, des établissements et actions socio-éducatives, Ministère de l'Education nationale;
- -Mme Frédérique DOUBLET, Cheffe du département du droit d'asile et de la protection au Secrétariat général à l'immigration et à l'intégration, Ministère de l'Intérieur;
- -Mme Gaëlle SMIROU-DUMONT, Cheffe du bureau du droit et du contentieux européen, international et institutionnel de la DLPJ, Ministère de l'Intérieur;
- -Mme Karine GILBERG, Cheffe du bureau de l'expertise et des questions institutionnelles au Service des Affaires Européennes et Internationales, Ministère de la Justice;
- -Mme Anne REBEYROL, Chef de la mission "prévention des discriminations et égalité fille-garçon", Ministère de l'Education nationale;
- -M. Raphaël TRAPP, Conseiller juridique, Mission Permanente de la France auprès de l'Office des Nations Unies à Genève ;
- -Mme Katerina DOYTCHINOV, Conseiller, Mission Permanente de la France auprès de l'Office des Nations Unies à Genève;
- -Mme Sophie BUSSON, rédactrice à la Sous-direction des droits de l'Homme et des Affaires humanitaires, Ministère des Affaires Etrangères ;
- -Mme Emeline LAURENS, chargée de mission auprès de l'Ambassadeur pour les droits de l'Homme, Ministère des Affaires Etrangères;
- -Mme Marine PATELOU, Mission Permanente de la France auprès de l'Office des Nations Unies à Genève.

