

Recommendations & Pledges

FRANCE

Second Review Session 15

Review in the Working Group: 21 January 2013
Adoption in the Plenary: 6 June 2013

France's responses to recommendations (as of 16.07.2013):

| In the Report of the Working Group: | In the Addendum: | During the plenary: | Summary: |
|-------------------------------------|--|---|---|
| No response, all pending | 129 were fully accepted, 11 were partially accepted (underlined in blue) ¹ , 27 were rejected and 3 were given no clear position ² | The delegation corrected some errors contained in the addendum. Recs 120.43 was actually accepted and 120.143 was not accepted; 120.25, 120.26, 120.27 and 120.114 were accepted in part and not fully; and 120.65 was not accepted | Accepted: 136 Rejected: 27 No clear position: 3 Pending: 0 Total: 166 |

Paragraph headers are as in the Report of the Working Group, but the nature of responses to recommendations may have subsequently been changed.

List of recommendations contained in Section II of the Report of the Working Group A/HRC/23/3:

¹ Another recommendation was also partially accepted but the part accepted and the part not accepted were clearly explained so the recommendation was split into two recommendations, one accepted and one rejected.

² The total number of recommendations is now 166 as one was split into two. Four recommendations were contained in two different categories.

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

R - 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);

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

R - 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);

R - 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);

[A - 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 \(Bahrain\);](#)

R - 120.6 Consider ratifying the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Peru);

R - 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);

R - 120.8 Ratify the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Philippines);

R - 120.9 Ratify ICRMW in line with the recommendations made by CRC, CERD and CESCR (Sudan);

R - 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);

R - 120.11 Reconsider the ratification of the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Turkey);

R - 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);

R - 120.13 Analyse the possibility of ratifying the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Argentina);

R - 120.14 Accede to the Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (Belarus);

R - 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);

R - 120.16 Ratify the Convention on the Protection of the Rights of Migrant Workers and Members of Their Families (Indonesia);

A - 120.17 Consider an early ratification of the third Optional Protocol to The Convention on the Rights of the Child on a communications procedure (Slovakia);

A - 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);

A - 120.19 Sign and ratify the third Optional Protocol to the Convention on the Rights of the Child (Iran (Islamic Republic of));

120.20 Consider the ratification of

R - ILO Convention 169 and

A - the third Optional Protocol to the Convention on the Rights of the Child (Costa Rica);

A - 120.21 Consider ratifying ILO Convention 189 (Philippines);

R - 120.22 Ratify the 1961 Convention on the Reduction of Statelessness (Slovakia);

R - 120.23 Look into amending the ban on students wearing religious symbols in schools, including the hijab (Kuwait);

R - 120.24 Consider revising its law prohibiting people from wearing religious symbols in public schools (Malaysia);

A - 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);

A - 120.26 Lift the ban on Hijab and respect the right of Muslim women to express their beliefs (Pakistan);

A - 120.27 Review the law 228/2004 to guarantee equality and nondiscrimination and protect the humane rights of all groups, including the right to education (Sudan);

R - 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);

R - 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);

R - 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);

R - 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);

A - 120.32 Take further measures to enhance relevant human rights laws and regulations (Oman);

A - 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);

A - 120.34 Continue developing the institutional framework with respect to the promotion and protection of human rights (Jordan);

A - 120.35 Further strengthen its national framework for the promotion and protection of human rights (Trinidad and Tobago);

A - 120.36 Give continuity to strengthening national human rights institutions (Nepal);

A - 120.37 Establish the National Observatory of violence against women (Republic of Moldova);

A - 120.38 Continue to strengthen the institutional and legal framework to combat discrimination (Romania);

A - 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);

A - 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);

A - 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);

A - 120.42 Improve its policies to protect the rights of women (Namibia);

A - 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 of Great Britain and Northern Ireland);

A - 120.44 Continue its policies on improving the rights of the child (Jordan);

A - 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 of Moldova);

A - 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);

A - 120.47 Find a suitable methodology for data collection, allowing a response tailored to the problems of vulnerable groups (Paraguay);

A - 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);

A - 120.49 Promote understanding, tolerance and friendship between nations and racial and ethnic groups (Ukraine);

A - 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);

A - 120.51 Prevent any initiative contrary to General Comment 34 of the Committee of Human Rights (Turkey);

NC - 120.52 Increase its Official Development Aid with a view to reaching the UN target of 0.7 per cent (Namibia);

NC - 120.53 Continue its efforts to reach the international standard of 0.7% of the GDP devoted to official development assistance (Tunisia);

NC - 120.54 Step up its efforts to bring its ODA up to the international commitment of 0.7% of GDP (Bangladesh);

A - 120.55 Organize visits of the Special Rapporteurs on contemporary forms of racism, rights of migrants and torture to the country (Belarus);

A - 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);

- A - 120.57 Continue its efforts to promote equality between men and women (Paraguay);
- A - 120.58 Perform systematically a study of the impact of all measures (laws and decrees) regarding women's rights (Republic of Moldova);
- A - 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);
- A - 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);
- A - 120.61 Take all necessary measures to promote and facilitate the professional evolution of women to positions of higher responsibilities (Canada);
- A - 120.62 Continue taking measures to eliminate racial and ethnic discrimination (Japan);
- A - 120.63 Continue its efforts to combat racism against foreigners (Kuwait);
- A - 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);
- R - 120.65 Take measures to produce data adequate for combating discrimination and violence against minorities more efficiently (Norway);
- A - 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);
- A - 120.67 Continue to strengthen its anti-racism and anti-discriminatory policies and measures, especially for the Roma and other minorities (Namibia);
- A - 120.68 Continue the efforts to prevent and combat all forms of racial discrimination and xenophobia, and continue to provide the full support to implement the national action plan against racism 2012–2014 (Qatar);
- A - 120.69 Step up its efforts to combat racist, anti-Semitic and extremist expressions and actions (Russian Federation);
- A - 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);
- A - 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);
- A - 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);
- A - 120.73 Use every means possible to combat the rise of racism and xenophobia, including in the Internet (Uruguay);
- A - 120.74 Adopt effective measures to prevent any form of discrimination, racism and xenophobia (Uzbekistan);
- A - 120.75 Continue the implementation of the national plan of action against racism and anti-Semitism (Angola);

A - 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);

A - 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);

A - 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);

A - 120.79 The effective implementation of the repressive action provided for in the National Action Plan against Racism and Anti-Semitism (2012–2014), considering the rise of this phenomenon from another age (Chad);

A - 120.80 Strengthen the fight against xenophobia and Islamophobia (Chad);

A - 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);

A - 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);

A - 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);

A - 120.84 Allocate the necessary resources for the implementation of the National Plan of Action against racism and anti-Semitism (Greece);

A - 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);

A - 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 (Islamic Republic of));

A - 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 (Islamic Republic of));

A - 120.88 Continue deploying efforts to combat employment discrimination (Peru);

A - 120.89 That equality between women and men in the workplace becomes effective in the near future (Burundi);

A - 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);

A - 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);

A - 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);

A - 120.93 Ensure that all serious allegations of ill-treatment are investigated promptly through independent inquiries (New Zealand);

A - 120.94 Investigate cases of disproportionate use of force by police during arrests, custody and interrogations of suspects in particular migrants (Russian Federation);

A - 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);

A - 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);

A - 120.97 Take all necessary measures to prevent and avert illegal treatment by law enforcement authorities (Uzbekistan);

A - 120.98 Ban explicitly the use of racial profiling in the conduction of identity checks (Mexico);

A - 120.99 Take measures to prevent ethnic profiling by law enforcement officials and private businesses and provide effective remedies for victims (Pakistan);

A - 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);

A - 120.101 Put an end to the practice of ethnic profiling which is ineffective and counter-productive (India);

R - 120.102 Consider ending the use of tasers and full body searches in prisons (Norway);

A - 120.103 Ban the use of harmful devices such as ultra sound and flash ball devices and taser guns (India);

A - 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);

A - 120.105 Bring-up French prisons to the level of international standards (Netherlands);

A - 120.106 Continue to strengthen regulation of the penitentiary facilities to fully ensure the rights of and conditions for detained persons (Republic of Korea);

A - 120.107 A greater use of alternative measures to detention facilities and penalties (Togo);

A - 120.108 Continue to implement alternative measures to imprisonment aimed at reducing prison over-crowding (Austria);

A - 120.109 Introduce and publish a national action plan to improve conditions and address over-crowding in prisons, including an increased focus on rehabilitation (United Kingdom of Great Britain and Northern Ireland);

A - 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 (United States of America);

A - 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);

A - 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);

A - 120.113 Take further measures in the same direction of the previous ones for the social reintegration of juvenile delinquents (Greece);

A - 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);

A - 120.115 Combat domestic violence against women and children (Russian Federation);

A - 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);

A - 120.117 Introduce legislation to explicitly prohibit all corporal punishment of children as recommended by the Committee on the Rights of the Child (Finland);

A - 120.118 Consider introducing provisions explicitly prohibiting corporal punishment against children (Poland);

A - 120.119 Implement CRC recommendations by setting a national plan to fight trafficking in women and children (Libya);

A - 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);

A - 120.121 Establish a national plan to combat trafficking in persons and trafficking in women and children (Spain);

A - 120.122 Design and implement a national plan against trafficking in persons that would include a national coordinating body (Switzerland);

A - 120.123 Develop a national strategy to combat trafficking of women and children, and prohibit and criminalize child exploitation and prostitution (Bahrain);

A - 120.124 Adopt a national plan to fight against trafficking in persons (Belgium);

A - 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);

A - 120.126 Adopt comprehensive measures to combat paedophilia and the increase of child prostitution (Belarus);

A - 120.127 Establish structures providing assistance and systematic protection to all minors in the situation of prostitution (Belgium);

A - 120.128 Continue making every effort to ensure greater protection against child prostitution and pornography (Chile);

A - 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 (Islamic Republic of));

R - 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);

A - 120.131 Ensure the birth registration of all children in French Guyana (Brazil);

A - 120.132 Make efforts to adopt legislation to prevent incitement to religious and racial hatred (Libya);

A - 120.133 Take measures to prohibit hate speech, racist and xenophobic acts and their manifestation (Pakistan);

A - 120.134 Redouble its attention with regard to the denial of religious intolerance and xenophobia (Senegal);

A - 120.135 Effectively implement its obligation to ensure freedom of religion in accordance with the ICCPR (Uzbekistan);

A - 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);

A - 120.137 Continue efforts in safeguarding the welfare of all segments of society and the protection of their rights (Nepal);

A - 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);

A - 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 (Islamic Republic of));

A - 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);

A - 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);

A - 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);

R - 120.143 Ratify the European Charter for Regional or Minority Languages of the Council of Europe (Austria);

A - 120.144 Fight against the unemployment rate of people with disabilities, which still is three times higher than the average (Djibouti);

A - 120.145 Pursue its efforts to combat discrimination against Roma (Austria);

A - 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);

A - 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);

A - 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);

A - 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 (United States of America);

A - 120.150 Certify that all its policies on the Roma are in line with the ICERD (Brazil);

A - 120.151 Ensure that all policies concerning Roma are consistent with the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination (Poland);

A - 120.152 That social integration of Roma becomes a reality (Burundi);

A - 120.153 Use all appropriate policies to ensure equal access for everyone to employment, regardless of racial or religious origins (Burundi);

R - 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);

A - 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);

A - 120.156 Take immediate and effective steps to address discrimination perpetrated against the Roma people (India);

A - 120.157 Continue enhancing and developing policies for the social integration of migrants (Kuwait);

A - 120.158 Adopt measures to reduce the level of unemployment among migrants and provide support for their integration into the labour market (Russian Federation);

A - 120.159 Further strengthen the protection of the rights and dignity of foreigner subjected to identity checks or expulsion procedures (Tunisia);

A - 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);

A - 120.161 Continue and intensify efforts to promote access for persons of foreign origin to the public function, especially among the most disadvantaged (Djibouti);

A - 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);

A - 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);

A - 120.164 Limit the use of detention of migrants and asylum seekers, especially when families with young children are concerned (Norway);

A - 120.165 Pay particular attention to unaccompanied migrant children and undertake specific measures to ensure their adequate protection (Morocco).

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