

## Joint NGO Statement: Human Rights Watch and International Service for Human Rights

38<sup>th</sup> Human Rights Council Session- Delivered on 28 June 2018 under Item 6 UPR Adoption

### France: Stop Ethnic Profiling, Protect Asylum Seekers' Rights and Review Counterterrorism Law

We welcome that France accepted recommendations to **stop ethnic profiling in identity checks by the police**. However, we note that it accepted similar recommendations in its last UPR but did not implement measures to effectively end discriminatory police practices. Recent studies by the French Ombudsman and France's Human Rights Consultative Commission found that young men from visible minorities are 20 times more likely to be stopped by police than the general population. We urge France to ensure police stops are based on individualized reasonable suspicion and to introduce "stop forms" – a simple yet effective way to measure and monitor stops, promote accountability and improve relations between security forces and citizens.

We welcome that France accepted recommendations related to **migrants and asylum-seekers, including unaccompanied migrant children**, and related to **accountability for police excessive use of force and harassment**. In July 2017, HRW research found that police forces in Calais routinely spray chemical agents on children and adult migrants and their belongings while they are sleeping or in other circumstances in which they pose no threat. Intimidation of humanitarian workers, disruption of delivery of aid, and prosecutions continue of aid workers for the so-called "crime of solidarity" as well as defamation against the French police for denouncing alleged abusive practices. France should hold police accountable for harassment and attacks against migrants and those assisting them and cease the judicial harassment of individuals and organizations providing assistance to people on the move.

France partly accepted recommendations calling for an **independent, transparent monitoring of its counterterrorism laws**. Despite Mexico's recommendation to create a specific oversight body, France maintains that the parliamentary control provided for by October 2017 Security law is sufficient. This parliamentary control is however limited to four measures of one law, rather than all counterterrorism powers, and lacks independence and transparency. France should mandate an independent body, such as the National Consultative Human Rights Commission, to carry out such monitoring, involve civil society in this process and publish all data on the use of counterterrorism powers.