

# AMNESTY INTERNATIONAL

## PUBLIC STATEMENT

AI Index: {EUR 21/8685/2018}

28 June 2018

### **Amnesty International urges France to respect its international obligations on arms transfers, the rights of migrants and asylum-seekers, and counter-terrorism**

#### ***Human Rights Council adopts Universal Periodic Review outcome on France***

Amnesty International welcomes France's acceptance of recommendations to improve the living conditions of asylum-seekers and migrants,<sup>1</sup> however regrets that once again France has not accepted recommendations to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.<sup>2</sup>

Asylum-seekers arriving in France often face long delays before they can file an application for asylum and enjoy the rights as a registered applicant for refugee status, including access to temporary accommodation. The three-day registration period between the initial application and the registration is seldom respected. Unregistered asylum-seekers risk deportation and suffer harsh living conditions.

Amnesty International is concerned that some asylum-seekers are deported without a thorough assessment of the risks of torture or other ill-treatment they might face upon return.

Amnesty International calls on France to ensure that the rights of migrants and asylum-seekers are fully respected, especially those of unaccompanied minors. The organization is extremely concerned by the immigration bill currently being debated,<sup>3</sup> which would set back the rights of migrants and asylum-seekers in France. We specifically regret that the "délit de solidarité" [the offence of solidarity] for people assisting migrants has not been repealed.

Amnesty International welcomes France's acceptance of recommendations to review the recent anti-terrorism legislation,<sup>4</sup> but is concerned by the law on domestic security and counter-terrorism,<sup>5</sup> adopted in October 2017, which introduced into ordinary law the main emblematic and exceptional measures authorized by the state of emergency. Amnesty International remains concerned that those measures are neither necessary nor proportionate.

---

<sup>1</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review – France* A/HRC/38/4, 11 April 2018, recommendations 145.261 (Peru), 145.272 (Ukraine), 145.275 (Brazil).

<sup>2</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review – France* A/HRC/38/4, 11 April 2018, recommendations 145.4-145.10 (Philippines, Honduras, Sudan, Angola, Chad, Chili, Egypt).

<sup>3</sup> Projet de loi pour une immigration maîtrisée, un droit d'asile effectif et une intégration réussie : <https://www.senat.fr/dossier-legislatif/pil17-464.html>

<sup>4</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review – France* A/HRC/38/4, 11 April 2018, recommendations 145.120 (Norway), 145.121 (Panama), 145.125 (Republic of Korea), 145.130 (Australia).

<sup>5</sup> LOI n° 2017-1510 du 30 octobre 2017 renforçant la sécurité intérieure et la lutte contre le terrorisme. <https://www.legifrance.gouv.fr/eli/loi/2017/10/30/INTX1716370L/jo/texte>

Amnesty International welcomes France's acceptance of a recommendation to refrain from transferring conventional weapons to countries when these could be used to violate human rights and calls on France to fully implement it.<sup>6</sup>

Despite France's ratification of the Arms Trade Treaty in 2014, gaps remain in the legal framework which could lead to unlawful arms transfers, diversion or illicit arms trafficking, with serious risks to human rights in the importing countries. Arms transfers are taking place to countries involved in the conflict in Yemen, despite the overriding risk that the weapons could be used to commit serious violations of international human rights and humanitarian law.

It is regrettable that the important issue of universal jurisdiction<sup>7</sup> was not discussed during the review and Amnesty International calls on France to lift the four requirements created in the 2010 law adapting the Criminal Code to the establishment of the International Criminal Court to ensure access to justice for victims.<sup>8</sup>

Amnesty International looks to the government to fully implement the accepted recommendations, in order to reverse the adverse effects on human rights that several laws have had over the past few years, especially in the field of anti-terrorism and the rights of migrants and refugees.

## Background

The UN Human Rights Council adopted the outcome of the Universal Periodic Review of France on 28 June 2018 during its 38<sup>th</sup> session. Prior to the adoption of the report of the review Amnesty International delivered this oral statement.

Amnesty International also contributed to the information basis of the review through its submission on country: <https://www.amnesty.org/en/documents/eur21/6792/2017/en/>

Public Document

International Secretariat, Amnesty International, 1 Easton St., London WC1X 0DW, UK  
[www.amnesty.org](http://www.amnesty.org)

\*\*\*\*\*

---

<sup>6</sup> Human Rights Council, *Report of the Working Group on the Universal Periodic Review – France* A/HRC/38/4, 11 April 2018, recommendation 145.31 (Panama).

<sup>7</sup> *France: at a crossroads. Amnesty international submission for the UN universal periodic review, 29th session of the UPR working group, January 2018*

<sup>8</sup> LOI n° 2010-930 du 9 août 2010 portant adaptation du droit pénal à l'institution de la Cour pénale internationale (1). <https://www.legifrance.gouv.fr/eli/loi/2010/8/9/JUSX0500268L/jo/texte/fr>