



## **European network of legal experts in gender equality and non-discrimination**

### **NEWS REPORT**

<b>Country:</b>	France
<b>Title:</b>	Parliamentary legislative proposal no 1610 to create repeal the law 69-3 regulating travelers
<b>Date:</b>	30 June 2015
<b>Expert:</b>	Sophie Latraverse
<b><u>Context</u></b>	
<b>Issue at stake:</b>	Enforce the many decision of the Conseil d'Etat and the UN Human rights Committee declaring the legal regime applicable to Traveller
<b>Ground of discrimination:</b>	Race/ethnic origin
<b>Source:</b>	Legislation
<b>Field:</b>	Other (Civil rights: right to vote and free movement)

### **Content**

The Law n° 69-3 of 3 January 1969 provides that travelers must carry special identity papers called circulation booklets and have them stamped regularly, failure to do so exposing them to penal sanctions, and control of compliance authorizing the police to control them constantly.

The National Assembly has voted in first reading on 9 June 2015, a parliamentary legislative proposal of the socialist group, to repeal the law 69-3 regulating travelers, thereby putting an end to their obligation to carry special identity papers and to have them validated.

In addition, at article 8, after repealing this special legislation, the Code of Social welfare is amended in order to allow them to benefit from the same rules regarding designation of administrative residence and registration on voting list as any person without fixed domicile.

At article 2, it also amends the Law n° 2000-614 of 5 July 2000 regarding the parking and accommodation of Travelers. It imposes on local urban planning regulation to take into account the need to plan locations for ritual gatherings. It also imposes on local authorities the duty to foresee the need for long term parking on family plots, to be purchased or rented, to reflect the present need for partial sedentarity during periods when Travelers do not travel, mainly for reasons of medical care or children's education.

**Comment** This bill is voted after a number of decisions declaring the law of 1969 to be discriminatory and contrary to human rights international conventions.

On 28 March 2014, the UN Human Rights Committee condemned France for violation of Article 12 of the International Covenant on Civil and Political Rights, concluding that Law 69-3 did not respect the principle of Freedom of circulation by imposing upon Travelers

an obligation to carry a circulation booklet and to regularly present it to Police authorities to have it stamped, with the threat of criminal sanctions. It requested that the Law no 69-3 of 3 January 1969 be reviewed and that France take action to prevent any further action before the Criminal Court to enforce this legislation (cf. flash report 1268-FR-120).

The Conseil d'Etat also declared this part of the law to be null and void in a decision of 19 November 2014, 10<sup>th</sup> and 9<sup>th</sup> Sections no 359223 (cf. flash report 1348-FR-125).

**Internet link source and additional information:** Voted text first reading National Assembly: <http://www.assemblee-nationale.fr/14/ta/ta0526.asp>