



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

### FLASH REPORT

<b>Country:</b>	France
<b>Title:</b>	Defender of Rights report on the situation of discrimination on the ground of origin in France ( <i>Discriminations et origines: l'urgence d'agir</i> )
<b>Date:</b>	24 June 2020
<b>Expert:</b>	Sophie Latraverse
<b><u>Context</u></b>	
<b>Issue at stake:</b>	The state of discrimination on the ground of race and ethnic origin in France
<b>Grounds of discrimination:</b>	Racial or ethnic origin, Religion or belief
<b>Field of application:</b>	All fields
<b>Source:</b>	National equality body

### **Content**

On 22 June 2020, the French Equality body, the Defender of Rights, published a report on the situation of racial and ethnic discrimination in France.

Based on the research, studies, public data, survey and public reports published by public and academic research centres and official institutions during the last 15 years, the report presents a diagnosis on the situation in France of persons of foreign origin from the first, second and third generation.

All available information reveal similar indicators: Racial and ethnic origin discrimination is massive and in progression. It affects the lives of millions of persons and constitutes a threat to social cohesion. It interacts with an assignation of persons to the Muslim religion and holds an intersectional dimension with discrimination based on the Muslim religion.

Persons of foreign origin or perceived as such, are disadvantaged in access to employment, access to housing, are more exposed to unemployment, poverty and police controls, their health is degraded and the educational system is inadequate to provide equal opportunities.

11 % of persons of foreign origin declared in 2016 having been discriminated in the last five years, compared to 8 % in 2008.

Public policies initiated at the period of the transposition of EU directives have evolved to become policies of access to opportunity of persons in underprivileged neighbourhoods or promotion of diversity focusing on disability and equality between women and men. The issue of discrimination based on origin has disappeared from the radar.

The national strategy to fight discrimination relies exclusively on the equality body and judicial redress, which is insufficient to address the systemic and massive reality of discrimination on the ground of race and ethnic origin today.

The report concludes that populations who are victim of racial and ethnic discrimination face multiple systemic difficulties that require to be addressed through public policy.

The report proposes to modify the law in order to limit discriminatory police controls, facilitate access to penal redress and class action, and introduce punitive damages in cases of direct discrimination and harassment. In addition, the report proposes a comprehensive strategy based on the mobilisation of all levels of society, including private employers, in order to engage in the capacity to document and correct discrimination on a wide scale. In this context, it proposes to the Government to support research and create an observatory, the development of statistics and data in order to monitor racial and ethnic discrimination, and to impose non-financial indicators in the public and private sectors.

**Key points of analysis:** This report has been in the making for over a year. The competence of the Defender of Rights covers discrimination but also extends to fundamental rights in relation to public service, the rights of children and ethics of public security forces. Its mandate gives it a specific outlook and recognised expertise to address the many areas scrutinised to discuss the reality of racial and ethnic discrimination in France.

The report brings into perspective all the production and expertise that exists in France on discrimination, rights of children, right to education, right to housing, relations of police forces with the population and the findings of the equality body over the last fifteen years. These findings support its evaluation of the situation of populations of foreign origin in France, and the limits of judicial action and public policy.

It offers a comprehensive presentation of existing research which shows that its findings are verified over a long period of time and that the situation has not improved on the sociological and macro analysis level despite the fact that implementation of discrimination law has made important progress over the last 15 years.

The first part of the report presents all the available sources and facts, the second part presents public policies that have been pursued over the last 20 years, their results and their limits, and the third part of the report makes recommendation to the Government with the ambition of proposing a concrete strategy.

**Internet link source:**

<https://www.defenseurdesdroits.fr/fr/rapports/2020/06/discriminations-et-origines-lurgence-dagir>.