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FRENCH NATIONAL CONSULTATIVE COMMISSION OF HUMAN RIGHTS

Annual Report on racism and xenophobia – year 2002

Published on the 21th of march 2003

Excerpt

(Translated from the French)

In fact, this survey indicates a clear rejection of discrimination, although there are nuances when the victims are "foreign" or "immigrants." Retrenchment along ethnic lines does not seem to be perceived as a widespread phenomenon, although these polls note its dangers. Actually, those polled have a certain amount of faith in the possibilities of integration and believe it is the government's job to promote it.

Recommendations

Statistics and comments are of little use if they do not create new prospects for action. Thus, Mr. Prime Minister, your Government has taken several initiatives to fight racism and anti-Semitism. Measures were recently announced for schools, and the Commission would like to know their scope and play a role in their development.

In the legislative area, the Commission was pleased with the institution of a law increasing the penalties for racist crimes. Measures giving added strength to the fight against discrimination—part of a bill updating the means made available to the Courts to deal with new trends in crime—were submitted to the Commission. A few moments ago, it issued an opinion on the entire bill and was pleased to emphasize important advances in the fight against terrorism, while formulating a few suggestions to improve the text.

In your March 20 message to the ministers, we noted with interest your call to school personnel and local elected officials to exercise vigilance and reaffirm the republican social contract.

More generally, the Commission's members are convinced that the various measures taken or slated for 2002 and 2003 should be coordinated within the framework of a global policy on fighting racism. Such measures must be consistently applied and their effectiveness must be assessed. The Commission greeted with satisfaction the wish expressed by President Chirac in Troyes last October to see the creation of an independent authority to combat all forms of discrimination. Our Commission hopes to be involved in its design.

On the international level, the World Conference on Racism in Durban, South Africa, last September recommended the establishment of national plans to fight racism. Several European countries are doing so. France should set an example and develop a national plan of action. Our Commission is ready to take part in that.

To wrap up this first point on racism and xenophobia, the Commission cannot hide its concern over what the near future may bring and recommends heightened vigilance. This feeling is supported by the spectacular increases in violence and racist threats recorded in 2002; by the temptation to displace to the domestic front the tensions and wars in other parts of the world; and by the relative passivity or even indifference exhibited by public opinion, as indicated by our survey. Now more than ever, we believe it is necessary and urgent for the government, under your high authority, to reaffirm its clear, strong political will to fight all forms of racism and xenophobia.

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In the current international context, I would like to express our Commission's concerns about the war in Iraq and its consequences.

As this war intensifies, the National Consultative Commission of Human Rights must not forget that the UN Charter is the only collective security framework based on international law.

The Commission hopes for a swift end to the fighting and reminds all the belligerents of their obligations under international humanitarian law, and notably their duty to protect civilians and to respect prisoners of war.

The Commission hopes that France, together with humanitarian NGOs, is ready to supply significant emergency humanitarian aid to civilian populations.

It hopes that France and its EU partners will find a way for the EU to speak and act with one voice in the future, in the service of the law and peace. Now more than ever, it is necessary to reflect on the role of human rights in Europe and throughout the world. The Commission is ready to do its part. It will begin this process during its sub-committee meeting on March 31 and its plenary session in April.

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With regard to the Commission report, which illuminates a certain number of very troubling developments, Prime Minister Raffarin called upon the French to avoid tarring whole communities with one brush: "We must avoid transferring international tensions to our own national community."

Mr. Raffarin called the previous Saturday's attack on young Jews on the sidelines of an anti-war demonstration "intolerable" and reasserted his government's "mobilization" amid growing dangers of racism and anti-Semitism linked to the Iraq conflict.

"At recent demonstrations we have witnessed attacks against young Jews that the French government considers unacceptable, intolerable," he said. As such demonstrations proliferate, "you still have the most hard-core, most extremist elements, whose behavior is destabilizing to the balance and values of the Republic. We will combat all forms of racism and anti-Semitism. We do not want such acts to create worrisome tensions in our country," he said emphatically, noting that the government has initiated actions in the schools and will present initiatives to promote integration at a "far-reaching" ministerial committee meeting on April 10.

The government rallied strongly to restore republican authority in our country by giving greater means to the police, the courts and defense forces. The first objective is security for all. But the answer is more global, rooted in several fundamental principles: prevention, particularly in schools; improving the legal system and judiciary; and daily monitoring.

To counter the increase of minority isolation in schools and prevent future acts of discrimination, the government has instructed school principals, who were received by the Education Minister on March 11, to act firmly. An oversight and follow-up unit was created and some 20 mediators are always on call to intervene at establishments that so request. A committee was given the task of producing a booklet to be distributed at all schools; it will

include a selection of reference texts as well as concrete answers tailored to a wide variety of potential conflicts.

Finally, a broad series of consultations got under way to sensitize all school personnel to the dangers of racism and anti-Semitism.

In the realm of criminal enforcement, the government also indicated its determination to obtain legal means to effectively combat all forms of discrimination. Thus it encouraged and supported the bill introduced by Mr. Pierre Lellouche, which passed unanimously not long ago and is now the law of February 3, 2003, which increases the penalties for crimes of a racist, anti-Semitic or xenophobic nature.

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The “gravest phenomenon” for the prime minister is the spread of racist acts. “Once an insult becomes commonplace, it ends up being tolerated, accepted and no longer seen for what it is—a means of destroying human dignity,” he declared.