

**Country Visit: France**

ENGLISH only

**Report of the Personal Representatives of the OSCE Chair-in-Office on  
Tolerance and Non-Discrimination Issues  
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*Anti-Semitism and the Jewish Community*

During the Holocaust 74,000 Jews were deported to Nazi death camps with the active support and assistance of French authorities. Despite the clear evidence of this fact—documented in the country’s Holocaust museum and educational center, *Memorial de la Shoah* in Paris—it was not until 1995 that France officially acknowledged its role and responsibility. In the postwar years, the Jewish community was supplemented by immigrants from North Africa, and today it numbers between 500,000 and 600,000, making it the largest Jewish community in Europe.

The traditional sources of anti-Semitism in France had long been the political right and conservative Catholicism. This brand of anti-Semitism has not disappeared, but it no longer plays the significant role it once did. However, nearly a decade ago France witnessed a dramatic increase in anti-Semitic incidents stemming primarily from the country’s Arab and Muslim population. The breakdown of the Middle East peace process and the onset of the second *Intifada* coupled with intense and largely negative media coverage of Israel triggered a wave of attacks on French Jewish targets that continued for several years. French leaders at the time sought to downplay or even deny the anti-Semitic nature of these incidents, alternately claiming they were just acts of vandalism committed by disadvantaged and unemployed youth or politically motivated actions that could somehow be understood if not condoned. French Jewish leaders were at odds with their government, which refused to recognize the extent and severity of the problem. For the first time in decades French Jews seriously questioned whether there was a future for them in France.

When compared to those days, the situation now is markedly improved. A change in governments—and government policy—brought increased security to Jewish institutions and reassurance to its members. Nevertheless, anti-Semitic incidents remain disproportionately high according to Jewish community monitors. The Middle East conflict continues to trigger attacks as reflected in the spike in incidents in 2009 following the Gaza war, but the overall average (500 annually) remains more than double what it was a decade ago. The “stigmatization” of Israel, they say, has become the common way of expressing anti-Semitism. NGO representatives also identify a strong media bias that has made Zionism a dirty word, and they point to the enormous popularity of the pamphlet, *Indignez Vous*, a shrill denunciation of Israel by former French resistance fighter Stéphane Hessel, as one example.

French Jews have close ties to Israel, and many—particularly those of Sephardic background—have relatives living there. Thus, widespread anti-Zionist attitudes in France foster feelings of separation and exclusion. One analyst calculates that these anti-Zionist attitudes are most strongly held by three segments of French society—the extreme left, Islamists and Arab nationalists. He went on to say that, since 15-20 percent of the electorate identify as “extreme left” and 4-6 million residents are of Arab/Muslim background, these are far more than just fringe groups.

Additionally, community representatives stressed that satellite television and the Internet are main factors in fomenting hatred against Jews. NGO leaders note that while the government has been active in combating the violation of property rights on the Internet, it is less so in other areas.

Jewish leaders recognize that there have been new efforts in recent years to develop educational tools to fight racism and intolerance. But they say these efforts fall short when the primary source of anti-Semitic incidents comes in large part from another minority which is itself a victim of discrimination. They offer anecdotal evidence of Jewish students who are harassed by Muslim classmates and then encouraged by school administrators to transfer to other schools when they complain. According to their statistics there has been a threefold increase since 2002 in enrolment in Jewish schools, reflecting an anxiety and discomfort with the public school experience.

The Jewish Community Protection Service (SPCJ) monitors anti-Semitic incidents and works closely with public officials to provide security to synagogues and other institutions. It also offers a 24 hour “hot line” for reporting incidents and where victims can find legal advice and psychological counseling. Despite the well-organized and structured response of Jewish institutions to these problems, Jewish leaders are reluctant to be too vocal and singular in their public criticism. Mindful of the country’s long, anti-communitarian tradition, they would prefer finding non-Jewish allies to lead the struggle against resurgent anti-Semitic trends.

### ***Roma and Sinti Issues***

French law does not recognize minorities as such, but there are two distinct communities that are considered to comprise Roma and Sinti in France. There are the “travelers” (*gens du voyage*) who are primarily itinerant French citizens of historical Roma and Sinti communities, and there are those generally identified as Roma “immigrants” who have come to France primarily from Romania and Bulgaria. Despite holding French passports, the itinerant travelers must also carry a special document (*carnet de voyage*) requiring official registration at each place they stop, which they see as evidence of a “second class” citizenship. They further report on the difficulties they face from local authorities who impose many restrictions on their caravan settlements and on the poor education that is offered to their children via “truck schools” that follow them around.

Since 2005 Roma immigrants have been subject to large scale deportations. Community representatives say that official policies that would allow them to legalize their residency in France (provided they have employment) are in fact thwarted by the authorities. They believe that the real goal of the government is to force them out of the country.

These Roma representatives say that political leaders are primarily interested in manipulating public opinion to see both groups as “thieves and criminals” who pose a danger for French society. They note that strongly-worded speeches against “gypsies” have become commonplace in the political arena even at the highest levels.

They further suspect that police maintain secret—and as such illegal—files on many of them as potential criminals.

### ***Discrimination Against Muslims***

Since the French government maintains no population statistics based on religion, it is impossible to provide the exact number of French Muslims, but estimates range between 5 and 6 million. Popular attitudes also blur distinctions, and so all Arabs (including many who are secular in practice) are frequently identified as Muslims, and they in turn may even be characterized as Islamist extremists. Thus, Muslim leaders point out, in France Islam is perceived not as a religion but an ideology—and one having close connections to terrorism.

The most visible incidents directed against Muslims appear to be aggressive expressions voiced toward women wearing head scarves, which account for 40 percent of all incidents. For the first time in 2009, a line was crossed when the first of these incidents became physical.

French law drawing on its tradition of *laïcité* prohibits the wearing of head scarves by public employees and also by all students in public schools. A new law being prepared by the Education Ministry might impose further restrictions that would extend to the mothers of students who are accompanying their children to school events. Community leaders say that even now the law is improperly used to prevent or deter Muslim women in head scarves from receiving government social services.

Community representatives also report difficulties in the construction of new mosques, citing problems in securing construction permits, neighborhood opposition and a lack of funds.

### ***Ministry of Education***

Holocaust education, including both the persecution and murder of Jews and of Roma is a mandated part of the school curriculum.

(It should also be noted that representatives of the Memorial de la Shoah reported that they provide training for 2,000-3,000 police annually, which focuses on the role of police during Vichy, the duty to disobey and genocide and Judaism today. An additional one day seminar is also offered to judges.)

Issues raised by the respective community representatives were taken up by the Personal Representatives with the Ministry's representative responsible for secondary school education.

The Ministry recognizes that there has been a shift of Jewish students from public to private schools, but as they cannot record data based on religion they do not have their own statistics. While the Ministry maintains an internal data base on cases of racist, sexist, anti-Semitic, and homophobic violence at schools, the data is not published. Thus, this should allay the fears of any school director to report incidents. The Ministry is currently undertaking a research project that surveys the students themselves to determine the motives of these attacks and how they are perceived. The results of this research are expected to be released in October.

The Ministry acknowledges the difficulties in educating Roma (and particularly traveler) children, and a commission has been established to address the question. Maintaining separate traveling schools may be a practical solution but it is certainly not optimal.

Responding to the question of head scarves on the part of students' mothers, this official indicated that decisions are generally made by the local school directors. However, when parents accompany students on school trips they are seen as by the Ministry of Education as providing a form of assistance to the school and thus would need to abide by the policy of neutrality.

### ***Religious Affairs at the Foreign Ministry***

Two years ago a working team was established at the Foreign Ministry to focus on issues of religion as they arise in foreign relations and to provide policy recommendations. One result has been the development of training programs for new diplomats to raise awareness of religious issues. The Memorial de la Shoah, at the request of the Foreign Ministry, is now preparing a brochure on anti-Semitism for use by French diplomats. A change in government policy that now supports the training of imams has also engaged this working team to seek international cooperation.

### ***National Civil Society Efforts***

The Personal Representatives met with representatives from a number of civil society organizations, ranging from National Consultative Commission for Human Rights (CNCDH) which has a special mandate to monitor to racism and anti-Semitism to more narrowly focused bodies.

Several organizational representatives sought to downplay the significance of counting violent incidents, which can fluctuate and may have leveled off. Instead they stress that there has been a “banalization” of violence, in which aggressive actions generally and the appeal to violence have become more commonplace. This is paralleled by reports of increased public hate speech stemming from mainstream politicians and the media.

Much of the violent aggression today is directed toward Roma, who are also described as the primary victims of discrimination. But, they note that there is also violence directed against visible Jewish targets (e.g., rabbis, synagogues and cemeteries), stemming from different sources such as neo-Nazis and the far Right (in Alsace) and Arabs and Muslims (in the Paris suburbs). Christian churches and cemeteries are also targets, and the presence of anti-Christian slogans may point to a more serious phenomenon than simple vandalism.

Opinion surveys reveal that opposition to public manifestations of religion generally is quite high in France, and this may be linked to hostility directed toward Arabs and Muslims—based on ritual observance rather than ethnic background.

An Advisory Commission on Roma and Sinti has been asked to take up the problems faced by French travelers as well as those of Roma immigrants. A draft law is being prepared that will abolish the required internal travel documents (*carnet de voyage*) for travelers and eliminate current voting rights restrictions. It will also seek to move traveler children from the current “truck schools” to regular public schools. The Commission’s chair also noted that when addressing the problems of Roma immigrants one must acknowledge that political and police authorities have (legitimate) concerns about an excessive influx of immigrants from Romania and Bulgaria, some of them with criminal records.

### ***MIVILUDES (Inter-ministerial Mission for Vigilance and for Combating Cults)***

In 1996, the government created an Observatory of Cults, and in 1998 an Inter-ministerial Mission for this purpose. Although government concerns about the illegal activities of certain cults were justified, some NGOs and scholars said the Mission had infringed on principles of religious freedom. In 2002, it was replaced by the current Mission which is primarily concerned with such things as cult claims to miraculous medical cures and the quality of education in schools run by some new religious movements. Still, some NGOs believe that alternative approaches to education undertaken by some fundamentalist Christian groups are assessed unfairly by MIVILUDES. In its defense the Mission in recent years appears to be more willing to engage in dialogue with its critics.

### ***Ministry of Justice***

The legal fight against hate crimes and discrimination operates in three ways:

1. Extra penalties can be imposed on those found guilty of crimes of physical (and even verbal) violence where the motives are based on racism and the victims are identified by race, nationality, ethnicity or religion.

2. Laws banning discrimination in service and business, which would be based on the above groups as well as gender, sexual preference and disabilities.
3. An 1891 law on press freedom with subsequent amendments prohibits racist incitement, appeals to violence and discrimination, and Holocaust denial.

The application and enforcement of these laws depend on having sufficient evidence that the crimes were committed on racist grounds. This has led to increased cooperation with and a greater role for NGOs in the process. These NGOs, such as *SOS Racisme* and LICRA, are called on to help assist victims in lodging complaints, in representing them legally, and even on occasion in serving as the plaintiff.

Current policy now obliges each regional court to create a team of judges and prosecutors who will specialize in addressing hate crimes and crimes of discrimination. These teams are expected to coordinate their work among themselves and with the Ministry. Guidelines have been prepared which should make prosecution both swifter and simpler and which will also provide statistical reports.

The number of recorded racist crimes (an average of 2,000 annually) is only a small percentage of overall crime in the country. But even Ministry officials concede that the real number of such crimes is probably far higher, as many victims are reluctant to submit their complaints to official bodies.

As leaders of the Jewish community pointed out, anti-Semitism in France today often takes the form of anti-Israel animus. One way this has been manifest is in the call for boycotting products from Israel. The Ministry has addressed this in a ruling that declared such activities should be considered incitement to discrimination based on nationality and thereby prohibited. (Civil society representatives who have sought the prosecution of boycott advocates based on this ruling point out that such people have not been silenced but rather take care to come close to but not cross this line.)

As in other countries, sports matches can frequently provide an arena for racist expressions. The French government has developed a policy for dealing with this by prohibiting any signs or expressions that would serve to incite racist aggression against players, fans or referees. It has prepared and printed clear guidelines that serve to indicate when this law is violated. In those cases where scheduled matches are thought likely to pose problems, it will position prosecutors in the arena itself who can bring charges against violators even as the game is being played.

Ministry officials believe that racist crimes are dealt with seriously when they are reported and that the laws as written are adequate. However, they also acknowledge that many crimes go unreported. Thus, they are hopeful that a recently established Ombudsman for Citizens Rights will make a difference. This individual will have extensive authority in combating racism and discrimination, including investigative powers and the ability to mediate cases with the state. It is too early, however, to measure the success of this office.

### ***Recommendations***

- The work of the Advisory Commission on Roma and Sinti should address the specific grievances of those communities directly with their representative organizations.
- Political leaders and law enforcement officials should be careful to avoid negative stereotyping.
- MIVILUDES should continue to engage in dialogue with legitimate, non-conventional religious groups and with NGOs and scholars who maintain different views about new religious movements.
- Data collection should encompass and disaggregate acts of desecration and vandalism so as to include the religious and ethnic identification of targeted sites.
- Support should be given to efforts, such as those now undertaken jointly by the Jewish Community and *SOS Racisme*, to develop educational intervention programs that can be quickly implemented in schools when there are violent assaults.
- An Observatory of anti-Semitism should again be established that can bring together a wide range of community and institutional representatives for consultation and practical recommendations. It can address the current problem of “anti-Zionist” rhetoric serving as a mask for anti-Jewish expressions while avoiding the existing legal prohibitions.
- Education Ministry officials should insure that local school authorities are careful in their implementation on head scarf bans so as not to deter or inhibit the constructive involvement of students’ mothers in school activities.

**Annex:**

**List of participants in meetings with the Personal Representatives of the Chair-in-Office during the visit**

Mayor's Office

- Mr. Jean-Yves Camus, Assistant to the Diplomatic Adviser to the Mayor of Paris

Ministry of Education

- Ms. Anne Rebeyrole, Prevention of Discrimination Official, General Direction for Secondary Education

Ministry of Foreign and European Affairs

- Mr. Nicolas de Riviere, Director, Directorate of the UN, International Organizations, Human Rights and Francophone
- Ms. Marilynne Olszak, Department of Human Rights and Humanitarian Issues
- Mr. David Behard, Religion Cluster Management Prospective

Ministry of Justice

- Mr. Nicolas Guillou, Diplomatic Adviser to the Minister
- Ms. Laetitia Francart, Magistrate of the Office of the DACS
- Ms. Nicole Cochet, Representative of DACS
- Mr. Olivier Cortes, Deputy to the Director of Public Law at DACS
- Mr. Hervé Roberge, Deputy of Judiciary Professions at DACS
- Mr. Cyril Lacombe, Head of the Office for the evaluation of criminal policies at the Criminal Matters and Pardons Directorate
- Mr. Michele Dubrocard, Head of the Office of Expertise and Institutional Questions at the Office for European and International Affaires

National Consultative Commission of Human Rights (CNCDDH)

- Mr. Emmanuel Decaux, Vice-President
- Mr. Thierry Massis, Representative of the archbishopric of Paris
- Mr. Jean-Michel Balling, Representative of the Grande Loge of France
- Mr. Regis de Gouttes, President of CNCDDH commission on "European and International Issues", member of CERD
- Mr. Marc Leyenberger, President of CNCDDH commission on "Racism, Xenophobia and Discrimination, member of ECRI
- Ms. Cecile Riou, CNCDDH

Senate

- Senator Jean-Pierre Herisson, Chairman of the Advisory Commission on Roma and Sinti

MIVILUDES

- Mr. Hervé Machi, Secretary General, Interministerial Mission for Monitoring and Combating Cultic Deviances
- Mr. Antoine Dahan, Diplomatic counselor



- Ms. Claire Barberau, Press and Parliamentary Relations

Meetings with representatives of civil society

- Mr.Saimir Mile, NGO « La Voix des Rroms »
- Mr.Lorrys Daumas, NGO « UFAT, Union Francaise des Associations Tsiganes»
- Mr. Abe Radkin, Executive Director of International Project ALADDIN
- Mr.Philippe Schmidt, Vice-President, LICRA
- Ms.Macha Pariente, Head of Legal Department, LICRA
- Mr.Olympe Baudoin, Policy Officer of International Affairs, LICRA
- Mr.Ron Azogui, Director, SPCJ
- Dr. Richard Prasquier, President, CRIF
- Ms. Eve Gani, CRIF
- Mr.Philippe Allouche, Director, Fondation Memoire de la Shoah
- Mr.Karel Fracapane, Responsable des Relations Internationales, Memorial de la Shoah
- Mr. Georges Bensoussan, Responsable Editorial, Memorial de la Shoah
- Mr. Simon Rodan, AJC
- Dr. Abd-al-Wadoud Gouraud, Islamic Institute for Advanced Studies
- Mr. Mohammed Moussaoui, President, CFCM
- Mr. Mohamed Colin, Director, Salamnews - Saphirnews (Muslim Media and Newspaper)
- Mr.Saïd Branine, Director, Oumma.com (Muslim Media)
- Mr.Haydar Demiryurek, President, CCMTF (Coordination Comity of Turkish Muslims in France)
- Mr. Samy Debah, President, CCIF (Comity against Islamophobia in France)
- Mr.Beddy Ould Ebnou, Director, IIIT France (International Institute of Islamic Thought)
- Ms.Dounia Bouzar, Expert
- Mr. Veysel Filiz, Vice-President, Director of Western Europe Coordination Office, COJEP International
- Mr. Emre Demir, Zamar France
- Mr. Samir Djaiz, ENISCO
- Ms. Lila Bookortt, ENISCO
- Ms. Dou Dou Diexie, ENISCO
- Ms. Asma Soltan, NGO Femyso
- Mr.Hzkar Filiz, COJEP International
- Mr. Finar Das, CCIF.
- Ms. Shazia Iftkhar, University of Michigan.
- Mr. Hadrien Lenoir, SOS Racisme
- Ms. Bernadette Hetier, Movement against Racism and for Friendship between Peoples (MRAP)
- Mr. Martine Cartel, Movement against Racism and for Friendship between Peoples (MRAP)
- Mr. Jean Pierre Dubois, President of the League of Human Rights (LDH)
- Sister Denes, NGO “Justice and Peace”
- Patrick Henault, NGO Justice and Peace”