



FREEDOM IN THE WORLD 2020

France

90

/100

FREE

<u>Political Rights</u>	38 /40
<u>Civil Liberties</u>	52 /60

LAST YEAR'S SCORE & STATUS

90 /100 Free

Global freedom statuses are calculated on a weighted scale. See the methodology.



Overview

The French political system features vibrant democratic processes and generally strong protections for civil liberties and political rights. However, due to a number of deadly terrorist attacks in recent years, successive governments have been willing to curtail constitutional protections and empower law enforcement to act in ways that impinge on personal freedoms. Anti-Muslim and anti-immigrant sentiment continue to be rife throughout the country.

Key Developments in 2019

- The Gilets Jaunes (Yellow Vests) movement, which began in 2018 initially as an antitax protest focused on the price of petrol, continued to make headlines in the first half of 2019, expanding their demands and areas of frustrations, and drawing crowds of protesters from those generally alienated from the mainstream.
- Some of the protests, in Paris in particular, led to violent confrontations between the Yellow Vests and the police, throughout which the police were accused of using unnecessary force; many protesters, but also journalists and bystanders, were injured.
- Strikes and demonstrations took place throughout December in the longest-lasting union action since 1995. The strikes were particularly adhered to in the transport sector (rail and public transport) to protest pension reforms.

Political Rights

A. Electoral Process

A1 0-4 pts

Was the current head of government or other chief national authority elected through free and fair elections?

4/4

The French president is chief of state, and is elected to five-year terms by direct, universal suffrage in a two-round system. The prime minister is head of government and is appointed by the president. Emmanuel Macron, a centrist newcomer to politics, won the first round of the presidential election in April 2017. In the second round, Macron bested Marine Le Pen of the far-right National Front (FN), taking 66 percent of the vote. Le Pen had campaigned on pledges to suspend immigration and hold a referendum on France's European Union (EU) membership. The turnout in the first round was 77 percent, but lower in the second, dropping to under 75 percent.

The Organization for Security and Co-operation in Europe (OSCE), following a needs assessment mission, expressed confidence in the integrity of French elections and sent only a limited observer mission to assess campaign finance processes and media coverage surrounding the presidential poll. It expressed concern over legal provisions under which journalists could be compelled to reveal their sources if it were deemed in the public interest, but generally praised the media environment surrounding the election.

A2 0-4 pts

Were the current national legislative representatives elected through free and fair elections?

4/4

Members of the lower house of Parliament, the 577-seat National Assembly, are elected to five-year terms in a two-round system. The upper house, the 348-seat Senate, is an indirectly elected body whose members serve six-year terms. In the June 2017 legislative elections, Macron's La République en Marche! (LREM) and its centrist ally won a comfortable majority in the National Assembly, with 350 out of 577 seats. The center-right Republicans (LR) and their allies finished second, and the center-left Socialist Party (PS) and its allies finished a distant third. Despite securing 13 percent of the vote nationally, only 8 FN candidates were elected to the National Assembly; remaining seats were split among a number of other parties. The legislative election saw record low turnout, with 49.7 percent in the first round and 42.6 percent in the second.

The OSCE declined to send a mission to observe the polls. Expressing general confidence in the elections, they saw no need for a second mission following its earlier evaluation of the presidential election.

A3 0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?	4/4
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France's electoral laws and framework are fair and implemented impartially. While generally praising the electoral framework, the OSCE in its assessment of the 2017 presidential poll recommended that officials work to close loopholes that can allow actors to sidestep campaign finance regulations.

B. Political Pluralism and Participation

B1 0-4 pts

Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?	4/4
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Parties are generally able to organize and operate freely. For the first time, France held live televised debates during the first round of the 2017 presidential race, providing a platform for the top five candidates to express their views, and expanding the national exposure of less dominant parties.

The vote for new representatives to the European Parliament took place in May 2019 and featured a broad array of parties. The election was competitive, with the Green Party gaining power, and LR losing over half of their seats.

B2 0-4 pts

Is there a realistic opportunity for the opposition to increase its support or gain power through elections?

4/4

The 2017 elections, which saw strong performances by the LREM, the FN, and the far-left France Insoumise (FI)—demonstrated that parties outside the political mainstream can gain power through elections.

B3 0-4 pts

Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?

4/4

People's political choices are generally free from domination. Police violence and repression were widely denounced during the Yellow Vest movement.

B4 0-4 pts

Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities?

3/4

No laws restrict the political participation of women, LGBT+, and ethnic, religious, and racial minorities. However, the rise of far-right parties and their prevalent nationalist ideology have become more mainstream minorities claim to feel more excluded from the political sphere, most notably Muslim communities, who are also overwhelmingly targeted by laws regulating religious symbols and clothing.

C. Functioning of Government

C1 0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies of the government?

4/4

In general, the elected head of government and national legislative representatives determine the policies of the government. However, under the administration of former president François Hollande, the government used Article 49.3 of the constitution to bypass parliament in the passage of legislation. Since becoming president, Macron has used the *ordonnance* process to similarly forego parliamentary debate in his overhaul of labor laws.

C2 0-4 pts

Are safeguards against official corruption strong and effective?	3/4
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Corruption remains an issue. A 2017 law on “moralization” sought to reduce conflicts of interest by banning lawmakers at national and local levels, as well as civil servants, from employing family members, among other provisions.

Corruption allegations have been lodged against a number of high-level government officials in recent years. In September 2019, Richard Ferrand, the leader of the National Assembly and one of Macron’s closest allies, was put under formal investigation in a corruption case. The same month, another prominent corruption case made the headlines: a former member of parliament, Patrick Balkany, mayor of Levallois-Perret, was sentenced to four years in jail for severe tax evasion.

C3 0-4 pts

Does the government operate with openness and transparency?	4/4
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The government generally operates with openness and transparency, although the use in recent years of Article 49.3 and *ordonnances* demonstrates some desire by the executive to make policy without legislative or public scrutiny.

The Benalla Affair, which roiled French politics for much of 2018, raised questions about transparency in Macron’s administration and remained prominent in early 2019. Another scandal erupted in September when Richard Ferrand, the leader of the

National Assembly and one of Macron's closest allies, was put under formal investigation in a corruption case.

Civil Liberties

D. Freedom of Expression and Belief

D1 0-4 pts

Are there free and independent media?	4/4
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The media operate freely and represent a wide range of political opinions. However, high concentration of media ownership remains a concern.

D2 0-4 pts

Are individuals free to practice and express their religious faith or nonbelief in public and private?	3/4
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The constitution protects freedom of religion. Antidefamation laws penalize religiously motivated abuse, and Holocaust denial is illegal. France maintains the policy of *laïcité* (secularism), whereby religion and state affairs are strictly separated, though the government maintains relationships with organizations representing the country's three major religions, Christianity, Islam, and Judaism.

Since 2015, France's already damaged relationship with its Muslim communities has grown increasingly fraught in the wake of terrorist attacks, some of which the Islamic State (IS) militant group claimed responsibility for. Islamophobic rhetoric from prominent politicians and public figures on both the left and right is not uncommon. Multiple attacks at mosques throughout the country occurred in 2019. In June in

Brest, two people, including an imam, were shot and seriously injured in an attack on a mosque.

D3 0-4 pts

Is there academic freedom, and is the educational system free from extensive political indoctrination?	4/4
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There are no formal restrictions on academic freedom in France.

D4 0-4 pts

Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?	3/4
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Private discussion remains generally open and vibrant, despite new laws that permit government surveillance. In 2015, parliament approved a law granting the government expanded powers to conduct domestic surveillance, including bulk collection of communications data, and granted them wider authority to use hidden cameras and microphones. The law authorizes the use of sophisticated intelligence technology to intercept all telephone conversations, text messages, and emails in targeted areas. The law prescribes only limited judicial oversight of these activities.

E. Associational and Organizational Rights

E1 0-4 pts

Is there freedom of assembly?	3/4
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Freedom of assembly is normally respected. However, human rights organizations expressed concern that an antiterrorism law passed in 2017 limits the right to

demonstrate.

In November 2018, the Yellow Vest protests against anticipated fuel tax increases broke out across the country. The protests grew into a mass movement that reflected the working and middle classes' deep-seated discontent with French political elites. Some of the protests devolved into riots, with demonstrators blocking roads and damaging property, including the interior of the Arc de Triomphe. However, security forces responded to the demonstrations in a manner that Amnesty International described as “extremely heavy handed,” injuring hundreds with tear gas, rubber bullets, and sting-ball grenades. Eleven protesters died during the Yellow Vest movement from late 2018 through May 2019. Demonstrations continued throughout the first half of the year.

E2 0-4 pts

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work?	4/4
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Nongovernmental organizations, including those that work with human rights and governance, generally operate freely.

E3 0-4 pts

Is there freedom for trade unions and similar professional or labor organizations?	4/4
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Trade unions are free to operate without any undue restrictions.

F. Rule of Law

F1 0-4 pts

Is there an independent judiciary?	4/4
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France has an independent judiciary, and the rule of law generally prevails in court proceedings.

F2 0-4 pts

Does due process prevail in civil and criminal matters?	3/4
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Due process generally prevails in civil and criminal matters. However, antiterrorism legislation passed in 2017, which replaced a state of emergency instituted after the 2015 terror attacks in Paris, enshrined controversial administrative control measures into law. These measures give authorities the power, often based on secret information and outside the purview of the traditional legal system, to restrict people's movement, to require them to check in with the police (sometimes on a daily basis), and to forbid people's contact with certain individuals. Rights activists have criticized the measures for violating French residents' civil liberties.

F3 0-4 pts

Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?	3/4
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The threat of terrorism remains significant in France in 2019. Attacks at mosques throughout the country injured many but claimed no lives.

The police sustained criticism for using excessive force during the Yellow Vest protests, in which many demonstrators were injured by rubber bullets and sting-ball grenades.

F4 0-4 pts

Do laws, policies, and practices guarantee equal treatment of various segments of the population?	3/4
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Migrants and refugees in France continue to suffer both from societal discrimination and abuse by government officials. Anti-Muslim sentiment, attacks against mosquegoers, reports of vandalism of mosques, verbal assaults, and xenophobic graffiti have increased amid the surging immigration and refugee flows from Muslim-majority countries in recent years. Antisemitism has also been on the rise. According to the Interior Ministry, the number of reported antisemitic acts increased by 27 percent in 2019. Xenophobic and racist acts more than doubled between 2018 and 2019. The far-right has become increasingly successful in shaping French public discourse, as witnessed in the “antiwhite racism” backlash faced by those denouncing racism against minorities.

Gender inequality and the gender pay gap persist in France. The efficacy of the Macron government’s efforts to ameliorate the problem is unclear. In January 2019, Macron implemented new labor laws that sought to promote professional gender equality by introducing specific pay gap indicators, as well as fines should companies fail to address the issue. Despite these and other labor laws, women still earn 24 percent less than men in equivalent positions. There is a heavy imbalance in the number of male and female chief executives, and men receive the overwhelming majority of media representation.

Violence against and harassment of women is also a persistent issue. A 2018 law against sexual harassment on the street and in public transit enabled over 700 violations to be reported between 2018 and 2019, upon which the police took action (mainly fines). Critics of the law have noted that its impact is marginal—most infractions likely go unreported—the law is not preventative, and it does not address the origins of the problem.

French law forbids the categorization of people according to ethnic origin, and no official statistics are collected on ethnicity. Discrimination based on sexual orientation is prohibited by law.

G. Personal Autonomy and Individual Rights

G1 0-4 pts

Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?	4/4
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There are normally no restrictions on freedom of travel or choice of residence or employment in France. However, measures allowing authorities to institute restrictions on movement are permitted by the 2017 antiterrorism law.

G2 0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?	4/4
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Private businesses are free to operate. In 2016, major reforms to the labor code were enacted, further shifting power over hiring, firing, and working conditions to businesses and away from labor. These shifts were reinforced by Macron's 2017 changes to the labor code.

G3 0-4 pts

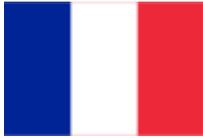
Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?	3/4
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Individuals generally enjoy personal social freedoms—including choice of marriage partner and size of family—protection from domestic violence, and control over appearance. However, a number of laws against religious clothing have forced Muslim women to dress against their will.

G4 0-4 pts

Do individuals enjoy equality of opportunity and freedom from economic exploitation?	3/4
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Employment discrimination against women, French Muslims, immigrants of North African descent, and others outside the traditional elite hinders equality of opportunity. While France's government takes action against human trafficking, the problem persists in the commercial sex trade; some victims are also forced into domestic labor.



On France

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Country Facts

Global Freedom Score

90/100 Free

Internet Freedom Score

76/100 Free

Other Years

2019

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1850 M St. NW Floor 11
Washington, DC 20036
(202) 296-5101

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info@freedomhouse.org

PRESS & MEDIA

press@freedomhouse.org

@2020 FreedomHouse