

JOIN OUR MAILING LIST[About Us](#) | [DONATE](#) | [Blog](#) | [Mobile App](#) | [Contact Us](#)[REGIONS](#)[ISSUES](#)[Reports](#)[Programs](#)[Initiatives](#)[News](#)[Experts](#)[Events](#)[Donate](#)

## FREEDOM OF THE PRESS

[- View another year -](#)

# France

[France](#)[Freedom of the Press 2013](#)

The constitution and governing institutions in France support an open press environment, although certain laws limit aspects of press freedom in practice. Freedom of information legislation is in place, but there are exceptions to protect the reputation or rights of a third party, and requests for information are often denied.

A law that took effect in January 2010 strengthened protection of sources in France, holding that journalists can only be compelled to reveal sources when the information is required for the investigation of a serious crime. In March 2012, the Paris Court of Appeals, citing a procedural technicality, rejected a case in which former prosecutor Philippe Courroye was accused of illegally obtaining the telephone documents of journalists at *Le Monde* in 2010. The prosecutor was investigating the so-called Bettencourt affair, in which then president Nicolas Sarkozy and labor minister Éric Woerth were accused of receiving illegal funding from L'Oréal cosmetics heiress Liliane Bettencourt. In February, the same court had rejected a suit against the journalist Romain Bolzinger, in which the Paris

police accountability organization tried to force him to reveal the identity of officers who had sold confidential information to journalists. Bolzinger aired a story on Canal+ television in 2010 that showed journalists obtaining information by bribing policemen. In March 2012, he filed a complaint on the grounds that his phone records had been obtained illegally in an attempt to discover the identity of the corrupt officers. In another case, the European Court of Human Rights in June ruled in favor of five journalists from *L'Equipe* and *Le Point* who asserted that the French authorities had illegally searched their offices in 2005 for information about their sources for a 2004 sports doping article.

While the government generally does not restrict the use of internet, laws against copyright infringement, terrorism, and other abuses give the authorities some power to limit online activity. In September 2010, the High Authority for the Dissemination of Creative Works and Protection of Rights on the Internet (HADOPI) began operation. Under the 2009 law that created it, three warnings are issued to users who illegally download copyrighted material before their access is suspended for up to one year; they can also face fines or jail time for violations. However, in December 2012, high-level officials announced plans to defund HADOPI because the multimillion-dollar project had only resulted in one €150 (\$200) fine and two cases that were dismissed.

A 2006 antiterrorism law allows security agencies to monitor the internet for suspected terrorist activity. During a speech in March 2012, in the wake of terrorist violence in Toulouse, Sarkozy announced a proposal under which any person frequenting websites that advocate terrorism would face criminal charges. The 2011 Law on Guidelines and Programming for the Performance of Internal Security (LOPPSI 2) allows sites suspected of containing child pornography to be blocked without a court order. It also allows police to install or remove spyware under judicial control.

There are strict defamation laws with fines for those found guilty; the law also punishes efforts to justify war crimes and crimes against humanity, as well as incitement to discrimination and violence. In 2011, the Constitutional Council amended Article 35 of the 1881 press law, removing a rule that parties accused of defamation could only use truth as a defense if the allegedly defamatory statement was made within the last 10 years. Holocaust denial is a crime under the 1990 Gaysot Act, which makes it illegal to question crimes against humanity as defined by the Charter of the Nuremberg Tribunal. In February 2012, the Constitutional

Council struck down a recently approved law that banned denial of the Armenian genocide and prescribed up to a year in prison and fines of up to €45,000 (\$58,000) for violations. Also in February, the parliament declared that the defamation of Harkis—Muslim Algerian loyalists who served as auxiliaries to the French army during the Algerian war of independence—is punishable by fines.

Defamation laws are often used to pressure journalists. In January 2012, a court in Lille required documentary filmmaker Sophie Robert to remove three interviews from her film on autism because the interviewees claimed that she had misrepresented their views. Robert was also ordered to pay between €5,000 (\$6,400) and €7,000 (\$9,000) to each of the three plaintiffs. In March, a Paris court cleared Michel Gaillard, director of the satirical *Le Canard Enchaîné*, of libel after the publication alleged that France's second-largest builder, Bouygues, was under investigation for corruption. In April, blogger and Puteaux municipal councilor Christophe Grébert was found guilty by a court in Nanterre for writing that the head of the mayor's office was improperly living in student housing, though he was ordered to pay only nominal damages. Separately, defamation suits related to the Bettencourt affair continued throughout the year. In March, director Franz-Olivier Giesbert and editor Hervé Gattegno of the weekly *Le Point* were indicted for publishing recordings taken at the home of Liliane Bettencourt by her butler. Three other journalists, Fabrice Lhomme of *Le Monde* and Edwy Plenel and Fabrice Arfi of *Mediapart*, were indicted in April for the same reason. In October, Courroye, the former prosecutor in the case, filed charges against *Le Monde* for printing a transcript of his testimony as a witness. Meanwhile, in December, President François Hollande came under fire for allegedly attempting to sway the outcome of a defamation case that his partner, Valérie Trierweiler, had brought against two biographers.

Access to sources and editorial independence suffered some setbacks surrounding the 2012 presidential and legislative elections. In February, two reporters from *Mediapart* were denied access to the right-wing National Front party's presidential convention. The party said the online journal had not given enough visibility to its candidate, Marine Le Pen. In addition, France's immigrant detention centers—a recurrent subject of debate during the campaign—often denied access to journalists trying to cover the issue. In May, television journalist Joseph Tual was suspended without pay and brought before a disciplinary board at France 3 for writing on his microblog that the channel's directors should step down in light of Hollande's victory.

Media outlets and journalists are occasionally subject to raids and attacks. In February 2012, the office of a Turkish weekly, *Zaman France*, was attacked by 15 people wearing hoods who threatened journalists, destroyed equipment, and damaged the premises. The attack was claimed by the Euphrates Revolutionary Revenge Brigade, which said it was allied with the Turkey-based Kurdistan Workers' Party (PKK) guerrilla group. Earlier, in January, the Paris-based satellite operator Eutelsat had urged its distributors to stop carrying broadcasts from Roj TV after a Danish court found the station guilty of supporting the PKK, a designated terrorist organization. In July, French authorities raided the headquarters of the television station TF1 after it broadcast recordings of Toulouse gunman Mohammed Merah's conversation with the police before he was shot. In September, police raided the offices of the magazine *Closer* in an attempt to discover the identity of a photographer who had taken surreptitious photos of the Duchess of Cambridge sunbathing in Provence.

The independent media are robust and express a wide range of opinions largely without restriction, and most of France's more than 100 newspapers are privately owned. There are over 1,200 radio stations, and since the state monopoly on radio ended in 1982, private stations have flourished, although public broadcaster Radio France continues to be popular. In 2012, approximately 83 percent of the population accessed the internet.

Many private media outlets—print as well as broadcast—are owned by companies with close ties to prominent politicians and defense contractors. In 2009, advertisements were eliminated on the five public channels during prime time, and the channels were expected to become completely ad-free by 2013. The lost income was to be made up through higher taxes and licensing fees. However, since these revenue increases have not raised as much as expected, there were talks in 2012 on repealing the ban. In November, French tax authorities reportedly started an investigation against Google France that could ultimately force the company to pay €1 billion (\$1.3 billion) for tax noncompliance. Earlier, Google had threatened to stop linking to French news sites amid an ongoing dispute with French media on whether the search giant should pay news outlets for content.

## 2013 SCORES

### PRESS STATUS

# Free

PRESS FREEDOM SCORE

**22**

LEGAL ENVIRONMENT

**5**

POLITICAL ENVIRONMENT

**10**

ECONOMIC ENVIRONMENT

**7**

[About us](#)

[Careers](#)

[Contact Us](#)

[Privacy Policy](#)

[Credits](#)

[Subscribe](#)