

- ▶ reconsider the reservations and declarations to the Covenant.

Optional Protocol: Acceded: 17 February 1984.

Reservations and Declarations: Article 1; paragraph 2 (a) of article 5; article 7.

Racial Discrimination

Acceded: 28 July 1971.

France's 12th periodic report was due 28 August 1994; the 13th periodic report was due 27 August 1996.

Reservations and Declarations: Articles 4, 6 and 15.

Discrimination against Women

Signed: 17 July 1980; ratified: 14 December 1983.

France's third periodic report was due 13 January 1993; the fourth periodic report was due 13 January 1997.

Reservations and Declarations: Paragraph 11 of the Preamble; article 9; paragraph (b) of article 5; article 17; paragraph 1 (d) of article 16; paragraph 2 (c) and (h) of article 14; paragraph 1 (g) of article 16; paragraph 1 of article 29.

Torture

Signed: 4 February 1985; ratified: 18 February 1986.

France's second periodic report (CAT/C/17/Add.18) is scheduled for consideration at the Committee's May 1998 session; the third periodic report was due 25 June 1996.

Reservations and Declarations: Article 30; declaration under articles 21 and 22.

Rights of the Child

Signed: 26 January 1990; ratified: 7 August 1990.

France's second periodic report was due 5 September 1997.

Reservations and Declarations: Articles 6 and 30; paragraph 2 (b) (v) of article 40.

THEMATIC REPORTS

Mechanisms of the Commission on Human Rights

Arbitrary detention, Working Group on: (E/CN.4/1997/4, paras. 4, 17, 20)

The Working Group sent an urgent appeal to the government about police actions in which about 200 people were stopped and placed under administrative detention. A number of those detained were aliens from Africa, arrested for violating French laws on entering and staying in France. The government replied in detail and indicated that those who were detained had made use of legal remedies, that most of them had been released by court order shortly after being detained, and that a few were escorted to the frontier.

Extrajudicial, summary or arbitrary execution, Special Rapporteur on: (E/CN.4/1997/60, paras. 16, 68; E/CN.4/1997/60/Add.1, paras. 177-178)

The report notes that the Special Rapporteur sent information to the French and Iranian governments concerning the death in France of a publisher and member of the Iranian opposition; he was reportedly killed by agents acting under the orders of the Iranian authorities. The report also notes that the French government has not replied to cases that were previously transmitted.

Racial Discrimination, Special Rapporteur on: (E/CN.4/1997/71, paras. 96-115)

The report of the Special Rapporteur (SR) contains commentary on reports of attacks in France by neo-Nazis on persons belonging to minorities and on the arrest of members of right-wing extremists groups. The government indicated that a search of the homes of those arrested had turned up neo-Nazi, racist, and extreme right-wing propaganda and correspondence which demonstrated the paramilitary and Nazi nature of the structure of the group. Also found were pick axe handles, knuckledusters and other kinds of weapons as well as group photographs portraying neo-Nazi emblems and poses. The government informed the SR that the investigation had uncovered sufficient evidence to institute proceedings for premeditated wilful armed assault. The report also includes information received by the SR related to violations against persons without identity papers in the Saint-Bernard church in Paris.

The Special Rapporteur's interim report to the General Assembly (A/52/471, paras. 14, 17, 18, 38) refers to information received from the non-governmental human rights organization Nord-Sud XXI, stating that France has been elaborating a series of discriminatory legal and regulatory provisions (such as the 1996 law on identity checks). Its public administration (*service des étrangers* at the prefecture level, *Office français pour les réfugiés et apatrides*, etc.) often functions in a discriminatory manner, working on the basis of circulars which contradict legislative provisions or decisions of the Supreme Court. Rights and freedoms have thus been eroded and legality undermined by a policy of social and racial discrimination.

The report also cites information from another non-governmental organization, the *Association nationale d'assistance aux frontières pour les étrangers* (ANAFE) related to visits carried out to holding areas by authorized organizations. The organization noted that, in 1992, the Legislature considered access by humanitarian organizations to persons in holding areas for the provision of humanitarian and legal assistance to be vital safeguard, and made giving up an amendment to that effect subject to the government committing itself to establishing the procedures by decree. An assessment of the first year of operation of the decree was provided, noting: that the restrictions imposed, particularly in terms of the frequency of visits allowed, prevent the organizations from doing their job; that the visits have allowed the organizations to record violations of the rights, dignity and even safety of persons of such gravity that the situation for foreigners at France's air, sea and railway entry points can be described as scandalous; systematic violations of the right to one clear day before the decision to refuse entry is carried out; immediate refoulement as soon as physically possible; illegal types of deprivation of liberty (keeping persons on board ship at sea, administrative detention and arbitrary detention at some frontier posts); no possibility of communicating or appealing; no possibility under these conditions of seeking asylum; in the holding areas, accommodation in conditions that are physically very inadequate and injurious to individual dignity and even safety, particularly for minors; conditions of accommodation that for the most part allow no freedom of movement and impose excessive isolation on the individuals