

RAXEN BULLETIN

1. UPDATE ON POLICY DEVELOPMENTS

Significant policy developments: national or local governmental policy initiatives, administrative measures, financial instruments and good practice projects regarding the fight against racism, xenophobia and related intolerance (including issues regarding the Jewish, Muslim and Roma communities). Provide information about the initiatives' scope, objectives and intended results. In case you are reporting about a completed initiative, provide information about any evaluation conducted or final report. **Focus on issues for which additional online information is available** (preferably from governmental bodies or important NGOs).

Please do not present more than 3 items. (*max. 2000 characters*)

Racism in football

In February and March 2008, French football was “shaked up” by several racist incidents.

- Saturday February 16: during the match Metz-Valenciennes (L1), the Moroccan player Ouaddou was victim of racist insults from a supporter of the Metz team. He decided to file a complaint. The supporter was judged on March 18, the Prosecution service recommended a three month suspended prison sentence, a probation order and three year of stadium interdiction. The judgement has been postponed to May 13.
- Friday February 22: before the beginning of the match Bastia-Libourne (L2), the supporters of Bastia deployed racist banner, against a player of Libourne (Boubacar Kebé, who is from Burkina-Faso), who had been excluded from the preceding match because he had gave the Bastia supporters - who uttered racist insults to him - the finger. The Professional Football League (LFP) decided to sportingly sanction the Bastia Sporting Club by withdrawing it a point (sanction confirmed in appeal and by the French National Olympic and Sporting Committee). It is a decision without precedent in France.
- Saturday February 23: after the match Lyon-Metz (L1), several supporters of Metz had racists behaviors (racist insults, nazi salutes...). Because of these incidents, and because of the previous one in Valenciennes, the LFP decided to withdraw the Football Club of Metz a point and the obligation to play next match behind closed doors. The Football club, supported by the Licra, lodged a complaint against the supporters.
- Saturday March 29: during the League Cup Final Lens-Paris, some supporters of the Paris-Saint-Germain (PSG) deployed a very large banner “Pédophiles, chômeurs, consanguins : bienvenue chez les Ch'tis” (“Paedophiles, unemployed, consanguineous: welcome at Ch' tis” – the banner made a reference to a very famous film in France “Bienvenue chez les Ch'tis”, which is about the people living in the North of France, and who are called “Ch'tis”). This xenophobic banner caused a very sharp emotion in France and many reactions. It gave – again - on the front of the scene the problem of racism in football. On April 17, 2008 the Minister of Interior dissolved the PSG supporter club “Les Boulogne Boys”, under the terms of the law 2006-784, and on April 30, 2008 the LFP condemned the PSG by excluding it from the League Cup in 2008-2009.

Good practices against racism in football

- The LFP and the Licra signed in March a “convention of partnership against racism”. Awareness raising campaign will be held in football clubs, before the matches some messages will be diffused on the giant screens and read by the speaker of the meeting.
- Before some sensitive matches, players and referees can wear white T-shirts with the message “Racism, never again !” (it was the case for several matches in March).

- On February 27, 2008, the French Football Federation created a Football Foundation, which aim is to promote tolerance and respect, integration and diversity. This foundation will be led by Philippe Seguin (president of the French audit office) and patronized by famous football players: Lilian thuram, Bixente Lizarazu and Corinne Diacre. It will mainly work in amateur football, and has a budget of 2 millions euros.

<http://www.lfp.fr/indexSite.asp>

<http://www.licra.org/>

<http://www.fff.fr/fondation/index.shtml>

Strike of illegal immigrants

Since April 15, 2008, almost 300 illegal immigrants workers are on strike in Ile-de France. Supported by the trade-union CGT, they claim for residency permits : “On bosse ici, on vit ici, on reste ici!” (We work here, we live here, we stay here !”. These workers, mainly from African origin, work in cleaning society or in kitchens of restaurant, they pay their contributions to social security and pension fund, pay taxes, but they do not have any residency permit and can be expelled from France at any time. By being on strike, they hope to obtain the support of their employers, who can help them to obtain residency permit. They also want to denounce working conditions of illegal workers, as some of them are exploited.

2. UPDATE ON LEGAL DEVELOPMENTS AND AWARENESS-RAISING CAMPAIGNS

A. Significant legal developments regarding racism, xenophobia and related intolerance (within the framework of actual or proposed EU legislation): Adoption of new national legislation (give precise information on the status of adoption, purpose and key elements of the legislation), key developments in exemplary court cases relating to racism. It is crucially important that you quote the primary official source/s and the link to website/s.

B. Government-led or significant other information and awareness-raising campaigns on anti-discrimination and anti-racist legislation, particularly related to the implementation of the EU Council Directive 2000/43/EC implementing the principle of equal treatment between persons irrespective of racial or ethnic origin.

(max. 2000 characters)

Draft law to fully transpose Directive 2000/43/EC

In order to answer to the European Commission formal request to fully implement EU rules banning discrimination on the grounds of race or ethnic origin, the French government wrote a draft law, which was adopted by National Assembly on March 25, 2008 and by the Senate on April 9, 2008. This draft law carries various provisions of adaptation to the Community legislation in the field of the fight against discriminations.

Article 1 of the draft law specifies the definitions of direct and indirect discrimination and the facts which are connected with moral and sexual harassment. There is direct discrimination whenever by reason of origin, appearance of origin, race, sex, family situation, physical appearance, last name, health, disability, genetic characteristics, mores, sexual orientation, age, union activities, religion, political and religious convictions, a person is subject to a less favoured treatment regarding one that is, has been or may be given to another person in a similar situation. There is indirect discrimination whenever a disposition, criteria or practice, apparently neutral, place persons of certain race or ethnic origin in a less advantageous situation in comparison with another person. Moreover, article 1 assimilates the facts of harassment and the injunction to discriminate with discrimination. Article 3 introduces protection against retaliatory measures (retortion). Article 4 lays down an adjustment of the rules regarding burden of proof, to the benefit of the people who take action in justice to make recognize discrimination. It excludes however the application of these special rules for the penal jurisdictions.

In addition to the directive 2000/43/EC, the text also brings complements to the transposition in French law of the following directives: 2000/78/EC; 2002/73/EC and 2004/113/EC.

The draft law will be soon examined by a joint committee (National Assembly and Senate – commission mixte paritaire) before final adoption.

http://www.assemblee-nationale.fr/13/dossiers/lutte_discriminations.asp

<http://www.assemblee-nationale.fr/13/projets/pl0811.asp>

Justice condemns Renault for racial discrimination

On April , 2008 the Appeal Court of Versailles condemned the Renault company to pay two former employees 80.000 and 60.000 euros of damages and 8.000 euros each one non-pecuniary damages. The court judged that the two men had had careers less interesting than their “French” colleagues, because of their origin. For the court, Renault did not give the evidence that the difference in treatment between the two men and the others paid is justified by objective

elements, having nothing to do with any discrimination. The company said it was surprised and disappointed by the decision of the court. The company, whose former president, Louis Schweitzer, currently chairs the Halde, stresses that it condemns racism and does not practise, in any case, discrimination.

3. RESEARCH

Significant new reports and innovative research studies on racism, xenophobia and related intolerance. Provide a concise, but meaningful summary of key findings and state their relevance for an assessment of the issue. It is crucially important that you quote the primary source/s and the link to website/s. (*max. 2000 characters*)

2007 CNCDH report on racism, anti-Semitism and xenophobia

On April 28, 2008, the CNCDH published its annual report on racism in France. The CNCDH draws for the year 2007 a picture of the demonstrations of racism, antisemitism and xenophobia, as well as the means implemented by the government and civil society to fight these phenomena. The reduction in racist and antisemitic acts noted in 2005 and 2006 seems to continue, moreover these acts are more and more and better taken into account by the legal authorities. Racist violence and threats are for the year 2007 in fall of 9 %; people from Maghrebian origin are more touched by racist acts (68 % of racist violence are directed against the Maghrebian community) and racist threats (60 % of total volume). The report notes that the fight against antisemitism bears fruits: 386 facts were listed in 2007 against 571 in 2006 (- 32,5 %), after a clear increase between 2005 and 2006. The opinion poll reveals a retreat of intolerance within the French society, but the CNCDH estimates that one should not be too much optimistic, as some elements remains worrying, and so the government and the public authorities should remain mobilized: the political will must be clear and accompanied by effective concrete measures. The report also presents actions initiated by the trade unions and the non-governmental organisations members of the CNCDH, as well as studies relating in particular to the definition of the concepts of racism and discrimination, and the monitoring of the diffusion of racist propaganda on the Internet.

<http://lesrapports.ladocumentationfrancaise.fr/BRP/084000167/0000.pdf>

8th report of the CIMADE on detention of people with a status as illegal immigrants

For its eighth edition, the annual report of Cimade on the centres of detention of people with a status as illegal immigrants, highlights the progressive installation of a legal device which tends to reduce the rights of foreign people or to deprive them of the practical possibility to exert these rights.

<http://www.cimade.org/nouvelles/793-Expulsions---faire-du-chiffre-en-reduisant-les-droits-des-migrants>

4. Official / unofficial statistical data

Present the latest published official / unofficial statistical data or incidents lists on racist violence and crimes, antisemitism and Islamophobia with a statement on their relevance and validity.
(*max. 2000 characters*)

Statistics of the Halde

In January 2008, the Halde provided new figures as regards the number of complaint received. It is important to note that in 2006 and 2007, the High Authority against Discrimination and for Equality (HALDE) gained momentum, as can be seen from the number of claims received.

In 2006, the Halde received 4.058 complaints:

- employment is the most important field of complaints (42,87 per cent);
- origin is the most important reason for being discriminated (35,04 per cent).

In 2007, the number of received complaints increased: the Halde registered 6.222 complaints, i.e an increase of 53 per cent. Employment is still the most important field of complaints, with more than 50 per cent of complaints (in increase), followed by public services (20,35 per cent, - 2 points), good and services (13,26 per cent, + 4points), housing (6,11 per cent, +2 points) and education (4,57 per cent, -1 point). Origin is still the most important reason for being discriminated. The Halde has received 11.689 complaints since its creation in 2005.

<http://www.halde.fr/>

Publication of the Minister of Interior statistics on racism and anti-Semitism in France in 2007 (see also Update of French NDCR)

The Ministry of Interior figures regarding racist, xenophobic and anti-Semitic violence (violent actions and threats) show a significant decrease in racist and anti-Semitic violence in France in 2007, confirming the tendency evoked in the previous years.

a) A fall in global violence

After the strong increase observed in 2004, racist and antisemitic violence recorded overall an important fall in 2005 (-38%) which was confirmed in 2006 (-10%). This decrease developed in 2007, with 707 facts in 2007 against 923 in 2006 (-23,5%). Whereas the two phenomena were balanced last year, the volume of antisemitism recorded in 2006 slightly exceeded (+6%) the figures of 2005 and, in same time, the volume of racism decreased in a significant way (-27%). The volume of anti-Semitism, which is still higher than the volume of racism, has strongly decreased in 2007 -32,5%.

b) A decrease in gravity

In 2006, we registered 20 wounded people from immigrant origin and 31 wounded people and one death from the Jewish community. In 2007, the physical aggressions involved 15 wounded people from immigrant origin and 24 wounded people of Jewish confession or supposed to be Jewish