



2022 REPORT ON THE FIGHT AGAINST RACISM, ANTI-SEMITISM AND XENOPHOBIA





Foreword

On 30 January 2023, the new 2023-2026 national plan to combat racism, anti-Semitism and discrimination on grounds of origin, which had been eagerly awaited for several months, was presented by the Prime Minister and the Minister for Gender Equality, Diversity and Equal Opportunities. In a context marked by the rise of xenophobic identity-based rhetoric, in which news stories are politically manipulated to exacerbate tensions and, on social networks, hatred of Otherness in all its forms is still far too often freely and openly expressed, I hope that this plan in its implemented form – which will be assessed by the French National Consultative Commission on Human Rights (CNCDDH) – will be equal to the challenge.

Despite the fact that changes in the Longitudinal Tolerance Index measured by the CNCDDH's annual report tend to show a slow increase in tolerance, the fight against racism and all forms of hatred of Otherness remains a priority that requires constant attention. An analysis of variations in the Longitudinal Tolerance Index has already shown that racist ideas promoting exclusion can quickly return to the public debate when they are endorsed and legitimised by political leaders and the media.

After an election year marked by narratives scapegoating foreigners, immigrants and their children as the cause of all evils, the CNCDDH's 2022 report aims to remind us, in one of its focus areas, of the dangers of simplifying and manipulating hatred of Otherness. Every infringement of the rights that all individuals must be able to enjoy on an equal footing with others, and every unpunished discrimination that affects the dignity of individuals, is a direct threat to any democratic society and to respect for fundamental rights, which are by their very nature universal, indivisible and interdependent.

The new term of office of the CNCDDH, which took office in November 2022, will continue to pay particular attention to monitoring measures to combat prejudice, hate speech and acts of hatred, to assessing the impact of future legislation on rights, and to all infringements of the rule of law. Thanks to its multi-faced composition, including qualified figures and representatives of civil society, the CNCDDH benefits from the expertise of the members of its two colleges. It also draws on research and contributions from civil society, whose importance and vital importance for our democracy should be emphasised here. I would like to take this opportunity to salute the commitment of all the members of the Commission in a battle that each and every one of us is required to fight.

Jean-Marie Burguburu
President of the CNCDDH

The Commission nationale consultative des droits de l'homme - French National Consultative Commission on Human Rights (CNCDH) was appointed in 1990 as the National Independent Rapporteur on the fight against racism in all its forms. Each year, it submits a report to the Government which takes stock of racism, anti-Semitism and xenophobia in France, as well as the means of combating them implemented by the institutions of the Republic and civil society.

Based on a critical analysis of the policies implemented, and drawing on the observations made by international bodies, the CNCDH formulates a series of recommendations designed to better grasp, understand and fight all forms of racism and discrimination.

For the past 30 years, the CNCDH has endeavoured to base its analyses and recommendations on a variety of complementary tools. Surveys on the state of public opinion and the statistical reports produced by the Ministry of the Interior and the Ministry of Justice are all information sources that require analysis in the light of the many contributions of institutional, community and international stakeholders.



Focus

Rejection of Otherness: combating political manipulation

The year 2022 was marked by the crossing of a line defining how racist, anti-Semitic and xenophobic themes were expressed in political and media debate. Against a backdrop of political, social, economic and identity crises, a number of political figures have played an active part in politicising the rejection of Otherness, a shifting figure with many faces. However, the CNCDH barometer's Tolerance Index shows that, over a period of several years, prejudice and feelings of hatred towards Others have tended to diminish. This paradox is explored through the study of rhetoric that seeks to blame Others for all ills, and, when politically exploited, plays a role in transforming identity-based tensions into policies of exclusion.



Focus

Hate speech on the YouTube platform

This survey, assigned to an interdisciplinary team of researchers (Sciences-Po medialab and Laboratoire Interdisciplinaire Sciences, Innovations, Sociétés [LISIS]), broadens the scope of the study on the anti-Semitic footprint in YouTube comments, published by the CNCDH in 2020, by including other spheres of online hatred: racism, hostility towards Muslims and Islam, conspiracy theories and male supremacy. Based on an analysis of 35 million comments from Internet users reacting to a wide range of content, this study maps out the prevalence of hate speech and the relationship between its different forms.

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The CNCDH Barometer

Since 1990, the CNCDH's report has been accompanied by a survey aimed at assessing racist perceptions and attitudes, analysing French people's opinions about others, and trying to understand the underlying logic behind the appearance and persistence of certain prejudices.

Over 30 years of change

Renewed every year with the support of the French Government's Information Department (Service d'information du gouvernement) and a team of researchers, this survey constitutes an effective "barometer" that assesses the changes in and structure of opinions underlying racism, anti-Semitism and xenophobia over time. From 1990 to 2022, the date of the last face-to-face survey, the acceptance of minorities has generally increased in France, with moments of decline, sometimes linked to particular events (attacks, periods of economic insecurity) or to their political and media framing. Since 2016, the level of tolerance seems to have stabilised in an upwards direction.

CNCDH's Longitudinal Tolerance Index updated

The Longitudinal Tolerance Index (LTI) has been calculated every year since its 2008 creation until 2022 by one of the researchers in the team, Vincent Tiberj. It measures the changes in prejudice in a concise way. The closer the index is to 100, the higher the tolerance level. It provides an overview of yearly changes in the opinions and feelings of the respondents towards minorities.

Since its creation, the LTI has adapted to changes in anti-Semitic, racist and xenophobic prejudice, by introducing new series of questions to broaden the themes. Questions on Roma and Gypsies were introduced, as well as on people perceived as Asian, particularly Chinese.

Changes in the concept of tolerance

In 2022, the very concept of tolerance has been reconsidered in the calculations. In a society in which racist, anti-Semitic and xenophobic prejudice is consistently on the decline, it seemed important to redefine the boundary between "tolerant opinion" and "intolerant opinion". For this reason, the measurement of tolerant opinions for several series of questions whose answers indicated very high levels of tolerance was re-evaluated in a more restrictive way.

From now on, people considered to be tolerant will be those whose opinions are the most assertive; for example those who say they "completely agree" with the idea that "French Jews" and "French Muslims" are "French people like anyone else".

The consequences of this recalibration

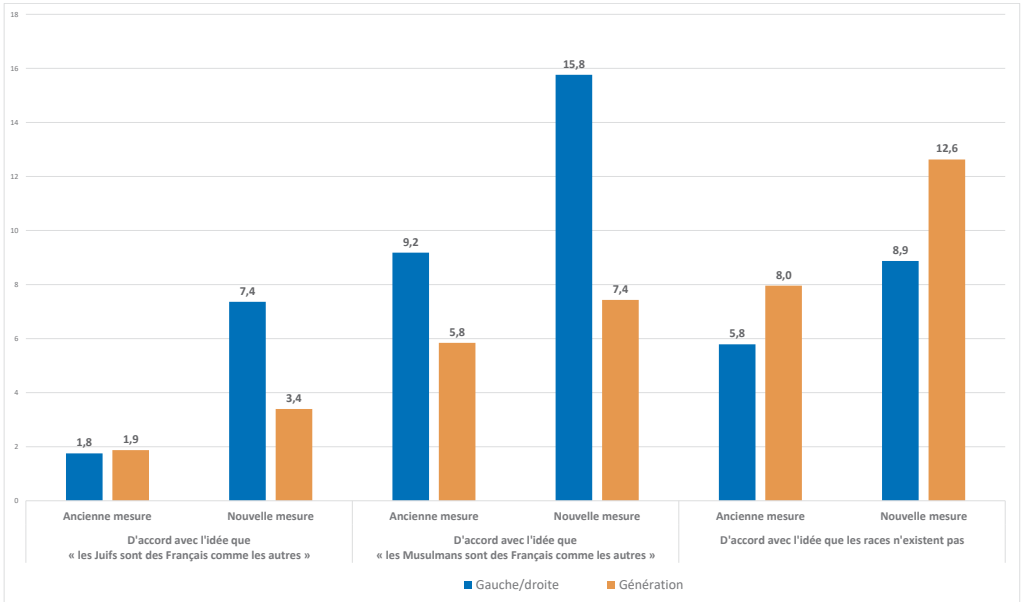


There has been a general decline in overall tolerance, and in particular in tolerance towards several minorities, the most significant being Jews ;



Increased polarisation according to political orientation and age: while people on the right already appeared to be much less tolerant than those on the left in the previous version, the recalibration has accentuated this gap. Similarly, the gap between “boomers” and “millennials” is widening.

The impact in terms of polarisation of the new measures (standard deviation)



Note: On the question of whether “Muslims are French people like anyone else”, the standard deviation between left-wing and right-wing respondents fell from 15 to 7. In other words, the difference in tolerance between the two groups more than doubled.

What is the tolerance towards minorities in 2022 ?

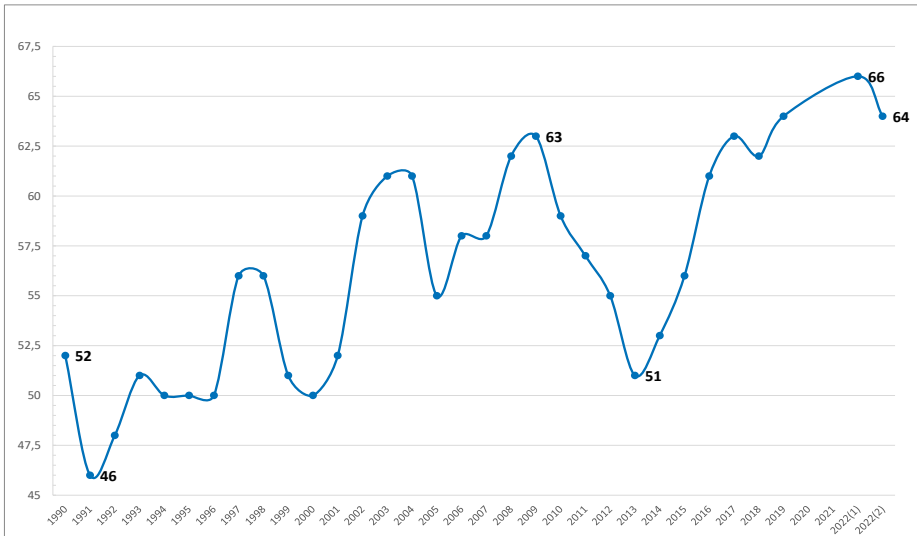
Despite a very difficult environment, marked by a deteriorating international situation and several electoral periods in which the place of immigrants and security issues were often associated in the debates, tolerance towards minorities remains high for almost all indicators.

What part do economic, social and political factors play in the evolution of tolerance?

Predisposition to tolerance is linked to multiple variables. **It depends in part on the general economic, social and political context: the sense of economic insecurity and the political and media framing of certain events can influence the way minorities are viewed.** Other factors include the social environment in which people live and their own experience: **knowledge and openness to other cultures, educational level and age,** and more importantly their **political positions,** correlate highly with the level of tolerance.

General changes in tolerance in France

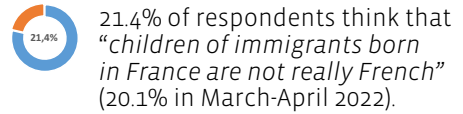
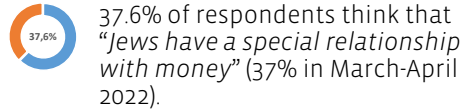
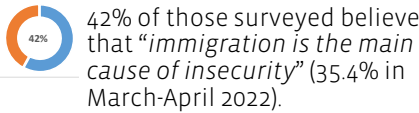
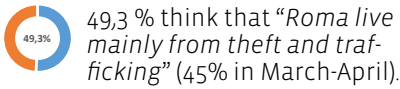
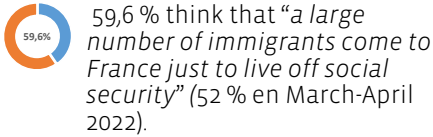
In 2022, on a scale of 0 to 100, the Tolerance Index was in November 2022 : **64**.
- 2 points vs. March / April 2022.
+ de 13 points since 2013.



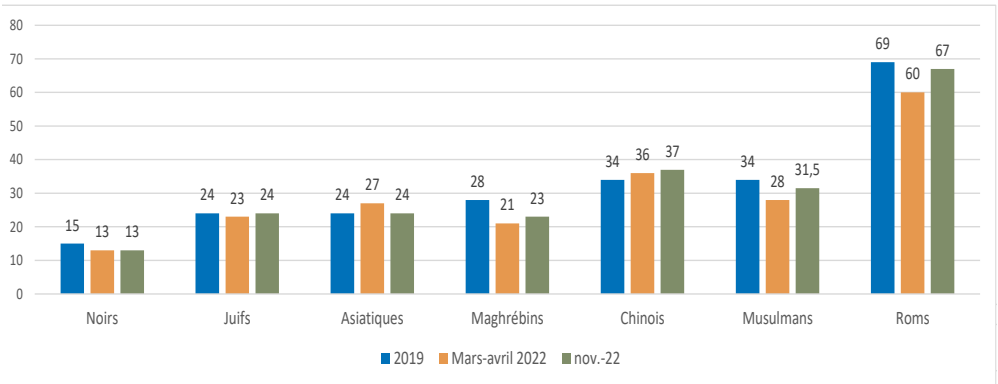
Prejudice against minorities

The November 2022 face-to-face survey reveals that certain prejudices are still widely held.

Among the respondents,



One of the recurring prejudices is that such and such a minority forms a “*separate*” group, rather than being “*open to others*” or “*not forming any particular group*”:



Note: The proportion of people surveyed who considered the Roma to be a “*separate*” group was 69% in 2019, 60% in March-April 2022, and 67% in November 2022.

Focus on two other barometer results

A strong correlation between the different spheres of intolerance

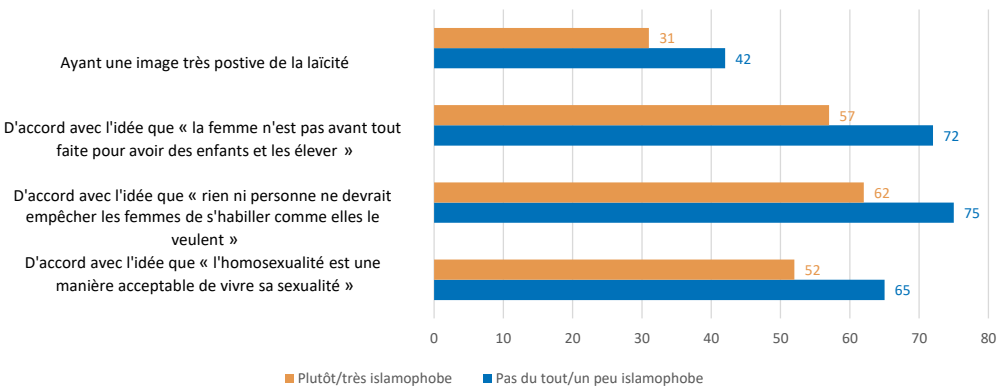
The various statistical techniques used in the analysis of the CNCDDH barometer converge to show that, overall, prejudice against various groups is inter-correlated.

Anti-immigrant sentiment appears to be the most closely correlated with the other forms of hatred and intolerance captured by the barometer. For example, people who reject immigrants

are more likely to express misogynistic, anti-Semitic, anti-Islamic or anti-communitarian views, to identify as racist or to believe that some races are superior to others.

Anti-Islamic sentiment is also strongly correlated with other forms of intolerance. People hostile to Islam are statistically less attached to the principle of secularism, less inclined to defend women's rights and more likely to condemn homosexuality. The results, barometer after barometer, contradict the theory of a rejection of Islam in the name of the republican values of tolerance that this religion supposedly threatens.

Correlation between aversion to Islam and attitudes towards secularism and freedom of morals (as %)



Prejudices: Persistence, trends over time and resurgences

The transition from biological racism to culturally-based racism

While the crudest form of biologically-based racism, based on the belief that some races are superior to others, is far from disappearing from public debate, it is clearly declining in public opinion. Today, racism is associated with a feeling of guilt, and is surrounded by justifications. The most common of these is the supposed inability of immigrants and foreigners to conform to the norms and values of the host society. Racism thus has a cultural and identity-related dimension.

The persistence of “old” anti-Semitism

Despite the emergence of a “new anti-Semitism”, based on anti-Zionism that lumps together and demonises “Jews”, “Israelis” and “Zionists”, the results of the barometer tend to show that anti-Semitic opinions are still largely built on old stereotypes linked to power and money.



Focus : Rejection of Otherness: combating political manipulation

While the CNCDH reports a steady increase in tolerance, racist, anti-Semitic and xenophobic themes have acquired a dangerous hold in the media and political arena and can play a role in shaping voters' electoral decisions and attitudes. The focus of the CNCDH's 2022 report aims to shed light, in all their complexity, on the terms and dynamics of this paradox.



Naming the rejection of the Otherness

There are many terms used to describe fears, mistrust and rejection of Otherness, the foreigner, the migrant, and by extension any individual perceived as foreign, even if they are French. The first word that springs to mind is “xenophobia” - etymologically, “fear” that leads to hostility or even hatred of “foreigners”. But this term is undoubtedly not enough, as it is so vague and not always clearly distinct from racism, when such a rejection is expressed against French people who have been reduced to their “otherness”, or when xenophobic reactions are accompanied by a way of thinking that confines people to a stereotype and prioritises origins, cultures and identities. Looking beyond seemingly generic and all-encompassing terms such as “foreigners” or “immigrants”, it is not always the same groups or individuals who are implicitly targeted for rejection. The CNCDH wishes to point out the flexible nature of such categorizations and the difficulty in putting a name to the rejection of Otherness, insofar as it combines, depending on the situation, criteria of race, gender, age, class, etc. Given this complexity, some authors prefer the more general term of “alterophobia”.



Normalising problematic rhetoric that can stir up hatred

Rhetoric on Otherness uses particularly problematic rhetorical tools and procedures, such as the use of figures taken out of context, manipulated to serve a biased argument, or even invented. They also over-exploit news stories for political ends in order to maintain stigmatising prejudices. The CNC DH is particularly concerned about the spread of amalgams and the manipulation of information regarding immigration.



The key role of certain media

Narratives highlighting the concept of a confrontation between “Us” and “Them” have benefited from the complacency of certain media who, particularly during the 2022 presidential campaign, exploited this artificial confrontation to stir up controversy in a binary, confrontational and sensationalist way. These so-called “debates” are often more akin to the aggressive presentation of essentially hateful rhetoric that excludes all discussion than to a democratic confrontation between documented analyses and points of view. In so doing, they have contributed to the trivialisation in public debate of certain positions that had previously been considered explicitly racist and xenophobic.

RECOMMENDATION

In order to calm the debate on immigration and put an end to the manipulation of figures, the CNC DH recommends the creation of a citizens’ convention on migration to stimulate a democratic debate on the issues of migration and diversity, thus supporting an appeal by a group of over 400 scientists.

Local socio-economic contexts and political exploitation

To understand the phenomena that are likely to exacerbate xenophobic divisions, we need to understand how top-down rhetoric does (or does not) resonate with very diverse local contexts, and how it has evolved over time.



The study of alterophobic territories and behaviour

In order to gain a better understanding of what can lead individuals to develop animosity towards real or perceived foreigners, and to combat the causes identified, the CNCDH has focused its attention on geographical territories that have attracted attention in recent years because of the strong results obtained by the extreme right – areas that are assumed, by a shortcut effect, to be more permeable to racist discourse. Various research studies reveal a complex and nuanced reality, while at the same time making it possible to outline phenomena that can amplify tendencies to withdraw into xenophobic attitudes.



Recurring or comparable explanatory factors

While there are many different situations and complex processes by which inegalitarian and exclusionary ideologies can be appropriated at local level, it does seem possible to identify a common denominator. Often, against the backdrop of the “fear of downward mobility” when socio-economic prospects are uncertain, in situations of latent crisis and increased competition, the blame and rejection of Otherness become evident and politicized.

Racist or xenophobic prejudices are nothing new, but they provide insufficient explanation of why people subscribe to political discourse that fosters hatred of Otherness. The strength of the latter lies not only in their rhetoric, but also in their ability to shape local realities into an explanatory narrative – *foreigners are responsible* – while at the same time delivering a means of action, an immediate solution – *foreigners must be expelled* – in cases where traditional political solutions are deemed incapable of providing the necessary thrust.

RECOMMENDATION

The CNCDH encourages the State and local authorities to revitalise democratic practices, with the aim of promoting diversity and social mix. It recommends a strong rebalancing of local territorial policies, particularly with regard to access to rights and public services such as health, housing and education.



Xenophobic and anti-migrant debates in politics and the media and public debate are now widespread and often used for political advantage, or as a means of increasing commercial and advertising revenues. Even if these sentiments very rarely reflect the prevailing opinion on migration, outbursts from the fringes of our societies can silence moderate opinions and encourage political decision-makers to adopt even more restrictive migration measures. Migrants are denigrated and used as victims to atone for deep-rooted fears about terrorism, crime, unemployment, deteriorating social security systems and the uncertainties of globalisation. When migrants are criminalised and even dehumanised by policy and discourse, the message conveyed is that they have no rights and no place in society. These controversial speeches have a far-reaching impact on our societies: they undermine trust and the bonds between individuals.

Seven key elements on building human rights-based narratives on migrants and migration, 2019,
Office of the High Commissioner for Human Rights



For further reading: Some research work

The contribution of semiology

A discipline closely related to linguistics, semiology – which studies in particular the methods we use to communicate – sheds interesting light on political and media discourse. This is an appropriate description for the work of Cécile Alduy, a specialist in the analysis of political discourse. Her objective: “*To take politicians at their word.*”

Via a dissection of the oral and written speeches of political figures, she identifies the rhetorical mechanisms behind their discourse and traces the underlying ideologies. Her work reveals that certain subjects – immigration, insecurity, terrorism, communitarianism, etc. – have been approached on the basis of misconceptions that are often violent and discriminatory, giving racist and xenophobic themes an enduring place in public debate. In distorting the terms of the discussion, some narratives have hampered any form of adversarial debate.

“When the very words that should be enabling debate are distorted, emptied of meaning or turned on their head, when language emerges enfeebled from having being neutralised for strictly electoral purposes, it is the very exercise of critical thought and democracy that is hampered.

C. Alduy, *Ce qu'ils disent vraiment. Les politiques pris aux mots*, Le Seuil, 2017, p. 161

A sociology of territories

A number of studies by sociologists provide a context for the rejection of Otherness, its causes and its complex manifestations.

Benoît Coquard, a specialist in rural areas and the working classes, and more specifically the so-called “declining” countryside, argues that in these areas, where the labour market is structurally weak, competition between all and between all encourages the emergence of solidarity networks restricted to close acquaintances, operating on the basis of an “we were here already” attitude, whose affinity with racism and xenophobia is much more complex than it appears.

However, the mechanisms for politicising the rejection of Otherness can in no way be reduced solely to the issues of employment and unemployment. Political scientist Félicien Faury, in his 2021 doctoral thesis “*Vote FN et implantation partisane dans le Sud-Est de la France: racism, rapports de classe et politisation*”, shows in particular that in the urban regions of south-east France, where FN/RN support is high, the uncertainties that can lead to rejection of Otherness relate more to the distribution of collective resources.

Similar concerns are echoed by the residents interviewed and photographed by Valérie Igounet and Vincent Jalousseau in their book *L’illusion nationale*, published by Les Arènes in 2017.

“Of course, it’s impossible to ignore how easy it is to move from “we were here already” to “French people first”. Ethnically or racially-driven rhetoric has strongly permeated working-class rural areas. (...) However, similarities between these so-called “little white people” and the others can be observed even within the most selective and supportive groups, the “clans” of friends. In such marginalised areas, people are led through circumstances to grow up and work together, and sometimes consider themselves to be “real mates”, even if it means having to negotiate such contradictions when you are, for example, a far-right politician but a friend of the sons of North African immigrants.

B. Coquard, *Ceux qui restent. Faire sa vie dans les campagnes en déclin*, La Découverte, 2022, p.196



Focus : Hate speech on YouTube - A survey coordinated by médialab



Médialab is an interdisciplinary research laboratory – bringing together sociologists, engineers and designers – founded at Sciences Po by Bruno Latour. It takes a qualitative and quantitative look at the digital world, seen both as an object of study and as an area teeming with data that can contribute to our knowledge of social worlds.

In 2020, médialab coordinated an **initial survey on anti-Semitism on YouTube as part of the 31th annual report of the CNCDH**. This survey showed that despite the active moderation implemented by the platform, around 0.65% of the comments posted were anti-Semitic in nature.

In 2022, a new survey broadened the scope of the study to include a larger number of comments (35 million) and other spheres of online hate: hostility towards Muslims and Islam (HTMI), racism, male supremacy and conspiracy theories.

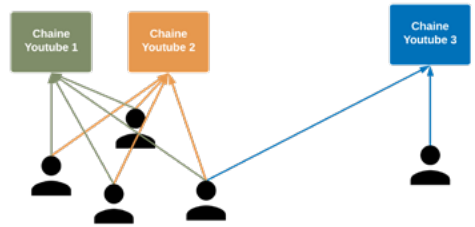
Advanced algorithmic processing and artificial intelligence tools were used for this survey. This work addresses important issues for both research and public authorities: the study of hate speech, the need to develop technical capabilities for analysing online speech in order to better respond to the problems posed by its dissemination, but also to better identify the limits of technological advances (regardless of whether these limits are inherent in the methods used or the material analysed, or whether they are to be determined voluntarily).

Survey methodology

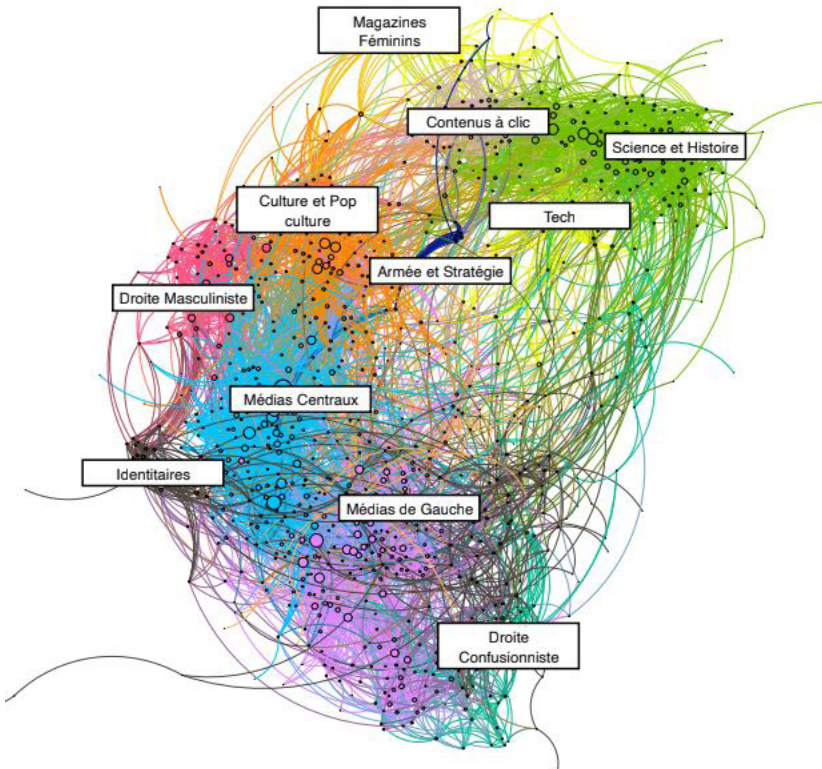
Mapping “content territories”

The study was based on a corpus of 931 YouTube channels divided into 11 groups known as “content territories”.

These territories were constructed using an algorithm based on the “homophily” principle: two channels viewed and commented on by the same commentators were thus assigned a certain proximity.



Map of French media “territories” and the links between commentators

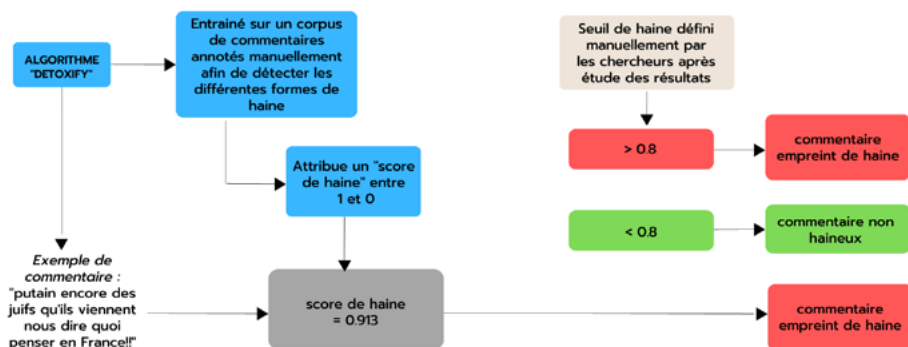


Identifying hate speech

Once the territories had been established, hate content was identified in two stages :

1. A selection of comments related to hate speech. This consisted of keyword detection, based on lists generated by the OpenAI artificial intelligence system and supplemented by the researchers. The final corpus contained over 35 million comments.

2. Identifying truly hate-filled comments. The comments studied were in no way all hate-filled. The nature of a comment depends on the statements it is in response to, and the content of the video to which it relates. Some Internet users use irony as a means of combating hatred. Others express themselves implicitly, using coded references. To meet these challenges, the researchers used the “Detoxify” algorithm, which classifies comments according to different levels of toxicity and aggressiveness, assigning them a score between 0 and 1. They then manually defined a threshold at which comments could be considered hateful.



Main findings of the survey

Rare but extremely diverse hate speech

Although the moderation imposed by the YouTube platform reduces the quantity of hate speech posted in comments, the survey emphasises its impact in terms of quality. **The sub-spheres of the various spheres of hatred are extremely diverse. They utilise a wide sphere of references drawn from national current affairs** (the fight against terrorism, immigration, the political situation, Covid-19, etc.) and international events (the Arab-Israeli conflict, the situation in Ukraine, etc.), while sometimes adopting many of the old classic prejudices of racism and anti-Semitism.

The special role played by conspiracy theories

Despite this great diversity, the survey reveals that some of the hate speech stems from the same imaginary and rhetorical mentality: conspiracy. According to the results, conspiracy theories are the sphere of hatred with the strongest correlation to others. More than just another toxic sphere, it seems to act as an underpinning framework; a form of expression that enables and accommodates other discriminatory statements by linking them to everyday events.

The survey reveals, therefore, that the conspiracy sphere provides a foundation not only for the anti-Semitic rhetoric most often associated with it, but also for racist rhetoric, rhetoric hostile to Muslims and Islam, and male supremacy rhetoric.

A specific feature of YouTube: the presence of hate in non-political content territories

Hate speech is not only expressed on news and political channels. This is particularly evident on **channels that tend to promote male supremacy theories**, where hate speech is particularly prominent, despite the fact that most of the content is presented as being apolitical, related to well-being, sport, local produce and lifestyle.

RECOMMENDATION

The CNC DH recommends the adoption of a national action plan on digital citizenship training, in order to ensure the effectiveness of digital citizenship education in schools.

Ministries figures

Figures from different ministries are important sources for measuring annual changes in racist speech and acts against victims.

Statistical data from the SSMSI (Ministry of the Interior)

The Ministry of the Interior's Service statistique ministériel de la sécurité intérieure (SSMSI - Ministerial Statistical Office for Internal Security) records offences, from the police and gendarmerie services throughout France, classified as "of a criminal or delinquent nature, committed on the basis of origin, ethnicity, nation, alleged race or religion". In 2022, 6,912 offences were recorded. After a slight fall of 2% between 2019 and 2020, and an increase of 16% between 2020 and 2021, this type of offence rose by 10% between 2021 and 2022.

Data from the SCRT (Ministry of the Interior)

The Service Central du Renseignement Territorial (SCRT - Central Territorial Intelligence Service) monitors the incidents reported to it by its intermediaries and community partners. It classifies them under the following categories: anti-Semitic, Islamophobic, and "other racist and xenophobic incidents" (a disparate category covering events involving people of black, Arab, Asian, Roma origin, etc.). Although the figures vary considerably from one year to the next, in 2022 the total number of such incidents was 1,636, 492 fewer than in 2021 (-23%).

Platform for harmonising, analysing, cross-checking and referring (PHAROS)

Created in 2009, PHAROS is an online platform for reporting illegal content or behaviour on the Internet, so that it can be analysed by police and gendarmerie officers and, if necessary, passed on to the relevant investigation services. Its workforce has increased regularly as well as its partnerships with civil society.

In 2022, PHAROS received 175,924 reports (compared with 265,825 in 2021 and 289,590 in 2020), including 12,666 reports (7.2% of all reports) relating to "discrimination", which may include, but is not limited to, racist and anti-Semitic content.

Statistical data from the Ministry of Justice

In 2021 (most recent stabilised data), 7,721 racially motivated cases were referred to the public prosecutors' office, and involved 7,812 defendants. 50% of these cases were dismissed without further action. With regard to cases that were brought before a criminal court, 49% resulted in prosecutions before the criminal courts, and 51% in alternatives to prosecution. Finally, 1,382 racist offences or committed with the aggravating factor of racism led to the sentencing of defendants, a figure that is up on previous years (951 in 2020). However, only 4 cases of discrimination (as a principal offence) resulted in a conviction.

Data from the Ministry of Education and Youth

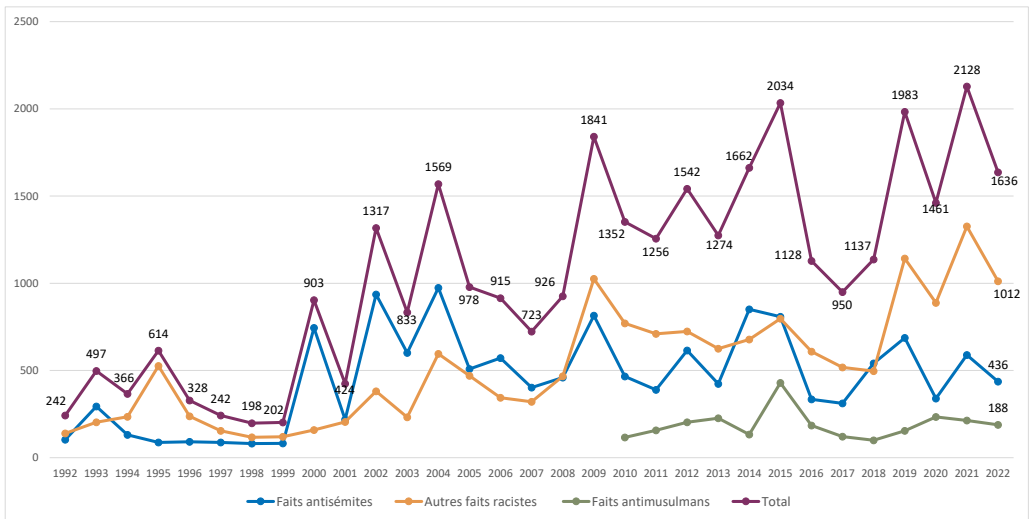
The School Safety Information and Monitoring System (SIVIS), which focuses on serious incidents, is based on a nationally representative sample of public and private primary and secondary schools. Racism is considered a sufficiently aggravating circumstance to be included in the mechanism. In 2021-2022, incidents of this nature comprised 0.4 serious incidents per 1,000 pupils. They account for just 3.5% of all serious acts, but 80% of discriminatory acts. The majority involved verbal abuse (65% of cases), mostly between students (91% of cases).

The school climate and victimisation survey sheds further light on this issue by focusing more specifically on the experiences of pupils and staff and gathering information on how the academic environment is perceived. In 2021-2022, 21,600 secondary school pupils were surveyed, with a response rate of 27.4%. Of the 42.7% who reported verbal abuse, 18.9% cited physical appearance, 4.4% origin or skin colour and 0.1% religion. In addition, 77,514 primary school teachers and 2,381 head teachers received an online questionnaire, with a response rate of 27.4%. Of the 10.3% who reported verbal abuse, 4.8% said they had been the victim of racist, anti-Semitic or xenophobic abuse, i.e. 0.5% of the total.

Focus on SCRT figures

The SCRT records racist and anti-Semitic incidents (offences against property and individuals) throughout the year. The figures it provides are based on feedback from its regional contact people, local partners, the media and associations representing the Muslim and Jewish religious communities, with which it has a partnership. This collection method provides evidence of a hard core of racist delinquency, which explains why the figures are in the order of one quarter of those of the SSMSI, and with greater fluctuation, because they are more sensitive to current events. What is particularly interesting to observe is the longer-term trend.

Overall evolution of racist incidents recorded by the SCRT in the long term



Sources : 1992-2022 du SDIG-SCRT data

Trends in racist incidents by category between 2021 and 2022

1 636 incidents recorded in 2022 :

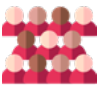
- **25 %** for anti-Semitic incidents, i.e. 436 incidents ;
- **12 %** for anti-Muslim incidents, i.e. 188 incidents ;
- **24 %** for all other racist incidents, i.e. 1,012 incidents.

The “dark number”

The term “dark number” refers to all racist acts that are not reported and therefore are not referred to courts. The Ministry of the Interior’s figures represent only a tiny fraction of the racist acts committed in France. The widespread under-reporting of racism contributes to a lack of accountability for such acts, harms the victims and undermines social cohesion.

Racism: a significantly underestimated offence

The “Cadre de vie et sécurité” (Living environment and security) victim survey, conducted jointly by INSEE and the Ministry of the Interior until 2021, assesses and describes offences against households and individuals (verbal abuse, threats, violence or discrimination). In addition to these figures, there were contributions from anti-racist non-profit stakeholders. These investigations highlight the gap between the number of acts of a racist and discriminatory nature and the number of convictions.



1.2 million people every year are estimated to have been the victim of at least one racist, anti-Semitic or xenophobic attack (verbal abuse, threats, violence or discrimination).

(“Cadre de Vie et Sécurité” survey 2019)



In 2021, although the figure is rising, only 1,382 convictions were handed down for offences of a racist nature or committed with racism as an aggravating factor, including four in which discrimination was the primary offence.

What is the reason for this under-reporting?

Understanding racist litigation is complex

Most of the time, people who are the victims of racism suffer verbal assaults and, because of the complexity of legally defining an act of racism, few prosecutions are initiated, which discourages individuals from filing complaints.

Filing a complaint is often difficult

Filing a complaint is no trivial matter and is a painful process for the victims, who have already suffered from the events they went through. Difficulties in expressing themselves, shame or fear of reprisals can be factors that discourage people from filing a complaint; only 2% of victims of verbal abuse and 14% of victims of threats or violence file a complaint. **Police or gendarmerie staff should be specifically trained on the specific issues related to racist litigation in order to take these factors into account.** The expected effective introduction of online complaints filing could also help to reduce under-reporting.

Surveys to better measure and assess the phenomenon

“Vécu et ressenti en matière de sécurité” (VRS) victim survey

In 2022, the “Vécu et ressenti en matière de sécurité” (“security experiences and feelings”) (VRS) victim survey was conducted for the first time, on a larger representative sample of French society (200,000 respondents from mainland France, Guadeloupe, Martinique and Réunion) than for previous “Living environment and security” surveys. **This new survey – the results of which will be published in 2023 – will provide improved monitoring of the rarest offences, including racist, anti-Semitic and xenophobic offences.** It is accompanied by an annual themed component, which in 2022 will focus on relations between the security services and the public. This themed survey includes questions about the responsiveness of the police and the treatment of victims (an important issue in the fight against non-reporting and impunity), and also questions about unprofessional attitudes, discrimination or violence experienced at the hands of police officers or gendarmes.

The “Trajectoires et origines 2” survey

Following on from the first “Trajectoires et Origines” (TeO, “Trajectories and Origins”) survey, conducted by INSEE and the Institut national d’études démographiques (INED) in 2008-2009, which aimed to “*identify the impact of origins on living conditions and social trajectories, while taking into account other socio-demographic characteristics such as social background, neighbourhood, age, generation, gender, level of education, etc.*”, a new “TeO2” survey was carried out between 2019 and 2020, and began to yield its first results in 2022. **They show that, among respondents, the “feeling of discrimination” has increased (discrimination based on gender, origin, nationality and skin colour being frequently cited), partly as a result of growing awareness of the issue. However, very few of these victims of discrimination report having taken any action.**

The survey also looks at the improvement in educational attainment over the generations: the gap in educational attainment between descendants of native-born and immigrant families tends to close after the third generation. The children of immigrants from sub-Saharan Africa have 7% more qualifications than the children of native inhabitants. However, analyses of the data highlight differences, for the different groups, between the level of higher education qualifications and access to intermediate or higher professions, which would partly explain the existence of discrimination in recruitment.



The “Trajectoires et Origines” (TeO) survey recorded self-reported experience of discrimination using the same questioning in 2008-2009 and 2019-2020. In response to the question “In the last five years, do you believe you have experienced unequal treatment or discrimination?”, 14% of respondents aged 18 to 49 living in ordinary housing in 2008-2009 answered “often” or “sometimes”. Ten years later, in 2019-2020, this proportion had risen to 18%. At an individual level, the increase in the feeling of discrimination may reflect two things: firstly, an increase in the unfavourable treatment suffered, and secondly, greater sensitivity to the issue of discrimination. In other words, given an unchanged level of abuse, people may be quicker to report discrimination today than they were ten years ago.

LÊ Jérôme, ROUHBAN Odile, TANNEAU Pierre, BEAUCHEMIN Cris, ICHOU Mathieu, SIMON Patrick, « En dix ans, le sentiment de discrimination augmente, porté par les femmes et le motif sexiste », *Insee Première*, n° 1911, juillet 2022.

RECOMMENDATION

The CNCDDH recommends that regular surveys be carried out to collect more data on racist, anti-Semitic and xenophobic discrimination and victimisation, broken down by all socio-demographic characteristics, in particular origin, and that this data be monitored and used publicly.

A new action plan for 2023-2026

Interministerial national plans (known as the “national action plan against racism and anti-Semitism” or the “national plan to combat racism and anti-Semitism”) have been helping to provide a strong and lasting impetus to public action against racism, anti-Semitism and xenophobia since 2012. The new plan “to combat racism, anti-Semitism and discrimination on grounds of origin for 2023-2026” was presented in January 2023 after several months of waiting.

A long-awaited plan and some welcome new features

Following on from the 2018-2020 plan, which ended without a final assessment or the launch of preparatory work for the next plan, the new 2023-2026 national plan, which is scheduled to run for four years rather than three, has been designed following extensive consultation with government departments and civil society. It intends to explicitly tackle the issue of discrimination based on origin, as recommended by the CNCDH in its previous assessments. It also expressly mentions the problem of anti-gypsyism, a form of rejection of Otherness that is extremely commonplace, as referred to in CNCDH reports every year. Among the measures mentioned: more training for civil servants and key sectors, the desire to improve the measurement of racism and discrimination (in particular by supporting research projects), and to better combat failure to access justice and impunity.

Areas of attention for implementation

To ensure that the operational measures are in line with the stated ambitions, it is essential to demonstrate strong political desire, implement a precise strategy and consistent evaluation, and increase the budget allocated to implementing the Plan. It is imperative for the Plan’s implementation at territorial level, which has so far been highly uneven and inadequate, to become effective. Measures relating to the world of work, which should have formed a separate topic, will also be closely monitored. They are an essential part of the fight to reduce discrimination.

The CNCDDH's recommendations



Commit financial and human resources to match our stated ambitions.



Step up the fight against discrimination on grounds of origin.



To raise the profile of the phenomenon, add a statement asking for clarification of whether the offence involves discrimination at the time a report is made.



Improve research into racism, anti-Semitism, xenophobia and discrimination.



Ensure that the action plan is rolled out and implemented at local level.



Put in place an ongoing early assessment process for training courses and for the plan as a whole.

CERD recommendation in its concluding observations on France's report, December 2022

“ *The Committee [UN Committee on the Elimination of Racial Discrimination] recommends that party States address, as a matter of priority, the structural and systemic causes of racial discrimination in each party State. It also recommends the effective implementation of the new National Plan to Combat Racism, Anti-Semitism and Discrimination on Grounds of Origin 2023-2026, through means including the allocation of sufficient human, technical and financial resources and the creation of effective coordination mechanisms between the various authorities responsible for its implementation at national and local level, including in the overseas territories. The Committee encourages party States to ensure the full participation of the relevant population groups in the implementation of this plan, including Roma, Travellers, Africans and people of African descent.*

The attitude of international bodies

France has undertaken to comply with international obligations in terms of the fight against racism and anti-Semitism arising from the main international legal instruments. It must therefore submit periodic reports to the bodies responsible for monitoring the implementation of the major international human rights treaties that it has ratified, and comply with the recommendations made by these bodies. This regular review process is carried out by United Nations bodies such as the Committee on the Elimination of Racial Discrimination (CERD), and by European bodies such as the Council of Europe's European Commission against Racism and Intolerance (ECRI).

2022 was an important year for France in terms of international deadlines.

Firstly, **following its visit at the end of 2021, ECRI published its findings and recommendations** on the measures to be taken by the French authorities to prevent and combat racism and intolerance.

The **CERD then reviewed France in November 2022.**

In general, the efforts made to combat racism and anti-Semitism have been welcomed. However, French authorities have been subject to questioning by international bodies in specific areas such as:

- ◆ The stigmatisation of Roma and Travelling People and the difficulties they experience in terms of the most fundamental rights. For example, ECRI has made the recognition of caravans as accommodation one of its priority recommendations, while CERD has expressed concern about the introduction of fixed fines for offences.
- ◆ The practice of ethnic profiling when conducting identity checks and, more broadly, the tense relationship between the police and one sector of the population. This issue has been raised by both the ECRI and the CERD.
- ◆ The extent of failure to access justice and the poor penal response in cases of racist, anti-Semitic, xenophobic and discriminatory acts.
- ◆ The treatment of migrants and asylum seekers, especially unaccompanied minors and female refugees.

The twelve priority recommendations

- 1** The CNCDDH once again stresses the need for more in-depth training in racist offences for judges and investigating authorities, to enable them to grasp all aspects of the issue, which would help to significantly improve the rate of criminal justice responses to racist offences.
- 2** The CNCDDH recommends that use be made of the range of penalties provided for in the Criminal Code, in order to tailor the punishment as closely as possible to the offence and the personality of the offender. The CNCDDH recommends the use of penalties such as community service and the promotion of alternatives to imprisonment, provided such measures are appropriate to the personality of the offender and the seriousness of the offence committed, with a genuine educational objective being particularly necessary in this type of case, such as citizenship training courses or penal mediation. In this respect, the CNCDDH wishes to point out that in order to ensure that the educational objective is genuinely achieved, an evaluation process should be set up and cases of repeat offending should be studied in greater detail.
- 3** The CNCDDH believes that it would be useful for each complaint to include a statement indicating whether or not the offence was discriminatory and, if so, the grounds on which the discrimination was made; for example: origin, membership or non-membership (real or supposed) of an ethnic group, ability to express oneself in a language other than French, etc. It reiterates its recommendation that this provision be tested as soon as possible.
- 4** The CNCDDH recommends that the General Inspectorate of Administration, with the assistance of inspection services and victim support associations, should carry out a mission to assess the quality of the treatment afforded to victims and the process of lodging complaints in police stations and gendarmerie brigades, with particular emphasis on defining the factors behind refusals to lodge a complaint and identifying possible areas for action.

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- 5** The CNCDH encourages the public authorities to maintain and support academic research into racist, anti-Semitic and xenophobic acts and discrimination. Participatory action and research should also be encouraged in order to obtain accurate data on local areas and the discrimination experienced, to encourage interaction and dialogue between citizens and public authorities (citizens' conferences, consensus conferences, etc.) and to make fundamental changes to stereotypes and prejudices.
- 6** To ensure the national strategy of action on equality, inclusion and participation of Roma is effective, the CNCDH recommends the allocation of dedicated human and financial resources in the fight against anti-gypsyism. The CNCDH is seeking an undertaking from the Government to improve the perceptions, narratives and practices around Roma people, and also concrete measures to access rights and a policy to combat prejudice and stereotypes.
- 7** The CNCDH recommends that the Autorité de régulation de la communication audiovisuelle et numérique (Arcom) should issue reminders of the regulations that apply in relation to abuse, defamation and incitements to hatred or discrimination in the media; step up sanctions, in particular against individuals and media outlets that have previously received reprimands; and to ensure respect for the independence and diversity of information sources and programmes. It invites Arcom to publish an annual report on the complaints received for each medium.
- 8** In order to calm the debate on immigration and put an end to the manipulation of figures, the CNCDH recommends the creation of a citizens' panel on migration to stimulate a democratic debate on the issues of migration and diversity, thus supporting the appeal made by a group of over 400 scientists in an article published in the *Le Monde* newspaper on 27 February 2023.

- 9** The CNCDH recommends that the specific focus on the fight against racism and discrimination be linked to policies for revitalising territories and combating unequal systems. This work should be carried out in partnership with professional organisations, trade unions and local regions, and with regional social, economic and environmental committees (CESERs) in particular.
- 10** The CNCDH encourages France to continue and step up its efforts to fight discrimination, racism, anti-Semitism and xenophobia within the framework of multilateral fora, in particular as a Member State of the United Nations Human Rights Council and in cooperation with the relevant special procedures and civil society stakeholders.
- 11** The CNCDH recommends the creation of an independent body dedicated to combating online hate, under the aegis of Arcom. This would have specific responsibility for supporting users of digital services, furthering research into algorithmic content moderation systems and developing an application to guide victims through the process.
- 12** The CNCDH recommends that a national action plan on digital citizenship training be adopted, in order to ensure that teaching of digital citizenship in schools is effective by integrating it within a nationally standardised programme; by providing teaching staff with appropriate training in the use of new technologies, in particular with the involvement of non-profit stakeholders; by raising general awareness of associations and of platforms, via a coordinated effort of the public authorities; by considering users' experiences in developing and implementing these teaching resources.

The legal framework for fighting racism

◆ Freedom of expression and opinion are fundamental rights that are essential to democracy and diversity. However, not everything can be said or written. The right to self-expression ends at the point where abuse begins. [See Article 10 of the European Convention on Human Rights; Article 11 of the French Declaration of the Rights of Man and of the Citizen of 1789]

◆ French law punishes racial defamations and abuse, as well as incitement to racial hatred or discrimination, apology for war crimes or crimes against humanity, and denial of crimes against humanity. It also punishes racial or religious discrimination and racist motives as aggravating circumstances in crimes and offences. In particular, sanctions may take the form of fines or even imprisonment. [French Law on Freedom of Press dated 29 July 1881; provisions of the French Criminal Code]

◆ Anyone who considers himself/herself to have been the victim of a racist offence has the right to lodge a complaint with the police station or gendarmerie; the reception officer is required to register his/her complaint. [Article 15-3 of the Code of Criminal Procedure] Victims of discrimination can also approach the civil courts, or the industrial tribunals (if the discrimination occurred in the workplace), to obtain compensation for the harm they have suffered. Compared to criminal law, the burden of proof upon victims here is lower. [Law no. 2008496 of 27 May 2008, art. 4]

◆ Any Internet user may report content that he/she deems illegal on the Internet, either through the “Pharos” reporting platform of the Ministry of the Interior and reporting platforms specific to Internet business providers, or via the assistance of competent associations. [Find out more about PHAROS at www.internet-signalement.gouv.fr]

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Independent National Rapporteur for 33 years

Appointed as the “Independent National Rapporteur on the fight against racism” in 1990, the Commission nationale consultative des droits de l’homme (CNCDH - French National Consultative Commission on Human Rights) submits an annual report to the Government, which examines the current state of racism in France.

In its capacity as independent national rapporteur for the past 33 years, the CNCDH evaluates public policy and contributes to monitoring France’s compliance with its international commitments to eliminate racist discrimination. Based on a critical analysis of the policies conducted and drawing on the observations of international bodies, the CNCDH formulates a series of recommendations aimed at better knowing, understanding and combating all forms of racism.

This report bases its analyses and recommendations on a variety of complementary tools. The statistical reports of the Ministry of the Interior and the Ministry of Justice, surveys on the state of public opinion, and the analyses of the CNCDH’s partner researchers are all elements that need to be collated with the numerous contributions made by institutional, associative and international stakeholders in understanding the parameters of racism in France as accurately as possible.

The state of racism, anti-Semitism and xenophobia in France in 2022

The number of recorded racist, anti-Semitic and xenophobic incidents remains high. Although this year’s CNCDH barometer shows a continuing high level of tolerance among the French people, the fight against racism, anti-Semitism and xenophobia is of greater topical importance than ever.

Racism in France is still heavily underestimated and under-reported. It often manifests itself through indirect forms of rejection, which are sometimes difficult for victims to identify and speak out against.

Les Essentiels (The Essentials)

As a supplement to its 2022 report, the CNCDH is presenting Les Essentiels, a summary of the main trends it has observed.