

Practices of cooperation, coordination

France

Contents

Practices of cooperation, coordination	1
France	1
Independent organisations defending human rights and the European Court of Human Rights	2
Co-construction of plans to combat racism and trafficking in human beings	3
Cooperation with parliamentary delegations	4

Independent organisations defending human rights and the European Court of Human Rights

Over the past decade, each of the independent organisations defending human rights has been involved in cooperation with the European Court of Human Rights and the department for executing the Court's rulings. They have carried out this work in cooperation, in both a horizontal and vertical dimension. In 2013, the CNCDH and the CGLPL carried out their first joint third-party initiative,¹ then continued this cooperation in several cases involving detention and inhuman or degrading treatment.²

The CNCDH has also cooperated with other national institutions in the European network of NHRIs (ENNHRI) to develop third-party initiatives under the ENNHRI banner, as in 2024 in the *Carême v. France* case.³

It should be noted that the CNCDH, in several third-party initiatives, referred to the EU Charter of Fundamental Rights.⁴

As far as the execution of rulings is involved, these three organisations defending human rights have pleaded for their consultation to be formally included in the circuit for the execution of European rulings. Since 2017, they have been systematically consulted by the French authorities on plans and assessments of the execution of European rulings.

They have also continued their horizontal cooperation on the execution of the Court's rulings. For example, the CNCDH and the CGLPL jointly issued a "Rule 9 Communication"⁵ highlighting shortcomings in implementing a Court ruling.⁶

In 2023, representatives of the department for executing the Court's rulings came to Paris to meet these three organisations at a joint meeting, and take stock of this cooperation, which was deemed particularly useful.

¹ Motion No. 50494/12, *YENGO vs. France*.

² Motion No. 9347/14, *MOUSTAH v. France*; motions No. 51808/16 *A.B. vs. France*, 57963/16 *Mixtur vs. France*, 51093/17 *M.N. vs. France*, 52965/17 *E.C. vs. France*, 60899/17 *Klapucki vs. France*, 77572/17 *A.B. vs. France*, 78336/17 *R.M. vs. France*, 79967/17 *A.T. vs. France*; motions No. 9671/15 and 12792/15 in the cases of *J.M.B. and others vs. France*, *France and F.R. and others sv. France*.

³ ENNHRI's third-party initiative in 2023, motion 7189/21, *Carême vs. France*

⁴ Article 18 of the Charter - right of asylum: Motion No. 26735/15, *Case A.A.A. vs. France*; Motion No. 40132/15, *Case I.O. v. France*; Motion No. 63141/13, *Gjutaj & others vs. France*.

⁵ [16806eebef \(coe.int\)](https://www.coe.int/t/e/treaties/16806eebef)

⁶ France, Communication concerning ruling on the *Moustahi vs. France*, 25 June 2020, No. 9347/14.

Co-construction of plans to combat racism and trafficking in human beings

In 2023, three very important interdepartmental plans were adopted by the Government. They were developed in close cooperation with the relevant independent human rights organisations and civil society actors.

The Interministerial Plan to combat racism, anti-Semitism and discrimination based on origin was steered by DILCRAH, and drawn up in close consultation with the CNCDH, which is the assessor, the Defender of Rights (*Défenseur des droits*), given its mandate in the field of discrimination, and with associations involved in the fight against racism (LICRA, MRAP, LDH, SOS Racisme, etc.). This plan deals with discrimination prohibited by Article 21 of the EU Charter of Fundamental Rights and issues relating to online hate, for which the Digital Services Act provides a relevant legal framework.

The Interministerial plan for equality, combatting hate and discriminations anti-LGBT+ 2023-2026⁷ has also been constructed closely involving civil society which is also involved in the monitoring and the assessment of the plan's measures.

This cooperation was also welcomed in the context of the inter-ministerial plan to combat the exploitation of and trafficking in human beings. Miprof, which steered the development of the inter-ministerial plan, consulted widely with the CNCDH, which is the plan's assessor, and with the association actors in the Together against trafficking (*Ensemble contre la traite*) group (Secours catholique, Hors la rue, CCEM, ECPAT France, etc.). In 2022 and 2023, the CNCDH criticized the lack of implementation of the previous Plan⁸ and the lack of political leadership⁹ to define a real public policy. It is worth noting the initiative of Diane Schmidt, the EU coordinator, who came in May 2023 at the request of the CNCDH to discuss with the authorities, and generate momentum. The coordinator took part in a meeting at the CNCDH with civil society actors and the Miprof.

Articles 5 and 32 of the EU Charter of Fundamental Rights and the EU Directive provide the relevant legal framework. The various actors have sought to anticipate the thrust of the revision of the European directive (currently still under discussion) so that the

⁷ The national action plan can be consulted both in French and in English [here](#).

⁸ France, CNCDH, Assessment of the 2nd national action plan against trafficking in human beings, 12 January 2023, available at: www.cncdh.fr/publications/evaluation-du-2e-plan-daction-national-contre-la-traite-des-etres-humains-2023-1

⁹ France, CNCDH, Press release, The abhorrent crime of trafficking in human beings demands the unfailing mobilization of public authorities, 17 October 2022, available at: www.cncdh.fr/communiqu%C3%A9-de-presse/le-crime-odieux-de-la-traite-des-etres-humains-exige-une-mobilisation-sans

2024-2027 Interministerial Plan is as in tune as possible with European expectations, in particular as regards the national mechanism for identifying, guiding and protecting victims of trafficking.

Cooperation with parliamentary delegations

Although very recent, the new parliamentary delegation for children's rights has shown that it seeks to rely on civil society actors, childcare professionals and independent organisations defending human rights. It has already held a hearing with the Defender of Rights (*Défenseure des droits*).¹⁰ A member of this delegation asked the CNCDH for an opinion on the violent deaths of children.¹¹ On the occasion of the publication of this opinion, pursuant to the Belgrade Principles¹², a conference was organized on 7 February 2024 at the French National Assembly for the CNCDH to present the broad lines of its opinion and its main recommendations to deputies and senators¹³.

The delegation also heard from the Minister of Justice, the Minister of Education, the Minister of Solidarity, Autonomy and people with disabilities, and the Secretary of State for Children. One of the hearings held by the Secretary of State for Children related to France's report¹⁴ to the United Nations Committee responsible for monitoring the International Convention on the Rights of the Child¹⁵.

The parliamentary delegation for women's rights and equal opportunities for men and women was created in 1999 and has carried out work of various kinds: fact-finding missions, flash missions and working groups. There were a large number of hearings of ministers and civil society actors each time.

It should be noted that none of the reports on the work of this parliamentary delegation refers to the EU Charter on Fundamental Rights.

¹⁰ France, National Assembly, Meeting report No. 4 - Children's rights delegation, 30 November 2022, available at: www.assemblee-nationale.fr/dyn/16/comptes-rendus/dde/l16dde2223004_compte-rendu

¹¹ France, CNCDH, Opinion on the violent deaths of children, 12 December 2023, available at: www.cncdh.fr/sites/default/files/2023-12/A%20-%202023%20-%206%20-%20Avis%20Morts%20violentes%20d%27enfants%2C%20dec%202023_2.pdf

¹² [Principes-de-Belgrade FR.pdf \(upr-info.org\)](https://www.upr-info.org/fr/principes-de-belgrade)

¹³ [Seminar on violent child deaths | CNCDH](#)

¹⁴ [CRC/C/FRA/CO/4: Concluding observations of the Committee on the Rights of the Child | OHCHR](#)

¹⁵ [Convention on the Rights of the Child | OHCHR](#)

