

# Civic space in the EU: Mapping of national approaches to civic space monitoring, participation and protection

France

February 2025

Contractor: Institut français des droits et libertés

## **DISCLAIMER:**

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# 1. MONITORING AND REPORTING ON CIVIC SPACE

## 1.1. Monitoring initiative from the side of the State

*Has there been any initiative from the side of the State (government/parliament) to observe/monitor the restrictions/challenges/threats for civic space actors in your country in the last three years?*

On April 15, 2024, Law No. 2024-344 supporting voluntary work and simplifying associative life was adopted.<sup>1</sup> The planned measures included in particular a report from the Government analysing the impact of the reduction in funding to associations on employment in the voluntary sector. This report is to be published in 2025.

The state does not have a permanent mechanism for monitoring the restrictions, challenges or threats encountered in the civic space.

## 1.2. Other monitoring initiatives

*Has there been any other actor/body/mechanism that has observed/monitored civic space restrictions/challenges/threats in your country in the last three years?*

### a) General

The Public Defender of Rights (*Défenseur des droits*) is equivalent to the French Ombudsman. As an independent administrative authority, it can formulate non-binding recommendations to the public authorities.

It has a special mandate to present every two years to the President of the French Republic, the President of the National Assembly and the President of the Senate a public report on the global functioning of the whistleblower's protection. The 2022-2023 report has been published.<sup>2</sup>

In 2023, the Public Defender of Rights (*Défenseur des droits*) warned about the risks of the infringements of rights and freedoms weakening democracy, in particular freedom of association.<sup>3</sup> The Public Defender of Rights (*Défenseur des droits*) is funded by the "Protection of rights and freedoms" Budgetary Program 308 which brings together credits from seven Independent institutions.

The *Commission nationale consultative des droits de l'homme* (CNCDH) is the French National human rights institution. It is a consultative independent institution with an advisory mandate. The CNCDH adopts opinions, declarations and reports on human rights

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<sup>1</sup> France, [Law No. 2024-344 supporting voluntary work and simplifying associative life \(Loi n° 2024-344 visant à soutenir l'engagement bénévole et à simplifier la vie associative\)](#), 15 April 2024.

<sup>2</sup> France, Public Defender of Rights (*Défenseur des droits*), [The Protection of Whistleblowers in France – Biannual Report 2022–2023 \(La protection des lanceurs d'alerte en France – Rapport bisannuel 2022-2023\)](#), 25 September 2024.

<sup>3</sup> France, Public Defender of Rights (*Défenseur des droits*), [Risks of infringements on rights and freedoms that weaken democracy \(Des risques d'atteintes aux droits et libertés qui fragilisent la démocratie\)](#), 14 April 2023.

issues and topics with non-binding recommendations to the public authorities. In the past three years it has for instance adopted:

- An opinion on access to rights and the non-take-up on March 2022;<sup>4</sup>
- An opinion on human rights defenders on November 2023;<sup>5</sup>
- A declaration on the effective exercise of citizenship by disabled persons, in April 2024;<sup>6</sup>
- An opinion on surveillance of public space, in June 2024;<sup>7</sup>
- An opinion on Strategic lawsuits against public participation (SLAPPs), in February 2025.<sup>8</sup>

The CNCDH is funded by the “Protection of rights and freedoms” Budgetary Program 308 which brings together credits from seven Independent institutions.

#### **b) Freedom of association**

The Observatory of Associative Freedoms (*Observatoire des libertés associatives*) is an initiative launched in 2019 by a coalition of civil society organisations to document and make public pressures applied to the civil society in France. The research and analysis work is overviewed by a scientific council comprising 13 researchers in social sciences specialised in participation and associative engagement issues. The coalition works in particular on tracking and altering the impact of the Law on consolidating the principles of the Republic (*referred to in the 2022 FRA focus analysis on France on the legal environment and space of CSOs in supporting fundamental rights and the rule of law*).<sup>9</sup> Any obstruction to the freedom of association can be reported directly on the website of the Observatory.<sup>10</sup> All obstructions and infringements of the rights of associations are recorded and accessible on the website of the coalition.<sup>11</sup>

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<sup>4</sup> France, CNCDH, [Opinion on access to rights and the non-take-up](#) (*Avis sur l'accès aux droits et les non-recours*), 24 March 2022.

<sup>5</sup> France, CNCDH, [Opinion on human rights defenders](#) (*Avis sur les défenseurs des droits de l'homme*), 30 November 2023.

<sup>6</sup> France, CNCDH, [European Elections: Declaration on the Effective Exercise of Citizenship for Persons with Disabilities](#) (*Élections européennes : déclaration relative à l'exercice effectif de la citoyenneté des personnes en situation de handicap*), 25 April 2024.

<sup>7</sup> France, CNCDH, [Opinion on public space surveillance](#) (*Avis sur la surveillance de l'espace public*), 20 June 2024.

<sup>8</sup> France, CNCDH, [Fighting SLAPPs \(Strategic Lawsuits Against Public Participation\): A necessity to preserve public debate](#) (*Lutter contre les procédures-bâillons : un impératif pour préserver le débat public*), 14 February 2025.

<sup>9</sup> France, [Legal environment and space of civil society organisations in supporting fundamental rights and the rule of law](#), January 2022.

<sup>10</sup> Observatory of Associative Freedoms (*Observatoire des libertés associatives*), [Online form](#).

<sup>11</sup> France, La Coalition, [website](#).

The Economic, social and environmental council (CESE) represents civil society organisations and is defined by the French Constitution as the third assembly. In 2024, the CESE published a report titled “Reinforcing the financing of associations: a democratic emergency” warning about a global context of reduction of the financing of associations.<sup>12</sup>

### c) Freedom of expression

The French Observatory of Violations against Press Freedom (*Observatoire français des atteintes à la liberté de la presse, Ofalp*)<sup>13</sup> is a civil society initiative launched in November 2023 by a collective of journalists. The goal of this observatory is to collect, classify, verify and make public infringements of the freedom of the press, particularly situations where journalists have been prevented from doing their job freely, hindering the right of every citizen to be well informed. It comprises three colleges: the “citizens” college, the “journalists” college (including students in journalism) and the “legal entities college”. It intends to publish an annual report. It is funded by donations from civil society.

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<sup>12</sup> France, CESE, Report “Reinforcing the financing of associations: a democratic emergency” (“*Renforcer le financement des associations : une urgence démocratique* »), May 2024.

<sup>13</sup> French Observatory of Violations against Press Freedom (*Observatoire français des atteintes à la liberté de la presse, Ofalp*), [website](#).

## 2. PARTICIPATION

### 2.1. Rules on participation

*Are there any binding rules in place in your country for the participation/consultation of civil society organisations for developing/implementing/monitoring laws and policies?*

#### a) Mandatory consultations of civil society organisations

The French Labour Code<sup>14</sup> provides that any reform project envisaged by the Government that relates to individual and collective labour relations, employment and professional training, and that falls within the scope of national and interprofessional negotiations, must be the subject of prior consultation with representative employee and employer trade unions at national and interprofessional level with a view to the possible opening of such negotiations. When they indicate their intention to enter into such negotiations, the organisations also inform the Government of the timeframe they consider needed to conduct the negotiations.

#### b) Guidelines

In March 2024, the Centre for citizen's participation of the Interministerial Directorate on Public Transformation (DITP) published a guide for public authorities on how to involve citizens in the design and implementation of public action.<sup>15</sup>

### 2.2. Consultative/participatory bodies

*Are there any consultative/participatory bodies in your country that ensure the participation of civil society in developing/implementing/monitoring laws and policies?*

#### a) General civil society advisory board or similar structure

The Economic, social and environmental council (CESE) represents civil society organisations and is defined by the French Constitution as the third assembly. It includes 82 organisations (companies, trade unions, associations, NGOs, etc.) which nominate 175 counsellors for a 5-year term. Counsellors must be 18 years old and have been engaged in an activity in the organisation for at least two years. As per articles 69 and 70 of the Constitution, it is a consultative assembly that, when referred to by the Government, gives its opinion on draft bills, orders or decrees. It can also be consulted by the Government and the Parliament on any economic, social or environmental issue. Every economic, social or environmental plan or programming action must be submitted to the CESE for advice before adoption. It also has a role in the evaluation of public policies to anticipate and measure their direct and indirect effects.

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<sup>14</sup> France, Labour code (*Code de travail*), [Article L1](#).

<sup>15</sup> France, Centre for citizen's participation of the Interministerial Directorate on Public Transformation (2024), [Designing a citizen participation approach](#) (*Concevoir une démarche d'une participation citoyenne*).

Since 2021, an organic law has designated the CESE as the citizens participation chamber, enabling the CESE to organise citizens conventions and consultations. Reports are published with their findings. The CESE also has an online platform where anyone can file a petition: if it reaches 150,000 signatures, the CESE is required to examine it.

All participation and consultation opportunities are referenced on the CESE website.<sup>16</sup>  
The CESE is funded by the State.

The *Commission nationale consultative des droits de l'homme* (CNCDH) is the French National human rights institution. It is a consultative independent institution. It includes 64 members: a college of 30 members representing civil society organisations (based on a principle of diversity with organisation working on LGBTIQ+, asylum and migration, persons with disabilities, etc.), a college of 30 qualified persons (including representatives of the main school of thoughts and religions) and four permanent members. The CNCDH adopts opinions, declarations and reports on human rights issues and topics with non-binding recommendations to the public authorities. The CNCDH is funded by the “Protection of rights and freedoms” Budgetary Program 308 which brings together credits from seven Independent institutions.<sup>17</sup>

#### **b) Children and young people**

Since February 2024, a college of children, adolescent and young adults has been created within the national council for the protection of children (CNPE). It is a participatory body comprising twelve minors or young adults that are or have been, in the last six months, subject to a protective measure. This college can suggest to the CNPE to work on any thematic subject related to the prevention and protection of children and, if the subject is selected, scheduling and organisation are established to favour the implication of the children and youth college. The college can also work on its own subjects. At least two representatives of the children and youth college participate to each plenary session of the CNPE.<sup>18</sup>

#### **c) Persons with disabilities and older people**

The National Consultative Council for People with Disabilities (CNCPH) is a consultative body that organises the participation of persons with disabilities or their representatives in the development and implementation of public policies that have an impact on the effectiveness of the rights and quality of life of people with disabilities. The CNCPH may be consulted by the Prime Minister, any minister or a majority of its members on any matter falling within its scope, and in particular on any draft legislative or regulatory provision. It may also be consulted by the President of the National Assembly, the President of the

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<sup>16</sup> France, [CESE website](#).

<sup>17</sup> France, [CNCDH website](#).

<sup>18</sup> France, [Order on the organization of the Council of Children, Adolescents, and Young Adults within the National Council for Child Protection](#) (*Arrêté portant organisation du collège des enfants, des adolescents et des jeunes majeurs du Conseil national de la protection de l'enfance*), 12 February 2024.

Senate or the President of the Economic, Social and Environmental Council (CESE) on any matter affecting the lives of persons with disabilities. The CNCPH has a mission to monitor the situation of persons with disabilities.

Within public inter-communal cooperation bodies (EPCI), a participative structure on accessibility must be created if the EPCI is more than 5,000 inhabitants and has a competence in transports and/or space planning. This commission is made up of representatives of the EPCI members, associations or organisations representing persons with disabilities (*esp.* physical, sensory, cognitive, mental or psychological), associations or organisations representing the elderly, representatives of economic actors and users.<sup>19</sup>

#### **d) Other (environment)**

The National commission on public debate (CNDP) is a consultative independent authority ensuring the right to information and participation of the public on the development of projects and public policies having an impact on the environment. It must be referred to on the main projects. It includes 25 members (parliamentarians, elected representatives, member of Council of State, higher tribunals, associations, trade unions, etc.). Members take collegial decisions and are assisted by 350 collaborators who organise and host public debates. If the project initiator does not follow the CNDP's recommendations, it has to motivate its choice.

The CNDP is funded by the State.<sup>20</sup>

Within public inter-communal cooperation bodies (EPCI), a consultative structure on development must be created if the EPCI is more than 50 000 inhabitants. It only includes members of the civil society (representatives from the economic, social, cultural, educational, scientific, environmental and associative sectors). It is consulted on the development of local projects and on the design and assessment of local policies to promote sustainable development.<sup>21</sup>

### **2.3. Awareness raising and capacity building on participation**

*Does your Member State fund or carry out meaningful awareness raising and/or capacity building to support participation in your country?*

The Fund for the Development of Associative Life (*Fonds pour le développement de la vie associative*, FDVA) is a funding mechanism from the State that provides financial support for associations. The FDVA contributes to the development of associations by providing financial support for studies and experiments that foster the development of associative life with a view to social innovation. For instance in 2024, 18 studies and national experiments were funded on various topics such as “*the development of student*

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<sup>19</sup> France, General code of local authorities (*Code général des collectivités territoriales*), [Article L.2143-3](#).

<sup>20</sup> France, [CNDP website](#).

<sup>21</sup> France, General code of local authorities (*Code général des collectivités territoriales*), [Article L.52-11-10-1](#).

*involvement in associations outside their university structure”, “understanding and supporting inter-associative partnerships” or “the dynamics of associations for young minors in rural areas: experimenting with innovative forms of support”.*

The FDVA also finances trainings of volunteers, elected representatives and people responsible for associative activities. The main expected benefit is an improvement in the skills of volunteers, a significant increase in long-term volunteering and help in acquiring responsibility within associations with a view to renewing the association's management team. In 2023, 1,640 associations received trainings' funding with an average of 2,053 euros per project.

A website-section centralises all information on this fund including the list of beneficiaries.<sup>22</sup>

A report from the government details the State's financial support for associations in 2022. In 2022, more than 2,000 associations received funds to train 150,000 volunteers.

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<sup>22</sup> [Website Associations.](#)

### 3. ENABLING ENVIRONMENT AND PROTECTION

#### 3.1. Civil society strategy

*Does your country have a general civil society strategy / civil society development strategy in place?*

In March 2024, France launched an Open Government Partnership action plan for 2024-2026. One of the main initiatives is “*improving and strengthening citizen participation practices and democratic innovation to bring citizens closer to public decision-making*” through four measures focusing on national policy: (1) conduct an inventory of participation and democratic innovation initiatives to encourage the adoption and deployment of these practices on a large scale in all ministries; (2) train public servants in the methods and tools of collective intelligence and citizen participation, with the sharing of a common training reference framework between administrations; (3) set up and run over time an institutionalised forum for dialogue and action between public players and organised civil society on open government within the CESE; (4) define a framework for the status of the “*participating citizen*”.

The French Ministry of Europe and Foreign Affairs also developed a Strategic guidance paper 2023-2027 on civil society and civic engagement for external policy.<sup>23</sup>

#### 3.2. Protecting an enabling environment

*Is there a dedicated policy/framework (or support measures) in place in your country to enhance and protect an enabling environment for civil society to work on fundamental rights?*

There is no dedicated policy or framework to enhance and protect an enabling environment for civil society to work on fundamental rights. However, there are general policies to support associations.

On April 15, 2024, law No. 2024-344 supporting voluntary work and simplifying associative life was adopted.<sup>24</sup> The planned measures included in particular the organisation by the State of a support structure system for local associations: *Guid’Asso* and a report from the Government analysing the impact of the reduction in funding to associations on employment in the voluntary sector and assessing the performance of the various schemes implemented to encourage and recognise volunteer involvement. This report is to be published in 2025.

A dedicated website centralises information on the government’s policy for the associative sector.<sup>25</sup>

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<sup>23</sup> France, Ministry of Europe and Foreign Affairs (*Ministère de l’Europe et des Affaires Étrangères*)(2023), [Strategic guidance paper 2023-2027 on civil society and civic engagement](#).

<sup>24</sup> France, [Law No. 2024-344 supporting voluntary work and simplifying associative life](#) (*Loi n° 2024-344 visant à soutenir l’engagement bénévole et à simplifier la vie associative*), 15 April 2024.

<sup>25</sup> [Website Associations](#).

### 3.3. Law on recognition and protection of defenders

*Is there a dedicated law (and/or guidelines) in your country dealing specifically with the recognition and/or protection of human rights defenders?*

No specific law recognises nor protects human rights defenders in France. However, the concept of protection of human rights defenders is present in some foreign affairs policies. In its 2020-2024 Strategy on Human rights and development report, France included as a priority the support to human rights defenders in a context of restriction of the civil society space.<sup>26</sup>

### 3.4. Support and funding for protection of defenders

*Is there any dedicated support/funding by the State for the protection of (individual) human rights defenders in your country?*

Although there is no real institutionalised system protecting human rights defenders, some initiatives have been put in place to support and protect defenders from abroad. The Marianne initiative for human rights defenders is a programme that rewards around fifteen defenders around the world each year. The winners, selected by a committee, receive a visa, accommodation in France for six months, a grant (€2,000 per month) and training to enhance their capacity for action.

The Human Rights Prize of the French Republic 'Liberté - Égalité - Fraternité' is awarded by the *Commission nationale consultative des droits de l'homme* (CNCDH) to defenders who act daily on the ground for the promotion and effective protection of human rights. Each year, the five winners of the Human Rights Prize share a financial prize of €70,000 and receive France's diplomatic protection for life.

These initiatives are only approached from the angle of foreign policy and thus no policies are designed to be applied for the protection of national human rights defenders.

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<sup>26</sup> France, Ministry of Europe and Foreign Affairs (*Ministère de l'Europe et des Affaires Étrangères*)(2019), [human rights-based approach to development cooperation](#) (*Une approche de la coopération au développement fondée sur les droits humains*).