

# FRANCE

## EXECUTIVE SUMMARY

France is a multiparty constitutional democracy. The president of the republic is elected by popular vote for a five-year term. Nicolas Sarkozy is the incumbent. The upper house (Senate) of the bicameral parliament is elected indirectly through an electoral college, while the lower house (National Assembly) is elected directly. Elections for seats in the National Assembly and for the presidency in 2007 and for seats in the Senate in 2011 were considered free and fair. The Union for a Popular Movement (UMP) is the majority party in parliament. Security forces reported to civilian authorities.

The most significant human rights problem during the year involved government evictions and compulsory repatriations of illegal immigrants from Romania and Bulgaria, many of whom were Roma. Several attacks against Roma were also reported. Overcrowded and unhygienic conditions in prisons were compounded by problems in the judicial system, including lengthy pretrial detention and protracted investigation and trials. French Muslims and others of immigrant origin faced some discrimination, particularly, in the case of Muslims, as a result of a prohibition against face-covering attire in public institutions.

Other human rights problems reported during the year included antidefamation laws that limited freedom of speech and press, societal violence against women, anti-Semitic incidents, and trafficking in persons.

The government took steps to prosecute and punish security force and other officials who committed abuses. Impunity was not widespread.

*Note: The country includes 11 overseas administrative divisions that are covered in this report. Four overseas territories in French Guiana, Guadeloupe, Martinique, and Reunion, have the same political status as the 22 metropolitan regions and 101 departments on the mainland. Five divisions are overseas "collectivities": French Polynesia, Saint-Barthelemy, Saint-Martin, Saint-Pierre and Miquelon, and Wallis and Futuna. New Caledonia is a special overseas collectivity with a unique, semiautonomous status between an independent country and an overseas department. Mayotte became the 101st department on March 31, 2011. Citizens of these territories periodically elect deputies and senators to represent them in parliament, like the other overseas regions and departments.*

## **Section 1. Respect for the Integrity of the Person, Including Freedom from:**

### **a. Arbitrary or Unlawful Deprivation of Life**

There were no reports that the government or its agents committed arbitrary or unlawful killings.

Killings in Corsica were predominantly linked to organized crime and Corsican nationalism. As of December 5, there were 22 killings reported for the year, 15 of which were linked to organized crime. In 2010 authorities reported 81 bombings or attempted bombings as well as 16 killings and 14 attempted killings in Corsica.

On November 30, Amnesty International (AI) wrote the minister of justice regarding the cases of five men--one French citizen of Senegalese origin and four foreign nationals of Mali, Tunisia, Algeria, and Morocco--who died in police custody between 2004 and 2009. The letter expressed the need for a prompt and independent investigation without further delay and AI's concern that there had been little or no progress to fully investigate the cases and that the law enforcement officers involved in the cases had not been subject to investigation or charge.

#### **b. Disappearance**

There were no reports of politically motivated disappearances.

#### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

The constitution and law prohibit such practices. However, there were occasional accusations of police discrimination and degrading treatment.

During the year there were occasional reports that police used excessive violence during counterdemonstration operations. In May 2010 police fired a flash ball close to a crowd during a violent demonstration in Neuilly-sur-Marne, causing a protester to feel dizzy for several days. In May the National Commission on Security Ethics (CNDS) ruled that the use of the flash ball was disproportionate and recommended the officer involved be prosecuted.

On February 3, the inspector general of the gendarmerie (IGG) opened an investigation after a gendarme threw a gas grenade at peaceful demonstrators in Anduze on January 21. The gendarme involved was transferred to Marseille in July. The IGG and the Nimes prosecutor were investigating the incident.

#### **Prison and Detention Center Conditions**

Both credible nongovernmental organizations (NGOs) and government officials reported overcrowding and unacceptable hygienic conditions in prisons. In December the Ministry of Justice and Liberties reported that 65,262 persons, including 2,200 women and 750 juveniles, were incarcerated in the country's 189 prisons, exceeding prison capacity by 8,007 inmates.

In a report published on December 8, covering the period 2005-11, the International Observatory for Prisons (OIP) strongly criticized overcrowding, limited access to health care, and lack of human contact in the country's prisons. According to the study, there were 60,761 prisoners in December 2011 but enough space for 56,358. The document also stated that the prevalence of tuberculosis was 10 times higher in prison than outside and that prisons did not have the capacity to care for the 20 percent of the prison population that suffered from mental disorders.

In its 2010 annual report published on May 3, the controller general for detention facilities criticized the violation of basic rights in prisons, including failure to provide decent living conditions to prisoners. According to the report, such violations "too often go unreported." There were no reports of prisoners lacking access to potable water.

Although there were no known deaths in prison due to mistreatment or adverse conditions during the year, prison suicides continued to be a problem. According to the OIP, 97 inmates committed suicide from January 1 to October 31, an increase of 8 percent compared with the same period in 2010. The OIP reported that, from 2003 to 2010, there was an average of one prison suicide every three days, a number five to six times larger than suicide rates outside prison. There were no reports of deaths in prison during the year other than by suicide or from natural causes.

Authorities maintained administrative holding centers for foreigners whom they could not immediately deport. There were 24 holding centers on the mainland and three in the overseas territories.

On December 14, a cooperative of five NGOs published a report titled *2010 Report on Detention Centers*. According to the report, in 2010 more than 60,000 persons passed through detention centers in France or one of its overseas territories, an 80 percent increase from 2005. The number of families and children in these centers also increased from 57 families with 318 children in 2009 to 178 families with 356

children in 2010. The group criticized the constant tension and violence among inmates, which allegedly resulted from the centers' inability to ensure equal rights.

Prisoners and detainees had reasonable access to visitors and were permitted religious observance. Authorities permitted prisoners and detainees to submit complaints to judicial authorities without censorship and to request investigation of credible allegations of inhumane conditions. Authorities investigated credible allegations of inhumane conditions and documented the results in a publicly accessible manner. The government investigated and monitored prison and detention center conditions.

The inspector general for places of detention, an independent authority, is responsible for ensuring that detainees' fundamental rights are respected. In addition detainees may address issues about the prison or justice system to the state mediator or his delegate, who are part of the office of the defender of rights, the equivalent of an official ombudsman on civil liberties.

To reduce overcrowding, the government opened four new prisons since 2007 with a total of 6,000 additional places. It increased the prison system budget by 10 percent, to 2.1 billion euros (\$2.7 billion), in 2010. As of November 1, 7,886 prisoners were under electronic surveillance, a 31.5 percent increase over 2010. Those under electronic surveillance were still considered prisoners because they remained under surveillance in their homes. New prisons had gymnasiums, outdoor recreation areas, and family spaces, and the Ministry of Justice and Liberties continued to increase prisoner access to work, sports, libraries, worship, cultural services, education, and training programs during the year.

The government permitted prison visits by independent human rights observers, local and foreign. The UN Committee against Torture (CAT) examines the country's prisons every four years, most recently in April 2010. The Council of Europe's Committee for the Prevention of Torture (CPT) also conducted an inspection of prisons in 2010. In July the CPT gave a report on the visit to the French government, which postponed its publication until 2012.

#### **d. Arbitrary Arrest or Detention**

The constitution and law prohibit arbitrary arrest and detention, and the government generally observed these prohibitions. However, lengthy pretrial detention was a problem. The government handed down 79 decisions in wrongful

incarceration trials in 2010 and provided 370,000 euros (\$481,000) in financial compensation to those found to have been wrongfully incarcerated.

### **Role of the Police and Security Apparatus**

Under the direction of the Ministry of the Interior, Overseas France, Local Authorities, and Immigration, a civilian national police force of 144,000 and a quasi-military national gendarmes force of more than 97,000 maintained internal security. In conjunction with specific gendarmes units used for military operations, the army is responsible for external security under the Ministry of Defense. Police and gendarmes were generally considered effective. During the year approximately 60 “neighborhood police” units worked to curb juvenile delinquency and petty crime in neighborhoods with high levels of youth crime.

Official impunity was not widespread. The inspector general of National Police (IGPN), the inspector general of police services for the Paris region (IGS), and the Office of Judicial Police investigated and prosecuted allegations of brutality in the police force and the gendarmes. The CNDS investigated allegations of misconduct by municipal police, gendarmes, and private security forces and reported its findings to the prime minister and parliament. According to the 2010 CNDS report, the most recent year for which data was available, 195 complaints were filed in 2010, a 14 percent decrease from the 228 complaints in 2009.

The CNDS investigated allegations of improper conduct by law enforcement officers and helped ensure that persons responsible for law enforcement comply with ethical standards. While individuals who allege police mistreatment do not have direct access to the CNDS, their complaints may be referred to the CNDS through a member of parliament or other intermediary. On May 1, the CNDS merged with the office of the defender of rights.

In its annual global report released on May 13, Amnesty International criticized new cases of police violence and the slow speed of police investigations in the country.

### **Arrest Procedures and Treatment While in Detention**

The law requires police to obtain warrants based on sufficient evidence prior to detaining suspects, but police can immediately arrest suspects caught in the act. Individuals have the right to a judicial ruling on the legality of their detention during the first hour, and authorities generally respected this right in practice.

Authorities must inform detainees of charges against them once they are in police custody. A system of bail exists and was utilized. Detainees generally had access to a lawyer, and the state provides legal counsel if the detainee is indigent.

Amnesty International criticized the country's practice of allowing multiple, successive periods of detention during the investigation of an alleged crime and accused authorities of not adequately investigating detainee complaints. The law allows police to detain persons for up to 24 hours if they are suspected of having committed a crime that is punishable by a prison sentence. This period of detention can be extended for an additional 24 hours regardless of the seriousness of the crime.

On April 12, in response to a 2010 ruling by the European Court of Human Rights (ECHR), parliament passed legislation reforming the country's police custody procedures. Implemented on April 14, the new law provides that persons taken into police custody must be informed of their right to remain silent and their right to have a lawyer present during questioning. Defense lawyers can ask questions throughout the interrogation. If a medical exam is required, it must respect professional confidentiality. Complete strip searches are forbidden except in cases where the accused is suspected of hiding dangerous items or drugs.

According to Ministry of Justice official statistics, more than 800,000 persons were taken into custody in 2010. Following the adoption of reform legislation, this number dropped 26 percent in June-July 2011 compared with the same period in 2010.

On May 6, a Nimes appeals court terminated a police custody order and released an undocumented Chechen immigrant. The ruling was in compliance with an April 28 decision by the European Court of Justice, which held that undocumented migrants could not be detained under the 2008 EU directive on the return of illegal immigrants.

In cases involving terrorism or drug trafficking, the law allows extended periods of detention before notification to counsel. In such cases authorities may hold suspects for up to 96 hours without charge or access to a lawyer and may petition a judge to extend detention by an additional 48 hours. Suspects must be either charged or released after a maximum of six days.

Pretrial Detention: Long delays in bringing cases to trial and lengthy pretrial detention were problems. Although pretrial detention was generally allowed only

if the suspect could be sentenced to more than three years in prison, a few suspects spent many years in detention before trial. According to government statistics for 2007, the most recent available, the average length of pretrial detention was 5.7 months, an increase of 10 percent since 2001.

In September the Paris Magistrates Court (Tribunal de Grande Instance) ordered the state to compensate Cedric B. 8,000 euros (\$10,400) for being held 11 years in prison before being tried for armed robbery.

In December 2010 the Paris Criminal Court sentenced two members of the terrorist organization Basque Fatherland and Liberty (ETA), Mikel Antza and Soledad Iparragirre Genetxea, to 20 years in prison after they had been held over six years.

### **e. Denial of Fair Public Trial**

The constitution and law provide for an independent judiciary, and the government generally respected judicial independence in practice. However, delays in bringing cases to trial were a problem.

The Tribunal of the Armies is a military court for acts committed outside the country. The court tries only military personnel. In July 2010 parliament closed the tribunal, effective January 1, 2011. The Paris Magistrates Court assumed responsibility for cases formerly handled by the tribunal.

### **Trial Procedures**

The constitution and law provide for the right to a fair trial, and an independent judiciary generally enforced this right. Defendants enjoy a presumption of innocence. Except for those involving minors, trials are public and usually held before a judge or tribunal of judges. In cases where the potential punishment exceeds 10 years' imprisonment, a panel of professional and lay judges hears the case. Defendants have the right to be present and to consult with an attorney in a timely manner. An attorney is provided at public expense if needed when defendants face serious criminal charges. Defendants are able to question the testimony of prosecution witnesses against them and present witnesses and evidence in their defense. Defendants and their attorneys have access to government-held evidence relevant to their cases. Defendants have a right to appeal.

### **Political Prisoners and Detainees**

There were no reports of political prisoners or detainees.

### **Regional Human Rights Court Decisions**

During the year the European Court for Human Rights (ECHR) issued 23 judgments that found at least one violation by the state of the European Convention on Human Rights. The government generally complied with ECHR decisions.

### **Civil Judicial Procedures and Remedies**

There is an independent and impartial judiciary in civil matters and access to a court to bring lawsuits seeking damages for, or cessation of, human rights violations. Individuals can file complaints with the ECHR for alleged violations of the European Convention on Human Rights by the state once they have exhausted avenues for appeal through the domestic courts.

#### **f. Arbitrary Interference with Privacy, Family, Home, or Correspondence**

The constitution and law prohibit such actions, and the government generally respected these prohibitions in practice.

On October 18, the head of the counterintelligence services was put under investigation for possession of private correspondence, illicit collection of data, and possession of confidential documents (see section 2.a.).

### **Section 2. Respect for Civil Liberties, Including:**

#### **a. Freedom of Speech and Press**

##### **Status of Freedom of Speech and Press**

The constitution and law provide for freedom of speech and of the press, and the government generally respected these rights in practice. An independent press, an effective judiciary, and a functioning democratic political system combined to ensure freedom of speech and of the press.

Freedom of Speech: While individuals could criticize the government publicly or privately without reprisal, there were some limitations of freedom of speech. Strict antidefamation laws prohibit racially or religiously motivated verbal and physical



abuse. Written or oral speech that incites racial or ethnic hatred as well as denial of the Holocaust and crimes against humanity are illegal. Authorities may deport a noncitizen for publicly using “hate speech” or constituting a threat of terrorism.

Freedom of Press: While the independent media were active and generally expressed a wide variety of views without restriction, the media were subject to the same antidefamation laws that limited freedom of speech.

In October 2010 the NGO SOS Racism filed a lawsuit against perfumer Jean-Paul Guerlain following an October 15 national television interview during which he used a racial epithet for ethnic Africans. The trial’s verdict was due in March 2012.

In December 2010 the Fort-de-France Criminal Court on Martinique convicted businessman Alain Huygues-Despointes for praising crimes against humanity. The conviction stemmed from a 2009 television interview in which Huygues-Despointes stated there were “positive aspects” of slavery and criticized mixed-race marriages because he wanted to “preserve” his race. The judge ordered him to pay a 7,500 euro (\$9,750) fine. The Fort-de-France criminal court subsequently rejected Huygues-Despointes’s appeal and ordered him ordered to pay a 20,000 euro (\$26,000) fine as well as pay for the full-page publication of the judgment against him in the local newspapers. Huygues-Despointes filed an appeal with the court of cassation; a court date had not been set by year’s end.

In January 2010 parliament passed a law that provides additional protections to journalists and limits the instances where the government can compel them to reveal their sources. By law journalists can be compelled to reveal sources only in cases where serious crimes have taken place and access to the sources is required to complete the investigation.

In September 2010 the newspaper *Le Monde* filed a lawsuit allegedly targeting the President’s Office, alleging that it violated the law providing for the secrecy of journalistic sources. It accused the President’s Office of ordering the counterintelligence services to find the source of a leak in the investigation of a government corruption scandal. The head of the National Police subsequently admitted that the counterintelligence services investigated this subject to identify a former member of the former minister of justice’s staff who had leaked the information. On October 18, the head of the counterintelligence services was put under investigation for possession of private correspondence, illicit collection of data, and possession of confidential documents. His trial was not expected to take

place for several years. On October 28, the judge ruled that no charges would be filed against the head of the National Police.

### **Internet Freedom**

There were no government restrictions on access to the Internet or credible reports that the government monitored e-mail or Internet chat rooms. Individuals and groups could engage in the expression of views via the Internet, including by e-mail. There were no reports that the government attempted to collect the personally identifiable information of a person in connection with that person's peaceful expression of political, religious, or ideological opinions or beliefs.

### **Academic Freedom and Cultural Events**

There were no government restrictions on academic freedom or cultural events.

### **b. Freedom of Peaceful Assembly and Association**

The constitution and law provide for freedoms of assembly and association, and the government generally respected these rights in practice.

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at [www.state.gov/j/drl/irf/rpt](http://www.state.gov/j/drl/irf/rpt).

### **d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons**

The constitution and law provide for freedom of movement within the country, foreign travel, emigration, and repatriation, and the government generally respected these rights in practice. The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, asylum seekers, stateless persons, and other persons of concern.

The law requires persons engaged in itinerant activities with a fixed domicile to sign a declaration that must be renewed periodically. Itinerant persons without a fixed abode must possess travel documents that must be renewed every three months and must choose a city of residence for administrative purposes.

During the year the government dismantled unauthorized Roma camps across the country and compulsorily repatriated those who were living illegally in the country. The law prohibits the collection of statistics on the basis of ethnic and religious origin, but the government tabulates the number of Romanian and Bulgarian citizens (who comprised the bulk of the Romani migrants) in the country. According to EU and French regulations, Romanian and Bulgarian citizens may remain in the country for a maximum of three months unless they are employed or enrolled in school.

According to a Ministry of Interior study, authorities compulsorily repatriated 4,714 Romanian and Bulgarian nationals in the first three months of 2011 and dismantled 70 percent of the illegal camps identified by the government since July 2010. The NGO European Roma Rights Center reported that between April and October 2011, it registered 46 evictions that affected a total of 5,753 persons. In Marseille several camp evictions affecting hundreds of Roma took place between June and September, according to Medecins du Monde and media reports. On September 4, Amnesty International expressed its concern following the eviction of approximately 150-200 Roma from a camp in Saint-Denis on September 1, during which Roma were escorted by police on a RATP tram to Noisy-le-Sec, where they were reportedly forced to board a suburban commuter train. Politicians, RATP unions, and NGOs also voiced concern over the incident. On September 29, Human Rights Watch (HRW) reported that since mid-September, hundreds of Roma were evicted from illegal settlements in Lyon. HRW reported that “in one case, the police told a group of 80 to 100 Roma, including many children, who had been seeking new shelter for two days and nights following an eviction, to go to another informal camp.”

According to law, for an eviction of a Roma camp, or any residence, to occur, a town’s mayor must file a request to the administrative court, which then rules on the legality of the camp. If the camp is found to be illegal, residents are given between three and 30 days’ advance notice that they must abandon the premises. If they do not do so, the mayor or prefect may authorize an eviction of the camp.

According to the Minister of Interior, policies to combat illegal immigration became more effective after the passage of a new immigration law on June 16. During the year the government compulsorily repatriated 32,922 migrants who were in the country illegally, according to Interior Ministry statistics. There were no statistics available on the total number of Romanian and Bulgarian citizens compulsorily repatriated in during the year; however, the NGO Hors la Rue

estimated that Roma comprised approximately 30 percent of compulsory repatriations each year. NGOs also report that some Roma were compulsorily repatriated multiple times during the same year. According to official statistics, 9,761 Romanian and Bulgarian citizens were repatriated in 2010, a 21 percent decrease from 2009.

On September 12, Interior Minister Claude Gueant announced measures to address illegal Romanian immigration, including forced deportations of minors to their country of origin, increased surveillance at points of entry, and laws prohibiting panhandling in heavily trafficked tourist areas in Paris. The measures also include close cooperation between French and Romanian police and judicial authorities. During the year 40 police officers from Romania were sent to Paris to help dismantle criminal networks. The measure was successful, resulting in the breakup of a large Romanian-based prostitution network and the detention of 15 persons in November.

The government also offered foreign Roma living illegally in the country voluntary repatriation. It provided each person who accepted voluntary repatriation with an airplane ticket and 300 euros (\$420) per adult and 100 euros (\$130) per child. Those who did not accept voluntary repatriation were processed for deportation. While immigration judges approved most deportation orders, they refused some. NGOs reported that many Roma who accepted voluntary repatriation had returned to France by the end of the year.

On November 9, the Council of Europe issued an experts' report stating that the 2010 deportation of more than 1,000 Roma of Romanian and Bulgarian origin was "based on discriminatory provisions that directly targeted Roma individuals and their families." It stated that the voluntary returns were "disguised forms of forced collective expulsions." The report also noted that the demolition of hundreds of illegal Roma camps was "discriminatory" and "contrary to human dignity" constituting an "aggravated violation of human rights."

On June 16, parliament passed a law toughening the country's immigration and nationality regime. The law contains provisions that allow foreigners seeking medical treatment in France to be eligible for a residence permit only if the treatment is not available in their country of origin; provide for punishment of fraudulent marriages for immigration purposes by up to five years' imprisonment and a 15,000 euro (\$19,500) fine; provide for the deportation of EU citizens who abuse the right to remain in the country for more than three months without a visa by repeatedly leaving and returning to the country or who are imposing an undue

cost on public services; provide for the deportation of persons who pose a threat to public order by committing theft or aggressively begging; implement new administrative measures to facilitate the deportation process; and require foreigners applying for citizenship to sign a “charter of rights and obligations of citizenship.”

In July HRW sent a letter to the EU Commission voicing concern that the country’s new immigration bill weakens the rights of asylum seekers and migrants. It also stated that the law does not comply with the country’s obligations under EU freedom of movement rules and international human rights law. According to HRW, amendments to the law give the government wider authority to expel EU citizens for “abuse of rights,” such as exploitation of begging or “abusive” occupation of land, and for repeat short-term stays. Contrary to government claims, HRW asserted that since June Roma had been ordered to leave the country “for the simple reason that they had been in France before,” “even though their current stay was under three months and permitted under EU law.”

### **Protection of Refugees**

Access to Asylum: The country’s laws provide for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. The system for granting refugee status was active and accessible. Although asylum application forms submitted to the Office for the Protection of Refugees and Stateless Refugees (OFPRA) must be completed in French, application instructions were available in English, Albanian, Russian, Serbo-Croatian, Turkish, Tamil, and Arabic.

Safe Country of Origin/Transit: The government considers 20 countries to be “safe countries of origin” for purposes of asylum. While individuals originating from one of these safe countries of origin may apply for asylum, they can only receive a different form of temporary residence status allowing them to remain in the country.

Nonrefoulement: In practice the government provided protection against the expulsion or return of persons to countries where their lives or freedom would be threatened because of race, religion, nationality, membership in a particular social group, or political opinion. Authorities take into account the ability of the state concerned to offer protection to the person in danger from persecution by nonstate agents. However, human rights groups regularly criticized the government’s deportation practices, pointing out that the government was deporting illegal Afghan immigrants back to a war-torn country.

During the year La Cimade, a French NGO that offers legal advice to immigrants, criticized the increase in deportations, claiming that they were taking place without respecting the typical grace period during which individuals may appeal their deportation.

Refugee Abuse: On August 21, a local judge ruled that the detention of a Roma family in Lille was illegal because of “inhumane and degrading treatment” at the center where they were held. The father, mother (who was four-months pregnant at the time), and their three children were released from the detention center, but the deportation order against them remained in place.

Temporary Protection: The government also provided temporary protection to individuals who may not qualify as refugees but who may be exposed to certain serious risks if they returned to their country of origin. The government granted temporary protection to 10,340 persons in 2010, according to OFPRA. Individuals may renew their status for a period of one year.

### **Stateless Persons**

Citizenship is derived both from one’s parents and from one’s place of birth. A child born in the country to foreign parents may acquire citizenship at birth if stateless.

According to OFPRA and UNHCR statistics, there were 1,131 stateless persons in the country at the end of 2010. Stateless persons receive benefits from OFPRA, which is charged with the implementation of international conventions on refugees and stateless persons. A person declared “stateless” by the government is provided a three- or 10-year residence permit marked “private and family life” and allowed to work.

### **Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government**

The constitution and law provide citizens the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections based on universal suffrage. Political parties generally operated without restriction or outside interference.

Travellers (an itinerant group of individuals) without fixed abodes were permitted to vote in municipal elections only after a three-year period of “attachment” to a municipality. Traveller groups asserted that this requirement, which is based on special legislation applying only to itinerant groups, was discriminatory, since other French and EU citizens, including homeless persons, were able to vote after a six-month attachment period.

### **Elections and Political Participation**

Recent Elections: The 2007 national parliamentary and presidential elections were deemed free and fair. In March 2010 the country held regional elections that independent observers considered free and fair. Cantonal elections took place in March 2011 and were free and fair.

Participation of Women and Minorities: As a result of the September 25 senatorial elections, there were 185 women in the two chambers of the 925-seat parliament, 108 in the National Assembly and 77 in the Senate. There were nine female ministers in the 34-member ministerial cabinet. Women made up 48 percent of regional council members, 13.8 percent of departmental council members, and 34.8 percent of municipal council members. They held two presidencies of the 22 regional councils, four presidencies of the 101 departmental councils, and 14 percent of mayoral positions. The law requires political parties to present candidate lists containing equal numbers of male and female candidates or face fines.

Because the law prohibits the government from collecting information on the racial or ethnic background of residents of the country, no statistics on minority participation in government were available. With the exception of parliamentary representatives from some of the overseas territories where the populations were predominantly of non-European origin, minorities appeared to be significantly underrepresented in the government. At year’s end there was only one black member of the National Assembly. As of year’s end, President Sarkozy had appointed six female minority officials to his cabinet.

### **Section 4. Official Corruption and Government Transparency**

The law provides criminal penalties for official corruption, and the government generally implemented these laws effectively. There were some reports of government corruption during the year.

In August 2010 the governing UMP party and Paris mayor Bertrand Delanoë reached a settlement in the Paris Magistrates Court for alleged corruption that took place from 1977 to 1995 under the mayoral administration of former president Jacques Chirac. According to media reports, the UMP paid the city 550,000 euros (\$715,000) in exchange for the city's withdrawing its civil complaint. An anticorruption NGO (Anticor) continued to pursue the two separate, but related, charges despite the deal with Paris City Hall. The trial of the former president, as well as nine other defendants, opened on September 5. Due to a medical condition, Chirac was not present at the trial. On September 20, a Paris prosecutor asked that former president Chirac and nine others be acquitted on all charges. On December 15, the court ruled that Chirac was guilty of corruption and gave him a two-year suspended sentence.

On August 4, a judicial panel of the French Court of Justice, which investigates allegations of misconduct against public officials, opened an investigation of Christine Lagarde, managing director of the International Monetary Fund. Charges against Lagarde centered on her alleged "abuse of authority" when, in 2007, she intervened and ordered a special panel of judges to arbitrate a legal dispute begun in 1993 by Bernard Tapie over the sale of the Adidas company by Credit Lyonnais. In 2008 the parties came to an out-of-court settlement of 285 million euros (\$371 million). The accusations against Lagarde included "complicity in falsification" and "complicity in the misappropriation of public goods," potentially punishable by a 10-year prison sentence and a fine of 150,000 euros (\$195,000). The investigation continued at year's end.

The IGS, IGPN, and Inspectorate of the National Gendarmerie actively investigated and prosecuted allegations of police and gendarme corruption. In 2010 the IGS reported that it conducted 1,200 judicial and administrative investigations that led to 3,000 proposals for sanctions. The IGPN conducted 300 investigations in 2010 that led to 250 proposals of sanctions. However, AI accused the government of failing to punish properly all cases of police misconduct and corruption.

On May 26, the criminal court of Bobigny sentenced three members of the state security police to 18 months in jail and a one-year suspended prison sentence for extorting money from three taxi drivers in 2006. They were also ordered to compensate the drivers 4,000 (\$5,200) to 5,000 (\$6,500) euros each.

The president, parliamentarians, members of the European Parliament, ministers, regional and departmental council heads, mayors of larger communities, and



directors of state-owned companies (post office, railway, and telephone) are required to declare their personal assets to the Commission for the Financing Transparency of Political Life at the beginning and the end of their terms. The commission issues periodic reports on officials' financial holdings on a discretionary basis at least once every three years.

The law provides for public access to government information, and the government provided access in practice for citizens and noncitizens, including foreign media.

### **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights**

A wide variety of domestic and international human rights organizations generally operated, investigated, and published their findings on human rights cases without government restrictions. Government officials were cooperative and responsive to their views.

Government Human Rights Bodies: Prior to May, the High Authority for the Fight against Discrimination and for Equality (HALDE) was the independent administrative authority that judged all discrimination, direct or indirect, prohibited by domestic law or an international agreement to which the country is a party. The National Consultative Commission on Human Rights (CNCDH) served in an advisory role to the government on human rights and produced an annual report on racism and xenophobia in the country.

The defender of rights, the equivalent of an official ombudsman for civil liberties, heads the four merged agencies that deal with human rights issues: the state mediator, HALDE, the defender of children, and the National Committee on Security Ethics (CNDS). Dominique Baudis was appointed the defender of rights on June 22. While it was too early to draw conclusions on the mission's accomplishments, media observers regularly questioned the independence of the organization. Opposition politicians and human rights groups also alleged that the selection of the ombudsman by the president meant the position has less freedom when assessing government policies.

### **Section 6. Discrimination, Societal Abuses, and Trafficking in Persons**

The constitution and law prohibit discrimination based on race, gender, disability, language, or social status, and the government generally enforced these prohibitions.

## Women

Rape and Domestic Violence: The law criminalizes rape, including spousal rape, and the government generally enforced the law effectively. The penalty for rape is 15-years' imprisonment and may be increased due to the age of the victim or the nature of the relationship of the rapist to the victim. The government and NGOs provided shelters, counseling, and hotlines for rape victims.

According to the National Observatory for Delinquency and Criminal Responses (ONDRP), a total of 10,108 rapes were registered in the country in 2010. A report published by three NGOs estimated that there are 75,000 victims of rape each year. The Ministry of Justice and Liberties reported 1,092 convictions for rape in 2009, the most recent year for which data was available.

Violence against women was a problem. The law prohibits domestic violence against women, including spousal abuse, and the government generally enforced it. The penalty for domestic violence varies according to the type of crime, ranging from three years in prison and a fine of 45,000 euros (\$58,500) to 20 years in prison. The government sponsored and funded programs for female victims of violence, including shelters, counseling, hotlines, free mobile phones, and a media campaign. The government also supported the work of 25 associations and NGOs dedicated to fighting domestic violence.

The government budgeted 31.6 million euros (\$41.1 million) to fund its 2011-13 plan to combat violence against women, which represented a 30 percent increase over the previous three-year plan. The program focused on increasing protection and social assistance for victims, increasing the number of shelters available to them, raising awareness about rape and violence against women, and better training health-care workers and other government employees to identify victims.

The government reported that 146 women were killed by their spouses in cases of domestic violence in 2010, a 4 percent increase from 2009, when 140 women were killed. According to estimates by the National Institute for Statistics and Economic Studies (INSEE), 663,000 women were victims of domestic violence during 2010.

Female Genital Mutilation (FGM): The law prohibits FGM as “violence involving mutilation or permanent infirmity.” It is punishable by up to 10 years in prison and a fine of 150,000 euros (\$195,000). The sentence increases to 20 years if the crime

involves a minor under 16 years of age. The statute of limitations for FGM is 20 years after the victim turns 18.

According to the French NGO Women for the Abolition of Sexual Mutilations, 30,000 female adults and minor women in the country were circumcised or at risk of FGM in the country. The National Institute for Demographic Studies estimated that 53,000 women were circumcised or under threat of FGM during the year.

The majority of FGM victims were recent sub-Saharan African immigrants or their children. One study concluded that FGM had become less prevalent due to awareness campaigns, but prevention and information efforts were needed to cover children at risk during family visits to their countries of origin. The government provided reconstructive surgery and counseling for FGM victims.

On October 20, a suburban Paris couple was indicted and taken into custody for circumcising three of their five daughters. The parents, who were of Malian origin, refused to name the person responsible for the mutilations but confirmed the incidents took place in France when their daughters were two or three years old. A trial date had not been set by year's end. The three youngest daughters were taken into temporary court custody.

Sexual Harassment: The law prohibits gender-based job discrimination and harassment of subordinates by superiors, but it does not apply to relationships between peers. Sexual harassment was not widely considered a problem in the workplace. Both the government and NGOs widely publicized the laws, and the government enforced them effectively. According to the Ministry of Justice, 78 abusers were sentenced for sexual harassment in 2009, the most recent year for which data was available; the statistics did not specify the gender of the victims. A July 2010 law to combat violence against women increased the penalty for sexual harassment to 15,000 euros (\$19,500) and one year in prison. The government's 2011-13 plan to combat violence against women includes a study on sexual harassment and an awareness campaign

Reproductive Rights: There was easy access to contraception, skilled attendance during childbirth, and women were diagnosed and treated for sexually transmitted infections, including HIV, equally with men. Couples and individuals were free to decide freely and responsibly the number, spacing, and timing of their children, and had both the information and means to do so free from discrimination, coercion, and violence.

Discrimination: The law prohibits gender-based job discrimination and harassment of subordinates by superiors, but it does not apply to relationships between peers. Under the constitution and law, women have the same rights as men in family law, property law, and the judicial system. The secretary of state for solidarity and social cohesion is responsible for the legal rights of women. The constitution and law provide for equal access to professional and social positions.

The law requires that women receive equal pay for equal work. However, governmental organizations and NGOs estimated that there was a gender-based pay discrepancy of approximately 27 percent in practice. Although they made up 61 percent of the public sector's workforce, women were underrepresented in managerial jobs and continued to face difficulties attaining positions of responsibility. According to a survey of the top 500 companies in the country released during the year, 10 percent of executive-board members were women.

Women were generally underrepresented in the legislature and other levels of government leadership. Statistics released in November 2010 by INSEE indicated that the unemployment rate was 9.4 percent for men and 9.1 percent for women.

## **Children**

Birth Registration: Citizenship is derived both from one's parents and the place of one's birth. Children born within the country's territory to at least one French citizen parent automatically acquire citizenship at birth. A child born in the country to foreign parents may acquire citizenship at birth if stateless or acquire the right at the age of 18 with five years of residence.

Child Abuse: There are strict laws against child abuse by parents or guardians, and the government generally enforced the law effectively and prosecuted abusers. In 2010 parliament passed a law making incest a crime. Previously, authorities prosecuted incest under laws that prohibit rape and sexual assault. On September 16, the Constitutional Council ruled that the law making incest a crime was illegal because the definition of those who might be prosecuted was imprecise.

The law provides for a government children's advocate, who is charged with defending and promoting children's rights as defined by law. Child abuse was generally not considered a problem. On May 1, the government merged the position of defender of children into that of the defender of rights.

The government provided counseling, financial aid, foster homes, and orphanages for abuse victims. Various NGOs also helped minors in cases of mistreatment by parents.

Child Marriage: The minimum legal age for marriage is 18. Child marriage was a problem, particularly in communities of African or Asian origin. Although such marriage ceremonies took place primarily outside the country, authorities took steps to address the problem. Parents may be prosecuted in these cases. Women and girls could seek refuge at shelters if their parents or guardians threatened them with forced marriage. The government offered some educational programs to inform young women of their rights. The High Council for Integration stated it was important to distinguish between arranged and forced marriage. According to human rights observers, 70,000 children between the ages of 10 and 18 were at risk of being forced into a marriage.

According to a study conducted in 2008 and published on June 23 by the National Institute for Demographic Studies (INED) and INSEE, the number of forced marriages was declining among immigrants and French citizens of immigrant descent. According to the report, 9 percent of women between 51 and 60 were married against their will, with two-thirds of these marriages taking place in their countries before immigrating to France. In 13 percent of these cases, the bride's consent had been severely coerced. Among women between the ages of 26 and 30, the percentage of forced unions was down to 2 percent, and the percentage of marriages based on coerced consent was down to 3 percent. The rate of forced marriages of women between the ages of 26 and 40 originating in Turkey and countries in North Africa and the Sahel remained between 4 and 8 percent. In many cases women of immigrant descent were forced to marry after becoming pregnant.

Sexual Exploitation of Children: The law criminalizes statutory rape of minors under the age of 16, the minimum age of consensual sex, and the government generally enforced the law effectively. The penalty for statutory rape is 15 years' imprisonment and may be increased, depending on the age of the victim or the nature of the relationship of the rapist to the victim. The government and NGOs provided shelters, counseling, and hotlines for statutory rape victims. The law prohibits child pornography; the maximum penalty for its use and distribution is five years imprisonment and a 75,000 euro (\$97,500) fine.

As a result of a joint French, Spanish, Italian, and Belgian investigation, French and Italian police arrested Fehim Hamidovic and approximately 20 other co-

conspirators in November and December 2010. In February 2011 French authorities accused Hamidovic of trafficking teenage girls, most of them of Romani descent, from Bosnia and Herzegovina. The girls were forced to beg and steal, most often in the Paris subway, and were expected to bring back 300-1,000 euros (\$390-\$1,300) per day to their traffickers. The girls were threatened with violence or rape if they did not comply with their traffickers. As of year's end, a trial date had not been set.

In April Bordeaux's criminal court sentenced three French nationals to three to five years in prison, followed by eight years of probation, for having sex with underage Bulgarian male prostitutes. The parents of the Bulgarian boys were also scheduled to stand trial, but a court date had not been set as of year's end.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information see the Department of State's report on compliance at [travel.state.gov/abduction/resources/congressreport/congressreport\\_4308.html](http://travel.state.gov/abduction/resources/congressreport/congressreport_4308.html) as well as country-specific information at [travel.state.gov/abduction/country/country\\_3781.html](http://travel.state.gov/abduction/country/country_3781.html).

### **Anti-Semitism**

The Jewish community was estimated at 600,000 persons. A number of anti-Semitic incidents were reported during the year, including slurs against Jews and attacks on synagogues and cemeteries. According to the Ministry of Interior, Overseas France, Local Authorities, and Immigration, there were 466 anti-Semitic incidents in 2010. On June 30, Interior Minister Claude Gueant announced that 185 anti-Semitic acts were committed from January 1 to May 31, compared with 222 over the same period in 2010. In a report released in October, the Jewish Community Protection Service (SPJC) announced that 294 anti-Semitic acts were committed in the country between January 1 and September 30. This number was a decrease from the 384 acts that were reported during the same period in 2010.

During the year several violent anti-Semitic attacks were reported. The SPJC reported 36 acts of violence from January 1 to September 30. No killings or attempted killings were reported.

On the evening of June 18, a 21-year-old Jewish man in Villeurbanne, a suburb of Lyon, was insulted and attacked twice while walking alone to visit a friend on the Sabbath. In the first attack, two individuals beat the man with a hammer. In the

second, a group of eight assailants, who had been alerted by the first attackers, assaulted the man with a scooter, a motorcycle helmet, and a telescopic police club. Bystanders interrupted the second attack. The victim's injuries were not life threatening but caused him to miss three days of work. Police arrested three suspects and identified four other persons who participated in the second attack. The assailants were released but were scheduled to be formally charged before an examining judge. A trial date had not been set by year's end.

During the year a number of attacks against synagogues, cemeteries, and other Jewish property were reported, including symbolic attacks in which the perpetrators painted swastikas on the property.

### **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip](http://www.state.gov/j/tip).

### **Persons with Disabilities**

The constitution and law prohibit discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, and the provision of other government services. The government generally enforced these provisions effectively.

During the year the Fund Management Organisation for the Professional Integration of People with Disabilities (Agefiph) reported that 19.3 percent of persons with disabilities were unemployed, twice the national rate. The law requires that at least 6 percent of the work force of companies with more than 20 employees be persons with disabilities. Noncompliant companies could face criminal fines. Although many companies were unaware of this legal obligation, in practice persons with disabilities made up on average 6 percent of the work force of companies that were subject to the law. More than six of the 14 government ministries did not meet the 6 percent goal.

The law provides for government compensation to persons for the consequences of a disability and requires that buildings, education, and employment be accessible to them. The law requires that any new building with public or community space and any existing public building be accessible for persons with disabilities. Many buildings as well as transportation systems did not meet these requirements. The

law also requires the establishment of centers in each administrative department to assist disabled persons with receiving compensation and employment assistance.

In September 2010 the president announced that social security payments to adults with disabilities would continue to increase by 5 percent per year until 2012. During the year the government paid adults with disabilities 743.62 euros (approximately \$967) per month.

### **National/Racial/Ethnic Minorities**

Societal violence and discrimination against immigrants of North African origin, Roma, and other ethnic minorities remained a problem.

On September 16, a Paris appeals court overturned the June 2010 conviction of the former minister of the interior, overseas France, local authorities, and immigration, Brice Hortefeux, for racial slander. The charges were related to remarks Hortefeux allegedly made to a young party activist of Arab origin during a UMP party event. Hortefeux was caught on camera saying, “When there is one, it’s OK. It’s when there are a lot of them, that there are problems,” in reference to persons of North African origin. The trial court had fined him 750 euros (\$975) and ordered him to pay 2,000 euros (\$2,600) to an antiracism organization. Following the appeals court decision, the NGO Movement against Racism and for Friendship between Peoples (MRAP) announced that it would file an appeal before the Court of Cassation.

On April 4, the NGO SOS-Racism filed a complaint against Interior Minister Claude Gueant after he told journalists during a trip to Nantes that the growing number of Muslims in the country “poses a problem.”

Many observers expressed concern that discriminatory hiring practices in both the public and the private sectors deprived minorities from sub-Saharan Africa, the Maghreb, the Middle East, and Asia of equal access to employment.

According to an INSEE survey conducted in 2009, the most recent year for which data was available, the unemployment rate of immigrants was nearly twice that of nonimmigrants (16 percent versus 8.4 percent). The survey showed that children of immigrants also had higher unemployment rates than did the children of two French parents. According to the report, lower levels of education and experience for the children of immigrants were only partly responsible for the higher unemployment rate.



Societal hostility, government evictions, and compulsory repatriations, many of which were aimed at illegal immigrants from Romania and Bulgaria, continued to be serious problems. During the year authorities evicted and compulsorily repatriated thousands of Romanian and Bulgarian citizens, many of whom were Roma (see section 2.d.).

On October 27, AI reported a suspected arson attack on Roma squatters in an unused warehouse in Paris and, citing “the general climate of intolerance and prejudice towards Roma in France,” called on authorities to investigate and consider whether racial motivation was involved. The Prosecutor’s Office ordered the Judicial Police to investigate. AI also called on authorities to provide emergency accommodation for the approximately 40 persons left homeless by the fire.

The NGO Medecins du Monde alleged that some Roma were subjected to pressure and intimidation by police.

On March 1, unidentified assailants threw two Molotov cocktails into the camp of Romanian Roma not far from the Moger Castle east of Montpellier. No injuries were reported, but several caravans and vehicles were burned.

Medecins du Monde reported two incidents of violence against Roma during the year. In August a police officer hit a girl on the head while she was trying to prevent officers from throwing out her belongings during an eviction. In October employees of Medecins du Monde encountered a woman in Arenc with two broken ribs. The woman reported that a group of young people threatened her and hit her with an iron bar.

During the year several French NGOs reported deteriorating living conditions for Roma. A study by Doctors without Borders highlighted declining health within the Romani community, due in part to poor access to medical care. The study claimed that 2.5 percent of Roma living in itinerant camps had tuberculosis and only 8 percent were fully vaccinated. The newborn death rate among Roma was reportedly nine times higher than the national average.

Travellers’ organizations alleged that both itinerant Travellers and those with fixed abodes faced discrimination in education, housing, and access to government services. Other discrimination problems were particularly acute for Travellers, as some mayors denied school registration to children whose parents lived in illegal

campsites. Travellers benefited from a special status that authorizes their children discontinuous school attendance without justification. School registration rates for Travellers were 66.7 percent in kindergarten, 81.8 percent in primary schools, and 78.8 percent in high school, but absenteeism and breaks within the education system were frequent. According to a survey conducted by the NGO collective Romeurope that was released in February 2010, between 5,000 and 7,000 Romani children living in the country were not enrolled in school.

Travellers were subject to laws that did not apply to residents with permanent residences. Individuals over the age of 16 not settled in one place must have a periodically renewed travel permit. Any delay in renewal entails a maximum fine of 1,500 euros (\$2,200). Authorities did not consider Traveller caravans to be housing; as a result they were not entitled to housing assistance.

The law requires municipalities with more than 5,000 inhabitants to provide a camping site with sanitary facilities and access to water and electricity. According to a parliamentary report released on March 9, 48 percent of municipal authorities had established 16,000 campsites. However, there was still a shortage estimated at over 20,000 sites (according to authorities) or up to 60,000 sites (according to NGOs). At the end of the year, approximately 5,000 additional campsites were under construction or slated for construction.

Citizens may report cases of discrimination based on national origin and ethnicity to HALDE. On May 1, HALDE merged into the office of the defender of rights. In 2010 HALDE received 12,467 discrimination claims, half of which concerned employment. HALDE issued opinions on approximately 300 cases per year and offered mediation for hundreds more.

The government attempted to combat racism and discrimination through programs that promoted public awareness and brought together local officials, police, and citizen's groups. Some public school systems also managed antidiscrimination educational programs.

### **Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity**

The law prohibits discrimination on the basis of sexual orientation. Authorities pursued and punished perpetrators of violence against lesbian, gay, bisexual, and transgender (LGBT) persons. The NGO SOS Homophobia reported 1,500 homophobic acts in 2010, a 20 percent increase compared with 2009. It reported

that there were 125 instances of physical assault, a 43 percent increase compared with 2009. After the NGO Inter-LGBT claimed that homosexual minors were frequently targeted for violence, the Ministry of National Education, Youth, and Community Life responded by asking schools to introduce lessons on tolerance and diversity.

In January the Val-de-Marne criminal court convicted four men for attacking a young boy in 2006 because he was homosexual. The attackers received sentences of 16 to 20 years in prison.

On May 16, the Ministry of Interior announced that a police or gendarme officer would be appointed in each station to record the lawsuits filed by victims of violence based on sexual orientation and gender.

### **Other Societal Violence or Discrimination**

There was no societal violence or discrimination against persons with HIV/AIDS.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The constitution and law provide workers, including migrant workers, the right to form and join unions of their choice without previous authorization or excessive requirements. The law allows unions to conduct their activities without interference, and workers, except certain essential service workers such as police and armed forces, have the right to strike unless the strike threatens public safety. Health-care and public transport workers are required to provide a minimum level of service during strikes. Workers must declare their participation in a strike at least 48 hours before the strike commences. Laws and regulations prohibit retaliation against strikers, and these laws were effectively enforced. The law provides for the right to bargain collectively.

Workers exercised their rights to form and join unions, conduct union activities, and bargain collectively. Legal strikes were conducted during the year. Although the law prohibits antiunion discrimination, union representatives noted occasional reports of antiunion discrimination, particularly in small companies.

### **b. Prohibition of Forced or Compulsory Labor**

The law prohibits forced or compulsory labor, including by children. However, there were reports that such practices occurred. Men, women, and children, mainly from Eastern Europe, West Africa, and Asia, continued to be trafficked for the purpose of forced labor, including domestic servitude. There were no government estimates available on the extent of forced domestic labor. During 2010 the Committee against Modern Slavery received 239 notifications and provided assistance to 126 victims, the majority of whom were women working in domestic labor.

Also see the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip](http://www.state.gov/j/tip).

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The law prohibits most forms of child employment, and the government implementation of laws and policies to protect children in the workplace was generally effective. The minimum age for employment is 16. There are exceptions for those enrolled in certain apprenticeship programs or working in the entertainment industry; however, these industries are subject to further regulation of conditions and work hours for minors. Persons under the age of 18 generally are prohibited from performing work considered arduous or working between 10 p.m. and 6 a.m. Inspectors from the Ministry of Labor, Employment, and Health investigated workplaces and generally enforced compliance with child labor laws.

### **d. Acceptable Conditions of Work**

On November 30, the Council of Ministers raised the national minimum wage to 9.19 euros (\$11.95) per hour. The Ministry of the Economy, Industry, and Employment enforced the minimum wage. The poverty-level income rate was 954 euros (\$1,240) a month for an individual, 1,431 euros (\$1,860) for a couple, and 2,000 euros (\$2,600) for a couple with two children under the age of 14. Salaries below the minimum wage were permitted for certain categories of employment, such as persons in subsidized jobs and internships, which must conform to separate, clearly defined standards. Employers, except those in the informal economy, generally adhered to the minimum wage requirement.

The official workweek is 35 hours. Companies may negotiate opt-outs with employees. The maximum number of working days for white-collar workers is 235 days per year. Maximum hours of work are fixed at 10 hours per day, 48 hours per week, and an average of 44 hours per week over a 12-week work period.

Employees are entitled to a daily rest of at least 11 hours and a weekly break of at least 24 hours total, not including the daily rest period. Employers are required to give workers a 20-minute break during a six-hour workday. Premium pay of 25 percent is mandatory for overtime and on weekends and holidays. These standards were effectively enforced.

The law sets basic occupational health and safety standards. The Ministry of Labor, Solidarity, and Public Sector is responsible for enforcing the law and did so effectively. In 2010 there were approximately 600,000 workplace accidents. As of 2007, there were 488 labor inspectors in the country.