



THE OBSERVATORY
for the Protection of
Human Rights Defenders



France: Dropping Out of Democracy

Obstructions to freedom of association
and peaceful assembly



Executive summary

France is currently experiencing a significant erosion of democratic space, with a notable weakening of the conditions needed by civil society to express itself and take action. The current report focuses on the right to freedom of association and peaceful assembly, which have been the object of increasing restrictions in recent years. The phenomenon observed in France is part of a broader trend affecting Europe and the world as a whole. It is characterised by a tightening of authoritarian practices, a weakening of the democratic system, and the gradual generalisation of societal surveillance mechanisms that restrict civic space.

A narrative hostile to civil society

The rhetoric used by French authorities with respect to civil society has become increasingly hostile in recent years, spurred by economic, social and environmental crises. The hostility is often fuelled by a perceived threat posed by protest movements and leads to the stigmatisation of civil society organisations by those in power. The hostile rhetoric creates a climate that discourages civic engagement, and renders invisible and invalidates the causes promoted by human rights defenders and organisations; it also paves the way for attacks and reprisals. The rise of the far right in France, amplified by influential media outlets that act as conduits for its ideas, also plays an important role in spreading hostile narratives.

An array of deterrent legislation

Since 2017, French authorities have gradually extended national security legislation. The adoption on 10 April 2019 of the law aimed at strengthening and guaranteeing the means use by law enforcement bodies to maintain the peace during demonstrations, known as the 'anti-wreckers law', significantly restricts the freedom of peaceful assembly by stepping up the preventive controls and repressive measures used against demonstrators, namely making the concealment of faces a criminal offence – which allows for police custody, even in cases of protection against tear-gas –, allowing immediate court appearance in cases of unlawful assembly, and authorising the search of luggage and vehicles in the area surrounding a demonstration.

The passing of the law to strengthen adherence to the principles of the Republic, dated 24 August 2021, known as the 'separatism law', and the introduction of the *contrat d'engagement républicain* [agreement to respect the principles of the Republic], have expanded the array of legislation used to curtail how social movements and civil society organisations can express themselves. In addition to requiring civil society organisations to adhere to vague principles that can be broadly interpreted and used to withdraw public grants, the separatism law led to an upsurge in the number of procedures to dissolve organisations and informal groups, attesting to the deterioration of relations between public authorities and French civil society.

Administrative and judicial harassment

These laws have had significant repercussions in terms of legal proceedings and administrative measures used to restrict civil society's scope of action. In this regard, the obstacles faced by environmental defenders, persons expressing solidarity with the Palestinian people, organisations defending refugees, and the defenders of women's and LGBTQIA+ rights clearly reveal the many forms of harassment used against civil society as a whole: from the proliferation of bans on demonstrations to abusive litigation aimed at silencing activists, to arbitrary arrests and attempts to dissolve civil society collectives and organisations.

Police repression of activists and social movements

The current report also highlights a worrying trend towards the normalisation of the use of force in policing: the use of more military like weapons, including 'sub-lethal' weapons, whose increased use is contributing significantly to the escalation of crowd control violence during demonstrations. The significant increase in arrests and persons placed in detention also testify to the increased judicialisation of policing, in a context of structural impunity for police violence.

Physical and verbal attacks by non-state actors

There has been an upsurge in attacks and threats against human rights defenders by private actors who feel validated and encouraged by the stigmatising rhetoric circulated in public spaces and the media. The attacks and threats often go unpunished. Environmental defenders are the target of violent and increasingly frequent attacks by farming associations with links to intensive farming and far-right groups regularly attack defenders of minorities, particularly feminist and anti-racism organisations.

Restrictions and difficulties in accessing funding

In recent years, the hostile rhetoric directed at civil society has been accompanied by regular threats to cut public grants to the civil society sector. The entry into force in January 2022 of the *contrat d'engagement républicain*, which allows prefectures to interfere in relations between civil society organisations and local authorities, has played an important role in fomenting mistrust towards civil society organisations who have come to accept the risk of financial reprisals if their positions are deemed too critical or 'activist', which in turn has led to a form of self-censorship.

Shrinking spaces for dialogue

The deterioration in relations between French authorities and civil society is also reflected in the shrinking spaces for institutional dialogue and channels for consultation. The State's widespread use of fast-track procedures for the adoption of key legislation and the selective consideration given to the recommendations issued by independent national institutions give rise to concerns. The State increasingly shows contempt for criticism made of government policy, overlooking the essential role played by civil society and independent institutions in maintaining a healthy and functional democracy.

Looking beyond these specific restrictions, it is important to highlight the systemic nature of the infringements on civil liberties. They reveal an erosion of democratic space and, more broadly, a crisis in the rule of law in France, which is no exception to the worrying trend sweeping across European democracies.

Key recommendations

In the current report, the FIDH, as part of the Observatory for the Protection of Human Rights Defenders, and its member organisation in France, the LDH, address a series of recommendations to French authorities, the institutions of the European Union, the Council of Europe, the OSCE, and the United Nations.

To the Government of France

Comply with international legal norms, in particular those relating to the freedoms of association, peaceful assembly, and expression, as well as the right to defend human rights, and in this regard,

- Publicly recognise the essential role played by human rights organisations and defenders and guarantee that they can conduct their activities in a safe and enabling environment, without hindrance or fear of reprisals;
- Guarantee the safety and psychological well-being of all human rights defenders, by inter alia conducting independent, impartial and transparent investigations into any threats, intimidation, and physical violence they suffer in order to identify the persons liable and bring them before an independent and impartial court of competent jurisdiction;
- Repeal the provisions of the Internal Security Code [Code de la sécurité intérieure] derived from the law reinforcing adherence to the principles of the Republic which extend the grounds for the dissolution of civil society organisations and informal collectives;
- Facilitate the exercise of freedom of association through adequate, viable, and non-discriminatory public funding towards human rights organisations, including by abolishing the contrat d'engagement républicain;
- Guarantee that any restrictions on the right to demonstrate are based on legally established criteria deemed strictly necessary in a democratic society, are duly proportionate, and communicated in such a way as to guarantee the effectiveness of judicial remedy;
- Ensure that the use of force by law enforcement officials complies with the principles of legality, necessity and proportionality, and that it is used only as a last resort, by inter alia conducting prompt, independent, and transparent investigations into alleged violence by law enforcement officials;
- Ensure the protection of journalists and independent observers who report on law enforcement operations;
- Recognise civil disobedience as a legitimate form of action and guarantee its protection under the right to peaceful assembly, in accordance with the recommendations of international bodies and mechanisms, in particular the United Nations Special Rapporteur on Environmental Defenders under the Aarhus Convention;
- Guarantee effective, inclusive, and structured participation by organised civil society in the elaboration, implementation, and evaluation of public policies, through transparent public consultations, institutional mechanisms for civic dialogue, and equitable access to consultation.

To European and international actors:

- Make the shrinking of civic space in France a priority, document and disseminate, through the instruments at their disposal, the findings of governmental and non-governmental organisations on restrictions on freedom of association and peaceful assembly, and express concerns in this regard in public statements and in their dealings with the French authorities;

- Monitor the compliance of French legislation with freedom of association and of peaceful assembly as guaranteed by European and international law;
- Strengthen mechanisms for the protection of human rights defenders in Europe, including by adopting a strategy to protect and support European Union civil society which provides for rapid intervention in the event of threats and attacks by state or non-state actors;
- Ensure the allocation of adequate financial resources for civil society and human rights defenders in European Union member states, particularly during negotiations on the European Union's upcoming Multiannual Financial Framework (MFF) 2028-2034.

The current report is based on 10 months of literature review and field research conducted by the International Federation for Human Rights (FIDH) and its member organisation in France, the Ligue des droits de l'Homme (LDH), as well as ongoing monitoring, analyses, and reporting. In addition to the literature review, an international fact-finding mission was conducted in France from 10 to 14 March 2025. During this mission, the delegation conducted 24 semi-structured interviews with 51 respondents from civil society, independent institutions, and public authorities.

This report is published by the Observatory for the Protection of Human Rights Defenders, a partnership created in 1997 by the FIDH and the World Organisation Against Torture (OMCT). The Observatory has established methodology that it applies throughout the world to document the degree of protection and effective exercise of the rights contained in the United Nations Declaration on Human Rights Defenders, individually and as expressed through the freedom of expression, freedom of association, and freedom of peaceful assembly, as components of civic space.

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