



Coordination nationale Pas sans Nous

[France]

FOLLOW-UP REPORT

CNCDH

September 2024

english version



[France] FOLLOW-UP REPORT - CNCDH

Presented by : Coordination nationale Pas sans Nous

September 2024

[Preamble]

Created in 2014, following the Bacqué-Mechmache report "Pour une réforme radicale de la politique de la ville. It won't be done without us anymore", the Coordination nationale Pas sans Nous defines itself as a voice for working-class neighborhoods. The association aims to encourage, support or create bottom-up participatory dynamics initiated by or with residents. It adheres to the fundamental principles of the Universal Declaration of Human Rights, and participates in an active democracy that calls for equal rights, dignity and the defense of the rights and interests of residents of working-class neighborhoods, both urban and rural, throughout France. Its actions and missions are based on the solidarity of its members to act collectively. It is a force for citizen questioning, proposals and co-construction based on the dynamics of working-class neighborhoods, to create the balance of power needed to ensure that rights are respected and that locally committed players are taken into account. Composed of active citizens, collectives and associative representatives working in working-class neighborhoods, Pas sans Nous is positioned as a key player in the social dialogue with all institutions for the co-construction and co-decision of public policies.

As part of its review of France's record on discrimination, the CNCDH asked the Coordination nationale Pas sans Nous, first in 2022, then in 2024, to produce a report, and the members of the Coordination Pas sans Nous set up a working group to draw up recommendations. The working group was organized around the collection of testimonials from Coordination members. The report as a whole was co-produced in consultation, combining the skills and knowledge of all the players who make up the coordination. The report is also based on the "Nos quartiers ont de la gueule!" manifesto, which is the result of a 6-month tour of France to meet local residents. The work is the fruit of active members, PSN coordinations in Toulouse, Isère, Maine-et-Loire, Île-de-France, associations in Tarbes, Montpellier, Angoulême, jurists and researchers...

The Coordination nationale Pas sans Nous concurs with the CNCDH's observations. Composed of concerned and/or committed members, it is therefore able to report, on an individual, collective, associative, territorial or local political scale, numerous acts and facts that confirm racist insults, opinions, speeches, acts and defamation. The evidence of incitement to racial hatred or violence in the public, political and media spheres is incontrovertible. The over-occupation of political and media discourse with security and migration issues only serves to reinforce existing prejudices. Strategies of "low-key repression" are repeatedly deployed, using methods of disqualification, suspicion and delegitimization of associations and their members. These tactics not only demonstrate systemic and systematic racism, but also call into question the very principle of acting for equality and social justice, when suspicions of communitarianism weaken the possibilities of making society.

In the context of France's new review at the UN, in the wake of the CNCDH's conclusions and those to come, and of the inter-ministerial plan to combat discrimination, led by the DILCRAH (Délégation Interministérielle Contre le Racisme, l'Antisémitisme et la haine anti-LGBT), Pas sans Nous renews its contribution.

Residents denounce the impact of discrimination on their daily lives. They highlight the injustices they suffer, which are proving to be structural, such as discrimination based on a

person's origin and the neighborhood in which they live. Some point to the link between social, urban and racial factors and inequalities. Residents don't always feel that the public authorities are tackling the discrimination they suffer, which seems to be accepted. As for inequalities, many testimonies denounce them and consider that they are generated by public policies - or their absence - and also express a feeling of abandonment. By bringing together the voices of those affected, associations, collectives, researchers and experts, we can build a genuine local and national anti-discrimination policy.

For a local anti-discrimination policy

It's with this in mind that the Pas sans Nous national coordination is recommending and organizing a Territoire Zéro Discrimination (Zero Discrimination Territory) type experiment, designed to **support local elected representatives and public policies in a reflective approach to the fight against discrimination**. The program is designed as a training-action course for local elected representatives, as well as members of the local team (agents, social players), to raise awareness and work on the root causes of discrimination, understanding the phenomena, and assessing and apprehending them as part of the implementation of a non-discriminatory public policy. In this way, build a local anti-discrimination plan (in line with the inter-ministerial plan produced by the DILCRAH and the CNCDH's conclusions on the subject) and the strategies to be implemented with a view to future "Quartier 2030" city contracts, in particular by relying on the CORAH or bodies being created). At the same time, organize a citizens' consultation that takes into account the views of residents who are confronted with discrimination and inequality on a regional scale, with the idea of a face-to-face discussion between those who are discriminated against and those who are not, in order to develop cross-cutting measures to be applied in this area. We will also produce a social audit of the municipal company, including gender, origin and actual or assumed career path. Another objective is to **publicize the stories of victims of racism, anti-gypsyism, anti-Semitism and discrimination, and to build appropriate pathways for them, by popularizing the practices of residents of working-class neighborhoods**, in order to take into account a systemic approach to discrimination.

A series of recommendations on police violence and security

Marked by the murder of young Nahel, in Nanterre, in June 2023, and the urban uprisings that followed, we are more than ever alert to both the issues of police violence and, much more profoundly, of a social divide that is lying dormant, leading us to highlight the inequalities and injustices experienced and suffered by residents of working-class neighborhoods. Differentiated treatment through the mobilization of a repressive arsenal in the neighborhoods, as a response to the expression of a social crisis that goes beyond the issue of police violence. Indeed, according to sociologist Julien Talpin[1], the rationality of attacks on infrastructures (cultural, food) bears witness to this phenomenon. On the other hand, residents are warning of the police's refusal to intervene in certain situations in which they find themselves powerless.

[1] <https://cqfd-journal.org/Revolte-des-quartiers-Il-y-a-une>

Safety and public tranquility

- Create spaces for dialogue to encourage exchanges and improve communication between neighborhood residents, young people, police officers, landlords and politicians, in order to restore peace and quiet. In this way, we can recognize and raise the profile of the work done by local residents, who often help to calm situations that could lead to revolt.

- Greater presence of local police. This police force should focus primarily on prevention and mediation, just as the community police used to do. They must also be more effective in responding to residents' requests.
- More appropriate urban and suburban planning, as well as more secure access to buildings and parking lots (video, intercoms with cameras, secure doors, gates, telephone terminals for emergency calls, etc.).

Police / public

- Organize the counting of people killed by the police (in the same way as feminicides), during controls or arrests, by an independent and transparent body;
- Abolish all techniques used in police stops that involve brutality and put people in mortal danger (chokeholds, teasers, etc.);
- Penalize police blunders and violence, and set up a control body more independent than the IGPN.
- Put in place tools and resources to combat police violence and racial profiling, by introducing a receipt for police checks, creating an independent body to investigate police blunders, and improving police training.
- Extend training and make it continuous for the forces of law and order: gendarmes, police officers and prison guards, with appropriate training aimed at stopping inappropriate gestures, acts and words;

A series of recommendations to combat hatred (words and deeds)

More recently, the dissolution of the National Assembly and the organization of legislative elections not only plunged the country into democratic disorder, but also opened the door wide for the extreme right, provoking a wave of hatred and impunity for racist, xenophobic and Islamophobic discourse. Indeed, many residents of working-class neighborhoods report attacks and insults. The same is true of the Coordination, which organized a campaign on social networks to combat the fascist ideas propagated by the extreme right, and was subjected to a wave of online hatred (between 500 and 1,000 comments a day inciting death and hinting at revenge).

- Work on the production of proof with sociological and legal work;
- Take concrete action on discrimination, which is not sufficiently audible and visible;
- Work on the filing of complaints, particularly in the face of recurrent discouragement or refusal to lodge a complaint organized by the police, the minimization of facts resulting in the feeling of being alone in this kind of situation (chiffre noir);
- Run campaigns and produce tools against online hate (such as Vox Public's work in this area) [2].

[2] riposte guide <https://www.voxpublic.org/Menaces-d-extreme-droite-un-guide-pour-anticiper-et-riposter.html>

Webinar > <https://www.voxpublic.org/Webinaires-de-sensibilisation-Haine-harcelement-et-discriminations-en-ligne.html>

- Make the fight against all forms of racism a national priority, through poster campaigns, advertising, commercials, etc.
- Acting on the "black number" (under-representation and under-reporting of racist acts), it seems crucial to act so that racist acts can be qualified, notably by changing the points at which complaints are registered. Ensure that justice and law centres and associations can provide support to victims when they file a complaint;

- Recognize the notion of systemic racism in the institutional treatment of those discriminated against, and accompany it with reparations.
- Repeal the "Asylum and Immigration" law, which "transforms migrants into a threat, rather than responding to the real issues documented by associations in the field. As a result, numerous repressive and undignified measures have been voted in and have irrigated public debate." [3]

[3]https://www.amnesty.fr/refugies-et-migrants/actualites/projet-de-loi-asile-et-immigration-2023-dangereux?gad_source=1&gclid=Cj0KCQjwrp-3BhDgARIsAEWJ6SwjEA1TInA4Wxxu6YeOLhkFRbXQzs5OGVzeM4imcexckxPrOXgxHuEaAmxdEALw_wcB

A series of recommendations on digital surveillance and rights restrictions

The massive deployment of digital surveillance technologies during the Paris 2024 Olympic Games constitutes a significant infringement of human rights and individual freedoms. This trend goes beyond simple security management and reflects a worrying transformation in the relationship between the state and its citizens, particularly in working-class neighborhoods. The increase in surveillance devices has reinforced social control and exacerbated existing socio-economic inequalities, leading to discrimination and restrictions. The biases of surveillance algorithms add a further dimension of systemic discrimination, hindering access to social and economic rights. In addition, gentrification policies linked to the Olympic Games have led to mass evictions, particularly affecting vulnerable families, exacerbating their precariousness. The current legislative framework, although geared towards public safety, has serious shortcomings when it comes to protecting human rights. Finally, the report by the Commission Nationale Consultative des Droits de l'Homme (CNCDH, 2024) highlights cases of systemic Islamophobia during the Games, particularly affecting Muslim athletes and communities, exacerbated by security measures, thus undermining the well-being and dignity of the individuals concerned.

Relevant legislation :

- **Global Security Law (2021):** Expands surveillance powers, including facial recognition and automated video surveillance. [Source: National Assembly, 2021]
- **Decree on Videonumeric Surveillance (2022):** Regulates the use of digital surveillance technologies, but raises questions about the balance between public security and individual rights. [Source: Ministry of the Interior, 2022]
- **JO 2024 Law:** Authorizes the accumulated use of surveillance technologies to secure the Olympic Games, exacerbating mass surveillance. [Source: Assemblée Nationale, 2023]
- **CNIL reports:** Expresses concerns about the impact of legislation on privacy and human rights, with a lack of transparency in surveillance algorithms. [Source: CNIL, 2024]

Series of recommendations on housing-related issues

"Housing appears to be the cornerstone of the difficulty of living decently: unhealthy and expensive private housing, social housing often of poor quality and poorly maintained by landlords or doomed to demolition in a context of contempt for tenants. Poor housing conditions or the absence of housing worthy of the name create a feeling of being rejected by society, often referred to as racism or discrimination." (Manifesto Nos quartiers ont de la gueule!, Tour de France de Pas sans Nous 2021-2022)

Neighborhood residents report numerous instances of discrimination in accessing and allocating housing: based on the sound of a family name or skin color, on the number and age of children (pre-teens being deemed "undesirable"), and all too often they denounce the absence of a response as if their request were not being taken into account. But they also denounce the fact that housing is allocated on the basis of "facial criteria", which they are then blamed for in the name of the fight against communitarianism... or refused on the same grounds ("*There are already too many Arabs in the neighborhood*"). This feeling of discrimination and relegation is reinforced by the lack of maintenance of the landlords' property: elevators repeatedly break down, unhealthy housing and common areas (bedbugs, cockroaches, rats and other pests)... Malfunctions for which the tenants are allegedly responsible (e.g. urine for elevator breakdowns), with work sometimes announced but rarely carried out.

Residents also denounce all the repercussions of unhealthy, poorly maintained housing on their health and that of their children, and the feeling of being relegated, of not being welcome in France - even if they have been French for several generations - all the more so as these malfunctions are most often attributed to the tenants themselves, who allegedly don't ventilate their dwellings sufficiently, or who aren't capable of "looking after" their children.

" *We're tired of having to deal with people who are poorly housed, and no matter how many letters we send, how many calls we make, how many shouts we get ... nothing happens. Nothing happens,*" says a local resident and community leader in an urban policy district.

- **Involve residents in the governance of all public services**, particularly housing services, given their importance to residents. To this end, review Law no. 2017-86 of January 27, 2017 on equality and citizenship, which prevents the presentation of lists in elections for tenant representatives on the boards of directors of social housing organizations without the association being affiliated with a national organization sitting on the Commission nationale de concertation, the Conseil national de l'habitat or the Conseil national de la consommation.
- **Generalize the allocation of housing by rating** or "scoring" according to criteria and weighting elements, covering the household's situation, the characteristics of the accommodation or the age of the application: the number of points in each file enables applicants to be ranked fairly and objectively according to their situation (family composition, over-occupation of their current accommodation, proportion of income they currently devote to rent, etc.). The obligation to implement this measure, enshrined in the ALUR (2017) and then ELAN (2018) laws and tested in several major cities, keeps being postponed.
- **Impose rent controls and caps** " *Half of the people who came to Secours Catholique in 2020 had less than 9 euros a day left to live on* " To achieve a lasting reduction in inadequate housing and poverty, structural reforms are needed, in particular to ensure that rents + charges are capped in line with the individual's or family's income, and do not exceed 30% of their income. To put it plainly, we need to reverse the logic of allocation: adapt the amount of rent + charges to the family's resources, rather than allocating housing on the basis of resources.
- **Create a "citizens' initiative fund"** (endowed annually with 5% of the total amount of public money earmarked for the operation of representative democracy and 1% of the pre-tax amount of urban renewal work) to finance the collective organization of citizens and the possibilities of independent expertise.

Furthermore, in 2022, the elections for tenant representatives at social landlords, which called on the 4.7 million tenants of social housing to vote, ended with a historic abstention rate: almost 87%. While this figure confirms a steady decline in voter turnout over the last

thirty years, the last few years seem to have witnessed an accelerated deterioration. While the causes are diverse, we must highlight the many forms of obstacles and repression affecting associations, and their wider impact on democratic functioning. In this respect, the 2017 Égalité et citoyenneté law introduced an unprecedented constraint on tenants' associations. Its article 93 now requires tenants' associations to be "affiliated to a national organization sitting on the Commission nationale de concertation, the Conseil national de l'habitat or the Conseil national de la consommation", i.e. an organization appointed by ministerial decree. Prior to this measure, a tenants' collective could join the decision-making bodies of its landlord if it could prove that it had more than 10% of the votes in a given housing stock or territory. In parliamentary debates, the MPs defending this measure justified it as a means of combating community associations. A disqualifying accusation often found in the cases studied by the Observatory concerning associations whose members are Muslims. This affiliation requirement is a violation of freedom of association, and transfers to national federations the role of policing and sidelining local associations characterized by the ill-defined notion of "communautaristes".

- Implement and evaluate article 1.3 of Anru's internal regulations: "Neighborhood residents and users, in particular representatives of local tenants' associations, are stakeholders in the urban renewal project. They are involved at all stages, as part of a co-construction process".

In order for residents to truly co-construct urban projects, we need to :

- Establish from the outset an agreement between the co-construction partners on the purpose of the planned consultation, the timetable and the stages of consultation from A to Z.
- Present the results of the consultation, including the opinions, proposals and arguments put forward in the neighborhood, the way in which the consultation was taken into account and the enrichment of the project achieved through co-construction.

A series of recommendations concerning freedom of association

Cutting off subsidies to the Genepi association following criticism of the Ministry of Justice's penitentiary policy, threats by Interior Minister Gérald Darmanin against the Ligue des droits de l'homme following the Sainte Soline demonstration, questioning the accreditation of anti-corruption associations such as Sherpa and Anticor... With the help of a few media cases, the issue of associative freedoms has become a permanent fixture in public debate since the early 2020s. It bears witness to a worrying narrowing of democratic space in France. With the entry into force of the separatism law passed in 2021, this dynamic has become even more pronounced. Creation of the Contrat d'engagement républicain (Republican Commitment Contract), enabling subsidies to be cut to associations that contravene vaguely defined "republican values", extension of the grounds for dissolving associations and routine use of this tool initially created as an exceptional procedure. Testimony. Along with other organizations such as the LDH and the Mouvement associatif, we are alerting you to this hardening of relations between the State (including local authorities) and associations. It testifies to a dangerous authoritarian turn in contemporary France. There are a number of measures that could help stem the tide:

- **Abolition of the Republican Commitment Contract (Contrat d'Engagement Républicain):** As Mediapart detailed in May 2024, citing a count by the Observatoire des libertés associatives, the CER is in fact used above all as a tool for political

pressure on associations whose profile seems far removed from any kind of "separatism".

- **Creation of joint subsidy allocation commissions:** One of the sources of material hindrance to associations is the way in which subsidies are awarded, which is almost exclusively the responsibility of local authority executives (elected officials in charge of associations, mayors, presidents of departmental or regional councils, etc.). Elected officials base their decisions on analyses prepared by their departments. The cuts in subsidies we have identified are partly due to a lack of pluralism in the allocation or withdrawal of subsidies. A good example of this would be the creation of mixed commissions, made up of elected representatives from the majority and the opposition, citizens chosen by lot, technicians and government representatives, to assess the social usefulness of proposed association projects. This pluralism and the transparency that goes with it would make it possible to get away from the arbitrariness described in this report. The principles guiding the philosophy of the Fonds d'interpellation citoyenne at national level could then be applied at local level.
- **Establishment of a fund for the right of interpellation:** This idea was already among the proposals in the report submitted in July 2013 to the Minister Delegate for the City, co-authored by Marie-Hélène Bacqué and Mohamed Mechmache. The aim of such a fund is "to support citizens' voices for their contribution to democratic debate and to enable the voices of those who do not have a voice to be structured", it said at the time.

A series of recommendations concerning the fight against anti-gypsyism

The Coordination nationale Pas sans Nous is concerned about the living conditions and treatment of people perceived as "travellers", **gypsies** and Roma. First of all, the question of housing, with sites where nothing can be built, often on the edge of roads or ring roads, are polluted places, filters for human particles. During the summer, reception areas are closed for "maintenance" or requisitioned for holidaymakers, forcing Travellers to settle on municipal land, which not only fuels hatred and prejudice against them, but also testifies to the indignity in which they subsist.

In addition, the number of evictions from shantytowns and informal settlements results in desocialization and, for children, school drop-out. By extension, it's a global denial of the identity and history of communities.

- implement measures against prejudice and discrimination, with a policy against anti-gypsyism and for the recognition of environmental racism
- work on the duty of remembrance, recognizing the violence and extermination perpetrated during the Second World War through commemoration ceremonies, in particular on April 8, the International Day of the Gypsy and Roma People
- encourage, support and promote associations of the people concerned, such as the Cap Gély association in Montpellier, which carries out admirable local and national work.


CE QUI EST FAIT SANS NOUS EST FAIT CONTRE NOUS


PAS SANS NOUS : PORTER LA VOIX DES HABITANT·ES DES QUARTIERS POPULAIRES



DÉPARTEMENTS
DANS LESQUELLES
IL Y A DES
DÉLÉGATIONS

NOUS CONTACTER

 coordinationcitoyennationale@gmail.com


 www.passansnous.org

 <https://blogs.mediapart.fr//pas.sans.nous/blog>

 3 avenue Victoria
75004 PARIS

 0677335428

 @pas_sansnous

 @passansnous.nationale

 Coordination Pas sans Nous