

France

[Section 1: Summary of Domestic Legislation](#)

[Section 2: Relevant International Instruments](#)

[Section 3: Useful Reports](#)

Section 1: Summary of Domestic Legislation

- The [French Criminal Code](#) lists terrorist offences in Article 421-1. These offences are considered terrorist crimes when they are committed with the goal of disturbing public order through intimidation and terror. They include violence against the person, kidnapping, hijacking, money laundering, offences using firearms and explosives and property crimes. The maximum penalties for these infractions are higher when committed with a terrorist intent.

In addition, Article 421 also criminalises the membership and direction of a terrorist organisation, abetting terrorist attacks, incitement of terrorism and financing a terrorism enterprise.
- [Article 706](#) of the Code of Criminal Procedure lays out the conditions and extent of the special compensation available to victims of terrorism.
- A key legislative act regarding France's action against terrorism is [Act No. 86-1020](#) of 9 September 1986 on action against terrorism. The legislation outlines the judicial authorities tasked with dealing with terrorism crimes, the special judiciary powers available to them and procedural rules.
- [Act No. 2001-1062](#) of 15 November 2001 on everyday security reformed the anti-terrorist legislation and procedural rules. Chapter V provides a number of instruments to combat the financing of terrorism through drugs and arms trafficking and regulates the use of telecommunications data in the fight against this threat.
- Article 31 of the [Act No. 2003-239](#) of 18 March 2003 on internal security modifies a number of aspects of the legislation above. In relation to terrorism, it refers to the production of an evaluation report to the parliament on the implementation of counter-terror instruments.
- [Act No. 2004-204](#) of 9 March 2004 on adapting the judicial response to new forms of criminality modifies articles 706-18 and 706-22 of the Code of Criminal Procedure. Article 28 enhances the competencies of enforcement judges in this area.
- An important contribution to France's legislative machinery in this area is provided by [Act No. 2006-64](#) of 23 January 2006 on action against terrorism, which contains various provisions on security and border checks. The legislation amends a number of different dispositions in France's anti-terrorist response

including terrorism penalties, the use of video-surveillance, interception of communications between terrorist suspects, inspection of personal documents at the borders, support for terrorist victims, the fight against terrorism financing and airport and seaport security.

Section 2: Relevant International Instruments

Anti-Terrorism Instruments

France has ratified 12 of the 13 [UN Conventions on Terrorism](#). The [Convention for the Suppression of Acts of Nuclear Terrorism](#) 2005 has been signed but is still yet to be ratified.

Human Rights Instruments

France is a state party to a number of international human rights instruments, full details of which can be found [here](#). The most important regional treaty is the [European Convention of Human Rights](#) (ECHR) 1950.

Section 3: Useful Reports

❖ CODEXTER Report

An overview of French counter-terror legislation and institutional response by the [Council of Europe Committee of Experts on Terrorism \(CODEXTER\)](#) can be consulted [here](#). The report summarises France's antiterrorist legal and institutional framework and international cooperation instruments in this field.

❖ UN Counter-Terrorism Committee Reports

France has also submitted a number of reports to the [United Nations Counter-Terror Committee \(CTC\)](#) on the implementation of [Security Council Resolution 1373](#) (2001).

- The [first report](#) (2001) deals with the available legislative and institutional instruments in the fight against the financing of terrorism, the freezing of terrorist assets and limiting terrorist recruitment and the supply of weapons to armed bands. Early warning mechanisms, instruments for international cooperation, infrastructure protection, response management and the denial of safe haven to terrorists are also covered. A selection of key counter-terror laws is provided as well.
- A [second](#) 2002 report provides additional information on the instruments set up by the France to prevent terrorism financing, international cooperation and the state's counter-terror institutional framework.
- A [2003](#) report focuses on a number of aspects of France's fight against terrorism financing, in particular the prevention of the use of non-profit organisations for this purpose and cooperation with foreign authorities.

- The [last](#) report connected with SCR 1373 was presented in 2004 and provides additional information on France's financial intelligence unit and other instruments set up to prevent the financing of terrorism.
- Moreover a 2006 [report](#) refers more closely to the Security Council Resolution 1624 (2005) and the legal measures that have been put in place regarding the criminalisation of the act of terrorist incitement and the protection of borders from terrorist infiltration.