

FRANCE

Does the country or institution have their own list of designated, banned, or proscribed groups?	No
What type of system does the country or institution use?	<p>France's counterterrorism legislation is based on the sanctioning of terrorist undertaking – individuals can be convicted of acts of terrorism, but there is no list of terrorist entities.</p> <p>France also has a process to order the dissolution of a group or organisation that represents a significant security threat.⁸¹</p> <p>France also has a Financial Sanctions list.⁸²</p>
What is the definition of “terrorism” the country or institution employs?	Acts related to “an individual or collective undertaking aimed at seriously disturbing the public order by intimidation or terror” ⁸³
How does the designation process relate to the relevant authority’s definition of terrorism?	As there is no designation list, terrorism convictions are assessed on a case-by-case basis.
Does the country follow UN or EU (if relevant) designation lists and sanctions?	Both the UN and EU lists are included within the Financial Sanctions list.
Does designation have an effect on the online realm? Is content created by terrorist groups illegal?	As there is no designation process, there is no impact on online content. There is also no legal provision governing the production or sharing of content produced by a group dissolved for incitement to terrorism.
Is online content that incites acts of terrorism illegal?	Yes, under the heading of glorifying terrorism. ⁸⁴
Is online content that supports designated terrorist groups illegal?	No, illegality is conditional on the content itself, rather than on its source.
Is there a sufficient balance between far-right and violent Islamist groups and individuals?	As there is no formal designation list (or in this case, a consolidated dissolution list), it is unknown what the balance is between far-right and Islamic terrorism.
Are there human rights-compliant mechanisms in place for delisting a group?	As there is no designation list, there is also no mechanism for delisting. If an individual is convicted of a terrorist offence, they can appeal the same as any other conviction. For groups that have been dissolved, there is no apparent appeal process.

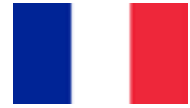
⁸¹ [Article L212-1 Homeland Security Code](#), Government of France, 2021.

⁸² [Practical information relating to measures to freeze assets for the purpose of combating terrorism](#), Government of France Ministry of the Economy, Finance and Industrial and Digital Sovereignty, 2021.

⁸³ [Section 421-1 Penal Code](#), Government of France, 2016.

⁸⁴ [Section 421-2-5-1 Penal Code](#), Government of France, 2016.





<p>What are the weaknesses in the designation process?</p>	<ul style="list-style-type: none"> ● As there is no national-level designation list, the legislation surrounding online regulation is unclear and places the responsibility of decision making on tech companies. ● There is no clarity in the current definition of terrorism and it is very open to interpretation, again placing decision making for online regulation on tech companies. ● There is no clear appeal process for groups that have been dissolved. ● There is a lack of transparency throughout dissolution processes, and it is unclear what criteria are consulted when dissolving a group.
<p>What do we recommend?</p>	<ul style="list-style-type: none"> ● We recommend that France publish a consolidated dissolution list to increase transparency and support the tracking of terrorist entities that have been dissolved. ● We recommend that France create clarity in the terrorism definition to ensure counterterrorism efforts and online regulation are less open to interpretation. ● We advise France to amend the current legislation to make clearer how the status of dissolved groups impacts terrorism convictions. ● We suggest that France should establish a formal designation process to allow for offline and online counterterrorism efforts to be more cohesive and based in the due process. ● We recommend that France tie designation to online regulation, which would provide tech companies with legal grounding to counter terrorist use of the internet within the rule of law. ● We advise France to create a review process for groups that are dissolved to protect human rights and ensure the power is not used against legitimate groups. ● When a formal designation process has been established, we recommend that France ensure that it contains adequate processes of review and appeal, and that it respects due process.
<p>Further information and comments</p>	

