

Reference: C.N.408.2017.TREATIES-IV.4 (Depositary Notification)

INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS  
NEW YORK, 16 DECEMBER 1966

FRANCE: NOTIFICATION UNDER ARTICLE 4 (3)<sup>1</sup>

The Secretary-General of the United Nations, acting in his capacity as depositary, communicates the following:

The above action was effected on 14 July 2017.

(Translation) (Original: French)

MLC/Secpol

No. 2017-459679

New York, 12 July 2017

Sir,

In a letter dated 23 November 2015, I brought to your attention the declaration of a state of emergency in France following coordinated attacks in Paris on 13 November 2015 and requested you to consider my letter a notification for the purposes of article 4 of the International Covenant on Civil and Political Rights.

The French Government, by Decree No. 2015-1475 of 14 November 2015, decided to implement Act No. 55-385 of 3 April 1955 concerning states of emergency.<sup>1</sup>

The seriousness of the attacks, their simultaneous nature and the ongoing unprecedented threat within our borders then necessitated an extension of the state of emergency for a period of three months, with effect from 26 November 2015 (by Act No. 2015-1501 of 20 November 2015); then for a further three months, with effect from 26 February 2016 (by Act No. 2016-162 of 19 February 2016); then for a further two months, with effect from 26 May 2016 (by Act No. 2016-629 of 20 May 2016); then for a

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<sup>1</sup> Refer to depositary notification C.N.703.2015.TREATIES-IV.4 of 31 December 2015 (Notification under article 4 (3): France).

period of six months, with effect from 22 July 2016 (by Act No. 2016-987 of 21 July 2016), and finally until 15 July 2017 (by Act No. 2016-1767 of 19 December 2016). The French Government provided notification of each extension.

The terrorist threat, representing “an imminent danger arising from serious breaches of public order”, which was the reason for the initial declaration and extensions of the state of emergency, remains at an alarmingly high level, making it necessary to have strengthened administrative measures in place to combat terrorism within our borders.

On 3 February 2017, at the Carrousel du Louvre in Paris, an individual attacked with a machete a group of soldiers on patrol, managing to wound one of the group before being shot. On 18 March 2017, at Orly airport, another lone individual, this time armed with a pellet gun, attacked another patrol, part of Operation Sentinelle, also before being shot. On 20 April 2017 on the Champs-Élysées in Paris, an armed individual targeted a squad of police officers, killing one of them and injuring three other people, before being shot. On 6 June 2017, in front of Notre Dame Cathedral in Paris, an individual attacked a police officer, who returned fire, neutralizing the attacker. The attack caused about a thousand people to be locked down inside the Cathedral. Lastly, on 19 June 2017, a heavily-armed individual rammed his vehicle into a gendarmerie van, dying in the attack, which fortunately claimed no victims.

In addition, a number of plots, some of them well-advanced, were foiled by counter-terrorism operations carried out by the intelligence services, the police and the gendarmerie.

Although the extensions of the state of emergency put in place since February 2016 have been accompanied by a number of legislative steps to make the country better able to combat terrorism without relying on the specific framework of the state of emergency, the multifaceted and evolving nature of the threat makes the means offered by ordinary law alone, as it currently stands, insufficiently suited to dealing with the new methods used by terrorists.

Consequently, it would seem premature to call an immediate end to the state of emergency, given that it is still the only legal framework that provides an effective way of countering the current threat.

For this reason, the state of emergency was extended by Act No. 2017-1154 of 11 July 2017, which prolongs the implementation of Act No. 55-385 of 3 April 1955 concerning states of emergency.

However, given that the state of emergency cannot last for longer than the terrorist threat remains, it has been extended only until 1 November 2017. Advantage will be taken in the meantime to finalize the framework built up over recent years to provide the authorities with new instruments, outside the specific framework of the state of emergency, to increase security for individuals and assets. Accordingly, a bill to reinforce counter-terrorism and domestic security, which contains measures to allow a controlled exit from the state of emergency, has been submitted to Parliament and is currently being examined.

Measures that could be taken in the context of the state of emergency include warrantless searches (article 11, paragraph I of the Act of 3 April 1955 concerning states of emergency), and these can now be conducted until 1 November 2017.

The French Government wishes to recall that the measures taken in the context of the state of emergency are subject to effective judicial monitoring as well as to particularly close oversight and monitoring by Parliament. Lastly, the French Government ensures that local elected officials are consulted and kept fully informed and intends to continue its dialogue with civil society.

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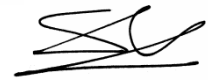
The text of Act No. 2017-1154 of 11 July 2017 extending the implementation of Act No. 55-385 of 3 April 1955 concerning states of emergency is attached hereto.<sup>2</sup>

Accept, Sir, the assurances of my highest consideration.

(Signed) François Delattre  
Ambassador and Permanent Representative

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21 July 2017



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<sup>2</sup> The text of Government Act No. 2017-1154 is on file with the Secretary-General and is available for consultation.

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