

Reference: C.N.703.2015.TREATIES-IV.4 (Depositary Notification)

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

FRANCE: NOTIFICATION UNDER ARTICLE 4 (3)

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

The above action was effected on 25 November 2015.

Translation (Original: French)

New York, 23 November 2015

TS/sec
No. 2015-1116221

Your Excellency,

On 13 November 2015, large-scale terrorist attacks took place in the Paris region.

Taking into account the information from the intelligence services and the international context, the terrorist threat in France is of a lasting nature.

The French Government has decided, by Decree No. 2015-1475 of 14 November 2015, to apply Act No. 55-385 of 3 April 1955 on the state of emergency.

Decrees No. 2015-1475, No. 2015-1476 and No. 2015-1478 of 14 November 2015 and No. 2015-1493 and No. 2015-1494 of 18 November 2015 have defined a number of measures that may be taken by the administrative authorities.

The extension of the state of emergency for three months, with effect from 26 November 2015, was authorized by Act No. 2015-1501 of 20 November 2015. This Act also amends certain of the measures provided for by the Act of 3 April 1955 in order to adapt its content to the current context.

The texts of the decrees and acts mentioned above are attached to this letter.

Such measures appeared necessary to prevent the commission of further terrorist attacks.

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Some of these measures, prescribed by the decrees of 14 November 2015 and 18 November 2015 and by the Act of 20 November 2015, may involve a derogation from the obligations under the International Covenant on Civil and Political Rights, and particularly its articles 9, 12 and 17. I would therefore kindly request you to consider that this letter constitutes a notification for the purposes of article 4 of the Covenant.

Accept, Your Excellency, the assurances of my highest consideration.

(Signed) François Delattre

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**Decrees, orders, circulars
GENERAL TEXTS
MINISTRY OF THE INTERIOR**

**Decree No. 2015-1475 of 14 November 2015
implementing Act No. 55-385 of 3 April 1955**

NOR: INTD1527633D

The President of the Republic,
Based on the report of the Prime Minister, of the Minister of the Interior and of the Keeper of the Seals and Minister of Justice;
Considering the Civil Code and in particular its article 1;
Considering the amended Act No. 55-385 of 3 April 1955 instituting a state of emergency;
Considering the emergency;
Having heard the Council of Ministers,

Decrees:

Art. 1. – A state of emergency is declared, with effect from zero hours on 14 November 2015, in the Metropolitan territory and in Corsica.

Art. 2. – While it remains in force, it shall trigger the application of paragraph 1 of article 11 of the above-mentioned Act of 3 April 1955.

Art. 3. – This Decree shall enter into force at zero hours on 14 November 2015.

Art. 4. – The Prime Minister, the Keeper of the Seals and Minister of Justice, and the Minister of the Interior shall, within their respective spheres of activity, be responsible for the application of this Decree, which shall be published in the Official Journal of the French Republic and shall enter into force immediately.

Done in Paris, on 14 November 2015.

FRANÇOIS HOLLANDE

By the President of the Republic:

MANUEL VALLS
Prime Minister

BERNARD CAZENEUVE
Minister of the Interior

CHRISTIANE TAUBIRA
Keeper of the Seals and Minister of Justice

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**Decrees, orders, circulars
GENERAL TEXTS
MINISTRY OF THE INTERIOR**

**Decree No. 2015-1476 of 14 November 2015
implementing Act No. 55-385 of 3 April 1955**

NOR: INTD1527634D

The President of the Republic,
Based on the report of the Prime Minister, of the Minister of the Interior and of the Keeper of the Seals and Minister of Justice;

Considering the Civil Code and in particular its article 1;
Considering the amended Act No. 55-385 of 3 April 1955 instituting a state of emergency;
Considering Decree No. 2015-1475 of 14 November 2015 implementing Act No. 55-385 of 3 April 1955;

Considering the emergency,

Decrees:

Art. 1. – In addition to the measures envisaged in article 5 of the above-mentioned Act of 3 April 1955, which are applicable to the whole of the Metropolitan territory, the measures mentioned in articles 6, 8 and 9 and in paragraph 1 of article 11 of the Act may be implemented in all the communes of Ile-de-France.

Art. 2. – This Decree shall enter into force at zero hours on 14 November 2015.

Art. 3. – The Prime Minister, the Keeper of the Seals and Minister of Justice, and the Minister of the Interior shall, within their respective spheres of activity, be responsible for the application of this Decree, which shall be published in the Official Journal of the French Republic and shall enter into force immediately.

Done in Paris, on 14 November 2015.

FRANÇOIS HOLLANDE

By the President of the Republic:

MANUEL VALLS
Prime Minister

BERNARD CAZENEUVE
Minister of the Interior

CHRISTIANE TAUBIRA
Keeper of the Seals and Minister of Justice

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**Decrees, orders, circulars
GENERAL TEXTS
MINISTRY OF THE INTERIOR**

**Decree No. 2015-1478 of 14 November 2015 amending Decree No. 2015-1476 of
14 November 2015 implementing Act No. 55-385 of 3 April 1955**

NOR: INTD1527643D

The President of the Republic,
Based on the report of the Prime Minister, of the Minister of the Interior and of the Keeper of the Seals and Minister of Justice;
Considering the Civil Code and in particular its article 1;
Considering the amended Act No. 55-385 of 3 April 1955 instituting a state of emergency;
Considering Decree No. 2015-1475 of 14 November 2015 implementing Act No. 55-385 of 3 April 1955;
Considering Decree No. 2015-1476 of 14 November 2015 implementing Act No. 55-385 of 3 April 1955;
Considering the emergency,

Decrees:

Art.1. – Article 1 of the above-mentioned Decree No. 2015-1476 of 14 November 2015 shall be worded as follows:

“*Art.1.* – In addition to the measures envisaged in articles 5, 9 and 10 of the above-mentioned Act of 3 April 1955, the measures mentioned in articles 6 and 8 and paragraph 1 of article 11 shall be applicable to the whole of the Metropolitan territory and to Corsica.”

Art. 2. – This Decree shall enter into force at zero hours on 15 November 2015.

Art. 3. – The Prime Minister, the Keeper of the Seals and Minister of Justice, and the Minister of the Interior shall, within their respective spheres of activity, be responsible for the application of this Decree, which shall be published in the Official Journal of the French Republic and shall enter into force immediately.

Done on 14 November 2015.

FRANÇOIS HOLLANDE

By the President of the Republic:

MANUEL VALLS
Prime Minister

BERNARD CAZENEUVE
Minister of the Interior

CHRISTIANE TAUBIRA
Keeper of the Seals and Minister of Justice

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**Decrees, orders, circulars
GENERAL TEXTS
MINISTRY OF THE INTERIOR**

**Decree No. 2015-1493 of 18 November 2015
implementing Act No. 55-385 of 3 April 1955 overseas**

NOR: INTD1527976D

The President of the Republic,
Based on the report of the Prime Minister, of the Keeper of the Seals and Minister of Justice,
of the Minister of the Interior and of the Minister for Overseas,
Considering the Civil Code and in particular its article 1;
Considering the amended Act No. 55-385 of 3 April 1955 instituting a state of emergency;
Considering the emergency;
Having heard the Council of Ministers,

Decrees:

Art. 1. – A state of emergency is declared, with effect from zero hours local time on 19 November 2015, in the territory of the collectivities of Guadeloupe, French Guiana, Martinique, Réunion, Mayotte, Saint Barthélemy and Saint Martin.

Art. 2. – While it remains in force, it shall trigger the application of the first paragraph of article 11 of the above-mentioned Act of 3 April 1955.

Art. 3. – This Decree shall enter into force at zero hours local time on 19 November 2015 in Guadeloupe, French Guiana, Martinique, Réunion, Mayotte, Saint Barthélemy and Saint Martin.

Art. 4. – The Prime Minister, the Keeper of the Seals and Minister of Justice, the Minister of the Interior and the Minister for Overseas shall, within their respective spheres of activity, be responsible for the application of this Decree, which shall be published in the Official Journal of the French Republic and shall enter into force immediately.

Done on 18 November 2015.

FRANÇOIS HOLLANDE

By the President of the Republic:

MANUEL VALLS
Prime Minister

BERNARD CAZENEUVE
Minister of the Interior

CHRISTIANE TAUBIRA
Keeper of the Seals and Minister of Justice

GEORGE PAU-LANGEVIN
Minister for Overseas

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**Decrees, orders, circulars
GENERAL TEXTS
MINISTRY OF THE INTERIOR**

**Decree No. 2015-1494 of 18 November 2015
implementing Act No. 55-385 of 3 April 1955 overseas**

NOR: INTD1527977D

The President of the Republic,
Based on the report of the Prime Minister, of the Keeper of the Seals and Minister of Justice,
of the Minister of the Interior and of the Minister for Overseas,
Considering the Civil Code and in particular its article 1;
Considering the amended Act No. 55-385 of 3 April 1955 instituting a state of emergency;
Considering the emergency,

Decrees:

Art. 1. – In addition to the measures envisaged in articles 5, 9 and 10 of the above-mentioned Act of 3 April 1955, the measures mentioned in articles 6 and 8 and paragraph 1 of article 11 shall be applicable in Guadeloupe, French Guiana, Martinique, Réunion, Mayotte, Saint Barthélemy and Saint Martin.

Art. 2. – This Decree shall enter into force at zero hours local time on 19 November 2015 in Guadeloupe, French Guiana, Martinique, Réunion, Mayotte, Saint Barthélemy and Saint Martin.

Art. 3. – The Prime Minister, the Keeper of the Seals and Minister of Justice, the Minister of the Interior and the Minister for Overseas shall, within their respective spheres of activity, be responsible for the application of this Decree, which shall be published in the Official Journal of the French Republic and shall enter into force immediately.

Done in Paris, on 18 November 2015.

FRANÇOIS HOLLANDE

By the President of the Republic:

MANUEL VALLS
Prime Minister

BERNARD CAZENEUVE
Minister of the Interior

CHRISTIANE TAUBIRA
Keeper of the Seals and Minister of Justice

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ACTS

Act No. 2015-1501 of 20 November 2015 extending the application of Act No. 55-385 of 3 April 1955 concerning the state of emergency and enhancing the effectiveness of its provisions¹

NOR: INTX1527699L

The National Assembly and the Senate have adopted,
The President of the Republic promulgates the following Act:

Article 1

The state of emergency declared by Decree No. 2015-1475 of 14 November 2015 implementing Act No. 55-385 of 3 April 1955 and Decree No. 2015-1493 of 18 November 2015 implementing Act No. 55-385 of 3 April 1955 overseas shall be extended for three months with effect from 26 November 2015.

Article 2

While it remains in force, the state of emergency shall trigger the application of article 11 of Act No. 55-385 of 3 April 1955 concerning the state of emergency, in the wording given in paragraph 7 of article 4 of this Act.

Article 3

The state of emergency may be terminated by decree of the Council of Ministers before the expiry of the extension period. In this case, Parliament shall be informed.

Article 4

The above-mentioned Act No. 55-385 of 3 April 1955 shall be amended as follows:

1. The following article 4-1 shall be inserted after article 4:

“*Art. 4-1.* – The National Assembly and the Senate shall be informed promptly of the measures taken by the Government during the state of emergency. They may request any additional information for the purpose of monitoring and evaluating these measures.”

¹ *Travaux préparatoires*: Act No. 2015-1501.

National Assembly:

Draft Act No. 3225;

Report of Mr. Jean-Jacques Urvoas, on behalf of the Law Commission, No. 3237;

Discussion and adoption, by accelerated procedure, on 19 November 2015 (Adopted text No. 609)

Senate:

Draft Act, adopted by the National Assembly, No. 176 (2015-2016);

Report by Mr. Philippe Blas, on behalf of the Law Commission, No. 177 (2015-2016)

Commission text No. 178 (2015-2016);

Discussion and adoption on 20 November 2015 (Adopted text No 42, 2015-2016).

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2. Article 6 shall be amended as follows:

(a) The first paragraph shall be replaced by the following two paragraphs:

“The Minister of the Interior may order the house arrest, at a place to be determined by the Minister, of any persons residing in the area established by the decree mentioned in article 2, when there are serious reasons to believe that their behaviour poses a threat to security and public order in the territorial divisions mentioned in the same article 2. The Minister of the Interior may arrange for the persons to be taken to the place of house arrest by the police or gendarmerie.

“The persons mentioned in the first paragraph of this article may also be confined to a place of residence determined by the Minister of the Interior, for a time frame to be determined by the Minister, which shall not exceed 12 hours in any 24-hour period.”;

(b) At the end of the third paragraph, the words “referred to in the preceding paragraph” shall be replaced by the words “mentioned in the first paragraph”;

(c) The following new paragraphs shall be added:

“The Minister of the Interior may require persons under house arrest:

“1. To report regularly to the police or gendarmerie following a schedule to be determined by the Minister but not exceeding three times a day. The schedule shall specify if it applies on Sundays, public holidays and non-working days;

“2. To surrender their passport or any other identity document to the police or gendarmerie. In return they shall be given a receipt constituting proof of identity in application of article 1 of Act No. 2012-410 of 27 March 2012 concerning protection of identity and mentioning the date of surrender and the arrangements for return of the surrendered document.

“Persons required to reside in a place determined in application of the first paragraph of this article may be prohibited by the Minister of the Interior from engaging in direct or indirect contact with certain persons, designated by name, for whom there are serious reasons to believe that their behaviour poses a threat to security and public order. This prohibition shall be lifted when it is no longer necessary.

“When persons under house arrest have been sentenced to imprisonment for a crime classified as an act of terrorism or for an offence similarly classified punishable by ten years’ imprisonment and they finished serving their sentence less than eight years prior, the Minister of the Interior may also order them to be placed under mobile electronic monitoring. The persons concerned shall give their written agreement to such placement. They shall be obliged, throughout the placement, to wear a technical device enabling their location anywhere in the national territory to be remotely determined at any time. They may not be required either to report regularly to the police or gendarmerie or confined to home as mentioned in the second paragraph. The Minister of the Interior may at any time end the mobile electronic monitoring, for instance if the persons being monitored violate the conditions of their house arrest or placement or in case of a technical malfunction of the remote localization device.”

3. The following article 6-1 shall be inserted after article 6:

“*Art. 6-1.* – Without prejudice to the application of article L.212-1 of the Code of Internal Security, associations or de facto groupings which take part in the commission of acts involving a serious threat to public order or whose activities facilitate or incite such commission shall be dissolved by decree of the Council of Ministers.

“The maintenance or reconstitution of an association or grouping dissolved in application of this article or the organization of such maintenance or reconstitution shall be punishable as specified in articles 431-15 and 431-17 to 431-21 of the Penal Code.

“Notwithstanding article 14 of this Act, measures taken on the basis of this article shall not cease to produce their effects at the end of the state of emergency.

“In order to prevent actions to maintain or reconstitute associations or groupings dissolved in

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application of this article, the intelligence services mentioned in article L. 811-2 of the Code of Internal Security and the services designated by the decree of the Council of State mentioned in article L. 811-4 of that Code may use intelligence techniques in the conditions specified in book VIII of that Code.”;

4. Article 7 shall be deleted;

5. Article 9 shall be worded as follows:

“*Art. 9.* – The administrative authorities designated in article 8 may order the surrender of weapons and ammunition held or acquired legally in categories A to C as well as those requiring registration under category D, defined in article L. 311-2 of the Code of Internal Security. The representative of the State in the department may also, for reasons of public order, take an individual decision on surrender of weapons.

“A receipt shall be issued for weapons surrendered pursuant to the first paragraph of this article. They shall be returned to their owner in the condition in which they were surrendered.

6. Article 10 shall be worded as follows:

“*Art. 10.* – The declaration of a state of emergency shall be added to the instances specified in article L. 1111-2 of the Code of Defence in which searches may be performed in the conditions specified in book II of the second part of that Code.”;

7. Article 11 shall be worded as follows:

“*Art. 11.* – I. – The decree declaring or the act extending the state of emergency may include a specific provision authorizing the administrative authorities mentioned in article 8 to order searches anywhere, including in homes, day and night, except in a place used for the exercise of a parliamentary mandate or for the professional activity of lawyers, members of the judiciary or journalists, when there are serious reasons to believe that the place is frequented by a person whose behaviour poses a threat to security and public order.

“The decision ordering a search shall specify the place and time of the search. The Public Prosecutor having territorial jurisdiction shall be informed promptly of this decision. The search shall be conducted in the presence of a senior law enforcement officer having territorial jurisdiction. It may be conducted only if the occupant or, if that is not possible, the occupant’s representative or two witnesses are present.

“Access may be obtained through a computer system or terminal equipment present at the site of the search to data stored on that system or equipment or on another computer system or terminal equipment, provided that such data are accessible from or available to the initial system. Data accessible in the conditions specified in this article may be copied onto any medium.

“The search shall be the subject of a report transmitted promptly to the Public Prosecutor.

“When an offence is detected, the law enforcement officer shall prepare an official record, seize any necessary evidence and report promptly to the Public Prosecutor.

“This section I shall be applicable only in the areas specified by the decree mentioned in article 2.

“II. – The Minister of the Interior may take any measure to interrupt any online public announcement inciting to or advocating the commission of acts of terrorism.”

8. Article 12 shall be deleted;

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9. Article 13 shall be worded as follows:

“*Art. 13.* – Violations of articles 5, 8 and 9 shall be punishable by six months’ imprisonment and a fine of €7,500.

“Violations of the first paragraph of article 6 shall be punishable by three years’ imprisonment and a fine of €45,000.

“Violations of the second and the last five paragraphs of article 6 shall be punishable by one year’s imprisonment and a fine of €15,000.

“The measures prescribed may be executed *ex officio*, by administrative authority, notwithstanding the existence of these penal provisions.”;

10. The second paragraph of article 14 shall be deleted;

11. The following article 14-1 shall be added to title I:

“*Art. 14-1.*- With the exception of the penalties provided in article 13, the measures taken on the basis of this Act shall be subject to review by the administrative judge in the conditions established by the Code of Administrative Justice and in particular its book V.”;

12. In the title, the word: “*relatif*” shall be replaced with the word: “*relative*”.

Article 5

Article 15 of the above-mentioned Act No. 55-385 of 3 April 1955 shall be reworded to read:

“*Art. 15.* – This Act, as amended by Act No. 2015-1501 of 20 November 2015 extending the application of Act No. 55-385 of 3 April 1955 concerning the state of emergency and enhancing the effectiveness of its provisions, shall be applicable throughout the territory of the Republic.”

Article 6

The third paragraph under b) and c), the second paragraph under d) and the third paragraph under e), f) and g) in article 17 of the above-mentioned Act No. 55-385 of 3 April 1955 shall be deleted.

This Act shall enter into force immediately and shall be enforced as legislation of the State.

Done in Paris, on 20 November 2015.

FRANÇOIS HOLLANDE

By the President of the Republic:

MANUEL VALLS

Prime Minister

BERNARD CAZENEUVE

Minister of the Interior

CHRISTIANE TAUBIRA

Keeper of the Seals and Minister of Justice

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Minister for Overseas

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ACT

Act No. 55-385 of 3 April 1955 concerning the state of emergency
Consolidated version as at 23 November 2015

The National Assembly and the Council of the Republic have deliberated,
The National Assembly has adopted,
The President of the Republic promulgates the following legislation:

TITLE I

Article 1

Amended by Act No. 2011-525 of 17 May 2011 – art. 176 (V)

A state of emergency may be declared in all or part of the Metropolitan territory, the overseas departments, the overseas collectivities governed by article 74 of the Constitution and in New Caledonia, in case of imminent danger from serious threats to public order or in case of events which, because of their nature and gravity, constitute a public calamity.

Article 2

Amended by Ordinance 60-372 1960-04-15 art. 1 Official Journal 17 April 1960

The state of emergency shall be declared by decree at the Council of Ministers. This decree shall specify the territorial division(s) in which it applies.

Within these divisions, the areas where the state of emergency is to apply shall be determined by decree.

Extension of the state of emergency beyond 12 days may be authorized only by legislation.

Article 3

Amended by Ordinance 60-372 1960-04-15 art.1 Official Journal 17 April 1960

The legislation authorizing extension of the state of emergency beyond 12 days shall determine its final duration.

Article 4

Amended by Ordinance 60-372 1960-04-15 art.1 Official Journal 17 April 1960

The legislation extending the state of emergency shall expire fifteen clear days after the date of resignation of the Government or dissolution of the National Assembly.

Article 4-1

Inserted by Act. No. 2015-1501 of 20 November 2015 – art.4

The National Assembly and the Senate shall be informed promptly of the measures taken by the Government during the state of emergency. They may request any additional information for the purpose of monitoring and evaluating these measures.

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Article 5

The declaration of a state of emergency shall allow the Prefect whose department is entirely or partly included in a division mentioned in article 2:

1. To prohibit the circulation of persons or vehicles in places and at times established in an order;
2. To create, by order, protection or security areas where the presence of individuals is regulated;
3. To forbid the presence in all or part of the department of any individual attempting in any manner whatsoever to impede the activities of the authorities.

Article 6

Amended by Act No. 2015-1501 of 20 November 2015 – art. 4

The Minister of the Interior may order the house arrest, at a place to be determined by the Minister, of any persons residing in the area established by the decree mentioned in article 2, when there are serious reasons to believe that their behaviour poses a threat to security and public order in the territorial divisions mentioned in the same article 2. The Minister of the Interior may arrange for the persons to be taken to the place of house arrest by the police or gendarmerie.

The persons mentioned in the first paragraph of this article may also be confined to a place of residence determined by the Minister of the Interior, for a time frame to be determined by the Minister, which shall not exceed 12 hours in any 24-hour period.

House arrest shall allow persons subject thereto to reside in an urban area or in close proximity to an urban area.

House arrest may in no case have the effect of creating camps for detention of the persons mentioned in the first paragraph.

The administrative authorities shall make all arrangements to provide for the subsistence of persons under house arrest and of their families.

The Minister of the Interior may require persons under house arrest:

1. To report regularly to the police or gendarmerie following a schedule to be determined by the Minister but not exceeding three times a day. The schedule shall specify if it applies on Sundays, public holidays and non-working days;

2. To surrender their passport or any other identity document to the police or gendarmerie. In return they shall be given a receipt constituting proof of identity in application of article 1 of Act No. 2012-410 of 27 March 2012 concerning protection of identity and mentioning the date of surrender and the arrangements for return of the surrendered document.

Persons required to reside in a place determined in application of the first paragraph of this article may be prohibited by the Minister of the Interior from engaging in direct or indirect contact with certain persons, designated by name, for whom there are serious reasons to believe that their behaviour poses a threat to security and public order. This prohibition shall be lifted when it is no longer necessary.

When persons under house arrest have been sentenced to imprisonment for a crime classified as an act of terrorism or for an offence similarly classified as punishable by ten years' imprisonment and they finished serving their sentence less than eight years prior, the Minister of the Interior may also order them to be placed under mobile electronic monitoring. The persons concerned shall give their written agreement to such placement. They shall be obliged, throughout the placement, to wear a technical device enabling their location anywhere in the national territory to be remotely determined at any time. They may not be required either to report regularly to the police or gendarmerie or confined to home as mentioned in the second paragraph. The Minister of the Interior may at any time end the mobile electronic monitoring, for instance if the persons being monitored violate the conditions of their house arrest or placement or in case of a technical malfunction of the remote localization device.

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Article 6-1

Inserted by Act No. 2015-1501 of 20 November 2015 – art. 4

Without prejudice to the application of article L.212-1 of the Code of Internal Security, associations or de facto groupings which take part in the commission of acts involving a serious threat to public order or whose activities facilitate or incite to such commission shall be dissolved by decree of the Council of Ministers.

The maintenance or reconstitution of an association or grouping dissolved in application of this article or the organization of such maintenance or reconstitution shall be punishable as specified in articles 431-15 and 431-17 to 431-21 of the Penal Code.

Notwithstanding article 14 of this Act, measures taken on the basis of this article shall not cease to produce their effects at the end of the state of emergency.

In order to prevent actions to maintain or reconstitute associations or groupings dissolved in application of this article, the intelligence services mentioned in article L. 811-2 of the Code of Internal Security and the services designated by the decree of the Council of State mentioned in article L. 811-4 of that Code may use intelligence techniques in the conditions specified in book VIII of that Code.

Article 7 (deleted)

Amended by Act No. 2013-403 of 17 May 2013 – art. 1 (V)

Deleted by Act No. 2015-1501 of 20 November 2015 – art. 4

Article 8

Amended by Act No. 2011-525 of 17 May 2011 – art. 176 (V)

The Minister of the Interior, for the entire territory covered by the state of emergency, and the Prefect, in the department, may order the temporary closure of performance venues, establishments serving drinks and meeting places of any kind in the areas determined by the decree mentioned in article 2.

Meetings likely to cause or foster disorder may also be prohibited, in general or in particular.

Article 9

Amended by Act No. 2015-1501 of 20 November 2015 – art. 4

The administrative authorities designated in article 8 may order the surrender of weapons and ammunition held or acquired legally in categories A to C as well as those requiring registration under category D, defined in article L. 311-2 of the Code of Internal Security. The representative of the State in the department may also, for reasons of public order, take an individual decision on surrender of weapons.

A receipt shall be issued for weapons surrendered pursuant to the first paragraph of this article. They shall be returned to their owner in the condition in which they were surrendered.

Article 10

Amended by Act No. 2015-1501 of 20 November 2015 – art. 4

The declaration of a state of emergency shall be added to the instances specified in article L. 1111-2 of the Code of Defence in which searches may be performed in the conditions specified in Book II of Part Two of that Code.

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Article 11

Amended by Act No. 2015-1501 of 20 November 2015 – art. 4

I. – The decree declaring or the act extending the state of emergency may include a specific provision authorizing the administrative authorities mentioned in article 8 to order searches anywhere, including in homes, day and night, except in a place used for the exercise of a parliamentary mandate or for the professional activity of lawyers, members of the judiciary or journalists, when there are serious reasons to believe that the place is frequented by a person whose behaviour poses a threat to security and public order.

The decision ordering a search shall specify the place and time of the search. The Public Prosecutor having territorial jurisdiction shall be informed promptly of this decision. The search shall be conducted in the presence of a senior law enforcement officer having territorial jurisdiction. It may be conducted only if the occupant or, if that is not possible, the occupant's representative or two witnesses are present.

Access may be obtained through a computer system or terminal equipment present at the site of the search to data stored on that system or equipment or on another computer system or terminal equipment, provided that such data are accessible from or available to the initial system. Data accessible in the conditions specified in this article may be copied to any medium.

The search shall be the subject of a report transmitted promptly to the Public Prosecutor.

When an offence is detected, the law enforcement officer shall prepare an official record, seize any necessary evidence and report promptly to the Public Prosecutor.

This section I shall be applicable only in the areas specified by the decree mentioned in article 2.

II. – The Minister of the Interior may take any measure to interrupt any online public announcement inciting to or advocating the commission of acts of terrorism.

Article 12 (deleted)

Amended by Act No. 55-1080 1955-08-07 art. 1 Official Journal 14 August 1955
Amended by Act No. 2000-516 of 15 June 2000 – art. 83 Official Journal 16 June 2000
Deleted by Act No. 2015-1501 of 20 November 2015 – art. 4

Article 13

Amended by Act No. 2015-1501 of 20 November 2015 – art. 4

Violations of articles 5, 8 and 9 shall be punishable by six months' imprisonment and a fine of €7,500.

Violations of the first paragraph of article 6 shall be punishable by three years' imprisonment and a fine of €45,000.

Violations of the second and the last five paragraphs of article 6 shall be punishable by one year's imprisonment and a fine of €15,000.

The measures prescribed may be executed *ex officio*, by administrative authority, notwithstanding the existence of these penal provisions.

Article 14

Amended by Act No. 2015-1501 of 20 November 2015 –art. 4

The measures taken in application of this Act shall cease to have effect when the state of emergency ends.

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Article 14-1

Inserted by Act No. 2015-1501 of 20 November 2015 – art. 4

With the exception of the penalties provided in article 13, the measures taken on the basis of this Act shall be subject to review by the administrative judge in the conditions established by the Code of Administrative Justice and in particular its book V.

TITLE II

Article 15 (deleted)

Deleted by Act No. 2011-525 of 17 May 2011 – art. 176 (V)

Article 15

Amended by Act No. 2015-1501 of 20 November 2015 – art. 5

This Act, as amended by Act No. 2015-1501 of 20 November 2015 extending the application of Act No. 55-385 of 3 April 1955 concerning the state of emergency and enhancing the effectiveness of its provisions, shall be applicable throughout the territory of the Republic.

Article 16 (deleted)

Deleted by Act No. 2011-525 of 17 May 2011 – art. 176 (V)

Article 17

Amended by Act No. 2015-1501 of 20 November 2015 – art. 6

For the application of this Act:

a) Mayotte:

1. The reference to the department shall be replaced by a reference to Mayotte;
2. The reference to the Prefect shall be replaced by a reference to the representative of the State in Mayotte;
3. In article 5, the words “whose department is entirely or partly included in a division mentioned in article 2” shall be replaced by the words “when Mayotte is entirely or partly included in a division mentioned in article 2”;

b) Saint Barthélemy:

1. The reference to the department shall be replaced by a reference to Saint Barthélemy;
2. The reference to the Prefect shall be replaced by a reference to the representative of the State in Saint Barthélemy;
3. (Deleted)
4. In article 5, the words “whose department is entirely or partly included in a division mentioned in article 2” shall be replaced by the words “when Saint Barthélemy is entirely or partly included in a division mentioned in article 2”;

c) Saint Martin:

1. The reference to the department shall be replaced by a reference to Saint Martin;
2. The reference to the Prefect shall be replaced by a reference to the representative of the State in Saint Martin;

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3. (Deleted)

4. In article 5, the words “whose department is entirely or partly included in a division mentioned in article 2” shall be replaced by the words “when Saint Martin is entirely or partly included in a division mentioned in article 2”;

d) Saint Pierre and Miquelon:

1. The reference to the department shall be replaced by a reference to Saint Pierre and Miquelon;

2. (Deleted)

3. In article 5 the words “to the Prefect whose department is entirely or partly included in a division mentioned in article 2” shall be replaced by the words “to the Prefect of Saint Pierre and Miquelon, when Saint Pierre and Miquelon is entirely or partly included in a division mentioned in article 2”;

e) Wallis and Futuna Islands:

1. The reference to the department shall be replaced by a reference to the Wallis and Futuna Islands;

2. The reference to the Prefect shall be replaced by a reference to the Senior Administrator of the Wallis and Futuna Islands;

3. (Deleted)

4. In article 5, the words “whose department is entirely or partly included in a division mentioned in article 2” shall be replaced by the words “when the Wallis and Futuna Islands are entirely or partly included in a division mentioned in article 2”;

f) French Polynesia:

1. The reference to the department shall be replaced by a reference to French Polynesia;

2. The reference to the Prefect shall be replaced by a reference to the High Commissioner of the Republic in French Polynesia;

3. (Deleted)

4. In article 5, the words “whose department is entirely or partly included in a division mentioned in article 2” shall be replaced by the words “when French Polynesia is entirely or partly included in a division mentioned in article 2”;

g) New Caledonia:

1. The reference to the department shall be replaced by a reference to New Caledonia;

2. The reference to the Prefect shall be replaced by a reference to the High Commissioner of the Republic in New Caledonia;

3. (Deleted)

4. In article 5 the words “whose department is entirely or partly included in a division mentioned in article 2” shall be replaced by the words “when New Caledonia is entirely or partly included in a division mentioned in article 2”.

By the President of the Republic:

RENE COTY.

The President of the Council of Ministers, EDGAR FAURE.

The Minister-Delegate to the Presidency of the Council, GASTON PALEWSKI.

The Keeper of the Seals and Minister of Justice, SCHUMAN.

The Minister for Foreign Affairs, ANTOINE PINAY.

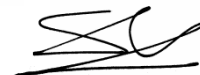
The Minister of the Interior, MAURICE BOURGE-MAUNOURY.

The Minister of National Defence and Armed Forces, PIERRE KOENIG.

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The Minister of Finance and Economic Affairs, PIERRE PFLIMLIN.
The Minister of Public Works, Transport and Tourism, EDOUARD CORNIGLION-MOLINIER.
The Minister of Industry and Commerce, ANDRE MORICE.
The Minister of Agriculture, JEAN SOURBET.
The Minister of Public Health and Population, BERNARD LAFAY.
The Minister of the Merchant Navy, PAUL ANTIER.
The Minister of Post, Telegraph and Telephone Services, EDOUARD BONNEFOUS.

31 December 2015

A handwritten signature in black ink, consisting of stylized, overlapping letters, positioned below the date.

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