



European Commission
against Racism and Intolerance
ECRI
Commission européenne
contre le racisme et l'intolérance



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**ECRI CONCLUSIONS
ON THE IMPLEMENTATION OF THE RECOMMENDATIONS
IN RESPECT OF MONACO
SUBJECT TO INTERIM FOLLOW-UP**

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¹ Unless otherwise indicated, this analysis does not take into account any developments that occurred after 22 March 2024, the date on which the response of the authorities of Monaco to ECRI's request for information on measures taken to implement the recommendations chosen for interim follow-up was received.

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FOREWORD

As part of its sixth round of monitoring work, ECRI has renewed its process of interim follow-up with respect to two specific recommendations made in each of its country reports.

In line with the Information Document on ECRI's sixth monitoring cycle brought to the attention of the Ministers' Deputies on 9 May 2018², not later than two years following the publication of each report, ECRI addresses a communication to the Government concerned asking what has been done in respect of the specific recommendations for which priority follow-up was requested.

At the same time, ECRI gathers relevant information itself. On the basis of this information and the response from the Government, ECRI draws up its conclusions on the way in which its recommendations have been followed up.

It should be noted that these conclusions concern only the specific interim follow-up recommendations and do not aim at providing a comprehensive analysis of all developments in the fight against racism and intolerance in the State concerned.

² [CM/Del/Dec\(2018\)1316/4.1](#); [CM\(2018\)62-add10](#).

1.) *In its report on Monaco (sixth monitoring cycle), published on 9 June 2022, ECRI recommended that the Monegasque authorities strengthen the High Commissioner's powers of inquiry, in accordance with §21 of ECRI General Policy Recommendation No. 2 on Equality Bodies to combat racism and intolerance at national level, to enable the institution to obtain the information it needs for its inquiries – including information not in the public domain – within a set time frame.*

ECRI was informed that a focal point has been appointed within the government, in order to facilitate the follow-up of the High Commissioner's requests for information. To this end, the person appointed as focal point can, in particular, remind the authorities of indicative response deadlines and, if necessary, arrange for ad hoc meetings between the departments concerned by the request for information and the Office of the High Commissioner. According to the High Commissioner's Office, this practice, which has been in place in 2023, already seems to allow for a more efficient treatment of its requests for information.

ECRI notes these measures, which are intended to make it easier for the High Commissioner to obtain the information she needs to conduct her inquiries. However, ECRI considers that this new practice would benefit from being enshrined in the long term and in a precise legal framework, at either legislative or regulatory level.

In this context, ECRI notes that a revision of Sovereign Ordinance No. 4.524 establishing the Office of the High Commissioner is planned in the near future in order to strengthen the institution's prerogatives. It therefore invites the authorities to take this opportunity to enshrine in law the practice that has been in place since 2023 to facilitate the obtaining of information in the context of High Commissioner's investigations, as well as any other measure that would allow the institution to obtain this type of information within a set time frame, including information necessary for its investigations that is not in the public domain.

In the light of the above, ECRI concludes that its recommendation has been partially implemented and takes positive note of the efforts made and the measures taken.

2.) *In its report on Monaco (sixth monitoring round), ECRI recommended that the Monegasque authorities step up their efforts to combat online hate speech by giving judicial authorities the power to authorise, approve and order the deletion of hate speech or the blocking of sites that use it, as recommended in §8b) of its General Policy Recommendation No. 15 on combating hate speech, in co-operation with the Monegasque Data Protection Authority (Commission de Contrôle des Informations Nominatives, CCIN) and, where appropriate, the relevant bodies in other countries concerned.*

ECRI has not received any information indicating that concrete steps have been taken or are planned with a view to implementing this recommendation.

In ECRI's view, it remains problematic that the removal of hate speech online or the blocking of websites using such speech is still only done through an administrative procedure, without prior judicial review. ECRI regrets that no legislative amendment has been adopted in this regard in order to give judicial authorities the power to authorise, approve or order the removal of hate speech, or the blocking of sites that use it.

ECRI considers that this recommendation has not been implemented.