

THE SENATE LAWS COMMITTEE URGES THE PM & REITERATES ITS RECOMMENDATIONS

FOR THE SECURITY OF MAYORS

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USPA NEWS - On July 29, the Law Commission condemned in the strongest terms the aggression suffered by the mayor of Miribelles-Ãchelles (Isère) two days earlier, and recalled its recommendations for the safety of mayors, adopted in October latest. These recommendations were formulated on the basis of a national investigation carried out following the sudden death of the mayor of Signes (Var), Jean-Mathieu Michel, on August 5, 2019. Since then, new assaults have taken place. First, against the mayor of Saint-Philippe d'Aiguille (Gironde), seriously molested on August 5, exactly one year after the death of the mayor of Signes, while he was trying to restore public tranquility in the territory of his common. Then on August 6, against the deputy mayor of Portbail (Manche), in turn insulted, threatened and attacked as he sought to enforce municipal decrees against wild camping and forest fires. His complaint was dismissed after a simple reminder of the law.

By letter of August 6, 2020, the president of the Senate Law Commission, Philippe Bas (Les Républicains - Manche), informed the Prime Minister of this situation and directly brought to his attention the Senate recommendations.

According to the chairman of the Law Committee, "these acts of violence highlight the insecurity that mayors continue to face in carrying out their daily duties. They are part of a climate of growing contestation of the authority of state officials and public security officials. Mayors embody public authority in its expression closest to our fellow citizens. The Republic cannot leave them alone in the face of the risks to which their function exposes them. It must strengthen the means of action available to them to ensure public peace and better protect them in the exercise of their functions".

Some of the Senate recommendations, of a legislative nature, quickly found concrete expression. Thus, the law of December 27, 2019 relating to involvement in local life and proximity to public action has strengthened the police powers of mayors and their legal protection. Instructions were also given to prosecutors and prefects to better accompany and support mayors in the exercise of their functions. However, an essential part of the proposals of the Law Commission has remained without action to date. These recommendations, resulting from the reflections of elected officials themselves, could nevertheless contribute to the now urgent establishment of a government plan for the safety of mayors. By strengthening the latter in their mission as authority and guarantors of public order, such a plan would help restore republican order and would be useful in improving the general security of our fellow citizens.

In each prefecture, a system of systematic support for attacked mayors should be put in place now.

It is also important to ensure that the circular of the Keeper of the Seals of 6 November 2019 relating to the judicial treatment of offenses committed against persons invested with an elective mandate is effectively followed, so that any form of violence against mayors is punished in a prompt and proportionate manner.-----

It is also essential that functional protection be systematically granted to elected officials who are victims of violence, threats or insults, without the need for prior deliberation by the municipal council.-----

It is also imperative to better support mayors in the exercise of their police powers, through better training, strengthened legal support from decentralized state services and a renovated municipal police. Finally, it is necessary to widen the possibility for the municipal police officers to draw up fixed fines (or stamp-fines), for offenses against easily characterized municipal police orders, the recognition of which does not require acts of investigation. The maximum amount of the fine for breaking a police order should also be increased. The Senate Law Commission is naturally at the disposal of the Government to contribute to this necessary work on the basis of the work it has carried out. Philippe Bas (Les Républicains - Manche) is chairman of the law committee.

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