



Quality in Gender+ Equality Policies

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Integrated Project

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DATA TO BE COLLECTED

DEFICIENCIES, DEVIATIONS AND INCONSISTENCIES IN EU AND MEMBER STATE'S GENDER+ EQUALITY POLICIES

a) 1. 'Deficiencies, deviations and inconsistencies in EU and Member State's gender+ equality laws'

1.1 Please summarise the key developments, with dates, in gender equality law as provided by the governmental gender equality unit, i.e. list the legislation that the gender equality unit (or equivalent governmental body) name as (gender+) equality legislation. If important legislation seem to have been omitted by the authority, please comment on this.

Legislation	Year	Main provision(s)
25 February 2000 interdepartmental convention between the Ministry of Employment and Solidarity, the Ministry of Education, the Ministry of agriculture and fisheries and the Secretary of State for women's rights and professional training	2000	Implements a global equal opportunity policy between boys and girls, men and women within the education system.
6 June 2000 "Parity law" or Act on "Equal access to women and men to electoral mandates and elective positions"	2000	Requires the parties in all the list system elections to have 50 per cent of each sex on their list of candidates.
13 December 2000 law related to emergency contraception	2000	Authorises emergency contraception delivery in schools.
25 January 2001 National Assizes against Violence toward Women	2001	Implements a triennial action plan against violence towards women
9 May 2001 'Genisson Act' on professional equality between men and women	2001	Reinforces the 1983 'Roudy Act' and specifies the obligation of negotiation concerning professional equality.
4 July 2001 law related to the voluntary interruption of pregnancy	2001	Modernises the 1967 Contraception Act and the 1975 Abortion Act, facilitates the access to abortion and to contraception and extends abortion delay.
6 November 2001 law related to the fight against discrimination	2001	Defines the juridical regime of proof and specifies the notion of discrimination.
17 January 2002 law of Social modernisation, article 168 to 180	2002	Fights sexual harassment in the workplace.
4 March 2002 Criminal code change	2002	Introduces a specific misdemeanour/offence against clients of minor prostitutes
3 May 2002 Decree concerning the jury composition in public service	2002	Settles the minimal proportion of persons of each sex to a third

3 January 2003 Law related to collective negotiations concerning lay-off	2003	Fight sexual harassment and mobbing in the workplace (article 4 and 5).
8 March 2003 Equality charter	2003	Sets a triennial action plan in order to promote gender equality
11 April 2003 Act on the election of regional councillor and MEPs	2003	Institutionalises parity for regional and European elections.
26 December 2003 law reforming pension system	2003	Increases pension bonus for women having children.
National inter-profession accord of the 1st March 2004 on diversity and equality at work between men and women	2004	Defines 4 objectives: to reduce the gender pay gap, to facilitate women's training, to fight against gender discriminations in recruitment and to encourage mothers' career development.
15 March 2004 law prohibiting noticeable religious attires in State schools.	2004	Regulates the wearing of symbols indicating religious affiliation in public educational establishments.
26 May 2004 law concerning divorce	2006	Protects spouses victims of violence
23 March 2006 Law concerning equal pay	2006	Promotes equal access to training and encourages negotiations within companies so as to reduce the gender pay gap.
4 April 2006 law concerning the prevention and repression of domestic violence and violence against children	2006	Increases the marrying age for women from 15 to 18

1.2 EU Directives¹ and Member State Law: Comparisons and Struggles

Are all aspects of EU Directives and aquis on gender equality fully integrated into national law? If some aspects are not fully transposed, what are they? Have there been disputes (1995-2007) between the EU and the country over transposition? Or within the country over this process? Or where local/national groups have gone direct to the EU? If so, what is the location of the dispute (e.g. intervention by Commission, Court of Justice; national court)? What was the outcome? **Please fill in one table for each issue/policy listed in 1.2.1 (example provided).**

Issue	Equal Pay & Equal Treatment
Prior to Directives	1984 Roudy Law on professional equality
Legislation transposing Directive	1984 Roudy Law on professional equality 2001 Genisson Law on professional equality 2006 Equal Pay law

¹ Directives: http://ec.europa.eu/employment_social/gender_equality/legislation/legalacts_en.html.

ECJ cases: http://ec.europa.eu/employment_social/gender_equality/legislation/case_law_en.html; More info on transposition: http://ec.europa.eu/employment_social/fundamental_rights/policy/aneval/legnet_en.htm#comp.

Fully transposed	Yes
Provisions not transposed	Late with 'women night work' – but is transposed now
Is legislation better than Directive	Similar now.
Better how and since when?	
Content of dispute(s) + date	“The maintain of the Article L 213-1 of the French Working code prohibiting nightwork by women in industry whereas no such prohibition exists in relation to men, contradicts the obligations under Article 5(1) of Council Directive 76/207/EEC of 9 February 1976 on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions (OJ 1976 L 39, p. 40)”
Parties to the dispute	The Commission of the European Communities challenged the French Republic
Location	French Republic complied to the Commission only under the threat of being taken to the European Court of Justice (ECJ).
Outcome of the dispute	French Republic has been unsuccessful after the Judgment of the Court (Fifth Chamber) of 13 March 1997. The European court of Justice gave France until the 30 November 2000 to abolish the prohibition of night work for women otherwise France would have to pay €142.425 per day.
Civil society engagement	The issue strongly divided French civil society and especially trade unions. On the one hand, the French Democratic Confederation of Labour (CFDT) was in favour of a review of the French night work legislation, which was perceived of as discrimination against women. On the other hand, the General Confederation of Labour (CGT) and above all the French Confederation of Christian Workers (CFTC) and the Worker's Force (FO) argued that the prohibition on women's night work has to be maintained because allowing women to work at night represents a step backwards.
Intersections	
Other notes	

Issue	Sexual harassment/discrimination
Prior to Directive	1992 law on sexual harassment
Legislation transposing Directive	1992 law on sexual harassment
Fully transposed	No
Provisions not transposed	Employers are not required to prevent sexual harassment
Is leg. better than Directive	No.
Better how and since when?	-
Content of dispute(s) + date	No dispute
Parties to the dispute	-
Location	-
Outcome of the dispute	-
Civil society engagement	-
Intersections	-
Other notes	-

Issue	Equality Bodies
Prior to Directive	-
Legislation transposing Directive	2004 Legislation creating the High Authority to fight against discrimination and promote equality (HALDE)
Fully transposed	Yes
Provisions not transposed	-
Is leg. better than Directive	No.
Better how and since when?	-
Content of dispute(s) + date	No dispute
Parties to the dispute	-
Location	-
Outcome of the dispute	-
Civil society engagement	-
Intersections	Intersections with criteria prohibited by the law (gender, ethnicity, handicap, sexual orientation, age, religion, political orientation, class)
Other notes	-

Issue	Parental Leave
Prior to Directive	1977 law establishing parental leave for women working in private companies with more than 200 employees. 1984 law opening parental leave to either parent 1985 law creating parental childcare allowance 1994 Reform of parental leave
Legislation transposing Directive	1984 law opening parental leave to either parent
Fully transposed	Yes
Provisions not transposed	-
Is leg. better than Directive	Yes.
Better how and since when?	Parental leave is partly paid 11 days paternity allowance Longer parental leave
Content of dispute(s) + date	No dispute
Parties to the dispute	-
Location	-
Outcome of the dispute	-
Civil society engagement	-
Intersections	Class, gender
Other notes	-

Issue	Organisation of working time (working time directive and part-time work)
Prior to Directive	1982 law concerning 39 hours working time
Legislation transposing Directive	1982 la concerning 39 hours working time
Fully transposed	Yes
Provisions not transposed	
Is leg. better than Directive	Yes
Better how and since when?	2000 law on the legal reduction of working time
Content of dispute(s) + date	No dispute
Parties to the dispute	-
Location	-
Outcome of the dispute	-
Civil society engagement	-
Intersections	Class
Other notes	

1.2.1 EU Directives to Consider

1 Equal pay/equal treatment

- Equal pay & equal treatment in employment (1970/1976)
- equal treatment irrespective of racial or ethnic origin (Directive 2000/43/EC)
- equal treatment on grounds of religion or belief, disability, age or sexual orientation Directive 2000/78/EC)
- employers to systematically take equal treatment measures (Equal Treatment 2002 transposed by October 2005)
- equal treatment between men and women extended to goods and services (The Gender Directive - Goods and Services, 2004, to be transposed by Dec 2007)
- requirement for gender mainstreaming extended to Goods & Services (2006 Recast Directive, to be transposed by 2009)

2 Sexual harassment and discrimination

- strengthening of sexual harassment policy: employers required to prevent sexual harassment (regarded as sex discrimination) (Equal Treatment 2002, transposed by October 2005)

3 Equality bodies

- governments required to establish equal opportunity body to enforce EU legislation within employment and to promote, analyse, monitor and support equal treatment (Equal Treatment 2002 transposed by October 2005)
- Duty of governmental body to promote, analyze, monitor and support equal treatment extended to goods & services (The Gender Directive - G&S - 2004, transposed by Dec 2007)
- governments to encourage dialogue with non-governmental organisations (Equal Treatment 2002, to be transposed by October 2005)

4 Parental leave

- parents have the right to 3 months individual non-transferable unpaid parental leave (Parental Leave Directive 1996, transposed by 1999)

5 Organisation of working time

- limited weekly working to 48 hours (Working Time Directive 1993, transposed by 1998)
- elimination of discrimination against part-time workers and assist the development of opportunities for working part-time (Part-time Work Directive 1997)

1.2.2 Other gender equality+ related directives you might want to consider

Directive 75/117/EEC on the principle of equal pay for men and women.

Directive 79/7/EEC on the principle of equal treatment for men and women in social security.

Directive 86/378/EEC on principle of equal treatment for men and women in occupational social security schemes.

Directive 86/613/EEC on equal treatment between self employed men and women.

Directive 92/85/EEC on the safety and health at work of pregnant workers and workers

Directive 97/80/EC on the burden of proof in cases of discrimination based on sex.

Directive 2000/78 on equal treatment in employment and occupation.

1.3 Do any aspects of domestic gender equality law surpass (are better, more extensive, or more developed than) or earlier than EU law?

	EU			France		
	Provision	Year	Notes	Provision	Year	Notes
Maternity	14 weeks	1996	Pay must not be less than wage during sickness leave.	16 weeks	1970 1982	Fully paid maternity leave
Paternity	Optional	1995		11 days	2002	Optional
Parental	3 months	1996	Unpaid	Two years maximum. Six month for the first child and three years for the second child onwards.	1984 1994 (reform)	Unpaid. Can open the right to a specific allowance (€340 per month). Can be used part-time.
Duty on all public bodies to promote GE	No	2004	Mainstreaming required by 2006	No		
Equalities body (employment)	Yes	2002		Yes	2004	HALDE
Equalities body (goods & services)	Yes	2004		Yes	2004	HALDE
Equalities body for promotion	Yes	2006		Yes	2004	HALDE
Gender pay audits	Not specified			No		Gender pay gap to be eliminated by 2010 on the basis of voluntary local negotiations

Gender Equality plan (employment)	Yes	2002 /2006		Yes		Only optional gender equality agreements with social partners
Requires NGO dialogue to be encouraged	Yes/no	2002	Dialogue	No		Not with NGOs but with Trade Unions, through the 2001 and 2006 laws
Positive action measures	Yes/no	1975	Allowed, not required	No		Except the vote on the law on Parity in 2000, the universalist culture in France does not permit the development of positive action measures
Public bodies to promote racial equality				Yes	2004	HALDE
If there are no sanctions for violating the law, please state this				Yes		While companies with at least 50 employees are obliged to draw up an annual report on the comparative employment position of men and women, few companies really provide it

1.4 Equality law on intersecting inequalities

- Is discrimination on the grounds of ethnicity/'race' illegal? YES
 1. When was this law introduced? 2001
 2. Is this restricted to employment related issues? Quite exclusively
 3. Does it include the sale and supply of services? Not in 2001. Only in May 2008.
 4. What disputes if any took place during its introduction?
- Is discrimination on the grounds of religion illegal? YES
 1. When was this law introduced? 2001
 2. Is this restricted to employment related issues? Quite exclusively
 3. Does it include the sale and supply of services? Not in 2001. Only in May 2008.
 4. What disputes if any took place present during its introduction?
- Is discrimination on the grounds of sexual orientation illegal? YES
 1. When was this law introduced? 2001
 2. Is this restricted to employment related issues? Quite exclusively
 3. Does it include the sale and supply of services? Not in 2001. Only in May 2008.
 4. What disputes if any took place during introduction of these laws?
- Is discrimination on the grounds of disability illegal? YES
 1. When was this law introduced? 2001
 2. Is this restricted to employment related issues? Quite exclusively
 3. Does it include the sale and supply of services? Not in 2001. Only in May 2008.
 4. What disputes if any took place during introduction of these laws?

- Is discrimination on the grounds of age illegal? YES
 1. When was this law introduced? 2001
 2. Is this restricted to employment related issues? Quite exclusively
 3. Does it include the sale and supply of services? Not in 2001. Only in May 2008.
 4. What disputes if any took place during introduction of these laws?

- Is discrimination on the grounds of marital status illegal? YES
 1. When was this law introduced? 2001
 2. Is this restricted to employment related issues? Quite exclusively
 3. Does it include the sale and supply of services? Not in 2001. Only in May 2008.
 4. What disputes if any took place during introduction of these laws?

- Are there further legal issues, especially disputed legal issues, concerning the intersection of equalities with gender that are relevant?

Due to the long history of immigration in France, the main intersections of inequalities with gender are race and religion. The main disputed legal issue concerns the Islamic veil affair, which led to the vote on the 15 March 2004 law prohibiting noticeable religious attire in State schools. In addition to the consideration of the principle of secularism and 'laïcité' as an element of freedom, one of the elements of the debate was that wearing the veil symbolises a women's submission to men.

In the same vein, discrimination on the grounds of family name is also an issue that is included in the law to combat discrimination in recruitments that face migrant workers. After this law, it was also suggested to make CVs anonymous. Despite the problem of 'twofold discrimination' of immigrant women and 'second and subsequent generation' women born into immigrant families, which is pointed out by women's NGOs and equality bodies such as the HALDE, the intersectional character of this issue has not been disputed in the French National Assembly.

2. Plans and programmes

Two types of national gender equality plans are considered here. The first set of questions concerns plans specific to the country.

The second set of questions refers to the National Reform Programmes for employment and National Reports (National Action Plans) on Strategies for social inclusion and social protection that the EU requires annually from each Member State.

2.1 National gender equality plans

2.1.1 Is there a national gender equality plan? Or a gender equality component of a national development plan.

- If yes please name and describe very briefly the range of issues that it covers (in particular, how far beyond employment does it go?).
- Is the focus restricted to non-discrimination?
- Is there reference to gender mainstreaming?
- Are there named policy instruments and/ institutions, if so what?
- Are there indicators and statistics to evaluate the policies?
- Is there reference to EU targets (European Employment Strategy targets: Lisbon (2000) female employment rate of 60% by 2010; Barcelona (2002) provision of childcare by 2010 to at least 90% of children between 3 years old and the mandatory school age and at least 33% of children under 3 years of age)? (Add age here)

There is no national gender equality plan in France. Nevertheless, there are optional gender equality plans in the private sector workplaces, but these are essentially voluntary. They are based on agreements between management and trade unions and approved by the works council and based on an annual report on comparative employment position of men and women. The issues deal with recruitment, ongoing vocational training, promotion, access to positions of responsibility, working conditions and general employment conditions.

In addition, in January 2005 the Ministry for Parity and Professional Equality and the local National Employment Agencies (ANPE) signed an agreement to fight against women's unemployment at the local level and to promote gender equality in employment. In this 2005-2008 agreement, the focus goes beyond non-discrimination and gender mainstreaming is mentioned as the main instrument to achieve gender equality. It is proposed to reinforce the collaboration between the National Employment Agency and the Department for Women's Rights. The agreement refers to Lisbon target (female employment rate of 60% by 2010).

2.1.2 Is gender equality integrated with other equalities in a national plan?

No. The focus is on gender equality.

If yes please name and describe very briefly the range of issues that it covers, in particular, how far beyond employment does it go? Is it framed by equality or by diversity or both or a similar goal (e.g. equal opportunities)? If so, please specify.

-

2.1.3 Is there a gender equality (or similar) plan in the area of gender based violence

A *Global plan to fight against violence toward women* was implemented between 2005 and 2007. The main objective of this plan is to fight against domestic violence by proposing social and economic responses and by ensuring a better juridical protection to women. Thus, the plan seeks to modernise public action through the reinforcement of partnership between governmental, juridical and social actors.

The new secretary of State in charge of gender equality, Valérie Létard, presented the 2008-2010 global plan to fight against violence towards women in November 2007.

If yes please name the plan. Does it cover?

- Domestic violence and violence in partnerships Yes, exclusively.
- Sexual assault/violence and rape No
- Sexual harassment and stalking No
- Trafficking and prostitution No

- o Forced marriage, honour crimes and FGM No

Does the plan include?

1. named policy instruments and/or institutions, if so what;

Yes. The policy instruments of this plan are the following:

- Promoting access to housing for women victims of violence
- Proposing financial support
- Helping women to maintain their presence on the labour market
- Facilitating the access to justice for women who are victims of violence and assuring their protection
- Reinforcing the financial support for associations and partnership between the different actors
- Sensitising professionals and people to the problem of gender-based violence
- Preventing violence at school
- Acting in Europe and all over the world

2. Indicators and statistics to evaluate the policies, if so which? No

2.2 EU required National Reform Programme (National Action Plan) for Employment

- Does the EU require National Reform Programme for employment (in which one of the ten guidelines concerns gender mainstreaming) includes a significant set of actions concerning gender equality? If so, what are these?

Member state reports 2006: http://ec.europa.eu/growthandjobs/key/nrp2006_en.htm)

Only one paragraph of the National Reform Programme is devoted to gender equality (through the implementation of the 2006 law on gender pay gap) and another one to work-life balance. These are the only two objectives mentioned in the text in reference to gender equality.

These objectives are briefly summarised:

- To facilitate the access of women to professional training
- To encourage companies to develop measures in favour of the reduction of the gender pay gap (2001 law + 2006 law)
- To organise gender training with the National Employment Agency (ANPE)
- To support the French family policy (2004 reform of maternal assistant status; development of crèches between 2002 and 2008, Young child benefit package reform in 2004 so as to assure the free choice of childcare services for parents)
- To provide financial support for companies that develop actions in favour of gender equality
- To maintain the Equality Label (created in 2004) for companies
- To make obligatory negotiations concerning the working conditions of part-time employees.

- Did the EU appointed National Expert (part of the EU Network of Experts on Gender and Employment and Social Inclusion) made (have) critical or positive comments on the gender equality dimension of the member state's programme? If so, what are these?

EGGSIE 2005 report, see:

http://ec.europa.eu/employment_social/gender_equality/docs/2006/final_nrp_synthesis_2005_en.pdf

The main critique by the EU appointed French expert concern the total absence of reflection in terms of gender mainstreaming and the total absence of references to gender equality. She underlines that one of the problems of the French Nation Reform Programme is that the report is focused on seniors' work and unemployment rather than on equality. Apart from the 2006 law on equal pay, none of the existing measures promoting gender equality is to be found in the report. No references are made to the Lisbon and Barcelona targets or to the budget devoted to equality.

Hence the expert points out the lack of visibility concerning what has been done in France regarding gender equality: the efforts to reduce the gender pay gap by promulgating a new law on equal pay, the implementation of the 'equality label' as a way to render visible and identify companies, the battle against gender-based violence.

Another problem pointed out by the expert is the paradoxical situation of France, which is characterised by a high number of laws on equality whereas few are implemented. The result is a lack of efficiency of gender equality measures. In addition, she outlines the contradictory aspects of these

measures: on one hand a new draft law would permit greater protection for women, especially regarding maternity, but on the other hand, penalties are planned for job seekers who are not immediately available for work, a well-known problem for women with childcare responsibilities.

- Did the EU Commission's response to the National Reform Programme for employment include recommendations on gender equality? If so, what were these?

EC response: http://ec.europa.eu/growthandjobs/annual-report-1206_en.htm

The EU Commission made no recommendations on gender equality.

2.3 EU required National Reports (National Action Plans) on Strategies for Social Protection and Social Inclusion

- Does the EU required National Report on Strategies for Social Inclusion include a significant set of actions concerning gender equality, including gender-based violence? If so, what are these?

Member state reports:

http://ec.europa.eu/employment_social/social_inclusion/naps_en.htm

The place devoted to gender equality in the French report on Strategies for Social Protection and Social Inclusion is not central but present. This report underlines the need to develop positive actions in favour of women. As an example is mentioned the signature of agreements between the Ministry for Parity and Professional Equality and the local National Employment Agencies (ANPE) so as to fight against women's unemployment at the local level. The report also points out the role of the 2006 Law Concerning Equal Pay in Promoting the Equal Representation of Men and Women Within Companies, especially through equal access to professional training and through negotiations within companies.

There is specific focus on gender based-violence, with a specific reference to women victims of domestic violence and young women victims of genital mutilation and forced marriage.

Regarding domestic violence, policy actions that are mentioned in this report refer to the 2005-2007 plan "10 measures for women's autonomy", the 2005 law on second offence (facilitates the eviction of violent partners) and the 2006 law reinforcing the prevention and the repression of domestic violence which extends the eviction procedure to all partners, married or not. Two other propositions are made in this report: Firstly, the creation of a 'violence/housing' expert position at the local level to assure the coordination between national and local public actions and associative efforts. Secondly, it is proposed to test a new plan that consists in accommodating women victims of domestic violence by elderly or disabled people in return for payment.

Then, the 2006 interdepartmental committee wished for the implementation of measures that encourage the de-cohabitation so as to fight against polygamy. Three measures will be encouraged:

- To give a priority access to linguistic training for women who do not have a good command of French
- To pay Family allowance directly to the woman's personal bank account.
- To develop social support for housing and employment

Lastly, French family policy is perceived again as a key element to permit people, especially women, to reconcile the working/life balance. However, it is important to note that explicit objective is rather the improvement of the French birth rate.

- Did the EU Expert Group on Gender, Social Inclusion and Employment have critical or positive comments on the gender equality dimension of the report (including gender-based violence)? If so, what are these?

EGGSIE Synthesis report (2006):

http://ec.europa.eu/employment_social/publications/2006/ke7606201_en.pdf

With the problem of the 'twofold discrimination'/double discrimination of immigrant women and 'second and subsequent generation' women born into immigrant families in France, the EU Expert Group on Gender, Social Inclusion and Employment focus on the new policy initiatives which aim to improve the situation of female immigrants and migrant workers. They propose several policy measures that should be taken in order to minimise the difficulties faced by this 'at-risk' group:

- The creation of real integration paths including compulsory language and training courses.
 - The development of more effective anti-discrimination legislation
 - The development of further research, especially in the area of employment conditions
- Did the EU Commission's response to the National Report on Strategies for Social Protection and Social Inclusion include recommendations on gender equality (including gender based violence)? If so, what were these?

EC report: http://ec.europa.eu/employment_social/social_inclusion/jrep_en.htm

Despite that the EU Commission regrets that the French report is not sufficiently focused on gender equality, it is pointed out that the topic is more frequently referred to than in the previous reports and that statistic data are, most of the time, gendered, which is mentioned as a progress.

2.4 EU funding

- Does the EU provide funding in your country that has / has had a significant gender impact?² Structural funds to consider include the European Social Fund³ and the European Regional Development Funds⁴,

Yes.

- If yes, how much and over what period of time?
- If yes, comment upon the extent to which gender was mainstreamed in associated plans and programmes (e.g. the National Development Plans for 2000-2006)?

Concerning the 2007-2013 period, the community funding for social inclusion and combating discrimination is €1 755 845 348.

An example of funded projects is 'Equal Opportunities and Local development in the 'Nord du Tarn' Region (project duration: 2001-2004). The priority area was women's participation and the target group was unemployed women. ESF funding was €404.2000.

From 2000 until 2006, 5 programmes funded by the European Regional Development Funds include gender equality as one of the priorities. Regarding this priority, the EU contribution is about €119.247.415.

France also received EU funding through the **Daphne Programme** that aims at preventing violence against women and children. Various issues were included in these projects: anti-violence self-defence training; anti-bullying project; and development of a cognitive behavioural therapy for sexual offenders on the internet.⁵

² The following link may serve as a useful starting point (see drop-down menus along the top of the page and links on the left hand side): http://ec.europa.eu/regional_policy/policy/history/index_en.htm

³ http://ec.europa.eu/regional_policy/funds/fse/index_en.htm

⁴ http://ec.europa.eu/regional_policy/funds/feder/index_en.htm

⁵ http://ec.europa.eu/justice_home/funding/2004_2007/daphne/doc/daphne_final_report01_2004_en.pdf

3. Governmental Machinery For Equality

Provide a summary of the history of governmental machinery for equality provided in the issue history D11, up-dated if appropriate. In particular, consider if there have been any developments in the relationship between the gender machinery and other equalities machinery (e.g. proposed mergers).

In France various governmental bodies have existed to promote gender equality. However, the administrative structure created to defend women's rights changed during the different historical periods and the successive governments, sometimes making their position in the French state structure marginal (Le Feuvre & Andriocci, 2002).

French women's policy machinery was established during the 1960s, with the creation of a Committee on Women's Work, placed under the remit of the Ministry of Employment, in 1965. In 1981, Yvette Roudy was nominated at the very emblematic post of Delegated Minister of Women's Rights. This nomination marked the real awakening of the French gender machinery to equal opportunity issues. In 1985, the Delegated Ministry of Women's Rights became a full ministry the MDF, (Ministère Droit des Femmes - Ministry for Women's Rights). This was a major turning point in the history of governmental gender machineries. The MDF created regional and local women's rights offices to ensure the implementation of the equality policies at all levels. However, its role has been limited, mostly because of its distance from feminist groups and women's movement.

At the beginning of the 1990s, the Service Droits des Femmes – Department for women's rights was institutionalised (SDEF). This institution alternately belonged to the specific Ministry in charge of gender equality or, when there is none, to the Ministry in charge of work and solidarity.

In 1995, the new president Jacques Chirac created the Parity Observatory in order to promote parity at the political level under the pressure of feminist groups and international mobilisation,.

In 1999, a Delegation for Women's Rights and Equal Opportunities Between Men and Women was set up by the French National Assembly.

No mergers have been proposed.

Do any or all of these forms of gender machinery exist in the country, and if so what are they called (fill in their name in original language and translated to English)?

- governmental (civil servants and ministers in central government);

- Since the election of the new French President Nicolas Sarkozy in 2007, there is no Ministry completely dedicated to gender equality anymore. This problematic is now dispersed among the different missions of the Ministry of Work, Social Relations, Family and Solidarity. This governmental department is also currently supervising the Department for women's rights and equality (Service Droit des Femmes).

- The Parity Observatory that belongs to the Prime minister cabinet.

- The Delegation for Women's Rights and Equal opportunities between men and women at the French National Assembly.

- enforcement and/or monitoring agency (e.g. equality authority, ombudsperson);

The HALDE (High Authority to fight against discriminations and promote equality) created in 2004.

- special legal apparatus (e.g. special courts, mediation or arbitration bodies for employment or domestic violence); No
- body for consultation / dialogue with women's NGOs, or with NGOs representing other axes of inequality; No
- Other, for example, Parliamentary Committees:

The delegation for women's rights and equal opportunities between men and women at the National Assembly

Answering the following list of questions may require mention of any or all of these types of institution: some apply to one kind more than another.

The nature of the institution

- Is there gender machinery that meets the minimum legal requirements of the EU?

Yes, the HALDE (High Authority fighting against discriminations).

- A body for the promotion, analysis, monitoring and support of equal treatment of all persons without discrimination on the grounds of sex;
- providing independent assistance to victims of discrimination in pursuing their complaints about discrimination;
- conducting independent surveys concerning discrimination;
- publishing independent reports and

- o making recommendations on any issue relating to such discrimination.
- Is there gender machinery that meets the 'Paris Principles'?

No

- o independence guaranteed by a constitutional or legislative framework, Autonomy from government,
- o pluralism including pluralism of composition,
- o a broad mandate,
- o adequate powers of investigation,
- o sufficient resources
- Is there gender machinery that meets the further requirements of the UN Platform for Action? The Parity Observatory created in 1995 (belonging to the Prime minister cabinet). The Department for women's rights (SDFE) under the authority of the Ministry (or the State secretary) in charge of gender equality.

- o Responsibility vested at the level of a Cabinet minister.
- o Develop indicators and statistics to monitor policy
- o

- How close to the centre of power (e.g. Prime Minister or other) is the governmental machinery located?
 - o centre of power/ PM's office
 - o Other powerful department.
 - o Other department Yes

- Would any of the bodies be described as following a 'feminist' agenda?

In some extent, the Parity Observatory, which seeks to promote parity at the political level, can be described as following a 'feminist' agenda. However, the same vision of equality is not shared by all the members of this body and all the visions are presents (equality through sameness, equal valuation of different contributions and transformation).

- o Briefly explain the reasoning behind your answer.
- o If yes, then indicate which vision of gender equality (equality through sameness, equal valuation of different contributions, or transformation) fits best.

•

- Are there other policy groups relevant to gender equality that are embedded in particular departments, but which are not usually known as gender machinery e.g. domestic violence group within the home affairs or justice department? If yes, when was it set up, what does it do, what are its resources?

No

- Are there any special legal institutions such as special courts to assist the implementation of gender equality laws e.g. employment tribunals, domestic violence courts?

No

- Dedicated to gender or integrated with other inequalities?

There is none.

Is the gender equality body (enforcement or monitoring agency) integrated with machinery for other equalities issues (if so which) or for human rights?

No

- o When did this happen?
- o Was the change controversial (who fought whom, allied to whom)?
- o Is the division of responsibilities by function or by strand?
- o Is there a separate mechanism for consulting civil society by strand, including women?
- o Does the equality body actively engage with the issue of intersecting inequalities (e.g. gender and ethnicity, gender and disability)? If yes, please specify the intersections that are taken into account.
- If the gender equality body is not integrated with machinery for other equality issues, does the gender equality body and any other single strand equality body actively engage with the issue of intersecting inequalities? If yes, please specify the intersections that are taken into account by each of the equality bodies.

Regarding the Department for women's rights and equality (SDFE), the main intersections that are taken into account are first, gender and age (one of the main axis of the SDFE is to promote equality

between boys and girls at school), second, gender and race (through the problematic of forced marriages or female genital mutilations).

Regarding the High Authority to fight against discriminations and promote equality (HALDE), and due to the fact that this body is not only focused on gender, special attention is given to discrimination in relation to the intersections of gender, ethnic origin, sexuality, disability and age.

Regarding the Parity Observatory, no intersections are taken into account.

Relationship of machinery with civil society

- Are there procedures for the consultation of women's groups in civil society by the gender or equalities machinery?
 - If so, are they routinised or occasional?

Yes, occasionally.

4. Policy summary questions

4.1 Non-employment

Is the tax system household based or individualised?

Household or shared income tax system.

Married couples or legal cohabitants receive one tax demand, which both partners have to sign. The incomes of minors and students aged below 25 years are declared on their parents' tax forms. Single persons receive individualised tax demands.⁶

Is the benefit system household based or individualised?

Household system.

Family allowance: Thanks to the EU, women's rights were introduced during the debates on the pension system reform of 2003, in particular through the knowledge of unpaid work mostly done by women after child birth. Thus, one of the objectives of the reform is to promote equal rights between men and women.

How long is it legitimate for lone parents not to be in paid work? (i.e. at what age does the youngest child reach before parent is required to be available for employment and benefit stops).

Adult women are generally expected to be in paid employment, irrespective of their family circumstances. Two exceptions to this general rule:

- "Parental leave" (*Congés parental d'éducation*) allows parents (no specific dispositions for lone parents) to take leave or to reduce their working hours until the youngest child is 3 years old⁷ *Labour code article L122-28-1*. In order to qualify for this flat-rate benefit, they must have been in employment (including registered unemployed, sick leave, etc.) for 2 consecutive years before the birth of the child.
- Lone parents can also benefit from the *Aide pour parent isolés* - Single Parent Benefit (API). It provides benefit (depending on the number of children and previous job held etc.) until the youngest child turns 3 or during 12 months if they are over 3 (when the application is received)⁸. Every 3 months, the right to the allowance is re-examined. Social security Code *articles L524-1 to L524-7*. To receive the benefit, the average monthly income cannot exceed €566.79 for pregnant women. This limits amount received per child to €188,93 (data available the 1st January 2008). In sum, this allowance is not available for women working more than part-time.

Are there active labour market programmes (i.e. programmes to help people who are out of labour market back into paid employment, include training and job placement schemes) for lone parents?

Since 2007, the Ministry of Work, Social Relations and Solidarity has tested out a new allowance in 25 French *départements* to incite lone parents (and other marginalised groups) into labour market integration..

The *revenu de solidarité active*, Salary of Active Solidarity (RSA) - for people who receive Single Parent Benefits (API) and Minimum Income Benefits (RMI). This measure guarantees a minimum wage for lone parents who go back to a job before the end of the API and enables them to continue benefiting from some other benefit schemes (e.g. housing benefit) which may otherwise have been lost due to their return to the labour market.

No special schemes or trainings are provided on a national level, but some local government agencies have set up special 'back-to-work' programmes on an experimental basis, often with the help of local or national NGOs.

Are there active labour market programmes for women who are returning to employment after lengthy period of time out of the labour market?

Aid to Return to Employment for Women (ARAF)⁹ dedicated to mothers who have problems with

⁶http://www.legifrance.gouv.fr/affichCode.do;jsessionid=D25283B80455EC5101EA47EEBB980885.tpdjo11v_2?iSctionTA=LEGISCTA000006179569&cidTexte=LEGITEXT000006069577&dateTexte=20080226 – 10 Feb 2008

⁷<http://vosdroits.service-public.fr/particuliers/F2280.xhtml>

⁸<http://vosdroits.service-public.fr/particuliers/F389.xhtml>

⁹<http://vosdroits.service-public.fr/particuliers/F1814.xhtml?&n=Emploi,%20travail&l=N5&n=Reprise%20d'activit%C3%A9&l=N462>

childcare provision when returning to the labour market or undertaking a period of professional training. ARAF is a financial flat-rate support for childcare provisions. (305 EUR per month for children under 6 going to school, 460 EUR if they are under school age).

Are there active labour market programmes for any other category of citizens, and if so which categories?

For every unemployed citizen registered with the National Agency for Employment (ANPE): Aid for Returning to Employment (ARE) and an Allowance for returning to a job (PRE)¹⁰, Disabled: “Exceptional Aid for disabled adults”. The ARE (€1000) is provided to citizens who receive the Allowance for Disabled Adults (AHH) who returned to work between 1st Sept 2005 and 31 December 2006.¹¹

Specific allowance for companies that hire disabled persons, including for example contract for professional re-education/.

Concerning training, disabled citizens are “allowed” to follow all training and programmes in the system of common law.

What is the minimum amount of childcare that is provided by the state? (e.g. number of hours, no. of weeks per annum)

No minimum amount of childcare, since the policy on child-care is increasingly focussed on ‘parental choice’. There is, however, a mix of benefit and tax rebates paid to help parents cover their childcare costs.

- **Childcare: care (under 3 years)**

Different kind of provisions for children under 3 years old: ¹²

The following are the most important provisions (others include care taking of children by parents, babysitters, etc.):

- Publicly funded collective crèches: Under the supervision of the General Council. employees must be trained child-care workers. Children under three, with both parents working, may be stay in a crèche for the whole day throughout the year. (Opening hours are considered ill-adapted for parents who work at night or on weekends). This type of care centre is in great demand and as places are limited parents are advised to book a place before the child's birth. The cost is calculated according to the family income. It may be as much as €380 per month.
- Familial crèches: Supervised by a public territorial body or a private administrator Family Allowance Fund *caisse d'allocations familiales* (CAF), which is a non-profit association . It brings together several child-minders under the authority of a trained paediatric nurses.
- Parental crèches: Supervised by parents (regrouped in an association), who lead the administrative tasks and share childcare services or hire nursed from other nurseries.. With state subventions.
- Officially Registered Childminders (*Assitantes maternelles*) receive advice from the Child and Mother Welfare Services (*Protection maternelle et infantile*, PMI)). This option offers more flexible working hours than the crèches. The registered childminder will take care of the child in his/her own home (3 children maximum). The June 27th Law (2005-706) on Childminders aims at improving the qualifications and pay of registered childminders, notably in the fight against the ‘black market’ and informal and unregulated childcare arrangements. These issues have been brought to light in particular by two reports ordered in 2003 by the Ministry for Health, Family and (handicapped) Disabled people with special need and its delegated Ministry for Family .
- The day nursery (*Halte-Garderie*): (for occasional childminding). This public childcare takes children under six years for a few hours a day or for a few half-days per week. A day nursery may be run by a paediatric nurse, a nursery school teacher, a social worker, a nurse, or a midwife. Meals are not always provided and the parents may be asked to provide the child's

¹⁰<http://www.legifrance.gouv.fr/affichCodeArticle.do?cidTexte=LEGITEXT000006072050&idArticle=LEGIARTI000018124464&dateTexte=20080226>

¹¹<http://vosdroits.service-public.fr/particuliers/N462.xhtml?&n=Emploi,%20travail&l=N5>

¹²<http://vosdroits.service-public.fr/particuliers/N137.xhtml?&n=Famille&l=N10&n=Enfant&l=N127>

meals. The cost is calculated for an hour, a half-day, or a day and may vary according to the parents' income.

- Registered childminder, but in their own home. Several children from the same family (or from families in the same neighbourhood) may be cared for by a registered child-minder in the childminder's own home. This form of child-care also enables parents to claim tax reductions.

NB. There are significant regional variations in the child-care options used by parents. See: Clément, D. and Nicolas, M. 2003. 'Les disparités territoriales de l'accueil des jeunes enfants'. *L'e-ssentiel, publication électronique de la CNAF* 12: 1-4.

- **Childcare: pre-primary education (3 yrs- school age)**

Over 90% of children aged 3-6 years are in full-time public pre-primary schools.

Pre-primary education is not obligatory. It is free of charge.¹³ Public pre-primary schools are free.¹⁴

The pre-primary schools are organised on a national basis, with access granted to the school nearest the child's home (*carte scolaire*).

What is the predominant form of childcare provision? i.e. public, private or mixed.

How is childcare financed (e.g. by public funds, privately or mixed)?

There are different sorts of **public, private and mixed** childcare provisions in France.

On the one hand, childcare provision such as the parental education allowance (instituted in 1985) and the child rearing allowance tend to encourage parents to provide their childcare themselves by opting out of the labour market.

On the other hand, France is characterised by the traditional French state support to working mothers, notably through generous family allowances, tax relief on childcare and the extensive provision of full-time nursery education for the under-sixes.

=> Social security benefits for parents who hire a registered childminder: PAJE,

=> For collective crèches, the cost is calculated according to the family income. It may be as little as €380per month.

=> Both for public and private childcare, families may also be eligible for **tax reductions or tax rebates**.

From the 1990s, the tendency is the promotion of individualisation of child-care services to the detriment of collective public services, such as crèches.

The supply of child-care services are still below the level of demand and employers make little contribution to the work-life balance of their staff.

- **Pre-school: after 3 years old**

As above

4.2 Intimate citizenship

Is abortion legal? If so, in what year did this happen?

Abortion was criminalised in France with the imposition of the Napoleonic Code. During World War II, the Vichy government made abortion a capital crime.

Abortion was legalised under limited prescription in 1975 with the Veil Law (n°75-17), passed January 17th 1975, related to Voluntary Interruption of Pregnancy (JO, 18 January 1975, p.739).

It creates two kinds of legal abortion: Interruption of pregnancy before the 10th week of pregnancy and Medical interruption (no delay).

It was adopted on experimental basis and confirmed by law n°79-1204, 31 December 1979, related to interruption of pregnancy (JO, 1st January 1980, p. 3).

Up to which week of pregnancy is abortion legal?

12 weeks.

¹³<http://www.legifrance.gouv.fr/affichCode.do?cidTexte=LEGITEXT000006071191&dateTexte=20080226>

¹⁴<http://www.legifrance.gouv.fr/affichCode.do?idArticle=LEGIARTI000006524448&idSectionTA=LEGISCTA000006166565&cidTexte=LEGITEXT000006071191&dateTexte=20080227>

In the first law, abortion was legal up to 10 weeks of pregnancy (12 weeks of amenorrhoea). Since the law has been revisited (Law Related to Voluntary Interruption of Pregnancy, 4th July 2001¹⁵), abortion is legal up to 12 weeks (14 weeks of amenorrhoea).

No legal limit for medical abortion.¹⁶

Medical abortions (IMG) can be carried out with the consent of three doctors/medical practitioners. According to the article 13 of the law 94-654, 29 July 1994, medical abortion can be carried out:

- If the pregnancy is a serious danger for the woman's health.
- If the future baby may suffer from a serious and incurable disease.

Are there any other conditions? If so, what are these (e.g. consent of doctor/s, counselling)?

For interruption of Pregnancy, the pregnant woman has to state that she is 'in a distress situation'. 'Situation of distress' does not apply to men, and no one but the woman can claim that the woman is in distress.

Adult approval is required for minors, but since 2001 this approval is no longer restricted to parents or relatives.. Women are provided with information (not obligatory for women over 18) and have to wait six days before the abortion.

A pregnant woman has to go to a health service institution or hospital. She meets a doctor who gives her advice and counselling. She has to wait for one week before the next meeting and the interruption of pregnancy.

Abortion is reimbursed by the Social Security System by up to 80% of the (set) price¹⁷.

In order to give a better access to abortion, since 2004 medical abortions (*Mifépristone* (RU 486) can be carried out by doctors in private practices.

How many abortions are carried out per year (select most recent year where data available. If illegal, approximately how many women travel to access abortion services in another country?)

More than 200 000 abortions are carried out each year in France.¹⁸

In 2005, there were 206 300 abortions, corresponding to about 14.3 abortions for every 1000 women aged between 15 and 49 years (Réf. Vilain, A. 2008. 'Les interruptions volontaires de grossesses en 2005'. *Etudes & Résultats* 624: 1-8.)

Year	Number of abortion
1976	246 000
1977	245 800
1978	245 600
1979	245 400
1980	245 200
1981	245 000
1982	240 200
1983	235 400
1984	230 600
1985	225 800
1986	221 000
1987	218 000
1988	215 000
1989	212 000
1990	209 000
1991	206 000
1992	206 200
1993	206 400
1994	206 600

¹⁵<http://www.assemblee-nationale.fr/11/propositions/pion2577.asp>

¹⁶<http://www.legifrance.gouv.fr/affichCode.do?idArticle=LEGIARTI000006687546&idSectionTA=LEGISCTA000006171543&cidTexte=LEGITEXT000006072665&dateTexte=20080227>

¹⁷<http://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000000442131&dateTexte=>

¹⁸http://www.ined.fr/fichier/t_telechargement/11172/telechargement_fichier_fr_popf.1_2007_pirus.pdf

1995	206 800
1996	207 000
1997	206 800
1998	206 500
1999	206 300
2000	206 100
2001	205 800
2002	205 600

Source : Ined, Population, 62 (1), 2007, 57-90 pp,

[Is a marriage a state based contract, religious contract or both?](#)

State based contract, legalised in the Civil Code in 1808.¹⁹

[Is divorce legal and what are the conditions for divorcing \(e.g. is mutual consent necessary / sufficient\)?](#)

Divorce is legal, mutual consent is sufficient but not necessary [Law n°2004-439 26 May 2004 - art. 2 JORF 27 May 2004 28.](#)

[Are there any restrictions to marriage other than the gender of the partners \(e.g. nationality, country of origin\)?](#)

The two persons must have turned 18 years old. Derogations must be given by a judge for younger partners.²⁰

Since 2006, debates on migration control have contributed to changes to the legal matrimonial majority for women, from 16 to 18 years of age and a reinforcement of control on so-called 'marriages of convenience'. This reform was introduced by the Department of Justice and the Interior Ministry.

[Are civil partnerships/civil unions/gay marriage legal and if so, are the legal rights the same as for heterosexual marriage? Consider the following \(Yes/no+year when introduced\):](#)

The Civil Solidarity Pacts (PACS) (Law n°99-944 of 15 November 1999 related to the Civil Solidarity Pact) was voted in 1999 after a long dispute at the French National Parliament. The PACS is a form of civil union between two adults (same-sex or opposite-sex) for organising their joint life.

From a legal standpoint, a PACS is a 'contract' drawn up between two individuals, and stamped and registered by the clerk of the court. Individuals who have registered a PACS are still considered 'single' with regard to family status for some purposes, while they are increasingly considered in the same way as married couples are for other purposes.

The PACS establishes rights and duties between the co-signatories in terms of material support, housing, inheritance, taxation and social welfare. It does not modify the rules on lawful descent or adoption or on parental authority if one of the co-signatories is already a parent. The PACS can be dissolved at the request of one or both signatories by declaration to the civil court. It is automatically dissolved by marriage or by the death of one or both signatories.

[Does it extend to:](#)

- [Survivors' benefits in pensions?](#) Yes.

Through the reform of succession rights, voted the 13 July 2006, the fiscal regimes of the PACS become the same as the ones for marriage. The fourth article of the law on work, employment and purchasing power permits the exoneration of 95% of succession right for partners in the framework of marriage or PACS.

- [Adoption rights?](#) No.
- [Parental leave?](#) No.
- [Assisted reproduction?](#) No.

Regarding the access to artificial insemination, the 2006 law propositions made by LGBT association have failed to reform the 1994 Bioethics Law, which limited artificial insemination to women who can prove that they have lived in a heterosexual partnership for at least 2 years.

¹⁹<http://www.legifrance.gouv.fr/affichCode.do?idArticle=LEGIARTI000006421963&idSectionTA=LEGISCTA000006136117&cidTexte=LEGITEXT000006070721&dateTexte=20080122>

²⁰ Law Reinforcing Prevention and Repression of Violence within a Couple and Toward Minors (Law 2006-399 4th April 2006, 28).

- Family reunification – have partners the right to settle and be employed in the country where their partners live? No.
- Number of registered civil partnerships, annually and in total?

According to the 2004 Demographic Report by the National Institute of Statistics and Economic Studies (Insee), the number of marriages in France has fallen each year since 2000. The number of PACS keeps increasing.

Number of PACS 1999-2007

Year	Total (same sexe and opposite sex PACS)	Variation %
1999	6 211	
2000	22 273	
2001	19 632	- 11,87
2002	25 311	+28,92
2003	31 565	+24,78
2004	40 093	+26,94
2005	60 473	+50,83
2006	76 680	+27,93
2007	102.012	+32

Source: Ministère de la Justice, 2008

In 2006, 10% of the PACS were contracted by same sex couples whereas in 1999, 42% of the civil unions were contracted by same sex couples. In 2006 only about 7% concerned gay couples and 3% lesbian couples. There is thus a tendency for the PACS to act as a substitute to marriage.

http://www.justice.gouv.fr/art_pix/1_infostat97.pdf

4.3 Gender-based violence

Has there been a national survey on gender based violence? When was the most recent one carried out? Yes.

The first French statistical survey on gender violence was carried out in 2000 and constitutes the only study available in France to date on this issue.

The Violence towards Women in France, A National Enquiry (ENVEFF)²¹ survey was sponsored by the Department of Women's Rights and Equality (SDFE) and the State Secretary for Women's Rights after the Beijing Conference's recommendations to create a National data base concerning gender-based violence. It was carried out between 1997 and 2000 and covered a sample of 7000 women, aged 20 to 59 years..

The first results showed that 1 in 10 women had been victims of violence during the past 12 months. The research reveals the continuity in the forms of gender-based violence and the different experiences of gender-based violence according to social background, sexual orientation, age; it also shows the consequences of such violence on women's health and their difficulty to get help and information from existing institutions.

Two new surveys have been published recently: One survey carried out by the INSEE National Institute of Statistics and Economics Survey in 2008²² and one other by the Ministry of Interior in 2006²³. They focus on domestic violence and crimes within couples reported to the police department.

²¹ Violence towards Women in France, a National Enquiry (Les violences envers les femmes en France. Une enquête nationale Maryse Jaspard), Elizabeth Brown, Stéphanie Condon, Dominique Fougeyrollas-Schwebel, Annik Houel, Brigitte Lhomond, Florence Maillolchon, Marie-Josèphe Saurel-Cubizolles, Marie-Ange Schiltz. Paris, 2003, *La Documentation française*, Collection "Droits des Femmes", 370 pages. 22 Euros. (Name and count Violence towards Women) Nommer et compter la violence envers les femmes, Maryse Jaspard et l'équipe ENVEFF, Population et Société, 364, janv 2001.

http://www.ined.fr/fichier/t_publication/138/publi_pdf1_pop_et_soc_francais_364.pdf

²²<http://www.insee.fr/fr/ffc/ipweb/ip1180/ip1180.html>

²³http://www.femmes-egalite.gouv.fr/bilan2006_decès.pdf

Does it include?

- **Domestic violence and violence in partnerships?** Yes.

The study differentiates between violence in partnerships (p. 53) and violence within the family (p. 101). The latter form of violence is that perpetrated by relatives and the former violence perpetrated by a partner).

The official definition includes rape, physical, psychological and economical violence, and 'indirect violence' seen as psychological forms of violence (threats against goods, children, and pets), It shows that, every four day, one woman die of partner violence.

- **Sexual assault/violence and rape?** Yes.

A list of all sorts of sexual violence is provided (p. 25). It includes, among other things: imposing sexual relations with or without penetration; unwanted sexual practices; being touched / having to touch; to have sexual relation with the offender, or other.

The survey revealed that 48000 women had been raped during the last 10 years.

- **Sexual harassment and stalking?** Yes.

Phone calls (with or without sexual connotation), verbal violence (insults), etc. are included in the survey (p. 25)

- **Trafficking?** No.
- **Prostitution?** No.
- **Forced marriage?** No.
- **Honour crimes?** No.
- **FGM?** No.

Apart from these different forms of violence, the survey discusses specific violence towards migrant women in the private sphere as well as in the public space, at work etc. (p. 177).

Since November 20 2007, migrant women who experience violence at the hands of their partner, especially those who legally entered the country as 'family members' of a legal immigrant, can apply to the courts to obtain an individual resident permit. However, in practise, these measures are difficult to obtain, since the migration authorities often require a court decision against the violent partner before considering the application of the migrant women.

4.3.1 Domestic violence

What legal devices are available to prevent domestic violence? Do they target perpetrators and/or victims? (Yes/no +year when introduced).

Devices could for instance include:

- **Restraining orders.** Yes.

(Law 2004-439 related to divorce), which authorises 'family affair' judges to apply an eviction procedure in case of domestic violence, and the Law (2006-399) against forced marriage, which reinforces prevention and repression of domestic violence.

- **Non-molestation orders.** Yes (law n°66 of 15 February 1996).
- **Occupation orders.** No.
- **state funded perpetrator programs** Yes (but not introduced by the law)
- **Other devices?**

- 2000: Law related to the 'presumption of innocence' reinforces the rights of the victims, women are not asked to prove that they have been raped/abused. The perpetrator has to demonstrate his innocence.

- 2005: Creation of a victim delegation. Convention between N. Sarkozy (Interior ministry) and the INAVEM National Institute for the help of victims and for mediation (INAVEM) in order to promote the development of special treatments for victims of violence within the state police force. Hence associations that provide such interventions were recognised as being the most qualified.

- 2006: On March 7th, the Interior Minister signed an agreement with the National federation women solidarity (FNSF) and the National centre of information and documentation for women and families (CNDIFF), to give a better support to women who are victims of violence. This convention aims at creating a first link between NGOs and the police.

- 2007: From March 14th, the French government has been involved in a national information campaign to fight against gender based violence. This has included the setting up of a national

telephone help line. Furthermore, women are given a special toll free number.

- 2007: The Act of November 20, 2007 recognises the rights of foreign or migrant women, who entered the country under the family reunification scheme, in cases of domestic violence committed before the first issuing of their residence permit.

What is the prevalence of domestic violence against women, in one year? (From the survey)

10 % of women living in a couple,
2.5% were victims of physical violence,
0.9% were victims of rape
20 to 25% suffered from psychological violence.

What is the life time prevalence of domestic violence against women? (From the survey)

1 woman in 10 suffers domestic violence, 10%.
Women from 20 to 24 years are twice as likely to experience violence as women from the older age groups (Violence towards Women in France, A National Enquiry (ENVEFF), p 60, 2000).

What is the number of incidents of domestic violence against women, in one year (from the survey)?

More than 1,000,000 women were victims of domestic violence (ENVEFF).

What is the number of incidents of domestic violence reported to the police (annual)? (If not available, say so)

39 000 incidents were reported to the police in 2004,
In 2006, the Ministry of Interior officially reported that 137 women were murdered by their husband (29 men). 2 lesbian couples and 2 gay couples were concerned.

What is the number of domestic violence convictions in the courts? (If not available say so) NA

What is the attrition rate for domestic violence in the criminal justice system (convictions as % of reports to police)? (if not available say so) NA

If there is any information on the previous questions broken down by age, class, sexual orientation, race/ethnicity etc., give it here too. See above

4.3.2 Rape & Sexual assault

When was marital rape criminalized?

1980 The law henceforth considers rape as a crime

1986 A free phone line 'women's rape information' is put in place

1990 Rape between married persons is recognised by the law

Since 1992, jurisprudence increased the penalties for spouses or cohabitants guilty of domestic violence and rape. As indicated in article L.222-24 of the penal code, under this condition, rape is punished by 20 years of imprisonment.

What is the number of annually reported incidents to the police?

Statistics from the Ministry of Interior²⁴

	Rape			Sexual harassment and other sexual assault		
	Minor	Adult	Total	Minor	Adult	Total
1999			7 958			12 732
2000			8 458			14 263
2005	5 581	4 412	9 993	9 132	4 743	13 875
2006	5341	4 443	9 784	8 257	4 823	13 080
2007	5 455	4 677	10 132	8 206	4 909	13 115

According to the ENVEFF survey, for one rape declared to the police, 11 are kept secret.

Elucidation rate for rape (%): (for the police)

2001: 71.1

²⁴http://www.interieur.gouv.fr/sections/a_la_une/statistiques/criminalite/view

2002: 73.9
2003: 74.9
2004: 78.7
2005: 78.1
Sources: INSEE ²⁵

What is the attrition rate for rape in the criminal justice system (convictions as % of reports to police)?
(if not available say so) Not available

What is required for an act to be considered to be rape, e.g.:

- Lack of consent (since when) Yes. (Article 222.23 of the New Penal Code)²⁶
- Physical resistance? (since when) Not required.
- Other? Also defined by the means employed by the perpetrator 'violence, menace, threat or surprise'..

Is any characteristic of victim or perpetrator considered relevant (e.g. age, sex), and if so which characteristic?

Rape leads to a sentence of 15 years of imprisonment, and 20 years if committed together with domestic violence.

According to the law 2007-297 of 3rd May 2007 art. 54 3° (JORF 7 March 2007) ²⁷, under some circumstances, relevant characteristics play a role for prosecuting the perpetrator, and are likely to lead to higher sentences (Imprisonment up to 20 years: Article 222-23 of the Penal Code).

- If the victim is under 15 years old.
- If the victim is known by the perpetrator as particularly weak due to his/her age, physical or mental disease, disability or pregnancy,
- If the act of rape is connected to hate based on the sexual orientation of the victim.
- If the perpetrator is a parent or has legal authority over the victim.
- If the perpetrator is the husband or the partner in a civil contract.
- If the perpetrator misuses his/her power linked to his/her job or status.

4.3.3 Trafficking for sexual exploitation

Has the government signed and ratified the EU convention on human trafficking (date)

France signed the Convention on Human Trafficking on 22 May 2006. It ratified it on 9 January 2008.²⁸
The August 6th law (2002-1041) authorises the ratification of the additional protocol to the United Nations Convention Against Transnational Organized Criminality for the Prevention and the Repression of Trafficking Children and Women.

Is trafficking primarily seen as a problem of the sending or the receiving country?

Trafficking is primarily seen as a problem for sending countries which must be treated as a global problem that needs international cooperation.²⁹ When receiving, it is mainly seen as a problem related to immigration.

Are women victims of trafficking, when identified as such, given temporary/permanent residence permits? How long? (Date) Yes.

Since 2003 article 76 of the LSI - Law on Domestic security Law N°2003-239 gives a resident permit for **3 months** to women who denounce and leave their procurer (modified by decree in 2007). The presumed victim is granted a reflection period of 30 days and receives an ordinance to leave the country.

²⁵<http://www.insee.fr/fr/ffc/figure/NATTEF05305.XLS>

²⁶http://www.legifrance.gouv.fr/affichCode.do;jsessionid=898FA614BA5A11722E970047982A613E.tpdjo04v_2?idSectionTA=LEGISCTA000006181753&cidTexte=LEGITEXT000006070719&dateTexte=20080227

²⁷http://www.legifrance.gouv.fr/affichTexte.do;jsessionid=898FA614BA5A11722E970047982A613E.tpdjo04v_2?cidTexte=JORFTEXT00000615568&dateTexte=20070308

²⁸ <http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=197&CM=1&DF=&CL=FRE>.

²⁹ France involvement against Human trafficking. Ministry Of Foreign Affairs. <http://www.delegfrance-osce.org/spip.php?article59>

In order to obtain the statute of victim, there are three conditions that need to apply:

1. Leave the network or organisation that was exploiting them;
2. Be assisted by recognised and specialised centres for victims of trafficking;
3. File a complaint against the network or the person who is/was responsible for it.

After the decree n°2007-1352, 13 September 2007 related to “the admission, journey, protection and housing for foreigners victim of human trafficking and pimping”, and modifying the CASEDA Code (refugees' and foreigners' rights code), foreigners who denounce human trafficking networks and individuals are able to seek a resident permit of **6 months** under restricted conditions.

According to feminist NGOs, sex worker organisations, magistrates and lawyers, and trade unions these laws did not improve the fight against human trafficking. Most of women who applied for resident permits were finally deported to their country.³⁰

4.3.4. Intersections

Have specialised policies and practices on gender based violence that address gender as intersecting with race/ethnicity, class, sexual orientation been developed by:

- **Police** Yes. Training
- **NGOs:** Yes. For example: Cabiria, APIAF (Association for the Promotion of Autonomous Initiatives for Women) (race ethnicity)
- **Local Authorities / government** Yes (origin)
- **Other** No

4.3.5 Service provision

Are there refuges and/or sexual assault centres? (dates)

Yes. The first one was set up in 1975.

How many are there?

There are many refuges for women victims of violence throughout France. Most of them focus on women victims of violence within partnerships and mainly provide legal support and housing for women who need to leave their homes. They are federated in the non-profit association Federation SOS Femmes (SOS Women Federation). 1163 places can provide housing or help for women victims of sexual and gender-based violence.³¹

The Feminist Collective Against Rape (Collectif féministe contre le viol) has set up a free telephone help line to give advice and psychological aid to women victims of rape.³²

When was the first set up?

The first centre called Flora Tristan was set up in Clichy (North of Paris) in 1975

Are they state funded, to what extent?

Most of them are state funded.

There are several types

Self directed associations

Many of the centres are independent on local initiative. They were created at the end of the 1970's, in the continuity of the French feminist movement. An example includes the Association for Self Initiative and Autonomy of Women (APIAF) in Toulouse which is one of the oldest existing centres for women. It is supervised by women only. It is an information and counselling centre for women in distress, with specific aid for women victims of domestic violence/rape. They push women to engage in a juridical process and help them to find a place to stay (see CHRS).

Other types of housing directly depend of local/state institutions:

Centre of Housing and Social Reinsertion (CHRS). Founded by the state but managed by NGOs (under state convention). area CHRS is recognised as a public utility establishment and placed under the authority of the Ministry of Solidarity through the Direction for Social and Sanitary Affairs (DASS) in

³⁰http://pagesperso-orange.fr/cabiria/pdf/rapport_daphnee-2007.pdf (see p 85)

³¹http://www.sosfemmes.com/ressources/contacts_tel_local.htm

³²http://www.cfcv.asso.fr/article.php3?id_article=8

each department. Few CHRS are specialised on women victim of violence. An example includes the women only CHRS run by the SOS Femmes/Women.. It provides 34 places for women/women with children. 4 are dedicated to women who come out from prison under the Electronic Bracelet Probation System.. A nurse provides aid to women and workshops are organised each week.³³ It is funded by the DASS Champagne-Ardenne, the Local General Council (DRDFE) (regional delegation for Women's rights and Equality), the Fund for Action and for Supporting Integration and Fight Against Discrimination (FASILD), the Foundation of France (private fund), the Public Health Insurance System (CPAM), CAF Haute Marne (local Fund for Familial Allowance), and by the CAMIF (private insurance companies).

CADA: Centre for Asylum Seekers. The NGO France Land of Asylum welcomes asylum seekers but only allocates accommodation to those applying for the status of political refugee . Not limited to women but useful for women refugees. State funded.

Centres Maternel /Maternal Centres: these refuge centres welcome pregnant women or women with children under 3 years old. They are established by local councils, thus, they only welcome women from their department. It is state funded.

Temporary Allocation for Housing (ALT): Generally, the ALT provides accommodation in a flat or shared flat. The stay is limited to 6 months. Women have to pay a modest rent, most of it is paid by the CAF (Fund for family allowance). Thus dependent on public allowance.

³³Annual report 2006 : http://www.sosfemmes.com/sosfa/ra/ra_chrs_2006.pdf

CIVIL SOCIETY AND ENGAGEMENT IN POLICY MAKING

5. Political system

5.1 Is the state unitary or federal?

Unitary.

Gender+ equality decisions are made at the national level. Measures can be tested at the local level. Since 2003: the revision of the French Constitution enacts the decentralisation process. Article 1 states 'The organisation of the republic is decentralised'.and rRegional/local Councils are given more autonomy. The law for decentralisation gives more autonomy to local councils to encourage and fund local initiatives. Art 72 of the revised constitution states 'When they are allowed by the law or the rules, local bodies can, for a limited and predefined time, derogate from the laws and the rules that govern them to "test" locally, the effects of a new measure'..

5.2 To what extent and how are social partners (employers & trade unions/capital & labour) integrated in policy decisions?

Are there legally binding decision making processes similar to the EU framework agreements (e.g. as the Parental Leave Directive)? Yes

Would the political system be possible to describe as corporatist or neocorporatist, where hierarchically ordered trades unions and/or employers and/or other civil society organisations are institutionally incorporated in policy making?

Yes, increasingly so, but in practice more limited than in many other EU member states.

What is the gender composition in the decision making process of agreements made by the social partners (if there are any such agreements)?

National guidelines exist for the equal representation of women on all committees involved in the decision-making process, but these have not been systematically respected to date.

See: <http://www.assemblee-nationale.fr/12/cr-delf/04-05/c0405018.asp>

Since November 2000, France has a working group on the equal access of men and women to higher level occupations in the Civil Service: <http://www.fonction-publique.gouv.fr/article843.html>

In 2007, the Economic and Social Council (Conseil économique et social), a tripartite body (state – employers unions – trade unions) published a report and issued guidelines on the representation of women in decision-making, including examples of initiatives adopted by employers' organisations and trade unions for improving the representation of women on their decision-making bodies:

<http://www.ces.fr/rapport/docton/07022606.pdf>

5.3 In which policy environment (ministry) is a decision on the issue predominantly made (for each area: general gender equality policies; non-employment; intimate citizenship; gender-based violence)?

General gender equality: Minister for Labour, Labour Relations and Solidarity, Minister for National Education.

Non-employment: Minister for the Economy Finance and Employment; Minister for Labour, Labour Relations and Solidarity.

Intimate citizenship: Minister of Justice, Minister for Health, Youth and Sport.

Gender-based violence: Minister for Health, Youth and Sport, Minister of the Interior, Overseas France and Local Authorities; Minister of Justice.

5.4 Political cleavages

Is the state consociational or not, i.e. are there major internal divisions (ethnic, language, religion etc.) where neither of the groups form a majority while, at the same time, the political regime can be considered to be stable?

No major internal division, with the exception of political party alliances.

Apart from the recognition of gender introduced by the 2000 Parity Law, there is no recognition of 'minority' groups in the French constitution.

French nationality = a condition for election and electoral participation (including EU nationality for

municipal and European elections).

In practice, the French Parliament is dominated by a white, French, French speaking, Secular/Christian majority. The current government tends to promote a consociational model of state while integrating representatives of other parties in the government and consulting with ethnic, cultural and religious communities in decision making process..

[What are the main existing salient political cleavages within the state, and on what dimension \(e.g. language, region, religion, nationality\)?](#)

Standard right (liberal) / left (social democrat) wing division, with a large majority for the current right-wing coalition majority.

Regional, religious, linguistic divisions are absent from current debates.

5.5 International obligations and links

[When, if at all, was CEDAW signed?](#)³⁴

France signed CEDAW on 17 July **1980** and the instrument of ratification on 14 September **1983**. On 22 December **2003**, the French Government informed the Secretary-General that it had decided to lift its last reservations related to articles 5(b) and 16 1(d) made upon ratification.³⁵

[When did the country joined the EU?](#)

France was a founding member of the European Economic Community 1957, the precursor of the European Union.

³⁴See <http://www.un.org/womenwatch/daw/cedaw/states.htm>

³⁵<http://www.un.org/womenwatch/daw/cedaw/reservations-country.htm#N28>

6. Political Representation

6.1 The development of women's political representation, including:

- **Date of female suffrage**

Suffrage was extended to women in France by the October 5, **1944** Ordinance of the French Provisional Government³⁶.

The first elections with women's participation were the municipal elections of April 29, 1945 and the parliamentary elections of October 21 1945.

- **Note any caveats, e.g. age, property qualification, ethnicity, and when removed**³⁷

The electoral system was based on tax until 1948. The main caveat, in addition to sex, has been property ownership.

1791: The Constitution of 3-14 September creates an indirect voting system based on taxation. Suffrage is said "*censitaire/censal*" : only men over the age of 25 who pay direct taxes ("census") equal to the value of three days of work are entitled to vote. They are called 'active citizens'. Suffrage is indirect. Secondary degree electors, with higher incomes, elect deputies to the National Legislative Assembly

1799: La constitution of 22 *Frimaire* year VIII (13 December 1799) introduced universal suffrage for all men over 21. It is limited by the system of 'confidence lists' (Indirect suffrage with three degrees).

1815: Restoration. Return of voting with the censal suffrage. Only the richest landowner citizens can be elected and they can vote two times. In facts, the vote is restricted to legitimist and royalist aristocracy.

1930: The suffrage is still censal but open to more male citizens. 'Census' required to have the right to vote is reduced by 1/3 (from 300F to 200F) and the age limit is lowered from 30 to 25 years. Double vote is abrogated.

- **Date of male suffrage**

1848: (Decree of the 5th of March): Suffrage is universal and not restricted by race, belief or social status. For every male over 21. Secret vote.

- **Use of quotas**

- **When introduced**

Short History:

Constitutional reform of the July 8, 1999³⁸ : Congress voted for the constitutional amendment that empowered the law to "favour equal opportunities for women and men for electoral mandates and electoral seats" Art 3 and specified in Article 4 that "political parties and groups contribute to embed this principle."

Law « on parity » June 6, 2000³⁹: the so-called "parity law" was enacted. It forces political parties to present an equal number of men and women for the regional, municipal (in the municipalities of 3500 or more inhabitants), the Senate (by proportional representation) and European elections. It also provides financial penalties for parties or political groups that do not respect the principle of parity when nominating candidates for the legislative elections.

Law of 10 July 2000 on the election of senators⁴⁰: The Election Code is amended so that the proportional now affects departments where three senators are elected.+.

Act of April 11, 2003 on the election of regional councillors and representatives to the European Parliament⁴¹ : voting rules in regional and European elections are changed. The law introduces

³⁶http://www.assemblee-nationale.fr/histoire/femmes/citoyennete_politique_de-Gaule.asp

³⁷<http://www.vie-publique.fr/decouverte-institutions/citoyen/approfondissements/etapes-conquete-du-droit-vote.html>

³⁸Text : http://www.observatoire-parite.gouv.fr/presentation/JO_Loi_constitutionnelle_9_juillet_1999.htm

³⁹Text : http://www.observatoire-parite.gouv.fr/presentation/JO_Loi_du_6_juin_2000.htm

⁴⁰http://www.observatoire-parite.gouv.fr/presentation/JO_Loi_election_senateurs_10_juillet_2000.htm

⁴¹Text : http://www.observatoire-parite.gouv.fr/presentation/JO_Loi_conseillers_regionaux_11_avril_2003.htm

departmental sections in regional elections and 8 regions for Europe. These candidates lists should include a strict alternation between men and women.

Law of 30 July 2003 on the election of senators⁴²: The departments electing four senators and applying proportional representation (half the French departments), have to present electoral lists alternating male and female candidates.

Act of January 31, 2007: Extension of the obligation to parity in the appointment of regional executives and municipal councils (in towns with 3500 or more inhabitants). It reduces public funding for political parties that do not comply with the parity for investiture in the parliamentary elections. Introduction of a "mixed" ticket at the cantonal elections where candidates have to represent both sexes.

Proposed legislation to facilitate equal access to the mandate of General Council⁴³ February 5, 2008: The proposed legislation facilitating equal access of women and men to the mandate of General Council was adopted on first reading by the National Assembly. The text was introduced in the Senate and is not voted on yet.

- [What form e.g. party, electoral, constitutional](#)

Electoral and constitutional.

The parity principle is applicable to the list system.

The law requires an equal number of candidates in the case of an even number of seats, with a margin of one in the case of odd numbers. This measure therefore concerns the following elections: municipal elections, elections of the European Parliament, Senatorial elections under the proportional system, and local elections (e.g. the Assembly of Corsica, Council of Paris).

From a practical point of view, the uninominal majority system does not allow for parity of the candidates. The law provides financial penalties for political parties who do not respect the parity principle. Public aid will be reduced as soon as the deviation from parity reaches 2%.

- [What is the numerical representation of women in parliament? \(over QUING period\)](#)

Women in French parliament⁴⁴

Year	% women – Candidates	% women of representatives
1958	2,3	1,3
1962	2,4	1,7
1967	2,9	1,9
1968	3,3	1,7
1973	6,6	1,7
1978	16,3	4,0
1981	13,1	5,5
1986	25,1	5,8
1988	11,9	5,6
1993	19,5	5,9
1997	23,2	10,8
2002	39,3	12,1
2007	41,6	18,5
Source : Ministry of Interior, 2007		

⁴²Text : http://www.observatoire-parite.gouv.fr/presentation/JO_Loi_election_senateurs_30_juillet_2003.htm

⁴³http://www.assemblee-nationale.fr/13/dossiers/egalite_conseiller_general.asp (15 february 2007)

⁴⁴Data provided by INSEE

http://www.insee.fr/fr/ffc/chifcle_fiche.asp?ref_id=NATSOS05506&tab_id=285&souspop=2

In 2007, there are 107 women for 577 representatives,

Women in Regional Councils⁴⁵.

	Number of candidates	% Women/Candidates	Number of women elected	% Women/Representatives
1986	2 883	22,5	156	9,0
1992	4 075	27,0	206	12,0
1998	6 333	35,9	467	27,1
2004	8 728	49,4	895	47,6

Source: Ministry of Interior.

- Was the increase in women's representation a gradual increase since suffrage, or were there any key turning points? E.g. Quotas, 1989.

The Parity law of 1999 represents a turning point for women's representation in the French Parliament, otherwise characterised by gradual slow increase. Following the elections in 1997, the percentage of women on the floor of the Assembly reached 10.4%. France remains one of the least advanced European countries in terms of opening the political scene to women.

Concerning Regional Councils, the result of the elections in 2004 shows an important increase of women's participation and the number of women elected. Contrary to the weak increase of women's representation in parliament, the case of regional councils demonstrates that the law on equal number of candidacies have consequences on the number of representatives.

6.2 Political representation for intersecting inequalities:

- Class (e.g. was male suffrage granted in stages with property qualifications; representation in parliament)

Until 1848, class played the most important role as regards male suffrage. (See 6.1, history of male suffrage).

- ethnicity/religion (what exclusions and when; numerical representation in parliament)

Muslim women in French Algeria had to wait until a July 3, **1958** Decree⁴⁶. After 1944, when French women obtained the right to vote, the right to vote of Algerian Muslim women were 'left to the appraisal' of the Algerian assembly (Law of 20 September 1947). This assembly, elected in 1948, never addressed the issue.

- Other important intersecting inequalities, any quotas

Distinctions were made with regard to citizenship, age, and occasionally mental capacity or criminal convictions.

Occupation: Until 17 August **1945**, the soldiers were excluded from the right to vote under the pretext that they should not take sides in political struggles.

Age: In **1975**, the suffrage age was modified: every French citizen of 18 years and older without distinction of sex, origin, religion or political ideology.

Mental capacity: The law of 11 February 2005 'For equal rights and opportunities, participation and

⁴⁵Data provided by INSEE

http://www.insee.fr/fr/ffc/chifcle_fiche.asp?ref_id=NATSOS05507&tab_id=280&souspop=2

⁴⁶Daniel LEFEUVRE, '1945-1958 : un million et demi de citoyennes interdites de vote!', *Clio*, numéro 1/1995, *Résistances et Libérations France 1940-1945*, [En ligne], mis en ligne le 26 mars 2003. URL : <http://clio.revues.org/document524.html>. Consulté le 21 février 2008.

citizenship for disabled persons' allows a judge to give the right to vote to an adult under legal guardianship. Law of 5th March **2007** related to 'the reform of juridical status for minors' gives the right to vote to every disabled person under legal guardianship.

Criminal conviction: The Penal code prescribes temporary destitution of voting rights for people under certain penal sanctions.

Citizenship: The main remaining subject of discussion as regards suffrage is the right to vote for non-French nationals. Since 1992 (Maastricht Treaty), EU citizens are allowed to vote and to be elected for local suffrage according to EU legislation. France was the last country to enact the right to vote for EU residents. The right to vote (for local elections) for 'other foreigners' remains a very controversial debate.

6.3 Political parties and gender

- Does women's political representation vary by Party;
 - if so, do these Parties tend to represent different class, ethnic, religious or other interests?

Due to the quota laws, political parties need to place 50% of women on their electoral lists of candidates.

Parties on the left

The Socialist party (PS): 48 women out of 186 representatives (25,6%)

The Left Radical Party (PRG): 4 women out of 7 representatives.

The Communist Party: 3 women out of 15 representatives (20%)

The Green party: 1 woman out of 5 representative (20%)

Parties on the right

The Union For a Popular movement (UMP): 45 women out of 313 representatives (14.5%) (10.1% in 2002).

Movement For France (MPF) .

Party	% Women Candidates	
	2002	2007
Les Verts (The green Party)	48,9	50,4
CPNT (Hunting, Fishing, Nature and Tradition)	45,7	49,8
LO (Workers' Fight)	50,2	49,8
LCR (Revolutionary Communist League)	49,4	49,6
MPF (Movement for France)	46,6	49,3
FN (National Front)	48,4	48,8
PCF (French Communist Party)	43,6	48,2
MRC(The Citizen and Republican Mouvement)	34,6	48,1
PS (Socialist Party)		46,5
PRG (Left Radical Party)		33,8
UDF – MoDem (Federal Democratic Union)	19,9	36,9
UDF – UMP (Federal Democratic Union – Union for a Popular Mouvement)		27,9
UMP (Union for a popular movement)	19,6	26,6
Average	38,9	41,6
Source : Observatoire For Parity, 2007 ⁴⁷		

The three latter political parties, the EDF-MoDem, the UDF-UMP and the UMP, are right wing. The UMP)is the current party in government and stood up for parity measures.

⁴⁷http://www.observatoire-parite.gouv.fr/portail/doc16/legislatives_2007_note.htm

o What is the current Party / Parties in Government:

- 2007-2012: **UMP** (Union **Union for a Popular Movement**) - FRS (Forum of Social Republicans) – associate party to the UMP - MoDem (Democratic Movement) – NC or PSLE (New centre) – RAD (radical Party) – ex-PS Socialist Part (Dissident)

▪ With which European Parliament political group is/are this Party / these Parties affiliated?⁴⁸

French party: government	European Political Party	European Parliament political group
UMP - Union for a Popular Movement	EPP	European People's Party – DE49 (EPP-DE)
FRS (Forum Social Rep)	EPP	European Liberal Democrat and Reform Party (ELDR) ⁵⁰
MODEM	European Democratic Party ⁵¹	ALDE
PS	PES	Party of European Socialists (PES) ⁵²

o What political party/parties have held office during 1995-2007?

Government term	Party	European political Party	European Parliament political group
1995-1995 Alain Juppé I 1995-1997 Alain Juppé II	RPR (Rally for the Republic)	EPP	European People's Party (EPP)
	UDF (Union for French democracy)	EFA (before 2004)	Alliance of Liberals and Democrats for Europe (ALDE)
1997-2002 Lionel Jospin	PS (Socialist Party)	PES	Party of European Socialists (PES) ⁵³
	PRG (Left radical Party)		Alliance of Liberals and Democrats for Europe (ALDE)??
	PCF (French communist Party)	PGE	European United Left–Nordic Green Left (EULè-NGL) ⁵⁴
	Verts (The Greens)	European Green Party	European Greens – European Free Alliance ⁵⁵

⁴⁸ See list Of EP political groups: http://www.europarl.europa.eu/groups/default_en.htm

⁴⁹<http://www.epp-ed.eu/home/en/default.asp>

⁵⁰ <http://www.pes.org/content/view/11/48/lang/en/>, accessed on 12 November 2007.

⁵¹http://www.pde-edp.net/main/_pde/index.jsp

⁵² <http://www.pes.org/content/view/11/48/lang/en/>, accessed on 12 November 2007.

⁵³<http://www.pes.eu/>

⁵⁴<http://www.guengl.org/showPage.jsp>

⁵⁵http://www.greens-efa.org/cms/default/rubrik/6/6270.greensefa_org@en.htm

2002-2002 Raffarin 1 2002-2004 Raffarin 2 2002-2005 Raffarin 3	UMP (Union for a Popular Movement)	EPP	European People's Party – DE (EPP-DE)
	RAD (Radical party)		
	UMP (Union for a popular Movement)	EPP	European People's Party – DE ⁵⁶ (EPP-DE)
2007-2007 François Fillon I	UMP - Union for a Popular Movement	EPP	European People's Party - DE
	FRS	EPP	European Liberal Democrat and Reform Party
	MODEM	EDP	European Liberal Democrat and Reform Party
19th June 2007-... François Fillon II	UMP - Union for a Popular Movement	EPP	European People's Party - DE
	FRS	EPP	
	MODEM	EDP	
	ex-PS	PES	Party of European Socialists (PES)

6.4 Representation in government

o What percentage of government Ministers are female?

Of the 15 ministers, there are seven women and eight men, or 46.66% of women, which is in line with what had been announced Nicolas Sarkozy. However, out of the 33 members (including the Prime Minister), the government has only 11 women, representing 33%. It is far from achieving parity but percentage-wise it is nevertheless a record in France. Three sovereign ministries are headed by women, including two for the first time: the Department of Justice, the Ministry of Interior (first time) and the Ministry of Economy (first time).

(Likewise at the level of minority group, the government has three people of North African origin and one black, or 12% of its members.

o To which Ministries do female ministers belong?

The following tables show which female Ministers are responsible for which Ministerial posts in France.

⁵⁶<http://www.epp-ed.eu/home/en/default.asp>

French Government 2007-⁵⁷

Of the 15 federal Ministers, 3 are female (20%). Of the 20 State Secretaries 6 are female (30%).

Minister (name + political party)	Ministry
Michèle Alliot-Marie (UMP)	Interior Minister of Overseas Land and Communities
Christine Lagarde (close to the UMP)	Minister of the Economy, Finance and Employment
Rachida Dati (UMP)	Keeper of the Seals, Minister of Justice
Valérie Pécresse (UMP)	Minister of Higher Education and Research
Roselyne Bachelot-Narquin (UMP)	Minister of Health, Youth and Sports
Christine Boutin (UMP - FRS)	Minister of Housing and the City
Christine Albanel (closed to the UMP)	Minister of Culture and Communication
State secretary (name + political party)	State Secretary
Valérie Létard (NC – Nouveau Centre / New Center)	State Secretary to the Ministry of Work, Social relations, Family and Solidarity, responsible for Solidarity
Nathalie Kosciusko-Morizet (UMP)	State Secretary to the Minister of State, Minister of Ecology, Development and the Sea, responsible for Ecology
Fadela Amara (Close to feminist movement, former president of NPNS – see below)	State Secretary to the Minister of Housing and the city, Responsible for urban policies
Rama Yade (UMP)	State Secretary to the Minister of Foreign Affairs, in charge of Foreign Affairs and Human Rights
Anne-Marie Idrac (Close to the UMP)	State Secretary to the Minister of the Economy, Finance and Employment, responsible for Foreign Trade
Nadine Morano (UMP)	State Secretary to the Ministry of Work, Social relations, Family and Solidarity, responsible for Family

⁵⁷ <http://www.premier-ministre.gouv.fr/en/acteurs/gouvernement/>

7. Civil Society

7.1 Gender

Is there one (or more than one) national organisation that coordinates feminist and women's organisations.

Yes, for example the National Collective for Women's Rights; the French Coordination for European Women's Lobby; the National Federation Women Solidarity (mainly active in GBV); and the Coordination of Associations for the Right to Abortion and Contraception (mainly active in intimate citizenship).

The National Collective for Women's Rights (CNDF) is one of the largest national feminist organisations. It is a coalition of feminist associations, trade unions and political parties and was formed on January 24, 1996. It aims to push the state to put formal equality into practice.

The CNDF is fighting on all fronts where 'women suffer discrimination and unequal treatment, violence, breach of their dignity'⁵⁸ The CNDF are active in such varied fields as: the reduction of working time; equal pay; night work; the family; domestic work; violence; lesbophobia; women's place in public life; the struggle against xenophobic parties; the struggle against sexism; education; neoliberal globalization; international solidarity, etc.

<http://collectifdroitsdesfemmes.org/>

Few data and details are provided concerning its members, funding, etc. There is no central office.

- o is this the same as the body which is affiliated to the European Women's Lobby?

The French Coordination for European Women's Lobby (CLEF) is the coordination affiliated to the European Women's Lobby (EWL).⁵⁹ La CLEF was created in 1991, with 58 members, it is the only French National organisation affiliated to women's European Lobby, and the International Federation of Women in Legal Careers & the Federation of Kalé, Manouch, Romany & Sinté Women (and the Association de Conjointes de Médecins and SOS Sexisme).

Several member organisations of CNDF are directly affiliated to CLEF⁶⁰. The CNDF itself is not.

- o When was it established?

1996

- o How many organisations are affiliated to the national body?

More than 100.

- o How many women are so coordinated?

As far as we cannot provide the exact number of affiliated associations, it is impossible to estimate the number of women concerned.

- o How many staff work for the organisation (how many paid, how many unpaid)?

No paid employees or unpaid staff.

- o What is its budget?

This lack of funding reveals the fact that French feminist movement is not well organised and not involved in close relation with the state. CNDF does not have executive teams. There is no staff. They state that the members of the organisation affiliated to the national lobby are in charge with practical tasks.

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⁵⁸Web site: <http://collectifdroitsdesfemmes.org/>

⁵⁹http://www.womenlobby.org/site/1Template1.asp?DocID=481&v1ID=&RevID=&namePage=&pageParent=&DocID_sousmenu=

⁶⁰See list of members:

<http://www.womenlobby.org/SiteResources/data/MediaArchive/members/internat/france/nouvelle%20version%20du%20r%E9pertoire%202021.pdf>

- o What is its range of activities (are these in an annual report)?

No annual report

- o Does the national body engage with all or only some of our 3 issues

Engaged in all of our 3 issues.

(Non) employment: the CNDF collective is particularly involved in the debates on working time and flexibility of the labour market (part-time work legislation). Thus, the commission 'work' of the CNDF has been particularly involved in campaigns for the suppression of all measures promoting part-time work, such as the exoneration of employers' social security contributions on part-time jobs. The CNDF also acts in favour of a protection for every worker through an important reduction of working time for all workers and without salary reduction. According to the CNDF, the law on the reduction of working time could have been an effective tool to change relations between men and women. However, this change could only be effective if the working time reduction legislation was linked with the issue of gender equality on the labour market because it could permit the share of domestic and care work between men and women, without which women couldn't exercise their right to employment and equality on the labour market⁶¹.

Gender based violence: CNDF coordinates the campaign for a 'Framework law' against violence towards women⁶².

Intimate citizenship: CNDF is particularly involved in the defence of abortion and contraceptive rights. They also support the initiative of the lesbian movement. It denounced the lack of political will to create a civil contract for same sex couple (PACS).⁶³

Other:

Politics and public life: CNDF did not give its support to the Socialist candidate (Ségolène Royale) but asked people to vote against Sarkozy in the election in 2007⁶⁴. The collective is politically located at the left-wing. They were not strongly engaged in the debate concerning parity but they claim its effectiveness. The fight against reactionary and extreme right parties remains their main activities in this field

Intersecting issue and disputes: The diversity of its members keeps the collective from being involved in several 'sensitive topics'. For example, the CNDF suffered from the dispute within the French feminist movement in the past 10 years. The CNDF was weakened by the discords concerning the prohibition of the Muslim veil in schools, and, more widely, the religion/integration issues. (See below section 7.4). Before the run for president in 2006 NPNS (Neither Whores Nor Submissives) decided to leave the Collective. The MFPF (French Movement for Family Planning) left too.

- o Are there national coordinating organisations for feminist/women's activities in: employment/non-employment; gender based violence; and intimate citizenship (if so name them)?

Some national women's coordinations are 'specialised' in restricted issues. The main ones:

- Employment/non employment: The National Union of Family Associations (UNAF) has played a key role in the legislation on paternity leave and during the reform of the allowance for childcare services (PAGE) (can't be considered as a feminist coordinating organisation)

- Gender based violence: National Federation Women Solidarity (FNSF) created in 1987 is the most active NGOs involved in the fight against Gender-based violence.⁶⁵

- Intimate citizenship: Coordination of Associations for the Right to Abortion and Contraception

⁶¹Collectif droits des femmes, Argumentaire de la campagne du CNDF, Accueil de la petite enfance - emploi - partage des tâches (Argumentation of the CNDF campaign, childcare, employment and sharing of activities), February 2002. <http://collectifdroitsdesfemmes.org/spip.php?article7>

⁶²CNDF, Petition for a Outline law against violence toward women, 9 jan 2008:

<http://collectifdroitsdesfemmes.org/spip.php?article170>

⁶³CNDF « PACS, une dérobade honteuse » 8 oct 1998 [PACS, a shameful comardice]

<http://collectifdroitsdesfemmes.org/spip.php?article17>

⁶⁴Prpagana brochure : CADAC and CNDF 1et mai 2007

http://collectifdroitsdesfemmes.org/IMG/pdf/tract_1_mai.pdf

⁶⁵ Web site <http://www.solidaritefemmes.asso.fr/>

(CADAC) created in 1990 coordinates feminist organisations, parties and trade unions.⁶⁶

List the key women's / feminist civil society organisations and their main methods / activities

Mixed Movement for Gender equality (Mix-Cité)

- Building autonomous institutions: No.
- Public protest e.g. Demonstrations: Yes.
- Campaigning: Yes.
- Lobbying state: Yes.
- Service provision: On local initiative.
- Research: No.
 - Are they important or marginal to national politics? Important.
 - Are they centralised or dispersed? Dispersed.

Mix-Cité is an active feminist and anti-sexist NGO that plays a key role in the French public debates around gender equality issues. Created in Paris in 1997, it is a confederation of 7 local groups governed by the law of 1901. These associations meet once a year in the "Inter-Mix-Cité. They are funded by membership fees; their own activities; and by public funding.

Mix-Cité is not based on a radical feminist basis but their goals include a profound transformation of gender relations.⁶⁷ It leads reflections about gender relations and leads action among the general public, media and institutions. The movement also takes part in various events such as the World Day Against Violence Against Women, the International Day of Women's Rights, the International Day of Workers, the World Day Against Homophobia and the March of LGBT Pride. It also leads an action during the Christmas period in order to raise public awareness of the use of gendered toys.

This feminist association is mainly involved in the fight against sexism and homophobia, especially in education. It provides resources for workers in the field of education.

Mix-Cité is involved in the public debate concerning women's employment such as the 'Ameline' legislation on equal pay in 2005. The organisation was also particularly active in the denunciation of the PAJE (Allowance for child care services) reform, which is considered as a way to exclude women of the labour market.

As far as intimate citizenship is concerned, its role was important during the French debate on PACS and on the reforms of the contraception and abortion laws. Today, this feminist association also plays an important role in the fight against violence against women, especially concerning migrant women.

French Movement for Family Planning (MFPF)

- Building autonomous institutions: Yes.
- Public protest e.g. Demonstrations: Not yet.
- Campaigning: Yes
- Lobbying state: Yes
- Service provision: Yes
- Research: Provides data
 - Are they important or marginal to national politics? Important.
 - Are they centralised or dispersed? Dispersed

The MFPF: The French Movement for Family Planning was created in 1956 and was initially an NGO called 'Happy Motherhood' (*La Maternité Heureuse*). This association meant to provide with information on family planning and prescriptions for contraceptives, before these were legalised in France.

Today, The MFPF is a French association governed by the law of 1901. It is structured in a confederation comprising 20 national federations, composed of 70 autonomous departmental associations. A triennial congress makes important decisions⁶⁸ and the Board of Directors is responsible for implementing them. Its 8000 members and 400 employees (only women) ensure the staffing of centres open to everyone, mainly young people and women. The 120 autonomous centres provide information in the field of sexuality, fertility, contraception and the prevention of sexually transmissible diseases, as well as violence. The MFPF also runs Family Planning and Education

⁶⁶Web site <http://www.cadac.org/>

⁶⁷Mix-Cité « Feminist today » 1st Aug 2001 <http://www.mix-cite.org/presentation/index.php3?RefArticle=60>

⁶⁸MFPF, Annual Report for 2003 : <http://www.planning-familial.org/militantEs/texte10.php>

Centres, which can offer free medical and contraceptive consultations to young minors. Involved in the "movement for popular education » and upholding the principle of sex education, MFPF participates in primary schools in rural areas of prevention of sexual assault against children. MFPF Planning is approved as a training organisation to train people capable of engaging in activities of information, consultation and advice on sexuality (vocational training for "domestic and familial counsellors" who can later be hired as professionals in one of the MFPF centres).

In the 1990s, two events marked the local associations and the Confederation, which made them evolve: the "necessary" evolution of the Abortion Act and the policies of equality between men and women

Women's Group for the Abolition of Sexual Mutilation and Other Practices Affecting the Health of Women and Children (GAMS)

- Building autonomous institutions: No.
- Public protest e.g. Demonstrations: Yes
- Campaigning: Yes.
- Lobbying state: Yes.
- Service provision: Yes.
- Research Supports and participates
 - Are they important or marginal to national politics? Important (as far as FGM is an issue)
 - Are they centralised or dispersed? Centralised

GAMS is an association in accordance to Act 1901. Established in Paris in 1982, it consists of African and French women with expertise in the fields of health, social, education and long experience in the prevention of female genital mutilation. GAMS is funded by the Department of Women's Rights and the Fund for Social Action. They Act as a network with groups working on the same subjects in Africa and elsewhere in the world.

GAMS is member of the French Council of Association for the Rights of the Child (COFRADE) and the Superior Council for Sexual Information (CSIS), It is the French section of the Inter-African Committee. GAMS supports research and training on sexual mutilation and seeks to understand and fight against these practices. They provide support for victims, organise actions on prevention and awareness raising.

European association against women's violence at the workplace (AVFT)

- Building autonomous institutions: No
- Public protest e.g. Demonstrations: No
- Campaigning: Yes
- Lobbying state: Yes
- Service provision: Yes
- Research: Yes
 - Are they important or marginal to national politics? Important
 - Are they centralised or dispersed? Centralised.

The AVFT is an independent feminist association which defends the rights of workers and the integrity of the person. Its scope and thinking encompass all forms of violence against women, although it has specialised in the reporting of sexual and gender-based violence at work. It has special consultative status with the Economic and Social Council of the United Nations. It is an approved training organisation and provides information and training tools concerning gender based-violence and discrimination.

The AVFT offers a free support and advice service, including legal assistance to the victims of sexual violence and gender-based discrimination at work. The AVFT is at the root of the laws on sexual harassment in France and continues to write new legislative proposals. It conducts audits and appraisals, leads focus groups to draft codes of conduct and provides trainings.

Network For the Autonomy of Immigrant and Refugee Women (RAJFIRE)

- Building autonomous institutions: No.
- Public protest e.g. Demonstrations: Yes (Secondary).
- Campaigning: Yes.
- Lobbying state: Yes.
- Service provision: Yes.

- Research: No.
 - Are they important or marginal to national politics? Marginal
 - Are they centralised or dispersed? Centralized

The RAJFIRE is a feminist collective for the rights of foreign women, immigrants, asylum seekers or refugees. It was created in 1998, building on previously existing feminist initiatives in this field. The collective promotes 'independence, equality, solidarity, freedom, human rights and equality for all women in all fields and all over the world'⁶⁹ Located in the 'Women's Building' in Paris, it aims to establish solidarity, particularly for women's rights in France, migrant or exiled, to defend the right of asylum for persecuted women, the right to stay, the regularisation of undocumented women, the right to work. It also gives assistance and organises campaigns against violence towards women.⁷⁰

Neither Whores Nor Submissive – Ni Putes ni Soumises (NPNS)

- Building autonomous institutions: No.
- Public protest e.g. Demonstrations: Yes.
- Campaigning: Yes.
- Lobbying state: Yes.
- Service provision: No.
- Research: No.
 - Are they important or marginal to national politics? Important.
 - Are they centralised or dispersed? Dispersed, but the group located in Paris is the spokesperson with politicians and media.

NPNS is a French feminist organisation founded in 2002-2003. There are 24 local groups spread across the largest cities of the country. It is generally dependent on public funding⁷¹ and private patronage⁷².

The movement fights against violence targeting immigrant/Muslim women. It focuses on the following areas: Gang-rapes, pressure to wear the *hijab/veil*, pressure to drop out of school, pressure to early marriage, and discrimination. The NPNS was set up by a group of young French Muslim women in response to the violence being directed at them in the suburbs (*banlieues*) and housing projects of cities. They organised the 'March of Women from the housing projects against ghettos and for equality' in 2003. In relation to the march, representatives of the NPNS were received by the French Prime Minister Jean Pierre Raffarin and the organisations' message was incorporated into the official celebrations of Bastille Day 2003 in Paris.

Since 2007, NPNS has a consultative status with the Economic and Social Council of the United Nations. They publish a 'Guide for respect'.

LES PENELOPES

- Building autonomous institutions: No.
- Public protest e.g. Demonstrations: No.
- Campaigning: Yes.
- Lobbying state: No.
- Service provision: No.
- Research: No.
 - Are they important or marginal to national politics? Marginal.
 - Are they centralised or dispersed? Centralised

The Pénélopes is a feminist information agency created in 1996 with the aim of promoting and disseminating information on international news from the viewpoint of women. The association has an international dimension through its web site. Its headquarters are in Paris. The goal of Les Pénélopes is to promote, edit and diffuse information using all types of media, from the point of view of women and to favour all activity ensuring the exchange of this information. Its main tool remains the website.⁷³ Parallel to this activity, Les Pénélopes coordinates various projects that aim to develop economic

⁶⁹On their web site : <http://rajfire.free.fr/>

⁷⁰ RAJFIRE (2007) Activity Report 2007 <http://rajfire.free.fr/spip.php?article143>

⁷¹Provisional budget for 2005 was €500 000. In 2004, the Mayor of Paris granted the NPNS €30 000. http://www.v2asp.paris.fr/v2/la_mairie/subv_assos_ville_2004.pdf

⁷²Private funds : <http://www.niputesnisoumises.com/partenaires.php?section=partenaires>

⁷³Web site <http://www.penelopes.org/>

alternatives initiated by women. One of the components of the project is ICT training for women's groups from Eastern Europe. The organisation is involved in debates on neoliberalism and on the economic/ecological.. No clear standings concerning QUING issues in France.

List the key anti-feminist organisations and their main methods/ activities?

As far as anti-feminist associations are not so-called, we distinguished two categories to identify the key anti feminist groups. One example is provided for each category (others listed).

- a) The pro-life and anti birth control (who can sometimes call themselves “women's/feminine organisations”)
- b) Organisations defending fathers' rights

a) Catholic and traditional associations involved in the fight against abortion and free contraception (and thus are anti feminists)

On average:

- Building autonomous institutions No
- Public protest e.g. Demonstrations Yes (main method)
- Campaigning Yes
- Lobbying state Yes
- Service provision No
- Research No
 - Are they important or marginal to national politics? Marginal
 - Are they centralised or dispersed? Dispersed

SOS Tout-Petits (SOS TODDLERS)⁷⁴

SosToddlers is an anti-abortion association founded and chaired by Dr. Xavier Dor in 1986. The association edits a quarterly newsletter, SOS Tout Petits News, published in 3000 copies (1000 regular subscribers). The association is part of the collective 30 Years, Enough! (Reference to the law Veil of 1975, legalising abortion). The association has its relay in the daily media present, the newspaper of the Agrif, World and life, life Info World, Radio Courtesy and other nationalistic movements. The association is known for its public protests and public prayers against IVG (demonstration behind hospitals carrying abortions or in behind churches, sometimes very violent). For the 20th birthday of the organisation, they brought together about 1500 persons. They use both religious and 'medical' excuses in order to 'prove' that abortion and contraceptive methods kill humans. The organisation is funded by private patronage. No data about the number of members.

Other organisations :

Laissez-les vivre!' (Let them live!)⁷⁵: „Alliance for the right of life, Association des parents d'élèves du pensionnat la croix de Bar-le-Duc (students' parents association of Bar-le-Duc 'La Croix' boarding school), Association for the family protection, 'Choisir la vie' (Choose life), Comité pour sauver l'enfant à naître (Committee for saving the child to born) , Confédération nationale des associations familiales catholiques (National confederation of catholic family association), 'Famille et liberté' (Family and liberty), FIFA (Fédération internationale pour la défense des valeurs humaines fondamentales – International federation for the defence of fundamental human values), 'France valeurs '(France – Values), ' 'Pour la dignité humaine' (For human dignity), 'S.O.S futures mère' (S.O.S mothers-to-be), 'Union pour la vie' (Union for life).

b) Organisations defending father's rights

On average:

- Building autonomous institutions: No.
- Public protest e.g. Demonstrations: Yes (main method)
- Campaigning: Yes.
- Lobbying state: Yes.
- Service provision: No.
- Research: No.
 - Are they important or marginal to national politics? Marginal
 - Are they centralised or dispersed? Dispersed (each one is centralised, mainly in Paris)

⁷⁴<http://www.sos-tout-petits.org/index.html>

⁷⁵<http://laissezlesvivre.free.fr/>

SOS-Papa (SOS Daddy)

SOS-Papa was funded in 1990. Its main purpose is to defend fathers in case of separation or divorce. The association has 14000 members. Its budget is more than 100,000 Euro per year, with private contributions from its members. The association is based in Paris and in 37 Delegations to France. SOS Papa regularly participates in meetings and panel discussions on the subjects of co-parenting, family, shared custody after divorce / separation. It is a key interlocutor for Parliament and the ministers. It claims for the acknowledgement by justice of 'Parental Alienation Syndrome', to defend the position of the alternating residence. Since 2005, SOS Papa is a formal association (will become permanent when the association can claim a sustained presence in 20 Departments): it was a recognised association of victims by Nicolas Sarkozy, then Minister of the Interior⁷⁶. It is also a member of the National Union of Family Associations (UNAF). The association talked about in newspapers and television broadcasts, through the testimonies of its members and spokesmen.

Other organisations :

Mouvement Condition Masculine – Movement Masculine Condition: <http://www.sos-divorce.org/>

Divorcé(e)s De France - Divorced (e) s De France - PARIS <http://www.dfd.asso.fr/>

Nouveau Mouvement de la Condition Paternelle - New Movement on Paternal Status - PARIS

<http://www.fmcp.org/>

ACALPA Association Contre l'ALienation PArentale - ACALPA Association Against Parental

ALienation - CHAVILLE (92) <http://www.acalpa.org/>

Condition Paternelle - Paternal Condition - SAINTES (17) <http://www.interpc.fr/papa/>

Bien Etre de l'Enfant - Well Being of Children - NIMES (30) <http://bien.etre.enfant.free.fr/>

defenseur des enfants - Defender of children - NIMES (30) <http://defenseurdesenfants.info/>

L'Enfant Et Son Droit -The Child And His Law - PARIS <http://www.magic.fr/enfant-papa/>

Les Droits de l'Enfant - The Rights of the Child - FONTENAY IN WOOD (94)

<http://www.droitsenfant.com/>

L'Enfant Et Son Droit – PARIS <http://www.magic.fr/enfant-papa/>

DEI-France - DEI France - PANTIN (93) <http://www.dei-france.org>

SOS Enlevements Internationaux d'Enfants - International Kidnapping of Children SOS - MAFFLIERS (95) <http://seie.org/>

Les Enfants du Dimanche – Children on Sunday - LA MADELEINE (59) <http://asso.nordnet.fr/parent-enfant-divorce/>

Centre d'Information sur les Droits des Pères (CIDP 31) -Information Centre on the Rights of the

Fathers (PRI 31) - (31) TOULOUSE <http://cidp31.free.fr/>

Action pour la Défense de l'Enfant et l'Intérêt de la Famille - Action for Child Advocacy and Family Interest - LYON (69) <http://www.adeif.com/>

Jamais Sans Papa - Never Without Daddy - VALENCIA (26) <http://www.jamais-sans-papa.asso.fr/>

Association D'aide aux Pères Séparés et Divorcés - AID Association for Separated and Divorced Fathers - NICE (06) <http://membres.lycos.fr/peresdivorces/>

Association PEM Parents-Enfants-Médiation PEM Parents -Children Mediation - MONTPELLIER (34) <http://www.mediation-familiale.com>

LPLM Les Papas = Les Mamans - LPLM The Papas = Mommies - MARSEILLE (13)

<http://www.lplm.info>

ADONX Association pour le Droit aux Origines des enfants Nés sous X - ADONX Association for the Right to Origins fo children born under X - PARIS <http://www.adonx.fr.fm/>

Coordination des Actions pour le Droit à la Connaissance des Origines - Coordination of Actions for the Right to Knowledge of origins - PARIS <http://www.cadco.asso.fr/>

les X en colère ! - X angry! - LA PLAINE SAINT DENIS (93) <http://www.x-en-colere.org/>

Collectif Justice Pour Tous – Group Justice For All - GREEN-le-SMALL (91) <http://www.collectif-justice.net/>

Alienation Parentale - Parental Alienation - PARIS <http://www.alienationparentale.eu/>

⁷⁶The creator of SOS Papa, Michel Thizon, was made a Chevalier de La Légion d'Honneur for « his service dedicated to for the family and children ».

Women's / feminist organisations in civil society

- What are the major distinctions in civil society between different types of organisations/projects e.g. feminist, pro-family etc.?

Main cleavage within women's movement in France concern:

Ideology:

- Feminist/non feminist/feminine
- Reformist/revolutionary
- Separatist/non separatist

Autonomy:

- Mixed/Single-sex
- Acceptance: Trade union and/or affiliated to political parties or not
- State funding/no state funding

Organisational structure:

- Umbrella-coordinating body/member of umbrella/local NGO
- legal structure/unofficial collective

Perceived legitimacy: invited to consultations/not invited to consultations.

Method: Service provision/non service provision

Scale: International/national/local focus

- Do women's organisations actively engage with other intersecting inequalities (in each area?)

Not all of them. It is hard to state that women's organisations really engage with intersecting inequalities. When they do address this issue, feminist organisations are more likely to engage with other intersecting inequalities in a limited field.

Considering QUING issues:

General: Currently, the major intersecting inequalities addressed in the feminist movement are the racial/religious and ethnic issues. It fits both the emergent movement of racialised women and the French political agenda and debates (related to immigration, integration, urban segregation, etc.). It creates strong disputes and hotspots within the feminist movement (see below hotspots and alliance 7.4)

(Non) employment: Equality and class

Intimate citizenship: Equality and sexuality (discrimination and rights); Equality and age (secondary) (Health); Equality and religion (partnership, marriage)

Gender based violence: Equality and ethnicity/race (Domestic violence); (gender-based violence) (ex: NPNS)

- Do they have good alliances with those representing other inequalities or not? (in each area)

There are several joint campaigns, publications and lobbying. It completely depends on the issue.

=> **Employment:** CNDF and its members lead joint campaign with several trade unions for women employment and child-care services; AVFT + trade unions

=> **Intimate citizenship:**

- CADAC and CNDF lead campaigns with trade unions (CFDT⁷⁷) or free contraception and abortion rights.
- Mix-Cité, Act-up and transgender organisations currently lead a campaign for transgender health and legal status.
- RAJFIRE and lesbian's organisations

=> Gender based violence: asylum seekers and FNSF

- o Are there alliances between women's / feminist organisations and men's groups (if these exist in your country)?

N/A

- o Are there many organisations of minoritised women? (in each area)

General: Feminist Collective for Equality is mainly composed of minoritised/racialised women but aims to fight for all women's rights. Established in April 2005. Made up of women - Muslim and non-Muslim, wearing the headscarf or not. It acts to defend the rights of women without falling into racist and universalist bias. It is involved in the struggle for women's right in different areas (not only the veil issue). The group produces a newsletter "*Inch'allah* Equality."

Intimate citizenship: GAMS

Gender based violence: NPNS

- o What links are there with international? / EU level / bilateral bodies? (in each area)

Perhaps due to languages issues, French feminist / women's organisation tend to play a relatively minor role on the international / EU scene. There are, however, some quite active links with similar organisations in (French speaking) Quebec.

(Non)employment : CNDF & ETUC through trade unions, CLEF's membership in the EWL.

Intimate citizenship: -

GBV: AVFT in an European association; CFCV (feminist collective against rape)⁷⁸ , FNSF, GAMS, Women SOS⁷⁹ is a member of WAVE, membership in the EWL

- o Is organised feminism engaged with the state, or does it follow autonomous or separatist agenda building its own institutions? For example, is it invited to report to consultations; does it take money from the state; is it commissioned by the state to undertake specific task?

A lot of national and regional institutions (Secretary of State for Women rights, Regional and Departmental delegations for Women's Rights) depend on the support and actions of local or national voluntary associations for promoting gender equality in law. The feminist groups and movements founded in the 1970s in France were relatively fragmented and many of them were suspicious of the state policies to promote equality. The women's movement in France was revolutionary rather than reformist⁸⁰ (Fougeyrollas-Schwebel, 2003) and this political stance was not conducive to the construction of the kind of "velvet triangle" that has existed in other national contexts.

- o Does this vary between issue areas? See below

- o Has it changed over time? Yes

- o When engaging with the state is a coalition form of organising common or not?

The consultation process privileges consultations with institutionalised movements, but it sometimes develops multiple approaches referring to both individuals and organised coalitions.

Ex: CADAC

Several campaigns directed toward policy makers and state institutions are organised in cooperation with several women's organisations and sometimes with parties and trade unions.

Ex: petition for a framework law concerning gender based violence.

⁷⁷CFDT, Propaganda and claims for women's employment:

http://www.cfdt.fr/actualite/emploi/egalite_professionnelle/_sommaire.htm

⁷⁸<http://www.cfcv.asso.fr/>

⁷⁹<http://www.sosfemmes.com/>

⁸⁰ Fougeyrollas-Schwebel D. (2003), « Feminism in the 1970s » in Christine Fauré (ed.) Political and historical encyclopedia of women, New York : Routledge, p. 423-446. (traduction et mise à jour publication de 1997).

- o Does it make sense to talk of a 'women's movement' or not? Briefly explain your answer.

Probably not. There are pockets of feminist / women's movement activism, usually around specific issues and often in response to government initiatives. However, it is difficult to identify (in public debate, the press, etc.) a unified 'women's movement' or even representatives of different tendencies within a national movement.

The 1980s saw a period of regression for the grass-roots women's movement, which was involved in internal wrangles and lacked cohesion precisely at the time when the institutional machinery for the promotion of gender equality was being put into place. However, a highly successful national demonstration against threats to women's abortion rights in November 1995 was long seen as the starting point for a renewal of feminist activism in France and local or national women's groups and lobbies have been relatively successful in bringing new issues to the attention of decision-makers and, in some cases, in putting them on the political agenda.

The regional and local Women's Rights delegations have still not been entirely able to count on the active support of an important network of independent women's organisations. At the same time, the limited financial resources allocated to equal opportunities and to women's rights has made it difficult for these organisations to provide resources (whether financial or other) to grass-roots women's organisations.

- o Is there a tendency towards one of the three major visions of gender equality (sameness, equal valuation of difference, transformation)?

Equal valuation is probably the main tendency in most of French women's organisations, whilst the republican universalism of the French state tends to favour 'sameness' and feminist academics tend to work on 'transformation'. Perhaps this explains the difficulty these three social actors have had in working together in the recent past.

- o Is there a preferred model of care work: support for a domestic regime or support for a public (state or market provision) regime?

From a civil society point of view, the general preference is public day care.

- o How closely aligned is feminism with social democracy?

Moderately.

- o Notes on the history of the development of gendered or feminist civil society organisations:
 - o Is there a history of divisions as to where on a continuum between autonomous or close to state is most appropriate?
 - Does this vary by 4 areas (general, employment, intimate citizenship, gender based violence)?
 - o Is there a history of divisions as to socialist, radical, liberal?
 - Does this vary by 4 areas
 - o Is there a history of changing engagement with class, ethnic and religious forces?
 - Does this vary by 4 areas

Non-Employment

It is important to note the quite low number of incidences of feminist and women lobbies on (non)-employment policies (and particularly on child-care policies), to the advantage of family associations such as the UNAF (National Union of family association). Thus, family associations have had a significant impact on the extension of parental leave, through the adoption of the PAGE in 2003. This law contributes to the re-emergence of the 'protective' approach of French government interventions.

The implication of French Trade Unions in fighting gender inequalities on the labour market is quite recent. Indeed, they have traditionally been relatively absent from the equal opportunities field, although they have adopted a more pro-active stance in recent years, particularly after the *Genisson* Law on equality in employment was adopted in 2001. Indeed, the *Genisson* Law made annual in-house negotiations on the position of women in companies an obligatory part of their work. In addition, since the national inter-professional agreement of the 1st March 2004 was unanimously signed by all social partners, French Trade Union are involved in the fight against all forms of stereotypes that are at the basis of discriminations.

Intimate citizenship

In the debates concerning Intimate Citizenship, the civil society and NGOs are the most important actors in France.

NGOs such as the MFPF (French Movement for Family Planning) have been very active in debates regarding reproductive rights legislation. While feminist movements obtained contraception and abortion rights respectively in 1969 and 1975, they succeeded one more time to put this question on agenda during the Quing period. They argued for the increase of abortion delays as well as for a better access to contraception, which they obtained in 2000 and 2001. However, the religious groups that combat abortion rights are also very much involved in France. Although their actions have always failed up to now. They made the debates to increase delays of termination of pregnancy difficult in 2001 and they strongly tried to block the legislation allowing the deliverance of the morning after pill in secondary schools in 2000.

With regard to homosexual rights, LGBT groups and associations are particularly visible on the policy scene in France. Indeed, they are supported by some political parties such as the French Green Party and the Socialist Party, which played a particularly important role during the debates on the PaCS since 1998.

Therefore, in 2006, two legal measures proposed by the PS (Socialist party) and LGBT organisations brought gay and lesbian access to marriage. However, the current UMP (Union for a Popular Movement) government seems to be more involved in the expansion of the French PaCS than in the legalisation of gay and lesbian marriage. The recent reform related to succession rights (July 2007) constitutes a representative example of the UMP's current position.

Regarding the reform of parental rights, family associations (UNAF) and male groups such as SOS papa (SOS daddy) have been particularly influent, specifically in the area of child custody. Indeed, they succeeded in promoting the shared residence order, which was one of the most discussed questions in the area of parental rights.

Trade Unions have not taken a significant part in the debates around intimate citizenship, except in the debates around the distribution of emergency contraceptive pills by school nurses. Those representing social workers and medical practitioners claim to be more engaged in debates concerning intimate citizenship.

Gender-Based Violence

Civil society actors involved in the debates about this topic are mainly French feminist organisations. The AVFT (European association against gender violence in the workplace) and the FNSF (National federation Women Solidarity) are the most active NGOs involved in the fight against gender-based violence.

Indeed, it is important to note that French Feminist / Women's associations have long been the main existing body that contributed to the growing implementation of legislation to fight against gender-based violence, particularly in the field of rape and sexual harassment. Today they produce many law propositions in all the fields that cover gender based violence issues. Since the middle of the 1990s, their actions have been supported by and oriented towards the EU and the UN so that they gained more legitimacy. Their work is therefore based on international recommendations (CEDAW the declaration on the elimination of violence toward women, Beijing action program, and EU resolution). Hence, the 2005 AVFT law proposition aimed at modifying the dispositions relating to sexual harassment and slanderous denunciation proposed to include sexist and homophobic harassment in the law on sexual harassment. . Although the law proposition was fairly well received during the parliamentary debates, both left-wing parties and feminist associations regretted that the law did not follow the Spanish example with the 'Integrated law on gender violence'. In addition, measures adopted against forced marriages are denounced as particularly frail to fight efficiently violence against migrant women (see the 2005 MFPF civil society text). Then, migrant women organisations are still militating in favour of asylum right for persecuted women.

- Is feminist research organised in Universities and research institutes?
 - If not, is important feminist research primarily dispersed or mainstreamed?

The level of institutionalisation of academic feminist research is notoriously weak in France.

See: <http://www.anef.org/publications.php#4>

See: <http://www.hull.ac.uk/ewsi/>

There have never been any autonomous 'Women's/gender Studies' departments in French universities and only a handful of publicly-funded research centres cite gender as a central area of study.

What little feminist research that does exist is mainly located within the social sciences, political sciences and the humanities. Although the issues dealt with are similar to those addressed by NGOs and on the policy agenda, formal relationships with these social actors are relatively limited, although individual researchers do have links with local or national level institutions.

To a certain extent, gender research activities are mainstreamed, but they are relatively marginalised. The existing women's/gender studies/institute/centres are small-scale and (especially since the reform (Treaty for Research in 2005), are usually part of a larger - disciplinary or interdisciplinary - research structure. Ex: CEDREF (Centre for teaching, documentation and research for feminist studies) Paris VII ; *Etudes féminines* (Centre for feminine and gender studies) Paris VIII; SAGESSE (Toulouse2) ; GTM, Paris VIII and Paris X, etc.

- Are there specific positions, funds or journals within the country (or region e.g. Nordic)?

There have never been any autonomous chairs in Women's Gender Studies created in France, although some disciplinary academic positions (lectureships of professorships) have been given a 'gender studies profile'. There are currently fewer than 20 'gender profile' positions in the whole of the academic system.

Funding for gender research is also rather limited. The structural funding for the existing research centres is notoriously low (as it is for research centres on other themes in the social sciences and humanities). For example the annual structural funding for the SAGESSE research centre in France, which received official recognition as a 'doctoral training centre' from the Ministry of Research in 1999, was just 11 000 Euros / year. Membership of the centre was based on academic staff already employed by the university (and paid by the state as civil servants), with some limited provision of secretarial and technical resources. Additional funding had to be sought from research contracts and other activities.

There are three main documentary centres specialised in gender research:
Simone-Sagesse (Toulouse),
Louise Labbé (Lyon)
CEDREF (Paris).

With several other partners, they were given a small grant in 2004 to set up a national bibliographical data base on documentation sources on gender and equality: www.univ-tlse2.fr/genre

There are just three specialised academic journals in gender research:
Les Cahiers du genre
Travail, genre & société
Clio

Due to lack of funding, the journal *Nouvelles Questions Féministes* (New Feminist Questions) moved from France to Switzerland in 2000.

Some 'mainstream' academic journals also publish articles based on gender research. More recently, a few leading academic publishers have set up a gender-related book series.

- Is there a national association for women's studies/gender studies? Yes

National Association for Feminist Studies (ANEF)⁸¹ established in 1989, aims to develop and publish on women's studies in France and abroad. It includes teachers, researchers, students and other women involved in feminist research and teaching inside and outside institution. It promotes the development of research programs, seminars, and symposiums; works on developing university courses in women's studies; supports requests for additional academic positions; and has published a Directory of members (last version in 2000).

Association of Young Researchers in Feminist Studies, Gender and Sexualities (EFIGIES)⁸² was

⁸¹<http://www.anef.org/anef.php>

⁸²<http://www.efigies.org/>

established in 2003 and aims to create solidarity among students, PhD students and young researchers through a pooling of knowledge and information and by organising workshops. Its website provides all activities and tools developed by EFiGiES, a repertory of young researchers and institutions as well as resources for carrying out research studies.

National Interdisciplinary Network on Gender (RING)⁸³ was established in 2001 by feminist researchers from different universities (Paris VII, PARIS VIII, Lyon 2, Toulouse 2, GERS, later including Brest, Tours, Paris IX, Paris X, Paris I, *Archives du féminisme*, EFIGIES). RING does not fund or engage directly in research. It is a federative structure, with 35 institutional members. Its aims to put together research, pedagogical tools, and documentary resources through its website.

- Are there feminist lawyers' organisations? Yes.

The French Association of Women's Lawyers (AFFJ – Association françaises des Femmes Juristes) in relation with the European Association of Women Layers (EWLA).

<http://www.senat.fr/bulletin/20071210/fem.html>

- Are there radical lawyers' organisations that support justice claims for one or more of the inequalities? Yes.

Association Juriste Berbères de France: <http://www.ajbf.info/categorie-10223110.html>

Association française des juristes démocrates : <http://droitsolidarite.free.fr/>

Commission nationale consultative sur les droits de l'homme :

http://www.cncdh.fr/article.php3?id_article=46

Droits d'urgence : http://www.droitsdurgence.org/droits_d_urgence/qui_sommes_nous.asp

7. Class

- A short history of the development of organisations representing class interests.

For most of the post-war period, the trade union movement has been ideologically divided between the communist-inspired CGT (Général Confederation of Labour) and the more left-reformist CFDT (French Democratic Confederation of Labour). Although there has been periods of unity between the CFDT and the CGT, division has been the rule. Recently the trade union movement has had a sharp decline not only in membership, but also in influence. For example: voter turnout in elections for workers councils has declined continuously since the 1960s. Non-union candidates have gained considerable support in these elections over the years.

As a consequence of this weakening, the movement has organisational and financial problems. New unions and other NGOs have been born as channels of social protest and social movement competitors to the unions. The financing and the institutionalisation of the trade unions within the French socio-political system are, as a result, a matter of discussion in the hope of restoring trade union pluralism as a positive societal factor.

The unions are mostly organised on a sector or branch level and grouped in several confederations. There are five main union confederations with membership across the entire economy (CGT, CFDT, CGT-FO – General Confederation of labour – Workers' Force - CFTC – French Confederation of Christian Workers - and CFE-CGC – French Confederation of Managers- French Confederation of Management), all considered representative at the national level. This status automatically gives them rights to negotiate, nominate candidates for elections, and have seats in some of the social security bodies, which are directed by the social partners.

There are other union confederations, which have significant influence but do not have the same status at national level. These so-called autonomous unions are organised in the more reformist UNSA (Union of Autonomous Unions) and the G10, which forms a kind of cartel with the more radical, anti-establishment SUD.

The following table summarises the five main confederations.

⁸³<http://www.univ-paris8.fr/RING/spip.php?article1>

Representative trade union confederations in France

Acronym	Translated name	Ideological roots	Founding date
CGT ⁸⁴	General Confederation of Labour	Communist origins	1895
CFDT ⁸⁵	French democratic confederation of labour	Christian-Democratic origins; reformist	1919
FO ⁸⁶	Workers' power	CGT dissidents, reformist, but radicalised	1948
CFTC ⁸⁷	French Christian workers confederation	Dissidents from CFDT, when this union abolished its Christian roots	1964
CFE–CGC ⁸⁸	General Confederation of Professional and Managerial Staff	Sole occupational confederation	1944

- How strong are trade unions? Use the following four measures of trade union strength (Data: European Industrial Relations Observatory On-line, national sources)
 - density (proportion of workers that are organised),

According to the European Social Survey, about 65% of employees declare to have a trade union representation or similar body at the workplace, a high proportion compared to the European average.⁸⁹ Trade union presence in the workplace is high in large companies, but very low in small ones. The highest membership rates are in the public sector. However, trade union membership is quite low. Union density has fallen to 8% in 2004.⁹⁰

- coverage (what proportion of workers are covered by collective bargaining agreements),

Collective bargaining coverage is very high. About 90% of all employees are covered by a collective agreement. This is because agreements are easily extended to entire sectors and/or to different geographical regions or other economic sectors⁹¹.

- centralisation of collective bargaining,
 - is there are national body of trade unions;

Yes. Most of them are federated in confederations.

The larger Trade Union not affiliated to the any of the 4 confederations are Solidarity, Unity, Democracy (SUD) (Local trade autonomous unions are named SUD) Instead, SUDs are federated in l'Union Syndicale Solidaire which have no national body.

UNSA [National Union of Autonomous Unions] have a national body.

FSU [Unitary Federation of Trade Union] also have a national body.

- what proportion of TU members and unions are affiliated?

According to Andolfatto and Labbé, the proportion of trade unionists is about 7.2% in France (Andolfatto & Labbé, 2007⁹²).

- Coordination of collective bargaining.
 - Does the national body of trade unions negotiate on behalf of trade unions

Yes.

Can it coerce or discipline member unions to enforce agreement?

Some agreements, often framework ones, can be reached at national level. After a decline in multi-

⁸⁴ www.cgt.fr

⁸⁵ www.cfdt.fr

⁸⁶ www.force-ouvriere.fr/

⁸⁷ www.cftc.fr/

⁸⁸ www.cfecgc.org/

⁸⁹ [Year: 2002-2003; Source: European Social Survey; public and private sector; % of employees with union or other workplace representation at the workplace. France has a range of possible bodies at the establishment and company level according to employment size]. http://www.eurofound.europa.eu/eiro/country/france_4.htm

⁹⁰ Year 2004; data from DARES/INSEE, Source: Enquêtes permanentes sur les conditions de vie et menages.

Quoted in <http://www.eurofound.europa.eu/eiro/country/France.pdf>

⁹¹ http://www.eurofound.europa.eu/eiro/country/france_4.htm

⁹² Andolfatto, D & Labbé, D. (2007). Les syndiqués en France, paris, Ed Liaisons. [Trade unionist in France].

sector bargaining in the 1970s and 1980s, this was re-launched in the 1990s, although on a limited level and concentrating on specific topics (vocational training, employment measures). The lower bargaining levels are the more frequently used. The traditional level has long been the branch, certainly for negotiating collective agreements of general significance. Sector bargaining covers only small and medium enterprises (SME). Many larger companies have a company agreement. Regional-level bargaining is rare, but some sectors (metalworking and construction) engage in local and regional bargaining.

More recently, a significant movement towards negotiating company-level agreements started in the area of wages and reduced working time. The 2004 Fillon law encourages this move towards company-level negotiation by approving derogation agreements.

- Women and trade unions:
 - What percentage of *total* trade union membership (i.e. including unions not affiliated with national body and those that are affiliated) is female?
(Use national Labour Force Survey. Website providing links to country LFS available)

<http://www.cfdt.fr>/As pointed out by the European Industrial Relations Observatory Online, no total figure can be given for France, as membership data are lacking from the majority of the confederations /centres.⁹³

According to the Ministry of Work and Solidarity, trade union membership is 7.6% for women compared to 9% for men.⁹⁴

Concerning the main trade unions, the percentage of women in union confederations in 2000 were the following for each confederation:⁹⁵

- CFDT French Democratic Confederation of Labour : 43%
- CFTC French Confederation of Christian Workers: 46%
- CGT General Confederation of Labour: 28%
- FO General Confederation of Labour - Workers' Power: 23%

- How are women organised in trade unions and the central trade union body (e.g. caucuses, separate branches, fully integrated)?

CGT: Integrated. There is a permanent women's committee: 'Collective Women Mixity.'

CFDT: Fully integrated.

CFE-CGC: There is a 'Balance [between family and work time] Network.'

CFTC: Integrated.

FO: None.

Caucus: The Women Inter Union brings together women members from the CGT, the G10 Solidarity, and the FSU (larger trade Union in the field of education).

- What proportion of women are in the executive of (major) trade unions?

According to their web sites:

CGT: Federal Executive Council: 26 women out of 54 members; no women in confederation leadership positions..⁹⁶

CFDT: Executive committee: 3 women out of 9 members; National Board 11 women out of 27 members.⁹⁷ From 1992 to 2002: one women general secretary.

CFTC: No women in confederation leadership. Federal Council: 5 women out of 47 members.⁹⁸ Confederal board: 2 women out of 17 members.⁹⁹

FO: No details concerning boards and councils. No women in confederation leadership positions.

⁹³Trade union membership 1993-2003 <http://www.eurofound.europa.eu/eiro/2004/03/update/tn0403105u.htm>

⁹⁴2004 DARES, « Myth and reality of trade union membership in France » [http://www.travail-solidarite.gouv.fr/IMG/pdf/publication_pips_200410_n-44-2_mythes-et-realites-de-la-syndicalisation-en-france.pdf]

⁹⁶http://www.cgt.fr/internet/html/rubrique/?id_parent=117&aff_docref=0&aff_ensavoirplus=0

⁹⁷http://www.cfdt.fr/cfdt_a_z/connaitre/nos_instances_bn.htm

⁹⁸http://www.cftc.fr/ewb_pages/d/dirigeants_cc.php

⁹⁹http://www.cftc.fr/ewb_pages/b/bureau_confederal.php

- **Is gender equality high or low on the bargaining agenda?**

Historically, French trade unions considered the question of gender equality on the labour market as a secondary issue. On the one hand, women's rights are considered as being the same as every worker's rights, on the other hand, the deep economic crisis and the consequently increasing unemployment were considered as a priority. However, the adoption of gender mainstreaming in 1999, under the pressure of the EU, marked a change in the placing of gender equality within trade-union negotiations. As an example, the CGT (General Confederation of Workers) developed projects that included gender mainstreaming within collective agreements, and more particularly concerning the fight against the gender pay gap. Thus, gender mainstreaming is progressively perceived of as a tool for trade union action, because it obliges the inclusion of gender in all questions around equality on the labour market.

The trade unions have adopted a more pro-active stance in recent years, particularly after the *Gennisson Law* on equality in employment was adopted in 2001. Indeed, this law made annual in-house negotiations on the position of women in companies an obligatory part of their work. Therefore, some unions (e.g. CFDT) have published guides to "Negotiating gender equality at work" and have provided training sessions for their local delegates on these issues.

All social partners signed the National Inter-Professional Accord in 2004 (MEDEF, CFDT, CGPME, CFE-CGC, UPA, CFTC, CGT-FO, and CGT).

- **Is it seen as an issue for women, or for all trade unionists?**

Mainly seen as an issue for women. But the issue of general unemployment and flexible work as well as the difficulty faced by couples to find childcare services tend to move gender inequalities towards an issue for all trade unionists.

- **How well organised are employers?**

- **Do they have a single (or more) national organisation?**

Employer organisational density is quite high. Three out of four employers are members of an employer organisation.¹⁰⁰

There are 3 National employer associations (NEPAs) in France:

The Movement of French Enterprises (MEDEF ())¹⁰¹ is the main employer organisation. It was founded in 1998 and succeeds the National Council of the French Employers (CNPF). It is a multi-layered confederation of sector and territorial organisations bringing together companies with more than 10 employees. MEDEF directly organises 87 federations that cover some 600 associations and 165 regional organisations. There is no direct company membership at the confederation level. Laurence Parisot runs the MEDEF since July 2005.

Two smaller employer associations are worth mentioning. Small and medium enterprises are represented by the General Confederation of Small and Medium Companies (CGPME).¹⁰² and self-employed artisans by the Craftwork Employers' Association (UPA).¹⁰³ These two organisations played a significant part in reducing working time in small and very small companies in 2002. In 2001 an employer organisation, Social Economy Association of trade unions and employers) (Usgeres)¹⁰⁴ was established in the not-for-profit sector.

- **Is it powerful or not? E.g. can it control its members?**

According to Eironline, affiliated employers organisations in France have 'fairly substantial autonomy' and therefore operate independently of their NEPAs, so that the emphasis of employers' interest representation in this field is at the level of the affiliates rather than at the NEPA level. The lower-level employers organisations' autonomy in collective bargaining - one of the core fields of employers' activities - manifests itself through a lack of formal powers of the NEPAs over their affiliates.

- **Are they indifferent or hostile to gender equality in the workplace?**

Success of 'gender relationships' is seen as a 'productivity and social peace factor', according to MEDEF.¹⁰⁵ MEDEF seems generally hostile to gender equality policies which involve increased costs

¹⁰⁰[Year 2003 Administrative data reported by Medef (see F. Traxler, eds. (2004a), Small and medium-sized enterprises and business interest organisations in the European Union, Brussels, UEAPME-Academy for Europe Avignon].

¹⁰¹<http://www.medef.fr/main/core.php>

¹⁰²<http://www.cgpme.org/>

¹⁰³www.upa.fr

¹⁰⁴<http://www.usgeres.fr/>

¹⁰⁵MEDEF, Men/Women Danger? Aug 2006 : http://www.medef.fr/main/core.php?pag_id=56316

such as extended parental leave arrangements although the MEDEF sees the lack of childcare as a key barrier to increasing the female labour force participation. There is a preference for voluntary agreements. The NEPAs seem more sensitive to the life time balance issue than the MEDEF.

- Do they oppose the development of gender machinery, gender equality policies and gender equality laws?

Submissions by the MEDEF on policy consultations are not available on-line to non-members. It is difficult to assess the organisation's positions on policies, law and machinery.

Three topics have been on the agenda of the tripartite conferences on social policy issues (Social Conferences) at intersectional level: working conditions; gender equality and employment.

They observed that:

- Only 1/3 of companies publish a report on the gender equality situation in their company and on those organisations which have not signed an agreement on occupational equality.
- The obligation under the 2001 law to raise this issue during collective bargaining is only respected in the case of 1.6% of all collective agreements.
- 98% of current beneficiaries of parental leave are women, as they often face difficulties in re-entering the labour market after the birth of a child.

MEDEF stated that it supports the idea of financial penalties, provided that criminal penalties are abolished.

- Do they support 'diversity management'? (e.g. policies that emphasise the gains associated with the promotion of diversity in the organisation, in contrast to an emphasis on equality / equal opportunities).

Diversity management is privileged. As far as it makes 'business sense', diversity management is one of the main tools promoted by the Observatory of Corporate Social Responsibility (ORSE).¹⁰⁶ ()

- Did they lobby for a merged rather than separate equalities bodies?

Merged.

- Are there tripartite or corporatist bodies including employers, trade unions and government that make important national decisions?

The main tripartite bodies through which employer and trade union confederations can hope to influence government policy-making are consultative: the Economic and Social Council (ESC) and the Planning Commissions. They are made up of representatives of employer and trade union confederations, as well as by other interest groups such as consumers and qualified individuals nominated by the government. Thus, France is characterised by a relatively low level of concertation

The consultation process remains underdeveloped, and is essentially limited to the state testing the strength of opposition to its policies. Thus, both the ESC and the Planning Commissions are the bodies through which the government explains and informs the employers and trade unions about its policies. Consultation runs high only in periods of big social reforms, for instance during the pension reforms of 2003, the health insurance reforms in 2004 and the new pension reform of late 2007.

Nevertheless, both industrial relations camps are still heavily involved in the management of certain social security provisions (public health insurance, unemployment benefits, social welfare boards). The social partners also play a central role in the supplementary private health insurance system (*mutuelles*) and pension plans. They are involved in the system of vocational training.

Interprofessional bargaining structures related to gender equality in the work place were set up the 1st of March 2004.¹⁰⁷

- Are women represented in such bodies?

Yes, but not as representatives of women's interests.

¹⁰⁶<http://www.egaliteprofessionnelle.org/index.php?p=performance>

¹⁰⁷http://www.egaliteprofessionnelle.org/maj/_files/upload/documents/type-7/accord_interprofessionnel_010304.pdf

- Are there EU, bilateral or other international level links for either trade union or employer organisations?
 - Are these links important (e.g. in lobbying government at national level)

Trade Unions

EU links:

The 4 main French trade union confederations (CFDT, GCT, FO, CFTC) and UNSA are members of the European Trade Union Congress (ETUC)¹⁰⁸ which is the representative body for trade unions at European Union level.

In each branch, the sectoral trade union Uni-Europa¹⁰⁹ (regional organisation of Uni-Global, see below). This organisation describes itself as a 'major trade union player in Brussels' and aims to be effective at the 'heart of Europe', in dialogue with industries, lobbying the European Commission and taking issues to Members of the European Parliament. Representatives from CGT, FO and CFDT are on the executive committee of UNI-Europa and a representative from FO is on the Women's Committee of this body¹¹⁰

International links:

CFDT, GCT, FO, CFTC are affiliated to the International Trade Union Confederation (ITUC)¹¹¹ - the world's largest trade union federation.

One member of the CGT is on the executive committee of UNI-Global Union.¹¹²

Employers organisations:

EU links

MEDEF is an active member of Business Europe¹¹³ (ex UNICE).

CGPME belongs to the European Association for Craft, Small and Medium Enterprises (UEAPME).¹¹⁴ UEAPME is the employer's organisation representing the interests of European crafts, trades and SMEs at EU level.

International links :

MEDEF is member of the governing board of the ILO.

International MEDEF¹¹⁵, was established in 1990 in order to develop relations and cooperation between French and foreign entrepreneurs and to defend French companies' interests in the world

7.3 Other intersecting social inequalities

7.3.1 Ethnicised / racialised groupings

- What is the composition of the national population by ethnicity?

The French government does not keep statistics on religious adherence, nor on ethnicity or on political affiliation. The only statistical data available distinguishes 'French nationals' from 'Foreigners', occasionally including a difference between 'National by birth' and 'National by acquisition'

- What are considered to be the most important ethnicised, racialised, and linguistic divisions politically (e.g. Roma/non-Roma, Black/White, citizen/migrant, language communities)?

- 1) Origin (North African-African-Asian/Caucasian)
- 2) Citizenship (migrant/European citizens/French citizens)
- 3) Religion (Muslim/non Muslim)

- Is ethnicity considered to be intersected by religion (e.g. Islamic/non-Islamic)?

Mainly since 2001-2002, ethnicity is considered intersecting with religion (Islamic)

¹⁰⁸<http://www.etuc.org/>

¹⁰⁹<http://www.uni-europa.org/>

¹¹⁰<http://www.union->

[network.org/unieuropean.nsf/78adff9c7a15c02cc125723000554d72/\\$FILE/ExecutiveComposition.pdf](http://www.union-network.org/unieuropean.nsf/78adff9c7a15c02cc125723000554d72/$FILE/ExecutiveComposition.pdf)

¹¹¹<http://www.ituc-csi.org/spip.php?rubrique1>

¹¹²on the executive committee of UNI-Europa

¹¹³<http://www.buinessseurope.eu>

¹¹⁴<http://www.ueapme.com/EN/index.shtml>

¹¹⁵<http://www.medefinternational.fr/>

- o Prioritise the ones that have been the most important in the development of gender+ equality policies.

Not in gender equality policies per se.

- 1 – Origin,
- 2 – Citizenship was an emphasised issue in the plans to fight gender based violence.

- o What is the citizenship status of (all or part) of each of the minoritised groups (e.g. do any groups lack the right to political participation, employment, residence, social security benefits, or visit)?

16 kinds of citizenship exist for minoritised persons:

Code For entrance, stay and asylum seeking of foreigner (CESEDA)¹¹⁶) established in 2004 (then modified in 2006) provides the citizenship status for migrants. The labour code, Social security Code and Education Code provide specific disposition for foreigner residents.

French Citizens: Same rights as non-racialised French citizens. The anti-discrimination law, (2001-1066 of the 16 November 2001) underlines the persisting inequalities regarding employment issues.

French Citizens living in the overseas: limited access to social security benefits (depending on employment).

EU residents: Same rights as French citizens, but limited access to vote and political representation (except for in the local and European elections).

Regular Residents (non European): Rights to employment and visit depend on the type of resident card.

- Temporary residence card "employee"
- Temporary residence card "family life"
- Temporary residence card "temporary worker"
- Residence card "skills and talents" (Articles L.315-1 to L.315-9)
- Residence card bearing the words "retired" (Article L.317-1)
- Temporary residence card "student"
- Temporary residence card of up to one year

Asylum seeker: No right to employment, limited stay/or no right to residence. No right to vote/political representation.

Undocumented residents ('sans-papier'): Access to education, limited access to health care. The state provides minimum health care services via AME-Medical Aid for Health. No political representation, no right to work, no right to social security benefits, no right to stay on French territory.

- o In what way are ethnicised and racialised groups organised? What are their main strategies?
 - o Building autonomous institutions? No.
 - o Public protest e.g. demonstrations? Yes.
 - o Campaigning? Yes
 - o Lobbying state? It depends
 - o Service provision? NO
 - o Research? NO

NB: Ethnicised and racialised people are not always per se. The major distinctions established before, i.e: origin, citizenship, religion seem more revealing in the current French context. Thus, migrant, racialised groups are always set up with intersecting purposes: citizenship, religion or gender. As a consequence, they are not made up by only racialised people.

Indigenous of The Republic (Les Indigenes de la République)) is an association that aims to fight against all forms of discrimination on grounds of race, sex, religion or origin. It wants to 'denationalise' the history of France and aims to give voice to the multiple stories of all those who live in France today. It is located in the field of post colonial struggles. The movement became known in January 2005 by the launch of Call of the indigenous people of the Republic. The association was formally established the

¹¹⁶<http://www.legifrance.gouv.fr/affichCode.do?cidTexte=LEGITEXT000006070158&dateTexte=20080229>

same year. Initially, it was made up of individuals and several organisations, including: MAY 59 (autonomous Movement of Immigration in North); CMF (Collective of Muslims in France); oumma.com; GRAAF (Activist Research Group on Africa); FETAF (French Federation of African Students and workers); Rights of Muslim women in France; Words are Important; The Feminist Collective 'Blédardes'; TouTEsegaux.net; Permanent Festival against racist laws (Strasbourg); DiverCité (Lyon); ATMF (Association of North African Workers in France); and the rap group The RUMEUR.

Their main strategies are public demonstrations and meetings and campaigning.

MRAP¹¹⁷ : (Movement against racism and for friendship between People) Was established in 1949. Movement against racism and xenophobia.

Strategies: Actions in court (against racist crimes, « blunder », racist propaganda, etc.), Training, education. MRAP is agreed as a « National Organisation for Popular Education ». Individual support and collective fights in order to obtain political representation and citizenship for all residents, International solidarity. MRAP is a member of Consultative Committee of UN for Human Rights. It builds international network with « oppressed people » (Palestinian, Iraqi, etc.).

MRAP is made up of 180 independents local committees and 20 federations in France.

- In what way are women engaged in these organisations?

See below.

- Do minoritised women organise separately within or outside of such organisations?

As intersections between gender and race are quite well developed in France, racialised groups and organisations are often women's groups.

Most of them have been mentioned in the previous section (7.1: Are there many organisations of minoritised women?)

Integrated:

Indigenous Feminist¹²⁶ is a feminist collective (former "Blédarde" Collective) of racialised women within the "Movement of native-born of the republic".

Separate:

Initiatives of African Women of France and Europe (**ifafe**).¹¹⁸ Founded in 1993, it brings together 23 organisations to defend equal opportunities and rights for migrant women. It provides counselling and brings support to migrant women's initiatives. They support projects related to health, discrimination and international solidarity. Public (EU, State and local bodies) and private funding from companies.

Feminist Collective for Equality¹¹⁹ is mainly composed of minoritised/racialised women but aims to fight for the rights of all women. Established in April 2005. Made up of women - Muslim and non-Muslim, wearing the headscarf or not it acts to defend the right of women without falling into a racist and universalist bias. The collective is involved in the struggle for women's rights in different areas (not only in the veil issue).

Neither Whore nor Submissive (NPNS) (see section 7.1). The organisation aims to represent women from suburbs and migrants. The organisation has links with the state and the parties. Its main strategies are lobbying and political representation. The NPNS has been criticized by various French feminists and left-wing authors who claimed that it supported a racist, islamophobic instrumentalisation of feminism as represented by the French right. The criticism was based on the idea that forms of Islamic feminism were impossible. The decision of the president of the NPNS, Fadela Amara, to become a secretary of state in François Fillon's right-wing government was also much criticised by the left in France, and often seen as an illustration of the conservative base of NPNS ideas.

Are there any groups organised against certain ethnic groups?

Not explicitly. However, some groups can be described as racist but without being officially declared as such. The Front National – National Front (FN), a nationalist political party, can be described as such because of its discourses against immigration from North Africa, West Africa and the Middle East.

¹¹⁷<http://www.mrap.asso.fr/>

¹¹⁸ <http://www.federation-ifafe.org/>

¹¹⁹ <http://cfpe.over-blog.org/>

7.3.2 Religion/belief/faith

What is the composition of the national population by religion / faith

- o What proportion of the population are practising members of an organised religion?

Some unofficial survey estimates exist from the CSA poll.¹²⁰:

In 2003-2004	CSA Poll 2006-2007:
62% Roman Catholic, 7% Muslim, 2% Protestant, 1% Jewish, 3% other religion 26% no religion 1% declined to answer.	56 % Roman catholic 31 % No religion 4 % Muslim 3 % Protestant 1 % Jewish 5 % other religion or declined to answer

Source: CSA, La Vie, Le Monde, 2003 & CSA, 2007

When questioned about their faith in 2003-2004:

41% of the respondents said that the existence of God was "excluded" or "unlikely".

33% declared that "atheist" described them rather or very well, and 51% said "Christian".

There are an estimated 45 million baptised Catholics in France, (77% of the population), in 98 dioceses, served by 23,000 priests. However, according to polls, the numbers of believing and practising Catholics are much lower.

The discrepancy between the number of "atheists" (33%) and the number of those with "no religion" (26%) may be attributed to people who feel culturally close to a religion, follow its moral values and traditions, but do not believe in God.

- o What proportion of the population are practising members of an organised religion?

Religious practise according to sex in France, 2005

	Regular practice		Occasional practice		No practice but Faith.		No practice, no faith.	
	Females	Males	Females	Males	Females	Males	Females	Males
% by sex	14,0	9,4	22,2	18,6	36,9	37,7	26,1	33,5
France (except overseas), 15 years old and over.								
Source : Insee, Survey 2005								

- o What are the main religious organisations? What are their main strategies (i.e. Building autonomous institutions, Public protest e.g. demonstrations, Campaigning, lobbying state, service provision, research)

The Church of France¹²¹ is part of the Roman Catholic Church, under the spiritual leadership of the Pope and curia in Rome. The Church is an autonomous institution, and do indirectly lobby the state although this is not explicit in the form of campaigns or political protest. Active lobbying concerns intimate citizenship issues: abortion, rights for same sex couples and transgender and civil partnerships.

The 1905 the French law on the separation of Church and State removed the special status of the four state religions; however, religious organisations tend to be institutionalised.

The first French Parliamentary Commission on Cult Activities was created in 2006, which led to a report registering a number of cults considered as dangerous. Supporters of such movements have criticised the report on the grounds of the respect of religious freedom. Proponents of the measure contend that only dangerous cults have been listed as such, and state secularism ensures religious freedom in France.

¹²⁰http://a1692.g.akamai.net/f/1692/2042/1h/medias.lemonde.fr/medias/pdf_obj/sondage030416.pdf

¹²¹<http://www.ccf.fr/>

- How are women represented or not within them?

Not known

- Do they oppose gender equality in general and in our three issues?

The church of France is opposed to equality issues in the field of intimate citizenship. There is active lobbying and campaigning against abortion¹²² and civil partnerships.¹²³

The church supports the fight against GBV and strongly condemns prostitution.¹²⁴

- What is their preferred model of womanhood?

On basis of its strong commitment to the family model and lobbying for increased maternity leave, the Church of France has a vision of gender equality that is more similar to an equal valuation of different contributions model, than to equality through sameness or equality through transformation.

- Do they support or oppose the other equalities issues?

There is support for equality issues based on disability, age and ethnicity . There is a general opposition to equality on grounds of sexual orientation.¹²⁵

- Are they in alliance with any other inequalities or not?

In alliance with the Christian Anti Racist Movements and the Trade unions,(the CFTC).

- Are there any groups organised against certain religious groups?

Not explicitly anti-religious. But radical Islamic organisations tend to oppose Christianity, and vice versa.

7.3.3 Sexual orientation

- Are there gay/lesbian/trans/bisexual/queer organisations?
- What are their main strategies
 - Building autonomous institutions, No
 - Public protest e.g. demonstrations, Yes
 - Campaigning, Yes
 - Lobbying state, Yes
 - Service provision, Yes
 - Research, Yes

- Do they have a national organisation?

Inter-LGBT¹²⁶ coordinates 56 LGBT associations and some trade unions and political parties are members. It organises the LGBT pride and coordinates various actions.

Centre LGBT: holds a building in Paris dedicated to LGBT associations and meetings since 2007. 49 associations are affiliated to the centre.

=>They are both affiliated to ILGA ¹²⁷(International gay and lesbian Association)

LGBT : Panthères roses (Pink Panthers)¹²⁸

Transgender : ASB Benjamin Syndrome Association¹²⁹ CARITIG (Research and Information on Transsexuality and Gender Identity)¹³⁰, Trans Aid.¹³¹

Gay and lesbian SOS homophobia¹³² UEEH (Summer Euro Mediterranean University for Homosexualities)¹³³ Parents, famille et amis de gays et lesbiennes' (Parents, family and friends of gays and lesbian), CUC (Collective for the civil union contract), Association des parents et futurs

¹²²<http://www.cef.fr/catho/actus/archives/2008/20080124campagneavort.php>

¹²³<http://www.cef.fr/catho/endit/txtoffic/1998/text1998pacs.php>

¹²⁴See <http://www.cef.fr/catho/espacepresse/communiqués/2003/20030925violences-femmes.pdf>

¹²⁵<http://www.cef.fr/catho/archives/assplen/assplen1997/index2.htm>

¹²⁶<http://www.inter-lgbt.org/>

¹²⁷<http://www.ilga.org/index.asp>

¹²⁸<http://www.pantheresroses.org/>

¹²⁹<http://syndromedebenjamin.free.fr/>

¹³⁰http://www.caritig.org/index_en.html

¹³¹<http://www.trans-aide.com/>

¹³²<http://www.because.org/>

¹³³<http://www.france.qrd.org/assocs/ueh/spip.php?rubrique40>

parents gay et lesbiens (Association for gay and lesbian parents and parents-to-be), MAG (Movement for the Affirmation of young gay and lesbians).

Gay : Gay pour les libertés (Gay for liberties), Homo-sphere Association.

Lesbian : Tasse de thé (Cup of tea)¹³⁴, Coordination lesbiennes de France (French Lesbian coalition).¹³⁵

Bi : Bi Cause¹³⁶, Bi-zardes.¹³⁷

- o In what way are women engaged in and represented in these organisations?

Women are represented in most LGBT associations except those focusing on gay rights. In most of the others, there is a separate lesbian/women section.

- o Do they work in alliance with other inequalities or not?

Health (HIV): LGBT movement is closely linked with Act-up and AIDES (Association of fight against AIDS:)

Feminism: Furieuses fallopes.

Anti racism: Association pour la reconnaissance des droits des personnes homosexuelles et transsexuelles à l'immigration et au séjour (Association for the acknowledgment of homosexuals and transsexual persons rights to the immigration), BEIT HAVERIM, association de juifs LGBT et de leurs amis, Pink Panthers.

Class : HES 'Homosexualité et socialisme' (Homosexuality and socialism).

Disabilities: ACGLSF, (Cultural association of deaf gays and lesbians), AGLH (Association for disabled gays and lesbians).

- o Are there any groups organised against gay / lesbian / trans-people?

Opposition of Catholic Church to extending LGBT rights (see section 7.3.2).

7.3.4 Disability

- o Are there disability organisations?

Yes. All are members of the Advisory National Council of disabled persons (CNCPH)¹³⁸ () and the French Council of Disabled Persons for European Issues (CFHE).¹³⁹). They represent disabled people within the Government at national, regional and local levels.

(FNATH)¹⁴⁰ (*Association des accidentés de la vie*, Association of Handicapped persons) was established in 1921 and has 200.000 subscribers and 20.000 volunteers in 1500 local groups in France. It defines itself as an association to defend the interests of all injured, sufferers, victims, cripples and disabled. It is financed through public funding and and via important firm's donations.

Association of Paralysed of France (APF).¹⁴¹ was created in 1933. It aims to 'guarantee a real access to basic rights for every disabled person'. The association leads protest actions and manages services and medico-social establishments. It has have 29.937 members, 4000 volunteers and 10.931 employees (mainly in medical establishments) and 1164 disabled workers. (Activity report 2006 available on-line).

Federation of organisations for parents and friends of mentally disabled persons (UNAPEI)¹⁴² brings together 750 organisations. UNAPEI organisations seek to change the way of thinking about the mentally disabled and to prevent their suffering from prejudice and discrimination.

¹³⁴<http://www.tassedethe.com/index.htm>

¹³⁵<http://www.coordinationlesbienne.org/>

¹³⁶<http://www.bicause.org/>

¹³⁷<http://les-bi-zard-e-s.ptitnuage.net/>

¹³⁸http://www.handicap.gouv.fr/article.php3?id_article=17

¹³⁹<http://www.cfhe.org/>

¹⁴⁰<http://www.fnath.org/>

¹⁴¹<http://www.apf.asso.fr/>

¹⁴²<http://www.unapei.org/>

To achieve this, it regularly organises awareness-raising events for the general public and government decision-makers.

Grouping for Integration of Disabled persons (GIHP).¹⁴³ The National GIHP is a community based association that meets 25 GIHP departmental or regional structures who, for the most part, full legal capacity. GIHP aims to contribute to the integration of persons with disabilities (physical, sensory or intellectual) in 'cultural, social and professional life'. The organisation emphasises the importance of integrating schools and universities; proposes home support services, and accompanying travel; participates in several programmes and initiatives of the European Union, is in partnership with associations of disabled persons residing in various countries of Europe. There are 5 permanent employees. It hires 900 persons to provide services.

- In what way are women engaged in and represented in these organisations?

Only FNATH refers to the 'double discrimination' faced by disabled women. Other organisations focus on the young, age and family issues.

7.3.5 Age

- Are there organisations of / for older people? What are their main strategies (i.e. Building autonomous institutions, Public protest e.g. demonstrations, Campaigning, lobbying state, service provision, research)
- How are women engaged in and represented in these organisations?
In each case, are there EU, bilateral or other international links.

One of the main organisations for older people is the National Association for Retired and Older People (UNRPA).¹⁴⁴ (). The UNRPA is a non-profit association (law of 1901). It has nearly 200.000 members. It was established in 1945. It is a Structure to National Association with regional, federal and local structures. The different structures on federal and local levels are independent in terms of managing their finances, but they respect all the same statutes on duties and goals. The main strategy is lobbying, It participated in drawing up the "black book" which led to the establishment of the Specific Benefit Dependency (PSD), (later the APA -Personal Help for Autonomy). It is member of the Departmental and regional Committees of Retired Persons and Senior Citizens
It is one of the permanent members of the National Council of retired and Senior Citizens (CNRPA).¹⁴⁵ (). The CNRPA is a consultative body composed of 35 members (representatives, associations and organisations representing seniors)). It is under the supervision of the minister delegated to older people.

16 Associations and trade unions (CGC, CFDT, CFTC, CGT) representing Retired Persons and Senior Citizens.

It is also an active member of AGE the European Older People's Platform¹⁴⁶ and EURAG Europe¹⁴⁷. AGE-Eur AGE was set up in January 2001. It is involved in policy and information activities to put older people's issues on the EU agenda and to support networking among older people's groups. EURAG is a member of the [Platform of European Social NGOs in Brussels](#) and has Participatory Status with the Council of Europe as well as Consultative Status with the UN. Submissions to state/governmental consultations. Uses the EU level.

¹⁴³<http://www.gihpnational.org/>

¹⁴⁴[Http://www.unrpa.fr](http://www.unrpa.fr)

¹⁴⁵<http://www.travail-solidarite.gouv.fr/espaces/personnes-agees/instances/cnrpa-comite-national-retraites-personnes-agees/cnrpa-presentation-fonctionnement-attribution-5667.html>

¹⁴⁶<http://www.age-platform.org/>

¹⁴⁷<http://www.eurag-europe.org/index.php?id=336>

7.4 Hotspots and Alliances

Is there a history of controversies or 'hotspots' between certain of the intersecting inequalities, rather than others (if so, which)? For example is gender/religion or sexuality/religion a regular source of controversy? Is this hostility best described as endemic or constant, or as occasional and issue based?

Hotspots and alliances between intersecting inequalities and gender in France are linked with the evolution of the socio-economic composition of the feminist movement (Falquet, 2006)¹⁴⁸.

In the late 1970's and until the 1990's, hotspots between intersecting inequalities were located in the field of sexual orientation, e.g. division lesbian and feminist movement¹⁴⁹.

Currently, intersection between gender and racial inequalities can be considered both as hotspots and alliances.

One of the latest hotspot related to intersecting inequalities is related to the so-called "veil affair". It started in the October 1989, when three female pupils were suspended from school for refusing to remove their veils in class at the Gabriel Havez Middle School. Between 1994 and 2003, around 100 female students were been suspended or expelled from middle and high schools for wearing the veil in class. The "veil law" was passed by the French parliament in March 2004. 'The law on secularity and conspicuous religious symbols in schools' forbids the wearing of any "ostensible" religious articles, including the veil¹⁵⁰. This law led to an important controversy. Some organisations of the feminist movement were for the law, considering the veil as a symbol of woman's submission to men and/or a danger for secular principles: The *Penelopes*¹⁵¹, les *Chiennes de Garde* (The guard-dogs)¹⁵², Sylviane Agacinsky (philosopher), NPNS.

At that time, the collective *Une école pour tous et toutes* (A school for all)¹⁵³ brought together some groups of racialised women, women from suburban neighbourhood (« *banlieues* »), activists from sex workers movement, lesbian and radical feminists (as for example Christine Delphy) and antiracist organisations (LDH – Human rights league). They later created the "Feminist collective for equality" (see above). They criticized the national and international context of the law, its practical consequences¹⁵⁴ and the discourses about it (in the media as well as in the political field). According to her, the "fear" of the veil at school should be seen as a manifestation of racism. They denounced the hegemonic white western model of women's liberation.

The Veil affair remains a controversial issue and created major divisions within the French women's movement.

Do some organisations representing inequalities often form alliances with each other (if so, which)? For example, feminism and trade unions, or feminism and gay/lesbian groups? Are such alliances best characterised as routine and institutionalised, or as ad hoc and issue based?

Alliance between feminists and Trade Unions are routinised and more or less institutionalised (as far as we can say that feminist movement is itself institutionalised). CFTD is the trade union that traditionally engages with the women's movement, but there are no privileged alliances yet.

¹⁴⁸Falquet, J. (2006). Le combahee Rive Collective, pionnier du féminisme Noir. Contextualisation d'une pensée radicale". In: Falquet, J; Lada, E; Rabaud, A. (Ré)articulation des rapports sociaux de sexe, classe et "race". Repères historiques et contemporains. Cahiers du CEDREF. Paris: Université Paris-Diderot: 69-104.

¹⁴⁹ Benelli, N; Delphy, C; Falquet, J; Hamel, C; Hertz, E; Roux, P. (2006), Sexisme et racisme: le cas français, Nouvelles, Questions Féministes, Vol.5, N°1.

¹⁵⁰ The law on secularity and conspicuous religious symbols in schools was finally adopted in 2004 and it forbids the wearing of any "ostensible" religious articles, including the Islamic veil, the Jewish kippa, and large Christian crosses. Whereas in France, Christianity benefits from multiple advantages in educational system (vacations and public holidays for Christian holidays, fish in school lunches on Friday, payment by the government of teachers working in Catholic schools)

¹⁵¹ See Marie-Thérèse Martinelli, Pénélopes « Voilée/Dévoilée, deux facettes d'une même oppression » (Veil/Unveiled, two facets of the same oppression) 2004 http://www.penelopes.org/xarticle.php3?id_article=4573

¹⁵² See Chiennes de Garde, March 2005, « Voile, le symbole et l'acte » (Veil, the symbol and the act) http://chiennesdegarde.org/article.php3?id_article=383

¹⁵³ See Christine Delphy, « Une Ecole Pour Tous et Toutes » (A School for All), Le Trianon, Paris, 4 February 2004 http://multitudes.samizdat.net/article.php3?id_article=1323

¹⁵⁴ According to the "Committee of the 15th of March and Liberty" 800 girls have been definitively or temporary excluded from school.

Alliance between gay and lesbian organisations and feminists are more localised insomuch as the lesbian and gay movement -as well as feminist movement- is not well centralised and institutionalised. PACS (civil union contract) was a central issue for both the alliance and the division of the two movements. On one hand, it creates an alternative to heterosexual marriage and a path to more rights for same sex couples. On the other hand, claiming marriage right for same sex couples were seen as a conservative view by some radical feminists (lesbian or not).

WIDER SOCIAL INSTITUTIONS

8. Wider Social Environment

The wider social environment may be important in explaining the resources, whether economic, organisational or discursive, which are available to the political groups and institutions identified above.

Population, economic development, economic inequality and state welfare

	Country	EU
GDP per capita PPP (Purchasing Power Parity) 2005 (OECD 2006)	109	100
Current PPPs	Or 112.1	
Population size 2006 (Eurostat 2006)	60.6	459.5
% of workforce in agriculture 2003 (World Bank 2006)	3.5	4.2
Longevity 2005 (World Bank 2005)	80.2	79.5*
Gini (measure of economic inequality) 2005 (Eurostat 2007)	28	30
% GDP/gov. expenditure on social expenditure 2003 (OECD 2007)	31.5	27.8
% GDP/gov. expenditure on active labour market policies 2003 (OECD 2007)	0.9	-
% GDP/government expenditure on childcare (forthcoming OECD)	0.5	
% GDP/Government expenditure on military (World Bank 2005)	2.485	1.69

* Data only available for EU 15

Gender Regime

		Female	Male
Employment rate (2005, Eurostat)¹⁵⁵		57.6	68.8
Unemployment rate (2005, Eurostat)¹⁵⁶		10.7	8.4
Share of women in adult labour force % (2004, UN)¹⁵⁷		48	61
Women's share of part-time employment % (2004, UN)¹⁵⁸		30.1	5.8
Gender pay gap, unadjusted (gap= difference between average gross hourly earnings of male and female employees given as % of average gross hourly earnings of male paid employees, unadjusted form 2005 Eurostat)¹⁵⁹	12		
School enrolment tertiary % gross 2001-2002, (2004, World Development Indicators)¹⁶⁰	56	63.1	49.2
Women in Parliament % of parliamentary seats in single or lower chamber occupied by women (UN 2007)¹⁶¹		18.5	81

¹⁵⁵ Employment rates:

http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996,39140985&_dad=portal&_schema=PORTAL&screen=detailref&language=en&product=STRIND_EMPLOI&root=STRIND_EMPLOI/emploi/em012

http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996,39140985&_dad=portal&_schema=PORTAL&screen=detailref&language=en&product=STRIND_EMPLOI&root=STRIND_EMPLOI/emploi/em013

¹⁵⁶ Unemployment rates:

http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996,39140985&_dad=portal&_schema=PORTAL&screen=detailref&language=en&product=STRIND_EMPLOI&root=STRIND_EMPLOI/emploi/em072

http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996,39140985&_dad=portal&_schema=PORTAL&screen=detailref&language=en&product=STRIND_EMPLOI&root=STRIND_EMPLOI/emploi/em073

¹⁵⁷ Share of women in adult labour force: percentage of the economically active who are women:

<http://unstats.un.org/unsd/demographic/products/indwm/tab5a.htm>

¹⁵⁸ Women's share part-time employment:

<http://unstats.un.org/unsd/demographic/products/indwm/tab5b.htm>

¹⁵⁹ Gender pay gap:

http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996,39140985&_dad=portal&_schema=PORTAL&screen=detailref&language=en&product=STRIND_EMPLOI&root=STRIND_EMPLOI/emploi/em030

¹⁶⁰ World Development Indicators, World Bank (September 2006)

¹⁶¹ Women in parliament:

<http://unstats.un.org/unsd/demographic/products/indwm/tab6a.htm>

Women's share of legislators and managers % (UN 2005)¹⁶²		37	63
% one parent families (dependent children) (INSEE 1999)	18.6*	80**	14***
Mean age at first marriage (Eurostat, 2003)¹⁶³		28.8	30.9
Marriage rate (2005, UN)¹⁶⁴	4.51		
Divorce rate (2005, UN)¹⁶⁵	2.5		
Fertility rate: births per women 2002 (2004 , World Development Indicators)¹⁶⁶	1.9		

* % one parent families

** % mothers at the head of the one parent family

*** % fathers at the head of the one parent family

9. SUMMARY

9.1 'Deficiencies, deviations and inconsistencies in EU and MS's gender+ equality laws'

	Fully transposed	Before/ after EU	Year	Less, equal to EU, or beyond	ECJ for CEC/Country	EU references
Issues						
<i>Example: Parental leave UK</i>	Yes	After	1998	Beyond 2002	CEC	No
1 Equal pay/equal treatment	Yes	After	1983 2001 2006	Equal	ECJ in 2000 concerning women's night work	Yes, in the 2008 law concerning equal access to goods and services
2 Sexual harassment and discrimination	Yes	Same	1992 2002	Equal	-	No
3 Equality bodies	Yes	Before	2004	Equal	-	No
4 NGO/civil society dialogue	No	-	-	-	-	-
5 Parental leave	Yes	Before	1977 1984 1985 1994	Beyond	-	No
6 Organisation of working time	Yes	Before	1982 2000	Equal (but beyond concerning weekly working hours)	-	No
7 Gender Machinery	Yes	Before	1960 1995 2000	Equal	-	No

¹⁶² Women's share legislators and managers:

<http://unstats.un.org/unsd/demographic/products/indwm/tab5d.htm>

¹⁶³ Mean age at first marriage:

http://epp.eurostat.ec.europa.eu/portal/page?_pageid=1996,39140985&_dad=portal&_schema=PORTAL&screen=detailref&language=en&product=Yearlies_new_population&root=Yearlies_new_population/C/C1/C13/cab11024

¹⁶⁴ Marriage rate, table 23: <http://unstats.un.org/unsd/demographic/products/dyb/dysets/2003%20DYB.pdf>

¹⁶⁵ Divorce rate:

<http://unstats.un.org/unsd/demographic/products/dyb/DYB2003/Table25.pdf>

¹⁶⁶ World Development Indicators, World Bank (September 2006)

9.2 Plans and programmes

National general gender equality plan (current)	Yes				No X
Reference to Lisbon targets					
Reference to Barcelona targets					
Targets and indicators	None	Weak	Moderate	Strong	

National plan: Gender-based violence (current)	Yes				No
Targets and indicators	None	Weak X	Moderate	Strong	

Focus on gender	No	Yes:	Weak	Moderate	Strong
Employment plan (general assessment)	X				
Social protection and social inclusion plan (general assessment)				X	
Reference to gender based violence				X	

9.3 Gender machineries

National gender machineries	Yes (specify date)		No	Notes
	Gender specific	General equality		
Central government gender equality body with senior minister			X	Neither Ministry nor State Secretary dedicated to gender equality since the presidential election of Nicolas Sarkozy in 2007
Independent equality body (research, monitoring, and enforcement)	1995			The Parity Observatory created in 1995
National consultative / representative body linking state and women's NGOs			X	
Any other body / bodies (e.g. parliamentary committees)		2003 1999		1. The HALDE, created in 2003, is a National High Authority fighting against all forms of discriminations, including gender. However, the HALDE has not linked with women's NGOs. 2. The delegation for women's rights and equal opportunities between men and women at the National Assembly created by the 12 July 1999 law

9.4 Policy

	No -Not at all	Yes / Low	Yes / Moderate	Yes / High
General To what extent is gender mainstreamed throughout policies?		X	X	
Non-employment (4.1)				
Extent to which mothers can be legitimately non- employed				X
Intimate citizenship (4.2)				
Extent to which women have access to abortion (in country of residence)				X
Extent to which state policies are highly heteronormative			X	
Gender-based violence (4.3)				
Extent to which policies on GBV go beyond domestic violence	X			
Strength, resources and co-ordination of GBV policies		X		

9.5 Civil society and state interface

	Not at all	Low	Moderate	High
Strength of national co-ordinating gender equality body (centralisation, co-ordination, representativeness, resources)		X		
Extent to which the women's NGOs participate in policy making		X		
Extent to which women's NGOs are close to state		X		
Extent to which women's NGOs engage with intersecting inequalities		X	X	
Extent to which women's NGOs are state funded		X		
Extent of influence of trade union body on policy making		X		
Extent of power of women within trade union body		X		