



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

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**Committee on the Elimination of Discrimination  
against Women**

Pre-session working group

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**Responses to the list of issues and questions with regard to  
the consideration of the sixth periodic report of France**

**Replies to the supplementary questionnaire addressed to  
France by the Committee on the Elimination of Discrimination  
against Women**

(A) Constitutional, legislative and institutional framework

(1) Reservations:

The procedure for withdrawal of the reservation to article 14.2 (c) has been initiated; the reservation will be officially withdrawn no later than France's presentation of its report in January 2008.

Concerning the reservation to article 16.1 (g), it should be recalled at the outset that Act No. 2002-304 of 4 March 2002 concerning family names, as amended by Act No. 2003-516 of 18 June 2003, which entered into force on 1 January 2005, abolished the notion of patronymic names. This Act also ended the automatic and non-derogable practice of passing down the name of the husband to children born during the marriage. Now, spouses may choose to give their first-born child, born on or after 1 January 2005, either the father's name or the mother's name, or both their names in whichever order they determine, but limited to one family name each.

The principle of equality between the parents concerning the passing down of family names is thus set out in French law. However, the law maintains customary rules under which the child takes the name of his or her father where the parentage of the child has been established simultaneously. This rule has been strongly supported by the population, and the option of choosing a name other than the father's has in practice been very little used (parents make a declaration of choice of last name for only about 7 per cent of births).

Consequently, France's reservation to article 16.1 of the Convention will be maintained.



(2) Application of the Convention by the French judiciary:

In the absence of a judicial decision referring explicitly to the United Nations Convention on the Elimination of All Forms of Discrimination against Women, the Convention may not be directly and usefully invoked before the courts. However, provisions of the Convention are incorporated in French legislation and are enforced as such, including within the framework of legal proceedings.

In terms of raising awareness among legal professionals, initial and continuing training of judges includes modules in private international law which refer to various international conventions. Furthermore, the *École nationale de la magistrature* (national magistracy college) has a module devoted specifically to victims to provide magistrates-in-training with the necessary information on the place and procedural status of victims in legal disputes, including cases concerning violence against women. Moreover, a module is devoted to introducing the provisions to combat exclusion and discrimination. Continuing training activities on domestic violence are also provided to magistrates.

(3) The High Authority to Combat Discrimination and Promote Equality:

In 2006, among the 4,058 complaints recorded by the Authority, 203 concerned direct or indirect gender discrimination (or 5 per cent of the total).

The Authority had dealt with 363 cases in 2005. In 2006, it dealt with 2,143. The College of the Authority took 344 measures, including 151 recommendations submitted to the Government, public authorities and businesses; it transmitted 42 cases to public prosecutors, and issued a number of official warnings. It has used mediation when it considered this to be the best way to resolve the issue at hand.

The cases relating to discrimination against women mainly concern pay gaps between men and women.

The Equal Opportunities Act of 30 March 2006 gave the Authority new powers, including the power to propose settlement fines and damages for losses incurred by victims and the power to submit comments to civil, criminal or administrative courts on its own initiative.

The College has been making use of those new powers since 2006. It has proposed 20 settlement fines (of which 16 were accepted) and has decided to submit comments to the courts in 48 cases.

The number of complaints settled during pretrial investigations by the Authority even before being submitted to the College more than tripled between 2005 and 2006, which confirms that its regulatory role is recognized.

(4) Charter on Equality between Women and Men:

As at 7 March 2007, three quarters of the Charter's 280 commitments had either been met (56 per cent) or were being met (18 per cent). France thus has the effective means for improving the status of women in public, professional and private life, with for example:

– Concerning equality in professional life:

- The renewal of the inter-ministerial agreement for equality between girls and boys in the education system (2007-2011) in order to diversify school and career

guidance, develop mutual respect and train all persons concerned in gender equality issues in more than 70,000 schools;

- The Equal Pay Act of 23 March 2006, which seeks to eliminate wage gaps by emphasizing social dialogue;
  - The “equality label”, now given to 33 businesses with 627,696 employees, which are showing how they are improving their organization and management of human resources by developing a culture of equality within them.
- Concerning respect for the rights and dignity of women:
- A national public information campaign on contraception conducted in 2007;
  - An intensification of the campaign against domestic violence targeting:

(1) *Victims*, including a hotline number, 3919, billed at the cost of a local call, to refer each caller to the appropriate services and solutions; easier access to shelters and relocation services; unemployment benefits for women victims of violence who have been forced to leave their homes and quit their jobs; better services for children exposed to conjugal violence;

(2) *Perpetrators*, including increased penalties and better treatment to prevent subsequent offences;

(3) *Professionals and the public at large*, including the development of training and a media campaign with the slogan “Domestic violence, speak out before it’s too late” to introduce the 3919 hotline.

(5) The European programme entitled “*Engagement du Service Public de l’Emploi pour Restaurer l’Égalité*” (“Commitment by the Government Employment Department to Restore Equality”) (ESPERE):

To date, training modules to combat discrimination have been implemented in some 60 local and departmental Government Employment Department sites; 1,200 persons have been trained in order to integrate this set of themes in the local action plans and in every partnership activity of the Government Employment Department.

(6) Overseas territories:

#### *Martinique*

##### 1. Employment:

Microenterprises account for 95 per cent of the economy. In June 2006 the unemployment rate was 25.2 per cent, an increase of 3.4 points over 2005. Women’s unemployment remained higher than men’s (27 per cent versus 23 per cent). The average length of unemployment was 41 months. Part-time work, which continues to grow, involves women in particular (21 per cent of women work part-time, versus 8 per cent of men).<sup>1</sup>

A proactive policy is being conducted to encourage women to establish their own business, including:

<sup>1</sup> See “*L’enquête emploi en Martinique en 2006*” (French only).

- Regional assistance for the integration of women, which supports marginalized women in their business development endeavours or social economy activities;
- Establishment of a “Management Store” offering assistance for launching projects and start-up support;
- Training activities reserved exclusively for women in sectors with a demand for labour (including the construction trade);
- A prize for women agricultural technicians, which seeks to encourage young women to go into this employment-generating industry;
- Gender equality training for social partners and Government officials.

Two major difficulties should be emphasized: transportation costs related to the overuse of the road network and poor organization of public transport, and the lack of day-care openings for children up to the age of 6 (there is a shortfall of 20,000 such openings according to the childcare association Collectif des modes de garde de la petite enfance).

## 2. Violence against women:

A media campaign on violence against women, carried out every year since 2002, has broken the silence.

The following care system has been put in place:

- A shelter and social reintegration centre (CHRS) with 26 places;
- Transitional housing;
- Emergency hotel accommodation;
- Emergency support system (hospitals, hotel);
- A departmental rehabilitation and support centre (CENDRA), managed by the General Council, where women victims are rehabilitated over a three-month period before being referred to a CHRS;
- A reception, counselling and psychological support centre for perpetrators of violence.

On 1 February 2006, a departmental protocol to prevent and combat violence against women was agreed to by the State, local authorities, social organizations, the Court of Appeal Bar Association, the Medical Council and associations. Various actions have been carried out within this framework:

- Training for gendarmes and police officers on the response to be provided to victims of violence;
- Trial job integration for women victims of domestic violence, making it possible to reduce the length of their stay at a CHRS;
- Youth awareness-raising campaign on the damage caused by gender-based violence;
- Seminar organized by the European Association against Violence towards Women in the Workplace (AVFT) aimed at social partners and labour inspectors, among others.

A study entitled “Gender and violence: Survey of domestic and interpersonal violence in Martinique” is being carried out and includes two components:

- A quantitative component: Telephone survey of a random sample of 1,200 men and 1,200 women between the ages of 18 and 69 resident in Martinique;
- A qualitative component:
  - The ways out of violence: Survey of the personal or institutional resources that enable women to escape situations of violence or of the obstacles they face in trying to do so: approximately 30 personal or group interviews were conducted, including women victims of violence and officials (legal system, police, gendarmes, social services);
  - Male socialization in Martinique and violence: Survey of the place of violence in the socialization and personal development of Martinique men.

The results of this study are expected in 2009.

### 3. Contraception and abortion:

Contraception is used by 49.6 per cent of women. The number of abortions is on the increase but the number of abortions in minors decreased between 2006 and 2007.

#### Abortion trends in Martinique between 2003 and 2007

	2003	2004	2005	2006	2007
Adults	2 093	2 190	2 004	2 109	2 192
Minors	174	192	188	237	188
Total	2 267	2 382	2 192	2 346	2 380

In response to this situation, the Regional Delegation on Women’s Rights and Equality (DRDFE), in partnership with associations, has implemented a prevention policy that includes the following aspects:

- Communication campaigns to help schoolchildren be better informed about sexuality;
- An annual media campaign on condom use and contraception;
- Dissemination of an audio-visual quiz entitled “Contraception and stereotypes” in all secondary schools on the island;
- Use of theatre to prevent inappropriate sexual behaviour among adolescents.

#### *Guadeloupe*

### 1. Employment:

Men and women still have unequal employment opportunities. As at 31 December 2006, there were 27,751 unemployed women compared with 19,955 unemployed men in all categories. Women are most affected by unemployment: at the end of April 2007, there were more female job-seekers (2.4 per cent more).

Certain strategies have been adopted to reduce female unemployment, to prevent and combat violence against women and to ensure gender equality in education and employment.

In 2005, the FEMINHOM network was established in order to raise awareness, bring men and women together and lead all sectors of society in Guadeloupe towards gender equality. The network has affiliates within approximately 20 institutions.<sup>2</sup> These focal points act as watchdogs to ensure that gender equality is taken into account in their respective institutions. Equal opportunity between women and men is also included in Guadeloupe's development plans. The main objectives are as follows:

- To reduce female unemployment;
- To eliminate violence against women;
- To raise awareness about equality of opportunity for girls and boys.

Most women continue to seek work in the same employment sectors (personal services, administrative and commercial services, sales and distribution, the hotel business). Accordingly, efforts to encourage women to enter so-called "male" professions must be continued and stepped up.

DRDFE is negotiating with the National Job Agency (ANPE) the implementation at the local level of the framework agreement entered into in 2005 by ANPE and the Ministry of Parity and Professional Equality with a view to strengthening the capacity to reduce women's unemployment, stimulate their participation in long-term employment and promote professional equality.

This agreement will allow for enhanced monitoring of the status of women in employment and will formalize the existing system. DRDFE has proposed training ANPE officials in how to put equal opportunity into practice and, more specifically, how to provide guidance to job-seekers in order to avoid certain clichés and offer the applicant all available employment and training opportunities regardless of sex.

The Regional Council is also committed to applying the principle of equality and has added a component entitled "Equal opportunities" to its regional plan for development and vocational training. This component focuses on diversifying the workforce by providing guidance on training and envisages the same training whatever the field (building and public works, childcare) for men and women without discrimination on the basis of sex. It provides funding for skill training and/or certificate courses to help women become more employable and return to work, and to encourage girls to enter new fields (assistance with applying for

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<sup>2</sup> Regional Council, Prefecture, Local Education Authority, Directorate of Health and Social Development, National Police, Regional Delegation on Women's Rights and Equality, Regional Directorate of Cultural Affairs, National Gendarmerie, National Police Headquarters, Departmental Directorate of Judicial Protection of Youth, Departmental Procurement Directorate, National Civil Aviation Authority, Regional Directorate of Maritime Affairs, Agriculture and Forestry Directorate, Directorate of Veterinary Services, Regional Directorate for the Environment, Directorate of Prison Administration, Directorate of Labour, Employment and Vocational Training, National Job Agency, Basse-Terre Detention Centre, BRED Banque Populaire, BNP Paribas, France Telecom, associations such as FORCES, Initiative' Eco, L'Observatoire Féminin, La Boutique de Gestion.

apprenticeships, diversification of guidance in lower and upper secondary schools and information campaigns on occupations).

## 2. Entrepreneurship:

At present, 34 per cent of entrepreneurs in Guadeloupe are women. This figure should rise significantly as a result of the mobilization of the relevant authorities.

DRDFE is promoting the Women's Initiatives Guarantee Fund (FGIF) by raising awareness about entrepreneurship among banks and support structures, and is studying the possibility of decentralizing the Fund's operations in order to simplify the process for all stakeholders.

DRDFE is also a partner in the INITIA project, a women's initiative established by La Boutique de Gestion Guadeloupe ("management partner"). This project, whose overall aim is to support entrepreneurship, will make it possible to:

- Promote the emergence of new activities for victims of discrimination in employment;
- Facilitate the economic integration of women through entrepreneurship;
- Overcome constraints related to the isolation experienced by all potential entrepreneurs, which are greater in the case of woman entrepreneurs;
- Reduce the specific difficulties encountered by women in setting up their own business, especially due to the difficulty of combining work and family life;
- Professionalize entrepreneurship;
- Promote networking for entrepreneurs.

Financial support mechanisms have also been established by the Regional Council in order to promote female entrepreneurship, build the capacities of women who partner with their spouse in running a business of microenterprise, and offer women training that will give them access to leadership and management positions.

## 3. Health:

Worrying behaviour has been observed in recent years among some girls in lower and upper secondary schools: alcohol consumption, sexual relations, and even a form of prostitution (consensual sexual relations in exchange for material gains). In response to this situation, an active prevention policy is in place.

Within the framework of the Regional Public Health Programme for 2007/2008, the following actions have been carried out:

- On the component entitled "Promoting sex education and life skills":
  - Training of women outreach workers in pilot neighbourhoods identified by the French Movement for Family Planning (MFPPF);
  - Training programme on the representations of sexuality for education centre officials.
- On the component entitled "Ensuring access to contraception, emergency contraception and safe abortion for all women who choose these options":
  - Adaptation of national contraception campaigns to the local context;

- Publication of an information brochure on contraception, including the various methods, their advantages, disadvantages, cost and reimbursement;
- Establishment of a 24-hour anonymous telephone hotline;
- Dissemination of information targeting young men;
- Promotion of the use of female and male condoms.

A working group on sexuality and emotional life comprising 14 members trained to provide adolescents with guidance on their sexuality, which was established by DRDFE in 2003, also carries out risk reduction activities in lower and upper secondary schools and at all events dealing with the issue (such as International Women's Day).

In addition, a seminar raising awareness about equal opportunities between girls and boys was organized in 2005 at a secondary school in Guadeloupe.<sup>3</sup>

#### 4. Violence against women:

Police statistics for 2006 regarding deliberate attacks on the physical integrity of women are as follows:

Physical assault without intent to rob	585
Physical assault with intent to rob	288
Sexual assault	76
Threat of assault	178

The care services for victims currently available in Guadeloupe are set out below.

Listening and support centres:

- *The “Allô Ecoute” (“We’re listening”) unit, managed by the Initiative’Eco association, with a free telephone hotline for women victims of conjugal violence: the unit helps these women to escape their feeling of isolation by offering free, anonymous counselling and psychological support (diagnosis of difficulties encountered, identification of emergency situations, provision of information to women on their rights and on prevention and health issues, guidance for people in social, economic and psychological difficulty). The support team consists of two female social counsellors and a psychologist.*
- *The Women’s and Families’ Rights Information Centre also provides counselling for women victims of violence. The team is made up of two female counsellors in social and family economics and a female lawyer.*
- *“SAMU Social” (“Emergency Social Services”), with the free telephone number 115, provides reception, counselling, information, assessment and guidance services, including referral to shelters. It carries out social monitoring and alert functions.*

Emergency accommodation:

- *The Initiative’Eco association has an apartment that can provide temporary accommodation for three families (shared kitchen and toilets).*

<sup>3</sup> See annex: table entitled “Education, formation filles/garçons à la Guadeloupe” (French only).



- *The Women's and Families' Rights Information Centre* also has an apartment for temporary accommodation with four rooms (shared kitchen and toilets).
- *The Cap Avenir* ("*Destination Future*") association manages a housing and social reintegration centre (CHRS) that has 32 places and accepts only women aged 18 to 40, with or without children.
- *The Saint Vincent de Paul Centre* has an apartment with eight places, four of which are intended for women and four for men.

#### Documentation:

- *The "guide infos femmes"* ("*women's information guide*"), published in partnership with DRDFE, is a small directory of aid organizations, distributed to places frequented by women.
- *The departmental guide "Stop violence — Agir, c'est le dire"* ("*Action is what counts*") is a small brochure explaining what action to take in cases of conjugal violence.

#### Interventions:

"Forum theatre" is a tool that is widely used in the Department as part of efforts to combat violence against women. It gives people who wish to exercise active citizenship a means of speaking and expressing themselves through acting. The objective is to raise the awareness of civil society and mobilize it to combat violence against women by breaking the taboo surrounding it.

#### Training:

In 2005, DRDFE commissioned a training course for police officers and gendarmes in reception, counselling and support services for women victims of violence. There are now 12 gendarmes and police officers who are contact points on the ground for the reception of women who have been subjected to violence. This training will be further developed for all the police stations and gendarmerie units in the Department.

#### Law enforcement:

DRDFE regularly faces situations where, even after a court decision, women victims continue to suffer violence. Despite the law of 26 May 2004 on the eviction of a violent spouse from the marital home, victims themselves are still forced to leave for their own protection.

The Regional Delegate has alerted the procurator of the court of major jurisdiction to these cases, stressing the need to ensure that the law is enforced.

The issue of violence is included in the intercommunal security contract, which was established with a view to promoting an effective policy of prevention based on strengthened partnerships in towns where local analysis has highlighted a real feeling of insecurity. This contract is currently being negotiated; roles and tasks have already been allocated to each partner (associations, institutions, local authorities or State departments). The Intercommunal Council on Security and Crime Prevention (CISPD) forms part of the framework of the "urban contract for social cohesion". It covers four towns in the Department, which are partners in efforts to ensure civil security. The contract refers to numerous themes relating to violence against women, such as the conduct of an audit on domestic violence in the

territory against both female and male victims; the implementation of a protocol for the reception of victims by the police; the establishment of a psychological and legal assistance centre at the University Hospital Centre; and the establishment of emergency shelters and arrangements for medium-term accommodation, including host families.

#### *French Guiana*

More women than men are unemployed.<sup>4</sup>

Awareness-raising activities to promote the diversification of career choices among girls, particularly the introduction of the scientific and technical vocation prize, have allowed real progress to be achieved.

There are disparities in access to care between rural and urban areas and among migrant communities. Numerous health promotion, prevention and screening campaigns have been conducted.<sup>5</sup>

French law is fully applicable in French Guiana, including in civil cases. However, difficulties with application persist, because in fact customary law still prevails in certain areas.

To combat the phenomenon of violence, DRDFE supports the activities of four associations on the ground, in partnership with the police and gendarmerie services.

#### *La Réunion*

##### 1. Population:

As at 1 January 2004, the estimated population of La Réunion was 763,200 (388,300 women and 374,900 men); women thus represented 51 per cent of the population. The population was much younger than that of metropolitan France: 38 per cent of men and 35 per cent of women were under the age of 20.<sup>6</sup>

In 2003, life expectancy at birth for the inhabitants of La Réunion was 79.8 years for women and 71.3 years for men. Mortality rates by age were systematically higher among men. La Réunion has seen a significant improvement in health conditions over the past 50 years. By the early 1990s, its infant mortality rate had fallen to match that of metropolitan France. Since then, although there has been a slight downward trend, the infant mortality rate in La Réunion has remained higher. Each year, some 100 children die before reaching their first birthday. Boys account for 60 per cent of the deaths.

In 2002, the average age at first marriage was 26.8 years for women and 31.3 for men. There were twice as many single-parent families as in metropolitan France. Approximately 9 out of 10 such families were made up of a woman and her child or children.

Since 2000, the annual number of births has stood at about 14,500, a level much higher than the low point of the mid-1990s. The average number of children per woman today stands at 2.43. Women in La Réunion have children earlier than

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<sup>4</sup> See annex: “*les femmes et l’emploi en Guyane en 2005*” (French only).

<sup>5</sup> See “*la santé des femmes en Guyane en 2004*” (French only).

<sup>6</sup> 26 per cent and 24 per cent respectively in metropolitan France.

those in metropolitan France: the average age of mothers at childbirth is 28.3 years.<sup>7</sup> Longer periods spent in education and the desire of young women to find their first job before having children are, however, contributing to a reduction in the under-25 fertility rate. On the other hand, the fertility rate for women in La Réunion aged 15 to 19 is five times higher than the rate for the same age group in metropolitan France. Each year, about 600 children (more than 4 per cent of the total number of births) are born to girls who are still minors at the time of giving birth. About 100 of these girls are under 16.

## 2. Contraception and abortion:

More than two thirds of women in La Réunion aged 20 to 44 use a method of contraception. The pill is the most commonly used method. In 2003, 4,129 abortions were carried out in La Réunion, against a total of 14,424 births. This rate has been falling steadily since 1994. It remains slightly higher than that of metropolitan France, but the respective rates seem to be converging. Of the 4,385 abortions carried out in 2002, 463 (10.6 per cent) were performed on minors.

## 3. Education:

Schooling is compulsory for all up to the age of 16. Beyond that age, there are proportionally more girls than boys in school, whatever the age group. The rate of enrolment in education then drops significantly for both girls and boys: at the age of 19, 47.2 per cent of girls and 42.9 per cent of boys are still in education in La Réunion; these rates of enrolment are equivalent to those among 23-year-olds in metropolitan France.<sup>8</sup>

Various activities are carried out by DRDFE to promote the diversification of career choices and gender desegregation in the labour market. For example, the “*Carrefour au féminin*” (Women’s Forum) of 24 May 2006 aimed to raise girls’ awareness of occupations in which the proportion of women is low; 1,600 girls took part in the event.

## 4. Employment:

In a context of high unemployment, the situation of women in the job market is particularly vulnerable.<sup>9</sup> DRDFE is therefore preparing a strategic plan with the National Job Agency (ANPE) and the Departmental Directorate of Labour, Employment and Vocational Training in order to finally reduce long-term unemployment among women.

Moreover, the “*Finaliser, Transmettre, Mobiliser*” project (“Finalize, Transmit, Mobilize”), co-financed by the European Social Fund, aims to facilitate the integration into professional life of women who find it difficult to access the job market because of their level of education, their lack of experience and/or their social and family situation.

In La Réunion, there is almost no difference between women and men with regard to remuneration for work carried out (hourly wage). However, women’s

<sup>7</sup> 29.5 years in metropolitan France.

<sup>8</sup> See annex: “*L’éducation et la formation à La Réunion*” (French only).

<sup>9</sup> See annex: “*L’emploi et le chômage des femmes à La Réunion*” (French only).

average monthly pay levels are lower than men's,<sup>10</sup> in particular because they more often work part-time.

5. Entrepreneurship:

One in four entrepreneurs in La Réunion is a woman. The “typical” female entrepreneur is more likely to have a university degree than her male counterpart and has usually been employed in the past or is not working at the time of establishment of the business. She is usually involved in the trade or personal service sectors and has slightly more limited financial resources than a man. Activities are being carried out to raise awareness of female entrepreneurship among women and those involved in business start-ups: promotion of the Women's Initiatives Guarantee Fund (FGIF); the launch of a prize for women entrepreneurs; round tables, a film, an experimental workshop at ANPE and media coverage; and the development of a network of women entrepreneurs known as EFOIR (“*Entreprendre au féminin Océan Indien Réunion*” — “Female entrepreneurship Indian Ocean and La Réunion”).

6. Participation in political life:

The law on parity in the political sphere has facilitated women's election to municipal councils (46 per cent) and the Regional Council (47 per cent). However, there are only four women members of the General Council out of a total of 45 elected, although one of these women serves as the Council's President. It is still the case that most mayors and Vice-Presidents of the Regional Council are men. Four women and seven men have been elected to represent La Réunion in the National Assembly, the Senate and the European Parliament.

7. Violence against women:

Conjugal violence against women is more prevalent in La Réunion than in metropolitan France, among women of all age groups.<sup>11</sup>

In response to this situation, the Regional Agency for Women's Rights and Equality leads an active policy for preventing and combating violence, consisting of joint actions with the national Ministry of Education to promote mutual respect between the sexes; participation in the establishment of a family shelter service for women victims of violence; establishment of services for such victims in hospitals; training initiatives, co-financed by the State and the Department, for personnel dealing with women victims of violence (police and gendarmerie personnel, social workers, magistrates, lawyers, doctors, association members); and drafting of an agreement between the State, the General Council and housing associations to provide women victims of violence with priority access to low-income housing by reserving units for their use.

*Mayotte*

1. Population:

According to the 2002 census, the female population is estimated at 80,020, or 49.92 per cent of the total population. Single-parent families account for 13 per cent of all households. The vast majority of these families are headed by impoverished

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<sup>10</sup> Net monthly wage income: 1,260 euros for women, 1,490 euros for men.

<sup>11</sup> See annex: “*Les violences envers les femmes à La Réunion*” (French only).

women. Fewer than half of all women heads of single-parent families are economically active, and only one fourth of them hold jobs.

## 2. Education and training:

Widespread public schooling is a relatively new phenomenon in Mayotte. Significant progress has been made in girls' education in recent years; these efforts should be continued. Before 1970, with few exceptions, girls did not attend school. In 2002, 78 per cent of girls between the ages of 3 and 19 attended school (80 per cent of boys). Girls account for half of all primary-school students and 51 per cent of all secondary-school students.

Academic orientation remains strongly influenced by stereotypes; as a result, girls are concentrated in a very small number of fields. In 2002 girls accounted for 84 per cent of all students in service-sector fields and only 15 per cent of all students in industrial science and technology.

In higher education, girls tend to abandon their studies: the higher the level, the smaller the number of female students. As in secondary school, most girls specialize in tertiary-sector fields, while boys tend to gravitate towards technical fields.

About two thirds of all trainees in vocational internships are women. Many of them have a primary- or secondary-level education. For the most part, their insufficient level of basic education prevents them from directly embarking on a degree track without first taking literacy and/or remedial education courses.

## 3. Employment:

As at 31 December 2002, 65.6 per cent of the unemployed population consisted of women with low levels of education. In 2004 more than half of all female job-seekers (and one third of all male job-seekers) had not completed primary school. As a result, 75 per cent of the women (and 36 per cent of the men) in this category seek janitorial or domestic service positions. In 2003 women were the main beneficiaries of State-subsidized jobs (70.9 per cent of solidarity employment contracts and 77.52 per cent of jobs in local development areas). Some 91 per cent of working women are employed in the service sector.

The above description applies only to the population registered with the Directorate of Labour, Employment and Vocational Training (DTEFP). Since job-seekers do not receive unemployment benefits, they do not necessarily register with DTEFP; this is true, in particular, of many people with academic qualifications, who are likely to find it easier to enter the labour market. As the National Job Agency and the Unemployment Insurance Fund began operations in Mayotte very recently (2005), the behaviour of job-seekers is likely to change, and this will facilitate the collection of more complete data.

## 4. Entrepreneurship:

Women account for 37.32 per cent of the total number of entrepreneurs listed in the Registry of Commerce. Most of these women are engaged in trade and microenterprise. Many of them have very little education (with the result that they have difficulty with business management) and are less experienced in the economic activity they have chosen. They are increasingly likely to opt for traditionally "male" fields such as construction, but they have difficulty attracting business.

5. Social protection:

The social protection system is still incipient in Mayotte. The unemployed, men and women alike, live in highly precarious conditions owing to the insufficiency of social benefits (there is no guaranteed minimum income or unemployment benefit). Isolation exacerbates women's vulnerability to poverty. The chief consequence of this situation is massive emigration of Mahoran families, especially women, to La Réunion or metropolitan France. A 1999 census of the Mahoran population in La Réunion revealed a high proportion of women with little schooling and very few people with academic qualifications; unemployment among the working-age population stood at 86 per cent. Mahoran families in La Réunion live primarily on social assistance.

6. Contraception:

The population control policy seems to have modified women's behaviour with respect to fertility, although much remains to be done. The synthetic fertility rate is estimated at 4.7 children per woman, down from 5 in 1997, 5.1 in 1991, 6.7 in 1985 and 8.1 in 1988.

7. Violence against women:

Such statistics as have been collected at this stage on violence against women are as follows: 75 cases of violence reported in 2004; 72 cases reported in 2005; 30 cases reported in 2006; and 51 cases reported to the police sector alone in 2007.

A "Family Information and Victim Assistance Focal Point", run by an association, was set up in September 2006 with the support of the Agency for Women's Rights. Consisting of a legal adviser, two outreach workers, a coordinator and a psychologist, this structure works in partnership with the police and gendarmerie, health centres, lawyers, judicial authorities, social services and associations. Most of the victims who avail themselves of this service are women, about 28 years of age on average, who have suffered conjugal violence and live in precarious conditions. In the past year, this service has made significant strides; in particular, it has helped to break the silence surrounding this issue. There are currently no shelters for victims, but the Directorate of Health and Social Affairs has begun to consider this question.

8. Participation in political life:

The law on political parity was applied for the first time during the municipal elections of March 2001. As a result, the situation of women in Mahoran political life changed: the proportion of women municipal councillors rose by 12.5 percentage points in relation to the 1995 elections. Some 33 per cent of the total number of seats were won by women. Following these elections, women came to account for 45.5 per cent of all municipal councillors, mirroring the trend observed at the same time in metropolitan France (47.5 per cent). However, no women have been elected mayor and the proportion of women deputy mayors remains low (30.4 per cent in 2001 and 29.6 per cent in 2006).

*Wallis and Futuna*

The female population is estimated at 4,754 (male population: 4,365).

The economically active population includes 1,247 women: 1,068 of them are gainfully employed and 179 are seeking employment. The economically active women who are currently employed work in the following areas: 1,037 in the service sector, 9 in construction, 20 in industry and 2 in agriculture.

An agency for women's rights and equality was re-established on 1 February 2005. It cooperates closely with the judicial authorities, the gendarmerie, the national Ministry of Education, the Health Agency and the Labour Inspection and Social Affairs Service.

The association "*SOS Violences*" has resumed its activities. Information and awareness-raising campaigns have been organized in liaison with the Territorial Council of Women of Wallis and Futuna. All these developments have prompted a number of people to report that they have been victims of violence. These reports have highlighted the absence of shelters and services for such women.

#### *New Caledonia*

Policies geared towards women are within the jurisdiction of local authorities.

As in Mayotte and Wallis and Futuna, two types of personal status co-exist: an ordinary law status, governed by the provisions of the French civil code, and a local or common law status. Applicable law in New Caledonia disallows any form of discrimination between men and women; such discrimination is even expressly prohibited by the labour laws applicable to this territory. In addition, a prominent part of the law of 11 January 2002 on social security in New Caledonia is the maternity insurance scheme, which provides affiliates with both monetary and in-kind benefits.

With the support of many associations that vigorously mobilized to encourage Melanesian women to resist family pressures, the 1990s were a judicial and social turning point for the situation of women in New Caledonia. Since then, more and more Melanesian women have availed themselves of judicial institutions, either to appeal against customary sanctions or to lodge complaints in the first instance. Some Melanesian women have also opted, in recent years, to give up their traditional personal status in favour of ordinary law status, in order to escape from certain customary rules concerning family law.

Communities have increasingly tended to mobilize in support of New Caledonian women's denunciation of alcohol abuse, violent sexual conduct on the part of men and conjugal violence.

#### *French Polynesia*

No new information since the submission of the sixth report by France.

(B) Violence against women

(7) Sexual harassment at work:

Article L.122-46 of the Labour Code reads as follows: "No employee, no candidate for recruitment, a training course or a company work placement may be punished or dismissed or face any discriminatory measure, whether direct or indirect, notably regarding pay, training, reassignment, appointment, qualifications, rank, professional promotion, or contract change or renewal, because he or she has

been the victim of, or has refused to be the victim of actions of harassment taken by an employer, the employer's representative, or any individual, for the purpose of obtaining favours of a sexual nature for himself or herself or for a third person. No employee may be punished or dismissed for witnessing or reporting the actions defined in the preceding paragraph. Any contrary provision or act is null and void".

Disciplinary sanctions may be imposed by the employer on the perpetrator of the harassment, as well as the following penal sanctions:

- Any employer who has taken a discriminatory measure against an employee who has been a victim of, witness to, or who has reported the facts of sexual harassment shall incur a penalty of one year's imprisonment and/or a fine of 3,750 euros;
- The perpetrator of the sexual harassment shall be punishable by one year's imprisonment and/or a fine of 15,000 euros.

Furthermore, the Department of Women's Rights and Equality contributes to the financing of the European Association against Violence towards Women in the Workplace (AVFT), which helps victims of sexual harassment.

(8) Conjugal violence:

Various activities and studies have been conducted, in collaboration with all the ministries and bodies concerned, in order to learn more about this phenomenon:

- The Directorate for Research, Studies, Assessment and Statistics (DREES) of the ministries responsible for social affairs, in partnership with the National Institute of Statistics and Economic Studies (INSEE), designed a survey entitled "*Evénements de vie et santé*" ("Life and health events"). Following a test phase, the survey was launched in the field in November 2005. It will provide useful material for studying the linkages between gender, violence and health. It will also indicate the sex of perpetrators of violence inflicted in the last 24 months, as well as the nature of the relationship that they have or had to the victim;
- The Ministry for Women's Rights alerted the National Observatory on Crime (OND), a department of the National Institute for Higher Studies on Security (INHES), to the need for statistics on violence which are disaggregated by gender. OND, together with INSEE, launched a bona fide crime victim survey in 2007 in the style of Anglo-Saxon national surveys.

Act No. 2006-399 of 4 April 2006, "strengthening the prevention and punishment of conjugal violence and violence against children", has gone immediately into effect. It extends the scope of aggravating circumstances to include new actors (partners in a civil union and former partners) and new offences (murder, rape or sexual assault); it adds to and clarifies the provisions of the Act of 12 December 2005 concerning the treatment of repeated offences, which provides a legislative basis for the removal of a violent spouse from the conjugal home; and it recognizes theft between spouses when the spouse responsible for the theft is demonstrated to have had a genuine desire to subjugate the victim.

This Act, which amends the Civil Code, also states that spouses owe each other not only mutual fidelity, aid and assistance but also respect. The French Mayors' Association was requested to inform all mayors about this so that they could stress this concept during wedding ceremonies. This explicit reference to



respect should strengthen the free consent of spouses and help to prevent any subsequent violence.

(9) Violence against immigrant women and girls:

The principle of human dignity, which includes physical integrity, makes it imperative to combat all forms of violence without exception. A policy against violence cannot tolerate any exceptions. Neither tradition nor custom can justify depriving people of their fundamental rights.

The aforementioned Act of 4 April 2006, which aims to strengthen the prevention and punishment of conjugal violence and violence against children, therefore contains measures to prevent and combat sexual mutilation more effectively by:

- Extending the prescription by lapse of time limit on prosecution to 20 years from the age of majority of the victim;
- Permitting, by special dispensation, the suppression of these practices when they are committed abroad against a foreign minor whose habitual residence is in France;
- Allowing professional secrecy to be lifted in cases of sexual mutilation of a minor.

The same Act undertakes to prevent forced marriages more effectively by:

- *Making the minimum legal age for marriage the same for girls as it is for boys, i.e., 18:*

This is intended not only to re-establish gender equality in marriage, but also to combat the forced marriage of minor children more effectively;

- *Allowing a prosecutor to bring an action to annul a marriage in the event of the lack of free consent of the spouses, or one of the spouses:*

Until now, the prosecutor could not bring an action to annul a marriage without an absolute lack of consent. Henceforth, the Civil Code also states that “coercion of the spouses, or one of the spouses, including undue influence from a parent, constitutes grounds for annulment of the marriage”;

- *Allowing civil registrars to delegate one or more competent officials to hold (separate) hearings with future spouses.*

At the same time, emphasis is placed on prevention, especially by raising awareness among parents and children through, inter alia:

- Support for associations specialized in preventing and combating these practices;
- Updating a brochure entitled “Let’s protect our girls from female circumcision”;
- A seminar on the eradication of female genital mutilation, held on 4 December 2006, which aimed to identify and strengthen the efforts under way, to spur further action and to raise public awareness. The proposals that emerged from this seminar will be incorporated into a plan of action which is being prepared with a view to eradicating these practices by 2010 and improving treatment and care for victims;

- Improving the information that immigrants receive during reception and civic training days concerning gender equality and the rights of women, especially in the field of health (contraception and abortion).

With regard to research, a study on forced marriages was conducted at the request of the Government. A summary of this work was published in June 2007. Its purpose was:

- To gain a better understanding of the extent, challenges and modalities of forced marriages and of the communities concerned (i.e. the role of the family and whether such marriages take place in France or in countries of origin);
- To highlight abusive practices whereby marriage is used as a tool to obtain a residency permit or French nationality;
- To identify the challenges faced by the victims of these practices and the care arrangements in place.

To that end, a qualitative survey was conducted in Marseille, Lyon and Paris (through interviews with relevant institutional stakeholders and with the young girl victims of these practices) and a legal analysis was carried out of the French legislation in force, various foreign laws, bilateral conventions and private international law.

(B) Trafficking and exploitation of prostitution

(10) Statistical data on trafficking:

1. *Persons prosecuted in 2006:*

According to the statistics that have come to the attention of the Central Office for Combating Trafficking in Persons, in 2006 745 people (462 men and 283 women) were prosecuted by police departments in France for procuring. These data reflect a decrease of 15.3 per cent compared to 2005, i.e., a reversal of the upward trend seen in previous years. The respective shares of men and women prosecuted for procuring remained stable: 62 per cent are men (67.7 per cent in 2005) and 37.9 per cent are women (32.3 per cent in 2005). The proportion of foreign nationals prosecuted for procuring is 52.4 per cent (55.45 per cent in 2005).

2. *Victims in 2006:*

It is impossible to quantify the exact number and origin of women who are victims of traffickers. However, according to the information brought to the attention of the Central Office for Combating Trafficking in Persons, 1,218 victims were identified, of whom 1,136 are women; 71.4 per cent of these women are foreign nationals (73.3 per cent in 2005 and 75 per cent in 2004); 30 per cent of all female victims (41.6 per cent in 2005) are from Eastern Europe and the Balkans; and 19.7 per cent of all female victims are from Africa. Of the 1,218 (male and female) victims identified, 27 (i.e., 2.3 per cent) are underage girls (5.4 per cent in 2005): 15 French girls, 9 Romanian girls, 2 Congolese girls and 1 Albanian girl.

(11) Assistance and protection provided to victims of trafficking:

In 2003 and 2004, 352 victims (172 in 2003 and 180 in 2004) who agreed to cooperate with the Government were granted permission to stay (not including renewals). Decree No. 2007-1352 of 13 September 2007, on permission to stay,

protection, reception facilities and accommodation for foreign nationals who are victims of human trafficking and prostitution, contains the following provisions:

- The victim shall have a reflection period of 30 days to decide whether or not to take advantage of the option of permission to stay;
- A temporary “private and family life” residence permit valid for at least six months shall be issued to a foreign national who has severed all ties with the alleged perpetrators involved in the offences of trafficking in persons and procuring. This permit shall be renewable throughout the criminal proceedings. A permanent residence permit may be issued to the victim once the accused have been convicted.

Foreign nationals who hold temporary “private and family life” residence permits have the right to work and to obtain vocational training. They may also enjoy the following benefits:

- Certain entitlements to social protection;
- Temporary allocations pending full processing;
- Social services to help them exercise their rights and regain their autonomy;
- Police protection, in response to threats, throughout the criminal proceedings;
- Access to facilities provided for the reception, shelter, temporary housing and social monitoring of the disadvantaged;
- Referral to the national system providing shelter for victims of trafficking in persons and prostitution, when a change of residence is necessary for the victim’s safety;
- Financial assistance, when the victim wishes to return to his or her country of origin or to move to another country.

(12) Elimination of soliciting:

1. *Individuals charged and police detention for the purposes of questioning:*

According to the report on specific violations of the Internal Security Act, a total of 1,070 individuals were charged for soliciting in 2006. A total of 699 individuals were detained by the police for questioning for the same offence. Of the total number of individuals arrested, 65.33 per cent were detained for questioning.

2. *Judicial or administrative follow-up:*

In 2006, 65 departments (of a total of 100) did not initiate any proceedings of this type. Of the 1,070 individuals arrested, 954 were the subject of one of the following measures:

- 660 individuals were freed or were not the subject of any known judicial follow-up;
- 107 individuals were served with an attendance notice by the Criminal Investigation Department;
- 74 individuals were issued official warnings;

- 12 cases were brought to trial (five individuals were imprisoned, two investigations were opened and one individual was convicted);
- Two individuals were served with notices to appear before the representative of the Public Prosecutor;
- Four individuals instituted a plea-bargaining process;
- Two individuals were charged;
- 66 individuals appeared in court on criminal charges;
- 18 individuals were handed over to the border police;
- Four individuals were the subject of criminal mediation proceedings;
- One case underwent a judicial review;
- Four individuals were the subject of other proceedings.

3. *Social rehabilitation measures:*

Eight departments report that they are taking social rehabilitation measures, such as putting affected individuals in contact with relevant associations and providing funding for overnight hotel stays.

4. *Illegal aliens:*

Seventeen departments report that a total of 200 illegal aliens, representing 18.7 per cent of the total number of individuals charged, have been charged with soliciting.

(C) Participation in political and public life

(13) Strengthening of the Act on Parity in the Political Sphere:

Act No. 2007-128 of 31 January 2007 stipulates that there must be parity in the executive bodies of municipal and regional councils and increases the financial penalties applicable to any political parties that fail to observe the legal provisions on parity. With regard to the forthcoming cantonal elections, the Act provides that elected members and alternates must be of different genders.

(14) Status of women in the civil service:

Following the issuance by the Prime Minister of a circular dated 6 March 2000, in 2000 and 2001 each ministry prepared a multi-year plan on women's access to jobs and senior positions in the State civil service (see annex for a table presenting an overview of the situation in 2005). A further review of the situation is due to take place before the end of 2007.

At the end of 2005, women occupied 59 per cent of the posts in the three divisions of the civil service, but only 15 per cent of the 7,368 senior positions.

At the end of 2005, 57 per cent of State civil servants were female and 56 per cent of category A posts and 15 per cent of managerial posts were occupied by women. Among the latter, women occupied 11 per cent of the posts filled by

Government appointment (561 posts), 17 per cent of other senior-level posts (3,095 posts) and 15 per cent of managerial posts in the court sector (534 posts).<sup>12</sup>

The Act on Military Planning 1997-2002 provided for the restructuring of the armed forces and for broadened female participation. At the end of 2005, women made up 14 per cent of the armed forces, but only 9 per cent of officers were female and there were only four female military commanders (of a total of 671 posts at the end of 2005).

In 2004, women accounted for almost one third (32 per cent) of teachers and researchers in higher education institutions and public-sector research facilities. However, there were inequalities in terms of rank: only 17 per cent of university professors, 22 per cent of research directors and 13 per cent of university presidents (elected by their university peers) were female. There were also very few women working for the public authorities: they accounted for 1 per cent of the directors of higher education establishments managed by the Ministry of Education and 5 per cent of the directors of such establishments managed by other ministries. Three of the 21 directors of public-sector research institutions (or 14 per cent) were female.<sup>13</sup>

In 2005, women accounted for the majority of local government employees (61 per cent) and also occupied the majority of category A managerial posts (56 per cent). Women held 16 per cent of the most senior managerial posts in the largest local authorities.

Women account for 88 per cent of administrative staff working in public hospitals but for only 38 per cent of hospital managers. Hospital directors are chosen from among those managers, but only 18 per cent of those directors are female.

All civil service entrance examinations are open to men and women; the French Constitution does not permit the introduction of quotas for either gender. However, a proactive policy is in place to facilitate the advancement of women, as illustrated by the development of the aforementioned multi-year plans on women's access to senior civil service posts. Similarly, the law provides for balanced representation of women and men on civil service examination boards and on advisory bodies within the State civil service.

- *Examination boards*: At least one third of the members of examination boards and selection committees appointed by the Government must be female and at least one third male. Since 2000, steady progress has been made in increasing the number of female members of the main examination boards: in five years, the proportion of women has increased from 33.3 to 45.9 per cent. All departments have implemented the minimum threshold;
- *Advisory bodies within the State civil service*: By law, at least one third of the members of Government advisory bodies must be female and at least one third male. At the end of 2006, women accounted for 36 per cent of the members of joint administrative committees,<sup>14</sup> as compared to 33 per cent in 2005. Although

<sup>12</sup> See annex for tables on senior posts and research ("*encadrement supérieur et recherche*"; French only).

<sup>13</sup> Ibid.

<sup>14</sup> Bodies composed of equal numbers of management and staff representatives which are consulted on issues relating to the careers of civil servants (transfers, promotion, disciplinary measures, etc.).

trades unions are not obliged to comply with that requirement, they have nevertheless embraced that trend. Many joint administrative committees have almost equal numbers of men and women. Women account for 35 per cent of the members of the new Plenary Assembly of the Higher Council for the State Civil Service (including both members and alternates).

(D) Education and stereotypes

(15) Implementation of the Act of 15 March 2004:

In France, school attendance is obligatory for all children between the ages of 6 and 16. Those who are not enrolled in an educational establishment must nevertheless receive instruction, either from their families, or by taking the courses offered by the National Centre for Distance Learning or by a private distance-learning establishment. Mayors and school inspectors share responsibility for monitoring respect for the right to education.

The Act of 15 March 2004, which bans “the wearing of signs or dress through which pupils ostensibly indicate which religion they profess” in public primary, middle and secondary schools, serves as a reminder of the basic principle of secularism: secularism is not in conflict with religion, rather it is the *modus operandi* chosen by our Republic with a view to ensuring that citizens of all political, philosophical and religious persuasions can live together. Furthermore, far from being limited to the religious sphere, the Act should be seen through the prism of the principle of non-discrimination between women and men.

Article 4 of the Act of 15 March 2004 stipulates that the latter must be reviewed one year after its entry into force. Ms. Hanifa Chérifi, Inspector General of Education, was responsible for conducting that review, and her report contained the following information:

Of the 639 pupils who wore conspicuous religious symbols at the beginning of the 2004 school year, 626 were girls wearing an Islamic veil. Following the dialogue required by the Act, 90 per cent of those girls chose to comply with the law. The dialogue stage allowed many of the pupils concerned to understand the meaning of the principle of secularism. It helped to resolve the vast majority of cases: only 48 disciplinary hearings were held, resulting in 47 expulsions (including three cases involving boys wearing Sikh turbans). The effectiveness of the dialogue process is thus apparent.

In addition to the above-mentioned expulsions, 96 pupils chose an alternative solution: most of them enrolled in the National Centre for Distance Learning, some opted for private education and others, over the age of 16, chose to leave the educational system. The pupils expelled by disciplinary panels chose similar alternatives.

Since the start of the 2005 school year, the Act has been implemented in an atmosphere of calm: fewer than 10 pupils per year come to school wearing a conspicuous religious symbol and dialogue usually makes it possible to ensure compliance with the Act. The few cases that came to light in 2006 and 2007 involved Sikh boys.

Other factors serve to corroborate those findings: enrolments in the National Centre for Distance Learning have remained stable since 2005. The three private Muslim educational establishments founded since 2001 in Aubervilliers, Lille and

Décines, near Lyon, have not been inundated with applications for places and currently have a limited number of pupils. For instance, the school in Aubervilliers, established in 2001, has 120 pupils in grades 6 to 12. Lastly, one final element showing that the vast majority of families understand the gist of the Act and wish to comply with its provisions is the fact that no cases concerning the Act have ever been referred to the Ministry of Education mediator.

(16) Review of school textbooks: gender equality training for teachers:

The results of a study entitled “The extent of discrimination and stereotypes in school textbooks” are expected at the end of the year. They will make it possible to assess progress made since 1997, when a report commissioned by the Prime Minister, entitled “The depiction of men and women in school textbooks”, was submitted.<sup>15</sup>

The study will also serve to make publishing houses aware of their responsibility to promote equality between women and men, since the National Union of Publishers is affiliated with the steering committee for the study. In France, school curricula are sent to publishing houses, which are then entirely free to devise relevant textbooks.

As a follow-up to the inter-ministerial agreement of 25 February 2000, a pilot training programme on the subject of equality for future teachers was set up at the Teacher Training Institute in Lyon. That pilot programme has since been replicated elsewhere. According to a survey carried out in 2005 by the Ministry of Education, 18 of the 31 Institutes had incorporated the concept of equality into their curricula, and seven of them had introduced mandatory courses on the subject.

(E) Employment and reconciliation of work and family life

(17) Reducing unemployment, job insecurity and underemployment among women:

1. *Mainstreaming professional equality between women and men in public policy on employment*

The Government Employment Department (SPE) is pursuing national targets for reducing long-term unemployment among women at the regional and local levels. The decentralized Department of Women’s Rights and Equality (SDFE) network is involved in developing regional and local action plans for achieving these targets. In practice, the unemployment rate for women fell between 2005 and 2006.

Local missions, particularly those aimed at young people in difficulty, one-on-one job counselling offices (specialized bodies operating under the Women’s and Families’ Rights Information Centres (CIDFF)) and employment centres also help mainstream gender equality into the implementation of employment initiatives.

SDFE is also working to promote the mainstreaming of gender equality into the development, implementation and assessment of employment and vocational training policies, including through the European Social Fund, a financial instrument.

<sup>15</sup> By Simone Rignault and Philippe Richert.

## 2. *Joint SDFE/employment agency initiatives*

SDFE has signed contracts with institutions and experts in order to promote the hiring of women in long-term, high-quality jobs.

- *With the National Job Agency (ANPE)*, in 2005, in order to implement three main initiatives: combating women's unemployment more effectively, promoting the hiring of women in long-term jobs and promoting mixed employment (job desegregation) contracts and professional equality in the Agency's overall policy.

The results in terms of some commitments have been encouraging (including a slight drop, in 2006, in the percentage of women among people unemployed for over two years, doubling of the number of women benefiting from the job simulation method of hiring,<sup>16</sup> expansion of the "career platforms" model to target young women; and an increase in the percentage of women on State-subsidized private-sector contracts). However, there is room for improvement in at least two areas: increased hiring of women in occupations traditionally pursued by men and use of the "back-to-work assistance to women" service (ARAF),<sup>17</sup> which remains insufficient.

The SDFE/ANPE agreement is expected to be renewed in January 2008.

- *With the temporary employment agencies Adia and Adecco* in 2004, with three objectives: to promote diversified employment options for women and give them direct access to commercial employment, to promote professional equality in temporary employment agencies and to promote gender and professional equality among their client companies;
- *With the Permanent Assembly of Chambers of Trades*, in 2006, in order to expand women's opportunities for employment in microenterprise, help young people find work, encourage women and persons of immigrant parentage to start or acquire businesses, and prevent discrimination;
- *With the Small and Medium-Sized Enterprise Employees' Management and Training Association (AGEFOS-PME)*, a body that provides job-training-related funding and advice to small and medium-sized enterprises, in 2007, in order to implement a national action plan for professional equality between women and men through lifelong training, launched in three pilot regions: Champagne Ardennes, Ile de France and Rhône Alpes; and
- *With two major building sector federations*<sup>18</sup> in order to increase women's awareness of opportunities in the building trade, help them find such work and raise building professional's awareness of the importance of gender and professional equality.

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<sup>16</sup> Recruitment through simulations and analogies makes it possible to expand the search for candidates by focusing on identification of the skills needed for the job on offer. This method does not take the customary recruitment criteria — experience and academic qualifications — into consideration.

<sup>17</sup> A woman on the list of job-seekers is eligible for ARAF if she receives the minimum solidarity benefit (RMI), specific solidarity benefit, single-parent benefit or widow's benefit and is the mother of one or more children under the age of 6 for whose care she was responsible before she resumed economic activity.

<sup>18</sup> The French Construction Federation and the Confederation of Building Trades and Small Construction Firms.



## (18) Implementation of the Law on Equal Wages for Women and Men:

The 23 March 2006 Law on Equal Wages for Women and Men mandates annual negotiations in order to develop and schedule, by 31 December 2010, measures to eliminate pay gaps between women and men. These mandatory annual negotiations concern both the various professions and companies with a union representative (in principle, companies with at least 50 employees).

In the case of companies without a union representative, the Law states that employers must take into account targets concerning professional equality between women and men in the company and measures for achieving them. This provision amounts to an authorization for heads of companies to take affirmative-action measures. Incentives have also been introduced in the form of grants for companies that demonstrate a commitment to professional equality (by preparing a professional equality plan or implementing of specific measures).

A conference on professional equality, to be attended by social partners, employees, employers and governmental authorities, will be held on 26 November 2007. Its conclusions will determine the implementation measures necessary to the full success of the Law of 23 March 2006.

## (19) Access to bank loans for women who want to start a business:

In order to give women greater access to bank loans, the Ministry responsible for parity has taken two approaches:

- Creation of the Women's Initiatives Guarantee Fund (FGIF); and
- Closer cooperation with women's support networks.

1. *Creation of the Women's Initiatives Guarantee Fund (FGIF)*

FGIF was created in 1989. Its purpose is to encourage women to start up, take over or expand a business by helping them get bank loans. FGIF covers medium-term bank loans for either working capital or investments. Any business established or acquired less than five years previously is eligible for such loans, provided that responsibility is assumed in name and in fact by women. Loans of between 5,000 and 38,112 euros are guaranteed for two to seven years; the Fund has a 70-per-cent coverage rate.

With a view to increased access to bank loans, the Fund's management arrangements have been developed with France Active and France Initiative, two associative networks that support business start-ups in order to better meet the needs of women entrepreneurs in their own communities, at the local level. The bodies that review and monitor FGIF applications are also local and prior consent from the bank is no longer required. These two networks also provide financial tools such as unsecured loans; on behalf of the State, they are authorized to provide assistance such as business start-up loans, grants to job-seekers who establish or acquire an enterprise and subsidies for start-up consultancy fees. Thus, a wide range of tools is available to help women entrepreneurs with their financing plans and provide them with appropriate guidance.

A total of 543 guaranteed loans were actually granted in 2006, a 50-per-cent increase for the year; as a result, 746 jobs were created or consolidated. The 640 loans anticipated for 2007 should generate 1,870 jobs over a two-year period.

In order to increase the number of women beneficiaries of FGIF, there are plans to expand its scope nationwide (since local-level assistance limits the risk that the project will be abandoned and increases the percentage of businesses that succeed), work in closer partnership with banks, improve the use of communication tools to publicize the arrangement and strike a better balance between the beneficiaries' needs and the available options (several studies will be conducted in 2007-2008).

2. *Greater cooperation with support networks*

(a) *Signing of framework agreements between the Ministry responsible for gender equality and partner institutions or associations, specifying the objectives to be achieved and the approaches to be taken:* these agreements cover all factors that may encourage the establishment or purchase of businesses by women. Greater support will be provided for women's projects, their spirit of initiative will be encouraged, their entrepreneurship will be promoted and experiments with new financial tools will be conducted.

(b) *Financial support*

Numerous general legal support networks (such as chambers of commerce) are implementing programmes that target women entrepreneurs. The State provides financial support for these projects.

The State also supports networks specifically designed to encourage women to start businesses, share their experiences, pool their resources and, in some cases, support women's start-up plans.

(20) Charter on Diversity in Enterprises:

The Charter on Diversity is first and foremost an awareness-raising tool. It is a document that companies sign in order to publicize their commitment to combating discrimination and promoting diversity. In so doing, they bring themselves to the attention of the press, candidates and all their partners; this visibility forces them to set a good example.

They are obliged to give clear evidence of their commitment and to fill out an annual questionnaire on their efforts to promote diversity. The replies are collated by the general secretariat of the Charter on Diversity, which identifies good practices and disseminates them to the signatory companies.

Companies that have signed the Charter on Diversity are also active on the issues of professional equality between women and men, disability and the prevention of age discrimination and racial discrimination.

To date, over 1,400 companies have signed the Charter.

(G) Health

(21) Experimental programme on hospital services for women victims of violence:

The overall aim of this programme, which was launched in 2005, is to improve hospital care for victims of violence. It consists of monitoring and supporting, at a few hospital-based sites, the networks of services for admitting and caring for victims of violence.

The specific objectives of this multi-year pilot programme are:

- To collect more information on the histories of victims of violence who enter the system of hospital care;
- To improve the identification, care and follow-up of victims of violence;
- To identify good practices;
- To enhance coordination among professionals, associations and institutions;
- To make progress in dealing with perpetrators of violence.

The first stage of this endeavour consisted of organizing the pilot programme's implementation (defining objectives and selecting sites wishing to participate, surveying each site, preparing for implementation and disseminating the results of this first stage). The second stage, currently under way, consists of launching and monitoring the plans of action developed by the pilot sites. The final stage will consist of drawing up an assessment of the programme's implementation at each site. The results of this pilot initiative should be available in the first quarter of 2008.

(22) Drug addiction:

Tobacco, alcohol and illegal drug use in France are more prevalent among men than women.<sup>19</sup> However, consumption levels are not the only factor to consider; differences are also found in the determinants of such behaviour, social factors that increase vulnerability (male/female relations, subjection to violence, stigmatization) or decrease it, related diseases<sup>20</sup> and, of course, pregnancy, and women's tendency to delay seeking prevention and treatment. Thus, while more men than women report having used cannabis, this gender gap is considerably smaller than the one observed in the use of services specifically geared to young drug users, 80 per cent of whose clients in 2005 and 2006 were men.<sup>21</sup> Research studies or findings by associations have given rise to the implementation of several social and health services projects that take women's specific treatment needs into account, some of which involve their children as well.

(H) Situation of particular groups of women

(23) "Contraception, sexuality and vulnerability" programme:

This programme, subsidized by the Ministry of Health and implemented by the *Mouvement français pour le planning familial* (MFPF), reflects the approach set out in the law of 9 August 2004 on public health policy. Its aim is to promote access to contraception for women in vulnerable or precarious circumstances so as to prevent unwanted pregnancies. Between 2003 and 2005 it involved the training of:

- 82 MFPF coordinators in metropolitan France and 16 in Guadeloupe, who carry out information and awareness-raising activities for men and women having difficulties with contraception;

<sup>19</sup> See annex: "*La toxicomanie chez les femmes en France*": "*les femmes moins souvent consommatrices de substances psychoactives, sauf pour les médicaments*" (French only).

<sup>20</sup> See annex: "*La toxicomanie chez les femmes en France*": "*État de santé des femmes: VIH, VHS, SIDA*" (French only).

<sup>21</sup> See annex: "*La toxicomanie chez les femmes en France*": "*Les femmes moins souvent prises en charge dans les structures spécialisées en addictologie*" (French only).

- 270 outreach workers who, on a day-to-day basis, refer men and women to appropriate entities for information on sexuality and access to contraception;
- 180 “support groups” that have directly involved 2,160 people (literacy groups, Travellers, first-time job-seekers, beneficiaries of charitable and humanitarian associations, individuals being monitored by social services).

Following the three-year implementation of this programme, it has been decided that the programme will be extended for another three years to reach the populations of additional departments, particularly overseas departments (Martinique, Guadeloupe and French Guiana).

(24) Training and employment opportunities for immigrant women:

(1) *Training and information activities offered to migrant women to help them find employment:*

In the framework of the reception and integration contract (CAI) signed by every foreign national arriving in French territory, information is provided on occupations and employment assistance is offered. The National Job Agency (ANPE) may subsequently, if necessary, offer admission to a job access programme. Moreover, a job skills inventory is drawn up by the National Agency for the Reception of Foreign Nationals and Migration (ANAEM) for job-seekers who have signed the reception and integration contract. This clarifies their employment prospects and enables the Agency to establish closer links with economic sectors in need of workers.

(2) *Training initiatives for Government Employment Department officials* on preventing and combating racial and/or double discrimination (based on sex and race or ethnic origin) in access to employment have been undertaken in the framework of the European ESPERE programme (see answer to question 5 above). In general, all Government efforts to combat discrimination and promote diversity, in partnership with businesses, economic institutions, associations and employment agencies, take into account the problems of immigrant women and women born of immigrant parents.

(3) *Cooperation activities among institutional partners have been carried out:* A three-year framework agreement was signed in 2003 between the Department of Women’s Rights and Equality (SDFE), the Population and Migrations Directorate and the National Solidarity and Equal Opportunity Agency (ACSE) to promote the integration of immigrant women and women born of immigrant parents by helping them to exercise their rights, find employment and undertake vocational training.

It has been implemented in nearly all regions. The agreement is currently being renewed; this will provide an opportunity to carry out further actions involving other partners,<sup>22</sup> such as:

- Enabling immigrant women and women born of immigrant parents to widen their career options and gain access to training that will qualify them for employment;
- Promoting access to apprenticeships;

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<sup>22</sup> State Employment and Vocational Training Agency (DGEFP), National Agency for the Reception of Foreign Nationals and Migration (ANAEM), Inter-Ministerial Commission on Cities (DIV).

- Encouraging career mobility;
- Developing recognition of prior experience;
- Offering strengthened support for job-seekers;
- Facilitating access to childcare.

(4) *Activities are being conducted to combat the compartmentalization of occupations and the segregation of functions in companies:*

It is important to foster a variety of educational and training opportunities for girls of foreign origin, but also to enable immigrant women to engage in economic activities recognized by society, in the conditions laid down by labour laws. To this end, awareness-raising initiatives geared to employers are being carried out:

- To promote diversity in hiring among microenterprises and strengthen support for apprentices in their search for employment;
- To combat discrimination, particularly through activities to sponsor and support young women and through an agreement with the distributor Casino, which has agreed to give preference to the hiring and promotion of residents of neighbourhoods identified as priorities in city policies (where there are many young people born of immigrant parents).

(5) *Activities are carried out to encourage immigrant women to start or acquire businesses:* They involve support tailored to the specific needs of immigrant women and women born of immigrant parents. Pilot projects are to be carried out in five regions to develop social microcredit for the benefit of women entrepreneurs. The aim will be to meet women's needs in terms of legal assistance, investment in information and communication technology, career mobility, childcare and educational support for children, or vocational training.

(25) Women born of immigrant parents as electoral candidates:

All French citizens, male and female, whose exercise of their civil and political rights is unrestricted are entitled to vote and to run for office in all local and national elections, as are nationals of States members of the European Union in the case of municipal and European elections. Currently, there are no special legislative measures or statistics concerning the national origin of candidates for public office. The election of women candidates born of immigrant parents is entirely the responsibility of the women concerned and of political parties.

(26) Measures to spread awareness, among women born of immigrant parents, of the law on violence against women/forced marriage:

Act No. 2006-399 of 4 April 2006, "strengthening the prevention and punishment of conjugal violence and violence against children", has gone immediately into effect (see answers to questions 8 and 9 above).

The Department of Women's Rights and Equality (SDFE) has prepared, in cooperation with the principal ministries, institutions and associations concerned, a guide on "equality between women and men born of immigrant parents". Designed as a public information tool, this guide is intended for women and men born of immigrant parents who do not fully understand all their rights and how to exercise them, regardless of their nationality and of whether they are new arrivals or already settled in France. It includes recent advances, particularly those introduced by the

law of 4 April 2006. Apart from legal information, this document stresses the reprehensible nature of certain practices, including forced marriage and female genital mutilation. It will be distributed, inter alia, at the reception centres of the National Agency for the Reception of Foreign Nationals and Migration (ANAEM).

To date, there have been no quantitative surveys that would make it possible to precisely measure the incidence of forced marriage in French territory. The information available is partial at best. For example, there are profiles of women assisted by the *Groupe pour l'Abolition des Mutilations Sexuelles et autres pratiques traditionnelles néfastes à la santé des femmes et des enfants* (Group for the Abolition of Genital Mutilation and Other Traditional Practices Harmful to Women's and Children's Health) (GAMS), which addresses the problem of forced marriage, in Seine-Saint-Denis<sup>23</sup> between January and April 2007:

15 new cases (13 adults, 2 minors);

Average age: 19;

13 in school, 2 seeking employment;

10 of French nationality;

Origin: 8 from sub-Saharan Africa, 5 from North Africa, 1 from the Comoros, 1 from Sri Lanka;

2 have been victims of forced marriage.

(27) Social protection/older women:

Women are over-represented in the older population and the dependent population (they account for two thirds of the most highly dependent population) because they have a longer life expectancy than men (84 years versus 77.1 years as of 2006), but are also more likely to be widowed and to live in isolation.

On average, women's retirement pensions are 38 per cent lower than men's. These inequalities stem not from discriminatory entitlement rules, but from a variety of demographic, social and economic factors: women's working lives are often shorter and more frequently interrupted, and women are more likely to work part-time.

Mandatory retirement systems include provisions that partially correct these inequalities:

- The contribution period is reduced for women who have had one or more children, regardless of whether they stopped working in order to care for their children;
- Mothers who stop or reduce their economic activity in order to raise children can continue to freely accrue pension rights, depending on their household resources (old-age insurance for at-home parents);
- Survivors' pensions (paid to widows and widowers) help to increase the resource levels of many older women: of the 3.75 million beneficiaries of survivors' pensions in France, 92 per cent are women;
- Women are also the main beneficiaries of the minimum pension, which is paid to retirees whose contributions have been based on low earnings and who meet the conditions for retiring at the full rate.

<sup>23</sup> Department in the Ile-de-France Region north of Paris.

Moreover, the Government has announced that the revaluation of small pensions will be considered during the national debate on retirement pensions to be held in 2008.

The Retirement Advisory Council (COR), a study and coordination forum that includes parliamentarians, social partners, administrations and experts, is currently considering conjugal and family rights under retirement systems. A report is expected in the coming months; it will help to clarify the situation of women with respect to retirement and will suggest areas that could be improved.

The “Old Age Solidarity Plan”, introduced in 2006, is essentially aimed at guaranteeing a diversified system of elder care tailored to the beneficiaries’ economic, social and health needs. The Plan provides for:

- Economic measures to guarantee a high level of social protection for dependent persons (ideas are currently being discussed on how to guarantee solidarity-based financing for dependent persons while reducing the share borne by older persons and their families);
- Health and social measures aimed at breaking the isolation of older persons, through the development of:
  - In-home care and assistance services to ensure that older persons can choose to remain in their homes;
  - Assisted-living facilities (apartments), to guard against social isolation and provide food services and in-home assistance at an affordable cost for moderate-income persons.

In addition, the law of 30 June 2004 on older persons’ autonomy provides that town halls should keep a record listing the names of local residents over 65 years of age who are in fragile health and live alone at home, to facilitate the implementation of the emergency alert plan for high-risk situations (such as heatwaves) and to enable social services to offer in-home assistance and intervention.

(I) Marriage and family life

(28) Age at marriage:

The legal minimum age at marriage for girls was aligned with the minimum age for boys by Act No. 2006-399 of 4 April 2006, “strengthening the prevention and punishment of conjugal violence and violence against children” (see answers to questions 8, 9 and 26 above). The Civil Code’s new article 144 now provides that “men and women may not enter into marriage until they have reached the age of 18 years”.

Derogations from this provision enabling minors of either sex to marry are still possible. For this purpose, the persons concerned must obtain an age waiver from the Government Procurator recognizing that there are serious grounds for the derogation, and must also obtain the consent of their parents. However, even if one parent opposes the marriage of his or her minor child, he or she cannot prevent it if the Government Procurator has issued an age waiver and the other parent has given consent. A parent who does not consent to the marriage of his or her minor child (as well as a parent who does consent) may lodge an objection to the marriage at any time before it is solemnized.

(29) Implementation in Mayotte of the provisions of the law of 21 July 2003:

Following the passage of the Finance Act for Overseas of 21 July 2003 and the law of 26 May 2004, which prohibited polygamy, unilateral repudiation and discrimination regarding inheritance rights of children based on the child's sex or legitimacy, Act No. 2006-911 of 24 July 2006 on immigration and integration provides that births in Mayotte must be registered in accordance with the requirements set out in article 55 of the Civil Code. This same law requires that marriages take place at the town hall in the presence of a civil registrar, whereas previously the *cadi*, a traditional judge who performs marriage ceremonies under Muslim law, was also considered a civil registrar. This reform is intended to ensure that the woman has consented to the marriage and, of course, does not preclude the possibility of holding a religious ceremony. This approach makes it possible to modify and adapt customary law while respecting local traditions.

Under Act No. 2007-224 of 21 February 2007 establishing statutory and institutional provisions concerning overseas departments and territories, the provisions of French legislation on the reform of rules on lawful descent and the recognition of children born out of wedlock apply to individuals whose personal civil status is governed by local laws. In a continuation of a process begun some years ago, all legislative or regulatory provisions that introduce discrimination or restrictions with regard to civil, civic or family rights on the grounds of differences in personal status or overseas residence have been definitively abrogated.

Magistrates will be responsible for ensuring the full effectiveness of these legislative changes and for developing jurisprudence establishing arrangements for implementing these reforms, while respecting the autonomy of local law.

Moreover, like the entire decentralized SDFE network, the Agency for Women's Rights and Equality is responsible for the local implementation of Government measures taken to promote equality between women and men. To this end, it helps to ensure, in coordination with all the relevant authorities, that recent legislative reforms are implemented on the ground. Accordingly, it has supported the establishment of a "family information focal point" by the *Association pour la Condition Féminine* (Association for the Status of Women). This service cooperates closely with the Territorial Legal Access Centre recently established in Mayotte. (See also the answer to question 6 on the overseas departments and territories.)

(J) Optional Protocol

(30) Measures to publicize the Optional Protocol to the Convention:

Responsibility for spreading awareness of the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol lies with the Department of Women's Rights and Equality (SDFE) and its decentralized network, which has offices throughout French territory, including the overseas departments and territories. Written references to the Convention and the Optional Protocol are found in materials explaining French policies on equality between women and men; these instruments are also mentioned regularly in the oral statements made by SDFE representatives.

Women's associations and feminist groups also promote women's awareness of the Convention and its Optional Protocol, both in metropolitan France and overseas.



**List of annexes**

L'enquête emploi en Martinique en 2006

“Education, formation filles/garçons à la Guadeloupe”

Les femmes et l'emploi en Guyane (2005)

La santé des femmes en Guyane (2004)

L'éducation et la formation à La Réunion

L'emploi et le chômage des femmes à La Réunion

Les violences envers les femmes à La Réunion

Plans pluriannuels d'amélioration de l'accès des femmes à la haute fonction publique de l'Etat — Tableau de synthèse générale (2005)

Tableaux “encadrement supérieur et recherche” (2005)

La toxicomanie chez les femmes en France

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Note by the Secretariat: Annexes to the report will be made available to members of the Committee in the language in which they were received by the Secretariat.