



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

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

**Ninth periodic report submitted by France under article 18
of the Convention, due in 2020***

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* The present document is being issued without formal editing.



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Progress made as of 1 December 2020

1. As a follow-up to the consideration of the previous report of France by the Committee on the Elimination of Discrimination against Women in July 2016, the French Government is pleased to present the country's ninth report on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women.

2. The report covers the progress made since the last report was issued. Public policies to promote equality have received a new impetus since 2017, when the President of the Republic declared that gender equality would be the great cause of his five-year term. The Government is committed to redoubling its efforts in that area through the following strategic priorities: preventing and combating all forms of gender-based and sexual violence; promoting women's economic empowerment; and achieving gender equality in the workplace.

3. The implementation of a holistic approach, whereby equality is integrated into all public policies, has been enhanced by establishing an interministerial action plan; setting up a network of senior officials responsible for gender equality issues who report directly to ministers; conducting impact assessments which take the gender dimension into account in draft laws and regulations; and establishing the shared responsibility of local authorities in the area of equality.

4. Specific measures have been developed to combat discrimination and reduce gender inequality.

5. The Government has adopted a holistic approach to combating all forms of violence in the public, professional, educational and private spheres. A plan to combat gender-based harassment and sexual violence on public transportation was launched in 2015, and the offence of "sexist contempt" (*outrage sexiste*) was established in 2018 to crack down on street harassment. Laws have been strengthened to combat new forms of violence on the Internet and social media. Companies have been appointing focal points since 2019 to combat harassment and sexist behaviour in the workplace. A national strategy to combat domestic violence was adopted following a series of round tables on domestic violence held in autumn 2019.

6. In accordance with the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention), France has adopted a comprehensive response to gender-based and sexual violence, focusing on preventing violence, protecting women and girls, prosecuting perpetrators and adopting integrated policies. In that context, the Government has been working to make reception, support and guidance facilities more accessible for victims. It has provided more training for professionals and has launched information campaigns to mobilize society as a whole in the face of such violence. It has engaged in efforts to deconstruct stereotypes in schools and universities, as well as in the media. The powers of the French Broadcasting Authority (*Conseil supérieur de l'audiovisuel*) have been expanded to combat sexism and to protect the image and rights of women and children. Specific frameworks have been adopted to better protect the most vulnerable women: an Act on strengthening action to combat the prostitution system and support prostitutes was adopted in April 2016. A national action plan to eradicate female genital mutilation was launched in June 2019.

7. Ensuring universal access to sexual and reproductive health and rights for women and men is a priority. France has adopted a national sexual health strategy and an international cooperation strategy on population issues and sexual and reproductive health and rights. Access to contraception has been made easier and

entirely free and confidential for minors. Sexuality education has been enhanced in schools.

8. The forty-fifth anniversary of the adoption of the Act of 17 January 1975 on voluntary termination of pregnancy, known as the Veil Act, was commemorated in 2020. France has continued to refine this significant social achievement, which supplements access to contraception methods: by partially reimbursing abortion services through the social security system and then, since 2016, by reimbursing the cost in full; by extending the limit for ending a pregnancy from 12 to 14 weeks; by eliminating the concept of “distress”; by ensuring anonymity and free access for minors; by removing the reflection period; and by setting up a dedicated national telephone number and website.

9. A series of complementary measures have been adopted to improve work-life balance. Childcare facilities have been created and diversified and they have become more accessible. “Workforce integration” day-care centres were rolled out in 2016, allowing parents seeking employment to benefit from personalized monitoring and care for their children. Maternity leave has been standardized for women with different employment statuses, paternity leave has been extended from 14 to 28 days and additional paternity leave has been introduced for cases in which a child needs to be hospitalized. A national parenting support strategy has been adopted to better balance the distribution of family responsibilities. To address the precarity of single-parent families, the vast majority of which are headed by women, a system of direct payment of child support from family allowance funds has been set up.

10. Significant progress has been made in the area of parity and equality in the workplace. The obligation for listed companies with more than 500 employees to respect, from 1 January 2017, a minimum quota of 40 per cent women in their management bodies was extended to companies with more than 250 employees from 1 January 2020. A workplace gender equality index has been set up to combat the wage gap.

11. Since 2017, France has pursued a foreign policy that promotes women’s rights at the highest level in all international negotiations. This ambitious feminist diplomacy was reaffirmed by the President of the Republic, who, speaking at the United Nations in September 2018, called for gender equality to become a “great global cause”.

12. In 2019, France put gender equality at the centre of the agenda of its Group of Seven presidency, as well as of its presidency of the Committee of Ministers of the Council of Europe. It is campaigning for all States – members and non-members of the Council of Europe – to ratify and accede to the Istanbul Convention with the aim of harmonizing laws on the protection of women. France is promoting the women and peace and security agenda of the United Nations, which is aimed at strengthening the protection of women in areas of armed conflict and ensuring their full participation in conflict prevention and resolution processes. It is also defending women’s rights against the risk of regression, in a context of rising conservatism and extremism, and has strengthened its participation in civil society initiatives, such as “HeForShe” and “She Decides”.

13. In June 2021, France will be organizing, in collaboration with Mexico and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the Generation Equality Forum, a global gathering on gender equality, and, under that framework, will lead an action coalition on sexual and reproductive health and rights.

NB: The ninth periodic report of France is based on the response to the recommendations made by the Committee in its concluding observations on the

combined seventh and eighth periodic reports, issued on 8 July 2016 (CEDAW/C/FRA/CO/7–8). The paragraphs in the headings refer specifically to those of the concluding observations mentioned.

I. Responses to the Committee’s general recommendations

1.1. Data collection and analysis (paragraph 51)

14. Collecting data based on ethnicity and religion is contrary to the French Constitution, which, in its article 1, provides that France is “an indivisible, secular, democratic and social Republic. It shall ensure the equality of all citizens before the law, without distinction of origin, race or religion” (Constitutional Council Decision No. 2007-557 DC). This provision is aimed at preventing all forms of discrimination.

15. The public statistics service can, however, carry out studies to determine the diversity of people’s origins and to identify discrimination and integration based on objective data, such as name, geographical origin or nationality before becoming a French national. This is the purpose of the “Trajectories and Origins” surveys, conducted by the National Institute for Demographic Studies in collaboration with the National Institute of Statistics and Economic Studies. Subjective data, such as those based on “feelings of belonging”, may also be collected. In both cases, the public statistics service must inform the National Commission for Information Technology and Civil Liberties of its intention to conduct the survey and obtain its authorization when necessary.

1.2. Dissemination of the Convention (paragraph 54)

16. The recommendations issued by the Committee in 2016 were widely disseminated among government departments, the media, civil society actors and the general public. Since then, they have continued to inform debates on women’s rights and to guide public action. An annual tracking table, maintained by the relevant ministry, measures progress towards their proper implementation.

1.3. Beijing Declaration and Platform for Action (paragraph 52)

17. The Beijing Platform for Action is a road map for gender equality and women’s empowerment that has guided government action since 1995.

18. France submitted its “Beijing+25” periodic report to the United Nations in 2019.¹ As a State member of the European Union, it is part of the process of annual review of each of the themes of the Platform for Action set up by the European Commission.

1.4. 2030 Agenda for Sustainable Development (paragraph 53)

19. Gender equality and the empowerment of women and girls (Sustainable Development Goal 5) are a priority within the National Plan for the Implementation of the Sustainable Development Goals. In 2017, the President of the Republic made it the “great cause” of his five-year term. The Ministry of Equality is responsible for

¹ https://www.unecce.org/fileadmin/DAM/Gender/Report_FRANCE_B_25.pdf.

the national implementation of Goal 5, which is regularly monitored by a dedicated working group made up of several ministerial departments and civil society actors.

1.5. International commitments of France

20. With regard to paragraph 23 of the concluding observations, France conducts strict, transparent and responsible control of its exports of war equipment and similar materials, on the basis of a principle of prohibition, in accordance with the criteria defined under the Arms Trade Treaty and the Council Common Position 2008/944/CFSP of the Council of the European Union, as amended by Council Decision 2019/1560 of 16 September 2019. As such, it assesses, among other things, the risk that exported materials may be used to commit serious acts of violence based on gender or serious acts of violence against women or children.

21. France actively contributed to discussions on the issue of gender and gender-based violence at the Fifth Conference of States Parties to the Arms Trade Treaty, held in August 2019. Gender issues are also among the topics addressed under the European Union's Arms Trade Treaty Outreach Programme to which France contributes.

22. With respect to paragraph 55 of the concluding observations on the issue of respect for the human rights of migrant workers, France has ratified the European Convention on the Legal Status of Migrant Workers of 1983 and the Migration for Employment Convention (Revised), 1949 (No. 97), of the International Labour Organization. However, it has not ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, which was adopted on 18 December 1990 and entered into force on 1 July 2003. No State member of the European Union has been able to ratify the Convention. Indeed, a number of difficulties prevent the Government of France from fully subscribing to the provisions of that Convention, particularly with regard to the lack of distinction between persons in a regular situation and those in an irregular situation.

23. The current provisions of French law already protect the rights of migrant workers. In that regard, persons in a regular situation enjoy national protection similar to that provided for in the Convention. Migrant workers in an irregular situation are guaranteed fundamental rights under the European Convention for the Protection of Human Rights and Fundamental Freedoms and other international human rights instruments to which France is a party. Lastly, an ongoing constructive dialogue is held with the organizations and States that are concerned about this issue. France actively supports the work of the International Organization for Migration, in particular on issues relating to human rights violations in the context of migration. It also actively participates in the International Migration Review Forum and the Global Forum on Migration and Development.

1.6. Protection of refugee and asylum-seeking women (paragraph 11)

A. International obligations of France regarding asylum seekers and refugees

24. The French Office for the Protection of Refugees and Stateless Persons fully complies with its obligations under the international commitments of France in carrying out its duty to determine eligibility for international protection and provide legal and administrative protection to beneficiaries of international protection, in accordance with European directives concerning asylum. Its decisions are informed by the case law of the Court of Justice of the European Union and the European Court of Human Rights, which prohibit the use of intrusive evidence when examining

asylum applications, as such use undermines respect for human dignity and the privacy of women, men and children seeking international protection.

25. In accordance with article 12, paragraph 2, of the Convention relating to the Status of Refugees, the French Office for the Protection of Refugees and Stateless Persons may provide protected persons with the documents needed to enable them either to perform various acts of civil life or to enforce the provisions of national laws or international agreements concerning their protection, in particular documents in lieu of civil status certificates. These certificates and documents have the same value as authentic certificates.

26. The implementation of the principle of non-refoulement, like that of any measure relating to the residence of foreign nationals in France, falls within the remit of the Ministry of the Interior, under the control of the administrative judge (article L.743-1 of the French Code on the Entry and Residence of Foreigners and the Right to Asylum).

B. Management of asylum applications

27. Since 2015, several legal provisions have helped to address the vulnerabilities affecting asylum-seeking women who are victims of violence or trafficking and have facilitated their access to residence. Act No. 2015-925 of 29 July 2015 on the reform of the right of asylum allows gender-related aspects to be taken into consideration as grounds for recognition of refugee status. Women from third countries can thus obtain refugee status or be granted subsidiary protection by substantiating fears of persecution or serious harm arising from their escape from a forced marriage, conjugal or domestic violence, trafficking in persons or the risk of being subjected to female genital mutilation. A right of residence may also be granted to foreign victims of trafficking in human beings who have been formally identified by the security forces and who agree to cooperate in reporting or testifying against perpetrators in criminal proceedings, pursuant to article L.316-1 of the French Code on the Entry and Residence of Foreigners and the Right to Asylum. A temporary residence permit for a minimum of six months may also be issued to foreign victims of prostitution or trafficking for the purpose of sexual exploitation who have ceased to engage in acts of prostitution and are committed to following a pathway out of prostitution (article L.316-1-1 of the French Code on the Entry and Residence of Foreigners and the Right to Asylum). Lastly, victims of trafficking may apply for a residence permit at the same time they apply for asylum (Act No. 2018-778 of 10 September 2018 on controlled immigration, an effective right of asylum and successful integration). Within two months of filing their asylum application or if new circumstances arise, a victim of trafficking who has been formally identified by the police and has agreed to cooperate with them may apply for a residence permit under article L.316-1 of the French Code on the Entry and Residence of Foreigners and the Right to Asylum or embark on a pathway out of prostitution.

28. Actions have been taken to guarantee the reception of and support and shelter for foreign and asylum-seeking women who are victims of violence. In 2018, the Ministry of the Interior, in collaboration with the French Office for the Protection of Refugees and Stateless Persons, the French Immigration and Integration Office and the voluntary sector, defined a national strategy for the reception and integration of refugees, the third pillar of which aims to ensure appropriate assistance for vulnerable refugee women: by improving the training provided to all staff in the asylum chain in order to enable gender-based vulnerabilities to be identified early; by providing more information to women applicants during interviews with the French Immigration and Integration Office to identify vulnerabilities in relation to existing care arrangements; by improving the reporting of vulnerabilities between the French Office for the Protection of Refugees and Stateless Persons and the French Office for Immigration

and Integration; and by further formalizing procedures to enable persons in vulnerable situations to be transferred within the national reception system. Deployed on an experimental basis in 2018, the system of specialized housing for vulnerable asylum-seeking and refugee women, which at the end of 2019 had 300 places within the national reception system and provides secure housing and dedicated support, will be further enhanced. The related action plan is due to be published very soon.

29. The French Office for the Protection of Refugees and Stateless Persons has published a guide to asylum for unaccompanied minors in France, as well as information on applying for asylum owing to the risk of female genital mutilation. Since 2017, an internal resource, updated at the end of 2020, has been available to investigating protection officers so that they can provide vulnerable applicants, particularly those affected by gender-based violence, with the contact details of relevant specialized associations at the end of personal interviews.

30. An individual and complete examination of the facts, and of the fear of persecution or real risk of serious harm cited should the applicant return to the country of origin or country of habitual residence, is an essential safeguard in the process for all asylum seekers (article L.723-4 of the French Code on the Entry and Residence of Foreigners and the Right to Asylum). The French Office for the Protection of Refugees and Stateless Persons attaches particular importance to these factors when dealing with women who are seeking international protection.

31. The time taken to examine asylum applications is adapted to each case. When an application has been registered by the prefecture under an accelerated procedure, the observation that a longer processing time is required may lead the Office to reclassify it under the normal procedure at any time between the submission of the application and the issuance of a decision. Reclassification is considered favourably for women who are victims of violence or trafficking or who fear persecution, particularly in view of the difficulties they may have in recounting their experiences. In 2020, the French Office for the Protection of Refugees and Stateless Persons updated the internal training programme for officers on the legal framework and the consequences of this procedure for asylum seekers in order to ensure that the Office fully applies its power to reclassify asylum applications from the accelerated procedure to the normal procedure.

C. List of safe countries

32. The list of countries of origin deemed to be safe, given the protection guarantees offered by their Governments against persecution and ill-treatment, as well as the penalties they apply for proven violations of individual rights, is established and shall be regularly updated by the management board of the French Office for the Protection of Refugees and Stateless Persons. The list was reviewed on 29 September 2020, which led to the registration of the Republic of Benin being suspended for a period of twelve months.

33. With regard to paragraph 43 of the concluding observations, the integration of women with a migration background is a priority for several ministerial departments and the subject of an increasing number of measures in the field of public and social action: these women are a priority target group within the Ministry of the Interior's immigrant integration policy, given their role in the family and in the education of children; and the Ministry of Solidarity and Health has a file allocated to them, entitled "Women with an Immigration Background". In the context of combating violence against women, specific measures are in place to combat forced marriages and sexual mutilation.

34. The Interministerial Committee on Immigration and Integration of 6 November 2019 includes “promoting migrant women’s employment” among the new priorities for public action.

II. Implementation of part I of the Convention (articles 1 to 6)

2.1. Policy measures adopted to ensure the implementation of women’s rights (paragraph 15)

A. French gender equality policy

35. The creation in May 2017 of a Secretariat of State, and then in July 2020 of the delegated Ministry for Gender Equality, Diversity and Equal Opportunities, under the authority of the Prime Minister, allows for the coordination of gender equality policies at all levels of government. The Ministry’s mandate is to eliminate all forms of gender discrimination and ensure equality in all areas: political, economic, professional, educational, social, health and cultural. It is fully involved in projects designed to promote women’s rights and to combat gender-based and sexual harassment and violence.

36. The Ministry prepares and monitors the work of the interministerial committee on women’s rights and equality between women and men, which is chaired by the Minister on behalf of the Prime Minister. The committee works with the Minister of National Education to define educational activities in schools in all its areas of responsibility. In consultation with the Minister of Labour and the Minister of Action and Public Accounts, the Ministry prepares measures to achieve equal pay and gender equality in the workplace within the private and public sectors, create a gender-balanced workforce and combat discrimination in the workplace. The Minister is also involved in international efforts to achieve true gender equality.

37. The budgetary programme “P.137 – Equality between women and men” included an “impetus budget” of 34 million euros in 2020, allocated to the entities responsible for equality policies and involved in combating violence.² The gender equality budget was 1.116 billion euros (in commitment authorities) in 2020, compared to 544 million euros in 2019.

B. Mechanisms for monitoring gender equality measures

38. The international commitments of France to gender equality provide an initial means of monitoring national mechanisms (see 1.3).

39. At the national level, such monitoring essentially involves considering the statistical data on the basis of which policies are designed and adjusted. The Interministerial Mission for the Protection of Women Victims of Violence and for Combating Human Trafficking acts as a national observatory on violence against women by collecting, analysing and disseminating information and data. It is also responsible for coordinating efforts to combat trafficking in persons at the national level.

40. The Interministerial Mission leads a working group on violence against women, which brings together the statistical services of various ministries and research institutions. The data collected are published every year on 25 November on the occasion of the International Day for the Elimination of Violence against Women.

² Cross-cutting policy document. Finance bill for 2020. Gender equality policy.

41. In 2021, the Ministerial Statistical Service for Internal Security will conduct a “Gender and security” survey on gender-based violence, following on from the thematic surveys Enveff (2000), “Life and health events” (2005), Virage (2015) and “Quality of life and security”.³ Every year, the Ministerial Statistical Service for Internal Security produces a study on the victims of sexism in France on the basis of a nomenclature established for the High Council for Gender Equality.

C. Implementation of gender equality policies at the municipal and regional levels

42. Equality policies are steered throughout the country by the Ministry’s decentralized services, the regional delegations for women’s rights and equality attached to the regional prefecture and the departmental delegates for women’s rights.

43. Local authorities have their own territorial observatories, such as the Regional Observatory on Violence Against Women in Île-de-France (*Centre Hubertine Auclert*), which operates at the regional level. There are also observatories at the departmental, communal and intercommunal levels created by decentralized administrations, associations and public interest groups that fulfil that role. The observatories help to enhance the amount and quality of knowledge on violence against women in coordination with the Interministerial Mission.

44. Since 1 January 2016, pursuant to the Act of 4 August 2014 on substantive equality between women and men, local authorities representing more than 20,000 inhabitants have been required to submit an annual report on the state of gender equality in their territories.

D. Resources allocated to the High Council for Gender Equality and the National Consultative Commission for Human Rights

45. Act No. 2017-86 of 27 January 2017 on equality and citizenship establishes the functions of the High Council for Gender Equality.

46. The State provides the Council with premises in Paris, as well as five full-time equivalent positions, and it pays the President of the Council and covers operating costs (up to 44,000 euros per year).

47. The National Consultative Commission for Human Rights has received new mandates, including on a policy to combat hatred against lesbian, gay, bisexual, transgender and intersex persons in 2018, which is an important step forward not only for people who experience discrimination but also in terms of raising awareness of gender issues. On 3 December 2020, the Prime Minister also gave the National Consultative Commission a mandate to address bias and stereotypes against persons with disabilities and evaluate public policies to ensure that their rights are protected. Each of those mandates takes into account the gender dimension. The Commission’s budget increased by nearly 50 per cent between 2013 and 2020, and two additional positions were created.

2.2. Adoption of temporary special measures (paragraph 17)

48. The adoption of temporary special measures is detailed in the following considerations, in particular in points 2.3. (b) et seq.

³ The survey “Quality of life and security” has been conducted annually since 2007 by the National Institute of Statistics and Economic Studies, in partnership with the National Observatory of Crime and Criminal Response and the Ministerial Statistical Service for Internal Security.

2.3. Combating stereotypes and harmful practices (paragraph 19)

A. Global strategy to eliminate patriarchal attitudes and stereotypes that discriminate against women

49. Act No. 2017-86 of 27 January 2017 on equality and citizenship doubles the penalties for racist or discriminatory insults. In addition, the courts have more options for classifying charges. Racism and homophobia are aggravating circumstances for all crimes and offences. Sexism is also an aggravating circumstance.

50. Act No. 2019-828 of 6 August 2019 on civil service reform provides for the establishment in administrations, local authorities and public institutions of a “mechanism (...) whose purpose is to collect reports from staff who feel they have been the victims of an act of violence, discrimination, moral or sexual harassment or sexist behaviour and to guide them to the competent authorities.”⁴

51. Equality between men and women has been declared the great national cause of President Emmanuel Macron’s five-year term. On 8 March 2018, the interministerial committee on women’s rights and equality between women and men announced the adoption of measures to “transmit and disseminate a culture of equality.”⁵

52. The interministerial agreement for equality between girls and boys in the education system for the period 2019–2024 includes mandatory training for the entire educational community geared towards deconstructing bias and preventing harassment and gender-based and sexual violence. The website mallettedesparents.education.gouv.fr, aimed at parents and education professionals, offers resources, advice and tools for better understanding schools and their challenges and strengthens the link between the actors involved in each child’s academic success. A tool for assessing and analysing relations between girls and boys has also been created to enable students elected to representative bodies (school life council, high school life council) to address the subject of equality and contribute to its advancement.

53. The “Schools Promoting Health” initiative (“Better health for better learning”), launched in 2019, includes sexuality education. Revised in 2018, sexuality education in schools incorporates all aspects of sexuality (biological, psychoaffective and social) and is crucial for preventing gender-based and sexual violence. Since the start of the 2018–2019 academic year, the policy has been enhanced with the appointment of an “equality” adviser at each secondary school.

54. The methodological guide “Sexist Behaviour and Sexual Violence: Prevent, Repair, Act”, updated in 2020 for middle and high school educational teams, provides definitions and legal information related to sexism, sexual violence, forced marriages and female genital mutilation.

55. Since November 2017, an initiative of the Ministry of Culture has led 99 higher education institutions to draw up “ethical charters” defining action plans for fostering a culture of equality among students and combating gender stereotypes. The aim is to ensure that parity is respected within teaching teams and committees by providing diversified information on career paths. The initiative has also resulted in the development of gendered data; the promotion and referencing of works by women authors and artists; and the promotion of equity and transparency in youth recruitment processes. Schools have been working to combat sexual and gender-based violence

⁴ Task force set up by Decree No. 2020-256 of 13 March 2020 on the mechanism for reporting acts of violence (...).

⁵ https://www.gouvernement.fr/sites/default/files/contenu/piece-jointe/2018/03/dp_comite_interministeriel_egalite_-_08.03.2018.pdf.

after a perception survey conducted in the first half of 2020 revealed alarming situations across all schools.

B. Combating all forms of discrimination against women and girls from minority groups

56. The Prime Minister's circular of 20 July 2014 on the preparation of city contracts made combating discrimination a core focus of those contracts for 2015–2020. Each city is required to have an anti-discrimination plan. City contracts are focused on several areas: working on urban and social representations; deconstructing prejudices and stereotypes with regard to popular cultures and practices; and tackling multiple forms of discrimination, for example, discrimination experienced by women who are, or appear to be, of foreign origin and who live in a priority urban neighbourhood or are seeking employment.

57. The Ministry of Territorial Cohesion launched the “Neighbourhood Pact for All Businesses” in July 2018. It includes actions that companies undertake to carry out until 2021, along with key objectives and indicators in four areas, one of which is “engaging in non-discriminatory recruitment practices”. Nearly 75 companies signed the Pact in 2020.

58. The “educational cities” scheme, launched in 2019 by the Ministry of National Education, Youth and Sports and the National Agency for Territorial Cohesion, aims to enhance educational support for children over 3 years of age and for young people under 25 years of age “before, during, around and after school” by bringing together stakeholders involved in school and extracurricular education in 80 designated territories on which public resources are focused (100 million euros allocated for the period 2019–2021). In some cities, this will include a gender equality programme, which is currently being developed.

C. Portrayal of women in the media

59. The French Broadcasting Authority's powers to combat sexism and stereotypes in audiovisual media have been strengthened: the mechanism for reporting illegal content has been extended to include acts of gender-based hate speech by Act No. 2016-1321 of 7 October 2016 for a digital Republic, which increases the penalty incurred for broadcasting images or comments of a sexual nature. Act No. 2017-86 of 27 January 2017 on equality and citizenship provides that the French Broadcasting Authority is responsible for ensuring that representations of French society's diversity are free of prejudice.

60. The Broadcasting Authority's annual report on the representation of women in television and radio programmes allows for a “name and shame” type of media ranking. A study conducted in October 2017 on the representation of women in television commercials helped to shed light on the types and recurrences of gender stereotypes.⁶ The Broadcasting Authority provides the media with a guide featuring more than 3,000 women experts from 30 countries.

61. On the initiative of the Broadcasting Authority, advertising sector actors took action against sexual, sexist and gender-based stereotypes by signing a charter on 6 March 2018, by which they committed to tackling those stereotypes.

62. In January 2018, *Union des marques*, an organization representing brands, launched the FAIREe programme for responsible communication, aimed at engaging advertisers and brands in combating the recurrence of stereotypes in their communications. In that context, the Union launched the REPRESENT Challenge in

⁶ Broadcasting Authority: representation of women in television commercials (2017).

2019 to highlight innovative initiatives in combating stereotypes. In 2020, the Jury Prize was awarded to Mattel for its global Dream Gap campaign to empower girls.

63. The proportion of women journalists and presenters is increasing in public broadcasting companies. *France Télévisions*, which was awarded the “Equality” label in 2018, introduced quotas for broadcasting content by women directors in 2020, before extending them to other creative professions. Radio France is committed to achieving parity by 2022.

D. Measures taken against the harmful effects of pornography on young people

64. The interministerial plan for preventing and combating violence against children 2017–2019 and the charter of commitments for the prevention of exposure of minors to online pornographic content, signed by the State, Internet service providers and operators, are aimed at protecting children and promoting a culture free of violence against women by limiting minors’ access to pornography.

65. The national sexual health strategy for 2017–2030, launched in March 2017, has a specific area of focus on action against potentially sensitive content to which young people are particularly exposed.

E. Disaggregated data on harmful practices

66. With regard to harmful traditional practices, in 2019 a total of 8,082 children were under the protection of the French Office for the Protection of Refugees and Stateless Persons owing to the risk of being subjected to female genital mutilation in their country of origin.⁷ Nearly 60,000 women who have undergone female genital mutilation live in France.

67. Act No. 2015-925 of 29 July 2015 on the reform of the right to asylum made the risk of female genital mutilation an element to be taken into account when assessing the vulnerability of asylum seekers. The Act introduces mandatory medical monitoring for asylum-seeking girls, who must undergo regular medical examinations until they reach the age of majority in order to verify that they have not been mutilated. The French Office for the Protection of Refugees and Stateless Persons covers the cost of these medical examinations. These provisions were incorporated into and strengthened by Act No. 2018-778 of 10 September 2018 on controlled immigration, effective asylum rights and successful integration.

68. The national action plan to eradicate female genital mutilation (2019) has five main lines of action: improving the health of women victims of genital mutilation; increasing awareness among professionals and training them to be better equipped to prevent female genital mutilation; eradicating female genital mutilation as close to the territories as possible; developing prevention tools; establishing a status report on female genital mutilation; and making France an exemplary country in this area.

69. A leaflet for professionals who come into contact with children who may be at risk of female genital mutilation has been distributed and should help professionals to better identify the risk or existence of female genital mutilation. Lastly, the plan to combat female genital mutilation, through the implementation of its awareness-raising, training and detection actions, has a leverage effect in combating early and forced marriages.

⁷ Protection of girls threatened with genital mutilation: agreement between *Assistance Publique–Hôpitaux de Paris* and the French Office for the Protection of Refugees and Stateless Persons (2018).

F. Protocol for intersex children

70. On 31 July 2020, the National Assembly adopted on second reading the draft “Bioethics Act”, which provides that the care of a child with a variation in genital development should be ensured following a consultation in a specialized centre of reference for rare diseases. During the consultation, a diagnosis is made and possible therapeutic options are given, ensuring that comprehensive information is provided, including on the likely consequences. The team at the specialized centre provides appropriate psychosocial support to the child and family by ensuring that they have sufficient time to make an informed decision. The draft Act provides that children’s consent must systematically be sought if they are able to express their will and participate in decision-making.

2.4. Combating violence against women (paragraph 21)

A. Root causes of low reporting and conviction rates in cases of gender-based violence against women and how to address them

71. The Government has made combating violence against women a top priority, and it is the great national cause and one of the voluntary commitments of France to the Human Rights Council.

72. The fifth plan for preventing and combating all forms of violence against women (2017–2019) consolidates the pathway out of violence that was successfully implemented until 2017 and broadens reporting methods. As a result, as of the first half of 2018, reports of violence have increased by 23 per cent.

73. Measures to encourage women victims of violence to speak out were strengthened in November 2019, following the national series of round tables on domestic violence. National statistical surveys have identified the following main obstacles to reporting: a lack of trust in authorities; fear of the consequences of reporting; psychological control of the victim; and the trivialization of violence.⁸

74. Several mechanisms have been implemented to ensure that professionals are responsive to reports of violence (see response to recommendation paragraph 21 d. infra). The national gendarmerie has launched a training policy on the psychological processes underlying the phenomenon of domestic violence. The aim is for officers to develop listening skills and empathy when interacting with victims.

75. A matrix for assessing the danger faced by women victims and their children was provided to all law enforcement agencies in November 2019 to allow for an accurate and objective assessment of the situation and to make appropriate housing choices.

76. Act No. 2020-936 of 30 July 2020 on the protection of victims of domestic violence recognizes the undue influence resulting from the control exerted by perpetrators of violence and allows health professionals to break medical secrecy when the domination exerted by the aggressor means that the victim is unable to turn to the authorities.

77. Procedural constraints have been eased to enable victims to report incidents of violence against them. Act No. 2019-222 of 23 March 2019 on planning and judicial reform made it possible to file complaints electronically. The Ministry of Justice information circular of 9 May 2019, on improving the handling of domestic violence, specifies that online reporting does not replace the in-person assistance provided for

⁸ “Reporting to security forces: a step not all victims take”, statistical services of the Ministry of the Interior, Interstats Analysis No. 17, July 2017.

in the Code of Criminal Procedure but rather offers a new “more private and confidential” recourse to victims. Complaints can be filed by appointment to guarantee that they will be received in a discreet and individualized manner. This process can take place in a hospital or any other location where people can be encouraged to share their experiences. The development of a digital brigade and platform for reporting sexual and gender-based violence contributes to the establishment of a confidential and remote framework for reporting wrongdoing.

78. Act No. 2019-1480 of 28 December 2019 on taking action against domestic violence, helps to create a safer environment for the victim. The judge must issue a protection order within a maximum of six days if the victim or her children are likely to be at risk of violence. The victim no longer has to prove that she is living with the perpetrator or that she has filed a criminal complaint. The public prosecutor can provide her with a “serious danger phone” with which to contact law enforcement officers through a priority channel. As of August 2020, a total of 72 per cent of the 1,153 phones deployed had been allocated.

79. The judge may also order both parties to wear a mobile electronic anti-reconciliation device from the outset of an investigation. The system makes it possible to geo-locate the individual under surveillance and to trigger an alert system, notifying law enforcement and the victim of his presence in an area where the victim is also present. In this situation, he may be required to pay his partner’s housing expenses. The judge may propose that the violent spouse receive health, social or psychological support or take an accountability course.

80. To protect children from further harm, the Act gives family-related powers to criminal court judges. Parental custody may be withdrawn if the abusive parent is convicted. Failing that, the exercise of parental authority and visiting and housing rights of the parent who has been prosecuted or convicted for a crime or attempted crime against the other parent are automatically suspended for a maximum period of six months pending the judge’s final ruling. The effectiveness of these measures and the diversification of means for reporting violence have been demonstrated during the health crisis that began in March 2020.

81. The 3919 national helpline provides women victims of violence with a number to call, from which they are referred to counselling and information services or to the police. The same services are available from the digital platform for reporting sexual and gender-based violence, which is always accessible. Victims can also send a text message to 114, an emergency service previously intended for hard-of-hearing persons, to trigger police intervention. In addition, temporary information points have been created in partnership with local associations, government services and shopping centre managers to assist women victims of violence, and a reporting system has been launched in pharmacies. These latest measures, which were born out of the needs highlighted by the health crisis, have been permanently adopted.

B. Investigation of racist, xenophobic, anti-Muslim and sexist acts and prosecution of perpetrators

82. France strictly applies the recommendations of the Council of Europe and the Organization for Security and Cooperation in Europe, whereby investigating officers conduct thorough investigations that may reveal an aggravating circumstance related to an act of hatred or hate speech based on origin, religion or sexual orientation. The most recent government directives, from both the Minister of Justice and the Minister of the Interior, emphasize the need to crack down on acts of hatred. The interministerial delegation for combating racism, antisemitism and hatred towards lesbian, gay, bisexual and transgender persons is involved in the initial training of all law enforcement officers and judges.

C. Strengthening mechanisms for monitoring measures taken to combat violence against women

83. The measures taken to combat violence against women are frequently evaluated and discussed to ensure their effectiveness. An analysis of the annual activity reports of the public prosecutor's office by the Ministry of Justice makes it possible to evaluate the manner in which standards are applied and to identify the difficulties encountered by the actors concerned, with a view to disseminating good practices, strengthening the existing systems and formulating proposals for legislative amendments. The reports show that prosecution services are quick to provide personalized and diversified criminal justice responses to violence against women, ensuring that the measures put in place are both effective and improved. The implementation of the measure to evict a violent spouse from the home, which is frequently used by prosecution services, was specifically studied in the annual report of the public prosecutor's office for the year 2017. In 2019, the prosecution services were asked about the implementation of the 9 May 2019 circular on improving the judicial treatment of domestic violence cases and the protection of victims.

84. An annual steering committee assesses the implementation of the "serious danger phone", and local committees are established within each judicial court to ensure operational monitoring.

85. The measures adopted following the series of round tables on domestic violence are also being closely monitored by public actors and independent authorities. In July 2020, the Interministerial Mission for the Protection of Women Victims of Violence and for Combating Human Trafficking was asked to draw up a report on public policies to combat domestic violence during the lockdown period.

86. The Directorate General for Justice, created in January 2017, conducts ongoing inspections and makes proposals on how to improve justice services. In May 2017, it conducted a study on policies to protect victims of domestic violence. In November 2019, it examined domestic violence homicides. It recommended that lessons-learned meetings be organized for each case of domestic homicide in order to highlight recurring challenges and deficits related to alert systems and information transmission. A working group jointly led by the Directorate General for Justice and the Ministry of Justice has developed a lessons-learned methodology for cases of spousal homicide, and questionnaires for all professionals who have dealt with the situation of the couple concerned. In March 2017, the general secretariat for the modernization of public action prepared a qualitative study on the treatment of victims of domestic violence.

87. The statistical services of the Ministry of the Interior prepare an annual report on violence against women. These services conducted a survey on stereotypes in relations between security forces and victims of domestic violence, the results of which were presented to police trainers.

D. Evaluating the response of the police to complaints of sexual crimes

88. In 2019, the Ministry of Justice adopted a new training plan for professionals aimed at ensuring a proactive judicial response, developing protection tools and improving the monitoring of perpetrators. In order to change jobs, professionals working in the justice system must now receive mandatory training on domestic violence. Continuous training promotes the exchange of best practices among professionals and the removal of barriers to intervention. Updated practical and legal documentation (circulars, thematic fact sheets, documentary case files) is available to all professionals. Prosecution agreements are published to encourage the adoption of

innovative measures by theme: assistance to victims, monitoring of perpetrators and care of children.

89. Law enforcement officers are trained to provide better assistance to victims of violence and to support women in filing complaints. The Office of the Inspector General of the National Police and the Office of the Inspector General of the National Gendarmerie have been mandated to examine cases of spousal homicides committed in 2015–2016 that have received a final judgment, with a view to analysing the conditions under which those procedures were handled by law enforcement officers.

90. Following the series of round tables on domestic violence, the central directorate for recruitment and training of the national police has prepared an online training course that addresses the specificities of reception, care and support for victims. It also presents the tools that are available to police officers, including a matrix for assessing the danger. This mandatory training is intended for all those who are involved in dealing with such cases, including police officers handling complaints, investigators, command centre operators and reception staff.

91. Police stations and gendarmerie units have appointed focal points trained to deal with violence against women. The national police force has also set up psychosocial support centres in which social workers, psychologists and representatives of associations work together to provide comprehensive care for victims. The creation of a child and family services office within the prosecution services facilitates the channelling of reports between social services, hospital services and associations.

92. The circular issued on 9 May 2019 on improving the handling of domestic violence cases and the protection of victims recommends that “a true culture of protection for victims of domestic violence” be established at all stages. In November 2019, the public authorities announced that prosecutors specialized in domestic violence cases would be appointed in the courts.

93. A circular dated 28 January 2020 called for information channels to be formalized within the courts and for steering committees on domestic violence to be set up in order to promote information sharing between the various judges and to break down the silos between professionals involved in domestic violence cases.

94. A methodological guide to handling sexual offences was released on the Department of Justice intranet in June 2019. The aim of the guide is: to encourage the disclosure of facts by improving the conditions under which victims are received and interviewed; to optimize the manner in which victims are treated by developing single reception points; to ensure that victims have better access to information on the progress of procedures; and to improve the monitoring of investigations.

E. Assistance and protection provided to women who are victims of violence

95. The fifth plan for preventing and combating violence against women (2017–2019) set out 133 actions and had 125 million euros in funding to house women victims of violence. It resulted in an increase in the number of emergency accommodation places; agreements between integrated assistance and orientation services and specialized associations; a better understanding of needs and availability; victim identification and support in shelters; and training for professionals. The number of places at shelters was increased from 2,900 in 2014 to nearly 5,985 in 2019.

96. Measures have been taken to provide independent housing for women who are forced to leave their homes owing to violence. These women are eligible for the State’s Visa for Housing and Employment guarantee, which protects private landlords from the risk of non-payment and guarantees that their properties will be returned in their original condition.

97. Act No. 2019-1480 on action against domestic violence provides for low-income housing organizations to rent to registered organizations for the purpose of temporarily subletting to women who have been granted a protection order. Appropriate support is given, including by assisting with security deposits, rental guarantees and the payment of the first months' rent. People who have been granted protection orders can access social housing even if they are homeowners.

98. A geo-location platform with available housing for women victims of violence was set up in December 2019.

99. During the coronavirus disease (COVID-19) pandemic, these mechanisms have made it possible to provide an urgent response to situations of violence. An exceptional fund of 1 million euros was set up to finance 20,000 nights in shelters or hotels and provide housing for victims and their children.

F. Conditions for granting temporary residence permits to migrant women who are dependent on their abusive partners

100. Act No. 2018-778 of 10 September 2018 for controlled immigration, effective asylum rights and successful integration strengthens the guarantees offered to women victims of violence by providing a secure pathway to access or maintain their right to residence in France.

101. A victim cannot have her residence permit withdrawn or be prevented from renewing it if she is forced to separate from her spouse because of the violence she has suffered. The recognition of acts of violence is not dependent on a judgment convicting the perpetrator or on the filing of a police report, but simply requires that the situation of violence be demonstrated by any means.

102. The claimant should demonstrate the reality of the violence suffered, whether physical, psychological or moral, in a family or marital context. The prefect then assesses the facts put forward by the victim. Once the reality of the violence has been established, the prefect issues a residence permit, subject to the standard reservation that there is no threat to public order.

103. The Act establishes protection for foreigners in an irregular situation who are victims of violence by allowing them residency. The prefect is required to issue a "private and family life" residence permit to a foreign national who has been granted a protection order by a family court judge on the grounds of domestic violence or the threat of forced marriage, without requiring that a judgment convicting the perpetrator be made. A conviction would only be required to obtain a permanent residence permit, which would grant additional rights.

G. Resources allocated to the Interministerial Mission for the Protection of Women Victims of Violence and for Combating Human Trafficking to allow it to fulfil its mandate

104. Various ministries provide the Interministerial Mission with six full-time equivalent positions: one within the national observatory on violence against women, two related to violence against women and two related to trafficking in persons. The secretary general is made available by the Ministry of Justice. The Mission's operating costs are 16,000 euros per year.

105. The Interministerial Mission steering committee was enhanced in 2016 by integrating a coordination committee made up of institutional and associative actors engaged in combating trafficking in persons.

2.5. Preventing and combating trafficking in persons and the exploitation of prostitution (paragraph 27)

A. Investigating cases of trafficking in persons and prosecuting and convicting perpetrators

106. The number of criminal investigations conducted in France on procurement and trafficking in persons for sexual exploitation has increased by 54 per cent since 2016.⁹ The number of procurement investigations increased from 611 in 2015 to 944 in 2018.

107. The guidelines for gendarmerie units on combating all forms of human trafficking were updated in 2016 to facilitate the work of investigators in detecting and assisting victims. Attention is paid to victims who are minors, including through standard questions that may be asked during interviews.

108. In 2019, the national gendarmerie and the National School for the Judiciary set up an interdepartmental training course on combating trafficking in persons in order to improve the quality of judicial procedures and strengthen partnerships between the various actors in the criminal justice system and associations.

109. The criminal policy circular on combating trafficking in persons of 22 January 2015 emphasizes the need to increase the use of the various classifications of trafficking (for the purposes of sexual exploitation, exploitation of begging, labour exploitation or organ trafficking). These classifications allow for a better understanding of the criminal supply chain and the use of more appropriate procedural tools. Classifying trafficking has the dual advantage of facilitating international investigations and providing a more comprehensive victim support system.

110. The gendarmerie has set up additional training in interview techniques to help victims of gender-based and sexual violence to talk about their experiences with greater ease and precision. Investigating officers can access a list of predefined questions in order to gather detailed information on the offences in question and their context. Since 2017, information about specific protection and support measures has been incorporated into all victim interviewing procedures.

B. Identifying and providing support to women at risk of trafficking

111. The second national action plan against trafficking in persons 2019–2021 is aimed at better identifying victims of trafficking through a national referral mechanism. Special attention is paid to the protection of minor victims by extending an experimental scheme for their protection and creating a safe and secure centre for minors who are at risk.

112. Act No. 2016-444 of 13 April 2016 strengthened the protection measures for witnesses and victims of trafficking in persons by extending the protection scheme to people who report such cases. Victims who have helped to establish the truth through their testimony and whose life or physical integrity is seriously endangered may be subject to protective measures and be given an assumed identity.

C. Data on victims of trafficking in persons, disaggregated by sex and age

113. The improvements made in the identification of victims of trafficking are reflected in the data that are being collected by associations on the profiles, experiences and needs of victims. For example, every year since 2016 the National Observatory on Crime and Criminal Response and the Interministerial Mission for

⁹ Evaluation of the Act of 13 April 2016 on strengthening action to combat the prostitution system and support prostitutes, General Inspectorate of Social Affairs, 2019.

the Protection of Women Victims of Violence and for Combating Human Trafficking have published the results of a survey on the victims of trafficking in persons who receive support from associations in France. The results of the fourth survey were published in November 2020 in collaboration with several associations, including members of the collective “Together against Human Trafficking”. Their work helps to gain a better understanding of the phenomenon by providing information on the profiles and backgrounds of victims.

114. A multidisciplinary working group on child prostitution was created in 2020, bringing together representatives of administrations, professionals in the field and associations. It is tasked with conducting a victim survey and mapping the phenomenon and will submit its conclusions in March 2021.

D. Preventing and combating other forms of exploitative practices related to trafficking in persons, in particular forced labour, servitude and slavery

115. Act No. 2017-399 of 27 March 2017 on the duty of care of parent companies and contracting companies established that parent companies of multinational companies with more than 5,000 employees bear responsibility in the event that an accusation is made regarding human and environmental rights violations. These companies must implement a “duty of vigilance plan” to identify and prevent risks of human rights and fundamental freedoms violations, serious physical or environmental damage or health risks resulting from the activities carried out by the company or its subcontractors.

116. In 2019, the Central Office for Combating Illegal Employment developed a training module on combating trafficking and labour exploitation, which is open to a broad institutional audience. Three sessions are held every year across the country in order to reach the largest possible number of personnel. An intranet site has been created, accessible to national gendarmerie investigators, with a section dedicated to combating trafficking in persons.

117. The Central Office for Combating Illegal Employment is in permanent contact with associations such as the Committee against Modern Slavery and the Marseille branch of the International Organization against Modern Slavery, and responds to all their requests. Several investigations have been conducted in recent years following reports from these entities.

E. Resources allocated to the Interministerial Mission for the Protection of Women Victims of Violence and for Combating Human Trafficking and the National Consultative Commission for Human Rights to ensure the effective coordination, monitoring and assessment of government action against trafficking in persons and exploitation

118. The creation within the Interministerial Mission in 2016 of a coordination committee on trafficking in persons, of which the National Consultative Commission for Human Rights is a member, has helped to promote partnerships between institutional and associative actors. The committee’s role was expanded and made permanent by the second national action plan against trafficking in persons 2019–2021.¹⁰ At the departmental level, a steering committee led by the prefect and the public prosecutor will make it possible to mobilize all actors involved in combating trafficking in persons, allowing for coordinated and shared action.

119. The measures of the national action plan are financed through several State budget programmes and by the fund of the Agency for the Management and Recovery

¹⁰ <https://www.egalite-femmes-hommes.gouv.fr/wp-content/uploads/2019/10/2e-Plan-action-traite-etes-humains.pdf>.

of Seized and Confiscated Assets, which is dedicated to preventing prostitution and to providing social and professional support for prostitutes. The Interministerial Mission organizes and coordinates this co-financing.

F. Access to health care and psychological support for victims

120. The second national action plan against trafficking in persons 2019–2021 guarantees victims an effective right of residence and a right to housing; improves their psychological support; facilitates their voluntary return to their country of origin; and supports associations by securing and strengthening their funding.

121. Following the series of round tables on domestic violence, the funding for services dedicated to providing health, psychological and social care to women victims of violence has been increased to 5 million euros.

G. Protection, redress and rehabilitation for victims of trafficking

122. The Act of 13 April 2016 expands the rights of victims, including for those who have filed a complaint or given evidence. They are now entitled to a “private and family life” permit and a residence permit when perpetrators are convicted. Victims of trafficking for sexual exploitation may be granted a residence permit regardless of whether they cooperate with the security forces, provided that they cease engaging in all acts of prostitution and participate in a reintegration programme.

123. Victims, even minors, in an irregular situation or in remand, can obtain redress for their losses (moral, material and physical) provided that the acts were committed on national territory. They do not have to pay to receive legal assistance or to initiate proceedings.

H. Evaluation of Act No. 2016-444 of 13 April 2016

124. The evaluation in 2019 of the Act of 13 April 2016 by the ministries of health and justice highlights two major developments: “street” prostitution is decreasing; at the same time, it is becoming less visible, moving to peripheral areas and private premises, and the Internet and social media are being used more frequently in that context. The increase in child prostitution is a cause for concern.

I. Pathways out of prostitution

125. The above-mentioned Act provides for a social and professional integration programme, which may be offered to any adult victim of prostitution, procurement or trafficking for sexual exploitation. If necessary, a temporary residence permit for a minimum of six months can be issued to foreign victims, giving them the right to work. Since 2017, financial assistance for people engaged in a pathway out of prostitution has been available if they do not receive basic social welfare benefits. The monthly amount varies according to how many dependent children they have.

126. These pathways are monitored by departmental commissions working to combat prostitution, procurement and sexual exploitation, led by departmental women’s rights representatives. As of 1 March 2020, a total of 300 people were benefiting from this scheme.

III. Implementation of part II of the Convention (articles 7 to 9)

3.1. Women's participation in political and public life (paragraph 29)

A. Evaluation of the impact of the penalties applied with regard to elections to the National Assembly and the Senate

127. In 2017, a total of 223 women were elected to the National Assembly, accounting for 39 per cent of deputies. This 12 per cent increase, as compared to 2012, was achieved at least in part owing to the effectiveness of the penalties facing political parties that did not comply with gender parity requirements. In the Senate, the proportion of elected women candidates also increased to 32.9 per cent.

B. Development of innovative models for the election of presiding officers of subnational councils

128. In accordance with Act No. 2019-1461 of 27 December 2019 on participation in community life and local public rights of action, for the 2020 municipal elections, women and men candidates were listed in alternating order on electoral lists in municipalities with more than 1,000 inhabitants.

C. Awareness-raising campaigns on the full, free and democratic participation of women on an equal basis with men in political and public life

129. Several public awareness campaigns have been conducted, such as the "One woman, one month, one history" campaign carried out from 2016 to 2017, which highlighted the journeys of women who were agents of change, and the 2018 campaign on sexism and the participation of women in university life. Every year, the Ministry of Culture conducts annual campaigns to raise awareness among teaching staff and supports projects that promote the participation of women, including new disciplinary repositories, measures to combat stereotypes and awards.

3.2. Birth registration (paragraph 31)

130. In accordance with article 55 of the Civil Code, a declaration of birth must be made before the civil registrar of the municipality in which the birth occurred. The time frame for declaring a birth was extended from three to five days with the adoption of Act No. 2016-1547 of 18 November 2016 on the modernization of justice in the twenty-first century. In line with Decree No. 2017-278 of 2 March 2017, the day of delivery is not included in this period; when the last day of the reporting time frame falls on a weekend or a holiday, the deadline is extended to the next working day.

131. Once the statutory time frame has passed, the civil registrar may record the birth only on the basis of an order of a court in whose jurisdiction the child was born. If the place of birth is unknown, the court having jurisdiction is the one in whose district the applicant is domiciled. The procedure for issuing a judicial declaration of birth is simple, free of charge and enables the judge to safeguard the best interests of the child and to provide legal certainty.

132. Nonetheless, the time frame for registering the birth has been extended to eight days where warranted by the distance separating the place of birth from the civil registrar's office, as is the case, for example, in the Department of French Guiana. This longer time frame resulted in a decrease in the number of judicial declarations of birth, from 331 in 2015 to 47 in 2018.

IV. Implementation of part III of the Convention (articles 10 to 14)

4.1. Gender equality in access to education (paragraph 33)

A. The impact of Act No. 2004-228, banning the wearing of religious symbols in schools, on the right to education of girls and on their inclusion in the social sphere

133. There are currently no lawsuits pending before the administrative courts in connection with Act No. 2004-228, which prohibits the wearing of religious symbols in schools, because most challenges to the Act are resolved through dialogue.

134. The right of girls to education is not curtailed by the Act, and the latest figures on homeschooling do not indicate that girls are overrepresented among the children being homeschooled. In the period from 2014 to 2015, 50.7 per cent of pupils educated at home were male and 49.3 per cent were female.

135. Since the beginning of the 2017 school year, the Ministry of Education has been strengthening the educational policy aimed at upholding and transmitting the principle of secularism in schools and institutions by providing more robust support to staff facing difficulties in applying the policy.

136. The Council on Secularism, which reports to the Minister, oversees the application of this principle; a national task force on secularism and religious practice, which includes entities of the central government, is responsible for the implementation and monitoring of the principle and for providing support to the stakeholders in administrative educational districts; local task forces at the district level are responsible for training staff and providing them with practical support.

137. The handbook *La laïcité à l'École* on secularism in the school, approved by the Council on Secularism and the Observatory for Secularism, was made available to teaching staff in 2018.¹¹ The handbook replaces the secularism booklet published in 2015.

B. Strategies for addressing discriminatory stereotypes and structural barriers that may deter girls from entering traditionally male-dominated fields of study

138. The Ministry of Education and Youth is committed to promoting scientific fields of study and careers among girls. The Ministry has been raising awareness among associations that promote science literacy of the issues of equality and engaging with teachers in scientific fields. The National Office for Educational and Vocational Information provides teachers and guidance counsellors with resources for dismantling stereotypes and encouraging young girls to pursue careers in scientific, technical and industrial fields. School psychologists, nurses and principals also play a role in raising awareness of this issue. The awarding of the Irène Joliot-Curie Prize is one of the initiatives put in place to honour women scientists.

139. As part of the Hypatia Project, funded by the European Union, Universcience, a public institution, has developed a digital toolbox of inclusive activities. The toolbar has been in use since 2016 to introduce more than 3,000 high school students to a variety of scientific and technological fields and to raise awareness among nearly 800 teachers and science communicators.

140. The Ministry of Culture is working with educational publishers to highlight the role of women in the sciences and the arts in textbooks. For International Women's

¹¹ https://cache.media.eduscol.education.fr/file/laicite/89/4/Vademecum_laicite_VF2_955894.pdf.

Day, the Ministry organizes events that celebrate women creators, artists and researchers. In 2020, an exhibit at *La Cité de l'Architecture et du Patrimoine* spotlighted the career paths of women architects. That same year, the Ministry of Culture made a commitment to support organizations working to achieve equality in the field of digital access and digital creation, such as *Femmes@Numérique* and *Femmes & Sciences*.

C. A zero-tolerance policy on violence and harassment in schools

141. The plan to combat violence against children of 20 November 2019 uses a whole-of-government approach and comprises 22 priority measures. In schools, this strategy is aimed at assessing the impact of public policy concerning sexuality education on the prevention of sexual violence and, if appropriate, improving its content and effective implementation. Multidisciplinary training is offered in the detection and management of domestic violence.

142. The fifth interministerial agreement for 2019–2024 on equality in the education system sets out pedagogical and educational measures that are integrated into school or institutional projects and aimed at combating gender violence. A zero-tolerance policy has been implemented. The agreement calls for increased awareness within the educational community of the risks of gender-based and sexual cyberharassment.

143. In 2017, the Ministry of Education launched the “no to harassment” programme, which included the establishment of a toll-free number (3020), a dedicated website and awareness campaigns. The Ministry of Culture has also introduced the requirement that all institutions of higher education adopt an ethics charter and provide access to a free hotline for cases of discrimination and violence.

D. Sexuality education and women’s rights courses

144. Sexuality education has been included in the Education Code since the adoption of Act No. 2001-588 of 4 July 2001 on voluntary termination of pregnancy and contraception. The objectives and the implementation of sexuality education are set out in Circular No. 2018-111 of 12 September 2018.

145. In addition to three specific mandatory sessions per year, sexuality education is incorporated into all teaching. In elementary school, this subject falls to the schoolteacher and may include not only reproductive biology, but also the issues of gender equality, respect and combating gender-based and sexual violence.

146. In middle school and high school, the courses are free form. The exchanges take the students’ perceptions as a starting point, engage them in individual and collective reflection and encourage them to adopt humanist values.

147. The national sexual health strategy for 2017–2030 calls for sexuality education to be provided in all schools and is aimed at developing the psychosocial skills of children and adolescents, mutual respect, gender equality and the importance of consent in relationships with others.

4.2. Gender equality in access to employment (paragraph 35)

A. Access to employment for women in non-traditional fields

148. Promoting gender diversity in the workplace is the focus of the interministerial plan for achieving gender equality in the workplace for 2016–2020. The gender diversity plan for the digital sector, signed on 31 January 2017 by government authorities and representatives of the digital sector, is aimed at implementing specific measures to encourage women to pursue degrees and professions in this sector.

149. In accordance with Act No. 2011-103 of 27 January 2011 on the balanced representation of women and men on the boards of directors and supervisory boards and on gender equality in the workplace, also known as the Copé-Zimmermann Act, a minimum quota of 40 per cent must be met for both women and men, in order to ensure gender balance on such boards.

150. On 1 January 2020, this requirement, which has been in force since 1 January 2017 for companies listed on the stock exchange and companies with more than 500 employees, has been extended to apply also to companies with more than 250 employees.

151. Companies that fail to comply with this requirement are subject to penalties that were recently strengthened with the adoption of the Act of 22 May 2019 on the growth and transformation of companies, known as the PACTE Act. Such penalties include the voiding of board appointments, designation as being not in conformity with the parity requirement; deliberations by boards of directors or supervisory boards being designated as not being in conformity with the parity requirement; and the suspension of board attendance fees.

152. In line with Act No. 2019-828 of 6 August 2019 on civil service reform, selection panels and nominating bodies involved in recruitment, advancement or internal promotion, as well as the presiding officers of such bodies, must meet gender balance requirements. The role of presiding officer of a panel must rotate between men and women at least every four sessions.

153. In line with the agreement on gender equality in the workplace in the civil service, signed on 30 November 2018, it is stated in the circular of 30 November 2019 that all government agencies are required to establish a network of focal points for gender equality representing each of its administrative units or services.

154. Pursuant to article 181 of Act No. 2017-86 of 27 January 2017 on equality and citizenship, the composition of the High Council for Gender Equality was modified by Decree No. 2019-134 of 26 February 2019. Women and men will now have equal representation on the Council.

155. In 2018, the Ministry of Culture set the goal that 50 per cent of management positions in public institutions under its supervision would be held by women by 2022 (by 2020, 40 per cent of positions were held by women). The Ministry promotes the role of women through the development of disciplinary repositories, combating stereotypes and awards.

B. Wage gap between men and women

156. The first interministerial plan for achieving gender equality in the workplace for 2016–2020 is aimed at addressing the wage and employment gap between women and men and ensuring gender diversity in the workplace. Under the plan, all ministries must prepare a road map of actions for achieving gender equality in the workplace, which they report on every year at a conference on gender equality.

157. In accordance with Act No. 2018-771 of 5 September 2018 on the freedom to choose one's professional future, employers are required to eliminate the wage gap between women and men and to implement a gender equality index. The index is based on five criteria: the gender wage gap; the distribution of individual raises; promotions; the number of female employees who are awarded raises following their return from maternity leave; and the number of employees of the underrepresented gender among the company's top 10 earners.

158. The index makes it possible to move away from an obligation of conduct towards an obligation of results: companies must either publish their overall score

(out of 100) on their websites or report their score to their employees. The company's social and economic committee must be provided with the results and the details of the calculation. A company is subject to financial penalties of up to 1 per cent of its annual payroll for failing to publish its score, for not implementing corrective measures or for implementing measures that are ineffective. Support measures in place include the appointment of focal points on gender equality in the workplace and the organization of training sessions.

159. The requirement has been gradually extended to apply to all companies with at least 50 employees by 1 March 2020. If the company scores fewer than 75 points out of 100, it has three years to implement an action plan. The corrective measures, which may be annual or multi-year, are agreed during the negotiations on gender equality in the workplace or, if no agreement is reached, are decided unilaterally by the employer.

160. As of 4 March 2020, two thirds of companies with at least 50 employees had published their index scores for 2019. The average score obtained was 83. An in-depth analysis of the scores carried out in 2020 by companies with more than 250 employees showed that the new system was effective. The average score for companies with 1,000 or more employees increased by four points, from 83 to 87 points, between 2019 and 2020. Similarly, the average score for mid-sized companies with 251 to 999 employees increased by three points, from 82 in 2019 to 85 in 2020. In 2020, just one in 10 companies failed to comply with the legal requirement to give raises to female employees upon their return from maternity leave, as compared to one in three companies in 2019.

161. Since 2016, company works councils have been required to report and to hold consultations regularly on the subject of gender equality in the workplace. The topic is discussed during annual consultations on corporate social policy, working conditions and employment. The works council may conduct these consultations with the assistance of an expert. The economic and social data provided to the works council must include the information necessary for the proper conduct of these consultations and, in particular, the indicators relating to gender equality in the workplace and wage gaps.

162. Social partners representing each sector must meet at least once every four years to discuss measures designed to ensure gender equality in the workplace and catch-up measures aimed at remedying known inequalities. With regard to compensation, the implementation of these commitments is monitored as part of industry-wide salary negotiations and by the industry-wide salary negotiations monitoring committee of the National Commission on Collective Bargaining, Employment and Vocational Training.

163. In addition, by law, the goal of achieving gender equality and gender diversity in the workplace must be taken into consideration when classifications are reviewed at least once every five years. On this occasion, the evaluation criteria used in the definition of the various jobs must be analysed in order to identify and correct any job descriptions that are likely to result in gender-based discrimination and to ensure that the employees' skills are fully taken into account.

164. The agreement on gender equality in the workplace in the civil service of 30 November 2018, signed between the State, public employers and certain trade unions, reinforced the memorandum of understanding signed on 8 March 2013. Public sector employers committed to implementing the measures aimed at evaluating and addressing wage gaps between women and men, regardless of their status, in order to protect the equal rights of public sector employees to career development and equal pay.

165. In accordance with Act No. 2019-828 of 6 August 2019 on civil service reform, public sector employers are required to include gender equity indicators in their annual reports. The most significant indicator is the wage gap calculation.

166. The modalities for the elaboration and implementation of action plans for achieving gender equality in the workplace in the civil service are defined in Decree No. 2020-528 of 4 May 2020. The Decree sets out obligations that apply to all ministries and associated public institutions, local authorities and associated public corporations for inter-municipal cooperation with more than 20,000 inhabitants, and to all public institutions of the hospital civil service. Action plans were required to be submitted by 31 December 2020 at the latest. Failure to submit a plan of action may be subject to a penalty that is up to 1 per cent of the total gross annual compensation paid to the employees of the employer in question.

C. Promoting the equal sharing of domestic and family tasks between men and women

167. In the period from 2013 to 2017, 42,000 additional spots in childcare centres were created. In line with the objectives and administration agreement signed between the State and the National Family Allowance Fund for 2018–2022, collective care capacity will be increased by 30,000 spots and an additional 1,000 childminder centres will be opened within five years.

168. Childcare centres that enable workforce integration, established in August 2016, also provide children whose parents are unemployed with spots in childcare centres and free their parents to look for employment or undergo training. The parents receive personalized monitoring and the children receive more flexible care. In May 2019, 104 such workforce integration childcare centres were designated, with the goal of establishing another 300 such centres in 2020 as part of the strategy to prevent and combat poverty for 2018–2022.

169. Decree No. 2019-630 of 25 June 2019, which established paternity leave in connection with the hospitalization of the child, grants an additional paternity leave of up to 30 consecutive days to fathers of newborns who are hospitalized following their birth.

170. The National Assembly voted on 23 October 2020 to extend paternity leave from 14 to 28 days, including 7 compulsory days to be taken upon the birth of the child. This measure took effect on 1 July 2021.

D. Taking into account the needs of disadvantaged groups of women

171. Women who are new arrivals from countries outside the European Union, who have been residing legally in France for less than five years and wish to settle there permanently, whether they are eligible for international protection or have been granted permission to live in France on another basis, such as family or work ties, must complete a programme for integrating into French society organized by the French Immigration and Integration Office. The first essential step of that programme is the integration contract. In 2019, 47 per cent of integration contracts were signed by women, 66 per cent of whom were between 26 and 45 years of age.

172. Of the new arrivals who hold a residence permit, 70 per cent are participating in the labour market, according to the longitudinal survey ELIPA 2 on the integration of newcomers conducted in 2019. However, there are significant disparities between the genders, with 83 per cent of men participating, as compared with 50 per cent of women. The rate of unemployment is twice as high for women as for men.

173. The Ministry of Labour, Employment and Economic Inclusion is piloting projects aimed at encouraging employment among migrant women. The Ministry of

the Interior has put in place an action plan designed to complement the measures of other ministries. The plan comprises four pillars: developing a better understanding of the challenges facing female immigrants seeking employment; doing more to prepare them for the workplace; providing them with information; and making the employment of migrant women a priority for integration stakeholders.

174. The first meeting of the interministerial task force on promoting employment among foreign women, held in 2020, put a number of existing mechanisms in motion, such as messaging (focused on gender diversity and making women aware of the availability of jobs in sectors experiencing staff shortages), childcare, French language study, and the implementation of regulations relating to the issuing of temporary residence permits to victims of trafficking.

175. To assist in the integration of women who are new arrivals and to support the project PROSE, which is aimed at building the professional qualifications of employees who are third-country nationals, the National Federation of Information Centres on the Rights of Women and Families (*Fédération nationale des centres d'information sur les droits des femmes et des familles*) has offered language training to more than 2,000 foreign workers.

176. With regard to women with disabilities, Act No. 2018-771 of 5 September 2018 on the freedom to choose one's professional future defines specific measures for improving workplace accessibility and prescribes enforcement measures applicable to employers. The new strategy for the employment of persons with disabilities for the period 2019–2022 called for the establishment of a national committee responsible for follow-up and evaluation of labour policies from a gender perspective.

E. Ratification of the Domestic Workers Convention, 2011 (No. 189), of the International Labour Organization

177. Convention No. 189 of the International Labour Organization does not differentiate migrants who are in a regular situation from those who are in an irregular situation. Under French law, persons in a regular situation enjoy national protections similar to those provided for in the Convention. The fundamental rights of migrant workers in an irregular situation are guaranteed under the European Convention on Human Rights and Fundamental Freedoms and other international human rights instruments to which France is a party.

4.3. Gender equality in the field of health care (paragraph 37)

A. Access to health-care services, especially sexual and reproductive health-care services at the regional level

178. The national sexual health strategy for 2017–2030 promotes a proactive stance with regard to information, health education and communication, prioritizes the health of young people and puts an emphasis on training and mobilizing health professionals. In order to attain these objectives, a sexual health road map for 2018–2020 was developed to improve the range of sexual health services available at the regional level.

179. Sexual health services are provided by a number of entities in addition to the services provided by private practitioners in the city:

- Free information, screening and diagnostic centres, which take a holistic approach to sexual health and offer services free of charge for the prevention, screening and diagnosis of sexually transmitted infections, including HIV and viral hepatitis, and other risks associated with sexual activity, in particular the prescription of contraceptives.

- Family planning and education centres are public entities that now offer screening services for sexually transmitted infections and can carry out medically induced abortions. These centres provide sexual education to individuals and groups.
- Information, consultation and family counselling establishments provide general information and guidance. They cannot prescribe or dispense medication, however.

B. Reducing the rate of teenage and/or unwanted pregnancy

180. Since 2015, approximately 2,000 calls are made every month to the national toll-free number, which is staffed six days per week, for confidential information on sexuality, contraception and abortion. The female counsellors provide information and advice and direct callers as appropriate. An analysis of the data thus collected serves to alert the authorities and to adapt policies to ensure equal access by women to contraception and to abortion services. This information is also available online on the website ivg.gouv.fr.

181. Reproductive health is one of the specific areas of focus of the national sexual health strategy for the period 2017–2030. The top priorities in that regard are to reduce the number of unwanted and unplanned pregnancies and to improve access to suitable contraception methods.

182. By decree, since 2019, university and inter-university preventive medicine and health services have been authorized to prescribe contraceptives and to provide screening, diagnostic and outpatient treatment services for sexually transmissible infections.

183. Under Act No. 2015-1702 of 21 December 2015 on social security funding for 2016, female minors are granted free and confidential access to contraceptives. This coverage was extended to include girls under 15 years of age with the adoption of the Social Security Funding Act for 2020. Any contraception services provided to them are fully covered by medical insurance. Since February 2019, two brands of male condoms have been reimbursed at 60 per cent of the cost.

184. As part of the national programme of action to improve access to voluntary termination of pregnancy, such services are being provided entirely free of charge. The required waiting period of seven days has been eliminated with the adoption of Act No. 2016-41 of 26 January 2016 on modernizing the French health-care system. Health centres may now perform surgical abortions and midwives are now authorized to administer medically induced abortions.

C. Ensuring the availability of good-quality health-care services

185. To determine the number acts of violence perpetrated against immigrant women, the Paris municipal humanitarian emergency service known as SAMU Social de Paris employs a screening method that includes always asking female patients whether they have been victims of mistreatment or abuse. The Victimology Institute in Paris and the specialized care unit of the Maison des femmes in Saint-Denis (93), a women's safe-house, offer care to victims of violence, in particular migrant women. The Françoise Minkowska Medical and Psychological Centre in Paris offers free psychological and social support to foreign women.

186. The Act of 26 January 2016 on modernizing the French health-care system served to strengthen and organize preventive services and care for women with disabilities. New solutions are constantly being piloted to ensure access to health services. For example, Handigynéco is a service that has been offered to women with disabilities since 2018 to facilitate their access to midwives.

D. Efforts made to reduce maternal mortality, in particular in Mayotte and French Guiana, including by implementing the recommendations of the national expert committee following its study of maternal mortality

187. One of the priorities of the national health strategy for the period 2018–2022 is to improve maternal and child health in overseas territories by preventing avoidable maternal deaths, strengthening measures aimed at protecting and promoting maternal and child health, and improving access to screening during the prenatal and neonatal periods, in particular for sickle cell anaemia, fetal alcohol syndrome and fetal alcohol spectrum disorders and exposure to violence.

188. Particular attention has been paid in the new national health strategy to the first 1,000 days in the life of the child, spanning from the moment of conception until the child reaches 2 years of age. The priorities for overseas territories include ensuring properly organized perinatal and postnatal care aimed at preventing maternal and infant deaths, in particular by maintaining ties between maternal and child welfare services and health-care facilities.

189. The territories rely on perinatal care health-care networks that help to improve linkages between municipal health-care services and hospital services and coordination between perinatal care providers with a view to optimizing both pre- and post-partum care available to pregnant women. These networks provide coordination, support and assessment services and medical expertise. In 2019, the French federation of perinatal health-care networks, which provides support and training to interregional coordination teams, conducted a survey of 40 territorial networks, including in French Guiana and Mayotte.

190. The national child protection strategy for the period 2020–2022 prioritizes primary prevention measures to be taken from the very beginning of a pregnancy, in order to address social and territorial health inequalities at the source. The strategy provides for contractual arrangements between the prefect, the regional health agency and the department and, since 2020, applies to 30 departments, including French Guiana and Reunion.

E. The impact of the new law, providing for the criminalization of clients of women engaged in prostitution, on their access to high-quality sexual and reproductive health-care services and treatment for HIV/AIDS, including confidential services

191. Both the national sexual health strategy for 2017–2030 and the road map for 2018–2020 provide for sexual health services for victims of prostitution:

- Action 15: Pilot sexual health centres and a community-based approach founded on the Anglo-Saxon model in cities with high rates of HIV and sexually transmitted infections. This involves the opening of five sexual health centres that would serve the general public and provide comprehensive health services using a targeted community-based approach to specific populations in large cities in Île-de-France, Auvergne/Rhône-Alpes, Provence-Alpes-Côte d’Azur and Occitania.

192. These new approaches would allow for the most at-risk individuals to be screened and treated within a short time and for this targeted service to be evaluated with regard to its impact on reducing infection rates. This test-and-treat approach complements the services provided by sexual health centres:

- Action 16: Support, through a call for proposals, innovative measures aimed at risk reduction for persons engaged in prostitution.

F. Health monitoring of the mercury poisoning of indigenous populations in French Guiana and the investigation, prosecution and punishment of those responsible for such poisoning

193. Recent studies published by the Interregional Epidemiology Unit of French Guiana have confirmed elevated lead and mercury levels within the local communities. The studies were conducted by the regional health agency, in cooperation with other State agencies, local authorities and partners in the health sector, as part of an effort to manage exposure of Amerindian communities to metals. The mission of the unit established by the local authorities in 2003 to monitor mercury exposure was expanded in October 2017 to include lead exposure monitoring. The situation has been managed with the support of the French National Agency for Food, Environmental and Occupational Health Safety and the French Society of Clinical Toxicology. An environmental contamination assessment was conducted, and recommendations aimed at limiting exposure were issued.

194. A new interministerial strategy for the reduction of health risks is currently being validated by the regional health agency and the Prefecture of French Guiana, which should enable the launch of new studies of mercury and lead exposure, health awareness campaigns, and a restructuring of the care provided to pregnant women and young children who have been exposed to mercury.

195. More than 500 soldiers, officers of the gendarmerie, customs officers, police officers and forest rangers are deployed in French Guiana to combat illegal gold mining. In 2018, 1,323 patrols, an average of 11 per day, led to the discovery and closure of 765 clandestine mining sites and the seizure of 26 million euros in illegal equipment and assets.

G. Impact assessment of nuclear tests on women's health in French Polynesia and the processing of compensation claims

196. The procedure for compensating people suffering from illnesses caused by exposure to radiation from French nuclear tests conducted in the Algerian Sahara and in French Polynesia between 1960 and 1998 is set out in Act No. 2010-22 of 5 January 2010 on the recognition and compensation of victims of French nuclear testing.

197. As recognized in a decree of the Council of State, 21 pathologies have been recognized as being partially induced by radiation, as confirmed by research recognized by the international scientific community, giving rise to the right to compensation.

198. Between 2010 and 2017, the Committee for the Compensation of Victims of Nuclear Tests, an independent administrative authority, recognized 11 people as having been victims of nuclear testing; in 2018, it recognized another 80 victims.

199. In November 2018, the Commission on Improving Compensation for Victims of Nuclear Tests, established by article 113 of Act No. 2017-256 of 28 February 2017 on planning for substantive equality overseas, presented its conclusions with regard to improving the situation of victims of nuclear tests. The decree of 27 May 2019 streamlined the procedures for obtaining compensation: the list of radiation-induced illnesses has been expanded; the criteria for obtaining expert opinions have been clarified; and the concept of "negligible risk" has been removed. Once the facts of the illness and the time and place of exposure are established, the claimant is recognized as have been a victim of nuclear testing, unless the Committee for the Compensation of Victims of Nuclear Tests can demonstrate that the claimant had been exposed to a dose lower than the limit set by the international rules on radiation protection (see articles L.1333-2 and R.1333-2 of the French Public Health Code).

Claimants benefit from a presumption of causality once the place, time and illness criteria are met.

4.4. Economic empowerment of women (paragraph 39)

A. Review of the tax system

200. The family quotient system is used to ensure that the tax rate is proportional to the taxpayer's capacity to pay and the number of people living on the household income.

201. A single, divorced or widowed person without dependent children is taxed based on one tax share, while married couples or partners bound by a civil solidarity pact are taxed based on two tax shares (the so-called "conjugal quotient"). Each of the first two dependants counts as an additional half-share; an additional share can be claimed for the third and each additional dependant. The family quotient can be further increased depending on personal circumstances (such as disability, single parent status and military service).

202. In the interest of fairness, the law has been amended on several occasions to limit the extent to which dependent children or personal circumstances affect the family quotient by capping the tax savings resulting from its application.

203. By contrast, the benefit derived from the conjugal quotient has not been capped. The conjugal quotient allows a couple with the same total income to be taxed in the same way regardless of the distribution of income within the couple. Provided their income is the same, a couple in which only one spouse works is taxed at the same rate as a couple in which both spouses work. Although the benefit derived from the conjugal quotient is not capped under the law, it is effectively capped by the progressive income tax scale.

204. As the conjugal quotient is a fair and equitable method for assessing a couple's capacity to pay and is in line with the constitutional principle of equality in relation to public burdens, there is no plan to abolish the family quotient system.

205. Furthermore, although the family quotient, and therefore the income tax owed, is calculated based on the couple's total income, spouses and partners bound by a civil solidarity pact who are taxed jointly can still opt to have their income tax withheld at source at the individual rate (see article 204 M of the Tax Code). The individual rate for each spouse or partner is then applied just to his or her personal income, while the shared income of the tax household is taxed at the tax household's tax rate.

206. Lastly, under article 200 B of the Tax Code, taxpayers domiciled in France receive a tax credit for the care of dependent children under 6 years of age. This provision is aimed at facilitating the exercise of professional activity by both members of a couple, whether they are men or women.

207. The system of taxation on income within the couple, and in particular the existing family quotient system, is not likely to keep women from participating in the labour market. The tax regime applicable to couples, whether they are joined in marriage or bound by a civil solidarity pact, differs from that applicable to a de facto union, where the members of the couple are taxed individually on their own income.

208. In principle, married persons are subject to joint taxation for the income received by them individually and for the income earned by their children and dependants. Spouses may be taxed separately if they administer their separate properties individually and do not live under one roof, if they have been authorized to keep separate residences while in the process of separation or divorce, or if,

following the abandonment of the marital home by one or the other of the spouses, each spouse has a separate income.

209. Partners bound by a civil solidarity pact are taxed jointly.

210. Exceptionally, persons joined in marriage and partners bound by a civil solidarity pact are taxed jointly for income earned during the year in which the marriage or the conclusion of the pact occurred. Nevertheless, they can elect to be taxed separately on the income that each of them has earned individually during the year in which the marriage or the conclusion of the pact occurred and on their share of their common income.

211. Therefore, given the range of various legal forms of marital union and the associated taxation schemes, taxpayers can already choose among joint or individual income tax rules according to their situation. It would therefore be counterproductive to harmonize the three taxation systems, as this would no longer reflect the legal distinctions between marriage, a civil solidarity pact and a de facto union.

B. Substantive equality between women and men in sports activities and cultural policy

212. The French Permanent Conference on Women's Sport, coordinated by the Ministry of Sports, adopted a road map in 2019 which includes measures aimed at advancing women's engagement in sports, encouraging access to professions in the field of sports and management positions, and improving the media coverage of female athletes.

213. The majority of sport federations have brought their statutes into compliance with Act No. 2014-873 of 4 August 2014 on substantive equality between women and men, which introduces a shift towards greater gender parity in the selection processes used to appoint members of sports governing bodies. The proportion of women in the governing bodies of registered sports federations increased from 26.5 per cent in 2013 to 35.3 per cent in 2018, following the federal elections period 2017–2020.

214. The multi-year equality road map for 2020–2022 adopted by the Ministry of Culture and Communication is aimed at advancing the priorities set out in the interministerial plan to promote a culture of equality, achieve gender equality in the workplace and combat gender-based and sexual violence.

215. The road map covers six areas of improvement and is aimed at increasing the number of women in management and planning roles at artistic institutions and at advancing their role in the film and audiovisual industries.

216. The promotion of diversity and equality should inform all cultural policies, in particular as it applies to diversifying audiences, programming for heritage and performing arts institutions, and welcoming and supporting students in cultural institutions of higher education.¹²

4.5. Gender equality in rural areas (paragraph 14)

A. Implementing comprehensive rural policies with a gender perspective

217. The national framework agreement for women's entrepreneurship for 2018–2020 is incorporated into regional plans with a view to addressing the specific needs of female entrepreneurs. The national women's entrepreneurship plan, launched in 2013 and extended through 2020, is also aimed at enhancing the contribution of women to

¹² Observatory of gender equality in culture and communication, 8th edition, March 2020.

local economic development, encouraging them to create their own businesses and giving them the opportunity to achieve autonomy.

218. The interministerial committee on rural development of 13 March 2015 set 40 per cent as the target for the proportion of women entrepreneurs in rural areas, relying in particular on the women's equality guarantee system. This national system supports women entrepreneurs by facilitating their access to credit for financing the establishment, acquisition or development of their enterprises.

219. The National Agency for Territorial Cohesion, formerly the Commissioner General for the Equality of Local Authorities, published a resource guide in 2019 for local leaders seeking to promote access to employment for women in rural areas.¹³

220. The minimum maternity leave for non-salaried workers in the agricultural sector, which was set at eight weeks under article 71 of the Social Security Funding Act for 2019, will be extended in line with Decree No. 2019-591 of 14 June 2019 on improving maternity protections for female farmers.

B. Land acquisition and long-term leases by rural women in overseas territories

221. Informal housing, a specific reality of French overseas territories, results from irregular occupancy and a flawed cadastre system and is aggravated by the issue of joint ownership. In these areas, declaring a domicile is de facto impossible, which is a source of inequality in access to the law. This is why articles 116 and 117 of Act No. 2017-256 of 28 February 2017 on planning for substantive equality overseas lay the foundation for land reform by introducing property titles and by establishing an emergency land commission to provide expertise to individuals who wish to regularize their situation. In particular, the commission could help them to collect and examine documents needed in order to inventory land or real estate.

4.6. Gender equality in places of detention (paragraph 45)

222. As of 1 January 2020, there were 2,532 women prisoners out of a total of 70,651 persons in detention, accounting for 3.8 per cent of the prison population. Only two facilities are reserved for women prisoners: the penitentiary in Rennes and the detention facility in Versailles. In other facilities, women are detained in separate quarters: 55 establishments have such quarters, including three establishments for minors and two halfway houses.

223. Women prisoners are subject to the common rules applicable for their penal category (accused or convicted) and to certain specific rules. They are detained in separate facilities or quarters from men, but it is possible, by way of exception and provided that good order and security can be maintained in the facilities, for activities to be organized involving both men and women. Women are supervised by exclusively female staff, with male staff admitted only at the supervisor level. Only the head of a facility may authorize male staff to enter the women's quarters or facility. There are special provisions relating to pregnant women and mothers of very young children. For example, such women prisoners are assigned to "nursery quarters" or "mother-child quarters" and their children under 18 months of age may stay with them in detention.

224. Medical care for pregnant prisoners is provided in accordance with the Ministry of Health. For medical consultations and deliveries, special measures are taken, in particular with regard to the organization of prison escorts, to ensure the dignity and privacy of the detainees.

¹³ https://www.europe-en-france.gouv.fr/sites/default/files/guide_emploi-des-femmes_cget1.pdf.

V. Implementation of part IV of the Convention (articles 15 and 16)

5.1. Women's access to justice and equality before the law (paragraph 13)

A. Class actions for victims of discrimination

225. It was not deemed necessary to create a special fund to support class actions, as access to justice for victims of gender-based discrimination is guaranteed regardless of their financial resources.

226. Any person whose resources are below a certain threshold has a right to the assistance of a lawyer free of charge, paid for from public coffers. Any other costs of the proceedings are also covered.

227. In the event of a class action, the costs of the proceedings are modest in France and are borne primarily by the entity that initiated the action and not by the persons who suffered individual damages. In the event of a successful class action, the losing party, in principle, bears the costs of the proceedings, including any legal fees incurred by the winning party.

B. Simplification of legal avenues for women who are victims of different forms of discrimination, harmonization of sanctions and compensation schemes for violations of anti-discrimination laws

228. In view of the reluctance of some victims to file a complaint in person at a police station or gendarmerie, the Act of 23 March 2019 on planning for 2018–2022 and judicial reform has provided for the option to file a complaint online. The implementation of this tool requires some technical adjustments, the development of which is currently being overseen by the Ministry of the Interior. Any person who believes that he or she has been discriminated against may also choose to file a complaint directly with the public prosecutor and, in addition, to inform the Defender of Rights about the discrimination experienced. The latter is also authorized to investigate and report to the judicial authorities.

229. Act No. 2016-1547 of 18 November 2016 on the modernization of justice in the twenty-first century establishes a common procedure that allows a registered entity to bring a legal action on behalf of several persons in matters of discrimination, and in particular in matters relating to discrimination in the workplace (as well as in matters of consumer rights, the environment, personal data and health care). The discrimination may be based on sex, family status, pregnancy, physical appearance, a particular vulnerability resulting from the one's economic situation, lifestyle, sexual orientation, gender identity, origin, paternity, place of residence or bank account, state of health, loss of autonomy, disability, genetic characteristics, age, political opinions, trade union activities, the ability to express oneself in a language other than French, or an affiliation or lack thereof with an ethnic group, nation, perceived race or religion.

230. The Act also provides for a class action to be filed with an administrative court as set out in Decree No. 2017-888 of 6 May 2017.

231. Any class action seeking compensation for damages comprises three phases. First, the court rules on the matter of professional liability, without identifying the individuals who have suffered damages. Second, plaintiffs join the class action through a non-judicial process. Third, compensation is, preferably, paid out of court; otherwise, it will be settled in court. Some class actions have specific features: the class action on discrimination in the workplace includes a mandatory discussion phase

between the employer and the employee representatives with a view to finding a solution by consensus that would end the observed discrimination.

C. Handling of discrimination cases by the judicial authorities

232. Since 2016, as part of the initial training of judges, more than 1,000 trainee judges have been educated on the topic of intimate partner violence.

233. The National School for the Judiciary organizes training sessions, complemented by cross-cutting sessions on working with victims, for example, with regard to processing by forensic medical units and responding to psychological trauma, and functional skills training in addressing violence in divorce cases, child protection measures and other topics. As part of their training to perform their main duties, future family court judges, prosecutors and judges in charge of overseeing the conditions and enforcement of sentences also learn about real time case processing, the enforcement of sentences and restorative justice.

234. A traineeship with a court or other organizations, such as with the central office for suppressing violence against individuals, victims support associations and local councils, is an opportunity to be directly confronted with these problems.

235. As part of its continuing education programme, the National School for the Judiciary organizes a national training session on violence against women and training sessions that address intimate partner and sexual violence, among other topics. The judicial handling of violence against women is a topic covered at the regional level as part of continuing training offered at the local level to law officers and relevant stakeholders. Remote access to a digital training kit on adapting one's professional practice to address intimate partner violence has been available to all law officers since 2019. In addition, approximately 100 law officers attended four virtual conferences on the topic of intimate partner violence during the lockdowns instituted during the COVID-19 health crisis.

236. The National School for the Judiciary, as part of the initial training it offers to judicial trainees, organizes conferences and round tables on intimate partner violence, a presentation by the Defender of Rights on discrimination, and presentations by sociologists and psychiatrists on delinquency, precariousness and migrants. As part of their training in performing their core duties, future judges also use online educational tools to learn about protection orders employed in connection with intimate partner violence.

237. Training on discrimination and equality is provided by attorney training centres and also by trade unions. The mission of the Open Commission on Discrimination Law, established in 2018, is to provide lawyers with an up-to-date knowledge of all the basic texts of European Union law and French law concerning the legal issues relating to the various grounds for discrimination.

D. Definition of sexual harassment

238. Act No. 2018-703 of 3 August 2018 on strengthening action to combat sexual and gender-based violence expands the definition of sexual harassment to include comments and conduct with "a sexual or sexist connotation", not just "of a sexual nature". Act No. 2018-771 of 5 September 2018 on the freedom to choose one's professional future strengthens punishment of sexual harassment and the duty of the employer with regard to information, prevention and handling of the facts.

239. The Act established the offence of sexist contempt, which includes the constituent elements of the offence of sexual harassment, without the requirement that the acts be repeated. It penalizes "sexual or sexist comments or behaviour" that are "degrading, humiliating, intimidating, hostile or offensive". Such acts are

punishable by a fine of 135 euros and up to 1,500 euros in the presence of aggravated circumstances (such as when the victim is under 15 years of age).

240. The Act of 8 August 2016 on labour, the modernization of social dialogue and the securing of career paths alleviates the burden of proof of sexual harassment. The plaintiff must present the judges with facts indicating harassment, rather than facts from which its existence may be presumed.

E. Ensure that, following the redistribution of competencies provided for in the draft law on equality and citizenship, local governments, especially outside of metropolitan areas, have the capacity to fully implement the gender equality legislation and other measures, such as plans and programmes.

241. In line with Act No. 2017-86 of 27 January 2017 on equality and citizenship, the jurisdiction for implementing measures relating to equality and combating sexism is shared between municipalities, departments, regions and communities with a special status.

5.2. Marriage and family relations (paragraph 47)

242. Information about the equal right of men and women to pass on their names to their children is communicated to parents by the civil registrar when the birth declaration is issued. This information is also listed on the official government website Service-public.fr and in the family record book issued to parents.

243. The procedure for changing a first name has been removed from the purview of the courts and entrusted to the civil registrar in accordance with the Act on the modernization of justice in the twenty-first century of 18 November 2016. The family law judge has only residual competency in cases where the public prosecutor has objected to the request for a change of name on the basis of article 60 of the Civil Code, in accordance with which the person making the request must provide justification of legitimate interest. Such interest is legitimate when the request is aimed at regularizing a sex designation change. This procedure is simple and free of charge.

244. The procedure for changing the sex designation has also been simplified in accordance with the same Act. The person now only needs to establish a certain number of facts indicating that the sex indicated in his or her civil status records does not correspond to his or her known sex. Under article 61-5 of the Civil Code, the methods of proof no longer include the requirement that it be medically proven that the sex change is irreversible. The procedure is free of charge and does not require legal representation.

245. With regard to paragraph 49 of the concluding observations, as of 17 February 2017, the procedure for changing a first name has been simplified as set out in the Act on the modernization of justice in the twenty-first century. This procedure can now be carried out at the city hall by a civil registrar. The parents or the legal guardian must take the necessary steps where minors are concerned. The consent of the child must be obtained if he or she is older than 13 years of age.