



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Pre-session working group

Fortieth and forty-first sessions

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List of issues and questions with regard to the consideration of periodic reports

France

The pre-session working group examined the sixth periodic report of France (CEDAW/C/FRA/6)

Constitutional, legislative and institutional framework

1. France maintains reservations to articles 14.2 (c) and (h). The report indicates that “the reservation expressed concerning article 14, para. 2 (c) ... no longer applies”. Please indicate the reason why the reservation has not yet been withdrawn. Regarding the reservation to article 16.1 (g), please provide an update on the plans towards its withdrawal.

2. Has the Convention on the Elimination of All Forms of Discrimination against Women been invoked in any domestic court cases, and if yes, which? Additionally, please specify what has been done to create awareness about the Convention among the French judiciary, prosecutors and lawyers.

3. According to the report the High Authority to Combat Discrimination and Promote Equality has the power to investigate instances of discrimination in relation to cases submitted. Please provide a breakdown of the number and nature of cases submitted to the HALDE that address direct or indirect discrimination against women. What percentage of the cases submitted were taken up by the HALDE and what has been the impact of the recommendations made thus far? The report also notes that the powers of HALDE need to be further strengthened. Please elaborate on any steps taken towards that end. Finally, has the Department of the Public Prosecutor made use of its new power to deal with such cases *ex officio*?

4. A range of actors committed to carry out actions within a three-year time frame to fulfil the five major goals articulated by the Charter on the Equality of Men and Women. What percentage of the actions agreed to in this document have been

implemented during the initial three -year cycle of the Charter and what concrete results have been achieved so far?

5. The Ministry responsible for parity has engaged in the ESPERE project since 2001, with its stated aims to raise awareness and train Government Employment Department officials to fight racial and/or double discrimination (based on sex and race or ethnic origin) in access to employment. What has been the impact of this programme with respect to its stated goals?

6. The report provides some information on the situation of women in the French overseas territories. This information is not sufficient in order to assess the de facto status of women and the practical realization of the principle of equality between women and men in all areas covered by the Convention in these territories. Please provide more detailed information, in particular on the implementation of civil law, girls' education, women's employment, violence against women and trafficking in women. This information should be provided in regard to all French overseas territories.

Violence against women

7. Please indicate what measures are in place to protect female workers from sexual harassment, including specific legislation and effective mechanisms to receive and investigate complaints from victims.

8. Please provide more information on the development and use of "compatible statistical instruments" that can be used to improve insight into situations of violence and related trends. Also, what is the status of the bill being discussed in Parliament aimed at strengthening the prevention and punishment of conjugal violence?

9. In its previous concluding comments, the Committee regretted the very limited information about violence (including domestic violence) against immigrant women and girls, and the current report likewise provides very limited information on this issue. Please provide such data (A/58/38, para. 275). Furthermore, with respect to the studies on this issue mentioned on page 19 of the report, what is the exact content of these studies and what are their main findings?

Trafficking and exploitation of prostitution

10. Please provide any statistical data documented by the Central Office to Combat Trafficking in Persons on the extent of trafficking in women, into, through and from France, as may be available. This information should include documented trends over the past four years concerning the number of victims rescued and perpetrators punished, and sentences imposed.

11. In its previous concluding comments (A/58/38, para. 273), the Committee expressed its concern about the inadequacy of protective measures for trafficked women, especially foreign women and girls, who do not testify against their traffickers. According to the report, article 76 of the Internal Security Act authorizes the provision of a temporary residence permit to a foreign victim only if she testifies or lodges a complaint. The victims may receive a standard residency permit only if the accused is convicted. What percentage of victims has been awarded standard (not temporary) residence permits? What is the status of plans to reform the

programme of assistance to and protection of victims and extend the duration of the period of residency?

12. In its previous concluding comments (A/58/38, para. 271), the Committee expressed concern about the manner in which article 18 of the Internal Security Act (*loi sur la sécurité intérieure*) is implemented with regard to passive soliciting. However, there is no mention of further monitoring of the effects of this Act or of any revision of this article in the current report. Please provide updated information on the implementation of article 18 of the Act including information on how its implementation may affect women who are not engaged in passive soliciting.

Participation in political and public life

13. The Act of 6 June 2000, complemented by the Act of 11 April 2003, provide for the promotion of the parity approach in political elections at the local, regional and national levels. In February 2005 the Ministry of the Interior and the Ministry responsible for parity measured the impact of the legislation as at that time elections to all representative political bodies had taken place since its enactment. According to the review, little progress towards parity was witnessed for departmental assemblies, regional presidencies, the National Assembly and Senate elections. In response to the results of the review, what measures have been taken to enhance the effectiveness of the parity system in these areas?

14. In 2000, the Prime Minister requested that ministers draw up long-term plans that contain quantifiable targets to improve women's access to supervisory jobs and positions in senior civil service administration. Please indicate whether all ministers have complied with the Prime Minister's request and provide information on the changes in the percentage of women in the senior civil service administration since 2003. In addition, please provide information on the participation of women in advisory and other bodies established by the Government, in top ranking positions in universities, research institutions, and the judiciary, including on measures designed and introduced to increase the participation of women in such positions in accordance with article 4, paragraph 1, of the Convention.

Education and stereotypes

15. The Committee on the Rights of the Child (CRC/C/15/Add.240, para. 26) recommended that the State party closely monitor the situation of girls being expelled from schools as a result of the Act of 15 March 2004 that banned in elementary, middle, and high schools "the wearing of signs or dress through which pupils ostensibly indicate what religion they profess". Please indicate the number of young women and girls who have been expelled or have voluntarily left school due to the legislation. How has this legislation affected the right of girls and young women to education?

16. According to the report, gender stereotypes persist in teaching aids, school curricula and textbooks. The report states that the textbooks are drafted and published by private sector companies and "need to evolve over time". What Government review mechanism is in place to examine and propose revisions to textbooks with the aim of eliminating gender stereotypes, including a timetable to monitor and evaluate progress in this regard? The report also indicates that two thirds of the Teacher Training Institutes (IUFM) offer future educators courses on promoting equality in the classroom. What percentage of teachers takes these

courses annually and have any actions been taken to make these courses mandatory for future educators?

Employment and reconciliation of work and family life

17. In April 2005 the rate of unemployment for women was 11.2 per cent compared to 9.3 per cent of men. In addition, four times more women than men were underemployed and most part-time work was carried out by women. The Committee, in its previous concluding comments (A/58/38, para. 261), expressed concern about women's disproportionate representation in part-time jobs and other forms of special service contracts (such as temporary work or fixed term contracts). What targeted measures has the Government taken to reduce unemployment and underemployment as well as job insecurity among women and what has been the impact of these measures?

18. According to the report, the wage gap between men and women was 19 per cent in 2003. The stated objective of the Law on equal wages for women and men is to eliminate remuneration discrepancies within 5 years (by 2010) through "negotiations in the professions and in enterprises" via trade unions and sectoral collective bargaining. How can women working in small and medium size enterprises that have no union representation benefit from this Law on equal wages for men and women? What measures are in place to ensure that wage discrepancies are eliminated across sectors?

19. The report notes that banks employ different criteria for granting loans to men and women; women are often asked about the number of children they care for while men are not subject to the same inquiry. What steps has the Government taken to eliminate discriminatory lending practices?

20. The "Charter on Diversity in Enterprises" is a programme aimed at combating discrimination within companies. Which obligations do companies undertake by signing this charter, and how is compliance monitored? Furthermore, how many companies have signed on to the charter and what has been its impact on combating discrimination against women in the world of work?

Health

21. The report mentions a joint experimental programme of the Ministry of Health and the Department of Women's Rights and Equality to address the link between violence and women's health. Please describe how this programme has improved care for women victims of violence, in particular in the reception process at hospitals.

22. Please provide information about drug addiction among French women and any measures adopted to address these issues.

Situation of particular groups of women

23. According to the report, the programme called "Contraception, sexuality and vulnerability" aimed to improve information regarding access to contraception for women in vulnerable circumstances and women of immigrant backgrounds. What has been the impact of this programme after the three-year launch period (2003-2005)?

24. According to the report, the unemployment rate for immigrant women or women born of immigrant parents is 20.2 per cent, almost twice as high as that of non-immigrant women. What measures have been undertaken to create and enhance economic opportunities for immigrant women, and what has been the impact of these measures? In addition to language classes, what training opportunities are available to non-citizen women in different sectors of the economy?

25. What has been the impact of the President's statement of January 2006 where he emphasized his support for the commitment of political parties to accommodate "women and men born of immigration in candidacies to local or national elections"? What actions have been taken in response to this statement to increase the number of women candidates from immigrant backgrounds?

26. Please provide information about the status of the bill aimed at strengthening the prevention and suppression of marital violence, including forced marriage, with measures specifically targeted at immigrant women. How will the legislation be publicized among immigrant women? Please also provide information, including statistics, if available, on the incidence of forced marriage in France.

27. In its previous concluding comments, the Committee expressed concern that the structuring of the welfare system may affect older women more negatively than men (A/58/38, para. 263). Has any research been conducted on this question and what measures have been taken to adequately address older women's health, economic and emotional situation and to avoid poverty and isolation, as recommended in the previous concluding comments?

Marriage and family life

28. According to the report, an amendment to the Civil Code, setting the legal age for marriage at 18 for both girls and boys in accordance with article 16, paragraph 2 of the Convention, has been written into the draft law on conjugal violence. Please provide an update on the status of this law.

29. According to the report, the Finance Act for Overseas (*loi de programme pour l'outre-mer*) of 21 July 2003, supplemented by the Divorce Act of 26 May 2004, prohibited polygamy, unilateral repudiation and discrimination regarding inheritance rights of children based on the child's sex or legitimacy in Mayotte. What mechanism is in place to monitor adherence to these new laws?

Optional Protocol

30. Please provide information about the measures taken in order to make widely known the Optional Protocol to the Convention, which France ratified on 9 June 2000, including in overseas territories.