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Gender mainstreaming in France

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1. Introduction on the French context

In the preamble of the 1946 French Constitution, gender equality was already guaranteed in France. Since then, many laws have been adopted, following on from European Directives, in occupational and political areas, as well as personal ones (the battle against violence against women).

In 2000, France was quoted by the European Community as an example of good practice regarding gender mainstreaming: it had drawn up in its employment action plan a genuinely integrated approach to equality, based on a meeting of the inter-ministerial council on equality in March 2000. It promoted various actions, such as the development of gendered statistics in all areas of employment, education, sport and so forth; signing of agreements with different institutions and ministries; launching of gender budgeting (*jaune budgétaire*), and so forth¹. These decisions also led to regional approaches, and even local ones, regarding gender mainstreaming.

Thus France does not start from zero. Tools and actions have been developed, such as **equality agreements** between the Ministry of Equality (at the time) and some of the other Ministries, especially the Ministry of Education. **A national equality charter** - aiming at "involving everyone in implementing a gender mainstreaming approach in order gradually to replace equality policy by equality culture" - was signed in 2004 and assessed annually until 2008. The last assessment showed that 25 Ministerial departments had been involved in 413 actions (regarding training, feminisation, subsidies, and so forth) and that 58% of them had been completed. But, as far as we are aware, this national charter is no longer implemented. As for budgetary policy, France has adopted a "document of transversal policy regarding the annual budget" (the last one was for 2010) concerning gender equality (ex-"*jaune budgétaire*"). It involves assessing action taken and budgets devoted to it in the main ministries concerning 3 aspects: occupational life, industrial relations (and political) life, and personal life (reconciling times and combating violence). There is also a transversal angle concerning employment insecurity and poverty. As far as statistics are concerned, **gendered data** are now available in most areas and presented in an annual "view of parity". Finally, at regional level, actors have implemented the principle of a "dual approach", namely a transversal and specific approach via regional Contracts related to a 5-year plan (*Contrats de plan*) and signing European equality charters.

But since then, a certain loss of impetus can be identified in France. Différents signaux There is no longer a Ministry of Equality, but a Ministry of Solidarity and Social Cohesion (including equality). The women's rights and equality service, as well as decentralised offices, are now part of the social cohesion directorate. Does this reflect a will to incorporate equality in all areas, or is there not a risk of diluting equality in other priorities? Signed agreements and French-style gender budgeting are very limited – the areas of implementation essentially concern education, health and employment, and they have not been valorised publicly.

¹ See R. Silvera, 2000, Evaluation of the national action Plan, French report of the Expert Group "Women and Employment" of the EC – DG employment and Social relations – Equal opportunity.

For example, the “Agreement on equality between girls and boys, and between women and men in the educational system” was signed by 8 Ministries for the period 2006-2011. It involves pursuing efforts already made since 2000 on 3 themes: improving school and vocational guidance (especially for girls); ensuring educating young people on gender equality; and incorporating gender equality in occupational practices of educational actors. Without going into detail, one can say that these themes were identified already decades ago and that there have been no major results: gender balance of courses is very slow in coming; courses on equality for teachers are only on a voluntary basis, and so forth.

Moreover, the report that is carried out each year for the European Commission on the Assessment of the Gender Perspective in the National Reform Programme of Employment², via analysis of the economic reform programme, shows that gender mainstreaming is absolutely not developed in the French programme. Thus, we note that certain measures, which have been adopted in recent years, have consequences in gender terms that the government has not necessarily incorporated. We can give the paradoxical example of the Active Solidarity Income (Revenu de solidarité active, RSA). Improving access to the labour market for people who are furthest away from it was done by introducing RSA, which replaced Minimum Integration Income (Revenu minimum d’insertion, RMI) and Lone Parents Allowance (Allocation parents isolés, API) in 2009. RSA aims at encouraging return to employment by increasing income thanks to the possibility of combining income from work and solidarity (benefits). In 2010, 650,000 households benefited from it. Moreover, many more people signed on as jobseekers (compared with the case of former beneficiaries of RMI and l’API). However, nothing is said about the place of women, whether married or not, regarding RSA. We have shown that this measure could increase the employment insecurity of women who are in the most insecure situations (by encouraging short part-time employment, given that the benefit will be bigger); there are also the difficulties lone mothers experience for returning to employment (the measure does not provide for childcare); finally, for women in couples, there is a disincentive to returning to employment, especially full-time, because the right to RSA depends on the income of the household, not the individual.

The French government has indeed just relaunched “an inter-ministerial action plan promoting equality between women and men”. This plan is part of the General programme for increasing equality responsibility (Programme général de responsabilisation pour l’égalité, PRORE), which was accepted in the framework of PROGRESS (the EU’s employment and social solidarity programme). The objective is said to be promoting gender mainstreaming again at ministerial and regional levels, in order to pass from equal rights to real equality and disseminating “an equality culture”. Can one think that this approach will be more effective in the current context?

The French situation is paradoxical: gender mainstreaming is hardly implemented today, but new equality laws have been adopted: the 2006 law on equal pay and the 2010 law on penalties for companies that do not have an equality plan or agreement; the 2011 law on the presence of women on company boards (40% by 2016). But these laws can only be really implemented if they are part of a more transversal and ongoing gender mainstreaming approach.

Using the Belgian and Swedish examples as inspiration would be a good way of relaunching this process in France.

² R. Silvera, 2011, French Expert Assessment of the Gender Perspective in the National Reform Programme of Employment, commissioned by and presented to the EU Directorate General Employment and Social affairs, Unit G1 “Equality between women and men”.

2. Transferability Issues for France

At the general level, another law on gender mainstreaming is not necessarily in France. On the contrary, there are many legal texts, but perhaps they are not clear for actors and above all lack real implementation, monitoring and assessment. Thus, in my view - unlike the Belgian and Swedish experiences - it is not a matter of envisaging an overall legal framework for developing gender mainstreaming in France.

2.1. The Belgian experience

What seems important in the Belgian approach is having a method and new tools, enabling possible for each actor (at the level of ministries, decision-makers, hierarchy, and even civil servants) to get their bearings in the gender mainstreaming process:

- Firstly, “**the Strategic Plan for Equality Affairs pilot project**” from 2000 to 2002 made it possible to create a “gender mainstreaming unit”, staffed by academic experts in each ministry. Moreover, this pilot project has created synergies between academic experts, politicians and civil servants. Likewise, in 2010, the creation of an “**interdepartmental coordination group**” (**CIG**), composed of “representatives of ministers’ private offices, nominated by the relevant minister, civil servants from each administration and representatives from the Gender Institute” plays an essential role, as does the “gender agent”. This dimension is very interesting and could be adopted in France, where there are normally “equality coordinators”, but they are not very visible (not necessarily focussed on gender mainstreaming). There are no synergies in France between the different actors in drawing up gender mainstreaming plans.
- Secondly, **the role of the Belgian Gender Institute** is central – in France, there is not (no longer) such an independent Institute responsible for training and research regarding gender. On the contrary, such approaches seem to be on the decline in France. Certainly, the High Authority against discrimination and for equality (Haute autorité de lutte contre les discriminations et l’égalité, Halde) was created in 2005, but now comes under a bigger entity headed by the “Rights’ Defender” (Défenseur des Droits), who will be directly appointed by the Government. This measure runs the risk of diluting the role of the Halde, (which does not only tackle equality, but all forms of discrimination) and of removing some of its independence, as indicated by experts, who are against this decision. As far as training is concerned, public employment service staff, teachers (from primary school up to university), civil servants in ministries, elected representatives (...) have no real obligation to have gender training. For the first time, there was an official two-day symposium on equality (université de l’égalité) in October 2010. There are now gender studies in some universities. However, there is nothing compulsory in this area – not all actors have been on such courses. In my view, the world of research and that of decision-makers are still very compartmentalised in France.
- Thirdly, a practical tool for accompanying each ministry regarding gender mainstreaming seems important, in my opinion, even if Nathalie Wuiame showed its limits in her report. **Gender tests** would be very useful and could be transposed in France, because one of the French shortcomings comes from the absence of assessment of the tools that have been created. Gender tests make it possible for each law and measure to be preceded by reflection and gendered assessment.

Whereas in France, the “document of transversal policy regarding budgetary policy”, which was referred to in the introduction, takes results accomplished by each ministry **ex-post** rather than **ex-ante**. These tests would perhaps have made it possible to assess, for example, the gender impact of RSA, or that of the 2011 pension reform.

2.2. The Swedish experience

The place of equality in Swedish policies and the introduction of gender mainstreaming are well established in Sweden, and have been for a long time already. The Swedish « model of gender social contracts » is special in that it is based on a whole economic, political, cultural traditional system, which is in turn based notably on gender equality. This is not the case in France. The need to adopt so many laws reveals stronger resistance in France, including the need to «impose equality» (for example, in company bargaining). Certainly, political will exists, but it is far from being followed by all actors, especially local ones, as in Sweden.

- Firstly, of all the measures adopted, **the huge amount of training**, both nationally and locally, carried out in Sweden is very impressive (more than 1,600 participants from 113 Governmental Authorities) – this is an absolutely necessary passage towards gender mainstreaming that France ought to systematise.
- The second transferable action concerns the programme carried out local level (**SLAR-project**), which would be a very interesting source for France - developing gender mainstreaming in local and county councils by training teams, building a web-based knowledge bank for disseminating experiences and examples, and developing a management system that incorporates equality. This experience shows the need for involving elected representatives, key persons and staff at local level. Political will is decisive, as are good knowledge and skills in this area. The Swedish experience also shows that this approach does not always require huge public funding. If the “Sustainable Gender Equality Project” is incorporated in everyone’s activities, gender equality work is carried out normally, in normal structures and in “ordinary” political fields.

3. Policy debate in France

3.1. Theoretical debate: defiance versus gender mainstreaming, role des actors

The issue of the “dual approach” remains a lively one in France: Should equality be incorporated in all decisions and by all actors, with the risk of diluting equality? In this case, is not there a tendency to no longer identify the real objectives and the responsibilities of actors regarding equality? Is not it only a way of “institutionalising” even more procedures promoting equality (reports, audits and so forth) without progressing towards concrete equality? This position was held by French women’s organisations during the introduction of gender mainstreaming in the 1980s and 1990s. But, conversely, should one focus on specific actions with the risk of only rectifying inequality without taking action upstream to avoid inegalitarian processes in the future? The answer is obviously to succeed in maintaining both pillars, but this seems difficult to achieve. Although in France, both approaches have been maintained, it seems now

that gender mainstreaming is no longer in the forefront, thus limiting the impact of specific action (for example, the law on equal pay).

3.2. The role of constraint: defiance regarding policies

In France, the omnipresent role of law and the State in all decision-making areas is often criticised. Even if equality is one of the areas where there is consensus (both on the right and the left), the desire to reduce constraints is often expected, especially by social actors. In order to introduce gender mainstreaming regarding occupational equality, more binding laws have been adopted (obligation to negotiate equality, introduction (ongoing) of penalties for companies that still do not have an equality plan, and the obligation to appoint women to employment tribunals (conseils de prud'hommes), boards of big companies, and so forth.). The introduction of these penalties for companies meets with great reluctance: can an « equality reflex » be developed via obligations? Do resources exist to be able to really monitor measures taken by companies? The absence of an “equality culture” explains that this is poorly perceived. There is no real awareness of what is at stake regarding equality, and even knowledge of real inequality – these actors exhibit “neutrality” regarding gender and practice indirect discrimination.

3.3. What future for gender mainstreaming in a context of increased crisis?

In France, as in Europe, the context of the 2008 economic and financial crisis weighs on social priorities. Equality could be relegated to the General Revision of Public Policies (Révision générale des politiques publiques, RGPP) with an indirect impact on the place devoted to gender mainstreaming within ministries – the dual approach costs money (training, quantified objectives, assessments and so forth). But ongoing restrictions have affected the services concerned. In the long-term, it is not possible to see how this approach can be developed, if budgets devoted to equality do not increase.

3.4. Equality in the civil service: should the State as an employer give an example?

Another important debate concerns the civil service. Until now, in France, laws on equality have not been implemented in the same way in the public area, whereas the State, as an employer, could provide an example. Thus, the problems of gender balance regarding recruitment, remuneration and promotions, as well as access to decision-making positions in the civil service have rarely been analysed from a gender perspective. Everything occurred as if the status of civil service automatically guarantees equality. Given trade union mobilisation and public debates, the State is beginning to envisage introducing identical procedures as in the private sector to guarantee real equality in the public sector.