

## RAXEN BULLETIN- France (April 2009)

### 1. UPDATE ON POLICY DEVELOPMENTS

#### **Nomination of a Commissioner for Diversity and Equality (December 2008)**

In the context of his policy for diversity, the President announced on December 16<sup>th</sup> the nomination of Yazid Sabeg as Commissioner for Diversity and Equality. For this new mission, he will be in charge of “mobilizing all state and society resources” in favour of a vast strategy. He will have to look after dialogue and consultation among the various actors concerned.

[http://www.premier-ministre.gouv.fr/chantiers/solidarite\\_911/yazid\\_sabeg\\_nomme\\_commissaire\\_62079.html](http://www.premier-ministre.gouv.fr/chantiers/solidarite_911/yazid_sabeg_nomme_commissaire_62079.html)

#### **Minister for Housing initiates debate on the social cohesion policy (December 2008)**

Christine Boutin, the Minister for Housing launched on December, 19<sup>th</sup>, with Fadela Amara and Yazid Sabeg a forum for citizens “nosvaleurscommunes.fr” in order to lead French people thinking on the social cohesion policy. Through this citizen website, Christine Boutin aims at establishing a large debate, allowing Internet users to access numerous contributions and to react on the opinions voiced on the website. The reflection will be at first directed by young people from associations, foundations, and scholar and professional integration institutions. Then philosophers, scientists, legal practitioners, sportsmen, sociologists, artistes and associations will be part of the process.

[http://www.premier-ministre.gouv.fr/chantiers/solidarite\\_911/un\\_forum\\_citoyen\\_pour\\_62096.html](http://www.premier-ministre.gouv.fr/chantiers/solidarite_911/un_forum_citoyen_pour_62096.html)

#### **Interdepartmental delegate for equality for overseas people (December 2008)**

Christine Boutin, Minister for Housing, and Patrick Karam, Inter-ministerial Delegate for Overseas territories, signed on December 1<sup>st</sup> an agreement on the organization of tests in order to fight against discriminatory practices against French people from overseas territories, in their access to housing. Enlightening these discriminatory practices and against French citizens from overseas territories, suing the responsible owners and estate agents, are the objectives of the convention signed by the State and relevant associations. For instance, estate agencies or owners refusal to accept, for a lease in Metropolitan France, a bail stood by a parent living in overseas territories, will be liable before courts.

[http://www.premier-ministre.gouv.fr/chantiers/ville\\_logement\\_857/lutter\\_les\\_discriminations\\_dans\\_61803.html](http://www.premier-ministre.gouv.fr/chantiers/ville_logement_857/lutter_les_discriminations_dans_61803.html)

## 2. UPDATE ON LEGAL DEVELOPMENTS AND AWARENESS-RAISING CAMPAIGNS

### **A student employed in the University of Toulouse was fired because of her Islamic veil (April 17<sup>th</sup> 2009)**

A 25 years old student, also working for the University Paul Sabatier of Toulouse, was fired for misconduct because she refused to take off her veil. She asked the Administrative Court (“Tribunal Administratif”) of Toulouse to nullify the decision taken by the University. The Court rejected her demand arguing that her motives did not “enlighten any doubts concerning the decision’s legitimacy”.

<http://www.ladepeche.fr/article/2009/04/17/593573-Paul-Sabatier-Licenciee-pour-port-du-voile-le-tribunal-rejette-sa-requete.html>

### **Decision of the jury to an internal examination for civil servants based on discrimination annulled (April 16<sup>th</sup> 2009)**

A candidate to an internal examination to be officer for the national police was dismissed, being attributed an eliminatory mark after the jury interview. The Supreme Administrative Court (“Conseil d’Etat”) noted that members of the jury asked him about his origin and his wife’s religious practices. It ruled that those elements were not relevant to evaluate his abilities and it was a distinction – that is to say discrimination – among civil servants. This discrimination revealing a violation of the principle of equal access to public function, the decision taken by the jury of the internal examination was nullified.

[http://www.conseil-etat.fr/ce/actual/index\\_ac\\_lc0912.shtml](http://www.conseil-etat.fr/ce/actual/index_ac_lc0912.shtml)

### **Modification of the employment law code (“Code du travail”) integrating the role of the National agency for foreigners and migrations (March 25<sup>th</sup> 2009)**

The law of March 25<sup>th</sup> 2009 “on mobilisation for housing and fight against exclusion” modifies article L 5223-1 of the Employment Law Code, in order to make provision for the National Agency for foreigners and migrations. It will have the mission to participate to all administrative, health and social actions related to integration of foreigners in France, during a maximum period of five years starting at the delivery of the first residence permit allowing a long stay in France, or for the implementation of the learning system of the French language.

<http://www.travail-solidarite.gouv.fr/actualite-presse/breves/nouvelles-attributions-agence-nationale-accueil-etrangers-migrations.html>

### 3. RESEARCH

#### **The National Consultative Commission for Human Rights handed its 2008 report on Racism**

The National Consultative Commission for Human Rights (CNCDH) published its annual report on “The Fight against Racism, Anti-Semitism and Xenophobia” for the year 2008. The CNCDH draws for the year 2008 a picture of racism, anti-Semitism and xenophobia, based on data provided by the Ministries for Home Affairs, Justice and National Education as well as the means implemented by the government and civil society to fight against these phenomena. The report also presents actions initiated by the trade unions and the non-governmental organisations members of the CNCDH, as well as studies relating in particular to the definition of the concepts of racism and discrimination, and the monitoring of the diffusion of racist propaganda on Internet. It presents the annual national opinion poll on Racism in France and analyzes the evolution of the data. The opinion poll reveals a decrease of intolerance within the French society but, according to the CNCDH, one should not be too optimistic, as some elements remains worrying. The government and the public authorities should remain mobilized: the political will must be clear and accompanied by effective concrete measures.

[http://www.cncdh.fr/article.php3?id\\_article=610](http://www.cncdh.fr/article.php3?id_article=610)

#### **Report on employments closed to foreigners according, by the HALDE (April 15<sup>th</sup> 2009)**

The HALDE advised the government to abolish the nationality conditions for the access to the three public functions, employment in public companies and public institutions, and employments from the private sector. There is only one exception for employments which are parts of national sovereignty and of the exercise of public prerogative. The Prime minister is also asked to list all closed employments in France. Justifications brought for all maintained nationality conditions will be examined precisely. There are approximately 7 millions closed jobs.

<http://www.halde.fr/Emplois-fermes-aux-etrangers-15,12851.html>

#### **Report on publicity and diversity, by the *Autorité de regulation professionnelle de la publicité* (ARRP) [Authority of Professional Regulation of Publicity] (March 2009)**

There is a better integration of diversity within publicity. The movement should not be forced in order to get it anchored in the society, but several accelerators are engaged to improve the situation: a threshold effect thanks to the growing numbers of non white people in advertisings, helping to reduce differentiation; and a generation effect as young sectors (telecommunications) are more at ease with diversity as their public is multicultural.

[http://www.arpp-pub.org/IMG/pdf/Bilan\\_Publicite\\_et\\_Diversite\\_mars09-2.pdf](http://www.arpp-pub.org/IMG/pdf/Bilan_Publicite_et_Diversite_mars09-2.pdf)

#### **Report on “state xenophobia / governmental xenophobia”, by the MRAP, one of the major antiracism NGO (December 2008)**

According to this report, State xenophobia is due to contemporary liberalism as it is unstable, less egalitarian, and organised according to a hierarchy. For a state to be qualified as xenophobic there must be a particular branch of the public administration dedicated to mistreating migrants. State xenophobia consists in war against migrants, through firmness, police hunt and physical damages.

<http://www.mrap.fr/differences/Differences2008/>

#### 4. OFFICIAL / UNOFFICIAL STATISTICAL DATA

##### **Figures on violence and threats published by the Minister for Home Affairs (January 2009)**

The Minister for Home Affairs published its 2008 year report on violence and threats showing an increasing number of police forces, and according to which the figures keep going down. According to government's figures, delinquency is at its lower level since eleven years. The Minister aims at a better national cohesion between the police officers and the civil society.

[http://www.interieur.gouv.fr/sections/a\\_1\\_interieur/le\\_ministre/interventions/presentation-chiffres-delinquance/](http://www.interieur.gouv.fr/sections/a_1_interieur/le_ministre/interventions/presentation-chiffres-delinquance/)

##### **Anti-Semitism in France**

The protection of the Jewish community service (SPCJ) handed in its report on year 2008 several figures related to anti-Semitism in France. The report indicated that some of those figures have been provided by Minister for Home Affairs. Dealing with anti-Semitism acts and threats, certain stability is noted compared to 2007 statistics from the same organization: acts (violence, arson, vandalism) (140 in 2007; 150 in 2008) and threats (insults, mail, inscription) (333 in 2007 and 324 in 2008).

<http://www.spcj.org/publications/rapport2008.pdf>

##### **Efficiency of ethnic statistics in France (March 2009)**

There is a debate in France in order to determine whether ethnic statistics should be used: there are many dissenting opinions among various political groups. In March 2009, the CSA survey institute realized a poll for "SOS Racisme" and UEJF entitled "the efficiency of ethnic statistics within the fight against racism, anti-Semitism and discrimination". 37% of the questioned people consider this is an efficient method (55 considering it is not efficient). It appears that according to lower socio-professional "category", this number grows to 41% whereas it downs to 22% for the higher category members.

<http://www.csa-fr.com/dataset/data2009/opi20090305-la-circulation-des-prejuges.pdf>

##### **Discrimination against non French origins (March 2009)**

An interesting overview of "indirect" forms of racism emerged from a survey published by the IFOP institute on "French people and diversity" (March 9<sup>th</sup> 2009). 27% of questioned people would prevent their child to marry or live with a person with Arabic origins. This number downs to 21 for people with African origins, to 16 for people with Jewish origins and to 14 for people with Asian origins. These numbers are twice the number they were in 1984, date of the last poll on the subject.

<http://www.ifop.com/europe/docs/diversite.pdf>