



Reshaping gender equality policies in France: towards effectiveness?

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Introduction

Since May, 2012, the French government has been promoting a “third generation of gender equality policies”, to be characterized as:

- Pursuing greater effectiveness through better designed enforcement and evaluation measures
- Achieving stronger institutionalization by re-establishing women's rights as a ministry area and strengthening regional and national GE machineries
- Implementing gender mainstreaming through inter-ministry coordination
- Drawing upon good practices developed at the local, regional or EU levels
- Consolidating gender awareness and expertise through training

The paths of institutionalization of GEP in France (I)

✓ To the origins of French Gender Equality Policies:

First “women’s policy” machinery were established in 1974

The first age (1965-1975) of policy measures targeted at improving the situation of women primarily addressed civil and sexual rights (free choice granted in 1974)

In 1981, a left-wing government ended with three decades of conservative rule, and gave an unprecedented spur to GEP:

- First women’s rights ministry established (1981)
- First comprehensive act on gender equality in the workplace (1983)
- Stronger commitment with sexual and reproductive health

The paths of institutionalization of GEP in France (II)

✓ **Loosing the pace:**

As early as 1986, following a cabinet change, the Women's Rights Ministry was downgraded to a State secretary and lost its agenda-setting role.

During the following decade, only a few steps were taken to move gender equality forwards :

- A central Gender Equality and Women's Rights Service (Service aux Droits des Femmes et à l'Égalité) was established in 1990, in order to preserve gender expertise and policy capacity, beyond majority changes.
- Building a network of regional and district delegates for gender equality and women's rights, in order to implement GEP throughout the territory.
- France formally embraced gender mainstreaming by the late 1990s.

However, little progress were made with regards to the core of French GEP: gender equality in the workplace, as existing provisions remained ineffective.

Reframing gender equality: beyond the workplace (I)

✓ **Putting women's access to decision making on the agenda:**

Back in 1982, the Constitutional Council had dismissed gender quotas on party lists running for elections.

By the end of the 1990s, feminists brought back the issue, as female representation at the Parliament had remained well below 10%.

Yet, another framing was used, stating that although the French constitution does not recognize any personal circumstances such as sex, both the nation and the constituency are universally male and female, which requires both components to be appropriately represented.

The constitution was amended in 1999 and so-called “parity acts” were adopted in 2000, to achieve a balanced representation in politics.

Reframing gender equality: beyond the workplace (III)

Roughly at the same time, gender-based violence became a matter of concern for policy makers, and first legal provisions were adopted to specifically address this issue.

By the late 2000s, gender quotas were adopted by Law for the boards of larger companies (over 500 employees), in 2011, and for the boards of State-owned companies and entities with an industrial or economic purpose, in 2012.

To that date, French GEPs could thus be summarized as follows:

- ✓ **Discontinuous** in terms of institutionalization
- ✓ **Cumulative**, as regards provisions in the area of work
- ✓ **Challenging the right/left political cleavage** on issues such as GBV and access to decision making
- ✓ **Rooted in the Law, rather than implementation-oriented**

GEP reloaded?

Re-thinking gender equality machineries & policies (I)

✓ A new institutional setting:

- A **Women's rights ministry** was re-established after 28 years.

Granted with the smallest state budget, it has nonetheless been equipped with capacity instruments for inter-ministry cooperation, including:

- A network of Gender Equality Officers appointed among high-ranked civil servants in each policy area/ministry
- An inter-ministry committee for gender equality to be gathered at least once year to mainstream objectives and define key orientations to each minister
- A roadmap and a gender equality action plan to be presented by each ministry
- Several specific conventions signed with some ministries

During its functioning as a stand-alone ministry (2012-2014), this institution also managed to **reactivate the nation-wide network of regional and district delegates.**

GEP reloaded?

Re-thinking gender equality machineries & policies (II)

- **A High Gender Equality Council was also established** as a consultative body by decree in January, 2013. With a mixed membership of 73, comprising of gender equality officers appointed in September, 2012; national and regional mandararies; gender experts and NGO representatives, it is aimed at:
 - Stimulating policy innovations in the field of Gender Equality
 - Providing expertise through reports and position papers
 - Assisting parliamentary committees with recommendations
 - Contributing to GEP evaluation

It is made of 5 committees covering sexual and reproductive health ; parity in decision-making; gender-based violence; fighting gender stereotypes; women's rights and EU and international affairs.

GEP reloaded?

Re-thinking gender equality machineries & policies (II)

✓ **Mainstreaming gender through effective planning & implementation**

It is the main characteristics of the recent re-thinking of French GEP, to engage with the issue of effectiveness:

- Effectiveness of women's rights, so that progress can be measured in the fields of work, gender based violence, access to decision making and other segregated areas
- Effectiveness of policies, so that their gender impact can be assessed both ex-ante (through the generalization of GIA for acts and regulations) and ex-post, through appropriate verification means
- Effectiveness of the Law, so that legal provisions are already concealing their implementation measures or that the latter are appropriately designed and quickly adopted.

GEP reloaded?

Re-thinking gender equality machineries & policies (III)

Effectiveness is also meant to be achieved by:

- **Inter-ministry and inter-departmental cooperation** and communication
- **Building gender expertise within state administrations**, through **training** and other **capacity building** instruments, and by designating focal persons/services
- **Better policy planning**, both at the sectorial (policy) level and the regional level, as Gender Equality Action Plans have to be adopted and implemented in each ministry and each region
- **Collecting sex-disaggregated data more systematically** and conducting in-depth studies on key issues such as GBV.

GEP reloaded?

Re-thinking gender equality machineries & policies (III)

✓ Re-casting the law:

While it highlights the importance of implementation-oriented instruments, the recent re-thinking of gender equality machineries and policies also entails a recast of the law:

- On August, 4th, 2014 – a date chosen for remembering the abolition of the privileges of the nobles in 1792, **the first comprehensive gender equality act** was adopted.
- Conceived as a **framework-act**, it tackles, although to different extents, all the dimensions relevant to gender equality, including the workplace, violence, access to decision making and other areas, with a focus on effectiveness that is encapsulated in its label: “Loi sur l’égalité *réelle*”.
- It is the **first legislative, binding document ever adopted in France, that formally refers to gender mainstreaming** as the policy paradigm of GEP.

Lessons & challenges (I)

- ✓ **High-level political commitment is key**, both as a triggering & legitimizing factor for initiating new, innovative GEP
- ✓ **It is effective to stimulate policies only if it addresses claims articulated by women's movements** and take on board gender both in-house and external expertise
- ✓ **Legislating gender equality is not sufficient.** Without proper implementation-oriented and enforcement measures, no – or little – change is to be expected.
- ✓ Legal/legislative failure(s) to effectively achieve gender equality, fighting gender based violence or promoting women's access to decision making are relevant for informing future policy instruments & decisions. Therefore, **cumulativeness is of paramount importance.**
- ✓ **Attributing gender equality to a dedicated institution at the highest level – Ministry/State Secretary, is a key institutionalization instrument**

Lessons & challenges (II)

- ✓ As top-level commitment is not always sustainable, **institutionalizing gender equality at the intermediate administrative level is also of utmost importance**
- ✓ **Strictly top-down policies are rarely effective**, especially in the field of gender equality: grass-roots concerns or social innovations, as well as regional differences are to be tackled also. Open, collaborative, regionalized policies are thus relevant.
- ✓ This entails to **provide venues and mechanisms for civil society, regional stakeholders and experts' involvement**, through advisory independent bodies. Those are key to bring new issues on the agenda, impartially evaluate progresses and challenges, and providing feed for thoughts.
- ✓ **Building consent, through a widely shared framing of gender inequalities** and related issues, is of great important. This may result in formalizing a policy paradigm which associates a meaningful & comprehensive diagnosis, with well-designed prognoses in form of policy measures