

## FRANCE

# Economic, social and cultural rights at risk



Although France is one of the world's richest countries and has one of the most comprehensive social welfare systems, its implementation of economic, social and cultural rights is more questionable, given the fact that more than 7 million people live in poverty. Although the country has adopted a number of redistributive policies under the banner of social justice and 'solidarity', these have for various reasons proven ineffective. Similarly, its commitments regarding the volume and delivery of development assistance have not been met.

Secours-Catholique/Caritas France  
Coordination Sud<sup>1</sup>

In France, which has one of the most comprehensive social welfare systems, 12.1% of the population, over 7 million people live below the poverty line – although its income poverty rate, if measured by the Eurostat standard of 60% of the average national income, is near the European average. To address this situation, the Government has adopted a number of measures designed to support the country's most vulnerable citizens, including stricter enforcement of non-discrimination laws and child protection laws, implementation of urban renewal programmes and regulations to ensure universal health coverage and adequate housing.

Unfortunately, the impact of these measures has been seriously restricted by other factors, including the slowness with which they are implemented, the passage of resolutions that empty them of substance, or the failure to allocate sufficient resources. Furthermore, they are adopted in a political context characterized by increasing restrictions on civil liberties and social rights, including more and more national security laws, increasingly repressive legislation towards youth, more restrictions on immigrants and the banning of all sorts of protest movements and actions). Civil society organizations and trade unions have made the following observations concerning economic and social rights:

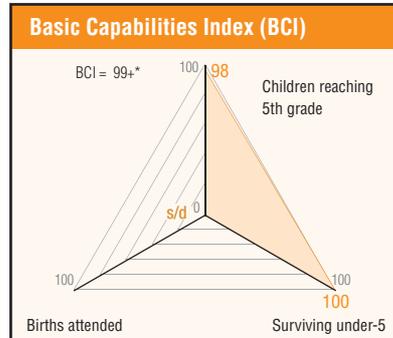
### The right to work and labour conditions

There are more and more people in the labour force who cannot find a real full-time job and a decent salary, resulting in the emergence of a large number of working poor, who nevertheless have neither financial autonomy nor access to fundamental rights such as permanent housing.

Workplace discrimination is still a fact of life among women, foreigners and disabled people; and legal protections or affirmative regulations continue to be insufficient and inefficient. This includes meas-

\* One of the BCI components was imputed based on data from countries of similar level.

<sup>1</sup> This report is a summary of more comprehensive analysis by a French NGO ad hoc platform which has been working on an alternate report to the official one on the extent to which France meets its obligations as a signatory to the International Covenant on Economic, Social and Cultural Rights.



ures that appear to be intended to encourage people to join the labour force, such as the so-called 'solidarity' income<sup>2</sup>.

### The right to health and access to health services

Recent reforms regarding the payment of medicine and hospitalization fees<sup>3</sup> go against the principle of solidarity in social security, they exacerbate social and geographic inequalities, and jeopardize access to health care for poorer people.

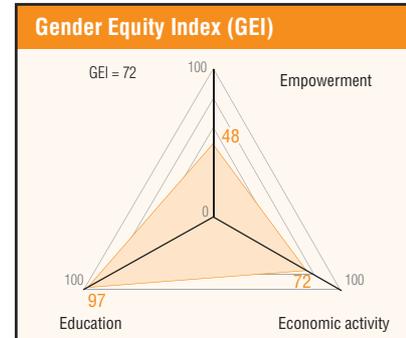
Fundamental to efficient health insurance is an emphasis on prevention in the provision of public health services. Currently, however, health care professionals focus on providing specialized services for those with adequate insurance, neglecting attention to basic health education and disease prevention.

### The right to housing

Over 3 million people in France live in poor conditions in sub-standard housing, or have no housing at all. Around 6 million people are or will be at risk of such living conditions in the short or medium term. These figures result from a combination of factors, including tenancy statutes that cannot be legally enforced and the shortage of affordable housing, resulting in overcrowded living spaces, including hostels and shelters, occupancy of buildings or land not intended for housing, camping, squatting, or living in the street.

<sup>2</sup> A form of income support for those who take a job but not for those who stay unemployed.

<sup>3</sup> The increasing part of the medicine and hospitalization expenses the patient has to pay.



In most cases, policies to address this situation have not been applied or applied only partially, providing little in the way of corrections. The urban renewal law adopted in March 2007 is an improvement, since it institutionalizes the right to affordable housing, thereby making it an obligation which if not met, can be subject to court action. However, given the paltry amount of resources allocated for such housing, the State will barely be able to guarantee the right to housing to about 10 per cent of those who are potentially entitled to it. State-provided credit for low-income people is also far short of the need, while municipalities that do not abide by the urban renewal law are not really penalized. These factors combine to relegate the less favoured sectors of the population to the periphery of urban zones.

### The right to education

It is important to assist not only economically and socially marginalized adults but also children to overcome poverty. But school reproduces many of the inequalities found in society; it is therefore necessary to recognize and report discriminatory practices, particularly in the schooling of foreign boys and girls. For people with disabilities, the February 2005 law mandating their inclusion in 'ordinary' schools is an achievement as this is now common practice, except in specific cases. It is important to also increase funding to primary schools, junior high schools and secondary schools in priority education zones, which currently have barely 1.2% of the budget for national education.

### ODA less than promised

In 2007, France's official development assistance (ODA) declined for the first time since 2001 falling from EUR 8.4 million (USD 11.96 million) in 2006

(0.47% of GNI) to EUR 7.2 million (USD 10.25 million) (0.39% of GNI) in 2007. This big drop (-16%), is due to a certain extent to the drop in debt relief (-55%) between 2006 and 2007. Also, the increase in the debt of French aid in the last few years is mainly due to artificial accounting, such as the *écologie*,<sup>4</sup> the 'reception' of refugees in France and the expenses allocated to the overseas territories. The 'real' help France has provided, which excludes a large portion of the debt relief and all the 'artificial' expenses, rose by very little between 2006 and 2007 (+3% in euros at current prices) and even fell in terms of percentage of gross national income (GNI), going from 0.24% in 2006 to 0.23% in 2007.<sup>5</sup>

After he was elected, Sarkozy announced that the country was committed to respecting the EU commitment to allocate 0.7% of GNI to ODA by 2015, revising the 2002 pledge to do this by 2012. Even this is more likely to be a diplomatic strategy than anything else. The first finance law passed by President Sarkozy ratifies the postponement of the increase of ODA.<sup>6</sup> The pluriannual programme of public finance law for the 2009-2011 period, which should be introduced into parliament in July 2008, is the opportunity the government is seeking to clearly confirm its commitments and translate them into the budget in order to reach the 0.7% objective in 2015.

On the other hand, the growing relationship between development and curtailing migration blurs the objectives of aid policies.<sup>7</sup> This short term vision is an illusion and is also dangerous. To respond to the challenge of poverty effectively, cooperation for development should focus on the solutions to the process of economic and social exclusion. It is absolutely necessary to clarify the objectives of French aid in order to contribute to the central goal of eradicating poverty.

Starting in July 2004 France began to refocus development assistance on achieving the Millennium Development Goals (MDGs), adopting seven priority strategies in 2005. Partnership Framework

Documents (PFD) were signed in each of the recipient countries, defining five-year development cooperation strategies in the education and health sectors. But while education is a priority in many of the PFDs, this is not true for health, and even less so for drinking water and sanitation. In 2006, France's bilateral investment in basic social sectors was barely 3%, of which 1.1% is for education and 1.8% for basic health.

### Health aid unbalanced towards the multilateral

In the health area, France has doubled its contribution to the Global Fund to Fight AIDS, Tuberculosis and Malaria, providing EUR 300 million (USD 427 million) in 2007 and making it the Fund's second largest contributor, after the United States. France has also been a pioneer in implementing innovative financing for development mechanisms. In 2006, together with Brazil, Chile, Norway and the United Kingdom, France organized an initiative to facilitate the international purchase of medicines, called Unitaid.<sup>8</sup> By 2007, Unitaid already had a budget of USD 300 million, which might reach USD 500 million in 2009.

In March 2007 France organized a conference to review progress on G8 commitments made in St. Petersburg in 2006 to expanding health insurance coverage, whether public, private or community-based, in developing countries.

By contrast, France's bilateral effort in the health sector is insufficient. It is regrettable that there is no systematic effort to better link actions financed multilaterally with bilateral activities. While the national health strategy, adopted in 2005, identifies the need to strengthen public health systems as one of four priorities for bilateral support, this has not been reflected in reality.

### Contribution towards education: biased figures

According to the OECD's Development Assistance Committee (DAC), in 2006 the country allocated 18% (around EUR 1 million – USD 1.42 million) of its aid to bilateral ODA for education. But official statistics on ODA that France allocates to education are very biased by statistics that do not correspond to expenses whose major objective is development. As well as schooling expenses, France also counts as part of its aid the cost of students from the developing world who study at French schools based abroad. This added to EUR 90 million (USD 128.12 million) in 2006, equivalent to 9% of bilateral aid allocated to education. Only 1.1% of bilateral ODA (about EUR 63 million – USD 89.69 million) was assigned to basic education in 2006.

8 Funded by an international tax on airplane tickets, this facility offers long term access to treatment for AIDS, malaria and tuberculosis, and advocates for low-cost access.

With the production of the PFD, education became the focal point of aid in many countries and, therefore, should be receiving significant resources. There has been good progress made in the area of access to education, particularly thanks to the speeding up of processes in favour of an education for all, and to the advances France has made in the primary school sector. The joint initiative reached by Gordon Brown and Nicolas Sarkozy at the latest French-British summit held on 27 March 2007 should involve an increase in France's efforts in this sector.<sup>9</sup>

In any case, the objective of education for all cannot be achieved through a reduction in the quality of education, making it imperative to reinforce public education systems.<sup>10</sup> The French strategy, which has focused on basic primary education, has ignored post-primary education, as well as the inclusion of young people in professional training. Halving the number of people in poverty by 2015 will not reduce poverty and inequalities on a permanent basis.

### Weakness of the struggle against gender inequality

France has committed itself on several occasions, at national and international levels, to reduce gender inequalities, signing the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1979, the Beijing Declaration in 1995, declaring gender equality central to development and democratization, and the Millennium Declaration in 2000.

However France is well behind in the adoption of a true gender equality policy in development cooperation, as noted in the OECD-DAC peer review in 2004. Financial and human resources are scarce, and declined between 2006 and 2007. Nevertheless, the Gender and Development platform, created in 2006 by the Ministry of State for Cooperation and Francophone Affairs, enabled civil society to play a major role in developing a gender equality strategy, which was adopted in December 2007, together with one entitled "Rights and the health of women".<sup>11</sup> However this strategy will not be applied in France as long as it is not provided with specific human and financial resources. ■

9 France and the United Kingdom agreed on a new partnership to get 16 million children in Africa into school by 2010, and for all children by 2015.

10 This involves staff training as well as revising the education framework, pedagogical content and equal access to quality education for girls. It should also support training for civil society organizations active in the sector.

11 The former presents the goal of gender equality as a condition for and a means to reach sustainable human development. It is formulated around two objectives: to generate deep and lasting changes in gender relations, so as to respect the rights and fundamental freedoms of both sexes; and to make development policies more sustainable by integrating a gender analysis into their formulation and implementation.

4 This is the cost of foreign students enrolled in French universities, which the Development Assistance Committee of the OECD authorizes as development aid in particular conditions, which France does not respect.

5 Coordination SUD, *L'APD française et la politique de coopération au développement : Etat des lieux, analyses et propositions*, updated version, February 2006 and *Aide publique au développement française, une aide "réelle" toujours aussi faible en 2007, Avril 2008*, <www.coordinationsud.org>.

6 The finance bill for 2008 projects ODA at 0.45% of GNI, or EUR 8.77 million (USD 12.48 million), less than that for 2006. See Coordination SUD, *PLF 2008, La place de l'aide publique au développement dans le budget de l'Etat, November 2007*, <www.coordinationsud.org>.

7 The inclusion of the Ministry of Immigration, Integration, National Identity and 'Solidarity Development' in the development cooperation system increases the pressure to tailor aid policy towards curtailing migration.