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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)



REPORT

**ANTI-DISCRIMINATION AND EQUAL OPPORTUNITIES
FROM THE PERSPECTIVE OF INDEPENDENT BODIES:
THE FRENCH EXPERIENCE THROUGH THE “HAUTE AUTORITE DE
LUTTE CONTRE LES DISCRIMINATIONS ET POUR L’EGALITE”**

by

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I. GENERAL PRESENTATION OF THE HALDE

1. **The High Authority against Discrimination and for Equality (Haute autorité de lutte contre les discriminations et pour l'égalité) – the HALDE - is an independent administrative authority established by law n° 2004-1486 of 30th December 2004.**

2. It is competent to deal with all forms of direct and indirect discrimination prohibited by law or under international instruments duly ratified by the French State.

3. The law prohibits discrimination in particular on origin, gender, family status, physical appearance, name, state of health, disability, genetic characteristics, lifestyle, sexual orientation, age, political opinions, religious beliefs, trade union activities, adherence or non-adherence, true or assumed of an ethnic group, nation or "race".

4. The Halde carries out communication and information campaigns designed to promote equality. It encourages the introduction of training programmes.

5. The Halde is made-up of an eleven-member Council which decides what action should be taken on claims, may automatically investigate evidence of discrimination, and issues recommendations.

6. A Council-appointed Advisory Committee assists it with its work. The Halde has a number of support departments which report to the Chair.

II. TACKLING DISCRIMINATION

A. Handling of claims

7. A claim may be filed with the HALDE either directly or through a member of parliament, by ordinary mail, by any person who considers him or herself to be the victim of discrimination.

8. With the victim's consent, a claim may also be filed by any duly registered association in existence for at least five years at the time of the event and whose stated mission is to combat discrimination. All claims filed by letter will receive a written response.

9. The Halde may also, at its own initiative, investigate cases of direct or indirect discrimination brought to its knowledge, providing the victim, where identified, has been informed to this effect and has no objection.

The HALDE helps victims of discrimination compile their case file and informs them of the appropriate procedure for their case.

B. Investigation powers

10. The HALDE investigates the claims it receives, using the investigative powers at its disposal.

11. Accordingly it may ask any individual, legal entity or public body for explanations, information or documents. It may also conduct onsite inspections and take evidence from any person whose testimony it deems necessary or helpful.

12. When requests for explanations have gone unheeded, the HALDE may give those concerned formal notice to reply by a set date. Where such formal notice has gone unheeded the Chair of the HALDE may apply, giving grounds, to the interlocutory judge, to order any investigative measures the judge deems appropriate.

C. Legal instruments for action

13. Once a claim has been investigated, a draft decision is submitted to the HALDE Council, which decides what further action is to be taken. It may, for instance, instruct that a dispute be settled out of court through mediation.

14. The HALDE informs the State Prosecutor of any events brought to its knowledge which appear to constitute an offence.

15. At the request of the parties, or at their own initiative, civil, criminal and administrative courts may request the Halde to present observations on the instances of discrimination submitted to them. The HALDE may itself ask to submit evidence to such courts; in such circumstances the right to submit evidence is automatic. Hearing the observations of the HALDE is mandatory in accordance with law n° 2006-396 of 31st March 2006 on equal opportunities.

16. The HALDE may propose a transaction involving payment of a fine and compensation for the damages sustained by the victim, as well as public notice measures. This transaction is subject to approval by the State Prosecutor. In the event of rejection or non-performance of the transaction, the Halde may file directly with the criminal court.

17. The HALDE may make general or individual recommendations.

D. 2008 highlights

18. By the end of 2008, the HALDE had closed 6,414 cases, 4,032 cases were being investigated including 1,435 open for over six months and 834 cases open for over twelve months. The duration of the investigation varies depending on the complexity of the case.

	Claims	Closed cases
2005	1,410	363
2006	4,058	2,143
2007	6,222	6,526
2008	7,788	6,414
Total	19,478	15,446

19. Among the 6,414 cases closed during 2008:

- 3,522 cases were rejected because of inadmissibility, i.e. 55% of the cases.
- 737 cases, outside the Halde's competence were redirected in 2008 to the competent institutions, i.e. 11.5% of the cases.
- 1,153 cases were abandoned because the claim was withdrawn or due to the lack of a reply to the Halde's requests, i.e. 18% of the cases.
- 1,002 claims were subject to in-depth investigation, i.e. 15.6% of the cases:
- 460 were closed before being presented to the Council since the alleged discrimination was not established.
- 220 cases resulted in a positive outcome during the investigation following an out-of-court settlement between the parties.
- 10 cases were referred to the National Commission for Ethics and Deontology in Security within the framework of the provisions of the claims opened by law no. 2007-297 of 5th March 2007.
- 34 cases were subject to the issuance of a reminder of the law by the chair of the Halde pursuant to deliberation no. 2007-169 of 11th June 2007.
- 278 cases were presented to the Council which made a deliberation.

20. In 2008, the Halde undertook hearings and carried out on-site checks.
21. The Council made 278 deliberations which resulted in 457 measures among which 299 recommendations sent to the government, public authorities and businesses.
22. Among the recommendations, 242 have general scope and 57 individual scope.
23. The ground of origin appears in 36% of the deliberations. Deliberations concern the area of employment (63%) before the operation and regulation of public services (20%).

E. Measures decided by the Council

24. The HALDE presented observations in 64 cases before all the various courts.
25. The HALDE created a network of specialised mediators in 2008. 42 mediations were begun in 2008, a third of which concerned safeguarding a person's job or making special arrangements to deal with health or disability.
26. The proposed 17 penal transactions were made in response to refusals to hire or provide goods.
27. Following a refusal of a penal transaction by an accused person, the HALDE undertook, for the first time in 2008, a direct summons. This led to a criminal sentence for refusal to hire.
28. Discrimination tests for access to private housing undertaken in 2008 resulted in 6 referrals to the public prosecutor at the beginning of 2009

F. Areas of most significant progress

29. In 2008, the HALDE made significant progress in discrimination being taken into account. Certain recommendations resulted in changes into regulatory texts and professional practices.
30. The most significant measures concerned the modification of age limits for hiring and retirement, inequalities between men and women in enjoying particular social benefits, access for children suffering from food allergies to school canteens and conditions for issuing identity cards to travellers.
31. A labour court, supported by the observations of the HALDE, accepted the notion of discrimination by association in a case of inequality of treatment due to the trade union activities of the husband and decided to award €15,000 in damages to the victims.
32. For access to housing, a first instance tribunal (TGI) took the HALDE's observations into account and for the first time the notion of discrimination was used for setting damages equal to three months' rent. In another case, the estate agency compensated the victims as the HALDE proposed on the basis of a quarter-year of rent.
33. The refusal to pay family allowances for foreign children legally entitled to reside in France who arrived in the country outside of the procedure for family reunion was considered discriminatory. Some courts dealing with social security affairs and the Paris Appeal Court made decisions in line with those recommended by the HALDE. The legal texts have not yet been modified.
34. Former armed service personnel, the citizens of former colonies, had a certain number of their pensions frozen at the level they were when gaining independence. The HALDE considered that the difference of treatments due to nationality was discriminatory. The

modification of the legal texts has only allowed a partial defreezing of the pensions. The HALDE presented its observations before the administrative courts which recognised the discriminatory nature of this measure but only for nationals from countries included in the Euro-Mediterranean agreement of November 1995.

G. Employment and origin/religion

35. Employment remains the primary area accounting for 49% of the claims lodged with the HALDE.

36. In the correspondence received, career development (38%) comes out way ahead of recruitment (11%) and the public sector represents 35% compared with 65% for the private sector.

37. The grounds of origin represent 26% of the claims in the area of employment. Origin is assumed where there is a factor of skin colour, surname, geographical or national origin.

38. It was because of their skin colour that a person's job application was rejected by a baker. The Council proposed a penal transaction that the shopkeeper refused (deliberation no. 2007-107).

39. The Halde therefore took the case to court quoting the baker's words before the magistrate's court. A "court summons", is a power attributed to the HALDE by the law of 31st March 2006. It makes court action inevitable. The baker was ordered to pay a fine of €5,000.

40. Deliberation n° 2008-135 of 16th June 2008. The claimant of North Africa origin carried out temporary work as a fitter for twelve months. He was recontacted by the company which had already employed him which had a pool of candidates. He deduced from this that his profile was of particular interest to the company. However, when a permanent vacancy became available his application was rejected. According to the manager in charge: "His abilities of adaptation and potential for progress" were not sufficient to envisage him being hired.

41. The HALDE observed:

- that there was a total absence of transparency in the recruitment procedure for the company's manufacturing staff,
- that the employer provided no objective element in justifying why the claimant was not hired,
- that the recruitment of employees of North African origin or foreign nationality was virtually inexistent.

42. The origin of the claimant therefore appeared to be the only justification for the unfavourable treatment to which he was subjected. The Halde therefore decided to present the results of its investigations before the labour court.

43. Deliberation n° 2008-163 of 7th July 2008

A policeman of Moroccan origin entered the internal competitive examination of national police officer. The examination panel questioned him on his origin, his religious practices and those of his wife. The examination panel had deliberately asked questions about his private life and religious practice. The eliminatory grade obtained at the oral examination was not a true reflection of the value of his performance.

In the absence of elements showing that the difference of treatment of the claimant was based on objective elements unrelated to any discrimination, the HALDE considered that the claimant had suffered discrimination and decided to present its observations before the High Administrative Court (*Conseil d'Etat*) which followed the HALDE's opinion (CE 10 avril 2009 *EI Haddoui*, n° 311888). The Council recommended the removal of questions without a link with

the conditions that need to be met for exercising the position and the recording of the oral examinations.

H. Housing and origin

44. % of claims concern housing mainly for private accommodation. In most cases, this is a refusal to rent accommodation as a main place of residence.

45. In 49% of cases, the ground of origin is raised. After that the grounds of health and disability (18%), family status (15%), age and sexual orientation (4%).

The HALDE dealt with individual complaints and organised discrimination tests to unearth discriminatory practices.

46. Prejudice based on skin colour lead some landlords to make discriminatory choices, independent of the guarantees of solvency of the prospective tenants.

In two investigations, the HALDE revealed that the grounds for rejection put forward were only pretexts. The Council decided to present its observations before the civil judge.

47. Deliberation n° 2008-153 of 7th July 2008. The refusal to rent to a prospective tenant of Senegalese nationality was established. There was no challenge to the fact that the financial guarantees presented matched the agency's requirements. These elements revealed a difference of treatment in access to housing. The manager of the agency's only justification was that he claimed he had been informed that the claimant had been evicted from his previous home for non-payment of the rent.

48. This information which was only given to the HALDE after two requests for explanations that had gone unheeded turned out to be untrue, since the eviction was for a person with the same name of Malian nationality. Moreover, the agency manager claimed at his hearing by the Halde to have informed the claimant of the reason for his rejection. However, if he had truly done this, he would have been able to establish the completely unjustified nature of his refusal to rent. The arguments put forward appeared contradictory and did not establish the sound basis of this refusal. There was a presumption of discrimination because of origin.

The HALDE informed the claimant that it was his responsibility to file a complaint with the civil courts in order to ask for financial compensation for the damage incurred, mentioning the benefit of the rules relating to the lower burden of proof required.

49. Deliberation n° 2008-155 of 7th July 2008. The refusal to rent to a mixed couple was not challenged. Moreover, the income of the couple was identical to those of the chosen tenant and the professional situation of the couple was stable since they both had open-ended contracts. The apartment was rented two months after the claimants' application was rejected, therefore the applications were not presented at the same time. Finally, and above all, the couple provided a guarantee deposit even though the tenant chosen did not provide one.

The presumption of discrimination because of origin was strengthened by the requirement of documents clearly contrary to the rules in force.

If appropriate, the HALDE will present its observations as part of an action before the civil courts.

50. Discrimination tests are used to unearth discriminatory practices in the area of housing. Where these tests reveal a presumption of discrimination the HALDE can send the case to the State prosecutor.

51. The refusal or conditional provision of goods or services because of a discrimination ground is subject to penal sanctions. Conditional access may be characterised in the absence of any identified victim.

52. In 2006, the HALDE carried out the first discrimination tests in various regions of Continental France in order to have a clear view of the discriminatory processes at work in this sector. In 2008, it decided to carry out a series of tests on private sector landlords in the Paris region and in other regions which sought to identify the offence of discrimination.

53. These tests were carried out on the telephone in the presence of the HALDE's staff working under oath. They were limited to the telephone contact stage for visiting the accommodation presented in an advertisement for rental by an agency or a private person. The HALDE investigated ex officio and sent the cases of substantiated discrimination to the state prosecutor.

I. Education and Origin/Religion

54. Questions relating to education and training make up 5% of the claims filed with the HALDE. Origin is the first cited cause for discrimination (37%) before health and disability (25%) and religion (8%).

55. People faced with discrimination because of their origin do not always have a way of reporting it because of the lack of an appropriate mechanism. Some administrative requirements may also be the source of discrimination for foreigners.

56. In higher education, a young woman, on a BTS training course was unable to report the harassment she claimed she was a victim of because of the colour of her skin. The HALDE recommended the setting up of warning procedures.

57. Deliberation n° 2008-103 of 19th May 2008. A high school student undertook an internship in a company as part of a BTS training course. She claimed that she had experienced four weeks of verbal persecution and harassment: a prohibition to sit down in the office of the person in charge of her internship, comments that she might dirty the documents with her hands etc. Two former employees backed up her claims in telephone interviews and revealed that the comments and refusals to entrust her with certain jobs were directly linked to the student's origins.

58. Her teacher was informed of the situation and recommended she contact an association. This case illustrated the fact that there was no warning or monitoring procedures for preventing harassment during internships undertaken by students similar to those existing for employees. The Council recommended to the Ministry of National education to set up a warning procedure. In the absence of formal proof or written testimony, the HALDE reminded the employer of the terms of the law.

59. The refusal of the wearing of religious symbols in places of education or training is behind most claims linked to religion. A claim was also filed with the Halde for the organisation of examinations to take into account some religious festivals.

60. Deliberation n° 2008-193 of 15th September 2008. The National agency for the Welcome of Foreigners and Migrations (ANAEM) requested an opinion by the HALDE about the compatibility on the prohibition of the wearing of the burqa with the principle of non-discrimination when part of compulsory language training in a welcoming and integration contract. The HALDE considered that the requirements of public safety, since it involved the identification of people and also the protection of the rights and freedoms of others could be considered as legitimate aims, set out in law, justifying the prohibition of the wearing of the burqa in access to compulsory language training. Moreover, the burqa was considered as carrying with it a meaning of the submission of women exceeding its religious scope and infringing the Republican values presiding over the integration procedure and, in particular, the principle of equality between men and women.

Consequently, the HALDE considered that the obligation made to people undergoing language training as part of the welcome and integration contract to remove a burqa or niqab complied with the requirements of articles 9 and 14 of the ECHR and article 2 of protocol no. 1 at the ECHR.

61. Religious beliefs cannot justify systematic and automatic exemption which goes against the proper running of an education programme. The respect of religious festivals does not give entitlement to exemption. The HALDE did however recommend that the Ministry distribute the dates of these festivals to facilitate the organisation of the examination timetables.

62. Deliberation n° 2008-33 of 18th February 2008.

A religious association as well as the Central Consistory filed a claim with the HALDE on the problems practising Jewish students encountered during examinations in public higher education taking place on Saturdays and religious festivals, days on which the Jewish religion prohibits writing or composing.

63. The principles of equality and secularity are enshrined in the education code. The HALDE considered that students had no absolute entitlement that their study obligations, whether classes or examinations, be rearranged to take into account their religious obligations. It is the responsibility of the head of the establishments, under the control of a judge, to decide on each case, and to take individual decisions reconciling as far as possible religious freedom and the obligations inherent in school life.

III. PROMOTING EQUAL OPPORTUNITIES

64. The HALDE strives to promote equal opportunities by conducting communication campaigns, conducting research work, identifying and encouraging best practice, setting up partnerships with public and private players, recommending changes to the legislation and regulations, where appropriate.

65. The HALDE creates tools intended to assist its partners (public and private employers, private and social backers, national education officials etc) in improving the prevention of discrimination and encouraging the adoption of good practice. These tools are available on the website and some of them in the form of leaflets.

2008 Highlights

Information and on-line learning tools

66. These interactive training modules (e-learning) are available to users and provide a format for active learning and accurate content.

Guides on professional practices that promote equal opportunities

67. These are “instructions for use” designed in partnership with the professionals to whom they are targeted for meeting their practical guidance needs.

Guides in 2008*	Number of consultations and downloads	Copies published
“Preventing discrimination: Employment intermediaries’ initiatives”	9,528	2,000
“Practices that promote equal opportunities: What do companies say to the High Authority?” (no. 2).	3,458	3,000
“Preventing discrimination, promoting equal opportunities:		

What do companies say to the High Authority?" no. 3	1,817	3,000
"Preventing discrimination, promoting equal opportunities: What do the cities and conurbations say to the High Authority?"	3,194	1,000
"Preventing discrimination in employment, guide for small and medium sized businesses, micro-businesses and crafts"	23,272	100,000
"Practical guide for property professionals - Rent without discriminating"	2,943	150,000
"Renting properly is renting without discriminating - Good conduct code for owners"	43,295	150,000

* Viewable on the High Authority's website: www.halde.fr

Directory of good practice

68. This regularly updated directory, lists good practice observed by the HALDE, presented according to topic. It can be consulted on the HALDE's website: www.halde.fr

Studies and surveys

69. The HALDE undertakes studies revealing cases of discrimination in order to find out how it comes about and its causes and better ways of preventing it.

	Number of consultations and downloads
ILO/High Authority survey on employees' feelings*	4,058
Survey on the education of disabled children (summary)*	2,929
Study on stereotypes in school text books*	19,876
Study on homophobia in businesses (summary)*	17,837

* May be consulted on the High Authority's website: www.halde.fr

Partners and expertise: the "Framework for Acting and Assessing initiatives"

70. The HALDE has developed a strong exchange with the leading French companies through a questionnaire sent to them each year: the "Framework for Acting and Assessing initiatives". The lessons learned from companies' practices are published annually by the HALDE which lists identified good practice.

Large businesses

	Companies requested	Responses received	Representatives in the companies
2008	251	194	238*
2007	250	176	176
2006	146	110	0

* One company or group may appoint several representatives.

Employment intermediaries

71. Employment intermediaries (temporary work agencies, recruitment consultancies, public employment agencies) on 29th November 2007 signed a commitment with the HALDE to refuse any request of a discriminatory nature issued by their customers. An "ethics committee" monitors the application of this commitment.

113 signed the commitment in 2008 compared with 90 at the end of 2007.

The gradual involvement of large companies

72. An annual survey by the HALDE of 251 large French companies paints a picture of the fight against discrimination. A "Framework for Acting and Assessing Initiatives" was used for collating the results.

194 companies agreed to take part and they appointed one or more representatives (in all 238 representatives appointed). Its results were published at the end of 2008 in the guide "Practices for Equal Opportunities. Major companies answer the HALDE" (volume 3).

73. All the indicators are moving forward: 85% of the 194 large companies which took part have signed a commitment against discrimination or in favour of diversity. 63% have taken concrete steps (the negotiation of company agreements, HR process audits, non-discrimination clauses for the choice of service providers etc) compared to 36% in 2006.

74. Moreover, 27 of them have carried out discrimination tests (compared to 18 in 2006). 88% of them are carrying out training (57% in 2006) but its impact has not been assessed.

75. According to a CSA opinion survey of February 2008, the most efficient measure is judged to be the ability for an employee to inform their management confidentially and anonymously about practices of which they are the victim or the witness. In this respect, the HALDE notes some headway, since 55% of companies compared to 36% in 2006 have set up warning procedures.

76. Despite this positive development, monitoring and assessment continue to be insufficient and initiatives for improving the prevention of discrimination in career management remain limited. The HALDE recommends a global prevention policy which should be based on procedures linked to quality. The HALDE and ILO issued recommendations to this effect within the framework of the "Standards and social dialogue" seminar jointly organised in February 2008.

77. The results of discrimination tests carried out on 15 CAC 40 companies and made public in June 2008 must be used as a wake-up call. The HALDE encourages the carrying out of self-testing by companies so that they can improve their procedures.

The commitment of employment intermediaries

78. Under the impetus of the HALDE, the commitment signed by 90 public and private employment intermediaries in 2007 was continued in 2008 (113 signatures). This involves, both in internal management as well as client companies, the implementation of non-discriminatory procedures. An ethics committee is responsible for monitoring the initiatives that have been taken.

79. The HALDE has tools that businesses and intermediaries can use enabling them to check that the provisions they have implemented or plan comply with the law.

Awareness by small and medium-sized businesses

80. The reality is otherwise for small and medium-sized businesses. In the smallest of them, the head of the business alone deals with the management of the staff. The HALDE makes heads of businesses aware of prohibited types of discrimination and the legal sanctions. A series of meetings was organised at the end of 2008 in the Var *département*, the Arles area, the Lyon conurbation and La Réunion.

Commitment by the Civil Service

81. In order to guard against discrimination, the HALDE, along with the Ministry of the Budget, Public Accounts and the Civil Service, contributed to drafting the "Charter for promotion of equal opportunities" in state, regional and hospital services. Monitoring of the implementation of the charter, signed on 2nd December 2008, is planned to ensure its proper execution.

A "Framework for Acting" intended for local authorities

82. A "Framework for Acting and Assessing Initiatives", a detailed questionnaire on the management of human resources has been drawn up in consultation with representatives of local authorities and associations of elected councillors. The aim: to establish a diagnosis and share and disseminate good practice.

"Rent without discrimination" information campaign

83. How must a landlord act in order not to discriminate? How must an estate agent react when a landlord makes a discriminatory request? In order to answer these questions, the HALDE carried out an information campaign aimed at landlords and property professionals.

84. ,000 copies each of two leaflets containing practical information and a "code of good conduct" were sent out. This campaign was also relayed by non-specialised and dedicated property websites.

Risks of discrimination in social housing

85. As part of their partnership, the HALDE has got together with Social housing union (*Union sociale pour l'habitat*, USH) to revise the way in which social housing is allocated. In particular, USH has started work on how social investigations are carried out in order to ensure better management of these practices that may sometimes result in refusals to allocate housing which are discriminatory.

86. The HALDE is also taking part in the design of one of Vigeo's training modules at the request of the social housing companies (ESH). The training of managers in charge of human resources should enable prejudice in respect of so-called groups at risk to be countered.

Educating disabled children in mainstream schools

87. Nursery and primary school headteachers as well as elected representatives and pupil parents took part in a survey in November 2008 ordered by the HALDE from the CSA/Oxalis institute.

88. Cognitive disorders are the most frequently cited disability. The great majority is in favour of educating disabled children in mainstream schools. 59% of headteachers accept a disabled child within their school. Of them, 86% consider that the educational process is working well compared to only 45% of parents whereas 58% of headteachers with no disabled children in their school feel that it would be a problem and are fearful of the first experience.

89. The survey reveals a positive phenomenon: the education of disabled children in mainstream schools is increasing, especially since the law of 11th February 2005. It is accepted in those schools where it is practised.

90. There are however problems for which solutions must be found:

- resources, especially human not necessarily appropriate to the type of disability,

- the bodies responsible for coordinating the intervention of the various professionals remain little known and fairly remote from people.

91. Following this survey, the HALDE sent its recommendations to the government and the public bodies and associations concerned.

Prevention of homophobia

92. The HALDE has set up a working group to combat homophobia in schools. It has come up with recommendations:

- ensure that sexual orientation is taken into consideration within the school curriculum and during training dealing with the prevention of discrimination to teachers and staff of the national education system,
- promote action by associations in schools provided their initiatives present the necessary guarantees.

Stereotypes in school text books

93. The HALDE has had a study made of the place of stereotypes and discrimination in school text books and school curricula. This has revealed stereotypes. The HALDE has noted the results of this study and made recommendations to the Ministry of Education.

Setting up an awareness campaign for young people

94. Between July and November 2008, the HALDE targeted young people by creating:

- A blog in which it answered questions and comments and where the bloggers were able to express their commitment.
- A song lyrics writing competition organised with Skyrock at the start of the school year. This was advertised through a poster campaign in partnership with Cidem (Civics and democracy association), in the 11,400 state and subsidised private lower high schools and high schools. A campaign on radio stations for young people was also carried out.

On-line training module

95. An e-learning education module is available to all education professionals, pupils and parents.

This module was designed to be taken up easily by teachers and to be used as a teaching support for discrimination prevention initiatives undertaken within schools.

Training of management staff of the national education system

96. The HALDE has signed a partnership agreement with the national education system's management school (ESEN). The aim: to set up initial and in-work training for the prevention of discrimination for managers of the national education system.

The information campaigns contributed to making the role of the HALDE well-known.

97. The most recent survey carried out in December 2008 by CSA indicated that 44% of people asked knew about the HALDE. 95% considered it important to fight against discrimination and 87% considered that it is a useful body. 91% believed that the existence of local correspondents for the HALDE was positive.

98. Every year, the HALDE presents a report on the fulfilment of its mission to the President of the French Republic, Parliament and the Prime Minister.

ABSTRACT : 2008 in figures

7,788 claims recorded in 2008, an **increase of 25%** compared with 2007.
A third were filed by internet.

50% of claims linked to employment as follows:

- 38% regarding career development and 12% regarding recruitment.
- 33% in the private sector and 17% in the public sector.

29% of claims were connected with origin and 21% disability or health.

68 cases of legal action.

€200,784 is the amount of **damages** awarded by the Court of Appeal to an employee made redundant because of pregnancy.

17 penal transactions.

42 mediations.

€560,000 is the amount in settlement following mediation organised by the HALDE for employment discrimination because of sexual orientation.

299 recommendations were made to the government, local authorities and businesses in 2008. As an example, the HALDE obtained:

- **the removal of age limits** for the recruitment of staff to the public hospital sector and energy public companies;
- **catering for the needs of children with allergies** in school canteens by an increasing number of local authorities;
- a programme to remedy **inequalities linked to gender** in a company following a complaint made by an employee.

50 local correspondents in place at the end of January 2009. There will be 125 by the end of the year.

21,024 calls to +33 (0)8 1000 5000. The HALDE provides a listening and advice service for making up a claim or redirecting people.