

— France and the European Social Charter —

Ratifications

France ratified the European Social Charter on 09/03/1973 and the Revised European Social Charter on 07/05/1999, accepting all of its 98 paragraphs.

It accepted the 1995 Additional Protocol providing for a system of collective complaints on 07/05/1999, but has not yet made a declaration enabling national NGOs to submit collective complaints.

Table of Accepted Provisions

1.1	1.2	1.3	1.4	2.1	2.2	2.3	2.4	2.5	2.6	2.7	3.1
3.2	3.3	3.4	4.1	4.2	4.3	4.4	4.5	5	6.1	6.2	6.3
6.4	7.1	7.2	7.3	7.4	7.5	7.6	7.7	7.8	7.9	7.10	8.1
8.2	8.3	8.4	8.5	9	10.1	10.2	10.3	10.4	10.5	11.1	11.2
11.3	12.1	12.2	12.3	12.4	13.1	13.2	13.3	13.4	14.1	14.2	15.1
15.2	15.3	16	17.1	17.2	18.1	18.2	18.3	18.4	19.1	19.2	19.3
19.4	19.5	19.6	19.7	19.8	19.9	19.10	19.11	19.12	20	21	22
23	24	25	26.1	26.2	27.1	27.2	27.3	28	29	30	31.1
31.2	31.3										
								Grey = accepted provisions			

The Charter in domestic law

Under Article 55 of the Constitution: "Treaties or agreements regularly ratified or approved have, from the time of publication, an authority superior to that of laws, provided, in the case of each agreement or treaty, that it is applied by the other party."

Reports *

Between 1975 and 2015, France submitted 17 reports on the application of the Charter and 14 on the application of the Revised Charter.

The [13th report](#), submitted on 20/11/2013, concerns the accepted provisions relating to Thematic Group 3 "Labour rights" i.e.:

- The right to just conditions of work (Article 2)
- The right to a fair remuneration (Article 4)
- The right to organise (Article 5)
- The right to bargain collectively (Article 6)
- The right to information and consultation (Article 21)
- The right to take part in the determination and improvement of the working conditions and working environment (Article 22)
- The right of dignity at work (Article 26)
- The right of workers' representatives to protection in the undertaking and facilities to be accorded to them (Article 28)
- The right to information and consultation in collective redundancy procedures (Article 29)

Conclusions with respect to these provisions were published in January 2015.

The [14th report](#), submitted on 17/11/2014, concerns the follow-up given to the decisions of the European Committee Social Rights relating to collective complaints lodged against France, as well as the information required by the Committee in the framework of Conclusions 2013 relating to Thematic Group 4 "Health, social security and social protection" (Articles 3, 11, 12, 13, 14, 23 and 30), in the event of non-conformity for lack of information.

Conclusions in respect of these provisions will be published in January 2016.

* Following a decision taken by the Committee of Ministers in 2006 the provisions of the Charter have been divided into four thematic groups. States present a report on the provisions relating to one of the four thematic groups on an annual basis. Consequently each provision of the Charter is reported on once every four years. As from 2014 State Parties having accepted the complaints procedure have to provide a national report every two years only.

Situation of France with respect to the application of the Revised Charter

Examples of progress achieved in the implementation of social rights under the Social Charter¹

Children

- ▶ Extension of the prohibition on employing children under 15 in family businesses in the agricultural sector (Decree No. 97-370 of 14 April 1997) and other sectors (Order No. 2001-174 of 22 February 2001)
- ▶ Measures to assist autistic children – funding of early medico-social action centres (CAMSPs) and special education and home care services (SESSAD) and launch of a long-term action plan on autism.

Health

- ▶ Defrayal of costs of urgent care delivered to foreigners illegally resident in France and non-beneficiaries of State Medical Assistance (circular DHOS/DSS/DGAS No. 2005-141 of 16 March 2005 and the decision of the Conseil d'Etat of 7 June 2006, case No. 285576)
- ▶ Ban on the sale of tobacco to young persons aged under 16 (Act No. 2003-715 of 31 July 2003)
- ▶ Incorporation of the recommendations of the International Commission for Radiation Protection ICRP on dose limits for workers exposed to ionising radiation (Decree No. 2003-296 of 31 March 2003).

Housing

- ▶ Definition of criteria of decent housing (Decree No. 2002-120 of 30 January 2002).
- ▶ Urgent measures to prevent evictions (circular UHC/DH2 No. 2004-10 of 13 May 2004).
- ▶ Establishment of an enforceable right to housing (the "DALO Act", No. 2007-290 of 5 March 2007).
- ▶ Possibility of serious and manifestly illegal breach of a fundamental freedom if the State does not implement the right to emergency shelter guaranteed to any homeless person in medical, mental and social distress, when this has serious consequences for the person concerned (order of the Conseil d'Etat of 10 February 2012, case No. 356456).

Non-discrimination (employment)

- ▶ Abolition of discrimination constituted by differences in treatment between guides certified by the *Réunion des Musées nationaux* and state-certified interpreters and national lecturers, as regards their freedom to conduct guided tours in the Palace of Versailles (Administrative Court of Appeal of Versailles, Judgment of 14 October 2009, *Syndicat National des Professions de Tourisme - SNPT*).

Non-discrimination (sex)

- ▶ Obligation, in companies of over 50 employees, to conduct sectoral negotiations every year with a view to defining and putting in place measures for the abolishment of the gender pay gap (Act of 23 March 2006 on pay equality for men and women).
- ▶ Right granted to employees returning from maternity or adoption leave to benefit from the general pay rises, as well as the average individual wage rise received during the period of leave by workers in the same occupational category (Act of 23 March 2006 on pay equality for men and women).

Non-discrimination (nationality)

- ▶ Abolition of the reciprocity condition governing foreign nationals' entitlement to the adult disabled persons allowance and the supplementary allowance of the old-age solidarity fund (Act No. 98-349 of 11 May 1998).
- ▶ Extension of eligibility for social assistance, without reciprocity conditions, to all nationals of states party (Circulars of 21 August 1974 and of 10 October 1989).
- ▶ Abolition of discrimination based on nationality for access to public service posts and the management of trade unions (Act No. 82-915 of 28 October 1982).
- ▶ Abolition of the requirement for foreign nationals to produce security before taking legal action (Act No. 75-596 of 9 July 1975).

¹ « 1. The [European Committee of Social Rights] ... rules on the conformity of the situation in States with the European Social Charter, the 1988 Additional Protocol and the Revised European Social Charter. 2. It adopts conclusions through the framework of the reporting procedure and decisions under the collective complaints procedure » (Article 2 of the Rules of the Committee).

Non-discrimination (disability)

► General principles governing the rights of persons with disabilities: access to fundamental rights, citizenship, compensation, resources, advice and information, assessment of needs, accessibility, etc. (Act No. 2005-102 of 11 February 2005 on equal rights and opportunities, participation and citizenship of persons with disabilities).

Non-discrimination (financial circumstances)

► Repeal of articles of the Electoral Code depriving social assistance recipients of the right to be elected to municipal councils (Act No. 75-534 of 30 June 1975).

Non-discrimination (birth)

► Abolition of discrimination between legitimate and illegitimate children with regard to inheritance rights (revision of the Civil Code by Act No. 2001-1135 of 3 December 2001 on the reform of the inheritance rights of surviving spouses and illegitimate children).

Employment

► Repeal of the provisions of the Criminal and Merchant Marine Disciplinary Codes authorising penal sanctions for disciplinary offences committed by seafarers where neither the safety of the vessel nor the life and health of those on board were endangered (Social Modernisation Act, No. 2002-73 of 17 January 2002).

► Right of a female employee who is pregnant or on maternity leave and who is dismissed in contravention of Article L.122.25.2 of the Labour Code to apply to be reinstated in her former post (Court of Cassation, judgment of 9 October 2001, Mrs Hille v. société SVP Service).

► Implementation of measures to re-evaluate the compensation rate for the payment of overtime worked by national police officers and adoption of Decree No. 2008-199 of 27 February 2008 (published in the Official Journal of 29 February 2008).

► All agreements fixing the number of working days for managers (*forfait-jour*, remuneration based on the calculation of the number of hours worked on an annual, rather than a weekly basis) shall be laid down in a collective agreement whose clauses guarantee the respect of maximum working time as well as daily and weekly rest periods, and the protection of the occupational safety and health of the worker in question (the right to health and to rest periods being guaranteed by the Constitution). It is not sufficient that these guarantees be fixed in the employment contract alone (Court of Cassation, judgment of 29 June 2011, Mr X... v. Société Y... and Court of Cassation, judgment of 31 January 2012, Mr Bernard Mottet v. Société Métaux Spéciaux (MSSA)). The breach by the employer of the provisions relating to procedures for monitoring the organisation of work of employees who come under the annual working days system does not question the validity of the annual working days system itself, but gives rise to the right of the employee to claim damages; individual annual working days systems should provide guarantees of compliance with maximum daily and weekly working hours and rest periods; the terms of a collective agreement will be annulled if they are insufficient to protect the safety and health of employees, or if they do not provide regular and accurate monitoring of employees' activities; the annual working days system will be judged invalid if the provisions of the agreement at the enterprise level and those of the collective agreement are not likely to ensure that the workload is reasonable and provide a good distribution over time of the employee's work (Cass. Soc, 29 June 2011, Mr X ... v. Société Y...; 26 September 2012, No. 11-14.540; 24 April 2013, No. 11-28.398).

► Postponement of accrued leave after the resumption of work when the employee is unable to take annual paid leave during the year stipulated by the Labour Code or a collective agreement, as a result of absences due to employment injury or occupational disease (Court of Cassation, judgment of 27 September 2007, Société Arcadie distribution Sud-Ouest v. M. Michel Vallantin ; Court of Cassation, judgment of 24 February 2009, Mrs X... v. Caisse primaire d'assurance maladie (CPAM) de Creil).

► In order to make a pay comparison, the judge must engage in a comparative analysis of the functions, tasks and responsibilities of the employees concerned (Cass. soc. 1 July 2009; Cass. soc. 28 September 2010). In an economic and social unit (ESU) that is composed of persons who are in legally different situations, in order to determine the level of remuneration of an employee, there can be no comparison between the conditions of remuneration of this employee and other employees in the economic and social unit, unless these conditions are established by law or collective agreement, as well as where work of these employees is accomplished in the same establishment (Cass soc, 1 June 2005; Cass soc, 2 June 2010).

► The Bercy Agreements of 2 June 2008 on the renewal of social dialogue in the civil service (which were incorporated into Act No. 2010-751 of 5 July 2010 on the renewal of social dialogue and into the

conclusions on the modernisation of trade union rights and methods of 29 September 2011) set in 2012 the arrangements for the exercise of the right of public officials to organise on Decree No. 82-447 of 28 May 1982 (state officials), Decree No. 85-397 of 3 April 1985 (local and regional government officials) and Decree No. 86-660 of 19 March 1986 (hospital staff). This legislation broadens the access to workplace elections by removing the requirement for trade union organisations to fulfil certain representativeness criteria or to benefit from a presumption of representativeness to present lists.

Movement of persons

- ▶ Extension of categories of foreign nationals whose length of residence makes them ineligible for deportation (Act No. 89-548 of 2 August 1989).
- ▶ Retention of 21 as the age limit for family reunion for the children of nationals of states party other than EU members or EEA parties (Cyprus, Malta, Turkey), so long as they are genuine dependents of the applicant (circular of 1 March 2000 on family reunion of foreign nationals).

Cases of non-conformity

Thematic Group 1 “Employment, training and equal opportunities”

▶ *Article 10§5 – Right to vocational training – Full use of facilities available*

Equal treatment of nationals of other States Parties lawfully resident or regularly working in France is not guaranteed as regards access to scholarships granted on the basis of social criteria for higher education (Conclusions 2012)

▶ *Article 15§1 – Right of persons with disabilities to independence, social integration and participation in the life of the community - Education and training for persons with disabilities*

Persons with autism are not guaranteed effective equal access to education (Autism-Europe v. France (no. 13/2002)) (Conclusions 2012)

▶ *Article 18§1 - Right to engage in a gainful occupation in the territory of other States Parties - Applying existing regulations in a spirit of liberality*

It has not been established that existing regulations are applied in a spirit of liberality. (Conclusions 2012)

▶ *Article 20 - Right to equal opportunities and equal treatment in employment and occupation without sex discrimination*

Legislation only permits equal pay comparisons between employees working for the same company or undertaking. (Conclusions 2012)

Thematic Group 2 “Health, social security and social protection”

▶ *Article 3§2 – Right to safe and healthy working conditions - Safety and health regulations*

The occupational health and safety legislation and regulations do not afford self-employed workers adequate protection. (Conclusions 2013)

▶ *Article 11§1 – Right to protection of health– Removal of the causes of ill-health*

Migrant Roma do not enjoy an adequate access to health care (Conclusions 2013)

▶ *Article 11§2 – Right to protection of health– Advisory and educational facilities*

Opportunities for pregnant Roma women and children to have access to free and regular consultations and screening are insufficient. (Conclusions 2013)

▶ *Article 11§3 – Right to protection of health–Prevention of diseases and accidents*

Lack of prevention of diseases and accidents in the Roma community. (Conclusions 2013)

- *Article 12§4 – Right to social security – Social security of persons moving between States*
1. Equal treatment with regard to social security rights is not guaranteed to nationals of all other States Parties;
 2. The right to maintenance of accruing rights is not guaranteed to nationals of all other States Parties.
- (Conclusions 2013)

- *Article 13§1 – Right to social and medical assistance – Adequate assistance for every person in need*
1. Young persons in need aged under 25 are not all entitled to social assistance;
 2. It has not been established that the level of social assistance is adequate;
 3. Foreign nationals with temporary residence permit are only entitled to the RSA benefit after having resided in France for 5 years, unless they are EU nationals.
- (Conclusions 2013)

- *Article 30 – Right to be protected against poverty and social exclusion*
1. That follow-up of decisions on the merits of Collective Complaints No. 33/2006 and 51/2008 remains unsatisfactory;
 2. That there was discrimination of migrant Roma in respect of housing policy during the reference period.
- (Médecins du Monde - International v. France (No. 67/2011)).
- (Conclusions 2013)

Thematic Group 3 “Labour rights”

- *Article 2§1 - Right to just conditions of work - Reasonable working time*
- On-call periods during which no effective work is undertaken are assimilated to rest periods.
(Confédération Générale du Travail (CGT) v. France (No. 55/2009))
(Confédération Française de l'Encadrement (CFE-CGC) v. France (No. 56/2009))
(Conclusions 2014)

- *Article 2§5 - Right to just conditions of work - Weekly rest period*
- On-call periods, occurring on Sunday, are wrongly regarded as rest periods.
(Confédération Générale du Travail (CGT) v. France (No. 55/2009))
(Conclusions 2014)

- *Article 4§2 - Right to a fair remuneration - Increased remuneration for overtime work*
1. The number of hours of work performed by employees who come under the annual working days system and who do not benefit from a higher rate for overtime, under this flexible working time system, is abnormally high.
(Confédération Française de l'Encadrement (CFE-CGC) v. France (No. 9/2000 and No. 16/2003))
(Conclusions 2007)
 2. On-call periods during which no effective work is undertaken are assimilated to rest periods.
(Confédération Générale du Travail (CGT) v. France (No. 55/2009))
(Confédération Française de l'Encadrement (CFE-CGC) v. France (No. 56/2009))
(Conclusions 2014)
 3. The flat rate compensation for overtime work performed by the ordinary members of the supervision and enforcement corps of the police does not guarantee an increased rate of remuneration.
(European Council of Police Trade Unions (CESP) v. France No. 57/2009)
(Conclusions 2014)
 4. The increase in the command bonus for senior managers can only compensate a very small number of overtime hours and compensatory time off provided to senior police officers working overtime when performing certain duties are equivalent in length to the overtime worked.
(European Council of Police Trade Unions (CESP) v. France No. 68/2011))
(Conclusions 2014)

- *Article 4§4 - Right to a fair remuneration - Reasonable notice of termination of employment*
- The statutory notice periods are not reasonable notice for employees with seven to ten years of service.
(Conclusions 2014)

► *Article 6§4 - Right to bargain collectively - Collective action*

Only representative trade unions have the right to call strikes in the public sector
([Conclusions 2014](#))

Thematic Group 4 “Children, families, migrants”

► *Article 7§2 – Right of children and young persons to protection - Prohibition of employment under the age of 18*

The legislation does not lay down an absolute prohibition for persons under the age of 18 to work on dangerous activities outside the vocational training context or without having had such training beforehand.

([Conclusions 2011](#))

► *Article 8§3 - Right of employed women to protection of maternity - Time off for nursing mothers*

1. The remuneration of breastfeeding breaks is not guaranteed for employed women covered by the Labour Code.
2. Women working in the civil service are not entitled to breastfeeding breaks

([Conclusions 2011](#))

► *Article 16 – Right of the family to social, legal and economic protection*

The housing conditions of Travellers' families are not adequate.

([Conclusions 2011](#))

► *Article 17§1 – Right of mothers and children to social and economic protection – Assistance, education and training*

1. All forms of corporal punishment of children are not prohibited;
2. The maximum periods of pre-trial detention of children are too long.

([Conclusions 2011](#))

► *Article 19§4 - Right of migrant workers and their families to protection and assistance - Equality regarding employment, right to organise and accommodation*

1. It has not been established that in respect of access to employment, working conditions and accommodation migrant workers enjoy treatment which is not less favourable than that of nationals;
2. The housing conditions of Roma migrant workers in a legal situation are not adequate.

([Conclusions 2011](#))

► *Article 19§6 - Right of migrant workers and their families to protection and assistance - Family reunion*

The requirement for foreign nationals wishing to be joined by their close relatives to have been residing lawfully in France for at least eighteen months is excessive.

([Conclusions 2011](#))

► *Article 19§8 - 6 Right of migrant workers and their families to protection and assistance - Guarantees concerning deportation*

During the reference period Roma were expelled for reasons not permitted by the Charter.

([Conclusions 2011](#))

► *Article 19§10 - Right of migrant workers and their families to protection and assistance - Equal treatment for the self-employed*

The situation in France is not in conformity with Article 19§10 of the Charter on the same grounds for which it is not in conformity with paragraphs 4, 6 and 12 of the same Article.

([Conclusions 2011](#))

► *Article 19§12 - Right of migrant workers and their families to protection and assistance - Teaching mother tongue of migrant*

It has not been established that France promotes and facilitates the teaching of the migrant worker's mother tongue to the children of migrant workers.

([Conclusions 2011](#))

► *Article 31§1 – Right to housing - Adequate housing*

1. The length of residence requirement to be entitled to submit an application to the committee in charge of the DALO procedure is excessive;
2. Unfit housing is considerable and suitable amenities are lacking for a large number of dwellings;
3. Failure to create a sufficient number of stopping places for Travellers and poor living conditions and operational failures on such sites;
4. Access to housing for settled Travellers is lacking;
5. Progress as regards the eradication of substandard housing conditions are insufficient for a large number of Roma.

(European Federation of National Organisations Working with the Homeless (FEANTSA) v. France (No. 39/2006) for all the above grounds except the first one, and European Roma Rights Centre (ERRC) v. France (No. 51/2008) for the third and fifth grounds).

[\(Conclusions 2011\)](#)

► *Article 31§2 – Right to housing - Reduction of homelessness*

1. The measures to reduce the number of homeless persons are insufficient;
2. The implementation of the legislation on the prevention of evictions is not satisfactory and there is a lack of measures to provide rehousing solutions for evicted families;
3. Travellers' human dignity was not respected while carrying out eviction procedures.

(International Movement ATD Fourth World v. France No. 33/2006, European Federation of National Organisations Working with the Homeless (FEANTSA) v. France (No. 39/2006) and European Roma Rights Centre (ERRC) v. France (No. 51/2008)).

[\(Conclusions 2011\)](#)

► *Article 31§3 – Right to housing - right to affordable housing*

1. Insufficient supply of housing accessible to low-income groups and of social housing, in particular because of the shortfall of construction of social housing and of shortcomings of the system of legal redress;
2. The social housing allocation system and the related remedies are not functioning correctly;
3. The implementation of legislation on stopping places for Travellers is deficient.

(International Movement ATD Fourth World v. France No. 33/2006 and European Federation of National Organisations Working with the Homeless (FEANTSA) v. France (No. 39/2006)).

[\(Conclusions 2011\)](#)

The European Committee of Social Rights has been unable to assess compliance with the following rights and has invited the French Government to provide more information in the next report in respect of the following provisions:

Thematic Group 1 “Employment, training and equal opportunities”

(Report submitted on 9 December 2015)

- Article 1§2 – Conclusions 2012
- Article 10§§1 and 4 – Conclusions 2012
- Article 15§§2 and 3 – Conclusions 2012
- Article 18§2 – Conclusions 2012
- Article 24 – Conclusions 2012

Thematic Group 2 “Health, social security and social protection”

(Report to be submitted before 31 October 2016)

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Thematic Group 3 “Labour rights”

(Report to be submitted before 31 October 2013)

- Article 2§2 – Conclusions 2014
- Article 4§1 – Conclusions 2014
- Article 4§5 – Conclusions 2014
- Article 5 – Conclusions 2014

Thematic Group 4 “Children, families, migrants”

(Report to be submitted before 31 October 2014)

► Article 19§§1 and 11 – Conclusions 2011

Collective Complaints and State of Procedure in France²

Collective complaints (under examination)

European Council of Police Trade Unions (CESP) v. France (No. 101/2013)

Collective complaints (proceedings completed)

1. Complaints inadmissible or where the Committee has found no violation

a. Inadmissibility

Syndicat national des dermato-vénérologues (SNDV) v. France (No. 28/2004)
Inadmissibility decision of 13 June 2005.

SAIGI-Syndicat des Hauts Fonctionnaires v. France (No. 29/2005)
Inadmissibility decision of 14 June 2005.

b. No violation

European Federation of Employees in Public Services v. France (No. 2/1999)
Non-violation of Articles 5 and 6 (right to organise and to bargain collectively), decision on the merits of 4 November 2000.

Syndicat occitan de l'Education v. France (No. 23/2003)
Non-violation of Articles 5 (right to organise) and 6§1 (right to joint consultation), decision on the merits of 7 September 2004.

Syndicat des Agrégés de l'Enseignement supérieur (SAGES) v. France (No. 26/2004)
Non-violation of Article 5 (right to organise) and Article E (non-discrimination), decision on the merits of 15 June 2005.

Confédération française démocratique du travail (CFDT) v. France (No. 50/2008)
Non-violation of Articles 4 (right to a fair remuneration), 12 (right to social security), 18 (right to engage in a gainful occupation in the territory of other States Parties) and 19 (right of migrant workers and their families to protection and assistance) in conjunction with Article E (non-discrimination), decision on the merits of 9 September 2009.

European Council of Police Trade Unions (CESP) v. France (No. 54/2008)
Non-violation of Articles 2§1 (reasonable working time) and 4 (right to a fair remuneration), decision on the merits of 2 December 2010.

Syndicat de Défense des Fonctionnaires v. France (No. 73/2011)
Non-application of Articles 2§6 (information on the employment contract), 20 (right to equal opportunities and treatment in employment and occupation without sex discrimination) and E (non-discrimination) in conjunction with Article 20, non-violation of Articles 12 (right to social security) et 1§2 (right to work – freely undertaken work), decision on the merits of 12 September 2012.

Union syndicale des magistrats administratifs (USMA) v. France (No. 84/2012)
No violation of Article 4§2 (the right to increased rate of remuneration for overtime work) of the European Social Charter (Revised), decision on admissibility and the merits of 2 December 2013.

² The caselaw of the Committee relative to collective complaints may be consulted on the European Social Charter website on the [Collective Complaint webpage](#). Searches on complaints may also be carried out in the [European Committee of Social Rights Caselaw database](#).

Comité européen d'action spécialisée pour l'Enfant et la Famille dans leur milieu de vie (EUROCEF) v. France (n° 82/2012)

No violation of Articles 16 (right to appropriate social, legal and economic protection for the family) and 30 (right to protection against poverty and social exclusion), taken alone or in combination with Article E (non-discrimination) of the European Social Charter (Revised), decision on recevability and on the merits of 19 March 2013.

2. Complaints where the Committee has found a violation which has been remedied

Syndicat national des Professions du Tourisme v. France (n° 6/1999)

Violation of Articles 1§2 (prohibition against all forms of discrimination in access to employment), 10 (the right to vocational training) and E (non-discrimination) of the Revised European Social Charter, decision on the merits of 10 October 2000.

Fédération internationale des Ligues des Droits de l'Homme v. France (No. 14/2003)

Violation of Article 17§1 (children's right to social, economic and legal protection), decision on the merits of 8 September 2004.

Syndicat Sud Travail Affaires Sociales v. France (No. 24/2004)

Violation of Article 1§2 (prohibition of discrimination in employment), decision on the merits of 8 November 2005.

3. Complaints where the Committee has found a violation and where progress has been made but not yet examined by the Committee

Action européenne des handicapés (AEH) c. France (n° 81/2012)

Violation of Articles 10 (right to vocational training), 15 (right of persons with disabilities to independence, social integration and participation in the life of the community), taken alone or in combination with Article E (non-discrimination) of the European Social Charter (Revised), decision on the merits of 11 September 2013.

Resolution Res/CMChS(2014) 2 of 5 February 2014.

4. Complaints where the Committee has found a violation which has not yet been remedied

Confédération française de l'Encadrement-CGC v. France (No. 9/2000)

Violation of Articles 2§1 (right to reasonable working hours) and 4§2 (right to increased rate of remuneration for overtime work), decision on the merits of 16 November 2001.

Autism-Europe v. France (No. 13/2002)

Violation of Articles 15 (right of persons with disabilities to education and training), 17§1 (children's right to social, economic and legal protection) and E (non-discrimination), decision on the merits of 4 November 2003.

Confédération française de l'Encadrement-CGC v. France (No. 16/2003)

Violation of Articles 2§1 (right to reasonable working hours) and 4§2 (right to increased rate of remuneration for overtime work), decision on the merits of 12 October 2004.

Confédération Générale du Travail v. France (No. 22/2003)

Violation of Articles 2§§1 and 5 (right to reasonable working hours and right to a weekly rest period), decision on the merits of 7 December 2004.

European Council of Police Trade Unions (CESP) v. France (No. 38/2006)

Violation of Article 4§2 (right to increased rate of remuneration for overtime work), decision on the merits of 3 December 2007.

International Movement ATD Fourth World v. France (No. 33/2006)

Violation of Articles 30 (right to protection against poverty and social exclusion) (alone and in conjunction with Article E - non-discrimination), 31§§1 and 2 and 31§3 (right to housing) in conjunction with Article E, decision on the merits of 5 December 2007.

European Federation of National Organisations Working with the Homeless (FEANTSA) v. France (No. 39/2006)

Violation of Article 31§§1 and 2 and Article 31§3 in conjunction with Article E (non-discrimination), decision on the merits of 5 December 2007.

European Roma Rights Centre v. France (No. 51/2008)

Violation of Articles 31§§1 and 2 (right to housing), 16 (right of the family to social, legal and economic protection) and 30 (right to protection against poverty and social exclusion), read alone and in conjunction with Article E (non-discrimination), and 19§4c (right of migrant workers and their families to protection and assistance), decision on the merits of 19 October 2009.

Confédération Générale du Travail (CGT) v. France (No. 55/2009)

Violation of Articles 2§1 (reasonable working time), 2§5 (weekly rest period) and 4§2 (right to a fair remuneration), decision of the merits of 23 June 2010.

Confédération française de l'Encadrement (CFE-CGC) v. France (No. 56/2009)

Violation of Article 2§1 (reasonable working time), decision on the merits of 23 June 2010.

European Council of Police Trade Unions (CESP) v. France (No. 57/2009)

Violation of Article 4§2 (right to a fair remuneration), decision of the merits of 1 December 2010.

Centre on Housing Rights and Evictions (COHRE) v. France (No. 63/2010)

Violation of article E (non-discrimination) in conjunction with articles 31§2 (right to housing - reduction of homelessness) and 19§8 (guarantees concerning deportation), decision on the merits of 28 June 2011.

European Roma and Travellers Forum (ERTF) v. France (No. 64/2011)

Violation of Article E (non-discrimination) in conjunction with Articles 19§8, (guarantees concerning deportation) 30 (right to protection against poverty and social exclusion), 31§§1, 2 and 3 (right to housing) and Article 16 (right of the family to social, legal and economic protection) of the Revised Charter, decision of the merits of 24 January 2012.

Médecins du Monde –International v. France (No. 67/2011)

Violation of Article E (non-discrimination), in conjunction with Articles 31§§1 et 2 (right to housing), 16 (right of the family to social, legal and economic protection), 30 (right to protection against poverty and social exclusion), 19§8 (guarantees concerning deportation), 17§2 (children's right to social, economic and legal protection), 11§§ 1, 2 et 3 (right to protection of health), 13 §§1 et 4(right to social and medical assistance) ; decision of the merits of du 11 September 2012.

European Council of Police Trade Unions v. France (No. 68/2011)

Violation of Article 4§2 (right to a fair remuneration), decision of the merits of 23 October 2012.

Association for the Protection of All Children (APPROACH) Ltd v. France (No. 92/2013)

Violation of Article 17 (the right of mothers and children to social and economic protection), decision on the merits of 12 September 2012.