



NEWS REPORT

Date: 8 February 2010
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Title: Report of the Commission of experts on the measure and evaluation of diversity and discrimination (COMEDD), submitted on 5 February 2010
Country: France
Context
Issue at stake: The Commission presided by the former Director of the National Demographic Institute (INED), François Hérand, was mandated by the Commissioner for Diversity and Equal Opportunity, Yasid Sabeg, to undertake a massive consultation in order to submit recommendations on the opportunity to develop statistics in order to monitor ethnic discrimination
Ground of discrimination: Ethnic origin
Source: Political Development
Field: all fields
Legislative provisions: Law no 78-17 of 6 January 1978 on the Protection of Computer Data and Freedoms

Content

This report is the result of a massive consultation by members of the Comedd to statistics experts, political scientists, legal experts and representatives of various stakeholders, in order to evaluate the existing practice of public statistics, research units and legal requirements and to submit to Government recommendations on the opportunity to develop new statistical approaches and institutional schemes in order to improve the monitoring of ethnic discrimination and create new tools to fights against discrimination. The Commission, mandated in March 2009, received 54 memoirs, proceeded to 12 days of plenary hearings and consultations. It handed its report on 5 February 2010.

The report first provides an overview of all previous discussions amongst scholars over the last 20 years, all existing methodological possibilities and summarises the relevance of statistics in for the constructction of public policy, the fight against discrimination in order to control and insure the efficiency of public policy and law enforcement. In order to formulate propositions that conform to the requirements of the decisions of the Constitutional Council of 15 November 2007, it discusses all available indications of origin that could be used in order to construct an objective evaluation. It however underlines the necessity to question subjective parameters in research pursuing more scientific goals. Although it concludes to the necessity to

overcome present reservations and develop tools and approaches to monitoring, it goes on to underline that the necessary statistical approach be built by taking in consideration not only indications of origin but also the combined impact of social origin.

The report proposes to development of three types of studies:

- Including to the census data on nationality and language of citizens and their parents and creating a follow up national study on discrimination related to the exploitation of data on the census to be engaged every five years – this does not require any modification to present legislation;
- Classical studies through public research followed up by special authorizations of the HALDE and CNIL, under the present derogation scheme in place under the present data protection legislation. The report expressly rejects any amendment of the present law to include a thematic derogation on data related to origin. In this context it further proposes that the HALDE be designated as observatory on discrimination in order to develop indicators, coordinate studies and receive a mandate to publish an annual report on the national situation on discrimination
- Employment management indicators to be submitted by each employer of over 250 employees as a legal requirement of control of Human Resources processes, administered by authorized third party consultants directly with employees, and the results of which would be monitored by the HALDE.

Internet link source:

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