Non-discrimination, participation and inclusion of Older Persons: Facts and Acts in France
"NON DISCRIMINATION ON THE BASIS OF AGE": how the notion slowly gained strength since the 90’s before achieving full legal recognition

A PROGRESSIVE CHANGE OF PERSPECTIVE ON “OLD AGE”: from solidarity to responsibility expressed by a continuity of public Plans (2003 – now)

“BE THERE AND PARTICIPATE “: a number of initiatives to effectively adapt society to Ageing
Non-discrimination:  
A tale of Two Dynamics

The concept that age could be numbered amongst prohibited discrimination criteria recently emerged in France, along two different dynamics:

- As a concern for the employment level of the Seniors (economic reasoning)

- As an element of the promotion of « diversity » inside French society (fight against discrimination)
In the 90’s : « Age » is a New concept

• Age Discrimination : **GB** : 1930’s; **USA** : 1960’s (*Civil Rights Act, (1964); Age discrimination in Employment Act* (1967)); **France**, in the medias, 1990’s

• A narrow interpretation of what « Age » stands for:
  - **Seniors** (vs. Youth)
  - **Aged workers** (vs. older persons)
  - **Employment** (vs. access to healthcare, etc.)
Age discrimination is linked with seniors’ employment level

European Employment Strategy, Stockholm Summit, 2001
Objective: 50 % employment rate for the 55-64 y.o. by 2010

A growing issue in the national agenda (pensions), and a new dimension inside the company (“age management”):

- **2005**: Law for Social Cohesion, focusing on old age training; “Interprofessionnal national agreement on seniors’ employement” (age and performance)

- **2006-2009**: National Action Plan for Seniors’ Employment. 1 % wage bill tax for companies without a specific plan
2000’s: “age discrimination” fully recognized by Law

An European momentum: Directives “Race” and “Employment” (2000); “Equality” (2006); proposition “Equal treatment” (2008)

2001 Law on Discriminations: “No person can be denied recruitment procedure opportunities (...), no employee can be sanctioned, laid off or be the object of a discriminatory measure because of origin, sex, manners, sexual orientation, age (...
HALDE to Halt Age Discrimination

2004 High Authority of Fight against Discrimination and for Equality (HALDE); 2008 “Défenseur des Droits” (DDD)

A progressive and steady position, by:
- **Quality** : age is identified as one of the main criteria for discrimination
- **Quantity** : cases are numbered ("testing"); discrimination criteria are classified
- **Extension** : to “youth”; access to service, housing, etc.
A new perspective on Age: from Solidarity to Responsibility

August 2003: a sudden heatwave kills 15 000 people in 20 days; 82% were over 75; most died alone, causing a national trauma; the debate on «solidarity» rapidly translates into facts:

- **2004** Law creates a «Day of Solidarity»; creation of the National Solidarity Fund for Autonomy (CNSA)
- **2007-2011** «National Plan for Ageing Well» focused on cultural changes and attitudes
New initiatives to adapt society to Age...

New focus on the importance of developing bonds between generations to reinforce social cohesion:

• “La Semaine Bleue” (The Blue Week); “Un toit, deux générations”; “Ensemble demain”

Increased account being taken of Older Persons’ opinions on public policies:

• National committee of the Pensioners and Elderly people (CNRPA, 1982, reactivated with extended capacity in 2006)
...with a diversity of actors

- General public involved: 2011 National Debate on Ageing and Autonomy; 12 000 people debating

- Professionnals and experts; NGOs; think tanks: « Observatoire de l’Agisme », experts and professionnals, “fighting all forms of discrimination, of segregation, of contempt based on age “

- Regional and local authorities, cities: Dijon, « Observatoire de l’Age », 13th September 2012
Sept. 2012. Stravinsky’s *Rite of Spring*, performed by aged amateurs at the Lyon Dance Biennale.