

Defender of Rights – France

Brief profile

Contact details

- **Postal address:** Rue Saint Florentin 7, 75008 Paris, France
- **Website:** www.defenseurdesdroits.fr
- **General email address:** communication@defenseurdesdroits.fr
- **Helpline and telephone number:** +33 (0) 1 53 292 200
- **Contact person for media enquiries:** Claire Lancry
(claire.lancry@defenseurdesdroits.fr)

Overview

The Defender of Rights is an independent administrative entity, whose legal authority has been inscribed in the Constitution since July 23rd 2008 and was established by the organic law passed on March 29th 2011. This newly-created institution is the successor of four previous entities: the Mediator of the Republic, the Defender of Children, the High authority in the fight against Discrimination and for Equality (HALDE), and the National Commission on Security Ethics (CNDS).

Type of equality body

The *Defender of Rights* is a predominantly promotion-type and legal support body¹.

Grounds and fields of discrimination covered

Grounds	Fields	
	Employment	Beyond employment (education, goods & services, housing, etc.)
Gender	◆	◆
Race and ethnic origin	◆	◆
Age	◆	◆
Disability	◆	◆
Sexual orientation	◆	◆
Religion and belief	◆	◆
Other *	◆	◆

* Way of life, Genetic characteristics, Health, Family/marital status, Surname, Political opinion, Pregnancy, Union activity, Physical appearance

¹ According to a [European Commission study on Equality Bodies](#), predominantly promotion-type equality bodies “spend the bulk of their time and resources on a broader mix of activities that include supporting good practice in organisations, raising awareness of rights, developing a knowledge base on equality and non-discrimination, and providing legal advice and assistance to individual victims of discrimination” (page 44).

Detailed profile

Brief history

Since 1 May 2011, the functions and competences of the former Mediator of the Republic, the Defender of Children, the National Commission on Security Ethics, and the High Authority in the Fight against Discrimination and for Equality (HALDE) have been merged into one institution called the *Defender of Rights*. The objective of this reform is to streamline the system guaranteeing the protection of rights under one unique authority.

The Defender of Rights exercises his function in an independent manner with regard to other institutions. Since 22 June 2011, Dominique Baudis has been appointed Defender of Rights.

As such, the Defender of Rights acts as a unique representative. Any person or corporate body can directly reach the Defender on various matters spanning from the defence of rights (especially children's rights), liberties and issues of discrimination.

Moreover, his autonomy is protected by a series of legal provisions:

- He cannot end his functions before the expected end of his term, unless a college composed of the chiefs of the three highest French jurisdictions, declare that there is an impediment to the Defender's function;
- He cannot be pursued, wanted, arrested, detained or judged neither for his opinions nor his acts linked to the exercise of his functions;
- He will receive no instruction from any authority, person or other forms of organized groups of pressure;
- His missions and functions will not be held concurrently with an elected mandate, another public function, or any other professional activity.

Mandate

- **Powers:** the *Defender of Rights* is a predominantly promotion-type and legal support body;
- **Litigation powers:**
 - Intervening before the court;
 - Formally deciding on complaints (decision or recommendation) – *not legally binding*.

Grounds and fields of discrimination covered

Grounds	Fields				
	Employment	Education	Housing	Social protection	Goods and Services
Gender	♦	♦	♦	♦	♦
Race and ethnic origin	♦	♦	♦	♦	♦
Age	♦	♦	♦	♦	♦
Disability	♦	♦	♦	♦	♦
Sexual orientation	♦	♦	♦	♦	♦
Religion and belief	♦	♦	♦	♦	♦
Other *	♦	♦	♦	♦	♦

* Way of life, Genetic characteristics, Health, Family/marital status, Surname, Political opinion, Pregnancy, Union activity, Physical appearance

Activities

- Promotional activities aimed at duty bearers (by way of trainings, guidance material, etc.);
- Promotional activities aimed at potential victims (trainings, awareness raising, etc.);
- Communication activities;
- Publications and research projects;
- Number of inquiries / complaints lodged and cases handled per year: **100 000**

Structure

1. Management structure

- Type: single headed equality body (led by director or ombudsman/commissioner);
- Details: the Defender of Rights is a Single headed institution. The Defender is assisted by three special deputies possessing competences in the specialized fields of action of the Defender (Children's rights, Ethics of security, and the Fight against discriminations) and 3 advisory colleges in these same fields. At the level of services the Defender has one secretary general dealing with the content and a general director of services is responsible for HR, Budget and all administrative issues.

2. Institutional structure

- Type: the organisation consists of offices of ombudsmen;
- Details: the Defender of rights has retained, by the constitutional law, the prerogatives held by the former Mediator of the Republic, the Defender of Children, the National Commission on Security Ethics, and of the High Authority in the fight against discrimination and for equality.

3. Nomination of senior staff and board: the Defender of Rights is appointed by the President of the Republic for a non-renewable 6 year mandate. However, the commissions of the National Assembly and the Senate can block the decision with a vote representing at least 3/5th of the votes.

4. Number of staff: 84

Operating budget (for the parts of the organization dealing with equality issues)

11 million €

Accountability (reporting to)

[TBC]

Contact details (address, key contact person, website)

Address:

Défenseur des Droits

7, rue Saint Florentin

75008 Paris, France

Tel.: +33 1 53 292 200

Main contact person:

Néphéli Yatropoulos

nepeli.yatropoulos@defenseurdesdroits.fr

Website: www.defenseurdesdroits.fr