

URGENT ACTION

MIGRANT FAMILY FACE NEW EVICTION THREAT

Moroccan migrants Abdelilah Ghailan, Fatima Zohra Alami Wahabi and their two children were to have been forcibly evicted from their house in Madrid on 24 June. The eviction was prevented by the presence of Amnesty International members, other social activists and journalists, but the family now face eviction as early as 22 August.

On 29 July, representatives of Amnesty International Spain met in the city hall with a senior official representing the Mayor, who said the authorities still intended to carry out the eviction orders. According to two local NGOs, which had access to more recent information from City Council officials, the eviction is now set to start on 22 August.

Abdelilah Ghailan, a 33-year-old building worker, and Fatima Zohra Alami Wahabi, 27, are Moroccan immigrants. They have lived in Cañada Real Galiana, south-east Madrid, for seven years; they have two children, aged three and six.

Under legislation on the Cañada Real Galiana, approved by the autonomic parliament of Madrid in March 2011 and providing a legal framework for urban regeneration of the area, all evictions must be carried out after full consultation with those affected. Abdelilah Ghailan and Fatima Zohra Alami Wahabi have not been consulted. No alternative accommodation or compensation is known to have been offered to the family. If they are evicted without an offer of alternative accommodation, they will be left homeless.

Please write immediately in Spanish, English or your own language:

- Urging the authorities to ensure that Abdelilah Ghailan, Fatima Zohra Alami Wahabi, their children and other families living in Cañada Real Galiana are not forcibly evicted from their homes;
- reminding them that forcible eviction violates several international and regional human rights standards, including the right to adequate housing, and that under international law an eviction should only be carried out as a last resort and in full respect of the guarantees established by regional and international standards of human rights;
- demanding guarantees from the authorities that eviction will take place only after all possible alternatives have been considered, in genuine consultation with those affected and after compensation or alternative housing have been provided.

PLEASE SEND APPEALS BEFORE 28 SEPTEMBER 2011 TO:

Mayor of Madrid

Alberto Ruiz Gallardón
Calle Montalbán, 1
28014 Madrid

E-mail: alcalde@madrid.es

Salutation: Dear Mayor / Señor Alcalde

And copies to:

President, Madrid Regional Government

Esperanza Aguirre
Puerta del Sol, 7
28013 Madrid

E-mail: presidenta@madrid.org

Salutation: Dear President of Madrid's
Regional Government / Señora
Presidenta de la Comunidad de Madrid

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

name address 1 address 2 address 3 address 4 fax: fax number email: email address salutation: salutation

Please check with your section office if sending appeals after the above date. This is the first update of UA 185/11. Further information:

<http://www.amnesty.org/en/library/info/EUR41/009/2011/en>

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ADDITIONAL INFORMATION

Traditionally, the land in Cañada Real Galiana was reserved for the passage of livestock, and any construction activity was forbidden in the area. In the last 30 years, however, Spanish and migrant families have settled and built their houses in this area. The authorities did not resist this practice until 2005. Very few judicial proceedings for the demolition of houses began before 2005, while since that year the number of such proceedings increased dramatically.

Madrid city hall has begun judicial proceedings to re-establish control over development in the area, by demolishing houses, whether built recently or decades ago. Officials of the city hall told Amnesty International that the decision to start evictions was necessary to stop new illegal buildings being erected. There are no official statistics about the number of people living in Cañada Real, although estimates range from 25,000 to 40,000 people.

Law 2/2011, approved by the autonomic parliament of Madrid on 15 March 2011 and in force since 30 March 2011, establishes the legal framework for urban regeneration of the area of the Cañada Real Galiana.

Spain is obliged under a range of human rights treaties, including the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, to refrain from and prevent forced evictions. The UN Committee on Economic, Social and Cultural Rights has emphasized that evictions may be carried out only as a last resort, once all other feasible alternatives have been explored and only after appropriate procedural and legal safeguards are in place. These include genuine consultation with the affected people, prior adequate and reasonable notice, adequate alternative housing and compensation for all losses, safeguards on how evictions are carried out, and access to legal remedies and procedures, including access to legal aid where necessary. Governments are also required to ensure that no one is rendered homeless or vulnerable to other human rights violations as a consequence of an eviction.

The prohibition on forced evictions does not apply to evictions carried out in accordance with the law and in conformity with the provisions of international human rights standards.

Name: Abdelilah Ghailan, Fatima Zhora Alami Wahabi and their two children
Gender m/f: both

Further information on UA: 185/11 Index: EUR 41/009/2011 Issue Date: 18 August 2011

