

URGENT ACTION

FAMILY AT RISK OF FORCED EVICTION IN SPAIN

Abdelilah Ghailán and Fátima Zohra Alami Wahabi and their two children are at risk of being forcibly evicted from their homes in Madrid, Spain, from 24 June 2011. The eviction has been ordered without prior consultation and the family has not been offered any alternative housing. Hundreds of other families living in the same area could suffer a similar fate.

Abdelilah Ghailán, 33, a bricklayer, and **Fátima Zohra Alami Wahabi**, 27, are migrants from Morocco who have lived with their two children aged three and six in the Cañada Real Galiana, an area in the south-east of Madrid, for the past seven years. Traditionally, the Cañada Real Galiana was an area reserved for livestock, but in the last 30 years, Spanish and migrant families have settled and built their houses in this area. This practice was not resisted by the Spanish authorities until 2005. Hundreds of families now risk forcible eviction from their homes, as Madrid city hall aims to re-establish control over development in the area through the demolition of houses both recently built and built decades ago.

On 28 May, Abdelilah Ghailán and Fátima Zohra Alami Wahabi received notification of a judicial decision ordering their eviction and the demolition of their home, to be implemented any date from 24 June, which coincides with the end of the school year. According to information received by Amnesty International, the family has not been offered any alternative accommodation or compensation. If the family is evicted and no alternative accommodation is provided, the family will be made homeless. A law about Cañada Real Galiana that came into effect in March 2011 stipulates that any evictions should take place in full consultation with those affected, but no consultation has been undertaken with Abdelilah Ghailán and Fátima Zohra Alami Wahabi.

This is not the first time that the family has faced forced eviction. On 18 October 2007 they were forcibly evicted from their home in the Cañada Real Galiana by the local authorities and left homeless. Their home was demolished without prior consultation and without the provision of any alternative housing or compensation.

PLEASE WRITE IMMEDIATELY in Spanish, English, or your own language:

- Urging the authorities to ensure that Abdelilah Ghailán, Fátima Zohra Alami Wahabi and their family are not forcibly evicted from their homes;
- Reminding the authorities that forced evictions constitute a violation of a number of international and regional human rights standards, especially on the right to adequate housing, and that under international law, evictions can only be undertaken as a last resort and only when they fully comply with the guarantees established under regional and international human rights standards;
- Urging authorities to ensure that evictions are carried out only after all feasible alternatives to evictions have been explored in genuine consultation with affected people and adequate alternative accommodation and compensation are provided to all those affected.

PLEASE SEND APPEALS BEFORE 6 JULY 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 of Madrid's 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. Check with your section office if sending appeals after the above date.

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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. This practice was not resisted by the Spanish authorities until 2005. Only very few judicial proceedings for the demolition of houses were initiated before 2005, while since that year the number of such proceedings increased dramatically.

Judicial proceedings initiated by Madrid city hall aim at re-establishing control over development in the area, through the demolition of houses both recently built and built decades before. Local authorities informed Amnesty International that the decision to start evictions was necessary to stop new illegal buildings being erected. No official statistics exist about the number of people who currently live in Cañada Real, although estimates point to between 25,000 to 40,000 people.

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.

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