

URGENT ACTION

FORCED EVICTION OF IRISH TRAVELLERS IMMINENT

Between 300 and 400 Irish Travellers living at Dale Farm in Cray's Hill, Essex, UK, face imminent forced eviction from their homes following a series of unsuccessful legal actions to stop the eviction. The eviction could now begin as early as 19 October.

On 17 October, a Court of Appeal judge refused a number of Irish Travellers permission to appeal the 12 October decision of a High Court judge to permit the proposed eviction of 49 of the 54 pitches on the 'unauthorized' portion of the Irish Traveller site at Dale Farm to proceed. The Court of Appeal judge also reportedly refused a request for a stay on the enforcement of the forced eviction. As a result, the eviction could occur as soon as 19 October.

An earlier decision by another High Court judge on 26 September, confirmed that a small number of the pitches would not be subject to forced eviction.

The proposed eviction would leave many residents of Dale Farm without adequate alternative accommodation, and without access to essential services such as schooling for children and continuous medical treatment for residents with serious illnesses. Many residents fear they will be left homeless. Many of the Irish Travellers at Dale Farm have expressed concern about wider discrimination against their community, and fear they will be unable to find a home that they consider culturally adequate if a negotiated settlement is not reached. There has been a lack of genuine consultation consistent with international human rights standards on options for alternative culturally adequate housing for those affected. While some have been offered 'bricks and mortar' housing, many do not want this, and the Council has not offered alternative culturally adequate housing to all those residents facing eviction.

Please write immediately in English or your own language:

- Urging the local authority to stop the planned forced evictions at Dale Farm;
 - Calling on the authorities to comply with regional and international human rights standards on evictions;
- and
- Calling on the authorities to work towards a negotiated settlement with those living at Dale Farm which includes genuine consultation and, if an eviction is unavoidable, to ensure they have adequate alternative housing which allows them to express their cultural identity.

PLEASE SEND APPEALS BEFORE 18 NOVEMBER 2011 TO:

Chief Executive

Bala Mahendran
Basildon Borough Council
The Basildon Centre, St Martin's Square
Basildon, Essex SS14 1DL, UK
Fax: +44 1268 294747

[Email: bala.mahendran@basildon.gov.uk](mailto:bala.mahendran@basildon.gov.uk)

Salutation: Dear Mr Mahendran

Leader of the Council

Councillor Tony Ball
Basildon Borough Council
The Basildon Centre, St Martin's Square
Basildon, Essex SS14 1DL, UK
Fax: +44 1268 294 350

[Email: membersupport@basildon.gov.uk](mailto:membersupport@basildon.gov.uk)

Salutation: Dear Councillor Ball

And copies to:

Parliamentary Under Secretary of State
Bob Neill MP
Department for Communities and Local
Government, Eland House
Bressenden Place, SW1E 5DU, UK
Fax: +44 303 444 3986

[Email: bob.neill@communities.gsi.gov.uk](mailto:bob.neill@communities.gsi.gov.uk)

Salutation: Dear Mr Neill

Also send copies to diplomatic representatives accredited to your country.

Please check with your section office if sending appeals after the above date. This is the second update of UA 245/11. Further information: <http://amnesty.org/en/library/info/EUR45/013/2011/en> and <http://amnesty.org/en/library/info/EUR45/015/2011/en>

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

Under international law, evictions may be carried out only as a last resort, once all alternatives have been explored in genuine consultation with the affected communities. The authorities then have a duty to provide them with adequate notice; legal remedies, adequate alternative housing (including culturally adequate housing) and compensation. They must ensure no one is made homeless or vulnerable to the violation of other human rights as a consequence of eviction.

Dale Farm, which is located on land owned by some Traveller, Romani and Gypsy families is the UK's largest Traveller settlement. Part of Dale Farm was granted permission for residential use, and is regarded by Basildon Council as 'authorized'. The part of Dale Farm where up to 400 Irish Traveller residents now face forced eviction, however, has repeatedly been denied planning permission for residential use on the basis of local zoning restrictions. Some residents in the 'unauthorized' portion have lived there for over 11 years, and told Amnesty International that they have never before lived in one place for that long without being forcibly evicted or 'moved on' by police. Amnesty International delegates conducted two site visits to Dale Farm in April and May 2011, following the Council's March 2011 to "undertake a site clearance". The delegates spoke with several Irish Traveller residents of Dale Farm, local NGO volunteers, and representatives of the Dale Farm Housing Association and Gypsy and Traveller associations. The residents feared that a forced eviction would uproot the children of Dale Farm from a school that has served the community for several years, and potentially move them to a new school environment where they could face discrimination. Seriously ill residents raised anxieties about the effect of the planned eviction on their access to continuing medical care. NGO volunteers expressed serious concern about the negative impact on the health of seriously ill residents and those families with young children of cutting off electricity and water supplies. Several residents said that the Council has not provided a culturally adequate alternative, and feared that their extended family would be destroyed by breaking extended families up into groups and requiring some to live in "bricks and mortar" housing rather than caravans.

Irish Travellers are an ethnic group, originally from Ireland, who are recognized and protected as an ethnic group in English law. Many Irish Travellers live in caravans on unauthorized encampments or on authorized sites. A shortage in site provision following legislative changes in the mid-1990s removing the obligation on local authorities to provide sites for Travellers has meant that in recent years many Travellers have either had to live in unauthorized settlements or in 'bricks and mortar' housing. The same legislative changes also increased police powers to evict Travellers from a wide variety of sites including common land and highway verges. Irish Travellers, along with other Romani, Travellers and Gypsies in the UK, face widespread discrimination and significant obstacles in being able to fully enjoy their economic, social and cultural rights, including housing, education and health. The central government is in the process of proposing new planning guidelines, which are expected to contain stronger enforcement powers for local authorities to evict unauthorized sites. The UN Committee on the Elimination of Racial Discrimination's concluding observations of 5 September drew attention to the widespread discrimination against and marginalization of Gypsies and Travellers in the UK, the shortage of stopping sites, and called on the UK to ensure that affected Traveller and Gypsy communities are adequately consulted prior to the enforcement of any measures as proposed in the new planning guidelines.

A wide range of UN and Council of Europe bodies and experts, and UK-based NGOs, civil society organizations and religious leaders have all raised their concerns about the human rights impact of the forced eviction at Dale Farm.

Name: Between 300 and 400 people.

Gender m/f: Both

Further information UA: 245/11 Index: EUR 45/018/2011 Issue Date: 18 October 2011