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France: Protect against forced evictions

The French authorities must immediately stop forced evictions affecting several thousand migrant Roma each year across the country, Amnesty International said in a report published today.

Focusing on the region of greater Paris, the report [“Chased away”: Forced evictions of Roma in the Ile-de-France](#) exposes the negative impact of forced evictions on the lives of migrant Roma and the failure of the French authorities to incorporate international human rights standards concerning evictions into domestic law.

“The new French government has taken some positive steps in relation to the situation of migrant Roma. Its tone and approach have improved, relative to previous years in which Roma were often openly stigmatized by the government. However the practice of forced evictions has continued at the same alarming rate as before” said John Dalhuisen, Europe and Central Asia Programme Director at Amnesty International.

“France has failed to include international human rights standards against forced evictions in its domestic legal system. As a result, evictions of informal settlements where Roma live generally take place without adequate prior information, consultation or notice to residents.

“In most cases, alternative housing is not provided and entire families are left homeless. They have no choice but to re-establish their homes in another informal settlement elsewhere, and schooling and medical treatment are interrupted as a result.”

Most of the estimated 15,000 migrant Roma living in France come from Romania, and some from Bulgaria; almost all are fleeing chronic poverty and discrimination in their countries of origin.

As non-French EU citizens, they are prohibited by French law from staying in the country for more than three months unless they are employed or can demonstrate sufficient resources to support themselves.

However, as EU citizens, if expelled they are free to return to France and many have done this several times.

There is a chronic shortage of adequate housing and emergency shelter for all who need it in France, but Roma, the victims of prejudice and discrimination in France – as much as elsewhere in Europe- are particularly vulnerable to violations of their internationally guaranteed right to adequate housing.

In the absence of other alternatives, many migrant Roma live in informal settlements for months or years in dire living conditions, perpetually fearing and often being forcibly evicted without adequate prior consultation, information or notice and with limited possibilities in practice to challenge their eviction through the courts.

Long-term housing solutions are very rarely offered to evicted Roma, who even struggle to access

emergency shelter or other support mechanisms that would enable them to secure adequate accommodation.

The camps and squats visited by Amnesty International delegates varied in their size and in the services provided, but what they all had in common was the extreme risks posed to the health of the inhabitants due to the absence of or inadequate access to running water, toilets, rubbish collection and often infested by rats. Repeated forced evictions do not resolve these problems, they exacerbate them.

“Repeated forced evictions have disastrous consequences on Roma’s health, education and ability to secure an adequate standard of living. Forced out of one informal settlement after another they end up in ever poorer housing conditions, forced to sleep on the streets and in tents until they manage to build another makeshift home,” said John Dalhuisen.

“During forced evictions, they often lose their belongings, identity papers and medical records; in many cases schooling is disrupted and medical treatment is interrupted, while ties to local employment and support networks are severed. Yet, under French law they do not receive adequate reparation.”

In August this year, the current French government has issued a circular outlining best practice guidelines on steps to be taken prior to and during evictions. These guidelines are discretionary and inconsistently applied, and in any case are not intended to stop forced evictions from occurring.

The government is currently consulting with non-governmental organizations – including Amnesty International - in preparation of its national plan for access to housing and emergency accommodation for all those in need.

However, despite some positive initiatives in certain regional departments, forced evictions continue throughout the country, in violation of France’s obligations under international law.

“Under international law France is obliged to guarantee the right to adequate housing without discrimination and to prevent forced evictions. This means that the French authorities must immediately stop all evictions until all the international human rights safeguards can be guaranteed to all inhabitants of informal settlements,” said John Dalhuisen.

Cases

Constantin, 39, has been living in France for 20 years, during which time he was evicted on average twice a year, and was expelled to Romania three times. He had been living for eighteen months with his wife and two children in an informal settlement in La Courneuve. Amnesty International delegates met him on 21 September 2012, Three days after a bailiff had given him an immediate order to leave the premises. According to him, there was no consultation of any sort.

"It's very hard to move from place to place. We can't even stay for a bit. As soon as I hear I'm going, it's like, I feel my heart ache," Maria, Roma woman living in a warehouse in Sucy-en-Brie told Amnesty International.

Carmen, 27, has a son aged 8 and a daughter aged 4. She lived in a makeshift cabin in Villeneuve-le-Roi until it was forcibly evicted on 11 September 2012. She was offered two nights of emergency accommodation in a hotel. The police did not let her fetch her effects during the eviction and she had to walk for hours with her children and luggage to reach the hotel, which was kilometres away from the nearest station. She stayed there one night only as it was far away from where she used to live. When Amnesty International delegates met her on September 22, she was living in a small, two-person, tent with her husband and two children in an informal settlement in Champs-sur-Marne. There was no access to water or toilets on the camp, and none of the children were registered in school. On 16 October 2012, a bailiff was sent to distribute an eviction court summons to the inhabitants of the settlement as it was on private property. The hearing was scheduled for 27 November 2012 in the Tribunal de Grande Instance of Meaux.