



2012/2013 Observatory Report from CNDH Romeurope

Report Summary

For the past ten years CNDH Romeurope (National Human Rights Collective) has condemned the stigmatisation and discrimination suffered by the some 20,000 Romanians, Bulgarians and other East Europeans living in extremely difficult conditions in France. This Observatory report looks at the issue of access to citizens' rights for those living in slums and in particular at the implementation of the inter-ministerial circular published on 26th August 2012¹ defining the theoretic framework of a concerted public policy.

AN ALARMING ANALYSIS

The analysis of this first year of Government is extremely alarming: access to basic rights remains problematic and slum evictions has escalated, for the most part without any alternatives being offered. In light of the fact that the situation for these families continues to worsen, change on the ground is yet to materialize and Hollande's campaign promises now ring hollow²...

ACCESS TO RIGHTS: CONTINUING INEQUAITY AND DISCRIMINATION

Across the range of the themes addressed in the report, institutional practices still limit access to rights for these vulnerable people.

It is increasingly difficult to access social services, healthcare, schooling for children and employment. This further worsens living conditions and thus increases the continuing stigmatisation.

⇒ Residence and Expulsion

The policy to remove EU nationals remains a means of boosting figures for the number of undesirable foreigners deported from France. In 2011, Romanians and Bulgarians were among the nationalities that had the highest numbers of voluntary returns at the instigation of the OFII, accounting for 56% of those assisted to return. There are also proportionally high numbers of them in the reception centres. Police harassment on the ground continues with the handing out of OQTFs (obligation to quit the French territory) and families live in a climate of fear and intimidation.

¹ Interministerial circular of 26th August 2012

<http://circulaire.legifrance.gouv.fr/index.php?action=afficherCirculaire&hit=1>

² François Hollande's reply during the presidential campaign:

http://romeurope.org/IMG/pdf/Reponse_Partii_Socialiste.pdf

⇒ **Housing**

Many of the vulnerable Romanians, Bulgarians and East Europeans (known as Roma) living in France settle in squats or slums. Their housing conditions are not a lifestyle choice but a reflection of the policy to deny them their rights and of the housing crisis. They live in extremely harsh conditions; for the most part they do not have access to water, electricity or refuse collection. The majority of them do not have access to housing or emergency accommodation except as part of specific integration projects. As a result of evictions, hotel accommodation remains the most common solution offered to families but it is highly unsuitable (far from schools, no facilities to prepare food, etc.).

⇒ **Employment**

The current Government has failed to repeal the temporary measures that regulate and strictly limit access to employment for Romanians and Bulgarians. There has been some relaxation but no real changes on the ground: the procedure for obtaining a work permit remains lengthy and often fruitless, in particular because it is granted at the discretion of the local authorities.

⇒ **Health**

Families living in squats and slums face huge problems in accessing healthcare due to frequent evictions, a lack of information on the health system and the language barrier. According to Médecins du Monde, in 2011 only 14% of adults and 11% of minors interviewed in their Roma projects had full rights. Mediation work between these marginalised populations and common law mechanisms should be a priority.

⇒ **Social Rights**

Despite the regulations set out under European law, EU citizens do not have equal access to social services, some of which require the right of residence. Opening up access to these rights remains hard as it is necessary to possess an address for service.

⇒ **Children's rights**

Constant evictions seriously impact children's education. Some education authorities refuse to enrol children living in slums in school, although this is against the law and tenets of the French Republic and should be severely condemned. Equal application of the right to education should be reiterated and respected.

These various observations reveal the extent to which access to rights nowadays is a real battlefield for these families.

ON THE GROUND, THE CIRCULAR IS A DEAD LETTER

The inter-ministerial circular of 26th August 2012 provides a reference framework for "dismantling illegal camps". **It highlights the expectation that, before evicting them, the needs of all those in the slum should be taken into consideration through individual assessments.**

These are done by the groups and associations assisting the slum dwellers. On the basis of this circular, these groups are trying to implement the preventive component locally, by asking the Prefect to organise dialogue bodies that include the associations involved and to initiate investigations. Over the past ten months, CNDH Romeurope has noted a **huge disparity** across the whole country in how the 26th August circular is implemented in each region, and has **even observed a total failure to implement** the preventive component. The recommendations and tools introduced by the DIHAL (inter-ministerial delegate for housing and access to accommodation) remain empty words in most areas, as the Prefects continue to clear slums and squats without carrying out proper assessments or offering re-housing alternatives.

⇒ **Evictions without any proposed solutions still as numerous**

Slum and squat clearances are still continuing without the families being offered any alternatives; these evictions are not within the framework fixed by the inter-ministerial circular. The same situation occurs over and over again. Some specific measures are being put in place, with the GE2I (intervention group for illegal camps) in the Bouches du Rhône region. Illegal practices have been recorded alongside intimidation by the authorities (Essonne and Bouches du Rhône) and harassment from local people (the Créneaux area of Marseille and the protest movement in Hellemmes). Eviction procedures that took place in spring 2013 reveal a resurgence in these operations. Repeated evictions force families to constantly be on the move: in October 2012, the evictions in Noisy le Grand (Seine Saint Denis) forced families to move to the neighbouring region.

Since the publication of the inter-ministerial circular of 26th August 2012, CNDH Romeurope has recorded close to **100 evicted slums and squats across France**. The regions with the highest number of evictions are the Ile de France, the Bouches du Rhône and Rhône Alpes.

⇒ **Non-existent or unsatisfactory discussion and analysis**

According to the associations and groups that are members of the Romeurope Collective, coordination between local stakeholders is very disparate depending on the area and rarely takes the form of monitoring committees. **A very small number of prefectures have undertaken to create dialogue spaces** in accordance with the stipulations set out in the DIHAL. This scenario remains the exception to the rule and **in practice does not translate into a significant improvement in the housing situation** for those in the squats and slums in these areas, nor even to their needs being taken into account at all. The political will of elected officials and prefectures largely dictates to what extent the point of view of associated actors is taken into consideration and it also defines the support and inclusion measures provided for those evicted. In some areas, there is no cooperation with the associative actors concerned, despite repeated requests from the associations for this. In those areas where the dialogue systems have been created with the associations, the mismatch between the reflection undertaken within these bodies and the reality of what is being experienced on the ground, has led the associations to question their relevance and effectiveness.

In terms of the analysis that advocated for the 26th August 2012 circular, the procedures the actors solicited and the methods used to achieve them differ widely from one jurisdiction to another and are, very often, a far cry from the principles that the associations and groups themselves promote. **Analysis carried out in the field increasingly resembles simple assessments that are limited to selecting families that could be considered as candidates for integration on the basis of vague criteria.**

Across the country, nothing has changed for these families. Repeated evictions further undermine their situation.

We are urging the Government to make a strong commitment to introducing a policy that is in line with the values of the French Republic and in accordance with the law.