

Collectif national droits de l'Homme Romeurope :

ALPIL (*Action pour l'insertion sociale par le logement*) - ASAV (*Association pour l'accueil des voyageurs*) - ASET (*Aide à la scolarisation des enfants tsiganes*) - CIMADE (*Comité intermouvements auprès des évacués*) – FNASAT- Gens du voyage - Identité rrom - LDH (*Ligue des Droits de l'Homme*)- Liens Tsiganes-MdM (*Médecins du Monde*) - MRAP (*Mouvement contre le racisme et pour l'amitié entre les peuples*) – Mouvement catholique des gens du voyage - PARADA – Rencontres tsiganes – RomActions _ Une famille un toit 44 URAVIF (*Union régionale des associations voyageurs d'Ile de France*) – Et les Comités de soutien de Bonneuil, Choisy le Roi, Fontenay-sous-Bois, Montreuil, du Nord-ouest parisien, de Saint-Etienne, de Saint-Maur, Saint Michel sur Orge, de Savigny-Lieusaint-Melun, Vitry-sur-Seine et du Val de Marne.



2006 Report



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THE MAIN POINTS OF THE 2006 REPORT

Chapter 1 of the report relates and denounces, without being exhaustive, the numerous events which the migrant Roma in the French territory have been victims of in 2006. Easy prey of a policy backed up figures of repatriations to the countries of origin, the Roma have literally been harassed and forced to live in increasingly unstable and precarious conditions.

Expulsions from living places have multiplied, and are often violent, with caravans and cabins being destroyed in front of families. There have been an increasing number of cases in which the Roma were forced to leave living places after sheer police harassment: "If you are not gone by tomorrow, we will come back and destroy your caravans or cabins". Since, in some instances, these threats came with collective arrests, the Roma generally obeyed enabling announcements such as "The Roma left of their own volition".

Several witness accounts included in the report express feelings of helplessness and psychological shock experienced by families who then lose not just their poor possessions but also the difficult relationships forged within the schooling, PMI (child and infant protection) follow-up of children, social services and the support network.

There were plenty of arrests and repatriations in charter flights in 2006, thereby meeting the quantified objectives of repatriations decided by the Minister of the Interior. The Romeurope CNDH denounces the expense and pointlessness, since the nationals of countries who have joined the European Union since 1st January 2007 have the right to return within days of being repatriated.

Concerning living conditions, the report unfortunately provides the same observation as previous years and confirms its inhumanity. Several fires have tragically highlighted the danger in which migrant Roma in France are forced to live. Nevertheless, the report also notes that these disgraceful conditions can be refused, which is what a few town councils and/or general councils have done by seeking alternative solutions so that families can leave the shantytowns.

Returns, termed as "voluntary", in Romania were suggested to some families in 2006.

We have been forced to notice that the experiences were illusory and took place in highly debatable conditions, having been poorly prepared, hasty and often with no understanding from those concerned. While we may not discard the repatriation option for families who actually wish it, these should be conducted with real support and preparation both in France and especially, in the country of origin.

Chapter 2 illustrates how the CNDH Romeurope is run, its structures, themselves locally constituted of collective groups that gather together Roma from squats and settlements, local representatives of associations and citizens committed to supporting these families. It is impossible to summarize all regional activities, to find the best living places or living conditions, to demand and obtain schooling for children, to have rights to medical insurance and to steer families towards health structures, to defend rights, to oppose the repatriation of people, and many more.

On a national level, the CNDH Romeurope coordinates the entire body and contributes to the exchanges of experiences and information, specifically by setting-up a website: www.romeurope.org. Press releases have given details of the Romeurope CNDH position on significant events. Meetings with the Minister of the Interior and the Minister of Employment, Social Cohesion and Accommodation have not contributed to any advancements in understanding and dialogue.

Chapter 3 focuses on thematic reflections.

- Childhood is a chief concern for all constituents of the Romeurope CNDH, with the common observation that children's rights continue to be flouted and that Roma children living in France with their families are truly in danger. Compulsory education, a right that should nevertheless be essential, is too often difficult, if not impossible, to achieve due to the living conditions that do not enable children to attend schools with dignity, the unwillingness of an elect few who increase the administrative obstacles through fear of perpetuating the presence of families in their living places, and the expulsions that disrupt everything that has been undertaken or achieved! However, the report outlines the achievements at school of children who were able to access a few years of normal schooling, which has practical repercussions on the inclusion of parents. As youth welfare falls under the competency of general councils, its action is very unequal from one community to the next: it may (it should) contribute to better child protection. Furthermore, the Romeurope CNDH requests that children under the age of 6 years have access, as do all children, to crèches, day nurseries and nursery schools so as to contribute to the success and inclusion in education.

- Housing: The report describes the tragic situation experienced by the Roma in dangerous and unhealthy shantytowns, which is not their choice as opposed to some assertions and which strongly contributes to the negative image relayed by the neighborhood and some elected locals. Finding solutions to extract families from this disgraceful situation should be a priority for all services that come under the State or the territorial authorities.

There are solutions, of which some have been successfully implemented. When Roma families are no longer threatened with expulsion on a daily basis, when they have a roof over their heads and satisfactory utilities, then a big step towards inclusion and the schooling of children is made – since this will be at the publication date of this report, access to employment will be, if not free, then at least facilitated.

- Health depends very much of living and housing conditions. Unfortunately, 2006 illustrated a very worrying state of health of families, identifying several pockets of tuberculosis. Access to health care in 2006 was made difficult, if not impossible, by the administrative situation: most Roma, to conform with the regulations of the Schengen space, stayed for less than three months, which *de facto* prevented them from accessing AME (state medical aid). The CNDH sets out a certain number of health demands, namely immediate access to a medical insurance scheme, health check-up, screening for tuberculosis, and creation of a body of health mediators.

In its conclusion, the Romeurope CNDH states its place in the 2007 prospect, publication year of the document and a year which should be one of fundamental change, with entry to the EU of the two main countries of origin of the migrants, Romania and Bulgaria. The Romeurope CNDH demands that the rights of the new Europeans are respected in terms of free movement, access to employment and social rights with no restrictive or discriminating measures in relation to other European nationals.

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2006 Report

From its beginnings, the objectives the CNDH ROMEUROPE (the Romeurope national human rights group) set itself are to enable and enforce access to fundamental rights of the Roma people from Central and Eastern European countries in France and alongside them, to fight the discriminations and rights violations of which they are victims across the national territory.

The group was created in October 2000 in Paris at the end of the colloquium "Roms, Sintés, Kalés, Tsiganes en Europe. Promouvoir la santé et les droits d'une minorité en détresse" (Roma, Sinti, Kale, Gypsies in Europe: Promoting the health and rights of a minority in distress), which presented alarming results from research on health promotion conducted at the initiative of Médecins du Monde by the Romeurope network in six countries of the European Union, including France.

Based on these studies which concluded there were essential relationships between respecting fundamental rights and resolving the serious health problems experienced by the Roma population, the national associations present at this initiative decided to join forces and to set up this group to act specifically on this matter, since they were all already committed to migrant Roma living in France within their own field of expertise, whether humanitarian or rights defense.

The foreign origin of these migrant Roma obliges that their conditions of entry and residence in France be addressed. Those seeking or refused asylum, European nationals free to move, holders of visas of less than three months, economic refugees, those without paper – the situations are diverse and very much related to the countries of origin. In all cases, whatever their status on the national territory, various legal or regulatory restrictions increase the obstacles tenfold to accessing fundamental rights.

For these reasons and with a concern for efficacy, the Romeurope CNDH decided to organize a specific mobilization campaign concentrated around the directly concerned Roma families living in disgraceful conditions in shantytowns or squats, essentially around the large French urban areas. A number of local support committees have been set up around and alongside these families, and which have also joined the group.

The problems encountered by the French populations of Gypsy origin or even the so-called "Gens du voyage" because of their nomadic lifestyle, and who are considered the French components of the Roma minorities in Europe by the European authorities, do not come under the field of expertise of the group as such. The member organizations continue with their specific action on this subject within other frameworks.

Thus, the Romeurope CNDH formulated its mission as follows:

- To be on guard and alert: Support committees and associations that work directly in the living places report events at all times, such as new people settling in, evacuating, arrests, and expulsions from the site or the territory. The Romeurope CNDH then mobilizes its experts who, within the network, are able to provide assistance depending on the situation.
- To distribute information, and to denounce abuse and discrimination through all means such as public meetings, press releases, open letters, forums and other, with as much questioning as necessary from the policy-makers and institution representatives.
- To exchange experiences between group members, sharing skills, conceiving and distributing teaching and grassroots tools.

- To establish thematic working groups on accessing essential rights, particularly conditions governing residence and administrative regularization, access to healthcare, resources and rights to work and schooling of children.
- To increase awareness of public who come into contact with Roma families (neighbors, teachers, medical practitioners and nurses, social workers, local elected officials, police officers, and others) on the origin and culture of migrant Roma, the reasons for migration, their living conditions in France and their rights.
- To provide the migrant Roma with information on their rights and obligations during their residency in France.
- To enable exchange with the other European networks acting on behalf of the Roma.

There is daily contact over the internet. Local meetings are held at least once a month. National meetings are organized with all associations and local members committees of Romeurope CNDH three times a year, thereby enabling to explore topical subjects and possible paths for advances in depth in a day.

For several years now, the Romeurope CNDH has drafted an annual report on the migrant Roma in France. It introduces the state of local and national situations of Roma families that are followed by the group with the associated local support committees created alongside the families, and draws up an assessment of the actions carried out.

From these observations, the Romeurope CNDH has the authority to open up outlooks, and to develop and explain in detail the suggested demands aiming to improve, on a long-term basis, the situation and rights of the migrant Roma settled in France.

It is therefore also a practical tool available to all those who wish to join the migrant Roma in their fight for dignity and equality of rights based on real grassroots experiences.

This annual report is widely distributed among the French authorities, the State and the territorial authorities, as well as European and International authorities.

Therefore, every year is an opportunity to request and obtain meetings with the different concerned ministers and a Romeurope CNDH delegation which, on each occasion, includes a representative for the Roma families.

This report was also partly taken up in NGO contributions on the state of rights in France, and in human rights committees for the European Parliament and the UN.

The 2006 report again draws up a worrying account of a year marked by an extraordinary increase in repressive measures against the migrant Roma in France.

Within a general political framework that does not in favour of immigration, the increasing number of measures of expulsion from the territory in 2006 is particularly significant, especially concerning Romanian and Bulgarian nationals despite both countries having joined the European Union on 1st January 2007. They would have represented more than a third of collective border repatriations posted by the Minister of the Interior.

Consequently, police interventions on the field increased in conditions that were very often violent, on each occasion worsening the precarious situation of the large French urban areas in which these families live.

Since then, the efforts undertaken to educate minor children, to develop housing inclusion projects, to offer and follow-up on health and social rights have been ruined.

Nevertheless, local experiences were able to positively move forward thanks to the commitment of voluntary territorial authorities and the strong mobilization of the support committees.

Chapter 1: 2006 Events

After 2003, which was marked by major expulsions from Choisy-le-Roi, Achères, Montreuil and other cities, everyone hoped this would not happen again. It was without relying on our governments' intention to eliminate the problem of migrant Roma by all means. It was without knowing that 2006 would be the year the Minister of the Interior set quotas to law enforcement officials of this country for arrests and repatriations of migrants of all origins to their countries. It was before organizing the hunt for immigrants without proper identity or working papers, before the circular dated 21 February relative to the conditions of apprehension of foreigners found in irregular situations on French territory.

The migrant Roma in France, essentially of Romanian and Bulgarian origin and still estimated to be a few thousand, continued to live in the greatest precarious and unstable conditions in 2006. Obstacles restraining the possibilities to regulate their residence increased, and as a consequence, so too impeding their access to work and other resources. The adhesion of Romania and Bulgaria to the European Union, scheduled for 1st January 2007, with free movement of their nationals within the Union, has, on the contrary, led to an absurd increase in procedures of expulsion from the territory. The Roma have therefore been made scapegoats of a policy of appearances and easy victims of a disgraceful public harassment.

The report established by two activists from Seine-Saint-Denis factually illustrates this suggestion by outlining in the only northern sector of the department, no less than ten expulsions and nine police operations resulting in people leaving the sites where they had settled.

And yet, this harassment was ineffective since, at the same time, around ten new settlements appeared so that the number of people in these regions has actually remained slightly stable. However, the repercussions are there – this is not the end.

Expulsions from living places

This report does not pretend to be exhaustive on this subject.

Unfortunately in 2006, a number of us have witnessed expulsions with what has now become a common staging: a significant and very often disproportionate number of law enforcement officials surrounding the settlement or squat early morning, ordering people to leave the sites immediately, often accompanied by knocks on doors and windows, family panic, and the cries of children who had not yet woken up. Barely a few minutes are left for them to collect a few belongings and pack up their bags. The diggers come in to destroy caravans or cabins and close down the sites to prevent people from moving back in again. Any personal belongings left in the homes are destroyed.

So, in *Saint-Étienne*, in June, the expulsion and total destruction of caravans on the “Clapier settlement”, by instructing journalists on the scene that they will be voluntarily held back to stop the public from seeing the reality of how this operation is conducted. In the Lyon region, the expulsion from *Villeurbanne* in February, and then that from *Saint-Priest* on 31 August, again with the destruction of caravans in front of women and children who stayed on in the settlement. Forty eight hours later, in *Pierre-Bénite*, the unfortunate victims who had sought refuge in a settlement classified as Sévés had to undergo another 250-police strong intervention with identity controls, peoples keeping in confinement and dispersion on a motorway exit! The press was kept at a distance as usual and families with their children were left wandering.

Testimonial

Thursday 31 August 2006 « Camp » Pierre-Bénite – 45 caravans, 150 people – Médecins du Monde and ADT Quart Monde

06:07 on this Thursday 31 August, we arrive running to the Pierre-Bénite site. We sense the imminent presence of the police. It is cold, the camp is quiet, everyone is tucked up and asleep in temporary caravans, in a few tents, or even out in the open. People awaken gradually in the piece of first morning, wrapped up in their blankets, their children in their arms.

At 06 :12 and we witness the arrival of bus and van loads of gendarmes and police, tow trucks, cherry pickers, everyone gets into place.

It all happens very quickly...

« War » is declared. Where are we?

Police and gendarmes surround the camp in less than five minutes. A group of at least 100 gendarmes with helmets, riot shields and truncheons in their hands arrive with orders to surround each caravan. They ask people to return to their caravans to await their « inspection ». The whole thing is out of proportion: the number of policemen for these families and especially for the eyes of these children... A well-run operation!

Each caravan is checked with a fine tooth comb. The families bring out their belongings, which they place on the ground, their lives on the ground, before each caravan is towed 300 metres from the camp by a pick-up truck to be destroyed. No discussion.

Each family is led to a small van for an identity check and then « parked » and « released » a few at a time, no doubt to avoid the effect of a mass exodus. Journalists are waiting at the exit - they are not authorised entry to the camp.

12 :00. Everything is over. There is nothing, no one left on the site. Mission accomplished. The families wander alone in the town... The mass destruction of the caravans was no doubt one of the objectives of this early morning action.

Each family has left the camp with a bundle on their backs. Their whole life spread out on the ground. No turning back. Destined for a roofless place. What future is there, if every construction of a little something is systematically destroyed?

I feel great injustice for these families who are « thrown » into the street. No one thinks about where these families are going to sleep tonight. Neither the police nor the State bother themselves with the question.

And these children. What gives us the right to be so indifferent?

Where are the children's Rights « proclaimed » by those at the very top?

Where is the obligation to school these children living on French soil regardless of their families' situation?

In Marseille, still in August (a favourite time for expulsions¹), 60 to 80 people have been expelled from "la Porte d'Aix" and had their cabins destroyed by a coalition of national and municipal police. That same summer, the Roma of Montreuil, living here and there in empty houses, campsites and squats, have been systematically expelled from one site after another and their belongings destroyed. These families who have already suffered expulsion from their squats in 2003 and in 2005, families so attached to their towns that they have stayed on, even if it means having to camp on the town square. In Palaiseau, on the 22 January 2007, anniversary of the death of Abbé Pierre, 100 people who had lived there for more than two years are expelled, and, perhaps because the Abbé campaigned against unsanitary living conditions, their cabins are destroyed. But in Palaiseau, like in all the other cases cited, no suitable alternative accommodation is proposed for those who have been driven out.

¹ Events of the last two years prove that these expulsions are more frequent in the summer when there are less support mechanisms for the Roma

²Testimonial – Luminita S.

I would like to point out that I previously lived in « Clapier square » with my family of seven. On the 25 July 2006, at around 6am, lots of policemen came and threw us out, telling us we had to leave the square in five minutes. Mum has a weak heart, I suffer from my lungs, my husband from his kidneys. We had no time to gather our things. During this time, when the police made us leave, I would have liked to collect belongings and papers, but the police didn't let me. I left with just what we had with us ; the rest stayed there : the fridge, the electric hob, the crockery, the electrical goods, the blankets, the rugs, the bedding, and of course our clothes (ours and the children's), and our medicines. The police didn't let us come back to get them. We were escorted to the station. We left everything behind, with the two caravans of course, and a tent. In total, about 1500 euros lost.

Five minutes later, the caravans were destroyed with a bulldozer, and so I couldn't save anything. Afterwards, we stayed in front of the Town Hall until 8pm, then went to the bandstand (kiosk) in Jean-Jaures square, where we stayed three days and two nights with nothing to sleep on, without water, in the middle of a heat wave, and everything we had owned had been destroyed in five minutes: clothes, personal belongings, money (970 euros), medicines.

Another evacuation strategy has also been developed. The police stop by every day, sometimes twice a day. They state a deadline for leaving the premises, stipulating that, if the occupants have not left by this date, they will be obliged to use force, and their belongings will be destroyed. Sometimes, a couple of strikes of the truncheon to the cabin or caravan are used to add weight to this threat. Almost always, the unfortunate victims of this harassment do indeed leave to install themselves several hundred metres away on the same site or one next door. We can cite, for the department of Seine-Saint-Denis alone, the moving-on, under pressure, of people in rue Waldeck-Rochet in *Aubervilliers* in January, avenue des Fruitiers in *Saint-Denis* in February, quai de Valmy in *Aubervilliers* in March, chemin du Haut-Saint-Denis in *Aubervilliers* in May, quai du Châtelier in *Saint-Denis* in June, rue Jean-Pierre-Timbaud in *Stains* in July, boulevard Louise-Michel in *Gennevilliers* in July, rue des Parouzets in *Stains* in September, rue de la gare in *Aubervilliers* in October. In Nantes (Loire-Atlantique), a group of families had to move three times in the course of a year. The CNDH Romeurope and other support committees repeatedly condemned this policy of harassment and targeted threats which is aimed solely to terrify these families and force them to leave « voluntarily ».

A third procedure, more complicated to censure, has also been used. It is identical in appearance: the police arrive in the early morning and surround the site. But they then proceed to do a systematic identity check and inspection of the caravans, all this in the official context of a Rogatory committee, as can be deduced after the event (those being checked are often not given any information about the inspection). Arrests follow, and are often numerous.

It is important to distinguish two kinds of motive that supposedly justify these arrests. The first is registered as a fact-finding expedition, which justifies a Rogatory committee : in practice, very few people are arrested in this context. Those who are, are then put into custody and very often released within hours ; more rarely, they are imprisoned pre-emptively before being judged. But the most frequent arrests are because of unauthorised presence, essentially due to a lack of resources (article 5C of the Schengen agreements). The idea that has been developed is that people living in a slum obviously have no resources and are consequently living illegally. As a result, they are arrested and sent directly to a detention center. It should be pointed out that places will have been freed up in the days preceding the operation, proving that it was premeditated. Those arrested are then brought before the TGI³, and the judges, in the vast majority of cases, decide that they should remain detained until their deportation. They receive an APRF (prefect's order to be escorted to the border) which is reconfirmed several days later to all those who have appealed to the Administrative Court. Many of us have witnessed the expeditious and repetitive

² http://www.droits-sociaux.fr/article.php3?id_article=71-

Site for access to state benefits. Testimonies collated by Jean Chabanes from Roma families expelled on 25 July 2006 from rue du Clapier in Saint-Etienne, translated into French from the Romanian.

³ Procedure of article 35 bis used to decide whether to detain or free a subject by judicial control.

nature of the judgements, as well as the inequalities suffered by the plaintiffs. The latter are defended by state lawyers, of which some do the best they can in the very short space of time they are given to gain an understanding of the circumstances. Others tend to let things take their course.

Such a system of « slaughterhouse » justice can only ever result in aberrations and abuses of rights, as was the case for a Roma of Romanian origin who usually lives in Spain and who stopped by for two days to visit his family. This man had a bank account and a cash card. During the police operation, he wasn't given the opportunity to show his papers, which were in his car. The Administrative Court didn't listen to him and ordered his exportation to Romania.

One must question the efficiency of such collective procedures resulting from a Rogatory committee and their undertaking by the police. We may cite as an example the case of the « Hanul site » in Saint Denis, where this type of operation took place on the 22 August. Forty-five people were arrested and sent by charter flight to Romania. Due to the freedom of movement enjoyed by Romanian nationals, the majority were back within a fortnight. This intervention had been particularly violent and destructive (broken windows, destruction of goods...) to the point where the deputy Patrick Braouezec called for an enquiry to be opened and brought the case before the National Commission of the ethics of security.

Again in Saint-Denis, during an operation which resulted in the arrests of twenty people, the aggressive behaviour of the police was again criticized, with regard to a 15 year old being beaten in the back and having to go to hospital.

Seine-Saint-Denis seems to have been a favourite site for this kind of operation.

In January 2006, it was in Val-de-Marne, in *Limeil-Brévannes*, that a police operation by Rogatory committee took place. Whatever the motives that resulted in the arrests of eighteen people, none of them justified the destruction of the caravans, nor the triumphant behaviour of the police officers having their photo taken in front of their « trophy », in the style of the scandalous images that came out of the Iraq war. Further information can be found in the report from the committee for the support of Roma families in Limeil-Bonneuil .

Testimony⁴ – Cocoana N

I am Romanian and I am 21 years old. I have been in France with my husband for some time and we had managed to settle and, little by little, to live peacefully until Tuesday morning on 25 July 2006. That morning, the police kicked at our door to get us up and make us leave. I felt sick. When I heard the blows to the door, I was very worried. I couldn't take anything with me, except what I had on me, because they pushed me out of the caravan, and they let me take nothing, except for my papers.

I left behind our TV, DVD player, Samsung mobile, microwave, cassette-player, hi-fi, the gas cooker, the crockery, our clothes, bedding and of course the caravan that we bought for 800 euros, along with the caravan's papers. We left everything behind and went.

We had come to France to make a new life from scratch, and here we have been treated like animals, chased from one place to the next.

⁴ http://www.droits-sociaux.fr/article.php3?id_article=71- Site for access to state benefits. Testimonies collated by Jean Chabanes from Roma families expelled on 25 July 2006 from rue du Clapier in Saint-Etienne, translated into French from the Romanian.

Arrests and deportations

The deportation of Romanian and Bulgarian Roma migrants have been numerous across the whole year, with a noticeable surge during the second half. Was it to fulfil targets set by the Ministry of the Interior ? 25,000 people were expelled in the course of the year, but, faced with a slump in the middle of the year, we note that, according to the figures published by the Ministry, from the summer of 2006 onwards, around 6,000 Romanians were deported by charter flight to their country. The published statistics don't tell us what proportion of these belonged to the Roma minority, but all those on the ground tell us that theirs is a significant number. These arrests took place everywhere : on caravan sites, during the police operation we have mentioned above, but also on business sites, on public transport...

Most of those who were arrested were sent to Romania on grouped flights. Reading about the organisation of these deportations on the website of the Ministry of the Interior makes for alarming reading. You would think they were talking about dangerous criminals : 50 Romanians accompanied to Bucharest by 50 police force representatives, 80 Romanians and Bulgarians accompanied by 85 police force representatives, etc.

Those who until now had been accommodated within the framework of asylum seeking procedures are no longer spared. Thus in Tours, following a routine check, two young Kosovan Roma adults were arrested and detained while a procedure to deport them was initiated, with no regard to the situation of the Roma minority in their country, which is still denounced by international authorities. It is only due to an administrative glitch that this deportation, which would have separated them from their families, was avoided.

The circular of the Ministry of the Interior and the 'procedure of instruction', this summer, agreed the legalisation of foreign parents with children attended in French schools, will only have had a minor impact on the conditions of Roma living in France, despite the number of cases that have been brought. In fact, these have in the most part been rejected, either in an abusive manner by certain local authorities by virtue of the Romanian or Bulgarian origins of the plaintiffs, or by virtue of the absence of justification for a continued presence on French soil, perverse effect of the incessant comings and goings every three months of Romanian and Bulgarian Roma to conform with existing legislation.

Obstacles to accessing health care

Questions of health are at the forefront of the minds of Roma who seek to survive in France. In 2006, the conditions of access to health insurance remained unchanged : neither AME, nor CMU for those (the majority) who remain for less than three months.

Upon their arrival in France, Roma are already behind with regard to access to healthcare : in Romania, for example, one must always pay for care when one doesn't have access to health insurance, which is the case for Roma. So they have to wait another three months in France to access care.

Medical conditions get worse, even more so because the conditions of living in France are worse for someone who is ill.

In the last few years, health teams working with Roma families have noticed regular appearances of cases of tuberculosis. This year, in Reau (Seine-et-Marne), 22 cases of tuberculosis were diagnosed by Medecins du Monde working with the relevant specialist organisations, among 100 people. The management on such an epidemic is very complex, since one must above all provide continuous treatment to the afflicted, and therefore prevent deportations, which are, in such situations, medical disasters. One must also deal with all those who then accuse the Roma of importing the disease, when it is in fact because they are poor and forced to live in terrible conditions that they are ill.

Inhumanity

The unfit living conditions described in our reports of previous years remain unchanged in the majority of cases. We will not repeat ourselves here, except to denounce the permanent danger, dramatically illustrated this year by a number of fires which, miraculously, took no lives⁵, unlike in 2004 in Villeurbanne and in December 2005 in Réau.

Two fires took place in the rue du Chemin-Vert in Aubervilliers, destroying 40 cabins in January and then 30 in May. The Roma were then prohibited from rebuilding their shelters. As a result, they were forced to live in tents provided by Medecins du Monde. A third fire took place in March in Palaiseau. The causes are always the same: unsafe methods of lighting and heating.

It is not only living conditions that engender inhumanity. More than anything else, the police harassment that precedes and accompanies the arrests and expulsions creates a permanent fear among those living in shantytowns. Thus in June, in rue de la Gare in Aubervilliers, two Romanian Roma adolescents trying to avoid a police check jump into the canal. One of them disappears. His drowned corpse is found three days later.

The majority do not die, but all are traumatised and medical teams can see the stress, the psychological and physical problems that result, and their own powerlessness to do anything about it when people are constantly moved on. With every expulsion, every evacuation, there is not only the loss of various belongings accumulated through work, loss of medicines, of prescriptions, of health passports, but also the loss of all contact, missed medical appointments, the interrupted schooling of children...

When inhumanity manifests itself by a lack of consideration of a person on every level, the consequences can be dramatic. And this is how Carolina died.

Testimonial

Carolina lived on the site in Limeil-Brevannes where, on the 24 January there was a police operation (cf supra). She was put into custody. As she was pregnant, she was hospitalised, in a hospital that she doesn't name. Once released from detention, she was put up in a social centre in Corbeil. She points out to a support committee that, due to a fibroma and her diabetes, it is essential that she give birth by caesarean section. She is eight months pregnant. At the hospital in Evry where she is taken, the social services are not available and the doctors, citing the absence of any urgent clinical signs, tell her to call the hospital the next day to make an appointment. But, the following night, contractions start and Carolina is taken to hospital. Unable to speak French, she is incapable of explaining her medical situation. The birth seems to go smoothly ; however Carolina dies two hours later, in circumstances that remain a mystery, leaving three orphans.

This terrible story is the epitome of total indifference.

A few local advances

Certain developments initiated in 2005 are ongoing.

The most successful started in *Lieusaint* (77) in 2002 on the initiative of councillors from the new town of Sénart. Out of 39 families involved in the project, 31 have now « integrated » and legitimised their circumstances: the head of the family is in work, usually on a permanent contract; the family has been housed (within social housing schemes in seven communes); the children are in school; young people and some adults have been involved in professional training programmes. Plans are in place to assist the 8 remaining families. It is perhaps important to point out that this is the only project the state has been involved in from the outset, by granting residence permits to those who received promises of work. The project also had an important social dimension. It is

⁵ At time of writing, luck and destiny have been conspicuous by their absence: following a fire in rue Campra, Saint-Denis, two young people were killed and a third remains in a critical condition.

anticipated that it will come to an end in spring 2007. Monitoring what happens next will be crucial, as difficulties could still arise and certain families remain vulnerable.

In *Aubervilliers* (93), another project with state involvement began in 2006. ATD Fourth World was heavily involved at the start, as was the town Council, which had signed up to Ile-de-France Regional Council's shantytowns clearance project⁶. The Council area, where between 600 and 700 Roma are living, decided to select 80 people for housing in bungalows in a particular area. Prior to implementation, it demanded state assistance to fund an urban and social project management service within the Council (MOUS)⁷. This was granted in November.

On this date, the Council selected 80 beneficiaries according to non-published criteria and provisionally made available a piece of land where they could stay in caravans, funded by the Abbé-Pierre Foundation. Social support will be provided by Pact Arim (an association promoting improvements in housing conditions). During the selection phase, the Council referred to firm rules, according to which anyone not accepted would have to leave the common territory. Even though this rule was not applied to the letter, it should be noted that 5 plots in the town were evacuated during the course of the year. By the end of 2006, there were between 100 and 150 more people in Aubervilliers than had been included in the project. These people had real concerns about what would happen to them in the future.

Bagnolet (93) was the first town to register its interest in the regional shantytowns clearance project. The project also entailed constructing bungalows or chalets to lodge a group of Roma on land where there had been a fire in 2004 and who had been housed "provisionally" in a building belonging to the town Council since then. Differences of opinion between councillors meant that nothing happened in 2006, but it seems that the situation is settling down and that 2007 will see the project get underway.

Limeil-Brévannes (94), an area where Roma were evacuated from in January (see above), also has a project. In the interim period, families who escaped the police operation have been accommodated by services of the Val-de-Marne general Council in a social hostel in Corbeil (91). Other projects set up from 2004 onwards by the same Council are continuing, despite the State's lack of support. Families accommodated in flats and houses in *Vitry* (94) and *Villejuif* (94) are still there, as are those taken into the former police headquarter in *Saint-Maur* (94).

The improvement in terms of living conditions for these people is undeniable: a roof, sanitation, stability without the fear of being evicted from one day to the next. The problem of resources is, however, far from resolved; the Roma still lack the legal status allowing them to work. The families have difficulty to pay the service charges for use of water and electricity. In *Saint-Maur*, overcrowding is becoming intolerable for families and their support workers. Discussion with the general Council should search for ways of improving the situation in 2007.

At *Choisy-le-Roi* (94), notable progress was made for the 4 families accommodated in houses owned by the town: they secured residence permits authorising them to work.

In *Nantes* (44), where a group of Roma has been living on a piece of land with full amenities on the Sainte-Luce road since May 2005, things are still going well. According to local people involved, mediator played an important role in this success. Several families have acquired a residence permit with the right to work attached on health grounds. For these families, who are also in receipt of various welfare benefits, this is an important step forward. At the end of the year, negotiations were underway to come to decisions on stabilising the situation of the two other groups in the region.

⁶ Voted on in July 2007, this concerns financial assistance for investment into any construction project for decent homes where slum-dwellers can be accommodated.

⁷ Council urban and social project management service elaborated within the framework of a contract between the state and the town

The issue of “voluntary” repatriations

This has been the question for 150-180 people installed on a piece of land on Boulevard Mac-Donald, in *Ville de Paris*. The town made it known to organisations supporting these people (Coup de main and Habitat-Cité) that it aimed to repossess the land by July at the latest, and that rehousing was out of the question. The town gave these organisations the task of exploring conditions surrounding their return to Romania, in the framework of proposals to give financial assistance to returnees from the state and the National Agency for the Reception of Foreigners and Migration (ANAEM). The negotiations were difficult; the organisations highlighted that they needed time to discuss things individually with each family, to evaluate how keen they were to return and which conditions they would need to fulfil to be able to do this in a positive way. The town demanded that the families leave by 20 August. They were subsequently accommodated in hotels dispersed across the whole of Île-de-France. A new structure, the Center for Social Assistance Ville de Paris (CASVP), was charged with the mission of providing social support. But the families felt lost and isolated; some did not even manage to escape arrest. Nevertheless, by the end of the year, several families had accepted the idea of returning in their country. They were supposed to benefit from 153€ per person as well as an additional 3600€ if they were able to put forward a business project. The question of housing in Romania is currently being researched; this research is not however funded as part of the project. This will need to be evaluated next year. It is already obvious that the project was planned without any real consultation with the families: they were not even invited to the town’s meetings, and their return, should it take place, is initially restricted. But it is still to be hoped that certain families gain some benefit from these measures.

In *Réau (77)*, the idea of a return to Romania first appeared at the beginning of August 2006, in the context of a group of families who had been in or around the area for several years and had been regularly evicted from different sites where they had set up home. A local organisation, *Le Rocheton*, based near Melun, negotiated with the state to secure financial assistance for their return, which was supposed to be doubled for families with children in school, either 6000€ for couples or 2000€ per child. Within a few days, the project was complete, and on 16 August 53 people were repatriated to Romania in a specially chartered coach. The moment the coach set off, the caravans were destroyed. No research has been done on conditions on arrival in terms of housing or capacities for planning projects. On arrival, despite arrangements made with the families in advance, they only received 153€ per person. In view of the Prefect’s wishes to close the terrain at Réau for good, a second repatriation operation was organised for the 19 December, with the promise of financial assistance towards return as high as 3600€ per project. By the end of the year, the families had still not received the promised sums. Families in the first convoy were told that there had been a mistake, and that the sum to be handed over was not 6000€ per person but 3600€ per project. According to the information available, it seems that this sum was used by a Romanian NGO to buy sheep without the families being consulted. In August 2006, during a meeting with a Romeurope delegation, the chief of staff held up the Réau operation as an example to follow in achieving the desired aim: that the largest possible number of Roma leave French territory.

In summary, 2006 can be deemed a particularly bad one for non-French Roma living in France. Never before have they been under such threat of being arrested in all places, even if, as has been the case for the majority, they had a valid passport to remain in the country for less than 3 months. It is their poverty which makes them undesirable; yet it is also poverty which brings them here in the first place. It is because they have no money, or, worse, because they are thought to have none, that they are arrested and sent back home. The few resources they have managed to accumulate are depleted by the costs of the return journey. It is also because they are poor and unable to pay rent or board that they are limited to live in shantytowns which then makes them more susceptible to police harassment. In addition, out of all the migrant groups in France, Roma are the most excluded from health services, having no access to State Medical Aid (AME) or Universal Health Insurance Cover (CMU): to reside legally they must not stay longer than 3 months. In this context, the few places where families have been able to find a place to stay, get access to water and sanitary facilities, and get their children to school give hope to everyone: they show that it can be done.

Chapter 2 : 2006 Activities

The National Human Rights Group Romeurope brings together both associations and citizens' groups which share the objective of improving access to fundamental rights for migrant Roma on French territory, and of fighting against the violation of these rights and the discrimination which the Roma experience.

Regional activities

The Collective's activities include first and foremost the daily work carried out at local level by member organisations, with the participation of Roma living in squats and shantytowns. Certain noteworthy activities are detailed below, but the list is not exhaustive.

In *Saint-Étienne*, the support group has really taken shape. An association has been set up to bring in funds for activities which show solidarity with Roma. Serious action was organised around the various events which punctuated the year.

When the mechanical digger on land in Clapier was destroyed in June, Roma and their supporters occupied the bandstand for 3 days; media interest played an important role, notably with a full page spread in *Libération*.

It is thanks to assistance from the support group that the Roma have been able to invest in the former French Electric (EDF) center, which is well equipped with electricity, showers, toilets and hot water. Everything was thoroughly organised for an exemplary occupation: self-organisation, functioning in commissions (health, school...).

On 30 September, a second squat was evacuated. The town Council suggested a dirty and ruined building as alternative accommodation. As this was unacceptable, a disused nursery school was decided on for the purposes of rehousing.

From that point on, meetings with participation from Roma took place in the squats every week. Questions were constantly directed at the town Council until it agreed to entertain a hearing of Roma in the local Council meeting.

An important piece of work was carried out in terms of testimony: gathering the views and accounts of expelled Roma, photographs of the vile, shameful, dilapidated building initially put forward by the town hall ...

When the father of a family was arrested on the pretext of not having a legal right to remain and sent to a detention centre, mobilisation was sufficient to secure his release just 15 days later.

Two public meetings were organised with film screenings and debates. A new year's party also got Roma and their supporters together.

During these actions, the support group worked in partnership with local representatives of various organisations: Right to Housing (DAL), Human Rights League (LDH), Cimade (a protestant relief agency)...

In *Lyon*, an association was set up around the CLASSES project (Lyon Collective for Access to Schools for Children Living in Squats), intended to support families in registering and getting their children in school and to help organise temporary structures of support to aid their integration once there. This association experienced operational difficulties when expulsions occurred - these made their work impossible. Action was only able to begin from October, when the administrative tribunal granted a delay of 3 months to occupants of a piece of land in the Soie district. It was only on 12 December that the first children were in school. Action pour l'insertion sociale par le logement (ALPIL) and Médecins du Monde (MdM) work closely together at local level. At the time of the shocking expulsions reported in the previous chapter, particularly the one in Saint-Priest at the end of August, the whole local network of associations mobilised to denounce the especially inhumane conditions of the police operation: Médecins du Monde (MdM), Réseau éducation sans frontières (RESF), Ligue des droits de l'Homme (LDH), Aide à la scolarisation des enfants tsiganes (ASET), Secours catholique, ATD Quart Monde ...

In *Nantes*, the association of Roma from the Sorinières region, Médecins du Monde (MdM) and the organisation Une famille un toit 44 work closely together. When threats of expulsion were directed at families occupying a piece of land in the Sorinières region, this group of organisations

attacked the general Council which was the owner of the land. In June 2006, a temporary ruling condemned the general Council to defer expulsion and to appoint a mediator, specifying in its reasons that: « *It goes without saying that the prompt expulsion of a community of Roma made up of around 10 large families totalling about 50 people of all ages would have a serious de-socialising effect and would be clearly offensive to their dignity, and indeed, to the most elementary of our duties to humanity* » Representatives of the organisation Une famille un toit 44 went to Romania to meet people who had been repatriated following arrest. Two movies were made with funding from local TV networks and broadcast on local channels. A piece of work was carried out with assistance from a legal practice within the legal aid framework to progress negotiations with the town Council, leading to the nomination of a mediator tasked with finding the most workable solutions.

In *Marseille*, the association Rencontres tsiganes is actively pursuing a policy of support for and defence of French travelling peoples and Roma of non-French origins. Its website, www.rencontrestiganes.asso.fr, reports on regional, national and international events. Interested networks are kept up to date via a daily newsletter.

In *Tours*, the Pont aux Oies citizens' network, whose work is relayed by the association Romany Links, works with Roma families who live in the area and who are mainly native Kosovans. There was a large mobilisation in October in support of 2 young men who were arrested and threatened with repatriation during a routine vehicle check.

In *Val-de-Marne*, action is led by several support groups which meet when necessary to put questions to the general Council or the Prefecture at county level. A county committee exists and intends to sub-divide into functional associations to coordinate various actions: small and precarious bits of land occupied by small numbers of people, accommodation in hotels within the framework of child welfare services (ASE), families accommodated by the general Council in Saint-Maur and in Vitry/Villejuif, a project taken forward by a social organization, a project which is also going on in Limeil-Brévannes. This committee also has an aim to information-share on militant aid practices across different sectors (health, education, work, leisure...)

In *Saint-Maur*, the Roma Association of Saint-Maur meets every day. It has organised itself into "mixed" committees (Roma/Gadgés) which aim to focus on various problems related to health, housing management and education. An important piece of work was conducted in partnership with collectives supporting illegal immigrants (ASSOUEVAM). This aimed to draw up documents demanding residence permits, in particular in the context of the Ministry of Interior's circular of July 2006 establishing conditions of legalisation for parents with children in school. No permits were granted within that framework or any other framework.

In *Limeil-Brévannes*, the support group denounced the methods used by the police in very strong terms: « ...the police abused their power, assaulting people's dignity and their goods. In a climate of violence, police forces obliged everyone to go out into the cold and went on to systematically destroy the interiors of between 12 and 17 caravans. They seized personal papers and money... » The committee went on to establish close links with the Health and Social Action Body (CASS) for the subsequent health and social situation in which escaped families accommodated in hostels found themselves. It elaborated support action in areas of housing, securing State Medical Aid (AME), transport.... Links were forged with the town and with the organisations Pour loger, Habitat solidaire and Secours catholique for a housing-based integration project to be rolled out during 2007.

In *Villejuif, Orly and Vitry*, a support group meets with Roma families accommodated in houses, which the general Council (Department 98) had made available for them, with the aim of sorting out problems around schooling, access to health care, insurance payments, and water and electricity provision ...

In *Créteil*, several families live on a small piece of land: a support group has been set up for emergency situations.

In *Choisy-le-Roi*, 4 families from shantytowns in Choisy-le-Roi and Orly, accommodated with assistance from the town and associations, currently have residence permits: normalisation of their situation will follow.

In *Seine-et-Marne*, the Roma support group from Réau works in close collaboration with the illegal immigrant collective from Melun. Several letters have attempted to draw the prefect's attention to practical conditions surrounding the return to Romania of 2 groups of people in July and December: imposed repatriations, for all that they were presented as resulting from negotiations. The promised financial assistance does not seem to have been forthcoming.

In *Seine-Saint-Denis*, 2 militants from Doctors of the World and Parada started an important piece of work on "migration" in the county, in particular to the Northern part. In *Montreuil*, the support group has not, despite numerous attempts, succeeded in opening negotiations with the town.

In *Val-d'Oise*, the West Paris Roma support group denounced repeated expulsions of Roma families in the county by publishing leaflets and a poem:

1 March

« During this, the first morning of the month of March, the air chilly, still white from a light nocturnal snow, dozens of caravans, on Saint-Ouen-l'Aumône territory, mid-field, on the edges of the vast and vastly polluted Pierrelaye plain, left, one by one, watched by a handful of police, the "wild" parking area where, for approximately the last year, Romanian families had set up home... »

July

« Emptied.

Empty, the land above the hamlet of Liesse.

Expelled the Roma who had set up home in the neighbouring fields.

The square is free.

The litter, the carcasses, the rubbish remain.

The dishevelled cleared out!... »

National Actions

The CNDH Romeurope convenes once a month in the Île-de-France region and meets three times a year with its teams throughout the country, the latter meetings taking place this year on 28 January and 20 May in Paris and on 30 September in Marseille. These meetings serve mainly as a forum for sharing experiences and news and defining political initiatives.

Several press releases⁸ were sent out to all print and broadcast media outlets:

- On 26 January, in reaction to the police operation of 24 January on the Limeil-

Brévannes lot: *"Is it not the duty of the police and the justice system to protect minors?"*

- On 27 February, to applaud the Bagnolet local council for its decision to prepare a housing plan for the Roma living within its confines and to express hope that other local communities would move to similar decisions: *"Eradicating shantytowns and supporting Roma families – it can be done."*

- On 12 July, to protest remarks made by the director general of the Paris police force, who eliminated Roma from the Ministry of the Interior's memorandum aimed at legalizing the parents of children in school, for reasons of their alleged criminal activity: *"No to discrimination against Romanians"*.

- On 16 August, to speak out against the repeated and violent evictions⁹ and call for dignified housing solutions: *"Summer, as always, means bad weather again for the Roma."*

⁸ See: www.romeurope.org.

⁹ 11 Evictions in August in Saint-Étienne, Nantes, Lyon, Marseille, Saint-Ouen-l'Aumône, Aubervilliers.

After the Romeurope 2005 report was sent out, several interviews were obtained throughout the summer at:

- *The Ministry of Labour, Social Cohesion and Housing.* A delegation was received by Mr. Le Divenah, Chief of Staff, along with a Ministry Technical Advisor for Social Cohesion and Gender Equality. The outcome of the meeting appeared quite positive, as our contact agreed with *three areas of interest*: 1) The need for the government to improve its understanding of the migrant Roma community (Mr. Le Divenah indicated a desire to speak with the Population and Migration Division - DPM); 2) The health problems afflicting families relegated to shantytowns¹⁰ (Mr. Le Divenah said that he would like to encourage the DDASS to perform systematic health diagnoses); 3) The social/health mediators project (Mr. Le Divenah showed great interest in this type of project and stated that he would like to support them¹¹). Mr. Le Divenah promised to keep us abreast of his work. On 15 November, since no news had been received, a follow-up letter was sent to Mr. Le Divenah. We did not receive the reply, attached hereto, until March 2007; it shows that the relevant departments had been questioned on the topic. The delay in receiving this information, however, was quite regrettable, as the reply arrived during a period of pre-election resistance to change.

- *The Ministry of the Interior.* A delegation was received by Mr. Larrivé and a technical advisor. The meeting took place during the peak period of evictions, arrests and chartered deportations. The Romeurope delegation did not mince its words, qualifying, on the basis of solid evidence, this policy as “idiotic, inhumane and ineffective.” Those we met with were closed off to our remarks. The technical advisor thoroughly emphasized that there is no place in France for foreign-born Roma. He praised the operation targeting the families from the Réau region (77) with the goal of sending them back to Romania with financial assistance.

The CNDH Romeurope questioned police headquarters and departmental government councils to denounce local situations to which the only response was a no-solution expulsion, and to request meetings to promote initiatives similar to those that have met with success, such as the solution found in Lieusaint. As such, three letters were sent to the *Préfet* of the Essonne department to denounce the fact that no lasting and dignified solution had been sought, to speak out against the situation of the families in Palaiseau and Villabé, and to support the association to support the Roma of Palaiseau for a department-wide round-table meeting. The most recent letter to date, sent on 2 January 2007, did not succeed in preventing evacuation from the lot.

Because of the particularly worrisome situation in *Seine-Saint-Denis*, given the number of shantytowns in that department, particularly disgraceful living conditions and the difficulty encountered by the supports faced with no response from the institutions, a letter was sent on 1 December to the President of the departmental government council to request a meeting (as of the close of the 1st quarter of 2007, that meeting still has not taken place).

Significant work has been done to gather together all documentation related to the Roma and that could also be useful to all those who would like to create a support committee or organize a public meeting or youth meeting. This set of documents called the “activist’s trunk” is now available both physically¹² and virtually, via Romeurope's web site.

¹⁰ This meeting took place during the serious tuberculosis epidemic that affected the Réau lot, the inhabitants of which were facing threats of eviction with the risk of individuals being displaced, of premature severance from medical treatment, etc.

¹¹ The Fight to End Exclusion project fleshed out in 2004/2005 in partnership with the Ministry had been halted because the Minister of the Interior refused to grant working papers to four Roma that had been pre-selected for a pilot project.

¹² ¹⁴ Because the CNDH Romeurope currently has no quarters of its own, the activist’s trunk was taken in by the documentation service at Médecins du Monde, where it can be requested.

A *web site* was created: www.romeurope.org. The site aims to raise as much awareness as possible with regard to the situation of the migrant Roma living in France. The web site is updated by the support committees, who upload information about local events, difficulties encountered and progress made. A press digest is posted on the web site on a regular basis.

Finally, we must point out that a Romeurope *management association* was created, with the sole objective of trying to obtain subsidies, in particular to pay for travel to national meetings and for costs related to the web site. This is a good place to remind all that to this date the CNDH Romeurope receives no funding.

Chapter 3

1 – Childhood

In the Universal Declaration of Human Rights, the United Nations declared that children have a right to special aid and assistance. France, along with other so-called developed countries, signed the International Convention on the Rights of the Child of 20 November 1989. In so doing, it made a commitment that *“in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.”*

Alas! The situation in which the Roma families are forced to live proves every day that this commitment has been ridiculed.

The extremely precarious conditions of day-to-day life, evictions from land, police brutality and arrests all constitute violations of basic rights and traumatize the victimized families. Children, who witness these brutalities, are particularly affected.

When our associations meet with government authorities alongside the families and denounce the failure to implement the Convention or, more specifically the failure to enforce the Law of 1998 to combat exclusion, the government replies that the Roma are first and foremost illegal aliens and that enforcement of the residency law “comes first”! Even though the status of the Romanians and Bulgarians changed in January 2007, this remains outrageous behaviour that not only denies children their rights, but also places them in danger. Under pressure from the associations and support committees, situations do sometimes to change, with occasional support from local governments (cities, departmental councils, etc.); this facilitates work aimed at getting children to school and providing social assistance to children as well as medical care and access to cultural services and entertainment.

The future of children – a common reason for migration

Contrary to certain preconceived notions about those living in very marginal situations, Roma families focus their complete attention on their children. Under the communist regimes, all children were in school: studies done by Romeurope from 1997 to 2000 revealed a customary period of four to six years spent in school. While certainly insufficient, this time in school did allow them to at least learn to read and write. In the years following the fall of those regimes, mandatory schooling was no longer enforced. Widespread poverty brought on by job losses forced many children to leave school, as their families did not have the resources to dress them properly nor to pay for their transportation and lunch at school. Furthermore, the financial contributions of children became important to eating and surviving. Finally, those children that stayed in school were too often the victims of discrimination, relegated to special classes or the lowest ranks, victims of manifest rejection. For all of these reasons, some parents who had the courage and the financial resources opted for migration, *“so that their children could have a better future.”*

Schooling

All children between the ages of 6 and 16 are required to go to school, including those with foreign citizenship and including the children of parents lacking proper immigration papers and those considered to be tourists (Article L. 131-1 of Chapter 1 of the French Code of Education).

While this right remains inalienable today, there are numerous obstacles to its implementation and there are still too many children not in school, too many children and teenagers who have dropped out after promising beginnings.

The living conditions in the shantytowns, constant crime, lack of hygiene and remoteness, all complicate access to schooling. When families have a roof over their head, some kind of housing, even at a hotel, if that housing is not too far away, it becomes easier to get the children to school.

Evictions are a major cause of interrupted schooling.

Establishing a domicile is another obstacle. Since most CCAS agencies refuse to provide it, families are then domiciled by associations often located far from where they live. Some local communities then attempt to turn down school registrations on the pretext that the family is not domiciled within their jurisdiction. Other communities do not even search for that pretext, refusing to allow Roma children into school on the argument that they will soon be deported.

Lack of money is another obstacle to proper schooling. School is not free when one considers the costs of clothing, transportation and lunch, not to mention extracurricular activities. Some communities help in offering minimum rates, and some departmental councils pay for transportation passes, but often this assistance is obtained only after sustained activism and it is far from being widespread.

The Ministry of Education does not always provide the necessary resources (CLIN or CLA¹³) and precautions are not always taken when children first get to school. Some cases call for progressive entry into school, working in conjunction with associations dedicated to getting children in school.

In *Saint-Priest* (near Lyon), a project called "C.L.A.S.S.E.S." designed by a group of associations (LDH, MdM, ATD Fourth World, ASET, ALPIL, Resovigi, etc.) was slated to appear. The project made provision for an entire process for access to schooling, including a cross-over preparatory step to take place at the *La Carnière* community center in Saint-Priest. Difficulties ensued with the academic inspection authorities, which saw the program as infringing the role of the Ministry of Education. The academic inspection authority has expressed its desire to get all children into school, but the reality shows anything but...

Obstacles also exist at the family level: parents often display motivation to have their children in school and the children are the first to act, even with difficulties. The language issue is difficult for parents, but not for young children, some of whom already know two or even three languages. To meet the basic needs of everyday life, however (food, medical care), parents sometimes arrange to beg with a child, which brings in money and provides a buffer against emergencies.

Some difficulties are only encountered at the secondary level; most students who drop out do so during the secondary school years. Sociologists and anthropologists often state that adolescence is "erased" for Roma, who pass directly from childhood to adulthood. Boys want to work with their fathers. Girls are sometimes in a position to marry or have children at as early as 15 or 16 years old. Nonetheless, when they have often attended school from childhood onward and developed relationships with other teenagers, some wish to continue their schooling if they are provided with that possibility. The secondary school system is very selective and Roma, like other children from

¹³ CLIN: Introductory class for non-French-speaking children (elementary); CLA: class for non-French-speaking students (secondary).

highly underprivileged backgrounds, are among the first to be excluded, except for when they have proper living conditions.

After secondary school it becomes even more difficult to find suitable facilities. Examples have shown, however, that these young people can succeed in occupational training.

Testimonial

Toma was born in Romania in 1989. He and his mother came to France in 1998 to join his father and the older children. I met him in 1999 on a vacant lot in Orly. We had just informed some families living there that their children were entitled to go to school. After difficult beginnings, having never before been in school, in his introductory class for non-French-speaking children, Toma has committed himself to staying in school, on his own accord and at all costs, with support from his parents. And yet he certainly faced his share of difficulties! Evictions from the lot in the early morning hours, precarious living conditions without water or electricity, arrested and handcuffed on the bus for not having a ticket, pressure from the other families on the lot to contribute his share of the work, to name a few.

Toma persevered and stuck to his guns, traveling long distances to get to school. Not having succeeded in overcoming significant shortcomings, he entered secondary school under the framework of a SEGPA program [general and professional adapted secondary education].

Toma was then accepted at a technical high school where he just recently received his CAP degree.

He also received his first residency papers this year, having reached 18 years of age after having resided in France since before he was 13 years old.

Toma has certainly earned these successes. He also speaks of those he met along the way and who supported him:

“A teacher who taught me to read and write; *Secours Catholique*, which helped me financially; and, for the help they gave me with my homework, my friends the French, friends I made little by little along the way...”

When he was 10 years old, Toma wanted to be a police officer to defend his parents against ... police-driven evictions.

He is going to try out a training program in electricity. And he is going to live in France with his parents, who received legal immigration status a year ago.

All partners (parents, children, etc.) should be better informed of the importance of staying in school, the importance of proper living conditions for proper schooling, going to the school cafeteria, the community center, etc. (local authorities, national government, associations, etc.). Participation in the initiatives launched by action groups such as RESF is essential to raising awareness of the issues that Roma families face.

Mandatory schooling for children of illegal immigrants is under attack. Some, seeing this as a way for foreigners to live permanently in France, do not hesitate to threaten that schooling will be limited to only the children of those with legal immigration status.

We must remain extremely vigilant.

Furthermore, going to school cannot be tantamount to renouncing one's cultural identity, and in particular the Romani language.

Testimonial – Marie Borelli, Director of “*Sans papiers ni crayons*”

Three years ago, I was a carefree director who preferred fiction to reality and the imaginary to the documentary. Then one morning in October of 2004 I traveled to a place unknown. To a shantytown.

No water and no electricity. Just a few kilometres from Paris. That's where I met Roxana, a young 13-year old Romanian.

She had arrived on French territory illegally with her parents. She was an illegal immigrant.

Roxana was lively, happy and full of desires and hope for the future. In fact, her dream was to become a police officer. That is, until the day she was deported. She had never learned to read or write. Roxana had never even been to school. I couldn't believe my ears! How was this possible? In France? And yet school is mandatory for all children, whether they are legal immigrants or not! I was astounded to learn that Roxana had never been able to go to school because she was undocumented! In 2007 would become European, prevented from the opportunity to go to school! How was this possible? There must have been a law of some sort, something to protect these children so that they not be deprived of their basic right to education. If not, what use was the Convention on the Rights of the Child? Did it have no purpose? Was it just a piece of paper to relieve our collective conscience?

I wanted to find out more, and went out to meet undocumented children. And believe me, there aren't just a few! That's a lot of children whose rights are being stripped!

With this documentary I wanted to give them a voice and let them tell me the story of their life. I wanted to hear what I wasn't seeing on television, what the press speaks too little about. I wouldn't want to wake up one morning and say "I didn't know." If you want to know, don't hesitate a minute longer...
I would like to thank Réseau Education sans Frontières as well as Médecins du Monde, without which this film could never have been made.

Child Welfare Program (Aide Sociale à l'Enfance)

The mission of this social assistance mechanism is to provide assistance to children and their families via individual or collective protective actions. The mission extends to all children, no matter the administrative status of their parents. The children of parents whose immigration papers are not in order are entitled to the same protection. Priority is placed on measures for shelter and housing, oftentimes arranged at a hotel. It also includes medical care and social work provided by social workers.

Support can be provided via material goods, with the allocation of sums of money and gift certificates (food, diapers, etc.).

Results at the regional level vary greatly from one departmental government council to the next.

Too often, overwhelmed social workers are not properly equipped to fully understand the reality of the situations in which the families are living. In such conditions, approaching Roma families can be difficult and social workers should be trained to overcome certain stereotypes. The support committees could make a contribution in this area.

Measures taken are too often reduced to financial assistance, which is of course important, as we all know how much housing at a hotel can cost. Specialized measures focused on prevention for young people and their families are rarely implemented. Awareness activities, particularly among young couples or very young girls on the topic of preventing early pregnancies, should help them to move forward in their autonomy and plans.

We all too often hear "See what we're spending on you? It's already quite something!"

Testimonial – The child welfare program (ASE) in the Val-de-Marne region

For us, the support committee, it should be an essential bridge, and for some families a mechanism to help them in their support and assist them with integration and caring for children within the social fabric.

The ASE management staff never was able to implement the proposals we had made, for various reasons. After having spent two and a half years with the Roma, and now that these families have gained a certain stability geographically speaking, we feel there is an urgent need to work with these families from a different approach. In Saint-Maur our work mostly focuses on managing housing, making sure on a weekly basis that the building operates under conditions that pose the least amount of difficulties for the families, for us and for the neighbourhood. We make sure that the bills are paid, we have a very hard time getting them to contribute to the management.

The relative stability of their housing situation can open doors to a different way of life. But as the support committee, we can consider working on these issues since we are not social workers, but activists.

This would also mean working on the following:

- Awareness work surrounding healthcare for children and in particular dental care.
- A major push for awareness, sorely needed, with regard to food-related behaviour.
- Measures targeting teenagers surrounding such issues as contraception and sexuality.

All of these areas should be handled by professionals with follow-up on a regular basis, which we cannot do. This is because, although some of us are in fact healthcare or education professionals, we cannot take on these difficulties.

We would like to once again call on social workers to become involved in these types of activities, which would give their positions new meaning, reaching beyond the role of simply securing funding.

We also refer back to the idea of having a contract between certain families and the child welfare program, a contract that would call for social and educational work that is personalized and meets the needs of the families.

The difficulties families are facing are clearly socio-economic in nature, but the families also face difficulties with regard to the communal way of life, which greatly influences the mental and physical health of the adults and children.

We of course work with the residents of Saint-Maur, but we also consider those families living in hotels or individual housing situations, families who are facing the same difficulties.

Isolated minors

Minors sometimes end up alone (without their parents) following expulsions from camps. Namely, this occurred in January 2006 *Limeil-Brévannes* (94).

In other camps, minors lived without their relatives, sometimes with a distant relative who does not really take responsibility for them.

Some of these minors contribute to their families' economies, without being subjected to violence. Others live in situations in which they are exploited, and are sometimes the victims of violence. Others still have broken away from their families.

Protecting minors has turned out to be a very difficult task that is ill-assured by the institutions. A number of specialized associations, members or partners¹⁴ of CNDH Romeurope, perform an important job with limited means. They point out the diversity of situations, which require different kinds of aid and approaches.

The difficulties derive from the failure to adapt available solutions; many of these children have had very limited schooling and it is hard for them to obtain vocational training. These young people should be shown the best possible alternatives to their predicament before they turn to crime.

Artistic and sports activities can help maintain connections.

In certain departments, child welfare is attempting to create partnerships with associations who work with isolated minors in order to devise new preventative and support actions, as current practices such as fostering or isolation fail.

Children under 6 years

Schooling for children between 3 and 6 years of age is not mandatory in France despite the fact that its usefulness towards improving performance is by now proven. It is also fundamental for Roma children, who are thus shielded from the dangers of their living environment. Moreover, it is essential for preparing them for primary school and helping them learn French.

Insofar as places are available, some schools take Roma children, with a definitive rate of success.

Crèches and day nurseries are for all intents and purposes closed to Roma children, owing to the lack of places and especially to their costs. Mothers who go out to work or beg have no choice but to leave them with relations.

If a right of priority is instituted for access to crèches and day nurseries, we request that, in the same way as occurs for the right of priority for accommodation, that it be universal and applied to all parents, regardless of their residence status.

Access to cultural and leisure activities

Clearly, Roma children must be entitled, in the same way as other children, to take part in cultural outings and summer camps...

It is possible to enrol such children in sports clubs and in musical and artistic activities provided by the municipalities where they go to school. In the same way, their taking part in leisure centres and summer camps should be promoted with local communities. Integration also passes through these activities, which means that the children also enjoy more exchanges, creative activities and a social life outside school.

¹⁴ See Hors la rue's 2006 report at www.horslarue.org and Parada's web site at <http://parada.france.free.fr>

This has been done in exceptional cases, but there are many obstacles. These include financial constraints affecting the families and the refusal on the part of certain municipalities to consider the Roma as residents, except for schooling purposes, as the latter is prescribed by law. Moreover, their parents are very nervous at the idea of being separated from their children, owing to the instability which they live in; what would happen if they were to be arrested or expelled when their children are not there?

In many cities, children have been helped to go to summer camps thanks to various kinds of assistance. However, these cases remain the exceptions, and more often than not we see the children spend their summers in their camps or in shelters.

Nevertheless, cultural activities such as theatre, dancing or reading have been promoted in some camps, where the young people who have taken to them very quickly and set up and performed shows. In this respect we can cite the example of Saint-Maur. These activities should now be brought out of the Roma camps and linked to those of other children.

There is a lot of work to be done in this respect for and together with these children and teenagers.

2-Housing¹⁵

Housing, the first stage of an integration

Having a roof over one's head, long-term accommodation, is foremost if one is to recover one's dignity. It means access to general rights, and often losing one's unlawful status. It is also the first requirement towards beginning the process of integration. Alphabetisation, schooling, access to employment, and access to healthcare can all only be obtained once one is able to work serenely having achieved a sense of continuity.

Housing in the countries of origin

The first important observation to make is that these are fixed homes. The Roma of the central and eastern European countries were almost all sedentary and lived in individual or communal lodgings. No caravan life then. In some exceptional cases, some lived in tents, in the poorer and more backward areas.

Unless emigrant families have sold their homes because they did not intend to return to their homeland, they often own a small home where those who have not left the country still live, elderly or disabled relatives in particular. Sometime this is nothing more than a wooden shack. Sometimes these are small cob houses with earthen floors. Water is provided by a common well, more rarely a privately owned well. Electricity is supplied by makeshift connections.

There are no septic tanks, no toilets, only huts with holes in the ground. Some families may own real, small houses, usually modest¹⁶, but with running water, electricity and more rarely a sewerage system. In cities, families sometimes live in apartment blocks, often dilapidated. These shacks, houses and blocks are generally situated in out of the way, suburban areas, often in real ghettos. Therefore, the Roma's environment contributes greatly to the discrimination they are subjected to.

Confined to shantytowns in France

Most migrant Roma in France come from Bulgaria and Romania¹⁷; these Roma therefore no longer have the status of asylum seekers, which means that they are no longer eligible to be housed in the shelters for asylum seekers (CADA) to which only families from the countries of ex-Yugoslavia have a claim (but where they are now rarely admitted). As mentioned above, most

¹⁵ This chapter was written in collaboration with Fondation Abbé-Pierre.

¹⁶ Some « palaces » do exist, often hyped by the media; these are exceptions and more often than not all they comprise of is an empty shell...

¹⁷ This report refers to 2006, prior to the entrance of these two countries into the European Union.

come and go, staying in France for consecutive periods of less than three months. They are therefore officially considered « tourists », and in actual fact have no access to any public shelter or accommodation scheme, and even less so to private accommodation or hotels, as the costs of these are prohibitive to them.

This means that families are forced to settle in unauthorized campsites, living in precarious homes made of salvage material, or in second-hand caravans, thus recreating veritable shanty towns where they gather together to protect themselves from the police harassment which they are continuously subjected to. These groupings include the members of several families related to each other, or from the same village or district of origin.

The degradation and dangerous sanitary conditions of these sites have already been described, and the fact that these conditions are often not very different from those that these families endured in their countries of origin is no excuse not to denounce them.

What housing solutions can suitable for France ?

The generally accepted objective is that everything should be in place so that those living or arriving in France can have access to decent shelter or housing so that shanty towns cease to exist.

Citizens of European Union member states who enjoy complete freedom of movement, namely those from Romania and Bulgaria as of the 1st of January 2007 who are present in France for the long-term, can no longer be ignored when addressing this problem. Indeed it would be a vain hope to rely on possible fast voluntary returns, and even less so on the effectiveness of expulsion procedures which are nowadays more difficult to justify as they concern EU nationals.

It is worth mentioning that, differently from Italy or Spain for example, the number of Roma migrants in France is still limited and has been estimated for many years as being less than 10 000 throughout the country.

- ***A first recommendation*** is to search for varied solutions, adapted to the different needs of families and studied together with them on the basis of their plans.

Some Roma families who have been living in the country for a long time clearly fall within a strategy of integration. Many of these still have no access to employment and/or to resources enabling them to aspire to social housing, let alone private accommodation. This varies region by region, but it is their aim nonetheless and they have the capacity to achieve it. Other families only plan short but repeated stays. However, they do not have relatives who can put them up in France, nor do they have the means to pay for a rent or stay in hotels. Lastly, others' plans may be more confused, as the uncertainty of the families as to the prospect of settling down in France may depend on various factors, first of all on being able to find employment. The opening in France in 2007 of a list of 62 jobs where recruitment is problematic to access to nationals from the new European Union member states, including Romanians and Bulgarians, should improve this situation.

- ***A second recommendation*** is to look for housing solutions which are long-term enough to prevent those forced and repeated moves that each time result in breaking social ties and weakening the social integration prospects of families.

- ***A third recommendation*** is to look for areas which promote contact with other populations so as to avoid ghettoisation and assure the proximity of schools or the availability of school transport facilities without discrimination.

It will also be necessary to find temporary solutions that enable families to move forward with their plans.

Accommodation, even long-term, in hotels has by experience not proven satisfactory, as it does not lead to a normal family life as it does not enable cooking. In addition, its cost is prohibitive. Conversely, a social hotel type of solution could be attempted.

It could become necessary, owing to local needs and constraints, to identify a land plot connectable to water, electric and sewage systems, which could house a score of families in bungalows or modular buildings with acceptable sanitary conditions.

Refurbishment and the placement at disposal of empty buildings, or their requisition on the part of local communities who have decided to contribute to the elimination of shanty towns could provide extremely interesting solutions for some family groups. If they were granted financing, associations who operate in the field of housing for integration could also acquire them and use them to install families in them.

We need to arrange a real hunt for empty housing and buildings in order to increase the available offer for all those who are in need of accommodation...

Access to social housing cannot be conceived until a later stage, after at least one family member has obtained a stable job. The experience of Lieusaint shows that such a plan is entirely feasible. In order to facilitate this access, in the same way as for any other foreign family having a regular status, there should be no hesitation in obtaining registrations in the prefectural quota.

Implementation and follow-up

The success of these projects requires a high level of social assistance. This must be provided by professionals, where possible under ordinary law, with MOUS (urban and social project management) types of solutions being particularly suitable.

Solutions in the countries of origin

Here and there, microprojects are being run to rehabilitate the habitat in the countries of origin of migrants. The development of such projects is promising so long as they are run with the actual participation of the Roma concerned, in collaboration on the spot with local departments and after consultation with the neighbourhood. Economic integration through such projects should be considered in the long-term.

3 – Healthcare

Fieldworkers constantly warn of the widespread worrying conditions of ill-health of affecting Roma people in France, many of whom require important medical care.

Multiple causes of very worrying health

- **Difficulties in accessing healthcare in the countries of origin**, even lack of access.

Despite legislation which theoretically guarantees access to healthcare for the most destitute, this is far from being a reality in the countries of emigration of the Roma. In Romania, the practice of unofficial cash payments remains a hindrance to obtaining medical care. The sums requested may not be great, but they are still beyond the means of Roma families who are generally poor. At other times they may be refused care on the pretext of their being Roma; in any case, this is how they perceive it. This means that families arrive in France in urgent need of treatment for conditions which have been allowed to progress. Ill-health and the need for treatment remain a frequent cause of emigration.

- **Lack of healthcare education**

In this context, the absence of healthcare education of people who have had very little schooling, if any, and who have no access to information is an aggravating factor. Knowledge of prevention is very scarce, and requests are more frequently limited to the provision of drugs.

- **Difficulties in accessing healthcare in France**

Several factors intervene here :

- legislation, which establishes a prior minimum stay of three months in France and the need to prove the duration of the stay and a domicile before being granted any type of medical insurance, CMU (Universal Health Insurance) or AME (State Health Aid);
- lack of knowledge of healthcare institutions and the language barrier ;
- individual priorities – before going for treatment, these people need to eat, and to find the money to eat ;
- fear of being arrested, which leads to putting off all trips which are not considered to be indispensable in the here and now.

● **Living conditions**

Living conditions are responsible for aggravating conditions of ill-health, or even of causing certain illnesses. Hygiene is hard to maintain without access to running water and private and clean toilets. Exposure to the elements, and muddy and marshy ground, as well as feeding on foodstuffs collected from the refuse of markets and supermarkets are also contributing factors, as are the permanent stress due to the constant threat of police raids and the presence of rodents and parasites in the camps.

● **Treatment interruptions**

Instability and the many expulsions from the camps do not facilitate access to healthcare networks. At the same time, every move causes an interruption in treatment.

Most common diseases

There are no illnesses which are specific to the Roma population, as some would like to make out ! All the diseases encountered are the consequence of the factors listed above.

- Tuberculosis is very frequent, as it is for all migrant and/or homeless populations. Organizing screening too often resembles a battle course.
- All infectious diseases spread more easily or are aggravated.
- Mental health problems are only rarely addressed, yet are very frequent owing to the permanent stress under which these people labour and their condition of disarray at being exiles in a country where they are unwelcome.
- Obesity and metabolic diseases linked to unbalanced diet are frequent.
- Mother and child health conditions are particularly worrying: multiple and unscreened pregnancies, often in very young women, even in adolescents, as well as repeated terminations are frequent.

CNDH Romeurope's demands in terms of healthcare

- *immediate access to medical insurance* : suppression of the three-month delay and access to the CMU for all ;
- *eradication of the shantytowns and the right to dignified and long-term housing for all* : this issue, as addressed in the previous chapter, is an essential factor in promoting good healthcare;
- *sanitary assessments*: assessments of sanitary conditions should be carried out in all camps/shelters, before reporting to the relevant healthcare structures for targeted interventions;
- *screening for tuberculosis* : this is currently the responsibility of the government. It is indispensable that the Roma, regardless of their living conditions and their forced moves, can benefit from the same practices¹⁸ as the French population, which means that specific measures should apply to ensure that they can stay in one place for the duration of screening and treatments;
- *specially-trained healthcare mediators* providing improved information of the structures and of the people and ensuring improved access to healthcare ;
- *access to education to healthcare*, a part of which could be the task of the specially-trained social and healthcare mediators.

¹⁸ IDR and x-rays for all, treatments including non-disease tuberculosis.

2007 Outlook

Note : CNDH Romeurope decided not to include in this report the situation of the Roma in France in terms of residence status in 2006 in view of the changes that have occurred for most of them starting from 1st January 2007. Nevertheless, the status of the Roma from ex-Yugoslavia is discussed.

The entrance in the European Union of Romania and Bulgaria on 1st January 2007, implying complete freedom of movement for its nationals in EU member states, significantly changes the resident status in France of several thousand migrant Roma originally from these countries.

The possibility offered them to apply for a list of 62 jobs where recruitment is problematic and which are open to Europeans, opens new prospects for them in terms of long-term settlement in the country.

Expulsion procedures will become more difficult to back-up, as they can only be justified by reasons of public order or in the case where presence in France is proven for longer than three months (this knowing that there is no longer any record of entrance dates at the borders) and that the person is a social burden to the country in terms of welfare.

Nonetheless, at the time this report was published, the first orders to leave the French country (OQTF) have been issued to several Romanian Roma, based on highly debatable grounds of their being an « unreasonable burden » on France.

CNDH Romeurope is alarmed by this trend which could prove to be a repetition of what was noted in 2006, i.e. that Romanian and Bulgarian Roma are used to plump-up the numbers of the government targets for expulsion from the country of foreigners having irregular status.

Conversely to such a policy, which is as absurd as it is ineffective as the expelled Romanians and Bulgarians are able to return immediately, it is more than ever necessary to look for permanent solutions to the situation of the Roma living in disgraceful conditions and to ensure that shanty towns cease to exist in French cities.

This requires precise assessments of the camps and the situations of these families, as well as increased support on the part of the government for volunteer organizations and local communities and associations. Individual projects should be granted extensions to enable long-term or seasonal settlement in France, without excluding the option of return, where it is truly voluntary, in the context of an actual integration plan with the required support provided here and back home.

Access to employment or vocational training, as well as access to dignified housing are priorities.

Expulsions from living quarters should cease immediately and a fundamental strategy should be devised involving the families and those who support them in collaboration with local councillors, social services and prefects, including urgent sanitary and social interventions, as well as the schooling of all children.

All CNDH Romeurope members, aid associations and committees will be working again in 2007 to ensure that the rights of these new Europeans are respected in terms of freedom of movement, access to employment and social rights, without restrictive measures which discriminate against them with respect to other European nationals.