

28 September 2012

Manuel Valls Minister of the Interior
George Pau-Langevin, Deputy minister of Educational Success
Christian Lambert, Prefect, Seine-Saint-Denis
Stéphane Troussel, President of the *Conseil Général* of Seine Saint-Denis

Re: Planned eviction of Roma, La Courneuve

The European Roma Rights Centre (ERRC)¹ is writing to express concern over the planned eviction of 40 Romani families from an informal camp at La Courneuve, Rue du Moulin Fayvon. The Roma community includes around 30 children, 20 of whom are attending school, including three at secondary school. The Romani people have lived there since May 2011, on land owned by the Département of Seine Saint-Denis. The community has negotiated household waste collection with the City of La Courneuve. At least 10 individuals from the community have lived in France for more than 20 years.

The evictions are currently planned for next week (2 October 2012). The original decision to evict dates from 11 May 2012.² Media reports indicate that the police and a representative from the prefecture went to the camp on 27 September 2012 to try and persuade the Roma it was in their own interests to leave.³

The Ombudsman has been in touch with the Prefect to ask him what measures have been taken to conduct an assessment of the situation, and asking the prefect to at the very least delay the evictions, so that the families individual circumstances can be taken into account, and the children's education will not be at risk of disruption.⁴

Following the inter-ministerial meeting in August, a new bylaw was drafted to deal with evictions of Roma.⁵ It includes a responsibility to conduct a 'social assessment'⁶ of any Roma who face evictions, to ensure equal treatment and dignity of anyone in a situation of social distress, and to propose solutions and support. The assessment has not taken place, and there are no alternative housing solutions being offered.

The situation raises serious concerns that French authorities are failing to respect a number of obligations under international law, including protection from forced eviction, the right to adequate housing and freedom from discrimination.

¹ The ERRC is an international public interest law organisation working to combat anti-Romani racism and human rights abuse of Roma.

² TGI de Bobigny, Ord. du 11 mai 2012, N. et Autre.

³ Carole Sterle, 'Roms: le Défenseur des droits interpelle le préfet', Le Parisien, 28 September, 2012.

⁴ Ibid.

⁵ France, *CIRCULAIRE INTERMINISTERIELLE NOR INTK1233053C du 26/08/2012 relative à l'anticipation et à l'accompagnement des opérations d'évacuation des campements illicites*, 26 August 2012, Available at: http://circulaire.legifrance.gouv.fr/pdf/2012/08/cir_35737.pdf

⁶ 'Diagnostic social'

French authorities are bound by Articles 8 (respect for private and family life and home), and 14 (freedom from discrimination), and Article 1 of the First Protocol (right to property) of the European Convention on Human Rights; Articles 16 (right of the family to appropriate social, legal and economic protection), 30 (protection against poverty and social exclusion) and 31 (right to housing) of the Revised European Social Charter; Article 11 (right to the highest attainable standard of physical and mental health) of the International Covenant on Economic, Social and Cultural Rights; and Articles 2 (freedom from discrimination of any kind), 16 (protection against arbitrary or unlawful interference with individual privacy and family) and 27 (right to a standard of living adequate for the child's physical, mental, spiritual, moral and social development) of the Convention on the Rights of the Child.

The ERRC is calling on the authorities to act immediately to postpone the eviction and to address the situation with sustainable solutions for this community. In particular we are asking that authorities:

- Postpone the planned eviction of Roma from La Courneuve on 2 October;
- Ensure that no Romani child is forced from school as a result of forced eviction;
- End the practice of forced evictions and ensure adequate housing to the Romani families in this area and throughout France; and
- Ensure that no Romani individual is made homeless in the process of eviction; and
- Develop sustainable, adequate integrated housing solutions for all Roma;

We request to be informed of any actions undertaken by your offices,

Sincerely,

Dezideriu Gergely,
Executive Director

TO :

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CC

European Commissioner for Justice, Fundamental Rights and Citizenship, Viviane Reding
Council of Europe Commissioner for Human Rights, Nils Muiznieks
OSCE/ODIHR Senior Advisor on Roma and Sinti Issues, Andrzej Mirga
European Commissioner for Justice, Fundamental Rights and Citizenship, Viviane Reding
European Commissioner for Employment, Social Affairs and Inclusion, László Andor
Head of the Roma Taskforce and European Commission Director-General for Justice,
Françoise Le Bail
President of the European Parliament, Jerzy Buzek
MEP, Livia Járóka
MEP, Kinga Göncz
MEP, Renate Weber
OSCE High Commissioner on National Minorities, Knut Vollebaek