



8 March 2013

Didier Paillard, Mayor of Saint Denis  
Jacques Salvator, Mayor of Aubervilliers  
Christian Lambert, Prefect of Seine-Saint-Denis  
Marie-Josiane Bartoli, Administrative director of internal security services, Préfecture of Seine-Saint-Denis  
Police chief of Saint Denis  
Police chief of Aubervilliers

### **Forced eviction of Roma, Saint-Denis**

The European Roma Rights Centre (ERRC)<sup>1</sup> and Médecins du Monde<sup>2</sup> are writing to express concern about the eviction of Romani families in Saint-Denis, who were already in an emergency housing situation following a fire which destroyed their previous settlement.

The ERRC has been providing legal support to a group of 300 Romani individuals for several months. On Friday 22 February, there was a fire in their settlement on Rue Waldeck Rochet in Aubervilliers. The circumstances of the fire are unclear. The Romani settlement was destroyed, and all the Romani families lost their homes and property. The prefecture and Red Cross organised emergency accommodation for the affected Roma in a school. Around 50 people, including approximately 15 children, took up this temporary accommodation, which was available for just four nights. The Romani people could not stay any longer, and were forced to go back onto the street, despite the extreme winter weather conditions.

On Tuesday 26 February, some of the Romani individuals started to build new shacks on vacant land between Saint Denis and Aubervilliers, by the Chemin du Cornillon.<sup>3</sup> On 28 February, the local police started to evict the families, even though they had been present on the land for more than 48 hours, and despite intervention from the families' lawyer to the police chief of Saint Denis. An eviction of a squat or settlement can only take place with a court order once inhabitants have been there for more than 48 hours<sup>4</sup>, and Médecins du Monde provided testimony that this was the case. According to eye witnesses, during the eviction police dragged a Romani woman along the floor while she was holding on to her tent and pushed children away, acting with disproportionate force.<sup>5</sup> According to a testimony collected by Médecins du Monde, the same 50 people settled in Noisy Le Sec approximately 10 km away from Saint Denis, on 1 March but were evicted again on 3 March. One Romani person reported that a policeman used a truncheon to hit a woman and child during the eviction.<sup>6</sup>

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<sup>1</sup> The European Roma Rights Centre (ERRC) is an international public interest law organisation working to combat anti-Romani racism and human rights abuse of Roma. See [www.errc.org](http://www.errc.org).

<sup>2</sup> Médecins du Monde is a humanitarian association for international solidarity which treats the most vulnerable populations, denounces violations of human rights and fights to improve the situation of these people. See [www.medecinsdumonde.org](http://www.medecinsdumonde.org).

<sup>3</sup> ERRC Interview with Médecins du Monde employee, 26 February 2013.

<sup>4</sup> France, Code of criminal procedure, Article 53.

<sup>5</sup> ERRC interview with Médecins du Monde employee, 28 February 2013.

<sup>6</sup> Médecins du Monde interview with an individual from this settlement, 5 March 2013.

French authorities should abide by the circular/bylaw of 26 August 2012<sup>7</sup>, with its provisions concerning the coordination of actors involved with communities and making a diagnosis/social assessment before any eviction. This would allow authorities to identify adequate and sustainable solutions. Without such measures, evictions only reinforce the precarious situation of these people, and solve nothing.

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

In particular, 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 an adequate standard of living) 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 and Médecins du Monde are calling on authorities to:

- Provide assistance to the individuals who were evicted and forced to move on, including alternative adequate accommodation;
- Ensure identification, effective, impartial and thorough investigation and prosecution of State perpetrators of violence against Roma;
- End the practice of evictions without ensuring adequate housing to the Romani individuals and families;
- Abide by the circular/bylaw of 26 August 2012, with its provisions concerning the coordination of actors involved with communities and making a diagnosis/social assessment before any eviction.
- Fully investigate the fire of 22 February, and if any criminal motivation is found, identify and prosecute any perpetrators; and
- Develop sustainable, adequate integrated housing solutions and implement employment, education and health projects to promote real inclusion of Roma and other migrant communities.

We request to be informed of any further progress,

Sincerely,

Dezideriu Gergely

Executive Director

Sophie Morel

General Coordinator of Saint Denis

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<sup>7</sup> 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](http://circulaire.legifrance.gouv.fr/pdf/2012/08/cir_35737.pdf)

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**CC**

Alain Régnier, Prefect, Interministerial delegate for housing and accommodation (DIHAL)

Dominique Baudis, *Défenseur des droits*

Aline Archimbaud, Senator