

DESTROYING PROGRESS / PROGRESSING DESTRUCTION:

A REPORT BY THE EUROPEAN ROMA RIGHTS CENTRE



EU Romani Women and Children in France

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CHALLENGING DISCRIMINATION PROMOTING EQUALITY

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1 Introduction

For the last decade Roma from Romania have moved to France, exercising their right to free movement and residence within the European Union as EU citizens. Research shows that the overall experience of EU Romani citizens living in France is dominated by high levels of discrimination, stereotyping and racism which result in serious violations of their human rights. By most accounts, their position in France has not changed, and often has worsened. This has been especially true since 2010 when then-President Nicolas Sarkozy took aim at EU Romani citizens at a speech in Grenoble and his Interior Minister linked Roma and Travellers to criminality.

In 2014, anti-Roma sentiment remains pervasive in French national discourse. Despite a change in Government in 2012 and pre-election pledges by current President François Hollande to change the way the Government acts in relation to EU Romani citizens in the country,¹ expulsions and forced evictions of EU Roma in France have continued unabated and even multiplied, with a disproportionate impact on Romani women and children.

According to 2011 research by UNICEF, “in poor and socially excluded Roma communities, young children’s survival, growth and development cannot be addressed effectively if the rights of women are overlooked. As mothers, Roma women are the primary caregivers who influence and shape young children’s lives and they are often primary role models for their young children, especially their daughters.”² In this respect, women are at the core of family life and have a key role in the cultivation of a prosperous future for their children and, subsequently, for their community. Nevertheless, there is a dearth of information on the experiences of EU Romani citizens in France. This is especially the case with respect to women and children, who are largely absent from discussions on the topic. Overcoming this situation is central to illuminating ways to support families and communities living in highly precarious circumstances.

This report specifically addresses the situation of EU Romani citizens from Romania living in informal settlements in France and does not deal with the particular human rights concerns of Roma from other EU and non-EU countries or French Roma, Sinti, Gens du Voyage, Manouche, etc. It presents the results of participatory research conducted in 2014 in six informal Romani settlements in France: Two in Seine-Saint-Denis in the Ile de France region, two in the Urban Community of Lille and two in Marseille. The research methodology was designed to ensure that Romani women played a concrete role in the work being done with respect to their situation.

- 1 Then-presidential candidate François Hollande addressed a letter to the NGO Romeurope denouncing forced evictions, stating “We cannot accept that families are chased from one place without any solutions” and blaming the Government of Nicolas Sarkozy as being “responsible for the intolerable vulnerability in which these families find themselves”. See: http://www.romeurope.org/IMG/pdf/Reponse_Partii_Socialiste.pdf.
- 2 UNICEF, *Women Motherhood Early Childhood Development: Exploring the question of how poor Roma women’s status and situation influences children’s survival, growth and development* (2011), available at: http://www.unicef.org/ceecis/Women_Motherhood-07-21-2011-final-WEB.pdf.

The specific goals of research were threefold; namely to:

1. Understand and assess correlations between human rights violations and precarity to identify the ineffectiveness or non-respect of specific policies or laws and other underlying factors which contribute to problems specific to EU Romani women and children living in France;
2. Understand and assess the role of Romani women in the process of migration within the context of family and of exercising their own free movement rights, their awareness of services, resources and rights and to identify possible shifts in traditional family structures which make way for empowerment methodologies and participatory advocacy; and
3. Establish evidence of improved respect for Romani women's and children's rights as a foundation that can lead to positive change and improvements in the situation of Roma in general.

2 Executive Summary

The rhetoric and actions of the French Government have a clearly harmful impact on the human rights situation of Roma from Romania who have exercised their right as EU citizens to freely move to and reside in France. Research for this study shows that most EU Romani citizens move from Romania to France to escape poverty, which is a symptom of discrimination and racism in the country, and to access improved economic opportunities in France. Contrary to popular perceptions and beliefs, most EU Romani citizens in France have long-standing ties to and aim to establish their future in France. Most move to France as a family and many have resided in France for up to seven years. France is the only EU country most have resided in since leaving Romania and the majority have lived in the same city since their arrival.

While most EU Romani citizens state that their lives are better in France than in Romania, acute poverty remains a consistent concern. Most report a household income of less than 500 EUR per month and their most pressing needs are access to regular employment and adequate, stable housing. Many cannot meet their immediate needs and thus are unable to plan for their future. There are many organisations doing important work in EU Romani communities and often the ability of residents to exercise of their rights is dependent on these organisations. However, many EU Romani citizens are not aware of how to access various rights and services and may not know organisations trying to support their integration efforts.

Most EU Romani citizens do not know how to find or seek formal employment in France and none of the survey respondents were formally employed. While popular opinion dictates that all Roma move to Western Europe to collect social benefits, less than 20% of EU Romani citizens in this study received assistance from the French Government. Most EU Romani citizens were engaged in an informal income generating activity, with more Romani women declaring their involvement in income generating activities in France compared to in Romania. This represents a significant shift in the economic status of Romani women and men in France compared to Romania, which is related to movement and migration and is crucial to the advancement of gender roles in Romani communities.

In France, the conditions in informal Romani settlements do not meet international standards on adequate housing. More than four fifths of EU Romani citizens have been evicted an average of six times in France and in most cases French authorities do not respect requirements to conduct social assessments to identify solutions in advance of eviction. Nearly 30% of Roma are only notified on the day they are evicted which leaves most families on the street. No respondent reported having been offered alternative accommodation or emergency housing. Violence and degrading treatment affected more than two thirds of evicted EU Romani citizens in France and termination of education is the most common result for Romani children in school at the time of eviction.

Many adult EU Romani citizens in France have never attended school and have a poor grasp of the French language, with Romani women far more affected than Romani men, French women and migrant women in France concerning both low levels of education and French language skills. Low education and language skills have a negative impact on settlement and integration, access to employment and public services and respect for children's rights. More than half of all EU Romani children from Romania are out of school although primary education is compulsory in France. In nearly 60% of these cases this was due to refusal to enrol Romani children by political actors.

Of all areas in this study, health status and access to healthcare was most positively viewed, largely due to the provision of healthcare to Roma living in informal settlements by NGOs. Half of all respondents accessed some form of French health coverage, a significant number of Roma claim to attend regular medical check-ups conducted mostly by NGOs and most Roma seek medical attention when they or their children are ill. Slightly more Romani women than men had accessed or exercised each of these rights. One of the primary health concerns of EU Romani citizens interviewed was the impact of evictions on the psychological health on themselves and their children.

Half of all EU Romani citizens from Romania report having experienced discrimination in France. More Romani women than men report discrimination. Verbal attacks, hate speech or otherwise being made to feel ashamed were the most frequently experienced forms of discrimination. Experiences of discrimination most often take place on the street, while shopping and on public transportation.

The majority of EU Romani citizens from Romania want to reside in France long-term. Despite recurring negative treatment in all areas of life in France, EU Romani citizens from Romania almost unanimously found their life and their financial situation to be better in France.

3 Description of the Research

Research for this study was carried out following a participatory research framework that aimed to include Romani participants in every step of the process. Research was conducted in six informal settlements in three locations in France where informal Romani settlements are most highly populated. It does not claim to be exhaustive or entirely representative of the situation of EU Romani citizens from Romania living in informal settlements in France. However, the findings show correlations with previous research on the situation of Roma in France and in Romania to a certain extent, and are indicative of the general situation.

3.1 Profile of the Research Participants

During research, a total of 118 adults from Romania between the ages of 18 and 60 were interviewed, including 60 women and 58 men. The research sample included 113 individuals who declared they were Romani and five who claimed to be ethnic Romanian. The average age of the respondents was 34.5. Most people surveyed, 87%, were either formally or informally married; this figure was 90% among female respondents. Few women that participated in the research reported being single; those who were without partner described their situation as widowed (7%) or divorced/separated (3%). The average age at the time of marriage was 18; 19 among men and 17 among women.

On average, there were four children per household and four people living in each household; this discrepancy related to the fact that 32% of respondents reported having children living in Romania or in another country.³ Of the children noted to be living away from their parents and under the age of 18, 11% reportedly live in State care in Romania while the rest were with grandparents, partners or other family members. A further 29% of respondents had a child who was born in France.

Government stakeholders were also interviewed, including local and regional authorities such as the Departmental Direction of Social Cohesion of the North and of Bouches-du-Rhône, the Prefects for Equal Opportunity in Lille and Marseille and the Government's Interministerial Delegation on Access to Housing, Anticipation and Support for the Eviction of Illegal Camps (Délégation Interministérielle à l'Hébergement et au Logement - DIHAL) for Ile de France and France generally. Representatives of NGOs in each target location working with EU Romani citizens from Romania were also interviewed to provide information on the local climate and specific information concerning the settlements selected for research.

³ Thirty-one percent of children not living with their parents in France were in Romania and 1% of children were living in another country. The primary data in this report related to children from this research pertains only to those children living with their family in France.

3.2 Participatory Research, Methodology and Data Gathering

Six Romani women, EU citizens from Romania living in France, were hired as project assistants; two in each research location, to work primarily in one settlement chosen for research. The project assistants followed a training course focused on research and human rights in December 2013 before beginning field work. Their role in the research included assisting in conducting interviews, translating, acting as cultural liaisons, assisting in the development of the research questionnaire and participating in follow-up advocacy activities.

Project assistants worked to reassure research participants that information shared would not jeopardise positions or loyalties within the community. This function was essential to overcoming one of the main barriers to conducting research and reporting on sensitive topics which may relate to the dynamics of the community itself: The “dilemma confronting Romani women activists as they attempt to argue from a position that looks at the intersection of racism and sexism is in [the] danger of further stigmatizing the group by *exposing intra-group hierarchies*. [...] The compound effects of racism, sexism, and poverty that comprise the social environment of many Romani women discourage them from taking a stance against internal gender oppression, lest they should suffer personally and stigmatize their families and community even further.”⁴ The impact of these complex factors was confirmed during research for this study: Focus group discussions were planned but Romani women were reluctant to take part and discuss their situation and opinions in front of others. Two focus group discussions were held and observations from these discussions are included in the research findings. However, quantitative data based on the survey and data gathering during individual discussions provide the best evidence of the overall situation.

Quantitative research was carried out through structured interviews based on a questionnaire that covered various aspects of human rights including movement and settlement, health, education, housing, employment as well as discrimination.

Field research was conducted in six informal Romani settlements in France: Two in Seine-Saint-Denis in the Ile de France region, two in the Urban Community of Lille and two in Marseille. Prior to implementation of the survey, the project coordinator visited each settlement twice. The initial visit was with local NGOs working in the settlement to introduce the project; the next visit was with the project assistant working in the specific settlement to explain the research, its objectives and approach to create trust between residents and the project staff.

The field research was carried out during approximately four visits to each settlement. At the time the survey was administered, the project objectives were again explained to research participants and the interviews took place after oral consent was secured from each participant. Anonymity was offered and respected for each participant: No names or identifiable characteristics

4 Angela Kocze and Raluca Maria Popa, *Missing Intersectionality: Race/ Ethnicity, Gender, and Class in Current Research and Policies on Romani Women in Europe* (Center for Policy Studies, Central European University, 2009), available at: <http://cps.ceu.hu/sites/default/files/publications/cps-policy-study-missing-intersectionality-2009.pdf>.

are presented in the current report. On average, the structured interviews took an hour to conduct, depending on how much additional or contextual information was offered by participants.

The information from the survey was compiled and sent to an external data expert for analysis. The results of that analysis have been incorporated into the present report.

3.3 Identification of Settlements

The selection of Romani settlements to be included in the study started in November 2013 and was afforded significant attention. Identifying settlements that would likely survive the end of the project was the main selection criterion. Although virtually no informal Romani settlement in France is free from the threat of eviction, certain indicators were used to identify the settlements in which the research could be conducted. The indicators included: Actions taken by the local Government including supplying water, garbage bins and toilets; general toleration by local Government; the presence of NGOs; legal actions taken to forestall eviction; and other information from local actors and Government officials. Nonetheless, one settlement selected for research was evicted before the research began and was consequently replaced.⁵

The settlements selected also had to be of a certain size to allow for 20 interviews to be conducted. Consideration was given to the fact that not all residents would want to participate, as well as the number of women and children. Settlements of between 80 and 100 residents were deemed to be a suitable size for this study. The willingness of residents to participate in the research and follow-up advocacy activities was also considered, though no community leaders or residents were opposed to the research and advocacy project being conducted in their community.

In December 2013, six settlements were chosen for research: In La Courneuve and Bobigny in Seine-Saint-Denis, Villeneuve d'Ascq and Roubaix in the Urban Community of Lille and the North neighbourhood of Marseille. A description of these settlements as well as their situation at the time of publication of the report can be found in Annex 1.

5 Following what NGOs called a week of hard blows, a settlement initially identified for research, "Le bois de Pépine" in Essonne, Ile de France, was evicted on 23 December 2013. Despite the strong presence of NGOs and ongoing projects in the community, a municipal bylaw was enacted and the eviction took place within 48 hours. A replacement research location was identified in January 2014.

4 Prevailing Human Rights Law and Policy

Being an EU Member State, France is bound to protect the fundamental rights established under EU law. The Charter of Fundamental Rights of the European Union protects numerous rights central to the experience of EU Romani citizens in France.⁶ The EU Freedom of Movement Directive establishes the right of EU citizens to move to and reside in other EU countries and sets out the rights and duties of both EU citizens exercising this right and the host country.⁷ The EU Racial Equality Directive establishes the right to protection against discrimination.⁸

Despite the human rights protections set out in EU law and transposed into national law in France, EU Romani citizens are disproportionately affected by violations of EU law in France. In a submission to the European Commission concerning the removal of EU Romani citizens from the country, Human Rights Watch stated:

It is our assessment that French law and practice in this area violate its obligations under EU law as well as international human rights law [...]. We believe France's conduct also raises serious concerns that Roma from these countries have been specifically targeted in breach of the Charter of Fundamental Rights of the European Union. Under the terms of article 21(1) of the Charter, targeting a particular ethnic group for restrictions on their rights to freedom of movement under EU law is clearly prohibited.⁹

At the Council of Europe level, the European Convention for the Protection of Human Rights and Fundamental Freedoms¹⁰ and the Revised European Social Charter¹¹ protect human rights relevant

6 Including the right to respect for private and family life (Article 7), protection of personal data (Article 8), the right to education (Article 14), the right to work (Article 15), protection in the event of removal, expulsion or extradition (Article 19), non-discrimination (Article 21), equality between men and women (Article 23), the right to social security and social assistance (Article 34), the right to healthcare (Article 35) and freedom of movement and residence (Article 45), among others. European Parliament, Council and Commission, *Charter of Fundamental Rights of the European Union*, March 2010, available at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:083:0389:0403:en:PDF>.

7 European Parliament and the Council of the European Union, *Directive 2004/38/EC on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States*, April 2004, available at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:158:0077:0123:en:PDF>.

8 Council of the European Union, *Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin*, June 2000, available at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32000L0043:en:HTML>. The EC Racial Equality Directive 2000/43 was transposed to the national legal system by laws in 2001, 2002 and 2004. However, further to the European Commission's infringement proceeding, the French Government introduced Law no 2008-496 of 16 May 2008, relating to the Adaptation of National Law to Community Law in Matters of Discrimination, to transpose EC Directives, including the 2000/43 and 2000/78 Directives.

9 See: <http://www.hrw.org/fr/node/101963>.

10 Council of Europe, *Convention for the Protection of Human Rights and Fundamental Freedoms*, 1950, available at: http://www.echr.coe.int/Documents/Convention_ENG.pdf.

11 Council of Europe, *Revised European Social Charter*, 1996, available at: <http://conventions.coe.int/Treaty/en/Treaties/Html/163.htm>.

to EU Romani citizens in France. Four complaints against France under the Revised European Social Charter concerning Roma and Travellers have been registered to date, including a November 2010 complaint alleging that the eviction and expulsion of EU Romani citizens from France amounted to violations of the right to housing (Article 31), the right of migrants to protection in cases of expulsions (Article 19.8) and discrimination (Article E) in the enjoyment of the above mentioned rights.¹² In June 2011 the European Committee of Social Rights found that returning Roma from Romania to their country of origin was based on discriminatory provisions that directly targeted Romani individuals and families.¹³ The Committee found France in violation of the European Social Charter, concluding that the 2010 evictions and expulsions of Roma from Romania and Bulgaria from France constituted an “aggravated violation” of the European Social Charter.

At a policy level, in April 2011 the European Commission adopted its EU Framework for National Roma Integration Strategies up to 2020,¹⁴ urging all EU Member States to adopt National Roma Integration Strategies (NRIS). In response, the French Government adopted the strategy “An equal place in French society: French Government strategy for Roma integration within the framework of the Communication from the Commission of 5 April 2011 and the Council conclusions of 19 May 2011.”¹⁵ Due to the specific French legal context wherein ethnicity cannot be used as the basis of any public policy,¹⁶ the French NRIS is a general social inclusion policy without targeted measures for Roma, but with some focus on Gens du Voyage. The strategy does not include any specific measures to address the situation of EU Romani citizens in the country in general or EU Romani women and children in particular and fails to offer any specific measures for addressing discrimination against Roma.

From the French Government’s perspective the problems of EU Romani citizens in France are so incredibly complex that there is little that can be done for any one specific population. Prefect Alain Régnier told the ERRC, “For women, we don’t need to create adjacent policies or to take any specific actions, as the situation is already enormously complicated,” and that “because of the huge destitution and poverty there are really no problems specific to certain members of the population.” He added, “I will not make women a separate category.”¹⁷ The European Roma Policy

12 *Centre on Housing Rights and Evictions (COHRE) v. France*, Complaint n° 63/2010, November 2010, available at: http://www.coe.int/t/dghl/monitoring/socialcharter/Complaints/CC63CaseDoc1_en.pdf.

13 European Committee of Social Rights, *Centre on Housing Rights and Evictions (COHRE) v. France, Decision on the Merits*, Complaint No. 63/2010, 28 June 2011, available at: http://www.coe.int/t/dghl/monitoring/socialcharter/Complaints/CC63Merits_en.pdf.

14 European Commission, *An EU Framework for National Roma Integration Strategies up to 2020* (April 2011), available at: <http://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX:52011DC0173>.

15 The Strategy is available at: http://ec.europa.eu/justice/discrimination/files/roma_france_strategy_en.pdf.

16 In its NRIS, the French Government states: “Article 1 of the Constitution of 4 October 1958 states that the Republic shall ensure equality before the law, without distinction in terms of origin, race or religion. The French government therefore firmly refuses to allow any differentiation of rights based on belonging to a community defined by its origin, and will continue to do so in the context of national, Community and international processes.”

17 ERRC interview with Alain Régnier. Paris, France: 8 July 2013. Mr Régnier is Prefect as well as the EC Contact Point concerning Roma in France and the Envoy of the Prime Minister to facilitate collaboration of the Interministerial Delegation on Access to Housing, Anticipation and Support for the Eviction of Illegal Camps (Délégation Interministérielle à l’Hébergement et au Logement, DIHAL).

Coalition has pointed out that “the Strategy emphasises repeatedly the contradiction between an ethnic-based approach (i.e. reflected in targeted actions aimed at Roma inclusion) and French Law, and notes that the promotion of a ‘Republican’ approach to integration and universal citizenship renders an ethnic notion invalid in the national legal framework of public policies.”¹⁸

The fact that France does not compile disaggregated data based on ethnicity and there is no concrete data on the situation of Roma in France undermines attempts at policymaking with respect to the integration of Roma. NGOs and others working in this field have adapted by taking positions with respect to Roma that avoid ethnicity and focus on poverty and equality. Romeurope, a human rights NGO in France, explained, “We are not in a minority framework because that is not in French law [...]. Legally there are no Roma in France. Roma equals slum in France and this shows an ignorance of the situation. We remove ethnicity from the question and talk about the problems in terms of poverty and housing.”¹⁹

18 European Roma Policy Coalition, *Analysis of the National Roma Integration Strategies* (March 2012), available at: http://www.ergonetwork.org/media/userfiles/media/Final%20ERPC%20Analysis%2021%2003%2012_FINAL.pdf.

19 ERRC interview with Lola Schulmann, Romeurope. Paris, France: 25 November 2013.

5 Background

Since Romania and Bulgaria joined the EU in 2007, the same year that Nicolas Sarkozy was elected President of France, the situation with respect to the presence and treatment of EU Romani citizens in France has occupied an increasingly prominent position in the national agenda, with dire consequences for their human rights. The change of Government in 2012 promised a more human rights-based approach to addressing the situation of Roma.²⁰ Nevertheless, the situation has dramatically worsened.

5.1 The Life Prospects of Roma in Romania

Research among Roma in Romania paints a dismal picture of the everyday reality for many Roma in the country. Acute poverty and substandard living conditions disproportionately affect Roma compared to non-Roma. Discrimination and segregation have been found to be key factors in contributing to this situation. More than 25% of the Romani respondents in Romania to a 2011 survey said that they experienced discriminatory treatment because of their ethnic origin in the 12 months preceding the survey.²¹

Roughly the same percentage of Roma in Romania reported having experienced discrimination when looking for employment, only slightly over 30% Roma aged 20 to 64 reported being in paid employment and almost 30% declared that they were unemployed.²² Other research in Romania reveals that the poverty rate is nearly three times higher in Romani communities than in non-Romani communities (67% compared to 23%).²³ Reports on Roma exclusion show that as recently as 2010, “More than 50 per cent of the Roma population and 60 per cent of Roma communities live on less than \$4.30 per day. 21 per cent live on less than \$2.15 per day. 74 per cent of Roma communities have severe income problems: 67 per cent of them have difficult access and 23 per cent lack electricity and/or potable water.”²⁴ In 2011 surveys, nearly 60% of Roma in Romania reported that at least once during the previous month somebody went to bed hungry because they

20 Then-Presidential candidate François Hollande addressed a letter to the NGO Romeurope denouncing forced evictions, stating “we cannot accept that families are chased from one place without any solutions,” and blaming the Government of Nicolas Sarkozy as being “responsible for the intolerable vulnerability in which these families find themselves.” See: http://www.romeurope.org/IMG/pdf/Reponse_Part_Socialiste.pdf.

21 European Union Agency for Fundamental Rights and United Nations Development Programme, *The Situation of Roma in 11 EU Member States: Survey results at a glance* (2012), available at: http://fra.europa.eu/sites/default/files/fra_uploads/2099-FRA-2012-Roma-at-a-glance_EN.pdf.

22 *Ibid.*

23 UNICEF/Roma Education Fund/Open Society Institute, *Roma Early Childhood Inclusion: Overview Report* (2012), available at: <http://www.unicef.org/romania/RECI-Overview.pdf>.

24 *Ibid.*

could not afford to buy food.²⁵ As a result, 72% of Roma from Romania that participated in the 2011 FRA Roma pilot survey declared that they would consider moving to another country for employment purposes.²⁶

Concerning housing conditions, research conducted in 2006 showed:

Only 28 percent of Roma households benefited from having sewage systems, with only 6 percent of rural households having such facilities. Fifty-one percent of Romani families did not have a separate kitchen, and used one space for living and cooking. Over 82 percent of Romani families lacked running water. The situation was most severe in rural areas, where 94 percent of households lacked fixed running water inside the house. Other facilities such as a bathroom, an indoor toilet, or connections to gas service were equally scarce with less than 15 percent of all Romani households in the survey having these facilities.²⁷

Recent surveys show a lack of improvement concerning Roma housing conditions. In 2011, the average number of persons per room was nearly double among Roma compared to non-Roma and the majority of Roma in Romania stated that they did not have at least one basic amenity in their household including indoor kitchen, indoor toilet, indoor shower, or bath and electricity.²⁸

A recent statistical study by the ERRC in collaboration with Gallup Romania on the health situation of Roma in the country found a 16 year difference in the life span of Roma and non-Roma, revealing a huge discrepancy in health status and health outcomes between the groups. The same research found that the mortality rate among those less than 10 years of age was over three times higher among Roma and that almost four times as many Romani children compared to non-Romani children had never been vaccinated.²⁹ The 2011 Roma surveys found that nearly 50% of Roma in Romania did not have access to medical insurance.³⁰

25 European Union Agency for Fundamental Rights and United Nations Development Programme, *The Situation of Roma in 11 EU Member States: Survey results at a glance* (2012), available at: http://fra.europa.eu/sites/default/files/fra_uploads/2099-FRA-2012-Roma-at-a-glance_EN.pdf.

26 Relevant data from the survey is available at: <http://fra.europa.eu/DVS/DVT/roma.php>.

27 Laura Surdu and Mihai Surdu, *Broadening the Agenda: The Status of Romani Women in Romania* (Open Society Institute: New York, 2006), available at: http://www.opensocietyfoundations.org/sites/default/files/broadening_agenda.pdf.

28 European Union Agency for Fundamental Rights and United Nations Development Programme, *The Situation of Roma in 11 EU Member States: Survey results at a glance* (2012), available at: http://fra.europa.eu/sites/default/files/fra_uploads/2099-FRA-2012-Roma-at-a-glance_EN.pdf.

29 European Roma Rights Centre, *Hidden Health Crisis: Health Inequalities and Disaggregated Data* (October 2013), available at: <http://www.errc.org/cms/upload/file/hidden-health-crisis-31-october-2013.pdf>.

30 European Union Agency for Fundamental Rights and United Nations Development Programme, *The Situation of Roma in 11 EU Member States: Survey results at a glance* (2012), available at: http://fra.europa.eu/sites/default/files/fra_uploads/2099-FRA-2012-Roma-at-a-glance_EN.pdf.

2008 data reveals that only 31.7% of Romani children complete primary school and only 9.6% finish secondary school in Romania.³¹ Data from 2011 revealed that more than 20% of Romani children in Romania between the ages of 7 and 15 did not attend school. The same data shows that less than 10% of Roma aged 20-24 had completed general or vocational upper-secondary education, which is a prerequisite for skilled employment and access to higher education.³²

Regarding Romani women, research conducted in Romania shows that their situation is often more perilous than that of Romani men, due to the added elements of gender discrimination and inequality. Simultaneously facing ethnic and gender discrimination, “Romani women in Romania are facing a devastating mix of discrimination, exclusion, inequality, and destitution that is unique and specific to them.” Specifically, Romani women have added difficulties in access to education, healthcare, employment and, “most Romani families endorse traditional gender roles that ascribe domestic work and childcare to women and income earning to men.”³³

5.2 Romani Women in Migration: Shifting Roles?

If the situation of EU Romani citizens has been likened to that of the “third world”, Romani women in Europe have been described as living in the “fourth world”.³⁴ At the same time, UNICEF reports that “in poor and socially excluded Roma communities, young children’s survival, growth and development cannot be addressed effectively if the rights of women are overlooked.”³⁵

Despite the challenges Romani women face and their importance for ensuring children’s development, host communities often fail to address their needs in migration. Romani women are perceived by host communities as subordinate to men, and problems of poverty are often dismissed as problems caused by cultural traditions of women’s subordination, and hence insurmountable. As anthropologist Barbara Bertini commented, “There is an interest in women mainly in the context of family, with a binary opposition of tradition and modernity. For women, it is perceived that they cannot integrate into society without denying tradition.”³⁶

31 Open Society Institute, *International Comparative Data Set on Roma Education, A Statistical Baseline for Central, Eastern, and South Eastern Europe* (2008), available at: http://www.romadecade.org/cms/upload/file/8546_file1_international-comparative-data-set--2008.pdf.

32 European Union Agency for Fundamental Rights and United Nations Development Programme, *The Situation of Roma in 11 EU Member States: Survey results at a glance* (2012), available at: http://fra.europa.eu/sites/default/files/fra_uploads/2099-FRA-2012-Roma-at-a-glance_EN.pdf.

33 Laura Surdu and Mihai Surdu, *Broadening the Agenda: The Status of Romani Women in Romania* (Open Society Institute: New York, 2006), available at: http://www.opensocietyfoundations.org/sites/default/files/broadening_agenda.pdf.

34 Z. Mrsevic, “Filthy, Old, and Ugly Gypsy Women from Serbia”, in *Global Critical Race Feminism: An International Reader* (New York: New York Press University, 2000).

35 UNICEF, *Women Motherhood Early Childhood Development: Exploring the question of how poor Roma women’s status and situation influences children’s survival, growth and development* (2011), available at: http://www.unicef.org/ceecis/Women_Motherhood-07-21-2011-final-WEB.pdf.

36 Barbara Bertini, Femmes immigrées et accès aux droits socio-sanitaire: Contextualisation et enjeux, (“Forum: Egalité de droits et inclusion des femmes immigrées”, conference, Lille, France, 5 November 2013), notes on file with ERRC.

Romani women have to navigate their role within their family as well as the multiple forms of discrimination they face from outside their community. Extreme poverty coupled with migration appears to be leading to a shift in the role of women in the family economy: (taking on a new responsibility for securing income for the family (see Section 6.2 for further information). French organisations and associations, both Governmental and NGO, are not prepared or equipped to deal with homeless families or the level of poverty experienced by EU Romani citizens in the country. Women's and children's rights and safety are at great risk due to the general situation and due to State actions. French experts explained, "Organisations have a reflex to help these people like they do others; there needs to be an evolution in the know-how of associations. We are in the mindset of individuals, not families."³⁷

It is necessary to focus on women as both autonomous individuals and as central actors in their family structure. Research conducted on women by UNICEF endorses this: "The intrinsic human rights of women as individuals and social actors if supported appropriately and comprehensively are likely to have a variety of positive outcomes for themselves, their families and especially, their young children."³⁸

5.3 Government Response to EU Romani citizens from Romania in France

Although ethnicity is not a recognised concept under French law and therefore legally speaking there are no Roma in France, they are the pith of national discourse and political statements. The 2010 speech of then-President Nicolas Sarkozy in Grenoble targeting EU Romani citizens and the media statements of then-Interior Minister Brice Hortefeux linking Roma and Travellers to criminality started what the Council of Europe's Commissioner for Human Rights called a "wave of anti-Roma and anti-Traveller statements by high-ranking officials in the French Government include[ing] prejudicial generalizations about the Roma and Travellers as a collective."³⁹

Anti-Roma statements are pervasive in national discourse. Following his predecessor, in 2013 then-Interior Minister (and current Prime Minister) Manuel Valls came under scrutiny after statements concerning the unwillingness of EU Romani citizens to integrate into French society when he said, "people living in settlements do not wish to integrate into our country for cultural reasons or because they are in the hands of prostitution or begging networks [...] they have a lifestyle that is extremely different from ours and evidently in confrontation." He added, "We all know the proximity of settlements provokes begging and stealing, and therefore delinquency

37 ERRC interview with Evangeline Masson-Diez, Secours Catholique. Paris, France: 4 July 2013.

38 UNICEF, *Women Motherhood Early Childhood Development: Exploring the question of how poor Roma women's status and situation influences children's survival, growth and development* (2011), available at: http://www.unicef.org/ceecis/Women_Motherhood-07-21-2011-final-WEB.pdf.

39 Council of Europe Commissioner for Human Rights, *Human Rights of Roma and Travellers in Europe* (February 2012), available at: http://www.coe.int/t/commissioner/source/prems/prems79611_GBR_CouvHumanRightsOfRoma_WEB.pdf.

[...] Roma have a duty to return to Romania or Bulgaria.”⁴⁰ Valls was called to appear in court on 5 June 2014 for these statements, but this did not stop his appointment to Prime Minister by President François Hollande. A decision is expected at the next hearing on 28 May 2015.

The danger of such declarations by leading figures is their influence on public opinion. According to recent surveys, the majority of French citizens agreed with Prime Minister Valls’ statements that Roma generally do not want to integrate.⁴¹ Such declarations also contribute to a climate in which hate crimes targeting the particular group in question can occur and may even rise in number: On 13 June 2014, a young Romani boy was brutally lynched by a group of assailants in a Parisian suburb.⁴²

Racist political discourse also has its influence on EU Romani citizens, who explained during research: “What we can do is integrate into society, but the French won’t let us have this possibility.”⁴³ Prefect Régnier underlined, “There is a perception and a discourse that is very violent. One can be anti-Roma and assume it; declare it. Roma are the new Jews of Europe in the 21st century and endure all that comes with that [role].”⁴⁴ The word *Roms* now inundates media coverage in France, especially at the time of elections. EU Romani citizens in France also show awareness of this as evidenced by one woman’s statement during a focus group discussion that “elections are the main problem we have and Mayors always evict [settlements] before elections.”⁴⁵

State implemented actions such as forced evictions and the mass issuance of expulsion orders (which are themselves legally dubious) combined with a politically racist discourse, persistent ethnic discrimination⁴⁶ and visible acute poverty have led to increasing attention from

40 Eric Fassin, “Valls poursuivi par les Roms”, *Libération Société*, 14 April 2014, available at: http://www.liberation.fr/societe/2014/04/11/valls-poursuivi-par-les-roms_995586.

41 “Les propos de Valls sur les Roms approuvés par une large majorité, selon un sondage”, *Le Monde*, 28 September 2013, available at: http://www.lemonde.fr/societe/article/2013/09/28/les-propos-de-valls-sur-les-roms-approuves-par-une-large-majorite-selon-un-sondage_3486364_3224.html.

42 See: <http://www.errc.org/article/errc-urges-french-authorities-to-fully-investigate-lynching-of-romani-minor/4292>.

43 Focus group discussion. Lille, France: 13 March 2014.

44 ERRC interview with Alain Régnier, Prefect/EC Contact Point concerning Roma in France/ Envoy of the Prime Minister to facilitate DIHAL. Paris, France: 8 July 2013.

45 Focus group discussion. Lille, France: 13 March 2014.

46 Numerous treaty-monitoring bodies and other human rights institutions have found that national and non-national Romani groups in France experience discrimination. See: Council of Europe Commissioner for Human Rights, *Memorandum by Thomas Hammarberg, Council of Europe Commissioner for Human Rights, following his visit to France from 21 to 23 May 2008* (20 November 2008), available at: <https://wcd.coe.int/ViewDoc.jsp?id=1410711&Site=C ommDH&BackColorInternet=FEC65B&BackColorIntranet=FEC65B&BackColorLogged=FFC679>. European Committee of Social Rights, *ERRC v. France: Decision on the merits*, Complaint No. 51/2008, 19 October 2009, available at: http://www.coe.int/t/dghl/monitoring/socialcharter/Complaints/CC51Merits_en.pdf. European Committee of Social Rights, *COHRE v. France: Decision on the merits*, Complaint No. 63/2010, 28 June 2011, available at: http://www.coe.int/t/dghl/monitoring/socialcharter/Complaints/CC63Merits_en.pdf. European Union Agency for Fundamental Rights and United Nations Development Programme, *The Situation of Roma in 11 EU Member States: Survey results at a glance* (2012), available at: http://fra.europa.eu/sites/default/files/fra_uploads/2099-FRA-2012-Roma-at-a-glance_EN.pdf. Council of Europe Commissioner for Human Rights, *Human Rights of Roma and Travellers in Europe* (2012), available at: http://www.coe.int/t/commissioner/source/prems/prems79611_GBR_CouvHumanRightsOfRoma_WEB.pdf.

politicians and stakeholders regarding enormously complex and increasingly pressing human rights issues among EU Romani citizens in France. This attention seems to be a self-perpetuating meta-discourse, and one that supports what many, including Government officials, have called Governmental schizophrenia⁴⁷ and scapegoating.

A recent census by the ERRC and the French League of Human Rights shows that the number of people who have been forcefully evicted in France, the large majority EU Romani citizens, increased from 3,034 in 2010 to 21,537 in 2013. This represents a 700% increase in eviction activity the last three years despite the fact that the number of EU Roma has remained relatively stable throughout this period at 15-20,000.⁴⁸

Speaking at a press conference in June 2013, the head of Médecins du Monde France stated that many EU Romani citizens from Romania live in informal settlements in France in conditions that have been compared to those of sub-Saharan Africa, characterising them as “dramatic and almost in a state of emergency, where people are incapable of responding to vital needs.”⁴⁹ This situation has drawn attention from international human rights bodies throughout the past decade:

In France, many migrant Roma are in “extremely precarious” situations as regards access to decent housing. Migrant Roma live in very rudimentary camps throughout France, mostly on the outskirts of cities. Some municipalities provide “integration housing” consisting of temporary housing in bungalows or mobile homes for Roma who previously lived in slums. In 2008, the Commissioner noted that most Roma in France live in squalor, often without access to electricity, garbage removal services, sewerage or water, a state of affairs unchanged since a previous report on the situation in 2006.⁵⁰

At the beginning of 2014, transitional measures limiting employment opportunities in the country were lifted for Romanian and Bulgarian citizens⁵¹ but the situation remains the same. Access to and awareness of rights and basic services are low due to many factors including language, concentration on immediate needs, lack of training and/or communication, the complications of French bureaucracy and disempowerment.

47 See, e.g., ERRC interviews with Alain Régnier, DIHAL, on 8 July 2013 in Paris, and Josiane Regis, Departmental Direction for Social Cohesion (DDCS), on 14 November 2013 in Marseille.

48 Olivier Legros, “Les pouvoirs publics et la “question rom” dans les villes européennes: perspectives de recherches”, *Etudes tsiganes: Roms et Gens du voyage, nouvelles perspectives de recherche*, n° 39-40 (2009): 43, available at: <http://www.etudestsiganes.asso.fr/numero/vol39-40.html>.

49 Jean-François Corty, Director of Médecins du Monde – France, Romeurope press conference: 26 June 2013. Invitation available at: <http://www.medecinsdumonde.org/Presse/Communiqués-de-presse/France/Invitation-Conference-de-presse-Romeurope>.

50 Council of Europe Commissioner for Human Rights, *Human Rights of Roma and Travellers in Europe* (February 2012), available at: http://www.coe.int/t/commissioner/source/prems/premsss79611_GBR_CouvHumanRightsOfRoma_WEB.pdf.

51 In 2007, transitional measures were put in place for Romanian and Bulgarian citizens living in France. These measures, divided into three phases, required Romanians and Bulgarians to obtain a work permit, limited the number of fields that they could work in and required employers to go through administrative procedures to secure formal work permission that could take up to six months or more. The measures were lifted as of 1 January 2014.

Socio-economic integration and access to rights are inhibited by the continuous forced eviction of informal Romani settlements by authorities, which leads to homelessness and almost inevitably worsens the situation of EU Romani citizens in France. Because of the persistent threat of expulsion and forced eviction, as well as acute poverty, EU Romani citizens in France, many of whom have been on the territory for several years, have developed day-to-day survival strategies, such as engagement in informal work (more mobile and flexible than most formal employment), that are reaffirmed with each eviction and which keep them firmly in a circle of poverty. Over time this creates a learned helplessness that is contradictory to demands for integration.

5.4 The Political Context in the Target Locations

Violations of the rights of EU Romani citizens are ubiquitous in France and include mass expulsions, forced evictions and administrative refusal to enrol children into school. In France there is a lack of uniformity in the government's treatment of EU Romani citizens at the local level. Local politics, and in particular perceived political risk, create diverse situations from location to location. One of the main problems noted during research was the political implications for mayors in acknowledging the presence of and tolerating informal settlements within their communes, which was viewed as risky and endangering re-election chances.⁵² This perception extends to enrolling EU Romani children in school. Stakeholders noted that there are many mayors who refuse to enrol EU Romani children in school because "it is not worth it" -- because they soon will be evicted from the commune.⁵³ School enrolment constitutes a tie to the commune and ERRC monitoring indicates that French judges sometimes take this into account and delay approving an eviction. Government officials often evoke the lack of available alternative or emergency housing or allude to the size of some EU Romani communities as a barrier to implementing adequate solutions in the event of eviction. In the three locations of this research - Seine-Saint-Denis (Ile de France), the Urban Community of Lille and Marseille - the actions and reactions of government officials vary from one location to another, including firm stances with negative outcomes on the situation of EU Romani citizens, contradictory statements and sometimes collaboration and possibilities of dialogue.

5.4.1 SEINE-SAINT-DENIS (ILE DE FRANCE)

France's largest population of EU Romani citizens living in informal settlements is located in the Ile de France region; mostly in the region's poorest department, Seine-Saint-Denis. Local authorities estimate that there are around 3,500 EU Romani citizens in the region.⁵⁴ According

52 ERRC interview with Josiane Regis, Departmental Direction for Social Cohesion. Marseille, France: 14 November 2013.

53 Caroline Godard, ACT/Rencontres Tsiganes conference entitled, "Est-ce ainsi que les hommes vivent ?" Trajectoires sociales et scolaires des familles Roms à Marseille: Journée d'échange et de réflexion (concerning the education of Romani children). Marseille, France: 11 December 2013.

54 "Une évacuation quasiment chaque semaine", *Le Parisien*, 18 April 2014, available at: <http://www.leparisien.fr/espace-premium/seine-saint-denis-93/une-evacuation-quasiment-chaque-semaine-18-04-2014-3776953.php>.

to the French League of Human Rights, the locations of informal settlements are not chosen arbitrarily; certain geographical criteria must be met for a settlement to be constructed on a specific site and include proximity to public transport and access to economic activity. These criteria acknowledge the importance of the relation between housing and employment.⁵⁵

Mr Philippe Galli, Prefect for the Department of Seine-Saint-Denis, recently commented publicly with pride on the effect of government actions on the EU Romani population, stating:

‘We must remember that there were over 8,000 Roma in 135 settlements at the end of 2012, and that this was reduced to 2,700 in a little less than 45 sites by November [2013]. There was a suspension of evictions during the winter period around Christmas, which provoked a reflux in the number of occupants. According to the numbers from last week, we count 48 settlements in the Department, in which 3,439 people who have been identified live, including 720 children. Of those, 236 have orders to leave the French territory.’⁵⁶

Prefect Galli also commented on the prominent role that politics play in the conduct of forced evictions, claiming that before the most recent elections all municipalities, with the exception of Bobigny, had demanded evictions of settlements. With regard to emergency housing, he stated:

There is no possible housing available. Each night, there are 8,000 places in emergency housing in the Department. But, more often than not the Romani population wishes to stay in groups. In a settlement like that on the A3, with 700 inhabitants, only 10 or 20 will be housed. There is no obligation on the State to house members of these groups because they are not asylum seekers.⁵⁷

This assertion is erroneous as under French law emergency housing is a right for all, independent of administrative status.⁵⁸

For EU Romani families in Seine-Saint-Denis, one of the main problems that NGOs have confronted is a lack of social assistance. A representative of Secours Catholique explained: ‘In Paris there is only a system of assistance in place for adult homeless males.’⁵⁹ This presents a problem for EU Romani citizens, many of whom move as a family with small children. In the

55 ERRC interview with Philippe Goossens, French League of Human Rights, Paris, France: 17 July 2013.

56 ‘Une évacuation quasiment chaque semaine’, *Le Parisien*, 18 April 2014, available at: <http://www.leparisien.fr/espace-premium/seine-saint-denis-93/une-evacuation-quasiment-chaque-semaine-18-04-2014-3776953.php>.

57 The settlement on the A3 was evicted in the presence of the Prefect on 12 May 2014. In anticipation of the eviction, most residents left in advance. Prefect Galli stated that alternative housing solutions were provided to about a dozen people in ‘great hardship’. See: ‘Le plus grand camp de Roms de Seine-Saint-Denis démantelé’, *Le Nouvelle Observateur*, 12 May 2014, available at: <http://tempsreel.nouvelobs.com/societe/20140512.OBS6824/le-plus-grand-camp-de-roms-de-seine-saint-denis-demantele.html>.

58 France, *Code of Social Action and Families (Code de l'Action Sociale et des Familles)*, Article L. 345-2-2. Every person without shelter and in a situation of medical, physical or social distress can have access, at any moment, to emergency shelter.

59 ERRC interview with Evangeline Masson-Diez, Secours Catholique. Paris, France: 4 July 2013.

context of forced eviction, emergency housing is offered in limited cases and sometimes to EU Romani women and children only: Romani women are therefore faced with the choice of leaving their partner to accept emergency housing or keeping their family unit together and living on the street. NGOs do not have sufficient human resources to effectively assist the number families affected, and thus rights and legal protections are often not enjoyed.

5.4.2 THE URBAN COMMUNITY OF LILLE

In the Urban Community of Lille there are an estimated 3,300 EU Romani citizens living in informal settlements.⁶⁰ Like their counterparts in other regions, government officials and political representatives claim that in the size of the population as well as the current economic climate present problems for finding effective solutions to their situation.

Lille Mayor, Martine Aubry, has made headlines for her role concerning Roma and has called for more humane solutions.⁶¹ However, she has been also criticised for being inactive on the issue. For example, the Delegated Counsellor for Educational Support in Lille explained, “The Green Party insisted that Mme Aubry do something [...] her responses to letters were often that “there are no solutions.”⁶²

In an interview with the ERRC, then-Delegated Prefect for Equal Opportunity for the North, Pascal Joly, discussed the reported efforts of authorities to find alternative housing for EU Romani citizens and similarly made reference to the size of the population being too large to effectively deal with.⁶³ Concerning evictions, he expressed the opinion that they “simply ensure that the law is respected concerning stay in France and the laws of the Republic in general.” The Prefect also pointed to what he called “cultural differences” that make working with Roma difficult:

Women have health problems and they don't go for treatments, families do not go to medical appointments; it is not a culture of medical treatments and appointments [...] for the children, truancy is very relative. It is a cultural problem; they go to school when they want, the children are poorly dressed and are rejected by other students [...] they are a pretty violent population.

Reporting on the situation in the Urban Community of Lille, Romeurope has pointed out the dissonance between the discourse and (lack of) action of the local Government. For example, the Prefect held meetings on 8-10 April 2013 to open dialogue with local volunteers about the

60 In a report entitled, *Présence des populations Roms à Lille, Hellemmes et Lomme* by the Direction de la Démocratie Participative et de la Citoyenneté, which cites the Centre Communal d'Action Sociale (Communal Centre of Social Action, CCAS) of Lille as the source.

61 For instance, she made a call for national solidarity concerning EU Romani citizens living in informal settlements. See: <http://www.leparisien.fr/politique/roms-martine-aubry-en-appelle-a-la-solidarite-de-l-etat-02-10-2013-3189841.php>.

62 ERRC interview with Sylvie Leblanc, Delegated Counsellor for Educational Support. Lille, France: 8 November 2013.

63 ERRC interview with Pascal Joly, Delegated Prefect for Equal Opportunity for the North. Lille, France: 21 November 2013. Prefect Joly was replaced in April 2014.

work they had been doing to find alternative housing for EU Romani families living in slums, but there was no discussion about the crux of the problems experienced - anticipated eviction and lack of social assessment and access to social assistance.⁶⁴ Forced evictions continue in the Urban Community of Lille in the absence of alternative housing solutions or coordination between local authorities and associations or NGOs.

5.4.3 MARSEILLE

The population of EU Romani citizens in Marseille is estimated to be 1,500, and has remained relatively stable, according to NGOs and government officials.⁶⁵ Rencontres Tsiganes informed the ERRC that Government officials discovered that the social assessments which are supposed to be conducted before forced evictions were being made more than once on the same families.⁶⁶ Most EU Romani settlements are in Marseille's North neighbourhood, a working class and underprivileged neighbourhood with a high level of unemployment.

During research, stakeholders commented on the impact of politics and political appointments on the situation of EU Romani citizens in Marseille. The Deputy Director of the Departmental Direction for Social Cohesion (DDCS) commented, "The problem is also with the elections. There are districts with Mayors who receive letters and petitions from the inhabitants and they do not take the risk [of allowing settlements to exist in their municipalities for fear of not being re-elected]."⁶⁷ Some positive change was noted in the past year with respect to the treatment of EU Romani citizens. A representative of the organisation ADDAP 13 noted that there is less violence in the conduct of evictions in Romani settlements since the nomination of a new Delegated Prefect for Equal Opportunity.⁶⁸ Representatives of Rencontres Tsiganes also expressed optimism with the new Prefect: "There is now a dialogue that is possible with the new Prefect. She does not want ghettos. It is good not only for Roma, but for equality under a common law."⁶⁹ However, Rencontres Tsiganes also noted that the city always finds excuses for not making water and sanitary facilities available in the settlements and that the situation remains critical.

The Director and Deputy Director of the DDCS are actively involved in work with EU Romani communities and informal settlements in the region. The DDCS watches over the situation, meets with NGOs working in the field and provides information about available social assistance. During an interview with the ERRC, they referenced the problematic size of the EU Romani communities in Marseille, stating that settlements of over 100 people are difficult to manage and have problems with sanitation, access to water and trash removal. They

64 Collectif National Droits de l'Homme Romeurope, *Rapport d'Observatoire 2013* (June 2013), available at: http://www.romeurope.org/IMG/pdf/rapport_observatoire_cndh_romeurope_juin_2013.pdf.

65 ERRC interview with Caroline Godard, Rencontres Tsiganes. Marseille, France: 13 November 2014.

66 *Ibid.*

67 ERRC interview with Josiane Regis, Deputy Director of the Departmental Direction for Social Cohesion. Marseille, France: 14 November 2013.

68 ERRC interview with Stephan François, ADDAP 13. Marseille, France: 12 November 2014.

69 ERRC interview with Caroline Godard, Rencontres Tsiganes. Marseille, France: 13 November 2014.

also noted that the over-saturation of social housing in Marseille means a lack of emergency housing to make available following eviction, leaving evicted Roma to sleep on the street.⁷⁰

Violence against EU Romani citizens by neighbours and police inaction in response to such is a major issue in Marseille. During research, various stakeholders made reference to nearby non-Roma threatening to and subsequently burning a Romani settlement in 2012. According to a resident of the settlement at the time, when police came, they did nothing and the perpetrators burned the settlement including the personal belongings and some identification documents of the residents.⁷¹ Amnesty International and Romeurope have denounced the inadequate response to this event.⁷² According to the latter, several months after the incident three residents filed a complaint with the police.⁷³ The case was since dismissed because the victims were unable to identify their aggressors.⁷⁴

70 ERRC interview with Dominique Conca, Director, and Josiane Regis, Deputy Director, Departmental Direction for Social Cohesion. Marseille, France: 14 November 2013.

71 ERRC interview with a Romani research participant. Marseille, France: 6 February 2014.

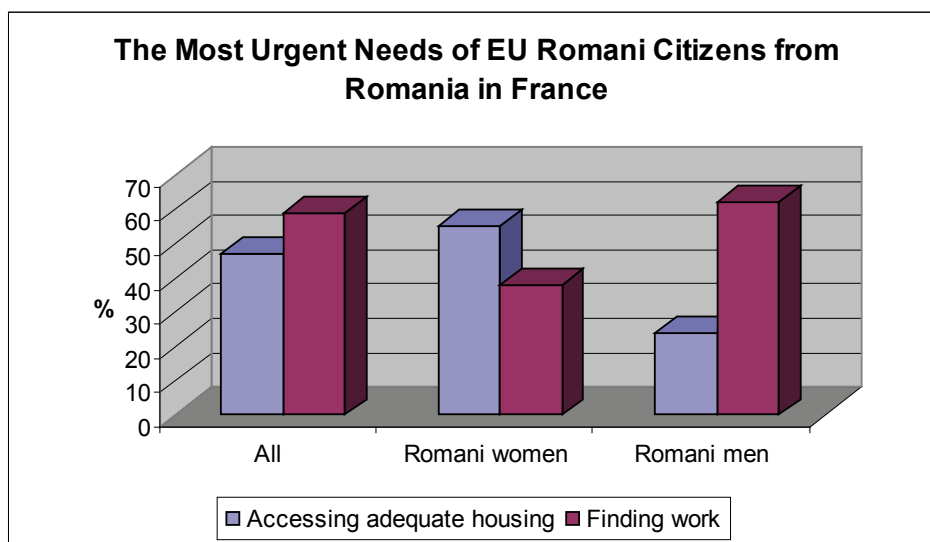
72 Amnesty International, “We ask for justice”: Europe’s failure to protect Roma from racist violence, press release, 8 April 2014.

73 Collectif National Droits de l’Homme Romeurope, *Rapport d’Observatoire 2013* (June 2013), available at: http://www.romeurope.org/IMG/pdf/rapport_observatoire_cndh_romeurope_juin_2013.pdf.

74 ERRC telephone interview with Rencontres Tsiganes: 25 June 2014.

6 Research Findings

Accessing employment and adequate housing were the main concerns of the Romani women and men during research for this report. When asked about their most urgent need, 59% of respondents stated that it was finding a job and 47% said it was accessing adequate housing. There was some distinction between the responses of women and men participating in the survey, with 55% of women reporting their most urgent need to be housing compared to employment at 38%, while 24% of men reported that their most urgent need was housing as opposed to 62% who claimed that their most urgent need was finding employment.



A majority of respondents, 67%, did not know how to find or seek formal employment in France: In other words, they do not know how to go about fulfilling their most urgent need. Far fewer women than men were aware of how to find employment in France, 18% of women knew where to seek employment as opposed to 62% of men. Employment and housing were thought to be inextricably linked as most respondents claimed that accessing one would bring the other. The following sections of this report thematically explore the responses of research participants to the ERRC survey.

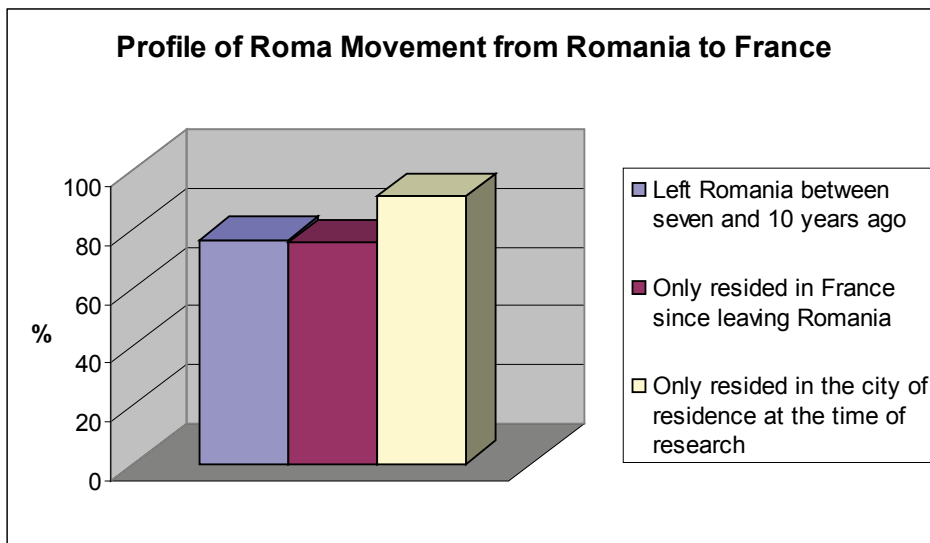
6.1 Movement and Settlement

Data from the research shows that for Roma from Romania, most often they move to France directly and most move with their families. Participants in the ERRC survey pointed to poverty and financial concerns, a manifestation of discrimination in Romania, as the main factors influencing their decision to exercise their right to free movement. Information on the “push”

and “pull” factors contributing to movement within the EU gathered from participants in the current research is in alignment with previous research by the European Union Agency of Fundamental Rights⁷⁵ on the movement of Roma within the EU; namely poverty and racism push Roma away from Romania and prospects for a better life and more economic opportunities pull them toward France and/or other countries in Western Europe.

In response to being asked why they left Romania, 86.5% of survey respondents stated that they left for financial reasons, with slightly more Romani women (90%) reporting financial reasons than Romani men (83%). When asked why they chose France, 49% of respondents reported moving to France because they heard life was better in France than in Romania. Another 39% of research participants said that it was because they had family in France; of those 50% said close family live in the same settlement. Other reasons given were access to medical assistance (1.7%), hearing that the French were kinder (3.4%), schooling for children, divorce, etc. (3.4%), while another 3.4% could not give one specific reason for moving to France.

Among research participants, 76% left Romania between 2007⁷⁶ and 2010. Most research participants who left during this time moved directly to France: 75% had not lived in other countries aside from Romania. Among those that had resided in another country besides Romania, 43% had lived in Italy and 23% in Spain. Ninety-one percent of respondents had only resided in the French cities in which they were living at the time of the survey.



75 European Union Agency for Fundamental Rights, *The situation of Roma EU citizens moving to and settling in other EU Member States* (November 2009), available at: <http://fra.europa.eu/en/publication/2010/situation-roma-eu-citizens-moving-and-settling-other-eu-member-states>. The report was prepared by the ERRC.

76 Seventeen percent of research participants claimed to have left Romania in the year that Romania joined the EU and 27% in 2009.

These findings are counter to the popular perception that most EU Romani citizens have moved to France temporarily and therefore have little to no real ties to the country. As such, the destructive impact of forced evictions on EU Romani citizens in France is amplified: Romani families are in fact likely to migrate to one place and stay there, building family, networks, community and establishing points of reference. The process of settlement and integration, on however small or large a scale is feasible for EU Romani citizens living in settlements, is categorically destroyed when they are forced to leave neighbourhoods and areas with which they have become familiar and developed ties.

In terms of settlement and integration support, 62.5% of participants were not aware of organisations or associations that assist Roma or migrants in France. There was no significant difference between men and women in this respect, however, the figure was higher in Seine-Saint-Denis where 77.5% of respondents were not aware of any organisations assisting Roma or migrants while in the Urban Community of Lille and Marseille the corresponding figure was lower at 57.5% and 52.6%, respectively. This is consistent with research conducted by the European Union Agency for Fundamental Rights in 2011 wherein only 16% of immigrant or ethnic minorities surveyed indicated that they were aware of organisations that support victims of discrimination, such as NGOs.⁷⁷

On the other hand, 29% of respondents claimed that they had been assisted by an organisation during their tenure in France; this was highest in Marseille and the Urban Community of Lille, at 42.1% and 32.5%, respectively. In Seine-Saint-Denis only 12.5% of respondents claimed that they had been assisted by an organisation or an NGO.

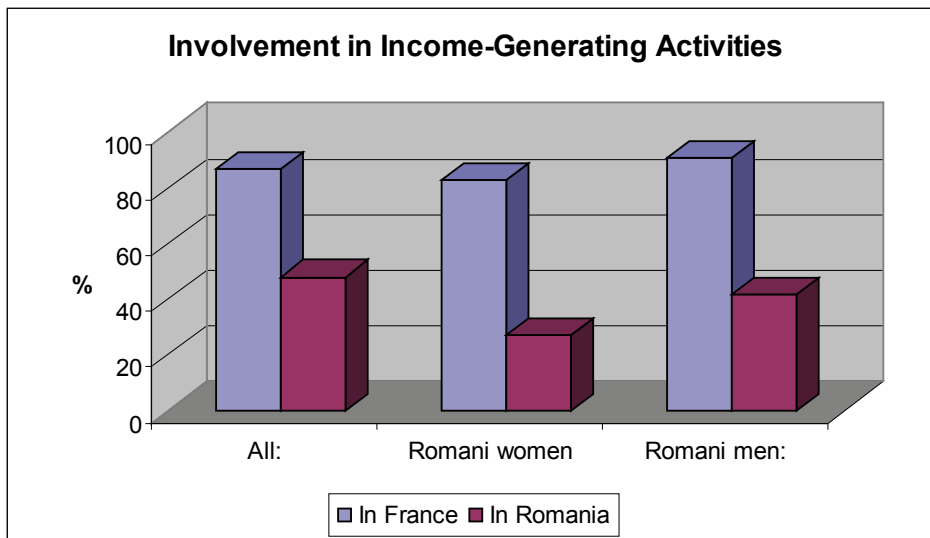
6.2 Access to Employment and Income Generation

None of the survey respondents claimed to be engaged in formal employment in France and 82% of Romani women compared to 52% of Romani men did not know where to go to find formal employment, showing a substantial difference in terms of access to information and resources when it comes to securing formal employment between Romani women and men. As a result, 92% of Romani women and 60% of Romani men (76% of respondents overall) claimed that they never tried to seek formal employment in France. Compared to an only 9.2% unemployment rate among French women aged 25-49⁷⁸ and 20% unemployment among migrant women in France,⁷⁹ Romani women from Romania in France are in a devastating situation when it comes to formal employment.

77 European Union Agency for Fundamental Rights, *The Racial Equality Directive: Application and Challenges* (2011), available at: http://fra.europa.eu/sites/default/files/fra_uploads/1916-FRA-RED-synthesis-report_EN.pdf.

78 See: <http://www.insee.fr/fr/themes/info-rapide.asp?id=14>.

79 Sarah Bénichou, Défenseur des droits, Information presented at the conference “Forum : Égalité de droits et inclusion des femmes immigrées” (Lille, France, 5 November 2013).

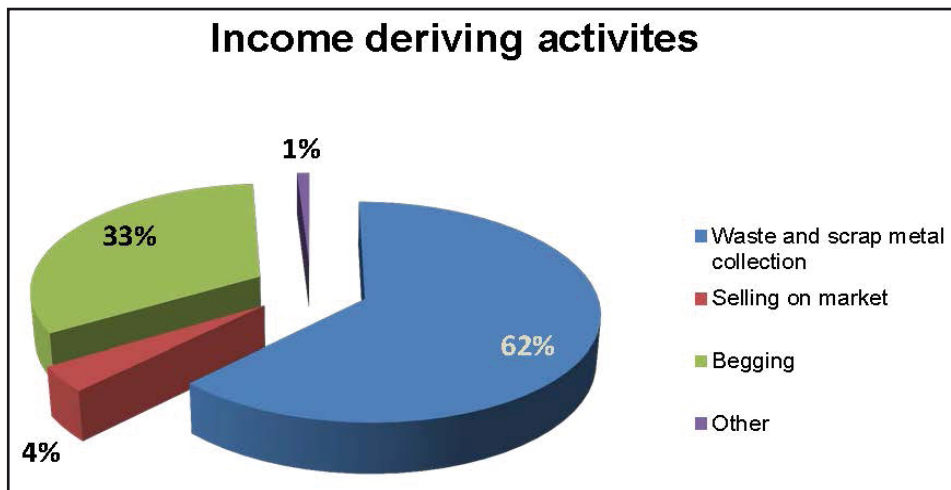


Among all research respondents, 87% claimed to be engaged in an income generating activity, with slightly fewer women (83%) compared to men (91%) reporting such (only an 8% difference). In comparison, 52% of all respondents said that they never worked in Romania (including occasional and informal work). According to the research results, 96% of respondents reported that their household generates an income of less than 500 EUR per month, which is far below the net French minimum income of 1,128.70 EUR per month in 2014.⁸⁰

Most respondents reported being involved in informal employment activities outside the mainstream economy: 63% of respondents said that they were waste or scrap metal collectors and 33% said that they earned a living by begging. Romani men were more likely than Romani women to be waste or scrap metal collectors (74% compared to 50%), but often waste and scrap metal collection was reported to be practiced by both partners living in the same household. According to the research results, Romani women are twice as likely as Romani men to engage in begging (44% to 22%, respectively). One male respondent who claimed to be a stay-at-home father explained that this was because women generally make more money begging than men do and because their family had no other childcare available he stayed home with the children while his wife was the sole financial provider for the family.⁸¹ Overall, 62% of respondents involved in income generating activities reported that they were not the sole income earners in their family. More Romani men (49%) reported being the sole income earner in their household compared to Romani women (26%).

80 See: National Institute of Statistics, available at: <http://www.insee.fr/fr/bases-de-donnees/bsweb/serie.asp?idbank=000879878>.

81 ERRC interview with a Romani man. Lille, France: 13 March 2014. Though situations like this could raise questions on the capacity of women to decide their own fate, it does reveal an opportunity for empowerment that should be cultivated in parallel with gender mainstreaming.



There appears to be a shift in the economic position of Romani women who have moved or migrated to another country compared to Romani women in Romania that is primarily based on a combination of necessity and opportunity. Among the respondents to the ERRC survey, 73% of female respondents stated that they had not worked in Romania before moving to France (including occasional and informal employment). The results of the 2011 survey by the UNDP, the World Bank and the European Commission revealed a larger gap between Romani men and women in Romania in terms of their engagement in income generating activities than that found in the ERRC's survey in France. According to the UNDP/WB/EC results, there was a 23% difference between Romani women and men in terms of their reported employment rate, 23% in terms of their activity rate and 15% in terms of their involvement in informal employment, with Romani men reporting high engagement in each category.⁸² An earlier study on Romani women in Romania published by the Open Society Institute found that 68% of Romani women described themselves as a “housewife”⁸³ According to the same study, “[...] men (husbands or partners) are the main financial providers for 65 percent of Romani families. In 25 percent of all cases, the role of main contributor to the family budget is played by women. One third of the Romani women who identified themselves as main income providers, did so because they were single.”⁸⁴ The fact that the respondents to the current research were exclusively Romani women with families indicates a change in the position of such women as active participants in providing financial support for their families that is directly related to movement and migration.

82 Employment rate was reported as the share of the employed as a percentage of those in the working age (15-64). Activity rate was reported as the share of employed and unemployed (labour force) as a percentage of those in the working age (15-64). Informal employment incidence was reported as the share of employed people who do not have a written contract (ages 15-64). See: UNDP/WB/EC, *Regional Roma Survey 2011*, available at: <http://www.eurasia.undp.org/content/rbec/en/home/ourwork/povertyreduction/roma-in-central-and-southeast-europe/roma-data/>.

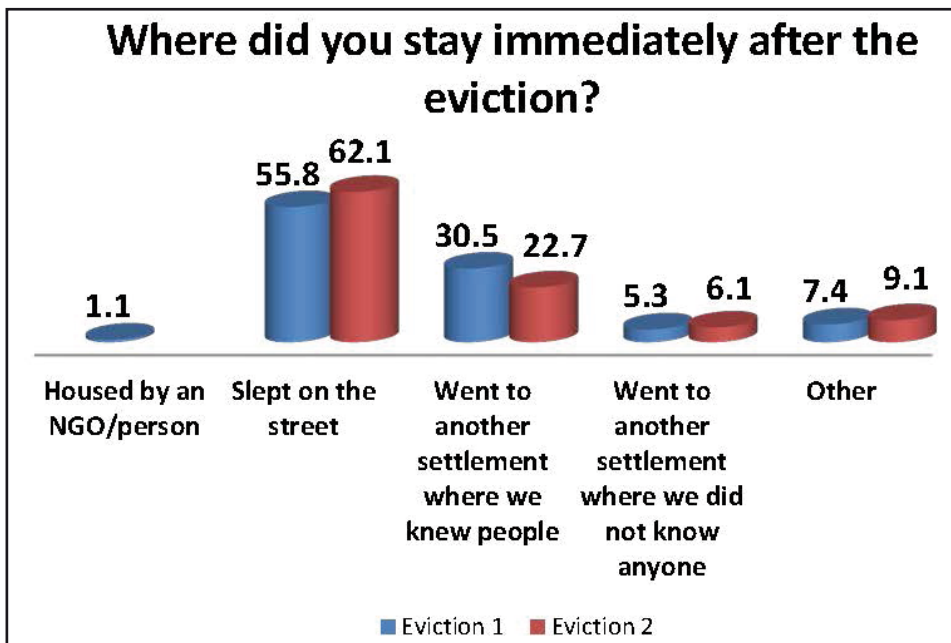
83 The authors were careful to note that this label can be misleading as in many cases “it does not reflect a choice by women but rather the lack of employment opportunities available to them” in Romania. See: Laura Surdu and Mihai Surdu, *Broadening the Agenda: The Status of Romani Women in Romania* (Open Society Institute: New York, 2006).

84 *Ibid.*

6.3 Housing Rights and Forced Evictions

All research participants resided in informal slum settlements in substandard housing conditions. A full 81% of respondents reported having been evicted from their living space in the past, with an average of 6.1 evictions per person who had been evicted. The average number of evictions reported per respondent was highest in Marseille (8 times) followed by Lille (7 times) and finally Seine-Saint-Denis(3 times). When asked where they stayed immediately after being evicted, not a single respondent said they were offered emergency accommodation or alternative housing following eviction by the State. Respondents who reported having been evicted multiple times were asked to respond to questions for with respect to their two most recent evictions.

By law, an eviction can only take place following a decision by a court.⁸⁵ However, Mayors can invoke security concerns to call for an eviction to take place within 24 hours without having to seek a court order.⁸⁶ In the conduct of a forced eviction affected residents are often left with insufficient time to gather their belongings or find alternative housing for themselves. As a result, most evicted Romani families sleep on the street until another settlement can be built. Among the survey respondents affected by forced eviction, 50% claimed that they were given only one week's notice of their eviction and 27.5% said they were notified on the same day that the eviction was carried out. The majority of respondents reported sleeping on the street directly after the evictions (59%) or going to live in another settlement where they knew someone (27%).



85 France, *Code des procédures civiles d'exécution*, L411-1: Unless otherwise specified, the expulsion of a building or an inhabited space can not be conducted without the virtue of a court decision or a binding record of conciliation and after serving an order to vacate the premises.

86 France, *Code général des collectivités territoriales*, Article L2215-1.

In response to questions concerning experiences of violence during eviction, 67% of respondents reported that the evictions were violent or that they had experienced degrading treatment during an eviction. There was no real difference in the responses of Romani women and men. This included the confiscation by police of their caravans, police dogs being set loose in the settlement, being threatened by police with guns, being forced to stand outside in underwear during the eviction, police kicking their belongings and being told by police to defecate in their caravan when asking to go to the toilet.

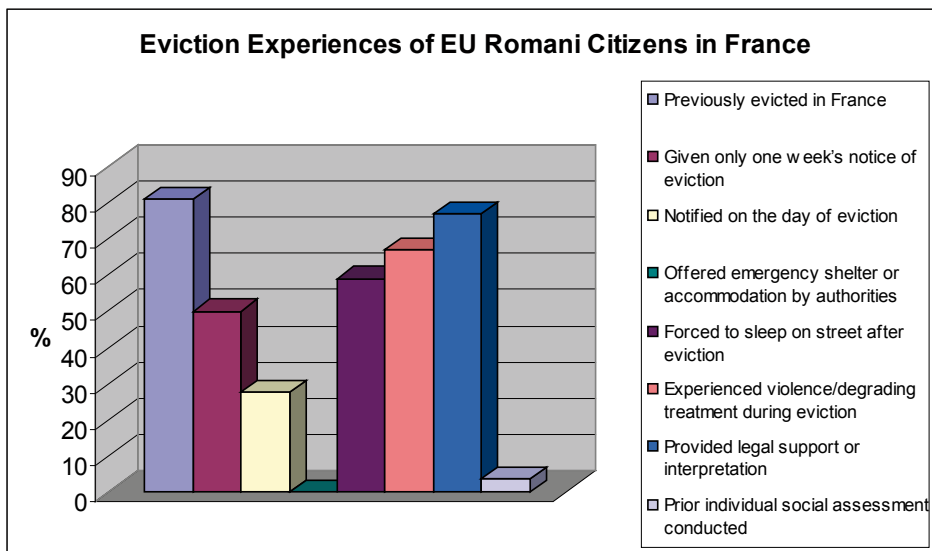
A large portion of respondents, 32.5%, claimed that they did not know if the evictions were violent because they left the settlement before the eviction date. This is problematic because the results of ongoing ERRC monitoring activities indicate that, if State authorities offer alternative emergency housing to Roma facing forced eviction, they do so only on the day of eviction. At the same time, being present on the day of eviction is not a good option for Roma and can leave them vulnerable to other forms of police harassment. One respondent in Lille explained her experience: “When the police came, they told everyone to get into their cars and drive away. They pushed my son into a car, even though he told them that he did not have a driver’s licence. The police made him leave anyway, and then followed and arrested him.”⁸⁷

While access to legal aid and interpretation in the context of eviction is not specifically a requirement under French law, the ERRC survey included a question on this topic because evictions of EU Romani citizens are often conducted in tandem with expulsion actions, where legal aid and interpretation are required. When asked if there was a lawyer or an interpreter present at the time of their eviction, most respondents to the ERRC survey claimed that neither was present during either of their two most recent evictions. On average, 77% of respondents who had been evicted said that there was neither a lawyer nor interpreter present. Roma affected by evictions in the Urban Community of Lille reported that they were left without any legal or social assistance (96.5%) compared to Marseille (68%) and Seine-Saint-Denis (61%).

With respect to the Circular of August 2012 which calls for individualised social assessments aiming to identify viable solutions for residents prior to the eviction of informal settlements,⁸⁸ 96.5% respondents claimed that they were not asked any questions regarding their situation. The findings of the ERRC survey confirm what other NGOs and research have established: The introduction of the requirement to take proactive measures to seek solutions where evictions cannot be avoided has brought little to no improvement in the way local authorities treat EU Romani citizens when evicting them from their homes. Still today, inadequate or no information is collected from people concerning their situation before evictions take place which means that social assessment seeking to identify adequate solutions is not happening.

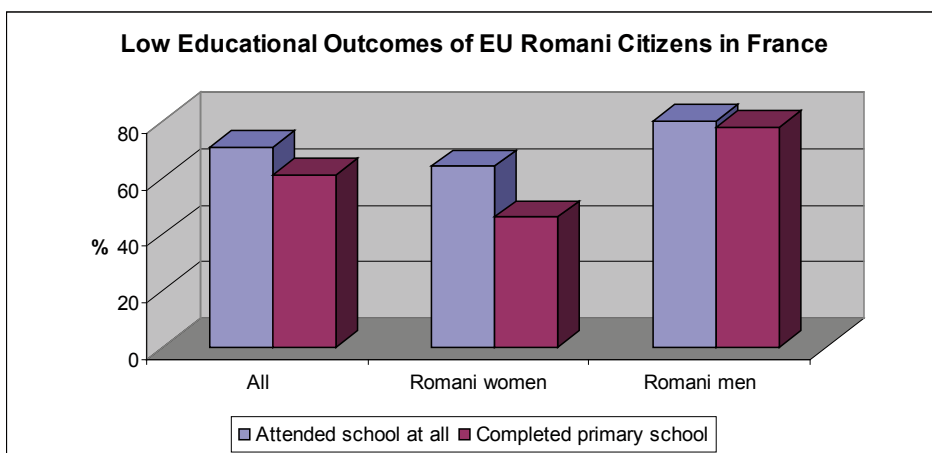
87 ERRC interview with a Romani woman. Lille, France: 12 February 2014.

88 Ministry of Interior Circular, *Anticipation and Support for Eviction of Illegal Camps*, 26 August 2012, available at: <http://www.gisti.org/spip.php?article2923>. Factors such as education, language level, employment or health should be taken into consideration.



6.4 Educational Attainment and Access to Education for EU Romani Children

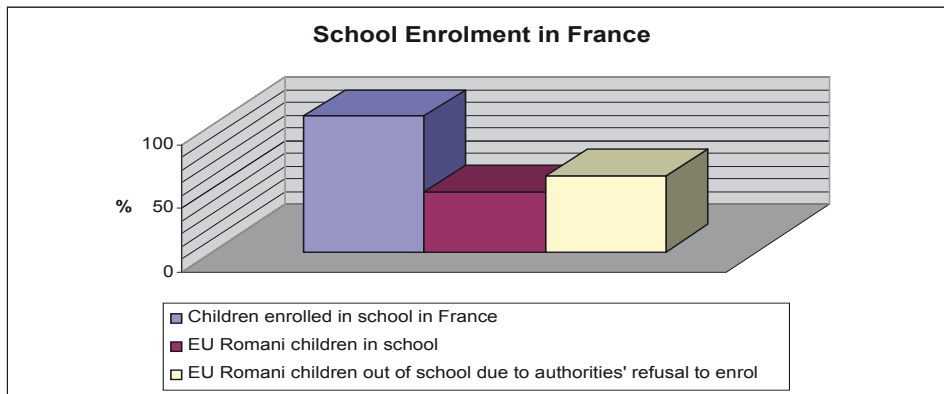
Research revealed a large disparity in the levels of education and literacy between adult Romani women and men. Overall, 29% of those surveyed claimed that they had never gone to school, including 36% of female respondents and 20% of male respondents. Most respondents, 60%, cited financial reasons for their low educational attainment and literacy levels. An additional 33% cited their ethnicity as the cause, saying that it is more difficult for Roma to go to school, and the rest cited physical disabilities. 10% of survey respondents attended primary school but left early; this was much higher for women at 18% than for men at 2%. Only 4% of all respondents, including 2% of Romani women, finished high school.



The disparity in levels of education is even greater if you compare EU Romani women, French women and migrant women in France. The percentage of EU Romani women who had finished high school was only 2%, much lower than that of migrant women (45%) and of French women (58%).⁸⁹ Similarly, in Romania “Romani women, on average, have a significantly lower level of education relative to Romania’s overall female population. The percentage of women without formal education is six times higher for Roma than for the overall female population and the percentage of women who have completed higher education is about eight times lower for Roma than for the overall female population.”⁹⁰

In addition, only half of the Romani women interviewed claimed to be literate in the Romanian language, compared to 78% of Romani men. Poor French language skills were also reported, with 17% of women claiming to speak French compared to 29% of men in the survey. The lack of education and language skills among Roma means that families are often unable to find employment or ensure that their children’s rights are respected, especially when it comes to the right to education.

UNICEF statistics for France updated in December of 2013 indicate that 99% of all school-age children attend primary school and 98.1% and 99.8% of all boys and girls, respectively, attend secondary school.⁹¹ French law states that education is obligatory for all children, French or foreign, from the ages of 6-16.⁹² In France, the only document necessary to enrol a child in school is a valid ID card. Proof that vaccinations are in progress may also be demanded. These documents, however, do not need to be presented in the first three months and their absence is not a legally valid justification for refusing enrolment.⁹³



89 Olivier Noblecourt, *L'égalité pour les femmes migrantes* (Ministre des droits des femmes: 20 February 2014).

90 Laura Surdu and Mihai Surdu, *Broadening the Agenda: The Status of Romani Women in Romania* (Open Society Institute: New York, 2006).

91 See: http://www.unicef.org/infobycountry/france_statistics.html/.

92 Code de l'éducation. Article L131-1, available at: <http://www.legifrance.gouv.fr/affichCodeArticle.do?cidTexte=LEGITEXT000006524422&cidTexte=LEGITEXT000006071191>.

93 According to By-law n° 91-220 of 30 July 1991, “Même si la famille ne peut pas, lors de la demande d'inscription, présenter un ou plusieurs des documents nécessaires, l'élève doit bénéficier d'une admission provisoire” [even if the family cannot, as the time of enrolment, present one or several necessary documents, the student must benefit from a provisory admission]. See: http://www.education.gouv.fr/pid25535/bulletin_officiel.html?cid_bo=61529.

Nevertheless, only 47% of Romani respondents to the ERRC survey said that their school-aged children in France were in school; less than half of the enrolment rate among French children. Among respondents with school-aged children out of school, 59.4% reported that this was because they had been told by administrators that there is no place in school.⁹⁴ This was highest on the settlement of La Parette in Marseille where 88% of school-aged children were not in school because space was not made available and in the settlement of 4 Cantons in Lille where 77% of children of those surveyed were awaiting a place in school at the time of research. NGOs actively work to address this situation but they are confronted with political and administrative difficulties. This directly shows the destructive effects of discrimination against EU Roma by authorities who refuse to acknowledge the presence of Romani settlements in their municipalities and support the integration of their residents. A representative of DIHAL pointed out, “School is a place of protection which has a [positive] effect on everyone in the family.”⁹⁵ With the instability faced by Romani children due to evictions and precarious living situations, school may be the only stable place that they have in their lives.

Refusal to enrol Romani children in school is in direct violation of international human rights standards,⁹⁶ seriously jeopardises children’s futures and places them in direct danger. Adolescents who are outside of the school system are more likely to turn towards delinquency to support their family or simply to pass their time. A representative of Hors la Rue commented on adolescent Romani girls from Romania:

Concerning delinquency, we notice an atypical proportion of young girls. In 2012: the Educational Department of the Court of Paris received as many female Romanian youth as males when normally only three percent of young offenders are girls. This situation shows that for some young girls, an income deriving activity, albeit illegal, has precedence over other considerations. Some of these girls may also be forced to pay off a debt contracted with marriage. Young girls living in precarious circumstances sometimes become pregnant. These youth also have limited access to healthcare.⁹⁷

Among survey respondents whose children were in school, 100% enrolled their children with the help of an NGO, with the exception of the settlement of Boulevard des Couteaux in Lille where this was 70%.⁹⁸ This shows the importance of work to support the integration of Roma exercising their right of free movement, as well their underlying disempowerment: When NGOs are not present, basic rights are often not enjoyed or protected.

94 Another 6.3% claimed that they did not know how to enrol their children in school and 34.3% listed other reasons for children not going to school; mostly that the children were too young to go to school.

95 ERRC interview with Zahra Boudjemaï-Kalisz, DIHAL Counsellor for Education and Culture. Paris, France: 6 December 2013.

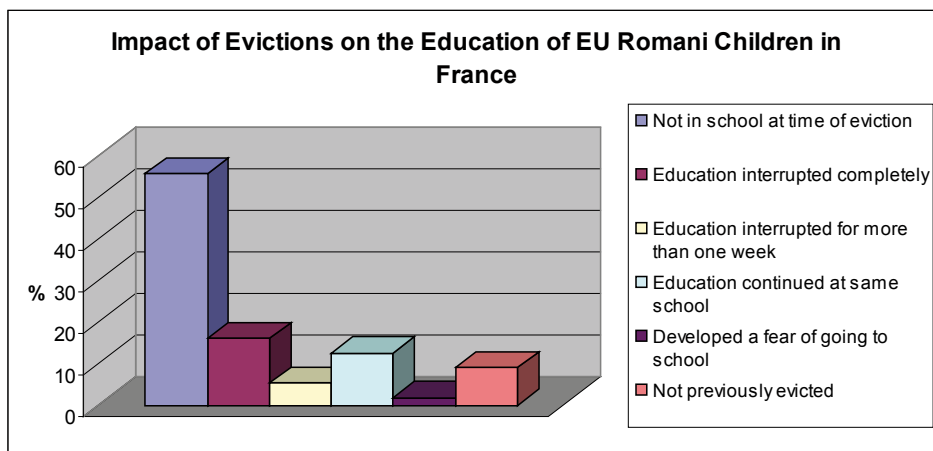
96 Article 26 of the 1948 Universal Declaration of Human Rights states that “everyone has the right to education”. The Convention on the Rights of the Child states: “The child is entitled to receive education, which shall be free and compulsory, at least in the elementary stages. He shall be given an education which will promote his general culture and enable him, on a basis of equal opportunity, to develop his abilities, his individual judgement, and his sense of moral and social responsibility, and to become a useful member of society.”

97 ERRC interview with Guillaume Lardanchet, Hors la Rue. Paris, France: 17 July 2013.

98 At the settlement of Boulevard des Couteaux, 30% had friends or family help or enrolled the children by themselves.

The majority, 60%, of respondents with children in school said that their children have no problems, but 27% said that their children had problems concerning money (to pay for food, clothes, supplies etc.), 10% reported that other pupils do not treat them well and 10% said that the school administration treats them poorly.

Survey participants with children in school at the time of an eviction most commonly reported the complete termination of their child’s education following their forced eviction; 65% reported that their children’s education was interrupted.⁹⁹ When asked about the effects of forced eviction on their children’s schooling, 61% of survey participants who had experienced eviction said there was no effect because their children were not in school prior to being evicted. The relative stability of the settlements selected for the current research allowed for some children to access education. However, this is likely to be ruined if an eviction is conducted without the provision of alternative accommodation or if remote housing solutions are offered that do not take into consideration integration and networks, including schooling, which residents have built during their tenure.



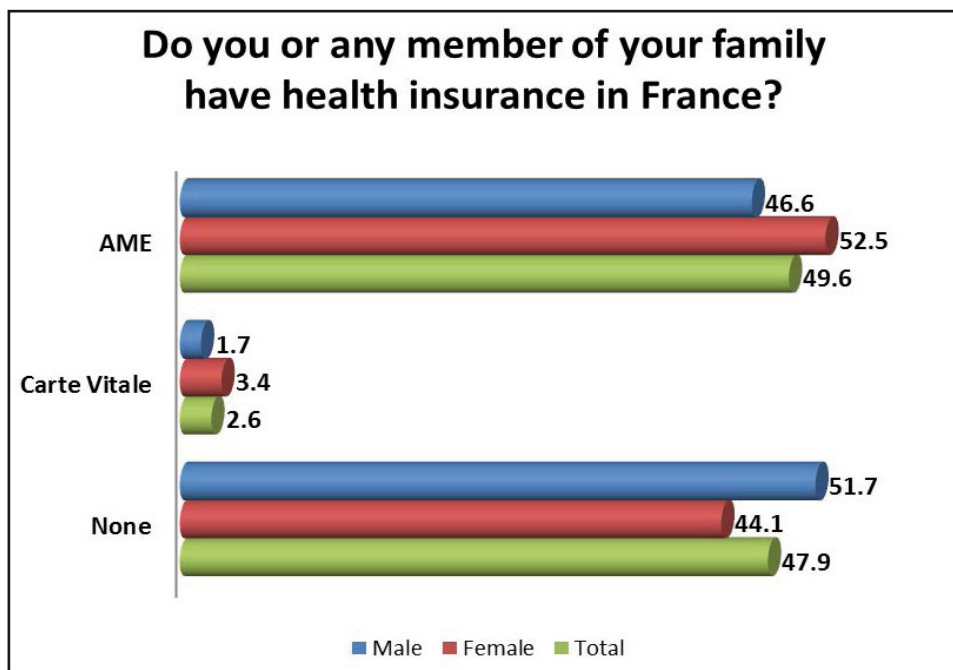
6.5 Perceived Health Status and Access to Healthcare

Among survey participants, 51% claimed that they or someone in their family had a health problem. However, the majority survey participants described their health status to be very good (38%) or good (30%), with another 10% reporting their health status to be neither good nor bad, 15% to be bad and 7% to be very bad. There were no significant differences between men and women in this respect. Compared to research conducted in Romania, these figures

⁹⁹ Among respondents with school-aged children, 55.4% of respondents said that their children did not attend school at the time of the previous eviction, 16% said that their children stopped going to school completely as a result of their past eviction, 12.5% said that their child continued to go to the same school, 5.4% said that the child stopped going to school for over a week, 1.8% said that their child became afraid to go to school, and the rest had not been previously evicted.

show an improvement in the perceived health status of women. In Romania ”a cumulative 47 percent of Romani women declared they feel “neither good, nor bad,” “bad” or “very bad.”¹⁰⁰ Respondents reported discrimination in access to healthcare and the high (informal) cost of seeing doctors in Romania as factors which negatively affected their health in the country.

Overall, 52% of respondents claimed to have some form of French healthcare coverage¹⁰¹ compared to 48% without. EU Romani women were slightly more likely to have French health insurance than men.¹⁰² There were some differences between cities. In the Urban Community of Lille, 35% of respondents claimed to have no health insurance in France, while in Marseille it was 46% and 63% in Seine-Saint-Denis. These figures were reflected in the situation of their children. Overall, 39% of respondents claimed that their children had no health insurance: 33% in the Urban Community of Lille, 35% in Marseille and 62% in Seine-Saint-Denis. The situation was slightly better than in Romania, where 45% of Roma claimed to have health insurance.¹⁰³



100 Laura Surdu and Mihai Surdu, *Broadening the Agenda: The Status of Romani Women in Romania* (Open Society Institute: New York, 2006).

101 Among respondents, 49.6% had State Medical Assistance (Aide Médicale d’Etat, AME) which is available to undocumented migrants with limited resources living in France for at least 3 months, and 2.6% had the Carte Vitale, the French health insurance card.

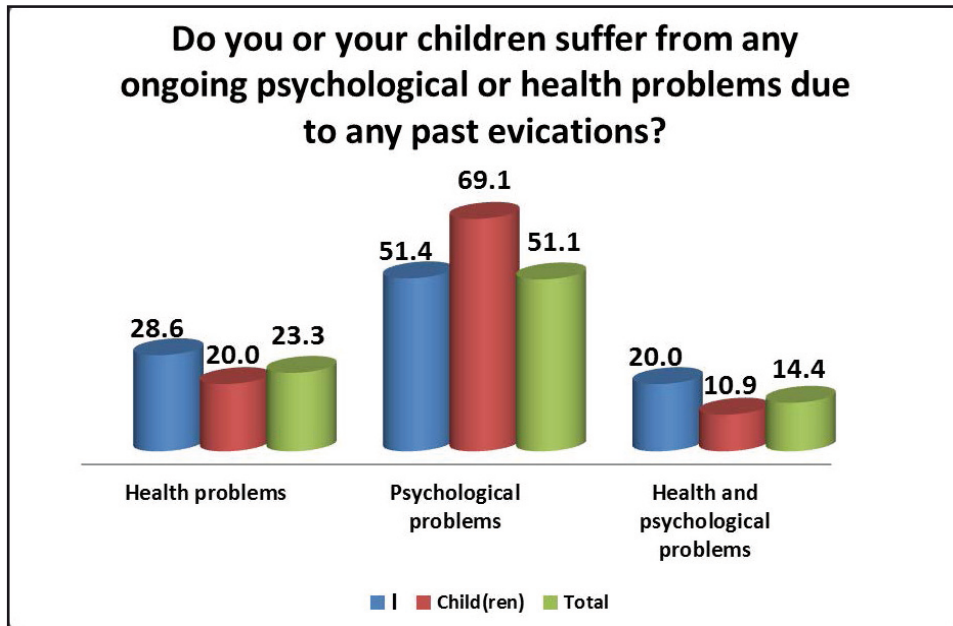
102 Fifty-three percent of Romani women had AME and compared to 47% of men.

103 European Union Agency for Fundamental Rights *The Situation of Roma in 11 EU Member States: Survey results at a glance* (European Union Agency for Fundamental Rights, 2012), available at: http://fra.europa.eu/sites/default/files/fra_uploads/2099-FRA-2012-Roma-at-a-glance_EN.pdf.

Concerning access to health insurance, 92% of respondents said that they had not been refused health insurance in France. Among those who had been refused, the reasons for refusal were lack of address (30%) or official documents (40%); the rest did not know why they had been refused. The lack of health insurance was due mostly to the perceived complications of obtaining it which prevented respondents from seeking it.

Among the research locations, 18% claimed that they had been refused access to healthcare in the Urban Community of Lille, compared to 3% in Marseille and 5% in Seine-Saint-Denis. However, a large portion of the EU Romani citizens reported that they go for regular check-ups: among Romani women 71% reported this as opposed to 65% of men. In addition, 69% said they go to a doctor when they or their children feel very ill. However, a significant portion of respondents, 17%, said that they never seek medical care (26% of men and 8% of women saying they never go to the doctor). In many instances the healthcare accessed by respondents was provided by NGOs running medical programmes in informal Romani settlements, not via the French public health system.

The main health concern of respondents and their children is their psychological health, which is severely affected by forced evictions: 50% of respondents said that they, their children or both suffer from psychological or health problems due to forced evictions: “In Romania we stress about money. Here it is different; we stress about the police and the day we will have to sleep on the street.”¹⁰⁴



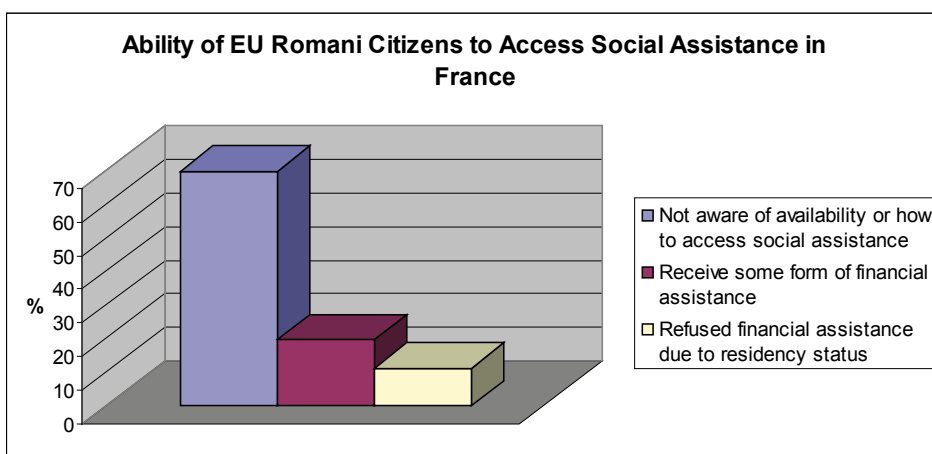
104 Focus group discussion. Lille, France: 13 March 2014.

Of respondents reporting that their children had problems after an eviction, 69% claimed those problems to be psychological. One respondent in Lille explained that after experiencing several fairly violent evictions, her child “now wets himself when he sees someone in a uniform.”¹⁰⁵

These findings are backed by research conducted by UN-Habitat which states, “the impacts of eviction for family stability and for children’s emotional well-being can be devastating; the experience has been as comparable to war for children in terms of the developmental consequences. Even when evictions are followed by immediate relocation, the effects on children can be destructive and unsettling.”¹⁰⁶

6.6 Access to Social Assistance

Overall, 19.5% of respondents reported that they receive some form of financial assistance from the French State, 69.5% claimed that they do not know how to access social assistance or that it is available and 11% of respondents tried to access social assistance but were rejected. Of those who tried to get financial assistance from the French Government, 46% said that they were refused because of their residency status.



Research findings reveal a large disparity in terms of access to State assistance in the three cities in which research was conducted. In the Urban Community of Lille, 50% of respondents claim to have accessed some sort of State assistance.¹⁰⁷ In comparison, only 7.9% of respondents claimed to have accessed State assistance in Marseille and in Seine-Saint-Denis no respondent claimed to have received assistance from the State. This discrepancy is due to the fact that some forms of financial assistance are administered at the departmental level and the existence of assistance in one department does not mean that it is present in other areas of France.

105 ERRC interview with a Romani woman. Lille, France: 11 March 2014.

106 UN-Habitat, *Losing Your Home: Assessing the Impact of Eviction* (Nairobi, Kenya: 2011), available at: http://is-suu.com/unhabitat/docs/loosing_your_home/1.

107 Mostly AMAS, financial assistance from the local departmental authority of around 150-200€ per month.

6.7 Discrimination

Discrimination and prejudice remain major problems affecting the settlement and integration of EU Romani citizens in France. During research, all stakeholders mentioned this as a key difficulty faced by EU Romani citizens in integrating and eventually accessing employment, and often it was the first obstacle mentioned. Overall, 50% of participants in the ERRC survey claimed to have experienced discrimination in France, with more Romani women reporting such than Romani men (53% compared to 46%, respectively).¹⁰⁸ Among respondents aged 38-47, 70% reported having experienced discrimination in France, compared to 59% among those aged 18-27 and 40% among those aged 28-37. Most respondents reported discrimination or ill-treatment by members of other minority groups. Of the three locations, more participants in the Urban Community of Lille reported experiences of discrimination, more than double the number of participants in Seine-Saint-Denis.¹⁰⁹

The most common forms of discrimination reported by survey participants were verbal attacks or hate speech at 47% and having been made to feel ashamed at 31%. Of the 118 participants, only one claimed to have been refused access to a Government service due to her/his ethnicity, most likely due to a lack of direct contact with administrative bodies. Most experiences of discrimination were reported to take place on the street, while shopping or on public transportation.

Begging and waste and scrap metal collecting, the main economic activities of EU Romani citizens in France, make them very visible to the public, which can reveal, according to Secours Catholique, the best and worst of French society.¹¹⁰ Among those who collect waste or scrap metal, 67% claim to have experienced discrimination in the form of verbal attacks or being made to feel ashamed, as opposed to 26% of those who beg. During a focus group discussion on the topic of public perception and discrimination, participants who were involved in begging concluded that “People feel bad for us; they give. The French are very kind.”¹¹¹

During focus group discussions, Romani women explained that they were also aware of the negative stereotypes that adversely affect their communities. There was a consensus that Roma are negatively viewed in France and that they are seen as, “miserable”, “poor” and “thieves”. Focus group participants recounted the shame they feel when looking in trash bins for waste or scrap metal, as well as the need to communicate that these actions are a necessity rather than

108 The proportion of EU Romani women who have experienced discrimination in France may be higher. A report on female immigrants by the French Ministry of Women’s Rights explains that although they are more susceptible to discrimination, migrant women may have a more difficult time recognising discrimination as “male domination is more legitimised in society, and in this way it is internalised by men as well as women.” Therefore, women may not perceive all forms of discrimination or sexism as discrimination, or be able to identify situations of discrimination and sexism as such. See: Olivier Noblecourt, *L’égalité pour les femmes migrantes* (Ministre des droits des femmes: 20 February 2014), available at: <http://www.ladocumentationfrancaise.fr/var/storage/rapports-publics/144000126/0000.pdf>.

109 Urban Community of Lille 63%, Marseille 58%, Seine-Saint-Denis 30%.

110 ERRC interview with Evangeline Masson-Diez, Secours Catholique. Paris, France: 21 November 2013.

111 Focus group discussion. Marseille, France: 5 February 2014.

a choice. During discussions about challenging discrimination, many felt that there is nothing they can do to change minds, but some expressed the need to open lines of communication, saying “if the French don’t give us the opportunity, then we cannot be heard.”

6.8 Perceived Difference in Quality of Life

Despite the myriad of problems experienced by EU Romani citizens in France, when asked to evaluate their lives in France compared to Romania 97% of respondents stated that their life is better in France (80% said their life is much better while 17% said it is better). There was no significant difference between Romani women and men on this issue. This perception appeared to be in direct relation to the disadvantaged situation in Romania compared to France. Respondents mentioned that they were less stressed in France because “we are stressed every day in Romania but here the trash bins are always full” and “our family is less stressed; there is always something to find in the bins. In Romania the bins are empty.”¹¹² Further, all research participants stated that their financial situation was better in France than in Romania, with 87% claiming that it was much better and 13% saying it was better. Again, there was no significant difference in the responses of Romani women and men, but the percentage of women who claimed that their financial situation was much better was slightly higher than that of men (90% compared to 85%, respectively). Overall, 94% of respondents to the ERRC survey said that they want to stay in France for good.

112 Focus group discussion. Marseille, France: 5 February 2014.

7 Conclusions

The research for this study provides concrete evidence of the harmful impact of the rhetoric and actions of the French Government with respect to the human rights situation of Roma from Romania who have exercised their right as EU citizens to freely move to and reside in France. It disproves many of the misguided but common perceptions about EU Romani citizens from Romania residing in France.

Overwhelmingly, the movement of Roma from Romania to France is based on a desire to escape poverty, in part due to anti-Roma racism and discrimination in Romania, and to utilise better economic prospects in France. Most EU Romani citizens from Romania move as a family and the presence of family in France is an important factor in their choice of France as their host country. Many have been living in France for between four and seven years, France is the only EU country most have resided in aside from Romania and the majority have lived in the same city since they first arrived in France. This situation is quite the opposite of the popular perception that most EU Romani citizens have moved to France temporarily, are not sedentary and therefore have little to no real ties to the country: In fact, Romani families are likely to move to one place and stay there, trying to build family, networks and community.

Though most claim that their lives are better in France than in Romania, acute poverty is a consistent concern among EU Romani citizens in France. Most Roma living in informal settlements report a household income of less than 500 EUR per month, less than half the French minimum income, supporting an average of four people. The most pressing needs of EU Romani citizens in France are reported to be access to regular employment and adequate, stable housing. Many Roma also report that they are not aware of how to access various rights and services, and that they do not know of organisations trying to support their integration efforts. There are many strong organisations doing important work in these communities, and often the ability of residents to exercise of their rights is dependent on these organisations. This is particularly evident with respect to the education of Romani children and the access of Romani women and families to healthcare. However, there appears in some instances to be a disconnect between the work of the NGOs and the residents' priorities which tend to focus on their most immediate needs such as food and housing. Acute poverty and low awareness or rights and resources are inextricably linked and disempower EU Romani citizens from Romania as actors in improving their conditions in France. The majority are not able to meet basic immediate needs let alone plan for their future.

Most EU citizens of Romani origin do not know how to find or seek formal employment in France. Indeed, none of the research participants were formally employed in France. Contrary to popular opinion that all Roma from Eastern Europe move to Western Europe to collect social benefits, less than 20% of EU Romani citizens included in this study received some form of assistance from the French Government. Most research respondents were engaged

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in an informal income generating activity, with only slightly fewer women compared to men reporting such. This represents a significant shift in the economic status of Romani women in France compared to Romania where research has shown that Romani women are much less likely than Romani men to be engaged in income generating activities. This shift appears to be directly related to movement and migration.

The housing conditions in informal slum settlements around France fall very short of international minimum standards on adequate housing. In addition to enduring substandard living conditions, over 80% of EU Romani citizens report that French authorities have evicted them an average of six times since moving to the country. Roma report that in the vast majority of evictions French authorities do not respect the requirement introduced in August 2012 that they conduct social assessments with a view to identifying alternative housing. In nearly 30% of reported evictions, affected Roma were only notified that they would be evicted on the day the eviction was carried out leaving them no time to prepare to move. Further, no respondent reported having been offered alternative accommodation or emergency housing and thus were forced to sleep on the street with their families. Some form of violence and degrading treatment by French authorities was reported to take place in nearly 70% of all evictions. Among Roma with children in school at the time of their past evictions, often their child's education was terminated due to the eviction.

A significant number of adult EU Romani citizens living in France have never attended school. There is a large disparity between adult Romani women and men in this respect, as well as between Romani women, French women and migrant women in France, with Romani women lagging behind all others. Romani adults also possess poor French language skills, with Romani women less likely to speak French than Romani men. The lack of education and language skills among Roma, and particularly among Romani women, has a direct negative impact on their ability to settle and integrate, to access employment and public services and to ensure that their children's rights are respected. Although education is obligatory for all children from 6-16 in France, more than half of all Romani children from Romania in France are out of school. Of those, administrators refused to enrol Romani children into their school in nearly 60% of cases. Refusal to enrol Romani children in school is against French and international law, and places them at a severe disadvantage in the future. Where EU Romani children are in school, more than 90% were enrolled with the help of an NGO.

Health status and access to healthcare is the area of life most positively viewed by EU Romani citizens living in France, due in large part to significant work by NGOs to provide healthcare to Roma living in informal settlements. The majority of EU Romani citizens from Romania in France report their health status to be very good or good, which is an improvement in perceived health status among Romani women according to other studies of Roma in Romania. Half of all respondents have been supported to access some form of health coverage in France, with Romani women slightly more likely to have French health insurance than men. A significant number of Roma, slightly more women than men, attend regular medical check-ups, often conducted by NGOs, and most seek medical attention when they or their children are ill. A main health concern among Roma is the psychological health of themselves

and their children, which is severely affected by forced evictions. While forced evictions are detrimental in every aspect, there are likely psychological effects on children and harm caused to their development due to deeply instilled fears and psychological trauma.

Fifty percent of EU Romani citizens from Romania in France report experiences of discrimination, with more Romani women than men reporting such. The most common forms of discrimination include verbal attacks, hate speech or otherwise being made to feel ashamed, and most experiences of discrimination take place on the street, while shopping or on public transportation.

Despite the various forms of negative treatment that EU Romani citizens from Romania continue to encounter in France, survey respondents almost unanimously stated that life in general and their financial situation in particular is better in France than in Romania. The goal of the vast majority of Roma from Romania is to stay in France long-term.

8 Recommendations

General recommendations to French authorities for improving the situation of Roma from other EU Member States residing in France:

1. Introduce appropriate, targeted measures into the French National Roma Integration Strategy to effectively and holistically address the inclusion of Roma from other EU Member States residing in France, to allocate sufficient funds for their implementation and to effectively monitor their results.
2. Give full effect the right of free movement within the EU by:
 - a. Requiring authorities, whenever they come into contact with EU Romani citizens to make an individualised determination of whether that person is exercising residence rights,
 - b. Take advantage of the facilities offered by the European Commission to assist with the social integration of Roma.¹¹³
3. Immediately cease the costly and ineffective practice of evicting and expelling EU Romani citizens without undertaking any proportionality analysis.
4. Until such time as all Roma from other Member States are able to access regular housing, ensure the provision of water, sanitation and other services to informal Romani settlements.
5. Monitor the implementation of the August 2012 Circular requiring local authorities to conduct social assessments to identify alternative housing in advance of evictions.
6. Investigate all reports of violence or degrading treatment by police or public officials during the eviction of Romani communities. Pursue appropriate sanctions against any police officer or public official found to be guilty.
7. Ensure that clear and concise information about the full spectrum of rights, including health insurance and healthcare, access to emergency housing, education and legal aid, is made available to Roma from other Member States in France.
8. Increase support for NGOs working to facilitate the inclusion and integration of Romani communities in France.

Recommendations for actions specific to the situation of EU citizen Romani women living in France:

1. The French Minister of Women's Rights should make the situation of EU Romani women living in slums a priority issue and develop specific programming in Romani communities around their concerns, with a focus on social and economic empowerment, gender equality.
2. Plan and implement programming to increase the capacity of EU Romani women to be active participants and community leaders working to overcome barriers to accessing

¹¹³ See: http://ec.europa.eu/justice/citizen/document/files/com_2013_837_free-movement_en.pdf.

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rights in their communities, such as literacy training, French language training, leadership and civic engagement training, human rights education, specific skills training as well as networking and partnership building, in collaboration with NGOs present in the field.

3. Assist EU Romani women in exercising their free movement rights as workers by developing effective mediation and other programmes to facilitate their access to the formal job market with special consideration to their needs including child care, skills and language training, etc.

Recommendations to ensure respect for the rights of EU citizen Romani children in France:

1. Investigate all reported instances of refusal by schools to enrol Romani children. Require the immediate enrolment of all school-aged Romani children. Pursue sanctions against offending schools, particularly under the anti-discrimination law. Provide special support to help Romani children previously refused enrolment so they can make up the time they missed in school.
2. Instead of refusing enrolment to children who lack proof of vaccination, housing, or any other document not required by law for enrolment, amend the administrative requirements so that such children are enrolled first and these requirements are addressed immediately.
3. Conduct outreach and provide support to Romani families to enrol school-aged children currently not enrolled into school.
4. Take the necessary steps to ensure, in accordance with France's obligations under the UN Convention on the Rights of the Child, that the best interest of children is a primary consideration for local authorities and courts in the consideration of any eviction. Appoint or establish an independent monitor (e.g. within the DDD) to examine the rights of Romani children in the implementation of forced evictions and to work with local authorities and NGOs to ensure that the best interests principle is respected in the context of all evictions. Where eviction cannot be avoided:
 - a. Develop effective plans in collaboration with affected Romani families to ensure that no EU Romani child's education is interrupted or terminated as a result of eviction; and
 - b. Provide medical and psychological support to EU Romani children to help them deal with the trauma experienced.
5. Provide immediate access to medical insurance to all EU Romani children currently without medical coverage in France.

Annex: Description of the Research Settlements

Location of Settlement	Name and Location	General Information	Current Situation ¹¹⁴
Seine-Saint-Denis	La Sente de Montfort, La Courneuve	Located on the grounds of an old farm. Around 50 shacks with about 150 habitants including 40-60 children. None of the school age children attend school, due mostly to lack of awareness and access to this right. Established about one year ago after residents were evicted from another settlement at Porte de la Chapelle. At the time of selection for research, there was a pending eviction order for this settlement. There are no known NGO interventions at this settlement, no running water and no waste removal. Toilets have been constructed at the back of the settlement by the residents.	Evicted on 15 May 2014.
	La Folie, Bobigny	Established in April 2011. About 250 Roma from Romania and Bulgaria reside at this settlement. About 50 shacks and 20 caravans are densely packed on the settlement. Some children attend school while others await enrolment. Local authorities provide running water, toilets and waste removal.	Court date set for August 4, 2014 to decide on eviction.
Urban Community of Lille	Boulevard des Cousteaux, Roubaix	Established more than two years ago. Around 28 shacks and 18 caravans with about 120 residents including 40-50 children. The majority of the children go to school. Authorities provide toilets and waste removal.	High risk of eviction in the coming months.
	Les 4 Cantons, Ville-neuve-d'Ascq	Established around two years ago. Part of the settlement was previously evicted and current residents were given permission to stay on the parcel that they inhabit. Around 15-20 caravans with about 80 inhabitants including around 30 children. After months of waiting, local NGO AREAS has succeeded in enrolling children in the settlement in school. Authorities provide running water, toilets and waste removal.	Local government assistance and support to NGOs working at the settlement. Local Government “stabilised” and “tolerates” the settlement.

¹¹⁴ Current situation as of time of publication.

ANNEX: DESCRIPTION OF THE RESEARCH SETTLEMENTS

Marseille	Fontainieu, Marseille (Nord)	Established around two years ago. Squat located in an old building belonging to the State with 145 residents including 60 children. Local authorities installed five showers and five toilets and a security guard controls the entrance at night. The NGO ADDAP 13 has a permanent presence at the settlement, but there is no official management of the site.	Eviction planned for the beginning of August 2014.
	La Parette, Marseille (Nord)	Initially established almost 2 years ago. The largest informal settlement in Marseille with 400 inhabitants including about 100 children. Some children go to school due to the work of ADDAP 13, while others await a place. The settlement doubled in size following the eviction of another settlement (La Capulette). Two sections are separated by a tramway. There is no trash removal. Access to running water is provided at the entrance to the settlement.	Evicted on 17 June 2014.

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. The approach of the ERRC involves strategic litigation, international advocacy, research and policy development and training of Romani activists. The ERRC has consultative status with the Council of Europe, as well as with the Economic and Social Council of the United Nations.

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CHALLENGING DISCRIMINATION PROMOTING EQUALITY

