

Written submission to the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, ahead of her visit to France on 28 January to 6 February 2019.

Introduction

Ahead of the Special Rapporteurs visit to France in April 2019, Refugee Rights Europe are grateful for the opportunity to submit information on the right to housing for refugees and displaced people currently in France, in line with Article 25(1) of the Universal Declaration of Human Rights which recognises the right to adequate housing for all.

About Refugee Rights Europe

Refugee Rights Europe is a human rights organisation and registered UK charity. Founded in late 2015, the organisation researches and documents the situation for refugees and displaced people seeking protection in Europe, with a particular focus on human rights violations and inadequate humanitarian conditions experienced. The organisation uses its research findings to advocate for human rights-centered policy development, to ensure the rights of refugees and displaced people are upheld on European soil, in accordance with the Universal Declaration of Human Rights.

Refugee Rights Europe is independent of any political ideology, economic interest or religion. We believe in the indivisibility of human rights and we are united by our aim to defend the rights of some of the world's most vulnerable individuals.

The Context: Calais and Paris

Calais:

Following the demolition of the Calais camp in 2016, large numbers of displaced people were thought to have been transferred to state-run accommodation centres across France. However, a large number of displaced people, including hundreds of unaccompanied children, are still sleeping rough in Calais, seeking shelter under improvised tarps and tents. Many of the displaced people in the area are denied access to housing as a result of their immigration status. This is particularly concerning in the winter months, where emergency accommodation is only open during certain periods and is often overcrowded, such that many remain sleeping in freezing temperatures. Of particular concern is the situation for unaccompanied minors, many of whom may be eligible to reach the UK under family reunification processes or under the so-called 'Dubs' amendment.

Paris:

Large numbers of people on the streets of Paris are denied housing as a result of their immigration status, forcing them to live on the streets in unsanitary and often dangerous conditions. During research in January 2018, Refugee Rights Europe also came across several incidences in which displaced people had submitted an asylum claim, and are therefore eligible for state provided accommodation, but were still living on the streets. Of particular concern was the situation for unaccompanied minors who face an increased risk of exploitation and trafficking. Refugee Rights Europe understands that emergency accommodation is made available during harsh weather conditions, but that displaced people are subsequently returned to the streets.

The impact on human rights in France

The practice of denying adequate shelter to refugees and displaced people in France has led to a number of worrying rights violations. We have included below some of our research findings and the effect on the rights of refugees and displaced people¹:

Calais²:

The large majority of refugees and displaced people in Calais sleep rough in the surrounding woodlands without access to adequate sanitation facilities. During research conducted in October 2017, 52% reported having experienced health problems in France, with 55.9% stating that they believed that their health concern was the result of the unhealthy living environment. 61.3% of respondents had received medical care in France. Meanwhile, the effect of living conditions on displaced people's mental health raises serious concerns. A whole 21.2% of those with health issues self-declared that these issues were mental health concerns rather than a physical ailment.

Paris³:

During research conducted in January 2018, 85.5% of respondents reported that they were currently living on the streets of Paris - often in tents provided by local NGOs or sleeping under bridges on damp mattresses on the floor. Only 11.7% stated they were staying in accommodation centres, with NGOs on the ground telling the research team that often accommodation centres were full and where displaced people were only allowed to stay for a limited period. The poor living conditions appear to have had a detrimental impact on the health of refugees and displaced people in Paris, with 43.9% reporting that they had experienced a health problem since arriving in France - 15.3% referred to this health concern as a mental health issue. 37.3% of these respondents reported that these problems were caused by the unhealthy living environment. A whole 59.3% had been unable to access medical care.

Conclusion and Recommendations

Based on its research findings, Refugee Rights Europe has set out a number of concrete recommendations to ensure that the rights of refugees and displaced people are upheld. We are grateful for the opportunity to submit these recommendations for the consideration of the Special Rapporteur on adequate housing:

- The French Government must ensure urgent provision of basic shelter to all refugees and displaced people arriving on their territory, regardless of immigration status, in line with international human rights provisions, in particular the UN Declaration of Human Rights, Article 25.
- The French Government must ensure that all individuals who have claimed asylum within their jurisdiction are provided with accommodation whilst their claims are being assessed,

¹ For further information on our reports and research methodology please see www.refugeerights.org.uk/reports

² Research in Calais took place between 19 to 22 October 2017. Researchers surveyed 233 individuals in their native languages, approximately 33% of the estimated 700 refugees and displaced people thought to be residing in the area at the time. For more information: http://refugeerights.org.uk/wp-content/uploads/2018/08/RRE_TwelveMonthsOn.pdf.

³ Research in Paris took place between 27-30 January 2018. The study is based on a survey of 283 individuals in their native languages, approximately 10% of the estimated 2950 refugees and displaced people thought to be sleeping rough in the streets of Paris at the time of the study. For more information: http://refugeerights.org.uk/wp-content/uploads/2018/08/RRE_StillOnTheStreets.pdf.

not just in emergency situations brought on by cold weather conditions, conforming with the 2013/33/EU Directive laying down minimum standards for the reception of asylum seekers.

- France must ensure full compliance with the principles of the best interests of the child and of family unity and ensure no children or families are left in destitution regardless of immigration status, in accordance with the Charter of Fundamental Rights of the European Union, the 1989 United Nations Convention on the Rights of the Child, the European Convention for the Protection of Human Rights and Fundamental Freedoms, and as reaffirmed in article nine of the 2013/33/EU Directive.
- In light of the health concerns experienced by displaced people in Calais and Paris as a result of their lack of adequate shelter and poor living conditions, the French Government should employ additional social workers, interpreters and support staff in these areas, including allocating additional funding to ensure access to hospital and healthcare services.

Overall, effective and long-lasting policy action is urgently needed to secure the human rights of refugees and displaced people on French soil. The Universal Declaration of Human Rights must be at the centre of any policy initiative to ensure that refugees and displaced people are given the protection and opportunity expected by international standards.