

**FRANCE  
SUBMISSION TO THE UNITED NATIONS COMMITTEE ON  
ECONOMIC, SOCIAL AND CULTURAL RIGHTS  
PRE-SESSIONAL WORKING GROUP  
(9 Mar 2020 – 13 Mar 2020).**

## Summary

This briefing is submitted by Refugee Rights Europe in advance of the adoption by the Committee on Economic, Social and Cultural Rights (The Committee) of a list of issues prior to the Committee's consideration of France's Fifth Periodic Report on its implementation of the International Covenant of Economic Social and Cultural Rights (hereafter the Covenant). This briefing presents several concerns of Refugee Rights Europe (RRE) on France's failure to adequately implement Articles 11 and 12 of the Covenant. In particular, RRE is concerned about France's failure to provide an adequate standard of living to asylum seekers and displaced people, including adequate food, clothing and housing or reception facilities. These conditions, combined with France's failure to provide asylum seekers and displaced persons with even basic medical care, has a severely negative impact on the safety, physical and mental health of asylum seekers and displaced individuals on French territory.

## Prior recommendations

In its 2016 Concluding Observations the Committee expressed 'deep concern' over the 'substandard conditions in the reception and accommodation facilities for asylum seekers' (para 18). Moreover, it called upon France to remove administrative and other obstacles hindering asylum seekers from exercising their economic and social rights, including fully informing asylum seekers of their rights (para. 19a) and expanding the capacity of reception centres or equivalent permanent facilities to meet the actual demand and provide temporary emergency lodging arrangements to cover demand for accommodation in its territory (para. 19c). Finally, the Committee called on France to ensure satisfactory living standards and improved access to the general health-care system as well as specialized facilities for psychological disorders and trauma (para 19d).

## France's current policy & practice

**Administrative and other obstacles hindering asylum seekers from exercising their economic and social rights, including lack of information and police violence.**

### Administrative and structural obstacles

1. According to NGOs operating in Calais and Dunkirk, there are currently approximately 500-600 displaced individuals in Calais and around 1200 in Dunkirk, living between the camp outside the gymnasium,<sup>1</sup> and the 'jungle'.<sup>2</sup> Estimated population numbers have risen since June 2019, when they lay at 565 displaced individuals in Calais, and approximately 700 displaced individuals in Dunkirk.<sup>3</sup> In Calais over a third of this population is aged

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<sup>1</sup> Which was provided as a form of temporary accommodation during winter by former Mayor Damien Carême (current Member of the European Parliament, Greens/ EFA group).

<sup>2</sup> These estimates are based on figures provided by the NGO Help Refugees and their partner organisations on 6 September 2019, based on their daily food distributions/ material aid provisions and presence during morning evictions of camps and informal settlements.

<sup>3</sup> Information provided by the NGO Refugee Info Bus.

between 18-25,<sup>4</sup> roughly another third aged 26-35 and a whole 26% is reportedly under the age of 18.

2. Despite the large number of prospective asylum seekers present in these locations for numerous years, individuals in Calais and Dunkirk who may be eligible for asylum and Dublin III family reunification typically struggle to access the asylum procedure in France due to the lack of an asylum application facility in the area.<sup>5</sup> This in turn obstructs potentially eligible individuals' access to the Dublin III family reunification procedure, as this is only triggered after an initial registration of applicants' asylum application.
3. While it used to be possible to claim asylum at the sous-prefecture in Calais, this possibility has been omitted and individuals now must present themselves in Lille in order to claim asylum. While the French state provides a small number of buses in Calais and Dunkirk to take people to the asylum processing centre in Lille, most individuals are unaware of this option and far too few buses are provided. As such, in Dunkirk there are reportedly cases of "families waiting weeks and weeks for spaces on buses"<sup>6</sup> to Lille, with one particularly concerning case of a 6-8 person family, including 75 and 76 year old grandparents, who have been unable to board a bus for weeks due to a lack of space.<sup>7</sup>
4. Unaccompanied minors in Calais and Dunkirk currently face structural obstacles as well as severe delays in accessing the asylum procedure and by extension Dublin III family reunification,<sup>8</sup> France therefore currently is also not fulfilling its obligations under international or EU law.<sup>9</sup>
5. At present, the only two legal routes available are family reunification based on the Dublin III Regulation or via Section 67 of the Immigration Act 2016 (the so-called 'Dubs Amendment').<sup>10</sup> However, there is a lack of a clear procedure for unaccompanied minors to access these limited legal routes. According to current procedure in France, asylum seekers must first present themselves to a 'pre-reception center'. Following a notice issued by the 'pre-reception center', they must then present themselves to the 'Prefecture', which registers the asylum application. Since most pre-reception centers in France currently do not handle UAM cases, they, unlike adults, must present themselves directly to the 'Prefecture' to claim asylum. Currently, however, there are no specific agents or procedures dedicated to unaccompanied minors in said Prefectures.

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<sup>4</sup> Figures from June 2019, based on a census carried out by grassroots organisations operating in the area. The population figures are ever changing and without an official source of demographic data or registration system, it is difficult to ascertain any exact figures. Refugee Info Bus, June 2019: [https://docs.wixstatic.com/ugd/5eb73a\\_cb764a97184445599f7893a4e81b252f.pdf](https://docs.wixstatic.com/ugd/5eb73a_cb764a97184445599f7893a4e81b252f.pdf)

<sup>5</sup> In contrast to France's obligations under Arts. 6 and 8 Directive 2013/32/EU, Art. 5 Directive 2013/33/EU and Art. 4(1) Directive 2011/95/EU, which reads 'it is the duty of the Member State to assess the relevant elements of the application'.

<sup>6</sup> Correspondence with colleague from the NGO Refugee Info Bus

<sup>7</sup> While exact numbers are difficult to verify, this is reportedly limited to approx. 30 places per bus. The NGOs Refugee Women's Centre and Human Rights Observers have launched strategic litigation on behalf of this family's case.

<sup>8</sup> According to information submitted to EASO in 2018 by Safe Passage, an NGO who assist unaccompanied minors in Northern France with accessing the asylum procedure and family reunification under the Dublin III Regulation, and who engage in strategic litigation on behalf of unaccompanied minors in France.

<sup>9</sup> For the latter see Arts. 23 (2)(a) and 24 Directive 2013/33/EU.

<sup>10</sup> See UK Immigration Act 2016 : <http://www.legislation.gov.uk/ukpga/2016/19/section/67/enacted>

6. Moreover, unaccompanied minors are frequently obstructed in or face severe delays to accessing the asylum procedure. For example, in September 2018, Médecins Sans Frontières and Safe Passage challenged a public tender regarding pre-reception centers' management of asylum claims, as one provision foresaw that pre-reception of UAMs concerned only those UAMs *already* assisted by an Ad Hoc Administrator. This provision appears to violate French law<sup>11</sup> and would effectively deprive UAMs of access to the asylum procedure as the likelihood of a UAM being appointed an ad-hoc administrator is currently 'very low' in practice.<sup>12</sup> It is therefore unclear which authorities UAMs can present themselves to, in order to access the asylum procedure, and without extensive delays.
7. Moreover, current delays in the appointment of a legal guardian for UAMs in France can delay minors' asylum claims by up to six months.<sup>13</sup> Such delays are particularly concerning as they often prevent minors who are soon turning eighteen, to enter a minors' asylum application procedure and thus the Dublin III family reunification procedure. Therefore, while the designation of an 'ad hoc administrator' for UAMs was foreseen as a procedural guarantee for UAMs, it in fact causes significant delays and obstacles to their access to the asylum procedure and family reunification.
8. For example, delays are caused by the Prefectures not notifying the prosecutor immediately of UAMs' asylum applications, despite this requirement under French law.<sup>14</sup> Based on this, Safe Passage and other NGOs in France litigate before French administrative courts on behalf of UAMs facing such delays. The courts concluded that when Prefectures do not immediately notify the prosecutor of a UAM's asylum claim to initiate the designation of an ad hoc administrator, this constitutes a breach of the right to asylum. The courts have therefore repeatedly ordered the prefecture to immediately inform the prosecutor, to enable UAMs access to asylum.
9. UAMs face further delays, as the Prosecutor does not immediately designate an ad hoc administrator, in contravention of French national law. There are no clear legal remedies in these circumstances and no national jurisprudence dealing with this matter. Therefore NGOs such as Safe Passage currently have to try to contact the office of the prosecutor directly. Furthermore, there are extremely concerning reports of French police allegedly telling minors that they are adults to avoid the responsibility on the French state that recognizing them as minors would entail.<sup>15</sup>
10. The above circumstances have led to a situation where delays to access to asylum in France are currently longer for UAMs than for adults.<sup>16</sup> As such there are reportedly minors present in Saint Omer with a legitimate legal ground to be transferred to the UK, who have not been given that opportunity to date and continue to live in legal limbo, without access to their rights.

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<sup>11</sup> See Art. L741-3 CESEDA: "When the asylum application is presented by a minor without any legal representative on the French territory, the public prosecutor, immediately advised by the administrative authority, appoints without any delay an ad-hoc administrator (...)".

<sup>12</sup> Information provided by Safe Passage to EASO in 2018.

<sup>13</sup> Ibid.

<sup>14</sup> Art. L741-3 CESEDA

<sup>15</sup> Refugee Info Bus

<sup>16</sup> Ibid.

11. In sum, the French state continues to uphold administrative and structural obstacles that not only fail to “ensure” but in fact hinder asylum seekers’ and displaced individuals’ access to regularized status and thus “the realization of” the economic and social rights enshrined in Article 11 of the Covenant. RRE would like to emphasise the wording of said Article, obliging France to “...recognize the right of *everyone* to an adequate standard of living”, and, in conjunction with Article 2(2) of the Covenant, to “...undertake to guarantee

that the rights...will be exercised without discrimination of any kind...national or social origin...*or other status*”. France is thus obliged to ensure access to an adequate standard of living to *all* individuals on its territory, regardless of origin or immigration status.

### **Lack of information provision**

12. In contrast to the Committee’s 2016 recommendation to France to ‘fully inform asylum seekers of their rights’, the French authorities continue to fail to provide adequate information to asylum seekers on French territory.<sup>17</sup> According to the NGO Help Refugees, there is ‘a huge amount of pressure on associations, charities and NGOs to provide legal and other information’, a ‘general lack of information’ and ‘a lot of confusion’ about the asylum system.<sup>18</sup>

13. For example, according to Refugee Info Bus, this small and under-resourced grassroots group is currently the sole actor in Calais providing information on the buses that transport displaced individuals to asylum processing centres, meaning that the vast majority of displaced individuals remains unaware and uninformed about this option. By contrast, during ‘major evictions’, where French authorities violently clear informal settlements, often involving a violent police operation and intimidation tactics, people are ‘strongly encouraged’ often through coercive measures and under the threat of being detained, to board a large number of buses. Under such chaotic and threatening circumstances, individuals are fearful of boarding, without being informed where they will be taken or what will happen to them or their family members. For instance, during a recent eviction in July 2019, there was a striking lack of interpreters and a complete absence of official information provided by the French authorities, while their instructions were reported to have been inherently ‘unclear and vague’.<sup>19</sup> By the end of the eviction, 50 individuals had boarded buses, 30 were detained and the rest of the population simply ‘moved their tents 30 yards to the left’, highlighting the haphazard and futile nature of these extremely distressing and costly operations.

14. The lack of adequate provision of information and safeguarding for unaccompanied minors on the part of both the French and UK authorities, has been the status quo since 2016, evidenced by the inadequate handling of transfer requests from France to the UK by the Home Office, during the closure of the Calais ‘Jungle’ Camp. Following civil society-led litigation, the UK Court of Appeal found that the Home Office had here failed to provide adequate information to unaccompanied minors whose transfer requests had been

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<sup>17</sup> This equally violates the States Parties’ obligations under EU law, specifically Art. 5 and, where it concerns unaccompanied minors, Art. 24(1) Directive 2013/33/EU, as well as Art. 8(1) Directive 2013/32/EU.

<sup>18</sup> Oral evidence submitted to the Home Affairs Committee on Channel Migrant Crossings in January 2019.

<sup>19</sup> Information provided by Refugee Info Bus.

refused.<sup>20</sup> In particular, the Home Office did not provide these children with sufficient reasons for their refusal, thus limiting their ability to successfully appeal the decision. This systematic and widespread lack of information and legal assistance has led to individuals potentially eligible for protection and/ or family reunification i.e. regularized status, remaining highly vulnerable, unaware of and unable to access their economic and social rights.

## **Police Violence, Forced Evictions/ Hostile Environment**

15. The French State's failure to provide adequate reception conditions is increasingly coupled with systematic police violence and harassment of displaced people forced to sleep in informal settlements, as well as futile cycles of forced evictions without a clear objective or provision of alternatives. Already in 2017, Human Rights Watch found that "police conduct in and around Calais is an abuse of power, violating the prohibition on inhuman and degrading treatment or punishment".<sup>21</sup> In field research conducted by RRE in October 2017, 91.8% of individuals interviewed by RRE had experienced police violence, 50.5% citing physical violence and 90.1% having experienced tear gas or pepper spray.<sup>22</sup> This disproportionate police violence against displaced individuals in Calais and Dunkirk is ongoing. In oral evidence provided to the Home Affairs Committee on 22 January 2019 by Help Refugees, the NGO's human rights observer team on the ground reported daily police evictions and up to 20 per week, with over 47 police clearances in the first 19 days of 2019.<sup>23</sup> Between August 2018- June 2019 more than 800 such evictions have taken place,<sup>24</sup> reportedly without any legal grounding or requisitions. Refugee Info Bus similarly reports police evictions taking place every 48 hours in Calais. In April 2019 the UN Special Rapporteur on Adequate Housing declared that these evictions 'constitute cruel, inhuman or degrading treatment'.<sup>25</sup>

16. The evictions subject the large number of minors present in Calais to police violence and large-scale military operations every 2 days, undoubtedly leading to severe psychological trauma. During the last 2 large evictions in March and July 2019, social services reportedly "didn't turn up for minors at all". While social workers were present in July, they were not there in their official capacity as the "French state didn't authorize them to attend".<sup>26</sup> In February 2019, the European Court of Human Rights ruled that France failed to uphold its child protection obligations in the case of an Afghan minor who was living in the Calais 'Jungle' camp, and was subject to extreme neglect by the French state during and prior to the camps dismantlement.<sup>27</sup> Nonetheless, UAMs in Northern France continue to face this lack of safeguarding and protection. In March 2019, a permanent eviction took place at the largest living space in Calais, known as 'RDV'. Refugee Youth Service reported that prior to

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<sup>20</sup> The Guardian, 2018: <https://www.theguardian.com/uk-news/2018/jul/31/home-office-misled-court-about-treatment-of-child-refugees-from-calais-judges-find>

<sup>21</sup> Human Rights Watch, 2017: <https://www.hrw.org/report/2017/07/26/living-hell/police-abuses-against-child-and-adult-migrants-calais>.

<sup>22</sup> Refugee Rights Europe, 2017: [https://refugee-rights.eu/wp-content/uploads/2018/08/RRE\\_TwelveMonthsOn.pdf](https://refugee-rights.eu/wp-content/uploads/2018/08/RRE_TwelveMonthsOn.pdf)

<sup>23</sup> Oral Evidence, p. 14

<sup>24</sup> The Guardian, 2019: <https://www.theguardian.com/world/2019/jun/22/refugee-eviction-peak-in-france-bid-halt-channel-crossings>

<sup>25</sup> The Guardian, 2019: <https://www.theguardian.com/world/2019/apr/12/un-france-dire-living-conditions-refugees-calais-migrants-human-rights>

<sup>26</sup> Oral Evidence Submitted to the Home Affairs Committee, January 2019.

<sup>27</sup> ECtHR- Khan vs France (no 12267/16) 28th February 2019

the eviction, there were no protection services onsite to offer guidance or make provisions for unaccompanied children and minors subsequently were loaded on to the same buses as adults and taken to adult accommodation centres.<sup>28</sup> A member of the NGO's Human Rights Observers team reported that on 14 May 2019, police tear gassed and slashed with a knife, the tent of four vulnerable unaccompanied minors, aged 10, 14, 16 and 17 years living at one of the camps. The 16-year-old was arrested and the other three were left in the camp, their only form of shelter destroyed, with no alternative offered.

17. These evictions evidently do not lead to a reduction of the population of displaced individuals in Northern France, the number of which has stayed relatively stable at 1000-1500 since 2016, with current estimates at 1300.<sup>29</sup> It thus appears that the French state's continued practice of systematically and violently uprooting asylum seekers and displaced individuals from their (already inadequate) sleeping and living places serves no purpose, other than intimidation and, in fact, the violent *prevention* of the realization of the rights enshrined in Article 11(1) of the Covenant.

### **Substandard living conditions, reception and accommodation facilities**

18. According to NGOs operating on the ground and RRE's research, the dire living conditions in Calais and Dunkirk are exacerbated by the lack of accommodation provided by the French state to individuals who have an active asylum claim in France.<sup>30</sup> This means that large numbers of individuals live in inhumane conditions, e.g. in makeshift tents in the mud in Calais and Dunkirk or sleeping rough on the streets of major cities,<sup>31</sup> despite having entered the EU asylum system. For example, during research conducted by RRE in October 2017, of 233 respondents interviewed, 84.3% reported having been woken up by police while sleeping and forced to move, while 90.7% stated the police did not tell them where they could go.<sup>32</sup>

19. In a clear violation of Art. 11 of the Covenant,<sup>33</sup> the situation is similar in France's major cities, where Médecins Sans Frontières estimated 800 asylum seekers to be sleeping rough in Paris in February 2019.<sup>34</sup> During RRE's field research, we came across hundreds of asylum seekers with active asylum claims in France, spending weeks or months sleeping next to destitute French individuals and heroin addicts under bridges in Paris, without access to support services, in environments where crime and abuse are widespread. The future of those forcibly removed during recent evictions of informal camps in Paris in November 2019, remains unclear.<sup>35</sup> According to RRE's interviews conducted with

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<sup>28</sup> Information provided by Refugee Youth Service.

<sup>29</sup> The Guardian, 2019: <https://www.theguardian.com/world/2019/jun/22/refugee-eviction-peak-in-france-bid-halt-channel-crossings>

<sup>30</sup> <https://www.hrw.org/news/2018/08/04/france-approves-flawed-asylum-and-immigration-law>

<sup>31</sup> <https://www.france24.com/en/20180106-refugees-still-sleeping-rough-paris-despite-macron-promises>

<sup>32</sup> Refugee Rights Europe, 2017: Twelve Months On: Filling information gaps relating to refugees and displaced people in Northern France a year on from the demolition of the Calais camp, [https://refugee-rights.eu/wp-content/uploads/2018/08/RRE\\_TwelveMonthsOn.pdf](https://refugee-rights.eu/wp-content/uploads/2018/08/RRE_TwelveMonthsOn.pdf)

<sup>33</sup> And with regards to EU law, Art. 17 Directive 2013/33/EU

<sup>34</sup> <https://www.infomigrants.net/en/post/15011/hundreds-of-migrants-sleeping-rough-in-paris-despite-winter-shelter-program>, see also <https://www.ecre.org/op-ed-situation-for-asylum-seekers-in-paris-remains-critical-despite-promises/>

<sup>35</sup> <https://www.theguardian.com/world/2019/nov/07/french-police-begin-clearing-makeshift-migrant-camp-paris>

displaced individuals in Northern France, the failure of the French state to provide adequate reception conditions is one of the major factors in individuals' decision to attempt to reach and seek protection in other states, frequently taking on extreme personal risks, including sexual and labour exploitation, in the process of doing so.

20. Since August 2019, unaccompanied minors (UAMs) in Calais and Dunkirk are living in informal camps lacking the most basic forms of infrastructure. Tents, blankets and sleeping bags are provided by aid organisations,<sup>36</sup> in stark contrast to France's obligations under Art. 11 and 12 of the Covenant.<sup>37</sup> Large proportions of minors living in Calais and Dunkirk appear either unaware of or unwilling to live in the state-run accommodation centre for minors in Saint Omer, due to lack of information, experience of mistreatment or a lack of progress on their asylum applications. For example, in late 2017 RRE found that 82% of minors we interviewed had not stayed in the accommodation centre in Saint Omer.<sup>38</sup>

### **Access to generalized and specialized health care and facilities**

21. Despite the Committee's recommendations from 2016, France continues fail to provide adequate physical and mental health care to asylum seekers and displaced individuals, including access to generalized as well as specialized health facilities and institutions, in contravention of its obligations under Article 12 of the Covenant.

22. According to mental health NGOs<sup>39</sup> operating on the ground, the situation in Northern France is becoming 'acute', with worrying numbers of individuals experiencing 'serious mental health issues', including severe anxiety and depression, as they remain trapped in limbo and living in inhumane conditions. As such, individuals' often complex layers of trauma from experiences in their country of origin and/or their journey to and across Europe are compounded with on going abuse, lack of support and dire living conditions. From a mental health perspective, according to Art Refuge UK, 'sensory sensitivity for prolonged periods can have a long-term impact on the body and may tip people into paranoia, overwhelming anxiety, anger, hyper-vigilance and aggression'.<sup>40</sup>

23. Alarming, French authorities' current practice often exacerbates or causes these mental health problems. NGOs report of asylum seekers' phones being 'smashed' by police officers, severing individuals' sole connection with family and disorienting them further. Further systematic abuse by French authorities includes sustained aggression, disruption of sleep, destruction of tents and confiscation of basic necessities, even drinking water. Art Refuge UK's patients in Calais often speak of sleep deprivation and not being able to 'think straight'. According to RRE's research, the French authorities' practice of uprooting individuals from their sleeping places, without suggesting a viable alternative, appears to

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<sup>36</sup> See Refugee Rights Europe, 'Children Stuck in Limbo, Examining the Vulnerability of Unaccompanied Minors in Northern France', 2019 : [https://refugee-rights.eu/wp-content/uploads/2019/08/RRE\\_ChildrenInCalais-web.pdf](https://refugee-rights.eu/wp-content/uploads/2019/08/RRE_ChildrenInCalais-web.pdf).

<sup>37</sup> As well as France's obligations under EU law, according to Articles 17, 21 and 23 Directive 2013/33/EU

<sup>38</sup> Refugee Rights Europe, 2017: [https://refugee-rights.eu/wp-content/uploads/2018/08/RRE\\_TwelveMonthsOn.pdf](https://refugee-rights.eu/wp-content/uploads/2018/08/RRE_TwelveMonthsOn.pdf)

<sup>39</sup> Such as Art Refuge UK, who have been operating psycho-social support activities for refugees and displaced people in Northern France since 2015.

<sup>40</sup> <https://www.law.ox.ac.uk/research-subject-groups/centre-criminology/centreborder-criminologies/blog/2018/10/mental-health>



be an official state practice in Calais, amounting to intentional sleep deprivation.<sup>41</sup> Art Refuge UK and their French partners have also seen a rapid increase in the use of drugs and alcohol amongst refugees in the Calais area as a form of self-medication.

24. When surveying 223 people in Calais in October 2017, RRE found that a whole 21.2% of those with health issues self-declared that them as mental rather than physical health problems, a markedly higher figure than in April 2017.<sup>42</sup> A significant number of respondents were seen speaking to themselves, and several respondents mentioned that one or more of their peers appeared to be 'going crazy'. Young boys reported that one of their peers, a 12- year old boy from Afghanistan, had recently self-harmed and tried to commit suicide due to the situation.

25. State-provided specialist mental health support for asylum seekers and displaced individuals is very limited with a few non-governmental groups, including Art Refuge UK and Médecins du Monde, working to provide a minimum of mental health support in place of the French State. Moreover, according to RRE's research, local hospitals rarely accept individuals without asylum or an active asylum claim in France. With the many obstacles in place for individuals to access asylum and regularised status, this leads to a vicious cycle where state psychiatric support is entirely inaccessible to some of those who may be in greatest need. In field research conducted by RRE in 2017, 52% reported having experienced health problems in France. 55.9% of them believed that their health concern was a result of the unhealthy living environment, while 36.4% said it had been brought on by tear gas or other forms of police violence.

## **Suggested Questions**

What steps will France take to immediately provide adequate reception conditions and an adequate standard of living, including sufficient housing and accommodation, hygiene and sanitation facilities including water points, toilets and showers, as well as sufficient access to information and legal assistance to asylum seekers and displaced individuals on its territory, in particular in Northern France and major cities?

What steps will France take to ensure the provision of adequate health care, including satisfactory living standards and improved access to the general health-care system, as well as specialized facilities for psychological disorders and trauma, to asylum seekers?

What steps will France take to put an immediate end to disproportionate and systematic police violence and harassment of asylum seekers and displaced individuals which currently hinders their access to economic and social rights as per Articles 11 and 12 of the Covenant, including forced evictions from sleeping places without offering a viable alternative; confiscation of personal belongings; excessive use of tear gars and other forms of violence?

## **Suggested Recommendations**

### **Provision of Information & Access to Procedures**

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<sup>41</sup> Refugee Rights Europe, 2017, p. 25 : [https://refugee-rights.eu/wp-content/uploads/2018/08/RRE\\_TwelveMonthsOn.pdf](https://refugee-rights.eu/wp-content/uploads/2018/08/RRE_TwelveMonthsOn.pdf)

<sup>42</sup> When 16.4% reported the same.

The French state must urgently devise a strategy for Northern France that ensures swift and adequate access to asylum procedures and thus access to economic and social rights as per Articles 11 and 12 of the Covenant. In practice, this entails:

- The establishment of **permanent asylum processing centres in Calais and Dunkirk (or at a minimum one such centre between the two locations)** where individuals wishing to apply for asylum in France or enter Family Reunification procedures are given the opportunity to do so.
- This necessitates any police, military, or other French authorities active in and around in-/formal camps in Calais and Dunkirk to **provide information to individuals, in languages they understand, on the existence of these centres**, the procedures therein and how to access them. If necessary, transport several times a day should be provided.
- In the immediate term, the French state, with financial support from international and/ or EU institutions must **provide a higher number of buses daily to the asylum processing centre in Lille**, and crucially, sufficient and regular information must be provided in languages that individuals understand, about the existence of the processing centre in Lille, the procedures therein, as well as the buses that transport people there.
- In line with the Committee's recommendations and to ensure the realization of rights outlined in Articles 11 and 12 of the Covenant, France must ensure the adequate provision of information free of cost and in languages that individuals understand,<sup>43</sup> through the establishment of **permanent info-points** in Calais and Dunkirk, providing information on: individuals' rights and obligations; minors' rights, including with regards to the asylum procedure, guardianship, accommodation and child protection services; the closest asylum accommodation facilities; state health care facilities; and legal aid NGOs providing information and assistance.
- To render these info-points operational, they must be staffed with a **sufficient number of French asylum authorities/ Liaison Officers and translators**, if necessary with support from UNHCR, EASO and/ or other international and EU agencies.

## **Accommodation & Housing**

- The French Ministry of the Interior, through the local Prefecture, ought to provide adequate accommodation to all asylum seekers, refugees and displaced individuals, including unaccompanied minors, in Northern France, regardless of immigration status, with adequate social workers, translators and specialist support staff, including whilst age assessments are ongoing, as well as during the appeal process.<sup>44</sup>

## **Police Violence**

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<sup>43</sup> This is equally an obligation under EU law, Art. 8(1) of Directive 2013/32/EU states, "Where there are indications that third-country nationals...present at border crossing points... may wish to make an application for international protection, Member States shall provide them with information on the possibility to do so".

<sup>44</sup> In line with France's obligations under Arts. 22, 23 and 24 Directive 2013/33/EU.

- The General Director of the National Police (DGPN) must ensure that the objective of providing 25 days' training for CRS per year is met and that such training is regularly reviewed. This should include international human rights obligations, safeguarding and protection mechanisms for vulnerable displaced people,<sup>45</sup> to end the French authorities hindering of asylum seekers' access to rights enshrined in Articles 11 and 12 of the Covenant.

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<sup>45</sup> In line with France's obligations under Arts. 21 and 22 Directive 2013/33/EU.