

URGENT ACTION

MIGRANTS FACE FORCED EVICTION IN FRANCE

About 40 African migrants face imminent forced eviction from a squat in Calais, France. If evicted, they would be left homeless and vulnerable to other human rights violations.

Local authorities in Calais are planning to evict around 40 African migrants from an unauthorized squat near the Fort Nieulay. Local NGOs reported that without any prior warning or consultation, a formal notice of eviction was fixed to the door of the squat on 13 August, without any translation, and that police told the migrants orally in English that they only had one or two weeks to leave the premises. Although the country of origin of all of the migrants in the squat is unclear, the eviction order states that they are believed to be Eritrean, while local activists claim that most of them are from Sudan and Chad. However, what is clear is that if they are forcibly evicted, they would be left homeless and at risk of facing other human rights violations, and of being placed in detention, if they are found not to have regular immigration status, or being forcibly returned to their home country.

The formal eviction notice was issued by the Court of Appeal of Douai on 9 August at the request of the Commune of Calais, which owns the property. The Court of Appeal accepted the Commune of Calais' request for an 'uncontested' eviction procedure, based on a provision in French housing law that the bailiffs instructed by the owner were unable to identify of the occupants of the property, and ordered that an eviction could take place with immediate effect if the occupants do not leave voluntarily. Even if the migrants were to appeal successfully against the 'uncontested' eviction procedure it would not stop the eviction from going ahead. In the event those evicted from the Calais squat make asylum claims, they may also be returned from France to their home country while their asylum claim is in progress. Under the 'priority' asylum procedure, applicants whose asylum claims are refused can be expelled from France while their appeals are still being heard.

Please write immediately in French or your own language:

- Urging the authorities to halt the planned eviction of the squat near the Fort Nieulay and to ensure that evictions of migrants from squats and camps around Calais are carried out only as a last resort, and only in full compliance with international human rights standards
- Calling on the authorities to ensure that no one is left homeless and vulnerable to other violations of their human rights as a result of the eviction.
- Demanding that any individuals evicted during the operation are not detained, unless there is an individualized assessment that detention is a necessary and proportionate measure which conforms with international human rights law
- Urging them to ensure that anyone wishing to claim asylum are provided with access to a fair and satisfactory asylum procedure, and are not subjected to the 'priority' asylum procedure.

PLEASE SEND APPEALS BEFORE 2 OCTOBER 2012 TO:

Prefect

M Denis Robin
Préfecture du Pas-de-Calais
Rue Ferdinand Buisson
62020 Arras, Cedex 9, France
Fax: +33 3 21 55 30 30

Salutation: Dear Prefect / Monsieur le Préfet

Mayor

Mme Natacha Bouchart
Mairie de Calais
Place du Soldat Inconnu
Boîte Postal 329
62107 Calais, France
Fax: +33 3 21 46 62 09

Email: mairie@mairie-calais.fr
Salutation: Dear Mayor / Madame la Maire

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

Forced evictions are evictions carried out without genuine consultation or adequate notice with those affected, without sufficient legal safeguards and without the provision of adequate alternative housing for those who need it. Under international law, to which France is subject, the authorities must not carry out forced evictions and must protect all people from them, including migrants or asylum-seekers without regular legal status and ensure them an effective remedy for any violations of their right to adequate housing and other rights. Any eviction must only be a last resort after all feasible alternatives have been explored with those affected.

French authorities should only detain any migrants arrested during or after the forced eviction operation as a measure of last resort, after justifying in each individual case that it is a necessary and proportionate measure which conforms with international human rights law. Alternatives to eviction and detention, including the provision of adequate alternative accommodation, should always be fully explored first. France is also obliged to ensure that anyone left unprotected following the forced eviction is not left homeless or vulnerable to other violations of their human rights.

French authorities must provide access to fair and satisfactory asylum procedures to any individuals evicted from the squat who wish to make applications for asylum, and must not resort to using the 'priority' procedure.

There have been a series of raids and evictions of squats and camps inhabited by migrants and asylum-seekers over recent years in and around Calais. Amnesty International has previously issued urgent actions in 2009 in relation to the clearance operation of the makeshift encampments that came to be known as 'the jungle' near Calais, in which almost 300 migrants and asylum-seekers were evicted from their makeshift encampments. According to local migrant rights activists, the squat near the Fort Nieulay is reportedly one of the last remaining squats in the Calais area following a series of police raids

Name: 30-40 migrants

Gender m/f: Male

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