

Centre on Housing Rights and Evictions (COHRE) v. France, Complaint No. 63/2010, decision on the merits of 28 June 2011

A. Violation of Article E taken in conjunction with Article 31§2

1. Decision of the Committee on the merits of the complaint

The Committee concluded that there was an aggravated violation of Article E taken in conjunction with Article 31§2 because the conditions in which the forced evictions of Roma camps had taken place in the summer of 2010 were incompatible with human dignity.

2. Information provided by the Government

The Government states in the [information](#) registered on 17 December 2014 that the interministerial circular of 26 August 2012 intended to anticipate and provide guidelines for evictions from unlawfully occupied land provides that before any eviction a “study of the situation of each of the families or unaccompanied persons” present should be made.

To achieve this aim, institutions and associations have a whole range of solutions available to them, both in the public housing stock and in the so-called ordinary private stock, but also in the supported housing sector. These various possibilities cover both collective facilities and non-collective individual housing. The Government has also included in its long-range plan to combat poverty and promote social exclusion for 2013-2016 a specific annual appropriation of €4 million to conduct studies and promote the establishment of support schemes under the five-year anti-poverty plan. These funds are divided between the regional prefectures to cover the various support schemes communicated by the regional prefects.

The Government points out that the implementation of the housing-related aspects of the circular of 26 August 2012 still poses problems.

3. Assessment of the follow-up

The Committee takes note of the adoption of the interministerial circular intended to anticipate and provide guidelines for evictions from unlawfully occupied land. It notes that this circular is a step forward. However, in view of the fact that the Government recognises that the implementation of the housing-related aspects of the circular still poses problems, it asks for the information on the follow-up given to decisions that will be submitted in October 2017, to provide clarifications on the implementation of these aspects.

The Committee also asks what measures will be taken to ensure that in future Roma will not suffer unjustified violence during evictions.

The Committee finds that the situation has not been brought into conformity with the Charter.

B. Violation of Article E taken in conjunction with Article 19§8

1. Decision of the Committee on the merits of the complaint

The Committee concluded that there was a violation of Article E taken in conjunction with Article 19§8 on the ground that Roma of Romanian and Bulgarian origin consented to repatriation to their countries of origin in the summer of 2010 under constraint and against a background of racial discrimination.

2. Information provided by the Government

The Government does not provide any answers on this issue in the [information](#) registered on 17 December 2014.

3. Assessment of the follow-up

The Committee asks for the information on the follow-up given to decisions that will be submitted in October 2017, to state whether the practices at issue in the decision on the complaint have been definitely halted.

The Committee finds that the situation has not been brought into conformity with the Charter.