



FEANTSA

France Still Violating Travellers' Housing Rights

The decision of France's President, Nicolas Sarkozy, to "close illegal Roma and Traveller camps and deport illegal migrants" has once again highlighted France's inadequate response to the needs of Roma people and Travellers. French municipalities' own failings may force people to set up illegal camps in the first place and risk eviction, while plans to create fixed stopping places for Travellers could help guarantee the right to housing for all.

The French government's decision to evacuate around 300 illegal Roma and Traveller camps, following riots in a Loire Valley town involving a group of Travellers, demonstrates a repressive and sensationalist response to a situation for which France has already been sanctioned by the Council of Europe (CoE). In 2008, the CoE agreed with FEANTSA's [collective complaint](#) (39/2006), which argued that despite ambitious laws and policies, France had failed to implement effectively the right to housing for all, especially for the most vulnerable.

In that context, the European Committee of Social Rights (ECSR), the CoE body responsible for monitoring the implementation of the Revised European Social Charter, concluded that France was in violation of Article 31 of the revised Charter devoted to housing rights. Significantly, the ECSR found evidence of discrimination against Travellers.

It found that legislation introduced in France in the year 2000, requiring municipalities with over 5,000 residents to set up permanent stopping places for Travellers had only been implemented in a minority of municipalities. The French government acknowledged the delay in implementing this scheme and estimated a deficit of around 41,800 places. The ECSR said this delay forced Travellers to use illegal sites, which exposed them to the risk of eviction under France's 2003 Act on internal security. The conclusions also state that states "must make sure that evictions are justified and are carried out in conditions that respect the dignity of the persons concerned, and that alternative accommodation is available".

The ECSR made the same conclusion two years later following a Collective Complaint (51/2008) by the European Roma Rights Centre (ERRC), stating that by not implementing the legislation, France had failed to take account of the specific needs of Travellers. The ERRC complaint also exposed the poor living conditions at the sites that had been created: not all stopping places met the required sanitary norms and some were created outside urban areas or near electrical transformers or very busy roads, making them difficult – if not dangerous – to use.

The French government stated that many of the Roma in France were illegal immigrants. The ECSR noted that some indeed were, but that the population included Roma migrant workers who were in a legal situation and therefore enjoyed the rights set out in Article 19§4c of the Revised Social Charter, which compels States to treat migrants not less favourably than nationals in respect of several conditions, one of which is accommodation. FEANTSA therefore sees the French government's repeated threats to deport people as sensationalist and does not consider it to be a way to find real solutions to housing needs in France.

FEANTSA hopes that the French government's commitment to increase the number of stopping places for Travellers will be fulfilled without delay and that the living conditions will meet acceptable standards. This could reduce the number of people obliged to set up illegal camps and enable countries to respect Travellers' and Roma people's housing rights. FEANTSA also agrees with the Council of Europe Commissioner for Human Rights that "evictions are a particularly problematic issue, plunging families into a climate of fear" and hopes that France will respect the dignity of the people in the camps it threatens to dismantle.

André Gachet, FEANTSA Vice-President had the following comment: "the measures taken today stigmatise a section of the population, whereas the serious events that triggered this reaction merit deeper reflection. Substituting a social response to the situation with sensationalist 'law and order' rhetoric, and disregarding France's prior commitments, is one more example of the continued rolling back of Human Rights. We must deplore politicians' unwillingness to facilitate housing for Travellers in this country and their persistent refusal to take into account the aspirations of Roma people who have come to France. Instead, these groups are confronted with measures informed by rejection and discrimination."



For more details, please visit

- the FEANTSA [webpage](#) on Collective Complaint 39/2006,
- the Council of Europe [Collective Complaints website](#)

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Notes for editors:

1. FEANTSA is the European Federation of National Organisations working with the Homeless. It is an umbrella of not-for-profit organisations which participate in or contribute to the fight against homelessness in Europe. Established in 1989, FEANTSA represents today more than 150 organisations working with people experiencing homelessness in about 30 European countries which provide a wide range of services to people experiencing homelessness, including housing, health, employment support, social protection, rights and participation. It is the only major European network that focuses exclusively on homelessness at the European level. More information is available at: www.feantsa.org
2. Article 31 of the revised European Social Charter of 1996 is devoted to the right to housing and reads: "With a view to ensuring the effective exercise of the right to housing, the Parties undertake to take measures designed:
 - a. to promote access to housing of an adequate standard;
 - b. to prevent and reduce homelessness with a view to its gradual elimination;
 - c. to make the price of housing accessible to those without adequate resources."
3. In its conclusions on collective complaint 39/2006, the ECSR ruled that France is not in conformity with Article 31 on six grounds. These include the poor implementation of, or insufficient progress in, existing measures relating to: inadequate housing conditions; preventing evictions; reducing homelessness; providing social housing aimed at the most deprived; social housing allocation; and discrimination against Travellers. In particular, the ESCR found that "measures currently in place to reduce the number of homeless are insufficient, both in quantitative and qualitative terms".
4. There are around 400,000 people living in traveller communities in France, and 95% of them have French nationality. One third are nomadic.

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