

URGENT ACTION

HUNDREDS FACE EVICTION AND REMOVAL IN FRANCE

Hundreds of asylum-seekers and migrants are at imminent risk of forced eviction from encampments near Calais in northern France, after the authorities stated that the area would be cleared by 25 September. If those seeking asylum are forcibly returned, they may risk torture or ill-treatment.

French authorities are planning a series of forced evictions of **asylum-seekers and migrants living in makeshift encampments around Calais**. If the asylum-seekers and migrants are forcibly evicted, they are at risk of being detained. Some of them may also face the prospect of return to Greece or another EU member state, or being forcibly returned to their home country. This may mean that they do not receive a fair hearing of their asylum claim, and could place them at risk of torture or other ill-treatment in Greece or the countries to which they are returned. Some of those in the camps are believed to come from Afghanistan. Amnesty International is not aware that local government or police have given official notice of evictions.

Forced evictions are evictions carried out without adequate notice and consultation with those affected, without legal safeguards and without assurances of adequate alternative accommodation. Under international law, France must not carry out forced evictions and must protect all people from them, including migrants and asylum-seekers. Although the Immigration Minister reportedly stated that there will be an "individual solution" for each asylum-seeker from a country where there is ongoing conflict, NGOs are concerned that some face the risk of forced removal to Greece or Italy. In Greece, detained immigrants are held in poor conditions and are at risk of ill-treatment or forcible return to countries where they may face torture. Those evicted from the Calais encampments may also be returned from France to their home country even 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 appeal is still being heard. The procedure also curtails applicants' rights to accommodation, financial aid and health care.

PLEASE WRITE IMMEDIATELY in French or your own language:

- urging the authorities to ensure that evictions of asylum-seekers and migrants from camps around Calais are carried out only as last resort, and only in full compliance with regional and international human rights standards;
- demanding that any individuals arrested during the evictions who wish to claim asylum in France are provided with the full opportunity to do so and are not subjected to the "priority" asylum procedure;
- urging them to refrain from transferring asylum-seekers back to Greece under the Dublin II procedure; and calling for assurances that any deportation procedures are fair and include safeguards such as the ability to challenge individually the decision to deport; access to an interpreter and a lawyer, and access to a review of a negative decision.

PLEASE SEND APPEALS BEFORE 30 OCTOBER 2009 TO:

Immigration Minister

Éric Besson
Ministère de l'immigration, de
l'intégration, de l'identité nationale et
du développement solidaire
101, rue de Grenelle
75323 Paris CEDEX 07, France

Fax: +33 1 77726130/ 177726200

Email: eric.besson@iminidco.gouv.fr

Salutation : Monsieur le Ministre

Prefect of Calais

Pierre de Bousquet de Florian
Préfecture du Pas-de-Calais
Rue Ferdinand Buisson
62020 ARRAS Cedex 9
France

Fax : +33 3 21 55 30 30

Salutation : Monsieur le Préfet

And copies to:

Mayor of Calais

Natacha Bouchart
Maire de Calais
Place du Soldat Inconnu
Boite Postale 329
62107 Calais CEDEX, France

Fax: +33 3 21 46 62 09

Email : maire@mairie-calais.fr

Also send copies to diplomatic representatives of France accredited to your country. Please check with your section office if sending appeals after the above date.

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ADDITIONAL INFORMATION

French authorities should only detain any migrants arrested during the raids as a measure of last resort, after justifying in each individual case that it is a necessary and proportionate measure which conforms with international law. Alternatives to detention should always be fully explored first. France is also obliged to ensure that anyone left unprotected following the forced evictions, in particular any unaccompanied children, are not left homeless or vulnerable to other violations of their human rights. Official figures from 16 September estimate that there are up to 300 migrants in makeshift encampments in Calais. French authorities must provide access to fair and satisfactory asylum procedures to the individuals evicted from the campsite and those arrested during and following the operation who wish to apply for asylum including full procedural safeguards.

Amnesty International has monitored the situation of asylum-seekers and migrants in the area surrounding Calais. Research published in September 2008 by La Coordination française pour le droit d'asile (CFDA), an NGO coalition that includes Amnesty International, estimated that there were between 1,000 and 1,500 asylum-seekers and migrants on the northern coast of France, and as many as 600 in and around the city of Calais. The research is available at <http://cfda.rezo.net/la%20loi%20des%20jungles.htm>.

Forced removals could possibly take place to Greece and Italy, under the Dublin II procedure, which permits EU member states to return asylum-seekers to another EU member state which has accepted responsibility for processing the asylum claim. Amnesty International and other organizations, including the UN High Commissioner for Refugees (UNHCR), have urged all EU member states to refrain from transferring asylum-seekers back to Greece under the Dublin II procedure.

On 17 June the Immigration Minister continued to insist that authorities would seek to forcibly return a number of migrants and asylum-seekers to Greece, in spite of demands by Amnesty International not to do so, and a decision in the European Court of Human Rights which found that a Turkish asylum-seeker had been subjected to ill-treatment in Greece. Amnesty International continues to monitor the situation of migrants and asylum-seekers in Greece.

Amnesty International is deeply concerned by the prospect of potential forcible returns to Afghanistan. Any individual facing the prospect of being forcibly return is entitled to challenge individually the decision to deport, have access to competent interpretation services and legal counsel; as well as access to a review, ideally a judicial review, of a negative decision.

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