Census of forced evictions in living areas occupied by Roma (or persons designated as such) in France

2016

Pointless and unfair: many discreet evictions failed to resolve housing issue

Summary

2016 was characterized by a large number of forced evictions affecting Roma living in very poor conditions in slums or squats. According to the census\(^1\) of the inter-ministerial delegation for access to housing and accommodation, the number of the people living in camps is estimated to be 15,000-17,000\(^2\) in the entire country, confirming the estimation of NGOs and activists acting on the ground. The figures show that more than six in every ten families have faced forced evictions in 2016.

In total 10,119 Romani people living in 76 living areas have been forcefully evicted by the authorities, a 9% decrease compared to 2015 (11,128 evicted people from 116 living areas). In addition 345 Romani people left seven settlements due to fires caused mainly by bad living conditions.

The forced evictions which occurred during the last quarter of 2016 affected 2,958 Romani people living in 17 living areas, marked a 17% increase from the previous third quarter (2,516 people living in 21 sites).

Sixty-five of the forced evictions were from lands owned by public bodies, compared to 18 from privately owned lands. Only three of them were resulting from the upcoming construction of a building project justifying the need of an urgent eviction.

More than the half of these forced evictions (41 of 76) took place without any court decision, on the basis of safety risk or health hazard notices issued by municipalities or the Prefect. Only


\(^2\) The figures are confirmed by grassroots NGOs and activists active on the ground
35 of these evictions were in response to summonses by the landowners for illegal occupation or the establishment of squats on their properties.

The circular of 26 August 2012 establishes a legal obligation for the authorities to assess and identify “solutions aiming to facilitate social inclusion” for those concerned “in different fields (education, health care, employment, housing/shelter).” In fact, alternative shelter was proposed on only 40 occasions, which is more than the half of the total evictions. Moreover, the proposed accommodation concerned only a limited number of the evictees, and in most of the cases they were offered only temporary shelter. All other families and individuals were put out on the street to subsist in highly precarious conditions, forcing them to move on and find somewhere else to live.

In 2016 the number of forced evictions of Romani people in the Ile de France region accounted for 78% of the total, followed by the Auvergne-Rhône-Alpes region at 8%; Languedoc-Roussillon 4%; Pays-de-Loire 3%; PACA 3%; and Hauts-de-France 3%.

According to the census of inter-ministerial delegation for access to housing and accommodation, the number of people living in slums and squats in Île-de-France region is estimated at between 6,000 and 7,000 while the forced evictions occurring in that region concerned almost 8,000 people. These figures show that some Roma were evicted many times in 2016 and prove that coercive policy options lead only to cycles of repeat evictions and forced removals, which amounts to a significant squandering of financial and administrative resources, which would could far better be deployed to invest in social assessments and sustainable solutions for housing and accommodation.

In addition to the tally of forced evictions in 2016, many incidents of hate speech and cases of discrimination against Romani people were reported. This confirmed the need for a significant policy response to address the plight of a stigmatised and deeply impoverished population to ensure fundamental rights are respected and that Roma have equal access to basic services.

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Note:

This census is the result of joint work between the League of Human Rights (LDH) and the European Roma Rights Centre (ERRC). Due to the lack of available official data, this report does not claim to be exhaustive, but does constitute the most detailed and objective account of the current situation of evictions of Romani people in France.

2. Development from previous periods

The following tables detail the identified number of evictions and the trends since the first quarter of 2015. This analysis shows that the number of people evicted in 2016 diminished with 9% compared with the previous year.

In 2016 the highest number of evictions have been observed in winter period affecting 3,783 people in the first quarter following by the fourth quarter with 3123 evictees, including evacuations due to fire/flood. These results prove the evictions are executed regardless the winter condition. During the last quarter of 2016 forced evictions increased with 17% compared with the second quarter when 962 people being evicted from their living areas.
Although the total number of the evictees decreased with 9% in 2016 compared with the previous year, forced evictions remain intensive and concern more than 60% of people living in slums according the figures provided by DIHAL’s census published in November 2016.

Number of Romani people, forcefully evicted during the last five years
Note: These estimates do not include removals from a territory following an administrative decision or repatriation by charter ordered by the Office français de l’immigration et de l’intégration (OFII).

3. Geographical representation of the evictees by region

In 2016 Ile-de-France region continues to concentrate the highest number of evictees: 78% of the total number of 10 464, falling by Auvergne-Rhône-Alpes (8%) region, Hauts-de-France (4%), Languedoc-Roussillon (3%), Pays-de-la-Loire (3%), PACA (3%) and Nouvelle-Aquitaine (1%).
4. Harassment, rejections, endangerments, threats, reaction of International bodies

The list below is not exhaustive and provides only a few of the examples of acts of violence, hate speech and various forms of discrimination which occurred since the beginning of 2016.

**During the first quarter:**

- “It is apparent that we are witnessing a willingness to terrorize families in order to make them disappear,” said the Network Education without Borders (RESF in French) in relation to two searches of Roma families in Isère in December 2015.¹

- The Secretary General Thorbjørn Jagland responded to reports that French police have cleared out hundreds of Roma in Paris: "It is crucial that the French authorities provide all those who have been forced to leave the […] camp […] with adequate, alternative accommodation, particularly as they have decided to take this action during winter".²

- The term “Roma pickpockets”³ appeared in some media headlines even though France prohibits the collection of personal data based on ethnic criteria.

- On Thursday 18 February, in Nice, Jean-Marie Le Pen, the ex-chairman of Front National was requested to pay a fine amounting to 25,000 EUR, for describing the presence of Roma people as “stinging” and “odorous” in a public speech dating back to 2013.⁴

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- “The Council of Europe Commissioner for Human Rights expresses his worries about the "climate of anti-gypsyism” which is prevailing within the country. The Minister of Interior replies that property rights should be respected”.  

- After being evicted from their living area in Carquefou on the third of March, and having been chased by the police, Roma resettled in an area which they had previously occupied two years ago.  

- “In an open letter published on 23rd of February, Médecins du Monde denounces the treatment of Roma evicted from Porte des Poissoniers in Paris in the beginning of the month. This eviction was executed despite the legal decision allowing Roma to remain. This humanitarian organisation demanded that doctors providing pro-bono medical care to the inhabitants should be able to complete the medical follow-ups which have already been started”.  

- In a report related to police violence, the NGO Chrétienne contre la torture et la peine de mort (ACAT) noted that “numerous allegations of police violence have been denounced during the dismantling of camps and makeshift shelters. Cases of violence have been denounced during the eviction of Roma in Marseille and Paris region”.  

- A Romani baby died due to a fire in a slum situated in Lille. His parents were remanded in custody even though “according to the first elements of the investigation” the fire was due to “an accident”.

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9 Marion Fersing, L’errance des Roms de Carquefou,  France Bleu Loire Océan, 4 March 2016.


During the second quarter:

- JP Lecoq, mayor of the 6th district of Paris, made an offensive speech published in the official newsletter of the district: “Most of the Roma belong to mafia networks which do not hesitate to exploit the weakest (the most vulnerable) of them, reducing them to a sort of modern-day slavery”.\(^\text{14}\)

- On 8 April 2016, on the occasion of the International Roma day, “the Conference of European Churches and the Council of European Episcopal Conferences called for better integration of this community”.\(^\text{15}\)

- On Wednesday 14th April, Marc-Etienne Lansade, mayor of Cogolin (Var, 11,000 inhabitants) appeared publically in a Roma slum located in his municipality.\(^\text{16}\) He used hate speech and proclaimed his pride in the destruction of the Roma slum.

- The mayor of Wissous (Essonne) boasts of the swiftness with which the slum located in his municipality was evicted.\(^\text{17}\)

- The mayor of Saint-Ouen (Seine-Saint-Denis) adopted a decree prohibiting the parking of vehicles in order to prevent Roma from seeking shelter in their cars. “The residents of the neighbourhood are overwrought, explains William Delannoy, the mayor of the municipality (UDI party). For several weeks Roma have lived in trucks or cars which they park on that street. This fact creates serious problems in terms of hygiene and relations with the residents of the neighbourhood. It was necessary to find a solution”.\(^\text{18}\)

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\(^{14}\) Edito du maire, notre 6ème, n°292 April 2016, p.3

\(^{15}\) La Croix, Les Églises européennes veulent « mettre un terme » aux discours de haine contre les Roms, 8 April 2016

\(^{16}\) Le Parisien, Cogolin : le maire FN se filme dans un camp Rom en cours de destruction, 14 April 2016,

\(^{17}\) Letter to the inhabitants of Wissous, Municipality of Wissous, April 2016.

\(^{18}\) Le Parisien, Saint-Ouen, Le maire barre la rue pour chasser les Roms, 13 April 2016.
- A family of 12 was evicted from the hangar where they lived in Villeneuve-Saint-Georges due to a flood. The family was denied access to a gymnasium sheltering other victims of the floods.  

- On Tuesday 14 June, in Lille, many English football supporters humiliated Romani children by throwing coins and bottles at them.

- On 20 June, the Ligue des droits de l’homme (LDH) denounced the distribution of OQTF (Obligation to leave the French territory document) to the inhabitants of the slum located in rue Coignet (Saint-Denis). The local section of the LDH denounced the decision of the Prefect of Saint-Denis to distribute collectively OQTFs to the families living in that slum without taking into account their individual situation and this, despite of the efforts for integration of some of the families.”

- “A Roma slum was targeted by gunfire in the night from Saturday to Sunday, reported by Infos-H24”.

- On 22 June, Denain, a French official was charged with ordering an arson attack on a Romani grocery store.

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21 *Soutien aux familles du terrain Coignet de Saint-Denis*, Press release of the local section of LDH Seine-Saint-Denis Plaine Commune, 22 June 2016.
During the third quarter:

An increased number of attacks against Roma were reported during the third quarter indicating a clear heightening of tension between Roma and other people living in France. Two of the attacks took place in Marseille in the space of a couple of weeks. Roma children were denied access to education, violating their human rights as well as national laws. In general, Roma continue to be subjected to hate speech.

- Romeurope denounces the unlawful eviction of Roma people living in “Coignet” slum in Saint-Denis: “Dozens of families have been left on the street [...] due to a forced eviction “that the ECHR had yet ordered to stop after being urgently notified. Despite the protests of activists and the lawyer of the families, the Prefecture continued the illegal eviction and the destruction of the living place”.25

- A Romani child was “beaten black and blue” by three men when he tried to get water from a public fountain. This assault on a child reveals what the media called “a tense climate” in Marseille.26

- A petition is launched by NGOs to support Roma families in Montreuil who have been left on the street by the authorities due to an eviction. Alternative accommodation was not proposed to the evictees.27

- A “tension” between Roma living in a slum in Marseille and young people living in the same neighbourhood led to a violent attack against the inhabitants of the slum the night of 15 to 16 August. Médecins du monde condemned “the deterioration” of the relationships between Roma

24 Art. L131-1 of the Education code stipulates that education is compulsory for all children of both sexes, French and foreigners, between the ages of 6 and 16
27 Médiapart, 167 personnalités se mobilisent pour les familles Roms de Montreuil (pétition), 24 August 2016: https://blogs.mediapart.fr/juliette-keating/blog/240816/167-personnalites-se-mobilisent-pour-les-familles-roms-de-montreuil-petition
and neighbours, strengthened by the lack of “substantive policies.”

- Roma families living in the street in Montreuil were attacked by six men with knife.

- Children living in squats and slums are denied access to school. In 2016, they “continue to be deprived from this fundamental right [...]” says the Collectif pour le droit des enfants roms à l’éducation.

- Roma children are denied access to education in Maubeuge, Arnaud Decagny, the mayor of the municipality, “persists” in its refusal to enrol Roma children in school.

- “I cannot digest [host] all the misery of the world” says the mayor of Saint-Ouen to justify his refusal to enrol a Roma child in school.

- A-14-year Roma girl died after being electrocuted in a squat where she lived in Grenoble. The accident happened when an electricity cable fell into the basin where the girl washed herself.

- A two-meter-high trench was erected by the authorities around a Roma slum in Pierrefitte sur Seine.

- Eleven Roma people have been forcefully evicted by some individuals in Montreuil without any legal decision or municipal notice.

- More than 67% of Roma children and teenagers are out of school in France. The CDERE survey shows “an urgent need to react”.

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30 Mediapart, Montreuil, les familles Roms menacées!, 22 August 2016: https://blogs.mediapart.fr/gilles-walusinski/blog/220816/montreuil-les-familles-roms-menacees

31 CDERE, press release, Paris, 31 August.

32 La Voix du Nord, Des enfants Roms privés de rentrée scolaire par le maire de Maubeuge, 2 September 2016.


34 FranceBleu, La jeune fille Rom électrocutée à Grenoble est décédée, 7 September 2016.

35 ERRC, 15 September 2016.

36 Médiapart, Montreuil. Rue fée d'herbes, 21 September 2016.

During the fourth quarter:

-One year after a conference dedicated to the evaluation of the regional strategy for “illegal camps” took place in Paris, several NGOs denounced the lack of any significant achievement in the implementation of the strategy. In an open letter published on 20th October, CNDH Romeurope stated “the issues are still treated on local basis, without taking into consideration the regional dimension of the problem, and lead to successive and repetitive evictions which make social inclusion, school enrolment, and access to health care impossible”.

-18 November: To mark Universal Children’s Day, the French Ombudsman (Défenseur des droits) published an annual report dedicated to the rights of the child. He claimed in this report “the administrative status of the parents, their employment status, or any external factors for the family situation such as the low school attendance of other children living in the same settlement are illegal grounds for justifying any refusal for school enrolment”. Also he highlighted that such decisions “infringe the fundamental right to education as well as the principle for equal access to public services and may, according to the situation, be considered as discrimination based on origin, nationality, living area, moreover the vulnerability due to economic status, which is forbidden by articles 225-1 and 2 and 432-7 of the Penal Code”.

-On 28th of November Paul-Marie Coûteaux, a former candidate from the far-right party FN-Rassemblement Bleu marine, withdrew his appeal following a guilty verdict for making a speech suggesting that Roma people be “concentrated in camps”, thus making the court judgement definitive.

-It was reported in the media that the inhabitants of Pierrefitte-sur-seine called for the evacuation of the Roma camp located in the municipality.41

-A few months after being dismantled, the Roma slum located near Porte de la Chapelle in Paris has been reassembled. Without any sustainable solutions for accommodation, Roma families

38 https://www.romeurope.org/IMG/pdf/lettre_ouverte_au_prefet_de_region_idf_collectif_romeurope_idf.pdf
came back to the same place and recreated a slum. The number of its inhabitants increased significantly because of other evictions occurring in the region.  

-NGOs reply to Stéphane Ravier, Senator-mayor, after his statement has been published in the newsletter of 13/14 district in Marseille “Journal du Maire du 13/14” in December, qualifying the Roma living areas as “wild camps” and condemn the “expensive” and “inefficient” forced evictions executed without any sustainable solutions for accommodation, says CCFD Terre solidaire, Rencontre tsigane, LDH, Médecins du monde, Ecole au present, in a press release, 11 December.

-NGOs denounce the “negligence” of the public authorities during the forced eviction carried out on 8 December in Pierrefitte-sur-Seine, leaving more than 600 Roma people, including 150 children on the street without any shelter being proposed to them despite the winter conditions.

- “This is not a Roma camp, this is a slum” claimed researchers, grassroots activists and social workers, contesting the usage of the term “camp” which makes a link with the notional of nomadism. They asserted that the “slums are caused by extreme poverty in which some people live in France […]” where [in slums] the “Roma communities are over-represented due to different socio-economic factors”.

- “The repeated refusals to enrol these [Roma] children in school is clearly illegal and represents discrimination based on the living area” stated the French Ombudsman in response to the refusal of the mayor of Hellemmes to enrol three Romani children in school. After having been alerted by NGOs the Ombudsman found “an infringement of the right to education and discrimination which is prohibited by the legislation infringing superior interest”.

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42 http://www.lci.fr/societe/paris-un-campement-de-roms-se-reforme-porte-de-la-chapelle-2016636.html
44 http://www.rencontrestsiganes.asso.fr/2016/12/le-singulier-combat-de-stephane-ravier/
46 LBB, Ceci n’est pas un camp de Roms, ceci est un bidonville, 5 December 2016: http://lyonbonyblog.fr/LBB/ceci-nest-camp-de-roms-cest-bidonville/
- In December the case of Manuel Valls’ statement against Roma communities was taken to the European Court for Human Rights after the case failed before domestic courts. The NGO La Voix des Roms expects to provoke a reflection about the “penal status of ministers” and “equality before the law”. 48

- “Romani families and Syrian refugees are targeted by Bruno Beschizza.” The mayor of d’Aulnay-sous-Bois was found to have misused the Road Code by issuing fines to beggars after the court judged Mayor Beschizza’s orders against begging to be illegal. 49

- Swastikas and racist messages attacking Jewish and Romani people were discovered at the Anne Frank nursery school in an eastern suburb of Paris, Montreuil. In the act of vandalism carried out over Christmas Eve, slogans of “Juden verboten” (Jews forbidden) and “Sales Juifs et Roms” (Filthy Jewish and Romani people), were found painted on the front gate of the nursery. 50

48 LCI, 14 December:


5. Results for the first quarter of 2016

6. Results for the second quarter of 2016
7. Results for the third quarter of 2016

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8. Results for the fourth quarter of 2016

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16
Annex

Description of the data used in the study

The study identified the name of the living site, the municipality, the number of evictees, the causes of the forced evacuation, rehousing proposals, the legal basis for the eviction (leaving proceedings initiated by the owner of the site, or notice issued by the mayor or the prefect) and the sources of information in each case.

Each forced evacuation is described in the most comprehensive manner and only verifiable information obtained from reliable sources, listed below, is recorded.

Definitions and Vocabulary:

In France, land is evacuated and the person is evicted. In terms of law, land is evacuated as well as buildings when this measures are taken in the area; an eviction is a process in which this measures concern the person. On the other hand, the term "living area" defines the place where people live, which could be a slum, a squat, a disused hangar … or a functional or non-functional caravan. The name of the living area is mentioned in the source of information, for instance "le Hanul". The exact address is also noted when this information is available.

The municipality refers to where the living area is situated. Cases are frequent when the area overlaps several municipalities, for example: Noisy-le-Grand/Bry-sur-Marne. These cases often lead to confusion: many different reports appear regarding what is in fact the same living area. Particular attention has been paid to this fact in order to guarantee that the information is accurate and not duplicated.

The dates mentioned in the study refer to the day on which the forced eviction took place.

The number of evicted persons is always mentioned in the source of information.

The forced eviction might result from expulsion for illegal occupation or health hazards or an accident (fire). Many cases can be cumulative. For instance in Massy (Essonne) in 2010, there was a distribution of OQTF (Obligation to leave the French territory document), fire, an eviction
order, confinement, voluntary returns (ARV in French), forced returns and destruction of what remained of the living area by the municipal authorities.

When solutions for housing are mentioned in the source of information, it is mentioned also in the figures. They are usually partial, because in most of the cases, they separate families, and concern only mothers with young children whom are given emergency accommodation for a few days. For this reason, they are often refused by those concerned.

The nature of the decision certifying the evacuations is recorded. It can be taken by the Court (Magistrate’ Court, Regional Court, Administrative Court, Court of appeal), or can be provoked by a notice for health hazards or other dangers ordered by a municipality or a Prefect.

The number of unforced departures is recorded as well. In general these are often provoked by police harassment or threats.

The owner of the land may be a private person or public body. The category "public" includes municipalities, departments, local or national authorities, as well as any other body under the State authority (for example Réseau Ferré de France). The category "private" includes private legal entities or physical persons.

The "source" is the origin of the information. The same case can be present in many sources. Each source is recorded. Only the most reliable and the most accurate were selected: press and media articles, press releases, and direct testimonies transmitted and broadcast by an NGO.