



# EVICCTIONS

**PRACTICES THAT VIOLATE  
CHILDREN'S RIGHTS ON THE  
FRANCO-BRITISH BORDER**

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# INTRODUCTION

## EVICCTIONS IN NORTHERN FRANCE

Photo credit: Refugee Women's Centre



THERE HAVE BEEN  
822 EVICTIONS IN  
CALAIS AND 71 IN  
GRANDE-SYNTHE  
SO FAR IN 2020.



On the 29th of September 2020 from 5:30 a.m. until the late afternoon, French police forces evicted over 800 displaced people living in one of the informal camps in Calais.

More than 30 police vehicles were present and around 40 buses, bound for centers throughout France. Almost as many were already back on the streets just 48 hours later: without shelter, without tents and without sleeping bags, as their living quarters had been destroyed during the eviction operation. This operation was described by the Prefect as the biggest eviction since the eviction of the former Calais Jungle camp in 2016.<sup>1</sup> Evictions such as this are a recurring reality at the Franco-British border.

This eviction was part of a campaign of daily evictions and harassment of displaced people at the Franco-British border and is part of the overall strategy of the French State, financed by the UK, namely the "policy of the prevention of fixation points."<sup>2</sup> The principal aim of this policy is to exhaust, discourage and

render displaced people at the Franco-British border invisible. In practical terms this policy manifests itself mainly in the eviction and forced displacement of camps, sometimes only by an arbitrary few meters. These evictions happen every day. In fact, evictions have been carried out daily in Calais since 2018 and on an irregular schedule in Grande-Synthe. This means that there have been 822 evictions in Calais and 71 in Grande-Synthe so far in 2020<sup>3</sup>.

For displaced children at the border, evictions result in real obstructions with regards to accessing food, sanitation, shelter and the bare minimum standards of child protection; all of which constitutes a blatant disregard for children's rights in any context and is exacerbated by the current global health pandemic.

<sup>1</sup> [https://www.lemonde.fr/societe/article/2020/09/29/a-calais-un-campement-de-migrants-demantele-les-associations-denoncent-une-operation-de-communication\\_6054051\\_3224.html](https://www.lemonde.fr/societe/article/2020/09/29/a-calais-un-campement-de-migrants-demantele-les-associations-denoncent-une-operation-de-communication_6054051_3224.html)

<sup>2</sup> <http://www.laubergedesmigrants.fr/wp-content/uploads/2020/07/HRO-fr-rap2019.pdf>

<sup>3</sup> From 1st January to 6th November 2020.

# THE RIGHTS OF CHILDREN ACCORDING TO INTERNATIONAL CONVENTIONS AND LAW

Every child has inalienable rights<sup>4</sup>, and France and the United Kingdom, as signatories of the International Convention on the Rights of the Child (CRC)<sup>5</sup>, are committed to respecting and assuring these.

According to Article 6 of the CRC, "Every child has the inherent right to life, survival and development". France and the United Kingdom must ensure the survival and development of each and every child by all means necessary.

According to Article 19, children have the right to protection against "all forms of violence, physical or mental harm or brutality, neglect or neglect, ill-treatment or exploitation". France and the UK must protect children against all of these and other forms of violence.

According to Article 24, France and the United Kingdom recognise the right of the child to the highest attainable standard of health and to benefit from access to medical services. They should aim to guarantee that no child is deprived of the right to healthcare.

According to Article 27, State parties recognise the right of every child to a standard of living which is sufficient to enable their physical, mental, spiritual, moral and social development. Where parents are responsible for ensuring the living conditions necessary for the development of their child, their means both financial and otherwise must be taken into consideration. This means that France and the UK must adopt measures which enable parents to enact this right for their children, such as through the provision of material assistance and support programmes, in particular with regard to food, clothing and housing.

Finally, according to Article 31, France and the UK recognise the right of the child "to rest and leisure, to engage in play and recreational activities appropriate to his age".

Yet by instituting a policy of regular evictions, the French and British governments are engaged in a systematic and deliberate violation of these fundamental principles of the CRC<sup>6</sup>. But not only, as we shall see, they also violate the European Convention on Human Rights<sup>7</sup> and the French code of social action and families<sup>8</sup>, which govern the protection of children.

<sup>4</sup> According to Article 2 of CRC.

<sup>5</sup> <https://www.unicef.fr/sites/default/files/convention-des-droits-de-lenfant.pdf>

<sup>6</sup> According to Article 3 of CRC

<sup>7</sup> [https://www.echr.coe.int/Documents/Convention\\_FRA.pdf](https://www.echr.coe.int/Documents/Convention_FRA.pdf)

<sup>8</sup> [https://www.legifrance.gouv.fr/codes/texte\\_lc/LEGITEXT000006074069](https://www.legifrance.gouv.fr/codes/texte_lc/LEGITEXT000006074069)

# EVICTIIONS

## A PRACTICE WHICH VIOLATES CHILDREN'S RIGHTS

During the evictions, children are subjected to various forms of violence in violation of Article 19 of the CRC. The evictions are a form of symbolic violence in and of themselves. They are part of a demonstration of hostility towards, and a rejection of, the 'Other' and their presence in seeking refuge.

During an eviction, the sequence of events is often violent. We have heard testimonies of people being woken up by kicking and shaking of tents by police, and we have witnessed directly the destruction of their living spaces and tents with a knife or sometimes with chainsaws, as well as the confiscation or destruction of their personal belongings (such as photos, toys and backpacks) by the company Ramery or APC, paid for by the French authorities.

The eviction ends with a police escort, either of an arbitrary few metres away from the informal camp, or towards a bus which will drive displaced people to accommodation centres where they are housed either for a few hours or at best a few days. Afterwards, they will inevitably return to the informal camps in Northern France, only this time without their belongings.

One of the children told us how following an eviction of the camp in Grande-Synthe, he and his family were taken to a centre far away. The following day they had to walk 6 hours to return to the camp, and found that all of their belongings had been taken. Humanitarian organisations on the ground have repeatedly reported<sup>9</sup> the frequent use of chemical agents on food or kitchen utensils, intimidation and violence by police forces, which often accompanies arbitrary arrest. The duty of the French state is to protect children from all forms of violence rather than to enact violence towards children, as is the case with evictions in Calais and Grande-Synthe.



<sup>9</sup> [https://www.echr.coe.int/Documents/Convention\\_FRA.pdf](https://www.echr.coe.int/Documents/Convention_FRA.pdf)



One of the first consequences of these evictions for children is a degradation in their living conditions, in violation of Articles 6 and 27 of the CRC. On the 28th of February 2019, France was condemned by the European Court of Human Rights for violating Article 3 of the European Convention on Human Rights. This condemnation related to the experience of an unaccompanied minor, Jamil Khan, who had lived in informal camps in Calais for several months. It was found that, because of failures on the part of the French government, Khan was in a situation which constituted 'inhuman and degrading treatment'. The Court declared that Jamil Khan lived "in an environment totally unsuited to his status as a child, whether it be in terms of safety, housing, hygiene or access to food and care as well as in conditions of unacceptable precarity in view of his young age"<sup>10</sup>; a situation which only stands to be worsened by evictions. Eviction operations in fact create food, housing and sanitation insecurities, as well as systematically destroying the little stability that children and their families may have. By permanently closing off living spaces, distribution points, and forcing people to remain in a state of perpetual movement, the authorities are obstructing the provision of basic services such as food and sanitation facilities, thus making it ever more complicated, unstable and uncertain for displaced people to access necessary services. NGOs, in attempting to make up for the shortcomings of the State, are forced to continually reorganise and adapt their services. Through the loss of material items such as tents or sleeping bags, and the relocation of services such as food following an eviction, parents are unable to ensure the minimum standard of living for their children. Where normally the role of the State is to support family units, this context exposes the State as an actor which obstructs family life and supports human rights violations.

## INSTEAD OF HAVING A SAFE PLACE TO SLEEP, GROW, PLAY AND THRIVE, CHILDREN MUST INSTEAD FIND FOOD, A PLACE TO SLEEP OR WASH, AND AVOID THE POLICE AND THE EVER-PRESENT THREAT OF VIOLENCE TOWARDS THEMSELVES AND THEIR PARENTS.

Through the policy of evictions and daily harassment, children are plunged into constant insecurity and preoccupation with concerns that should not be theirs. Instead of having a safe place to sleep, grow, play and thrive, children must instead find food, a place to sleep or wash, and avoid the police and the ever-present threat of violence towards themselves and their parents. We find this to constitute a continual violation of Article 31 of the CRC. In fact, we regularly receive testimonies from children who,

in the hours and days following an eviction, do not have the strength to come and play. This is because they have not been able to sleep because of police operations, or because they are worried about the arrest of a parent or relative, or because they have to go with mum and dad to find a new tent, shelter, clothes or food. This happened three times between the 17th and the 28th of July 2020, highlighting the frequency of evictions in the area, and the instability it brings into children's everyday lives.

In addition, the Court has asserted that "the disastrous conditions of life, even survival, imposed on these children, the precarity and the insecurity inherent in the slum, very clearly characterise a situation of proven danger which justifies intervention for the purposes of safeguarding."<sup>11</sup> This clearly shows that evictions hinder all initiatives which aim to protect children and families. During evictions, families are liable to be separated and children to be left without one or both of their parents. It happens often that one parent is not present in a family's living space during an eviction and that the remaining family members are nonetheless forced to go to an accommodation centre. Given that each family member will not necessarily have access to a phone or to the internet, the forced separation of families to unknown locations without the financial means to return results in a direct violation of the right to family life, as set out in Article 8 of the ECHR.

In addition, the sudden and violent displacement caused by evictions makes it particularly difficult to maintain medical, legal and social procedures, as well as links with support systems. As previously mentioned, families are sent to accommodation centers far from the coast and often in isolated places, which prevents them from attending appointments and from meeting with the organisations that support them. The sudden and unforeseen breakdown of practical support, as well as emotional and social relationships is detrimental both to parents and their children.

With regards to unaccompanied minors (UAMs), evictions make it almost impossible for organisations to identify, monitor and follow-up with vulnerable children. This therefore obstructs any efforts to secure protection for unaccompanied minors through the correct authorities, which is in violation of Articles L. 222-1 and the French Code of Social Action and Families. This is because "eviction operations have the effect of destabilising the existing systems of identification and guidance for UAMs, be they State led or otherwise, which act as points of reference for young people wandering at the border".<sup>12</sup>

In addition, the fact that evictions are carried out by the police has a direct impact on the bond of trust between young people and the police<sup>13</sup> "preventing them from considering the authorities as a means of accessing protection and leading to obstacles in the orientation of UAMs towards child protection systems via the police station."<sup>14</sup> Indeed, how can we expect unaccompanied minors to go to the police station, when the only people who can help them access child protection services are the very same people who carry out evictions and the violence associated with them?

<sup>10</sup> [https://www.legifrance.gouv.fr/codes/texte\\_lc/LEGITEXT000006074069](https://www.legifrance.gouv.fr/codes/texte_lc/LEGITEXT000006074069)

<sup>11</sup> <https://www.laubergedesmigrants.fr/fr/rapports-enquetes>

<sup>12</sup> <https://www.lacimade.org/wp-content/uploads/2020/10/Les-Manquements-Des-Autorites-Francaises.pdf>, p. 26.

<sup>13</sup> Press release, La Défenseure des Droits is alarmed at the degrading and inhuman living conditions suffered by exiles in Calais, 24 September 2020.

<sup>14</sup> <https://www.lacimade.org/wp-content/uploads/2020/10/Les-Manquements-Des-Autorites-Francaises.pdf>, p. 21.

## "YOUNG CHILDREN IN EMERGENCIES ARE SUBJECT TO 'TOXIC STRESS', A CONDITION CAUSED BY EXTREME AND PROLONGED ADVERSITY."

Finally, evictions constitute an attack on the physical and mental health of children in violation of Article 24 of the CRC. This determination to make people invisible to the French and British states through hostility and force leads to mental and physical exhaustion as well as having strong psychological impacts with harmful consequences. This has an overall impact on the development of children.<sup>15</sup> Evictions are a cause of anxiety and confusion for children. During our play sessions, children often express their fear of the police and tell us about their negative interactions with the police.

With regard to evictions, children have expressed the fact that the police have woken them up early in the morning and taken their tents, leaving them in the cold and with nowhere to go. Following evictions, some children do not want to come to our play sessions because they fear that their tent will be taken by the police if they leave it unattended. We also saw children who were visibly frightened by the presence of CRS agents in their living spaces. The frequent and sometimes daily occurrence of these operations increases the likelihood that children will develop long-term mental health problems, including depression, anxiety, dissociative disorders, or self-harm, which has been reported in particular by many volunteers who work with unaccompanied minors. Finally, research conducted by War Child UK found that "young children in emergencies are subject to 'toxic stress', a condition caused by extreme and prolonged adversity." Toxic stress and PTSD negatively impact a child's physical, social, emotional and cognitive development. Their emotional and social learning can thus be disrupted, leading to higher levels of aggression and poor emotional regulation.



Photo credit: Project Play

<sup>15</sup>. [https://www.cncdh.fr/sites/default/files/ti\\_de\\_la\\_cncdh\\_affaire\\_kahn\\_c\\_france.pdf](https://www.cncdh.fr/sites/default/files/ti_de_la_cncdh_affaire_kahn_c_france.pdf), p. 9

# THE IMPORTANCE OF BUILDING A STABLE AND SECURE SPACE

Displaced children often face unstable and dangerous journeys and environments, which are harmful to their well-being. Enduring a "crisis" situation whilst also promoting the proper development and fulfillment of a child is a real challenge.

Project Play aims to minimise the impact of these traumas through play. Play, to which all children have the right, is a vital element of the cognitive, emotional and physical development of any child.

Our goal is therefore to create spaces where children can feel secure, stable, and in which they can grow and learn socially and emotionally in order to cultivate healthy relationships with others and the world. Our sessions aim to provide children with the means to develop the necessary skills for emotional regulation, resilience and to improve their general well-being in the face of the difficulties they may encounter.

Through our services, we try to overcome the potential traumas linked to migratory journeys, and to offer a moment of respite to these children. The constant insecurity created by a cycle of evictions, organised by the French State and funded by British authorities, makes it almost impossible to create accessible, safe and stable spaces for displaced children to access any and all of their fundamental rights, including the right to play.



# PROJECT PLAY'S RECOMMENDATIONS

- The end of evictions on the Franco-British border.
- The implementation of sustainable accommodation solutions and a dignified welcome.
- The creation of safe and legal routes to the UK.



Photo credit: Utopia56



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