



High authority against
discriminations
and for equality
FRANCE

PRACTICAL APPLICATION OF ANTI-DISCRIMINATION LEGISLATION

CASE LAW AND MEDIATION PRACTICE RESULTING FROM WORK OF THE EQUALITY BODIES AND LOCAL AUTHORITIES

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I - SHORT PRESENTATION

400 000 french travelers living in caravans

A special legal status (“travel permits” controlled by the authorities every 3 months or every year)

2000 : Obligation for every town of 5000 people and more to create a specific area (50 % in January 2011)

10.000 / 15.000 Roma people (mainly coming from Bulgaria and Romania)

II – FORCED EVICTIONS

Civil court (emergency procedure) Lyon 16 november 2009

10 Roma families living in extreme poverty

Municipality (owner) ask for a quick forced evictions

Court refuse on the basis of article 8 ECHR

- No specific risks for the families
- Municipality has no precise and urgent project
- **This place must be considered as their housing**

The emergency procedure is not justified in this situation

III - ACCESS TO ELECTRICITY

Civil court (emergency procedure) Melun 9 octobre 2009

Family living in a caravan on their own property, located in a place where it's forbidden to build a house but you can have a caravan

They benefit from a temporary access to electricity
Municipality ask to stop this access

Travelers go to the court and use the emergency procedure

ACCORDING TO :

- Article 8 ECHR “Right to respect for private and family life”
- Article 25 UDHR “Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including housing”
- Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin

“Everyone has the right to benefit from a decent housing, including access to electricity which is one of the basic needs”

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