



# FILINFO

## SLUM CLEARANCE

n°36

The “**Slum clearance**” news feed reports on DIHAL’s operations regarding slum clearances. More broadly, it also provides information on current events in this field. To subscribe, unsubscribe or send us contributions about initiatives carried out in your area, **write to us at:** [pole-resorption-bidonville.dihal@developpement-durable.gouv.fr](mailto:pole-resorption-bidonville.dihal@developpement-durable.gouv.fr)



## Headlines

### Access to water in slums: what does the law say?

*The issue of water access in slums has intensified this summer due to high temperatures. Recent court rulings have also weighed in on the matter. This provides an opportunity for the DIHAL to assess the issue.*

In a slum, setting up water access may fall under the **measures for ensuring suitable living conditions required by the directive of 25th January 2018** for intervention on the site, “*in agreement with, and with the assistance of, the competent regional authority and strictly ensuring that the camp neither increases in size nor becomes permanent*”.

In French law, **access to water has been established as a fundamental right** (article L.210-1 of the French Environmental Code). It is also cited in international law (particularly as the founding principles of articles 3 and 8 of the *European Convention for the Protection of Human Rights and Fundamental Freedoms*).

Who specifically is responsible for ensuring this basic right is upheld in slums?

**First of all, access to running water is the responsibility of the mayor**, in accordance with their responsibility to organise public services. According to the French Local and Regional Authority Code (article L. 2224-7-1 paragraph 1), individual municipalities are responsible for the distribution of water. In certain situations, as listed in article L.111-6 of the French Town Planning Code,

the mayor can refuse to install a permanent water connection when constructions are illegal. This applies to caravans in particular, which are subject to a prior declaration according to article R.421-23 of the aforementioned code. However, the mayor’s ability to refuse a permanent connection does not apply to temporary connections. The French Council of State has ruled that in the absence of a legal definition of what constitutes a “temporary connection”, the mayor may not oppose such connections. Furthermore, in its decision regarding the *Commune of Caumont-sur-Durance*, the Council of State dismissed the application of article L. 111-6 of the French Town Planning Code, citing urgency regarding the living conditions of the inhabitants of a caravan illegally parked on a piece of land.

**Access to water may also be the responsibility of the mayor and the local prefect under their general administrative policing powers, which include ensuring public health and preventing any health emergency due to a lack of water access** (article L. 2212-2 of the French Local and Regional Authority Code). The assistance and relief measures that must be taken by mayors and prefects include all possible forms of assistance regarding access

*Continued on page 2*

Continued from page 1

to water and sanitary facilities that do not fall under specific water connection rules.

**Case law is being established** on the basis of these general administrative policing powers. The Council of State therefore confirmed in its decision on 31st July 2017 that it was *“with good reason that the judge of the Lille administrative court ordered the national government — as measures required to cope with the massive influx of migrants to Calais from all over the nation exceeded the scope of the general administrative policing powers of the mayor of the commune — and the commune of Calais, to establish, outside the centre of Calais, in places that are easily accessible to migrants, several water access points (...) and latrines”*. Similarly, the Melun administrative

court issued an order on 17th July emphasising *“that in the absence of any specific legal text, it is under all circumstances the responsibility of the authorities wielding general administrative policing powers — who are guarantors of the respect of the constitutional principle of safeguarding human dignity — to ensure, in particular, that every person’s right not to be subjected to inhuman treatment is guaranteed”*.

The issue of water access and the means of ensuring it in the context of interventions in slums will be addressed by the housing working group, which will meet in September.

For more information: [pole-resorption-bidonville.dihal@developpement-durable.gouv.fr](mailto:pole-resorption-bidonville.dihal@developpement-durable.gouv.fr)



## Regional News

### COPE 2018-2019: launch of the second phase in Île-de-France

**Three new sessions of “community operational preparation for employment” (COPE), each hosting 45 people, will be held in September.** These provide business-focused language training and include work placements to facilitate the integration of students. As a reminder, this project, led by the Île-de-France Prefecture in association with DIHAL, is co-financed by Uniformation and the Paris City Hall.

The first phase was highly informative. The last COPIL, organised in July, provided an opportunity to assess this training session. Although 36 people successfully completed the training, an important issue regarding the outcome was identified: for certain trainees who don’t immediately go into employment, it is necessary to engage in additional professional training.

### Renewed summer camp project for children living in slums

After the success of the first summer camp organised last year, the *Scouts et Guides de France* (French Girl and Boy Scouts) and the *Les Enfants du Canal* associations renewed their summer camp project, which accepts children from slums. This project allows the children to discover new activities within the context of scout educational values, while encouraging co-education and diversity through contact with other children their age.

**The 19 children from the Stains and Montreuil slums, aged 7 to 14, were supervised by 5 community service volunteers from the Les Enfants du Canal association, as well as teams of French and Macedonian scouts.** Preparation for this project went on throughout the year, with continuous support from the *Les Enfants du Canal* association, with further backing by the *Scouts et Guides de France* who worked to raise awareness of the scheme among families by visiting slums.

This experience encourages the schoolchildren within the group to take part in activities offered in school, including outings and fieldtrips.



The camps took place on the Jambville estate, which is home to an educational vegetable garden and beehives.

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### Evaluation of the Bordeaux MOUS (Urban and Social Management project) by CEREMA

The Gironde Departmental Commission for Social Cohesion (DDCS) has commissioned the French Centre for Studies and Expertise on Hazards, the Environment, Mobility and Development (CEREMA) to conduct an evaluation of the Urban and Social Management project (MOUS) implemented in Bordeaux. Initial findings show positive results with regard to the integration of slum inhabitants: **out of the 30 or so households surveyed, 24 households experienced a positive outcome.**

The employment situation for people who were assisted under the MOUS project has improved since leaving the scheme: **89% of men and 43% of women found stable employment** (permanent contracts and temporary contracts of over 6 months’ duration). The greatest difficulty faced by households with regard to professional integration remains French language skills, which have been identified as essential to integration.

## New materials to support the implementation of the government directive of 25th January 2018

The Slums clearance division of DIHAL has initiated the production of new written materials (and revision of existing materials) in order to mobilise and support stakeholders involved in the implementation of the directive of 25th January 2018.

- **New document presenting the government directive of 25th January 2018**

Already available both in French and English, this brochure presents the new directive and the national support and monitoring system led by DIHAL. Printed copies may be requested by writing to us. An electronic version is available [here](#).

- **The “Assessment 2017/ Overview 2018” brochure of actions supported by DIHAL** (due for publication in September)

This document will be sent to DIHAL's networks of partners, central and local administrations, members of parliament, local authorities, as well as any non-profits concerned. It will be available on DIHAL's website, and the “Assessment 2016/Overview 2017” is still available [here](#).

- **A booklet on preventing and addressing the issue of child marriage** will also be



Cover of the new brochure

released in September. These publications add to those already available on the DIHAL website (developing a regional strategy, the Einstein housing in Ivry-sur-Seine, partnership with Opcalia).

- **Technical documentation and booklets**

New documentation highlighting experiences will be released shortly, in particular regarding the **citizens' conference based on the example of Rezé** in the Loire-Atlantique (September release) and the **creation of social housing based on the example of Saint-Denis** (October release).

- **Extranet**

These documents will be brought together and made available on an extranet that is currently under construction (due for launch in October). This extranet will also provide other technical resources.

## Web series of the "Slum clearance : why take action? " workshop

On 29th March, DIHAL's 61st workshop at the National Assembly was organised in partnership with UNICEF. Short videos on the main issues discussed are now available online [here](#).

## Launch of the 11<sup>th</sup> national report on illegal camps and slums

DIHAL has carried out a national report every semester since 2012, with the objective of providing a global overview of the development of slums and illegal camps in metropolitan France. **The 11<sup>th</sup> report,**

**carried out in June, is currently on the way and will be released in September.** This new publication will incorporate regional analyses so as to allow a more detailed understanding of local situations.

## Sylvain MATHIEU's appearance on the “Le téléphone sonne” broadcast on France Inter

On Thursday 9th August, Sylvain MATHIEU, the Interministerial Delegate for Housing and Access to Housing, was Arnaud BOUSQUET's guest on the *Le téléphone sonne* segment on *France Inter*. He participated in a broadcast entitled “Dismantling Roma camps: what happens next?” with two other guests: Philippe BOUYSSOU, mayor of Ivry-sur-Seine, and Dominique PLANCKE, a member of the Solidarité Roms collective in Lille. **The broadcast is available on the France Inter site.**





## Legal News

### Compulsory education : reaffirming the role of public authorities

The “Asylum and immigration” law adopted on 1<sup>st</sup> August 2018 modifies article L. 131-5 of the French Education Code by specifying: “In the event of the mayor refusing registration, the academic director of the national education services may authorise the pupil’s temporary admission and request the intervention of the prefect, who, in accordance with Article L. 2122-34 of the French Local and Regional Authority Code,

has the power to allow permanent registration”. This article reaffirms **the essential role that public authorities play with regard to the education of children from slums, which is compulsory**. In a ruling issued on 23rd January 2018, the court of appeal also affirmed that in the event that a town or city hall’s refusal to register a child concealed discrimination based on their origin and place of residence, it could constitute a civil wrongdoing.



## Europe/International

### The Austrian approach to slum clearance

The DIHAL is launching a series of articles covering the current slum clearance situation in different European countries, as well as their integration of Roma inhabitants in accordance with the EU Framework for National Roma Integration Strategies. This series starts with Austria, currently presiding the Council of the European Union.

#### Overview and general approach (ethnic or not)

**The Republic of Austria embraces linguistic and cultural diversity but does not use statistical data based on ethnicity. Roma were recognised as one of six official minority groups in Austria in 1993.**

#### Roma population

Council of Europe Estimate - Approximately 35 000 (data from 2012) i.e. 0.42 % of the population.

Native Roma population: approximately 5 000 autochthonous Roma.

Immigrant Roma population: No Data.

#### Living conditions

Roma living in Austria form a heterogeneous group with different history, origins, languages and religious beliefs. The level of education, along with the extent to which Roma are integrated in social and professional life, varies. In order to meet these different needs with the appropriate activities, Austria promotes Roma inclusion policies that concentrate primarily on structural policy measures within broad social inclusion programs.

#### Housing:

In general the housing situation in Austria is sufficient. Ghettos are non-existent in rural areas and conurbations.

#### National Strategy

The National Roma Integration Strategy, adopted by the Council of Ministers, in light of the EU Roma Framework, addresses both autochthonous and immigrant Roma. In its strategy, Austria aims at improving the overall socio-economic situation of Roma in terms of education, health, employment and housing. Some of the measures include compulsory kindergarden, expansion of “all-day school programs” and vocational training.

#### Funding

The core areas of action are included in the national budget of Austria with policies targeting disadvantaged groups in general. In addition, eight million euros are allocated from the European Social Fund explicitly addressing Roma-Empowerment in the labour market, 50% of which are national funding.

#### Dialogue with Civil Society

To ensure the active involvement of Roma civil society in the drafting and implementation of the National Roma Inclusion Strategy, in June 2012 the National Roma Contact Point (NRCP) set up a Federal Chancellery Roma dialogue platform.



## Without comment ... and without prejudice

### Review of topics covered on the Internet and in the press

- [Families move to renovated social housing in Saint-Denis](#)
- [Publication of the guide pratique que Christian Estrosi n’a pas écrit \(“the practical guide not written by Christian Estrosi”\), by PEROU \(Pôle d’Exploration des Ressources Urbaines - Centre for Exploration of Urban Resources\)](#)
- [Father Arthur Hervet’s appeal regarding expulsions in Lille](#)
- [The response from the Hauts-de-France regional](#)

#### [prefecture and the Nord department](#)

- [An integration project in Lambersart, in the Nord department](#)
- [A “flash” mission with representatives Anne Brugnera and George Pau-Langevin on the topic of children not attending or dropping out of school](#)
- [Jane Bouvier initiative in Marseille to address the topic of formal education](#)
- [Ongoing funding for Quatorze’s project in Montreuil](#)

