

ATD Fourth World contribution to France Universal Periodic Review.

October 11, 2022

Presentation of ATD Fourth World International Movement.

The international movement ATD Fourth World (Agir Tous pour la Dignité) was founded in 1957 by Joseph Wresinski with families living in a slum in the Paris suburbs. The ATD Fourth World Movement fights for human rights, with the aim of guaranteeing access to the poorest people to exercise their rights and to move towards the eradication of extreme poverty. One of the major principles of this movement is the participation of the most disadvantaged in the decisions that directly affect them, in recognition of their insights into their conditions and as active agents in the fight against poverty. ATD Fourth World has consultative status with ECOSOC.

Contacts:

Isabelle Toulemonde: [toulemonde.isa@gmail.com](mailto:toulemonde.isa@gmail.com)

Genevieve De Coster: [genevieve.decoster@atd-quartmonde.org](mailto:genevieve.decoster@atd-quartmonde.org)

Janet Nelson: [intgeneve@atd-quartmonde.org](mailto:intgeneve@atd-quartmonde.org)

ATD Fourth World addresses

63, rue Beaumarchais 93100 Montreuil. Phone +33 (0)1 42 46 81 95

8 Route de Vaux- 95540 Méry sur Oise, France Tel: +33 (0)1 3036 2211

5 Chemin Galiffe-1201 Geneva, Switzerland Tel: +41 (0)22 344 4115

1. In 2018 during the previous Universal Periodic Review, France accepted several recommendations relating to the right to housing, so important for dignity, and which condition the effectiveness of other human rights and particularly for the poorest: recommendations 145.180 to 145.184
2. In April 2019, Ms LEILANI FARHA, Special Rapporteur on the right to adequate housing made a visit to France, followed by a number of findings and recommendations.
3. Among these findings, she noted that adequate housing has remained out of reach for the most marginalized and vulnerable, casting a shadow over France's status as a world leader in human

rights. For example, in the main metropolises, those who claim their right to housing in court often have to wait years to access it, even though the country has one of the largest housing stocks in Europe. Despite political efforts, “homelessness” continued to increase at an alarming rate, the Special Rapporteur pointed out.

4. The Special Rapporteur called on the French government to strengthen its housing policy, to make social housing accessible to the poorest and to solve the problems of the poorest as soon as possible, in accordance with the law.

5. However, 4.1 million people suffer from poor housing or lack of personal housing. The number of homeless people in France has doubled since 2012 and now stands at 300,000 people. More than 12 million people are in difficulty in relation to housing (hosted by third parties, unsanitary housing, overcrowded, etc.).

6. In the context of the previous procedure, the response of the French government to the recommendations to make a sufficient number of housing units accessible to the poorest and to guarantee the right to decent housing, focused mainly on the emergency housing policy. which does not answer the question of the right to decent housing. In the absence of accessible housing for the poorest, emergency housing is used as long-term housing and, as the Special Rapporteur points out, does not meet the requirements of compliance with international human rights law.

7. The plan « *Pour le logement d’abord* » (2018-2022) announced by the President on September 11, 2017 presented a structural reform of access to housing for homeless people. Its objective was to significantly reduce the number of “homeless” people for the five years to come and aimed to develop sustainable solutions for returning to housing. The implementation of this plan is hindered by the lack of housing accessible to the poorest, due to deeply unequal financial arbitration and unprecedented budget cuts, to the detriment of housing aid recipients and social housing landlords.

8. In 2018, the State set itself a production target of 40,000 very low-rent social housing units (PLAI) per year. However, there has been a general decline in the production of traditional social housing since 2017 (28,000 PLAI in 2020, around 30,000 in 2021, compared to 34,000 in 2016) . Public aid to the housing sector has been declining for 10 years and has never been so low (1.6% of GDP in 2020 compared to 1.82% of GDP in 2017).

9. France has had an “opposable right to housing” (DALO) since 2007. It recognizes a real right to housing, and imposes on the State, not only an obligation of means, but an obligation of results. This law is still not fully applied, 15 years after its adoption.

10. During the last Universal Periodic Review of France, the number of households awaiting rehousing and recognized as priorities under the DALO law was 55,000 households, it has now risen

to 77,684 households remaining to be rehoused since 2008.

11. Under the DALO law, the State is often condemned, but without any real effect on the situation of people waiting for housing. To date, the construction of social housing is done at rent levels that remain inaccessible to the poorest, despite public aid. France evicts from their housing, without solution, people living in precarious conditions who are no longer able to pay their rent. What is more serious, while the State is condemned for not having rehoused them, it still proceeds with the eviction.

12. During the last Review France also accepted recommendations 145.185 to 145.187, concerning forced evictions from informal housing (squats, slums) in which people without other housing solutions take refuge.

13. Evictions with police support continue to rise, despite successive prevention plans since 2016 (a record 16,700 evictions was reached in 2019).

14. The government has issued directives to the regional and departmental prefects to give new impetus to the policy of clearing up illegal camps and slums, which was intended to be a policy that was both humane and stricter in terms of respect for rights and the law, by promoting an overall support to people (socially, professionally, in terms of access to rights)

15. However, the number of recorded evictions from informal living spaces came to 1,330 between November 1, 2020 and October 31, 2021, 91% of which without solutions being provided to the persons concerned. In May 2021, 22,189 people lived in informal settlements, 2,810 more than in December 2018.

16. These evictions also affect "travellers" even though the law providing for sufficient traveler reception areas is not applied everywhere, and efforts to develop family sites are very insufficient, which does not allow them to find a legal place to settle corresponding to their way of life.

17. The European Court of Human Rights condemned France in two judgments on October 17, 2013 and April 28, 2016 for illegal evictions of very poor families living in caravans; to date, several of the applicants who asked the State, which was instructed to rehouse them, for family land, have not yet been rehoused. Why as regards the poorest, the authority of the decisions of the ECHR seem to be relative?

18. Furthermore, the administrative difficulties faced by vulnerable people with few resources should be highlighted, as they further complicate their access to rights. Dematerialization under the pretext of simplifying administrative procedures, which has been accompanied by a reduction in physical

welcome points, might be an improvement for a large number of users. But on the contrary it constitutes, for the poorest, a real brake ... even a “filter” in access to rights: filling out a file when you live in the street, waiting for hours on the phone when you have a limited package, reaching a saturated platform, having to fill in incomprehensible forms (prefects’ platforms dedicated to housing, family allowance funds that provide access to vital services), not having an internet connection... are all obstacles to access to rights.

19. In conclusion: The Defender of Rights in France, the National Advisory Commission on Human Rights, the High Committee for the Right to Housing, the United Nations Committee for Economic, Social and Cultural Rights, the Office of the High Commissioner for Human Rights, the European Committee of Social Rights, or even the European Court of Human Rights regularly publish recommendations, opinions and decisions relating to the right to housing which France urgently needs to implement in order to make it effective.

It should be remembered that since 1998 France has passed an orientation law relating to the fight against exclusion, the first article of which specifies that "The fight against exclusion is a national imperative based on respect for the equal dignity of all human beings and a priority for all of the nation's public policies. This law seeks to guarantee throughout the territory effective access for all to fundamental rights in the areas of employment, housing, health protection, justice, education, training and culture, family and children protection ".

France also worked hard for the adoption by the Human Rights Council of the guiding principles on extreme poverty and human rights (A/HCR/21/39).

20. Hence these recommendations:

**a. In the context of the right to housing, France must do everything possible to release budgets that result in the construction or rehabilitation of housing accessible to the poorest – an estimated 60,000 housing units accessible to the poorest should be financed and built each year- thus ensuring that the principles it proclaims and the procedures put in place are not diverted or rendered obsolete. As requested by the UN Special Rapporteur on the right to housing, it must immediately reverse the decision to cut spending on social housing which constitutes a reversal that is contrary to international human rights law.**

**b. France must favor a more inclusive digital transition, so that the transformation of government systems does not create an additional obstacle for accessing rights. The human presence must be maintained as much as necessary so that this dematerialization does not lead to breaches of equality for audiences less comfortable with digital devices, or deprived of connection by lack of means.**

**c. In order to respect its commitments, France must ensure that public policies actually reach the poorest members of the country. To do this, policies must be based at each stage, from development to evaluation, upon the realities of the situation of the most disadvantaged, by ensuring their participation.**

