

Written Submission, in preparation for the Working Group of Experts on People of African Descent (WGEPAD), 22nd session, on the draft declaration on the promotion and full respect of human rights of people of African descent

Executive Summary

This submission outlines the results of the Refugee Rights Europe's (RRE) independent research on the situation for people of African descent displacement across various research locations in Europe throughout 2017. The submission provides evidence on the main challenges faced by people of African descent in displacement in the realisation of their human rights. We will cover the following topics:

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6. Experience of violence and mistreatment
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1. About Refugee Rights Europe (RRE)

- 1.1.** Refugee Rights Europe is a human rights organisation and registered UK charity founded in late 2015 in response to the humanitarian crisis experienced by refugees and displaced people in Europe. The organisation is run by professionals from a range of different sectors, and its advisory group and board of trustees include academics and researchers, human rights specialists, media and communications experts, asylum workers, NGO managers, refugees, policy analysts and students.
- 1.2.** The organisation is independent of any political ideology, economic interest or religion. We believe in the indivisibility of human rights and are united by our aim to defend the rights of some of the world's most vulnerable individuals.

2. Objectives

- 2.1.** The objective of the current research is to provide information relating to the lived experiences of displaced people of African descent in Europe. This data will help discussions on the format and scope of a possible declaration on the promotion and full respect of human rights of people of African descent.

3. Background information

- 3.1.** The submission is based on our findings from research carried out in France (Paris and Calais) and Italy (Ventimiglia) in 2017 and 2018.
- 3.2.** Research in Paris, France was carried out between 27-30 January 2018. The study is based on a survey of 283 individuals in their native language.

- 3.3. Research in Calais, France was carried out between 19-22 October 2017. The study is based on a survey of 233 individuals in their native language, approximately 33% of the estimated 700 refugees and displaced people thought to be residing in the Calais area.
- 3.4. Research in Ventimiglia, on the French-Italian border, was carried out between 21-24 August 2017. The data is based on 150 surveys conducted in Amharic, Arabic, English, Persian and Tigrinya. Based on the estimated population in Ventimiglia at the time of the study, our research sample represents approximately 20% of the refugee population in the town.

4. Demographics

- 4.1. While our research was open to refugees and displaced people of all nationalities, the body of respondents in each research location was composed of a large majority of people of African descent, making our research findings of high relevance to the 22nd session of the WGEPAD in its consideration of the promotion of the human rights of people of African descent.
- 4.2. In Paris, 35.23% of respondents were from Sudan, 9.96% from Eritrea, 9.25% from Guinea, 7.83% from Chad, 4.27% from Ethiopia, 3.2% from Somalia and 1.78% from Mali.
- 4.3. In Calais, 23.2% of respondents were from Ethiopia, 22.8% from Eritrea and 18.9% from Sudan.
- 4.4. In Ventimiglia, Italy, the largest country group at the time of the study were from Sudan (72%), followed by individuals from Chad (8%), Ethiopia (3.33%), Eritrea (2.67%), Mali (2%), Ghana (1.33%) and Nigeria (1.33%). The 'other' category (6%) also included respondents from the Central African Republic, the DRC, Niger and Somalia.

5. Length of time spent in displacement

- 5.1. In Paris, the average time respondents had spent in displacement in Europe was one year and four months. 51.43% had been in France for one to three months. 85.8% had been in another European country before arriving in France. 69.8% had been in Italy before their arrival in France.
- 5.2. In Calais, 64% of respondents had been in Europe for six months to more than two years. 29.1% had been in France for six months or longer.
- 5.3. In Ventimiglia, 73.1% of respondents had been in Ventimiglia for one to three months. 89% were there alone, unaccompanied by friends or family.

6. Experience of violence and mistreatment

- 6.1. In Paris, 33.8% of respondents had experienced police violence. 86.02% said this took the form of tear gas. 63.3% had been told to move by police from the place they were sleeping, while 49.14% described this incident as violent. 86.7% of respondents were not told an alternative place where they could sleep. 35.8% of displaced people reported having their belongings taken, while 55.1% reported they had belongings taken by the police. 7.7% of respondents had experienced violence by French citizens, of these, 75% reported this as verbal abuse, which often takes the form of racial comments. One young man from Sudan told researchers: "I made very bad experiences in Monty and Nice. People there treated us very bad. When they see black people they always call the police. One time someone pointed a gun at me."

6.2. In Calais, 91.8% of respondents had experienced police violence. Of these respondents, 50.5% said that the violence had taken the form of physical violence while 23.1% described it as verbal abuse and 90.1% tear gas or pepper spray. Among minors, this figure was even higher, with 93.6% having experienced some form of police violence. 40.4% of respondents had experienced citizen violence, including both verbal and physical abuse. Verbal abuse often took the form of racial abuse, with one respondent telling researchers that a group of French citizens had once made monkey noises at him as he walked down the street. In Ventimiglia, 40.4% of respondents had experienced police violence by Italian Police, while a larger proportion, 53.1%, had experienced violence by French police at the border. 39.5% of these had been subject to physical violence. Some 73.8% had been arrested since arriving in Europe and reported that they were often released several hours walk away from Ventimiglia. 52.8% of respondents had experienced violence by Italian citizens. Of those, 91.8% said they had been subject to verbal abuse, with many citing that they were often subject to racial verbal abuse. While the acute risks faced by women being trafficked were outside the scope of RRE's research study, these need to be urgently addressed due to the reported high prevalence of sex trafficking of African women and girls in Italy.

7. Health and safety

- 7.1.** In Paris, an alarming 85.4% of respondents were sleeping in the street, despite the freezing temperatures, while 47.7% reported being unable to access food every day. 23.48% of respondents reported that they did 'not feel safe', while 18.51% stated they 'did not feel safe at all'. 43.9% reported that they had experienced a health problem since arriving in France, while 37.3% of respondents cited the unhealthy living environment as a cause of the health problem. 59.3% of respondents had not received any medical help. Worryingly, 15.3% stated that their health issue was a mental health issue rather than a physical one.
- 7.2.** In Calais, 90.4% of respondents said they 'didn't feel safe' or 'didn't feel safe at all'. This figure was higher among minors (94.6%). 52% of respondents reported having experienced health problems in France, 55.9% believed that their health concern was as a result of the unhealthy living environment, while 36.4% said it had been brought on by tear gas or other forms of police violence. In addition, a whole 21.2% of those with health issues self-declared that these issues were mental health issues rather than a physical ailment.
- 7.3.** In Ventimiglia, 71% of respondents surveyed said that they 'didn't feel safe at all'. When asked about the biggest risks faced by people passing through Ventimiglia, 74.8% cited dangers related to border-crossings, followed by 63% citing the risk of not getting enough food or water. 82.1% of respondents reported that they do not have enough water to drink, while 58.6% said they do not have access to food every day. Alarming, 42.9% of respondents knew of at least one refugee who had died in Italy or at the French border. 70% said the person in question had died by falling down a cliff or mountain. Some 60.1% said that they had experienced health problems since arriving in Italy, with 17.1% describing their health problem as a mental health issue rather than a physical ailment.

8. Access to education and information

- 8.1.** In Paris, 66.2% of respondents said that they did not have access to information about their rights and opportunities to change their situation, while 66.9% reported being unable to access information about European immigration and asylum rules.

- 8.2. In Calais, 84.7% of respondents were lacking access to information about their rights and opportunities to change their current situation. 82.4% of minors said they did not have access to this information. 88.5% of respondents said they did not have access to information about European immigration and asylum rules.
- 8.3. During RRE's research in Ventimiglia, Italy, 92.1% of respondents reported that they did not have access to information about their rights and opportunities to change their situation, while only 13.1% had access to information about European asylum law and immigration rules.

9. Conclusion: A summary of the biggest risks and concerns

- a. These research findings shine a light on the situation facing people of African descent in displacement across Europe and highlight a number of urgent matters, including lack of access to education and information, the experience of violence and inadequate living conditions.
- b. **Health and safety:** Across research locations, our reports highlight a lack of health and safety for people in displacement, with many telling researchers they 'never feel safe' and reporting untreated health conditions. These appear to be a result of the largely inadequate living conditions across the locations we visited, although this is especially pronounced in Paris and Calais where several hundred people of African descent are destitute on the streets or hiding away from police in surrounding forest.
- c. **The absence of information and support:** The research highlights the lack of information and support for displaced people in Europe from various African countries, including access to family reunion processes and other legal mechanisms. Due to the alarming lack of protection and tracking mechanisms in place, minors and young people of African descent are exposed to heightened risks of sexual violence, exploitation and trafficking.
- d. **Violence:** Respondents in Calais and Paris in France, as well as in Ventimiglia in Italy, reported chronic police violence, including tear gas and beatings. Respondents also faced citizen violence which included both verbal and physical violence. The verbal abuse experienced often took the form of racist abuse.

Sample testimonies: A few examples of what the respondents told us about the situation for African people in displacement across research locations:

- *"I am thinking to commit a suicide, better than this painful life under the bridge"* Young Sudanese man, Paris, 2018.
- *"There is nothing I haven't experience with regards to police violence...There are no human rights here"* 19-year-old Eritrean youth, Calais, 2017.
- *"The police beat me with a baton and they hit my legs to make us get down the mountain. Then they put me in jail for 24 hours without food, water or medical attention"* 14-year-old Sudanese boy, Ventimiglia, 2017.

10. Recommendations

- a. Based on these research findings, it is evident that more needs to be done to ensure that the human rights of people of African descent are upheld in Europe.
- b. RRE's research suggests that people from many African countries typically spend extended periods of time in displacement, before accessing asylum protection. This leaves many people destitute for long periods of time, which can be detrimental to both their physical and mental health, and in many cases increases their risk of falling into the hands of traffickers. Asylum

decisions must be taken within clear and transparent guidelines and the process of quality decision-making must be accelerated to ensure that displaced people are not left in limbo for extended periods, on the streets in unsuitable conditions.

- c. The lack of information available to displaced people of African descent compounds this issue, meaning that individuals often do not know how to access safe legal routes and change their current situation. It is apparent that more must be done to ensure that displaced people of African descent have access to legal information. This includes unaccompanied minors, many of whom reported having family elsewhere in Europe, meaning that they might be eligible for family reunification under the Dublin Regulation. More decisive action could also be taken by the British government; a large number of the respondents in our research reported that they have family in the UK, suggesting they may be eligible for reunification under the Dublin Regulation. Moreover, it is also clear that many vulnerable minors on the streets in Calais, Paris and Ventimiglia could be granted protection in the UK under the 'Dubs' scheme. The small numbers of transfers allowed under the 'Dubs' scheme is particularly worrying in light of the violence faced by minors in and around Calais and Paris.
- d. In Paris and Calais, there is an urgent need to provide more humane standards and protection systems. The severity of the situation means that medical staff, social workers and legal experts are urgently needed; rather than the current state response centred around violent actions by special police forces.
- e. Similarly, more should be done as a matter of urgency to uphold the human rights of displaced people of African descent at the French-Italian border town of Ventimiglia, many of whom have already spent time in Libya where they faced violence and torture. Increased resources and services need to be allocated to ensure that the standards at this transit point are urgently improved, while both the French and Italian Governments must take immediate action to address reports of violence, detentions and push-backs at the border. Unaccompanied minors, in particular, are in need of a protection framework and further investigation into sex trafficking of African women and girls must be immediately prioritised to halt this highly alarming phenomenon, take perpetrators to justice and provide rehabilitation and protection for survivors.
- f. Overall, effective and long-lasting policy action by national and European Union decision makers is urgently needed to secure the human rights of displaced people of African descent seeking sanctuary in Europe. Human rights must be at the centre of any policy initiatives to ensure that they are given the protection and opportunity expected by international standards. Such high-level engagement will help to successfully unlock the situation in which many people of African descent are currently trapped, facing sub-par humanitarian standards and daily violations of their human rights.