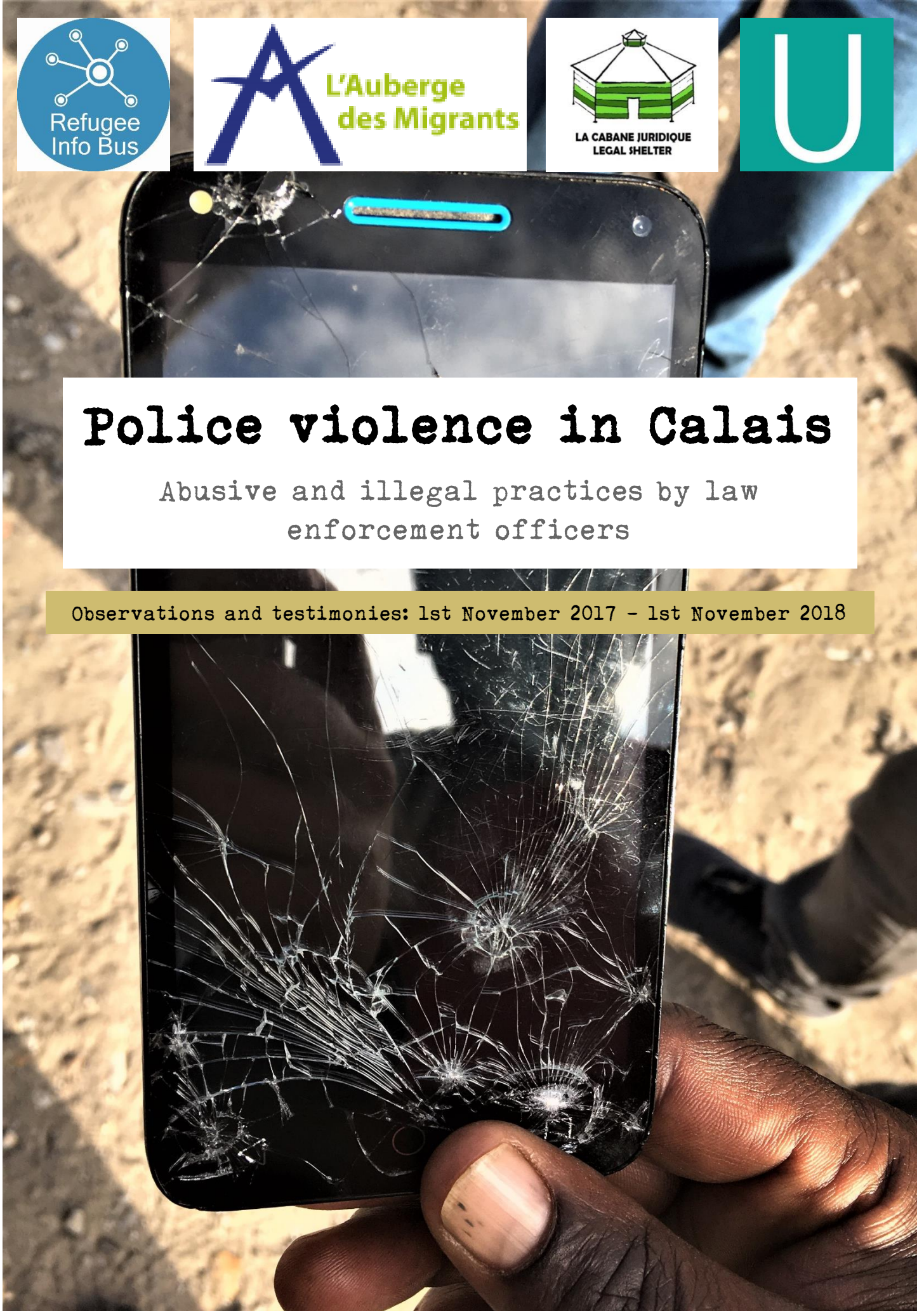




Police violence in Calais

Abusive and illegal practices by law enforcement officers

Observations and testimonies: 1st November 2017 - 1st November 2018



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ACRONYMS

- BAC** - Brigade Anti-Criminalité
- CAES** - Centres d'Accueil et d'Examen de Situation
- CRA** - Centre de Rétenion Administrative
- CRS** - Compagnies Républicaines de Sécurité
- HRO** - Human Rights Observers
- IGA** - L'Inspection Générale de l'Administration
- IGGN** - L'Inspection Générale de la Gendarmerie nationale
- IGPN** - L'Inspection générale de la Police nationale
- OCHA** - United Nations Office for the Coordination of Humanitarian Affairs
- PAF** - Police aux Frontières
- PN** - Police Nationale
- RIO** - Relevé d'Identité Opérateur
- RRE** - Refugee Rights Europe
- UN** - United Nations
- UNHCR** - United Nations High Commission for Refugees

INTRODUCTION

“Last night we were coming from the train station. We met a lot of police on the street. Without any reason, they got out of their cars and they beat us. We [started] running, because they want to beat us.”

Testimony from a 25 year old male from Sudan, Rue des Garennnes, 6th November 2017

In the year that followed the October 2016 demolition of the large informal refugee camp, known as the ‘Jungle’, volunteers based in Calais received daily reports of excessive and arbitrary acts of violence carried out by officers of the French state. These included staff of the Compagnies Républicaines de Sécurité (the general reserve of French national police, known for their role in crowd and riot control; hereafter CRS), the Police Nationale, the Police aux Frontières (the border police; hereafter PAF) and the Gendarmerie Nationale (the police branch of the French military), though other branches of state forces, such as the Brigade Anti-Criminalité (BAC) were also present. According to the Refugee Rights Europe report *Twelve Months On*, conducted from the 19th to the 22nd October 2017, 92% of the displaced people living in Calais at the time had experienced police violence.¹

As Article R. 434-18 of the French Code of Interior Security states, police and gendarme officers are justified to “*employ force in the fixed framework of the law, only when necessary, in proportion (...) to the severity of the threat*”. As is outlined in this report, hundreds of incidents were seen or reported to volunteers which called into question the extent to which the police forces in Calais were adhering to their own guidelines. Such incidents, including physical violence, abuses of power, destruction and confiscation of property, and forced evictions of living places, have previously been described as “*tactics of exhaustion*”² by external sources.

This report will also make a number of recommendations regarding the current unsustainable situation in northern France, which is characterised by violence and widespread human rights abuses against displaced people.

In this report, we will use the term ‘*displaced people*’ to refer to those living in informal settlements in northern France. However it is worth noting that the communities living in Calais are not a homogeneous population; nationality, legal status and motivation for leaving countries of origin vary widely from person to person.

This report will also make a number of recommendations regarding the current unsustainable situation in northern France, which is characterised by violence and widespread human rights abuses against displaced people. This problem persists not only at a local level, but also nationally, with similar

¹ Refugee Rights Europe (2017) *Twelve Months On*. Available at <http://refugeerights.org.uk/wp-content/uploads/2018/08/RRE_TwelveMonthsOn.pdf> (accessed 30/11/2018)

² Ansems de Vries L and Welander M (2016) ‘Refugees, displacement, and the European “politics of exhaustion”’, *Open Democracy*. Available at <www.opendemocracy.net/mediterranean-journeys-in-hope/leonie-ansems-de-vries-marta-welander/refugees-displacement-and-europ> (accessed 30/11/2018)

instances being seen across the country. This report thus advocates for policy changes at both levels, and aims to raise awareness of the inhumane situation which currently presents itself in Calais.

METHODOLOGY

“What are you doing? Why do you break our homes? I sleep here, I just sleep here!”

Testimony from a male from Afghanistan in his early 20s, whilst watching CRS officers destroy tent poles and tarpaulin that formed his makeshift shelter, November 2017

Faced with an increasing population of displaced people in Calais, in addition to mounting reports of police violence, volunteers based at the L’Auberge des Migrants warehouse formed a ‘Human Rights Observers’ (HRO) team, with the aim of documenting rights violations by state representatives. The data contained in this report has been collected over the period from 1st November 2017 to 1st November 2018, and has been obtained through reporting systems and referral pathways developed by this team. In August 2018, a report was published by the same team along with four associations in Calais, focussing on the harassment of volunteers by officers of the law. This report will thus focus specifically on the experiences of displaced people in the area.³

The HRO team was launched in October 2017 and consisted of experienced, long-term volunteers trained in taking testimonies, documenting incidents of abusive police activity and knowing both their rights and those of the displaced people. Over the course of a typical day, HRO teams visited the living spaces of displaced people across Calais and remained stationary in those areas in order to document abusive activity.

These testimonies, made by displaced people and volunteers, were then logged securely using KoBo Toolbox, a tool created by Harvard Humanitarian Initiative, Kweyo and Brigham and Women’s Hospital with the support of United Nations Office for the Coordination of Humanitarian Affairs (OCHA) and the United Nations High Commission for Refugees (UNHCR)⁴. Incidents logged for data analysis were gathered from volunteers on the ground, and collated weekly in the form of a password-protected spreadsheet.

All volunteers documenting incidents and recording testimonies were expected to adhere strictly to data protection policies, referral policies, child safeguarding and principles of full and informed consent, recommended by associations qualified in these areas. Whilst attempting to be as professional and sensitive as possible, volunteers were acutely aware that the lack of available "safe spaces" prevented such aims from being fully achieved, with individuals remaining perpetually harassed and attacked by state authorities thus never able to feel truly safe. Minors were referred to the volunteer organisation, Refugee Youth Service (RYS), and any individual presenting medical concerns was first offered access to treatment at the hospital or La PASS, a healthcare clinic for those without documents.

Incident log

³ Help Refugees (2018) *Calais: The Police Harassment of Volunteers*. Available at <<https://helprefugees.org/wp-content/uploads/2018/08/Police-Harrassment-of-Volunteers-in-Calais-1.pdf>> (accessed 30/11/2018)

⁴ www.kobotoolbox.org/

Volunteers that witnessed or were informed about incidents logged them in an internal messaging system, noting the time, date, location, and nature of the incident, as well as the state actors involved. These incidents were then recorded in an internal incident log, which consolidated the data and produced an overview of the types of incidents that displaced people and volunteers were experiencing. The data was collected by both HRO volunteers and volunteers with other teams working on the ground in Calais.

Testimonies

HRO volunteers received training in making testimonies with displaced and/or vulnerable people, so as to be equipped to handle and report severe incidents of human rights abuses. Volunteers were trained to take testimonies in a respectful way, without leading questions – such as asking ‘What type of police were there?’, whilst showing photos of the various police vehicles and allowing the individual to select themselves, rather than asking if a specific type of police was involved.

Testimony-trained volunteers would present individuals with a written explanation of what a testimony was, why and how they wanted to document it and what the data would be used for. This text was translated into seven of the most highly-represented languages spoken amongst the displaced population in Calais, to ensure that people were able to give informed consent for volunteers to document their experiences. Individuals would then be asked to recount their experiences, with additional information needed being requested once they had terminated their initial recollection.

Limitations

There are a number of limitations to our data. Foremost is that the documentation of rights abuses was not a core principle of any of the eight organisations based at the L’Auberge des Migrants warehouse. Instead, the primary focus was the distribution of humanitarian aid, food and water, provision of safe accommodation and information, and access to healthcare, education and asylum support. Between December 2017 and February 2018, HRO was suspended in order to divert volunteers towards protection roles for the coldest period of the year. Our reporting systems remained operational, with other teams in the field using these mechanisms. However, the corresponding drop in data collected during this time was indicative of the lack of active information-gathering that took place.

It is probable that numerous incidents of police violence also went undocumented. Following consultation with the displaced communities, we focussed our activities on certain living places at their request, avoiding other locations which were largely closed to the public, such as the port or private property.

As a volunteer-led humanitarian operation, with a limited budget, the L’Auberge des Migrants warehouse was often short on formal translators. Furthermore, the range of nationalities and languages represented among the displaced population of Calais is so diverse that a fully-equipped translation team would be financially unsustainable. As a result, our testimonies were usually recorded in English, with other members of the displaced community acting as interpreters where needed. As a result, we could not always avoid selection bias. Testimonies were also occasionally recorded second-hand as, due to the perpetual nature of the injustices they face, many displaced people did not feel that these violations were worth documenting. Their accounts often reflected a hopelessness towards the situation or a normalisation of the violence they had experienced.

A further limitation to our data was caused by the pressure levied upon volunteers by state actors. As stated in the report published by L'Auberge des Migrants in August 2018⁵, the police repeatedly prevented volunteers from documenting incidents, forced them out of displaced peoples' living spaces, and subjected them to frequent identity checks – illustrating the arbitrary nature of these controls, and acts of intimidation or harassment.

Our volunteers were only ever able to record testimonies for a minute fraction of the total incidents of which we were informed; language barriers, the normalisation of the violence displaced people encountered, and concerns over personal security prevented most from speaking about their experiences. Despite this, we were able to gather a substantial amount of data regarding human rights abuses against displaced people in Calais, owing largely to the ongoing cooperation of the affected communities who wished for their voices to be heard.

LAW ENFORCEMENT PRACTICES REGULATED BY LAW

Abuses and excesses

Displaced people in Calais reported to volunteers numerous instances of systematic refugee arrests, forced dispersals and identity checks. Volunteers also experienced a high level of pressure whilst working with the affected communities. In August 2018, a report detailing police harassment of volunteers was released⁶, in conjunction with four organisations, using the same data as has been used to collate this report. As the present report concerns the perceived abusive police behaviour directed



CRS dispersal, Rue Marcel Doret, 25th June 2018

against the displaced communities, statistics do not include policing of volunteers. Under the period of study, **389** examples of perceived **abuse of police powers** were documented, of which **52** incidents were **accompanied by police**

violence. We say '*perceived abuse*' because of the frequency with which police used the powers in question, and the circumstances in which they did so.

⁵ See footnote 3

⁶ See footnote 3

Dispersals and barriers to movement

Calais has been accustomed to a large-scale police and gendarme presence for many years, notably from the end of 2015 to October 2016, during the existence of the 'Calais Jungle' camp. In January 2018, law enforcement officers were still incredibly present, even with a diminished number, adding up to more than 1,200 police and gendarme officers on the ground.

"On Tuesday 31st July 2018, around 9.30am, I was driving the vehicle of an association that gives breakfast to displaced people, near the BMX park and the déchetterie Jacques Monod in Calais. When I arrived at the roundabout on the ring road, I saw 6 police officers and one van, belonging to the CRS, parked, blocking people from accessing the distribution point by pushing them under the motorway bridge, in the direction of the Epopée stadium... We tried to go to the distribution point which a group of displaced individuals, passing under the motorway bridge to get to the car park where the distribution was taking place. Before we even arrived at the bridge, one of the police officers, who had just ID checked me, around twenty years old, with sunglasses clipped to his t-shirt, gloves on and wearing a riot helmet on his head, stopped the group, saying "No, no, no, go back". Immediately another CRS officer arrived at his side, at the same time as the van that had ID checked me arrived along with a second van. The two parked along the roundabout, and more police officers got out with batons in hand..."

Testimony made by a British volunteer, roundabout on J3 N216, Calais, 31st July 2018

These officers are extremely visible and actively contribute to discouraging the movement of displaced people throughout the city. The almost permanent system of prosecutor-signed requisitions allows identity checks across large areas, and thus considerably reduces the mobility of these individuals. Added to this is the possibility for police forces to establish 'security' perimeters around sites subject to operations, sometimes even blocking traffic. In 2018, multiple testimonies noted the access restrictions against displaced people to zones where associations carried out food distributions.

Displaced people in Calais also reported being frequently dispersed by police. Not only were displaced people evicted during the night, but volunteers also regularly witnessed dispersal operations that were carried by police officers during the day. **151** incidents of this nature were logged over the period of study. These dispersals were often accompanied with use of or attempts at physical violence, despite lack of apparent provocation or justification. These dispersals rendered public spaces yet more hostile for the displaced communities, depriving individuals of places to rest and feel safe.

"At 9.04 pm, we went around [the roundabout] again and two male CRS officers were chasing a group of five refugee males, with batons in hand. Two more male CRS officers were chasing a group of around 15 refugee males. One of the officers went up to four of the males and attempted to grab them, hitting one with the baton across the back. At the same time, two male CRS officers were chasing a refugee male on the hill at the centre of the roundabout, with canisters in hand."

Testimony made by a British volunteer, roundabout on J3 N216, Calais, 21st May 2018

Officer kicking a displaced person, J3 N216, 23rd May 2018

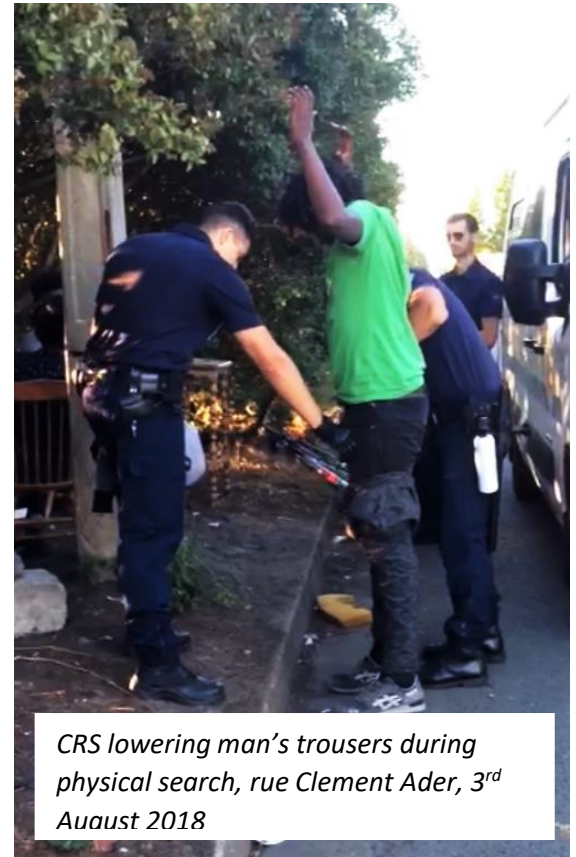


Identity checks

The data indicates that displaced people were routinely subject to identity checks, with **68 identity checks** being documented in the present period of study. However, individuals often reported being subject to identity checks multiple times a week, with the frequency leading to individuals to feel there was little point of reporting it. It is therefore likely that statistics and testimonial reports are lower than would otherwise be expected. Volunteers often witnessed identity checks being carried out by officers of the PAF, CRS and Police Nationale, occurring at random in both distribution sites and living spaces, and often followed by arrest and/or detention.

This practice was particularly prevalent in public spaces, such as Calais-Ville train station, where identity checks appeared to take place on the grounds of racial profiling. French law, Article 78-2 of the Code of Criminal Procedure, dictates that an officer must have '*plausible reason for suspicion*' for carrying out an identity check; however justification was rarely given to those affected, even after body searches and pat downs.

These physical searches were sometimes carried out in public and in a humiliating manner, contrary Article R.434-16 of the Code of Ethics of the Police Nationale and the Gendarmerie, which states that the dignity of the individual who is being searched must be respected. An example of this occurred in August 2018, when a young man had his trousers pulled down by a CRS, whilst being searched on a public road.



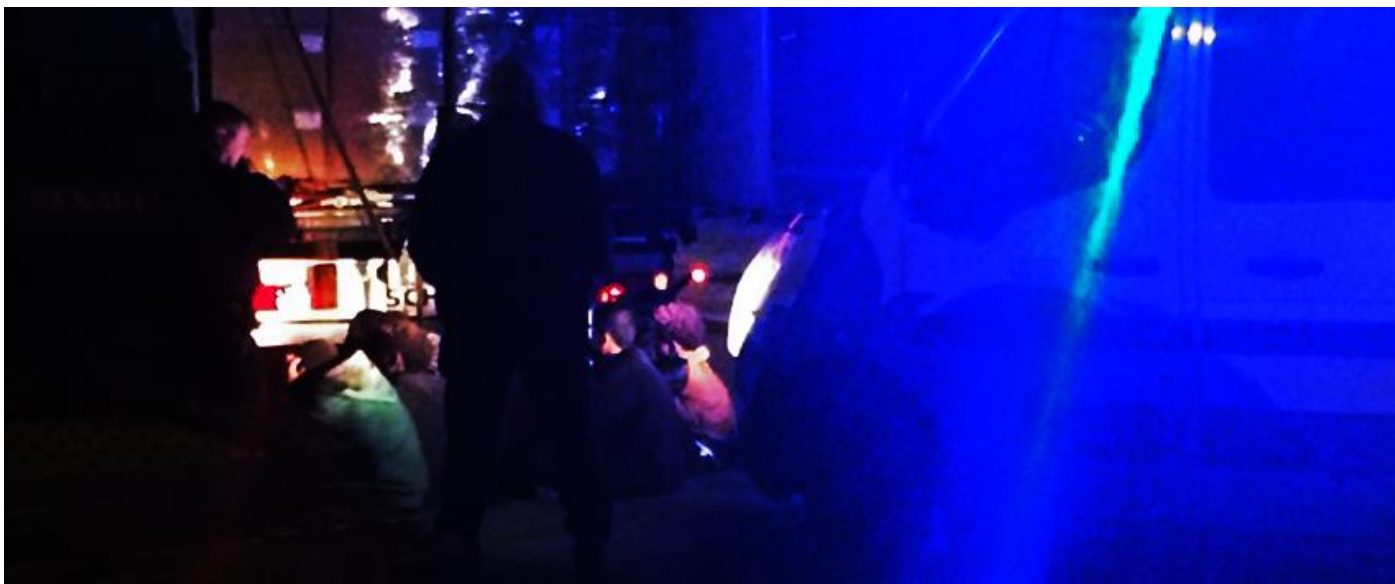
CRS lowering man's trousers during physical search, rue Clement Ader, 3rd August 2018

Detentions

In 2018, our teams observed high numbers of arrests of displaced people, who were subsequently transported to the police station in Coquelles, sometimes held for several hours before release without any information, or often placed in the neighbouring detention centre (centre de rétention administrative (CRA)).

This centre is around 8 kilometres from the various living spaces of displaced people in Calais, and individuals had to walk this distance after being released from detention. **160 refugee arrests** were documented by our teams since November 2017, with 69% of these incidents taking place in and around displaced communities living areas. Individuals reported that they were rarely told why they had been taken into custody. In 2017, 3,786 people were placed in the detention centre in Coquelles⁷, whilst the figures for 2018 are not yet available. Minors were also taken in custody, to verify their right to remain, even though they reported that they had consistently informed officers of their age.

⁷ La Cimade (2017) *Centres et locaux de rétention administrative* (https://www.lacimade.org/wp-content/uploads/2018/07/La_Cimade_Rapport_Retention_2017.pdf)



Officers forcing individuals to sit facing a truck prior to detention, Total petrol station, Rue Costes et Bellonte, 24th May 2018

Anon: I was with five people. I[’m] walking by road and an immigration police officer came by. When they caught up to me and five people, all is taken to police station and I have two bambino and 13 years old. He’s [police officer] kicked the 13 year old child. When I went to the police station, I complained from this officer and there’s one big officer as well. I say to him, “Your [inaudible] officer kicked this child in the way.” He said, “No problem. One kick, one punch and now spray.” Because I said to police officer, “No I’m coming for human rights in your country.” He said, “No human rights for your people. Because your country Taliban”... Another officer came and punched again the 13 year old bambino in the police station. Believe me, I swear, in the police station, is punching. I say, “Why is there no human rights?” and they say, “No human rights for your people. You go here from, leave in this country.”

Volunteer: When they went to the police station, did they give you paper?

Anon: Nothing. Nothing. Only the signature and this officer, he took off his number as well.

Volunteer: Take off his number? He didn’t let you see his number, as well?

Anon: No. And big officer is a very bad man... And he say, “Now in the police station is full, depo[rt] centre is full. When is no deportation centre is full, you and your brother I put in the police station and deportation centre as well. And there’s a translat[or], is more than bad than the police now. And there is two translate. One from Pakistan, one from Afghanistan... is writing the paper, I say, “This paper, what do you want write now? I don’t understand French. I don’t understand writing”... He say, “Shush. Just sign.”

Volunteer: But you never sign?

Anon: What can I do? He’s kicking, punching. Is pushing more.

Testimony made by a male from Afghanistan, Calais police station, November 2017

Testimony description by Singaporean volunteer

Under Article R. 434-17 of the French police code of ethics, when making an arrest officers must “be attentive to the physical and psychological state [of the arrestee] and take all measures to preserve the life, health and dignity of that person.” Despite this, volunteers repeatedly received reports of abusive behaviour whilst in detention (police custody, or similar measures aiming to verify their right to remain), including denial of access to lawyers, translators, doctors and a phone call, as well as verbal intimidation and physical abuse.

ILLEGAL PRACTICES BY LAW ENFORCEMENT OFFICERS

Physical and psychological violence

The French Code of Interior Security, Article R.434-18 states that the use of force is restricted to “*fixed guidelines*” and can be used “*only when absolutely necessary*”⁸. Though the wording leaves room for interpretation, the frequency with which displaced people in Calais experienced violence at the hands of police over the period of study calls into question whether these guidelines were followed. A large number of the violent incidents experienced by these communities happened outside of the hours when volunteers were present – making testimonies one of the most crucial methods of documenting these abuses, which consisted of the use of physical force, the dispersal of chemical agents and the use of weapons.

“Recently, last night, the police sprayed Nour as well, and they punched him, with the stick, you know, the electric stick, two guys, very badly, they hit him in this petrol station”*

Witness testimony made by a 32 year old male from Afghanistan, describing an incident involving a 13 year old minor from Afghanistan, Rue des Garennnes, 10 November 2017

***name changed for safeguarding**

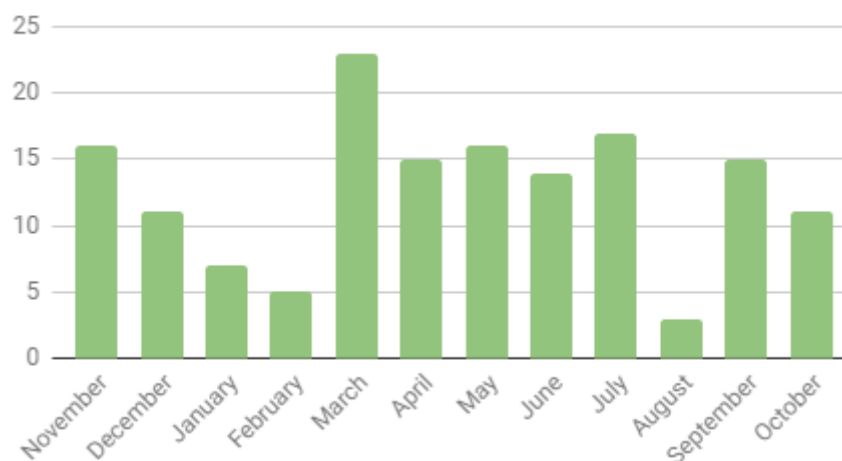
Disproportionate use of chemical agents

Between 1st November 2017 and 1st November 2018, **244 acts of police violence** against displaced people were reported to our volunteers, in and around Calais. **153** of these incidents involved the **use of a chemical agent** upon displaced people. This practice has been denounced in a joint report from the Inspection générale de la Police nationale (IGPN), a governmental board that observes and regulates the national branch of French police, the Inspection Générale de la Gendarmerie nationale (IGGN) and the Inspection Générale de l’Administration’ (IGA) which stated that it could be ‘*considered as plausible*’ that there had been “*breaches of the doctrines regarding the use of force and police ethics, particularly in Calais. They relate to acts of violence, disproportionate uses of tear-gas canisters, the destructions of migrants’ belongings and the non-observance of laws regarding the wearing of [identification] numbers.*”⁹

⁸ See footnote 6

⁹ Diaz C et al (2017) *Évaluation de l’action des forces de l’ordre à Calais et dans le Dunkerquois*. Available at www.interieur.gouv.fr/Publications/Rapports-de-l-IGA/Rapports-recents/Evaluation-de-l-action-des-forces-de-l-ordre-a-Calais-et-dans-le-Dunkerquois (accessed 30/11/2018)

Use of a chemical agent statistics



Volunteers routinely observed and received reports of use of chemical agents that likely fall into these ‘breaches of doctrine’. According to our sources, these include the use of chemical agents without prior warning or apparent cause, use at eye level in close proximity to an individual, and use on personal belongings, thus destroying them.

‘We sleep under the bridge. Police say no sleep under the bridge. Police take all sleeping bag from my friend and after, police make spray [chemical agent]. We go in the police station, one hour. We’re arrested. After, police say “go”.

The interviewee then demonstrated how a police officer handcuffed him, as well as two other minors (aged 16 and 17 years old), with their hands behind their backs, before striking each of them in the same place of their upper right legs, an action perceived by the interviewee as intentionally targeting their mobile phones. The interviewee appeared visibly upset, in part because his belongings had been confiscated and damaged, but also because he had been handcuffed at the time of the incident.’

Testimony made by a 15 year old Ethiopian minor, under Faidherbe Bridge, 25th October 2017

Not only were chemical agents often used on displaced people without apparent reason, the frequency with which they were used threatens to cause long-term health consequences. During the Refugee Rights Europe (RRE) visit to Calais in October 2017, where displaced people were interviewed about the conditions in Northern France, 90.09% of respondents stated that they had been subject to tear-gas whilst in France, with 30.53% reporting they experienced it every day and 41.58% reporting that they experienced tear-gas many times a week¹⁰. Long-term exposure, as experienced by displaced people in Calais, is harmful in many ways as it can bring about allergic reactions, skin lesions, and a range of other

¹⁰ See footnote 1

adverse effects on the eyes, the respiratory system, and the gastrointestinal system.¹¹

Skin damage following contact with a chemical agent dispersed by a police officer, rue des Verrotieres, 28th October 2018

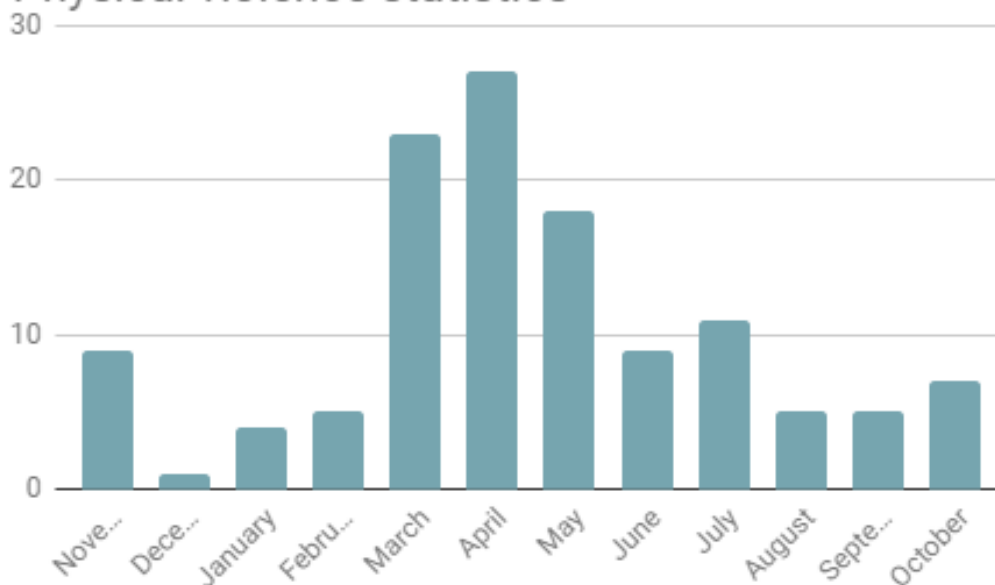


“Four [displaced] people... were climbing on board a van. Five or six CRS officers arrived, noticed them and proceeded to project a chemical agent into the van through the top of the van. The four beneficiaries thus asked them to open the van to let them out because the pain caused by the chemical agent was unbearable. According to the main witness, one of his companions suffers from cardiac problems and was on the ground, in extreme pain, more affected than the other three. The CRS officers did not open the door, despite repeated requests. The four beneficiaries thus had to give each other leg ups to climb back out the top of the van from where they had entered. Once outside, the CRS hit them, including with their batons. According to the witness, the officers were laughing whilst this took place.”

Testimony made by a 27-year-old male from Afghanistan, Pidou car park, Marck
Description made by a French volunteer, 24 October 2018

Physical coercion / aggression

Physical violence statistics



¹¹ Smith G and Stopford W (1999) 'Health Hazards of Pepper Spray', *North Carolina Medical Journal* 60

“He [displaced person] told us that he had been sprayed with a chemical agent by police officers. He showed us his jacket, which had been discoloured following this incident. Around 16/17th, a Police Nationale van arrived at Rue des Mouettes, and arrested three people, one of whom was a minor (around 15 years old). He told us that the police had kicked the young man, notably in the face. He told us that the young man might have broken teeth as a result.”

Testimony made by a young Ethiopian male, Rue des Mouettes, 4th

September 2018

Description made by a French volunteer

From the October 2017 RRE report, 50.47% of respondents stated that they had suffered physical violence at the hands of the French police.¹² The most frequently reported types of physical violence reported were those of kicking, punching, and beating with police-issued batons. Over the period of study, **124** reports of **physical violence by police officers** against displaced people were made to volunteers, with many individuals requiring medical attention as a result. The use of force often appeared to take place without provocation or justification, and many victims stated that they had experienced these type of attacks in France more than once.

“A grey PAF van was seen dangerously swerving down Rue des Garences. It was appeared to be chasing a refugee who was on foot... Myself and my colleague arrived in the car at the end of Rue des Verrotières and saw the police kicking and punching the refugee whilst he was on the floor against a wire fence. They stopped when they saw us get out the car with cameras... The victim was screaming in pain and thought his arm might be broken. Police asked him for papers, his friend said he could provide them if they would just let him run back to the victim's tent to get them. The police refused to wait 2 minutes and left once the friend had gone to get the documents. Victim arrested and taken away in PAF van.”

Testimony made by a British volunteer, regarding physical violence and arrest used against an Iranian male, Rue des Verrotières, 5th October 2018

“Volunteer: So, were you by yourself, or were there lots of people?

Anon: We are with three guys, they are run away.

Volunteer: Why did they run away?

Anon: Because they are afraid, they know that when the police if they find you alone... they will be beat, they will be beat you sure... I want to try to run but I can't. Because there are six, they make like this, circle, so I can't run. I say, 'What is wrong, what, what problem, what, have some, I am not criminal?', I said to them, 'I am refugee, I don't do anything shit, why you arrest me?' They don't care, they beat me. They beat me... they start to beat me, they put spray but they not put in my eyes because I like this do [covers eyes, turns head away].

Volunteer: You turned your face away?

Anon: Yeah I try to self defence my face I do like this [turns head away]. They put on my body, my clothes, so after, they catch me, they beat me.

Volunteer: Did they use their hands?

Anon: One yeah, he beat me like this, here, after one, they took my arms like this two of them, and they tried to break my arms... After I don't know there, I forgot because they beat me too much, I don't remember anything, just when I woke up I saw my face like this [shows a cut forehead].

Volunteer: So, you passed out, you lost consciousness?

Anon: Yeah, yeah, I down like this [curls head down].”

Testimony made by a 21 year old Ethiopian male, Avenue Georges-Guyenmer, 29th October 2018

Testimony made by a Canadian volunteer

¹² See footnote 1

Not only do these attacks appear to be unjustified, but they also appear illegal, by breaching the provisions of the general rules regarding their use by the Police Nationale, derived from the 6th June 2006 decree, which states in Article 113-4: *“whilst they are authorised by law to use force and, in particular, weapons in respect of the relevant rules regarding legitimate defense, officers of the Police Nationale can only use them when strictly necessary to maintain public order, in the conditions laid out by Article 431-3”* and the Penal Code, Article R431-13: *“the use of force by state representatives is only possible when circumstances render it absolutely necessary to maintain public order, as laid out in Article 431-3. The force deployed must be proportional to threat and must end as soon as the threat has ceased.”* Volunteers often received reports of force being used when individuals posed no apparent threat to public order, and where the violence, often severe, continued well after the individual had been immobilised beyond the point of posing any conceivable risk.

Further disturbing reports concerned the use of force against minors. France ratified the United Nations Convention on the Rights of the Child of 1990, which notes that *“States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse.”* Yet volunteers consistently received reports of minors being subject to varying forms of violence at the hands of the French police.

“A young Chadian displaced male informed me that, that morning around 4am... a number of CRS stopped him whilst he was walking with his friends. The CRS started insulting them in French. One of the officers then punched him in the face, on his left cheek, then hit his left knee with a baton. The CRS then left in their vehicle.”

Testimony made by a 16 year old Chadian minor, near Calais port, 23rd April 2018

Testimony description made by a French volunteer

In a particularly serious instance, on the 25th January 2018, CRS fired chemical agent grenades indiscriminately into a crowd of displaced people in attempt to disperse them, as officers carried out an eviction of a living area. Four individuals were injured, including an unaccompanied Eritrean minor, who sustained potentially life-changing injuries, including the loss of an eye, loss of the sense of smell, and loss of hearing in one ear, due to damage to his nervous system. Whilst it is unclear which specific projectile caused the injury, the projectile appeared to originate from where the line of police deploying their weapons were stood across the field. The victim himself affirmed that a rubber bullet gun was fired 10-15 metres from him by a police officer aiming for his face. On 4th June 2018, the IGPN announced that they would open an investigation into the incident. At the time of writing, this investigation has yet to be concluded.



Chemical agent grenades launched into a crowd of displaced people, rue des Verrotieres, 25th January 2018

“I arrived at Rue des Verrotières and saw about twenty CRS officers standing in a line in the field beyond the two pylons. They had full armour and shields. I could see beyond the line of CRS that there were other CRS clearing tents from the woods and putting them into a truck.

The line that they formed was intimidating and they continued to speak on a megaphone saying “Police, clear the area”. All the refugees retreated to near the pylons. One man climbed up the pylon saying he was going to jump if they came closer... The CRS fired tear gas from guns and filled the sky with smoke and the burning embers. I couldn't breathe and I went further away...

I saw through the smoke a boy being carried by his friends, covered in blood. He had been hit in the eye and they had no way of getting him to hospital. A vehicle drove through and they got him to hospital but I found out later that he lost his eye. His friends were crying; it was a group of minors and the boy himself was 16.”

Testimony from a British volunteer, Rue des Verrotières, 25th January 2018

Intimidation and harassment

According to Article R. 434-14 of the French police Code of Ethics, police and gendarme officers are “at the service of the population”, and that “respectful of people’s dignity, they should behave under all circumstances in an exemplary manner, capable of inspiring respect and consideration in return.”

However, volunteers often received reports of verbal intimidation and aggression from police officers, such as threatening displaced people, or telling them to go back to their countries. Displaced individuals rarely wished to make formal complaints, due to their vulnerable legal situation, leaving the vast majority of these threats unreported formally. The prospect of being interviewed by police officers, the embodiment of their aggressor, further dissuaded many individuals.

“I asked if there had been any problems with the Police Nationale, who we had seen leaving the area, on our arrival. They thus recounted the incident that the three of them had witnessed to me... One of the officers asked, “How many people live here?” gesturing to the tents. Witness 1 replied, “13 people”. The officer then said, according to the witness, “Leave this place, we don't want you here”. Witness 1 then said, “Where we go? We don't have anything, no money, no house. We have 'demande d'asile'”. The officer responded, “Leave tonight. Tomorrow we come, we break tents, everything with knife.”

Testimony made by a male from Afghanistan, Rue du Beau-Marais, 17th August 2018

Testimony description made by a French volunteer

EVICCTIONS

Concentration of violent practices

The eviction operations, which were weekly in November 2017 and since became daily occurrences from August 2018, were often accompanied by the confiscation and destruction of personal belongings of displaced people. Over the period of study, volunteers observed various activities whereby police seized displaced peoples' belongings.

During these evictions, 'security' perimeters were imposed, which pushed volunteers (often physically) from the area, expelled those living there (who were forced to move their dwellings), seized or destroyed the personal belongings of those who were not present at the time (often having gone to get breakfast) and proceeded to carry out arrests. No legal frameworks were ever shown to the victims.

Abuses and excesses

During these operations, displaced people were not allowed to move freely in their living areas. 84.3% of respondents in the October 2017 RRE report stated that they had been told by police to move from where they were sleeping, including during evictions, and 84.9% of these individuals describing the incident as 'violent'¹³. Not only were individuals evicted during the night, but also:

"On 4th April 2018, at 9am, I found myself at Rue des Verrotières in Calais... I could not move around any part of the street. Three CRS vans were blocking one of the accesses to the road... I asked if I could pass through, to which one CRS officer told me that it was not possible, that I didn't have the right to do so... Once outside of the CRS perimeter, displaced individuals could no longer return to retrieve the rest of their belongings. The individuals that found themselves outside the CRS perimeter from the start of the operation were not allowed to go and collect their belongings... A young pregnant woman came towards volunteers of an organisation she knew a few minutes later, and explained that she had forgotten her medication that she needed, inside her tent. Once again, the CRS refused access, to volunteers from Salam who were translating the request."

Testimony made by a French volunteer, Rue des Verrotières, 6th September 2018

Physical and psychological violence

*"Exhaustion plays out as a combination of repeated forceful spatial displacement and the stretched temporality of years of uncertainty which is not resolved after being granted official protection."*¹⁴

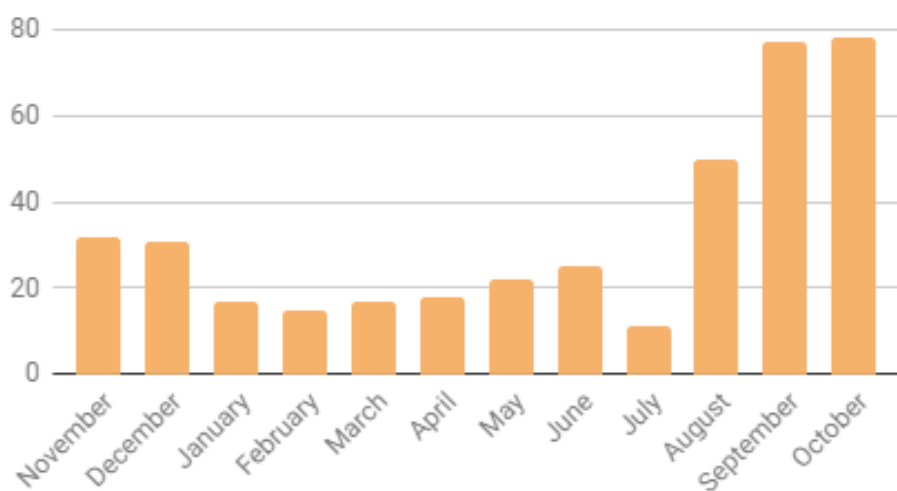
Leonie Ansems de Vries and Marta Welander

¹³ See footnote 1

¹⁴ See footnote 2

In contrast to the confiscation operations, forced evictions took place on a larger scale, wherein police forcibly removed displaced communities from their living areas. Over the period of study, **393 eviction operations** were logged across Calais, with **13** accompanied by acts of **police violence** and **26** by **refugee arrests**.

Eviction statistics



“One of the refugees, a 17 year old Sudanese minor, went to go and take things from his tent, during the clearance at Rue des Verrotières, around 9 am on 23/03/18. On the way back, there were lots of officers surrounding him, and he stopped to pick something up from the floor. When he carried on walking an officer slapped him in the face. He was very distressed afterwards and almost in tears.”

Testimony made by a British volunteer, Rue des Verrotières, 23rd March 2018

These incidents have historically been presented as ‘*cleaning operations*’ of abandoned belongings by officers on the ground. However, the execution of these operations changed several times over the period of study – ranging from less routine evictions to those in which all items belonging to the displaced individuals were seized, including tents, phones and medication. Across this range of incidents, the one constant was a sheer lack of information afforded to those evicted, during the operations, in languages accessible to them, as well as the ongoing violation of their fundamental rights. Individuals reported being woken early in the morning, often by force or aggressive behaviour, and made to leave the area.



Eviction operation, rue des Verrotières, 28th March 2018

“One individual from the displaced community was speaking to me, explaining how damaging it is for them that the police are present every other day and confiscating their belongings. The individual explained that he had been sleeping when the police came that morning, and that they woke him up every time they come because they come so early in the morning. He said the police were a big problem and that the police know that he and his friends are not animals but they treat them terribly regardless. He said that nothing can be changed about the situation, because they are the police. He said the weather is getting really cold now and it's a big problem, asking me what he could do. He said that, even with 3 or 4 blankets, it's too cold to sleep and that they had had a large tent previously that helped, but that the police had taken it the week before. The individual was deeply upset and desperate about the situation, referencing how ill people get when they have to live in such bad conditions.”

Description of testimony made by a 17 year old minor from Afghanistan, by a British volunteer, Zone du Virval, 9th October

As with other types of police operations in Calais, no information regarding the precise nature of the evictions was communicated to the individuals most directly impacted. Regardless of the legal context, these operations had severe ramifications for the displaced communities, with many reporting health concerns from the exposure when their shelters (such as tents or tarpaulins) were taken. Many individuals also reported a chronic lack of sleep due to the permanent risk of eviction by the police. In a survey done by Refugee Info Bus in August 2018, 57% of respondents stated that they slept less than four hours a night, and 75% less than five hours.

“We've also noted a serious increase in sleep deprivation in refugees. The number of raids [evictions] have been increasing in several camps, and therefore people develop sleeping issues or the sleeping issues they already have been made worse. Sleep deprivation is positively linked to suicide, depression and unhappiness. When asked, refugees report sleeping as little as four hours a night on average.”

Statement made by a member of First Aid Support Team (FAST), a team providing first aid treatment for displaced people in Calais, August 2018

At the time of writing, these operations are carried out in each living space every two days, with 2-3 operations occurring each day. As well as expelling displaced people from their already precarious dwellings, these recurring evictions create an atmosphere of fear and constant anxiety amongst the affected communities, constituting a base form of police harassment.

Article 25 of the United Nations Universal Declaration of Human Rights provides that all people have “the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care.” French law also lays out a framework for the eviction of individuals occupying land, notably the need for a social enquiry and proposals for alternative accommodation.¹⁵ The French state has put in place certain accommodation centres, such as the ‘Centres d'Accueil et d'Examen des Situations’ (CAES), which are far from Calais and designed as a short

¹⁵ Code de procédure civile d'exécution (L411-1) et Circulaire Interministérielle NOR INTK1233053C du 26/08/2012 relative à l'anticipation et à l'accompagnement des opérations d'évacuation des campements illicites

term solution. These accommodation centres focus on the administrative situations of individuals, and cannot be considered as reasonable alternate proposals for housing following evictions, as they are not adapted to the majority of the needs of displaced people.

In 2018, the prefectural authorities of the Pas-de-Calais stated that buses were present during evictions. Individuals wishing to access these centres were required to present themselves to the staff of the Office

français de l'immigration et de l'intégration (OFII). However, OFII staff were rarely in the field, and completely disappeared during evictions. Child protection officers working for the association France Terre d'Asile, mandated by the local authorities, were also only infrequently reported on the ground.



Volunteers were also informed that the accommodation for unaccompanied minors in St-Omer was frequently saturated.

“[He] was at Rue des Verrotières, he tried to run away from a Police Nationale car. The Police Nationale car followed him around the corner from (50°57'50.7"N 1°53'19.7"E) to (50°57'52.7"N 1°53'15.1"E). Next to the petrol station (2 Rue des Goélands), the car hit him and he fell down. He lay on the street. The car stopped and a police officer got out of the car to catch him, [He] ran away and the officer sprayed him with a chemical agent that hindered [him] in leaving the scene as quickly as he wanted and caused him pain. The police officers saw that he had injured his legs.

X has a wound on one knee that needs treatment, the other knee is swollen, he is in pain. He also expressed his anger about how the police in France treats him as a child. He also has expressed damage to his mental health as a result of this action and other police actions against him and other refugees.”

Testimony made by a 15 year old minor from Afghanistan, Rue des Verrotières, 28th May 2018

Testimony description made by a German volunteer

Damage, destruction and confiscations / theft of personal belongings

(i) Damage

It was not uncommon for eviction and confiscation operations to be accompanied by the deployment of a chemical agent onto the displaced communities' belongings, thereby rendering them unusable. However, owing to their limited access to bedding, clothes and shelter, this meant that individuals sometimes continued to use the items that had been contaminated.

On at least two occasions, water barrels used by a displaced community to collect drinking water were sprayed with a chemical agent. In one instance, a minor drank the contaminated water and required medical consultation as a result.

“Myself and another volunteer were driving along Rue des Garennes, around 9h20, when we saw several CRS officers on foot exiting the wooded area between Rue des Mouettes and Rue des Huttes. There were five officers, three with gas canisters in hand. We parked our vehicle and went to speak to some of the displaced people who were stood nearby. We asked them if anything had happened, and they told us that the police [gesturing those who had just exited the woods] had sprayed several tents with a chemical agent. One of the men said, “They spray, then we cannot sleep inside anymore.”

Testimony made by a British volunteer, Rue des Garennes, 5th September 2018

“On 22nd June 2018, a displaced person living in the Chico-Mendes wood in Calais, told my colleague, from l’Auberge des Migrants, that during the during the night (21-22nd June) at around 2am, a Police Nationale officer had gassed one of the barrels of drinking water, distributed by Utopia 56 to displaced communities.

The same day, several barrels were brought back to the l’Auberge des Migrants warehouse, where I then carried them inside the building. On one of the barrels that was still full of water, I noticed traces of a white substance, that smelled strongly like chemical agents used by police forces in Calais. After transporting these barrels, I touched my face with my hands, and felt a burning sensation around me eyes. I was thus led to believe that this barrel had been in contact with said chemical agent.”

Testimony made by a British volunteer, L’Auberge des Migrants warehouse, 29th August 2018

(ii) Destruction

Reports were also received whereby a bladed object, likened to a knife, was used by police officers to destroy tents, shelters, and bedding occupied by displaced people. In some instances, individuals noted that they were still inside whilst the destruction was taking place. The victims stated that they had been woken up with a knife in close proximity to their faces, highlighting a troubling lack of concern for the safety of the displaced people involved.

“The police come in the night time. Maybe 2 o’clock [in the morning] they come and we are three person in our tent. [They] Rip the tent, and spray inside... That time we didn’t sleep all the night because our whole body was feeling crushed... They used some blade [to cut the tent]”

Testimony from a 22 year old Pakistani male, in woods south of Rue des Oyats, 26th December 2017



Tent being cut with a bladed object during an eviction operation, rue du Beau Marais, 25th June 2018

“In one of the four tents at this location, the occupants did not exit the tent initially. The clearance teams, dressed entirely in white suits, used a knife to cut the tents while there were individuals still sleeping inside. This clearly posed a threat to the sleeping individuals, but also rendered the tents unusable. They then confiscated the four destroyed tents, before the PAF officers arrested two of the interviewee's friends.”

Description of a testimony taken from a 15 year old minor from Afghanistan, Route de Saint-Omer, 3rd January 2018

Another deeply concerning form of destruction, particularly noted during colder months, involved police officers throwing displaced people’s belongings, in addition to association property, such as water barrels, on top of campfires. On at least one occasion, individuals informed volunteers that this action was preceded by the use of a chemical agent to disperse the residents of a camp.

“Myself and another volunteer arrived at the location at 07:13, after seeing a CRS van parked in the distribution area. After exiting our vehicle, we saw six CRS officers, all wearing black face masks, returning to their vehicle... We approached and noted that there was a large fire underway. When we approached the fire, we noted that there were the charred remains of chairs, water containers (property of l'Auberge des Migrants), and other miscellaneous belongings that had been purposely placed in the fire.

These beneficiaries explained to us that the police had come to the area around 20 minutes previously while they had been sitting around a small fire. The police then used a chemical agent, the effects of which resembled CS gas, in order to disperse the individuals present... The police officers then spent the next 10-15 minutes collecting personal items from the area and placing them on the fire. The members of the community here noted that they were too afraid to return until the police had left.”

Testimony made by a British volunteer, Rue du Beau-Marais, 5th March 2018



Items belonging to displaced people thrown in the fire by police officers, rue du Beau Marais, 5th March 2018

As with other examples of police activities described in this report, the majority of incidents involving confiscation or destruction took place in the areas surrounding displaced people’s living spaces. These

actions, combined with a lack of emergency accommodation, placed the displaced communities in an extremely precarious situation, rendering them vulnerable to particularly hostile weather conditions.

The communities also reported many incidents involving the destruction of mobile phones by police officers, particularly in areas where individuals were seeking to gain access to UK-bound commercial vehicles. Displaced people reported police officers using batons or stamping on phones to break them. Due to the frequency of these acts, individuals often did not provide testimonies, thus rendering it difficult to estimate the amount of property damaged by state authorities.



“The beneficiary had just come back from the police station/deport centre and was coming back to his tent to take his items at the beginning of the clearance at Rue des Verrotières... A CRS officer told him to go quickly and the officer kicked him. He was videoing the situation and the officer took his phone and broke it. His tent, sleeping bag, charger and bag were all taken.”

Description of a testimony made by a 14 year old minor from Afghanistan, Rue des Verrotières, 11th April 2018

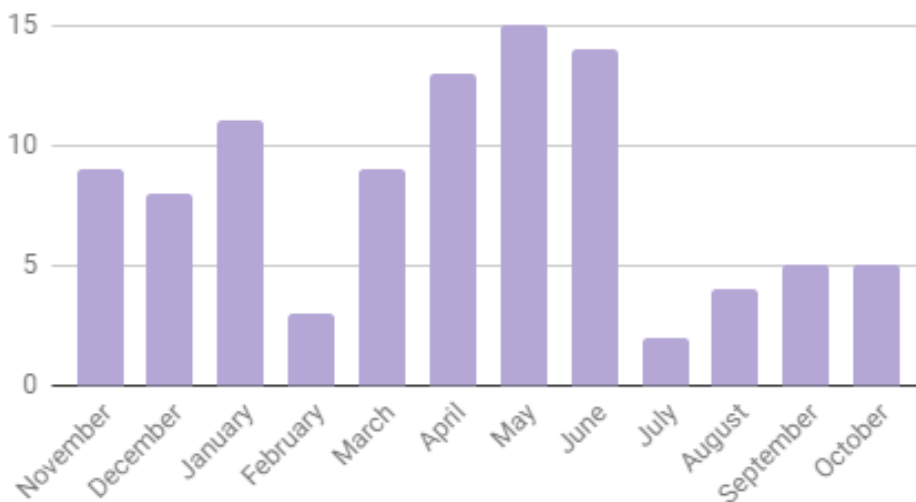
Phone destroyed by officer with baton, rue du Groupe Normandie Niemen, 17th June 2018

(iii) Confiscations / theft

According to multiple testimonies, smaller scale confiscation operations tended to involve fewer police vehicles and officers, appearing to take place with less structure. These incidents were logged as ‘**confiscations**’, of which **37** were documented over the period of study, as well as **61 reports of destruction** of individuals’ belongings. These incidents were also often accompanied by the use of

police-issued weapons, such as batons and chemical agent dispersers, as well as arrests of individuals present.

Destruction/confiscation statistics



The officers consistently gave no legal basis for these operations of collective organised theft, calling into question the legality of these acts. On the January 30th 2018, replaced in August 2018, the Sous-Prefecture of Calais released a document recognising the existence of these operations, shown by the

documents title: “Following the evictions of unlawful camps or occupations of private land: Redistribution of personal belongings”. However, once again no legal basis was provided for the execution of these operations

According to our testimonies, police officers even confiscated the shoes of displaced people, on at least 7 separate occasions. This practice questions whether police officers are flouting their own rules, which specifically instruct them to be ‘respectful of people’s dignity’¹⁶.



CONCLUSION

“I can’t sleep because of the police. I can’t continue walking by the road when I’m walking by road they come with spray, kicking and this is no good, this is very bad. I came for human rights. And please, in France people, and from government and the Calais police, please do something for the people because I am living a very bad life here. I’m living in Jungle but I can’t sleep at night time because every day and all the night I’m scared about the police”

Testimony made by man from Afghanistan, November 2017

Testimony description by Singaporean volunteer

In 1789, in France, the National Assembly declared that: “The representatives of the French people, constituted by the National Assembly, considering that the ignorance, forgetting or disregard for human rights are the only causes of public hardship and governmental corruption, are determined to expose, in a formal declaration, natural, inalienable and sacred human rights...”

¹⁶ Code de déontologie de la Police nationale et de la Gendarmerie nationale, Article R. 434-14

How can they argue, denounce such State violence, when the displaced people who raised their voices before them were considered un-credible, liars, delinquents, made the object of political erasure, part of an erasure which goes as far as to question their very humanity?

Our report exposes a year of observations and testimonies from displaced people present in Calais. These individuals recounted to us the facts of their daily existence, of which we were also witness, but they also showed us their injuries, their lacerated shelters, their red eyes and above all their disillusionment and their upset in the face of situation that is not moving towards the better.

How can they argue, denounce such State violence, when the displaced people who raised their voices before them were considered un-credible, liars, delinquents, made the object of political erasure, part of an erasure which goes as far as to question their very humanity?

To talk or to be silent, to suffer or to respond to the violence, to constantly ask oneself how to trust the institutions who mistreat people. In 2016, dozens of complaints of violence were made against police officers, by displaced people in Calais. To what end? Interviews dragged on, enquiries were slow, cases had no follow up despite months, years of waiting. Calais is like the rest of France, a place where the state protects at all costs its police, even at the cost of the law.

Today, it is no longer a question as to whether these acts of violence are real, as the IGA, the IGPN and the IGGN themselves consider that it is "*plausible that there are breaches of doctrine regarding the use of force and police ethics, principally in Calais.*" It is now a question of continuing to denounce, be outraged, and demand justice, respect and rights for displaced people.

Over the course of this year, observations and testimonies have shown that police practices are still repressive, and that displaced people continue to suffer multiples abuses, harassed even in their dwellings. This policy of repression questions the very role that law enforcement officers play in French society, when they continue to act in defiance of the law and are still supported by the authorities.

In Calais, the use of force is not proportional, nor necessary, and the maintaining of order has become a pretext to justify all the abusive activities.

Worse, violent practices have become commonplace. In October and November 2018, the number of reports of violent acts committed by the police has increased in comparison to the beginning of the year. According to our study, this violence is difficult to justify, often taking place during illegal evictions, which are ever increasing, and affecting those already extremely vulnerable due to their current situations, including minors.

Another insurmountable hurdle that persists in attempting to question the legality of police practices is that of identifying individual officers. Despite the IGPN, the IGA and the IGGN highlighting in their 2017

report the non-compliance of wearing obligatory identification numbers (*Référentiel des Identités et de l'Organisation (RIO)*), this practice carries on. The report recommended however that the Department for Public Security (*Direction Départementale de la Sécurité Publique (DDSP)*) “remind and enforce officers to respect their obligation to visibly wear their [identification] numbers.”¹⁷

Despite these recommendations, volunteers noted that police officers nevertheless failed to wear numbers consistently, making it particularly difficult to file complaints against individual officers when they engaged in misconduct.

Combined with the obstacles to free movement, forced dispersals, verbal aggression and the detentions, the atmosphere in Calais is undeniably hostile, if not outright dangerous for displaced people. Those seeking safety should not be subjected to the violence and abusive behaviour of institutions whose purpose is to protect human rights, those of the most vulnerable. Not only do these acts undermine the fundamental rights of the individuals, but they contribute to further isolating an already highly marginalised population.

Recommendations

In order for violent practices, that violate human rights to cease, we ask for:

- **An official reminder to the police of the ethical obligations incumbent upon them, and the limits of their legal framework for intervention.**
- **Regular information for displaced people regarding police operations, in languages accessible to them, from state authorities.**
- **The organisation of regular, independent missions that observe and monitor police practices.**
- **Facilitated access to information about their rights, complaints and psychological care, notably for victims of violence.**
- **The opening of dignified reception and accommodation facilities in Calais, with additional resources allocated to the protection of children.**

¹⁷ See footnote 9