



AS/Mig/inf (2023) 14

29 November 2023

Original: English

Committee on Migration, Refugees and Displaced Persons

Ad hoc Sub-Committee to carry out a fact-finding visit to Calais, France

Report¹

Rapporteur : Ms Stephanie Krisper, Austria, ALDE

A. Introduction

1. The Committee on Migration, Refugees and Displaced Persons established, with the authorisation of the Bureau of the Assembly, an ad hoc Sub-Committee with the aim to look into the situation of refugees and migrants as well as their defenders in and around the city of Calais. Ms Stephanie Krisper (Austria, ALDE) has been appointed by the Committee on 21 September 2023 to chair this ad hoc Sub-Committee. The Sub-Committee also includes members of the Committee on Migration, Refugees and Displaced Persons, namely Mr Jeremy Corbyn (United Kingdom, SOC), Mr Emmanuel Fernandes (France, UEL), Mr Pierre-Alain Fridez (Switzerland, SOC) and Ms Sandra Zampa (Italy, SOC), who joined the fact-finding visit. The Sub-Committee is also composed of Mr Paul Gavan (Ireland, UEL), Ms Arusyak Julhakyan (Armenia, EPP/CD), Ms Kate Osamor (United Kingdom, SOC) and Mr Marco Scurria (Italy, EC/DA), who could eventually not join the visit due to imperative commitments.

2. The mandate of the ad hoc Sub-Committee was to draw attention of parliamentarians from member States of the Council of Europe to the humanitarian needs of migrants, asylum seekers and refugees in Calais, to encourage solidarity between France and the United Kingdom in ensuring that their rights are respected, and in devising coordinated and human-rights based border management policies.

3. The visit was aimed more particularly to gain insights into the effectiveness of access to fundamental rights, the role of the police in keeping order and, possibly, the co-operation with the British authorities on the matter, the role of NGOs in providing support to migrants, asylum seekers and refugees, and the perception of the local population.

4. For this purpose, the ad hoc Sub-Committee held meetings with the following actors:

- Ms Véronique Deprez-Boudier, Sub-Prefect of Calais, and Mr Hervé Derache, Divisional Commissioner and Interdepartmental Director of the Border Police, as part of a visit to the Coquelles administrative detention centre;
- Ms Véronique Deprez-Boudier, Sub-Prefect of Calais, and Ms Nathalie Chomette, Departmental Director of Employment, Labour and Solidarity, as part of a visit to the shelter, the recycling centre, the shower and meal preparation areas;
- local representatives from Calais, Marck and Grande-Synthe municipalities;²
- representatives of associations from the Migrant Support Platform (PSM);³

¹ Declassified by decision of the Committee at its meeting on 8 December 2023.

² Namely: Mr Philippe Mignonet, Deputy Mayor of Calais in charge of security, Mr Dimitri Louvet, municipal councillor of Marck, responsible for safety, nuclear risk, disability, fire and rescue services, and Ms Hélène Verrière-Govaere, Deputy General Director, Social Link and Local Life Department of Grande-Synthe municipality.

³ Represented by: Ms Julie Brémont, Coastal Child Protection Co-ordinator (Inter-association project – ECPAT France / Utopia 56 / Safe Passage / Croix-Rouge Française); Ms Alexia Douane, Refugee Women Centre ; Ms Chloé Magnan, Calais Food Collective (access to water and issues relating to places of confinement – Administrative detention centre) ; Ms Amélie Moyart, Utopia56 (coastal marauding and rescue needs at sea/shipwrecks, deaths at the border); Ms Bérange

- as well as a large number of migrants, asylum seekers and refugees met thanks to a series of visits of their living areas.

B. Background

5. This visit is part of a long-term process of the Council of Europe as a whole regarding the assessment of the situation of migrants, asylum seekers and refugees in Europe, covering their humanitarian conditions, including their living conditions, the legal issues at stake, but also the situation of role of the stakeholders dealing with migrants, asylum seekers and refugees. There has been for instance the work done by successive Council of Europe's Human Rights Commissioners, such as Mr Thomas Hammarberg, who paid in May 2010 a two-day visit to Calais and the surrounding area as well as to Paris, underlining already a difficult situation on spot and the efforts made by the authorities, while raising remaining worrisome problems, such as harassment by police forces and the particularly problematic situation of unaccompanied minors.⁴ On 1 December 2021, Ms Dunja Mijatović, current Commissioner, sent letters to France's Interior Minister and his British counterpart, following the shipwreck that occurred on the Channel in November 2021, in which 27 people perished, to raise rescue at sea issues. She *inter alia* raised that, if France and the United Kingdom are clearly entitled – and indeed obliged under international law – to combat the smuggling of migrants and trafficking in human beings, this imperative could not obscure some key underlying issues that were at the heart of the situation. These included the lack of a framework, devised and implemented through co-operation between France and the United Kingdom, which could enable people on French territory who were in need of protection, or who had other legitimate reasons to apply for a right to stay (such as family links in the United Kingdom), to pursue these claims and thus prevent them from attempting to cross the Channel by dangerous and irregular routes. Ms Mijatović pointed out that the approach adopted by France and the United Kingdom to cross-Channel migration increasingly focused on security aspects and seemed, as a result, worsening the situation by redirecting the persons concerned towards the most perilous routes.⁵

6. It is also relevant to refer to the important coordination and field work done by Special Representatives of the Secretary General (SRSG) on migration and refugees. Thus Ambassador Tomáš Boček carried out a fact-finding mission on the situation of migrants and refugees in Calais and Grande-Synthe on 12-13 and 21-23 September 2016, which purpose was to identify how the Council of Europe could offer assistance to the national authorities of both France and the United Kingdom in order to improve the situation of the growing number of refugees and migrants in camps at the border, and especially the situation of the high number of unaccompanied children living there.⁶

7. These observations made by various institutions of the Council of Europe before the fact-finding visit have raised recurrent problems that are of interest for the present assessment of the humanitarian situation of the migrants, asylum seekers and refugees.

C. Who are the individuals of concern in Calais and Dunkirk areas?

8. It was of utmost importance for the ad hoc Sub-Committee members to meet and talk with migrants, asylum seekers and refugees in person. According to the associations met, there were at the moment of the visit probably about 4 000 migrants, asylum seekers and refugees living in the whole region with about 2 000 in Grande-Synthe/Loon-Plage, which is the most important living area for the persons concerned that the delegation visited. In Calais, the majority of migrants, asylum seekers and refugees are from Sudan and South Sudan; there are also quite a few Syrians. In Grande-Synthe, they are mainly Afghans, Kurds – both Iraqis and Iranians, Eritreans, Ethiopians and Palestinians. There are also quite a few Albanians, Indians, Turks, Vietnamese and to a lesser extent other minority nationalities (Egypt, Kuwait, etc.). Hence, the individuals of concern seem to come mainly from war-torn countries or countries where their security is at stake.

Lucotte, French Red Cross or a representative of Médecins du Monde – *to be confirmed*; Ms Noémie Cassiau, Human Rights Observers (access to rights, police violence, expulsions); Ms Ella McGee, Care4Calais (British humanitarian aid provider).

⁴ https://www.coe.int/az/web/commissioner/news/-/asset_publisher/easZQ4kHrFrE/content/calais-commissioner-hammarberg-discusses-migration-and-asylum-policies-with-the-french-government.

⁵ https://search.coe.int/commissioner/Pages/result_details.aspx?ObjectId=0900001680a4c361 (in French only) and https://search.coe.int/commissioner/Pages/result_details.aspx?ObjectId=0900001680a4ace1.

⁶ https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016806ae620.

9. According to the Border Police, 90% are single adults. Beyond the single adults, mostly males, there are however other groups particularly vulnerable due to their fragile situations and the double discrimination they suffer from, requiring consequently special consideration and a specific approach, namely women and minors, including unaccompanied minors. While women are often victims of (particularly sexual) violence, minors are more subject to psychological trauma all along their route, cumulating with all the detrimental experiences migrants, asylum seekers and refugees suffer from at such disastrous congestion points, i.e. the places where migrants, asylum seekers and refugees concentrate when arriving in or trying to depart from Europe. The associations met informed the parliamentarians that the 80 minors they take currently care of did not receive proper information about their rights. The associations added that this number of minors followed by them is probably below the effective number of migrant minors living in Calais and Dunkirk areas.

D. No way back and forth

10. The delegation observed places where huge resources have been invested by the State on various means of deterrence, mainly fences and other types of protections, with the aim to inhibit irregular transit to the United Kingdom. It was informed that these infrastructures had been mainly funded by the British authorities. It should be noted in this respect that the 2003 Treaty of Le Touquet, which is the key bilateral framework for managing the borders between France and the United Kingdom, led *inter alia* to delocalise the United Kingdom's border controls on the French territory.⁷

11. The delegation was informed during the meeting with the Sub-Prefect of Calais and the Divisional Commissioner and Interdepartmental Director of the Border Police that dismantling a network of smugglers by investigating, collecting evidence, going through the legal procedures etc., takes from 8 to 12 months, and that such a network is quickly reconstituted or replaced. During the meeting with the Sub-Prefect of Calais and the Divisional Commissioner and Interdepartmental Director of the Border Police, the delegation was also informed that the co-operation with the British authorities does not seem to be satisfactory, *inter alia* with regard to investigations and legal procedures. On a separate note, the interlocutors informed the delegation that 70 to 80 individuals trying to cross by the Tunnel are detected every week, due to numerous controls and various technical means (drones, thermic and cardiac detectors, etc.), whereas they were about 700 every week about 10 years ago.

12. Since controls and detection means have been drastically developed by land, and Calais is surrounded by fences, most of migrants, asylum seekers and refugees try to cross over the Channel from alternative places of departure more to the North (Cherbourg, Ouistreham for instance). Smugglers benefit from the desperate situation of the individuals concerned willing in their majority to reach the United Kingdom, whatever the price to pay and risk to take for such a decision. Whereas individuals have to pay at least from €3,000 to €6,000 to cross the Channel,⁸ a single Channel crossing can generate profits between €70,000 and €80,000 to smugglers.⁹ One in two attempt by sea seems to be successful, for a record total of 45,000 crossings in 2022. Many migrants, asylum seekers and refugees do not seem to be sufficiently aware of the dangers of crossing the Channel, which are not comparable to the Mediterranean Sea, as for example risks of collisions with one of the about 400 commercial ships crossing over every day. To prevent boats from reaching the shore and picking up individuals with a view to crossing the Channel, the French government installed a floating boom and concrete anchoring blocks on the banks of Canche River.¹⁰ Associations informed the parliamentarians that the Border Police is also massively present on beaches and seem to harass individuals on a regular basis, using, among other alleged violence, tear gas.

13. Many migrants, asylum seekers and refugees are stuck in Calais and Dunkirk areas mainly because they have nowhere to go, are deprived of any perspective or are often not taken back by their countries of origin. Among the asylum seekers, the majority is stuck in Calais and Dunkirk areas due to the dysfunctionality of the "Dublin" Regulation, as mentioned in the precited 2016 report by the SRSG on migration and refugees Ambassador Tomáš Boček. The most recent statistics indicated that in 2022, France reported the second-largest number of outgoing asylum applications' requests (44 881) after Germany (68 706).¹¹ Furthermore,

⁷ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/273239/6604.pdf.

⁸ <https://www.ouest-france.fr/monde/migrants/traversees-de-migrants-ces-reseaux-qui-s-enrichissent-3c7d2bee-4df5-11ec-a95a-65d4098bd160> (in French only).

⁹ <https://www.infomigrants.net/fr/post/45267/une-seule-traversee-de-la-manche-generait-entre-70-et-80-000-euros-de-benefices--un-reseau-de-passeurs-demantele-en-region-parisienne>.

¹⁰ <https://france3-regions.francetvinfo.fr/hauts-de-france/pas-calais/berck/barrage-flottant-un-dispositif-anti-migrants-deploye-sur-la-canche-2824334.html> (in French only).

¹¹ [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Statistics_on_countries_responsible_for_asylum_application_\(Dublin_Regulation\)](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Statistics_on_countries_responsible_for_asylum_application_(Dublin_Regulation)). See also: [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=File:Fig2n_Number_of_requests,_2022_\(number\).png](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=File:Fig2n_Number_of_requests,_2022_(number).png).

such a situation is exacerbated by the inadequacy of the formal reception system, the lack of information about asylum seekers' rights as well as cumbersome and long procedures.

14. Current procedural dysfunctionalities on expulsions and referrals in the context of the Dublin Regulation are problematic for the efficiency of European asylum system as a whole, and leave the persons concerned without perspective and legal rights, in inhuman living conditions, despite France's and other States' obligations.

15. During its visit to the Coquelles administrative detention centre, the delegation was told that the majority of the persons detained were irregular migrants who had already served a sentence after a conviction for a criminal offence, and being detained again pending their expulsion to their country of origin or the "Dublin" country. Despite real efforts from the authorities to ensure correct detention conditions, the difficult working conditions for the police forces working in the centre were obvious, including because of insufficient staff rotation. The delegation was informed by NGOs that there had been no pillows until 2021 and no heating in the rooms. While visiting the infirmary, and based on the information received from NGOs as well, the parliamentarians were informed of hunger strikes, limited access to medical services, problematic health situations, with psychological disorders being downplayed.

E. Humanitarian aid and basic needs

16. There are various administrative and elected authorities on different levels who have responsibility vis-à-vis migrants, asylum seekers and refugees, depending on their respective functions and mandates. When the delegation met representatives of municipalities, it observed that their approach to this responsibility varies a lot. While some municipalities are reluctant with regard to assisting migrants, asylum seekers and refugees as well as humanitarian NGOs, some others such as Grande-Synthe do their best to do so – despite limited resources. The NGOs supporting migrants, asylum seekers and refugees are numerous and should be indeed distinguished between mandated and non-mandated associations. Mandated NGOs benefit from public authorities' delegation and public funds with a view to assist the individuals concerned on various aspects, such as shelters, food and water distribution, electricity supplies, information, etc. Non-mandated NGOs are more numerous and depend on private funds. Public authorities work smoothly with mandated NGOs, whereas there are more tensions with non-mandated NGOs, the latter working either where State and mandated associations are absent, or in a supplementary manner.

17. It became clear during the visit that even the basic needs of a high number of migrants, asylum seekers and refugees in the visited areas are not met. Their living conditions overall reflect a lack of protection of their basic rights.

18. Housing is deficient. In 2022, almost 140 000 first applications for asylum were registered in France.¹² As of 1 January 2023, there are around 46 746 accommodations in reception centres for asylum seekers, mainly located in the three main metropolitan regions with the highest number of applications: Ile-de-France, Auvergne-Rhône-Alpes and Grand Est. In the area of Calais, where about 4 000 migrants, asylum seekers and refugees are in need, there is evidently a dramatic lack of accommodation, with only 160 places and 274 "mises à l'abri" (emergency accommodations, often open for coldest nights only, and not during day hours).¹³

19. The insufficient places of accommodation are moreover situated in remote places that are very difficult to access, leaving the persons living there depending on transportation means organised by the authorities. Housing becomes even more problematic for vulnerable groups, namely women and minors. There is moreover a serious shortage of shelters for young people in the Pas-de-Calais and Nord "départements", leaving children without the protection needed due to their age and possible experience of trauma, violence etc. France's administrative layer called "département" (responsible for child protection) is not fulfilling its role accordingly, and hospitals as well as police forces call too often directly non-mandated associations, such as Utopia 56, to take care of them. NGOs informed the delegation that after the recent dismantlement of the Turquerie camp in October 2023, children whose shoes had been taken away spent days with their feet in plastic bags, and many of them fell ill. Minors are furthermore in conditions of promiscuity with adults, without proper facilities, and do not have easy access to systems of protection and guardianship.

20. Access to water and toilets remains deficient as well, provided in the relevant region by rotations of NGOs, organising food distribution and providing few water tanks of 1000 L, with the subsequent problem of drinkability. Access to water is not guaranteed everywhere, with only one in Calais and only following a court

¹² https://media.interieur.gouv.fr/bomi/BOMI2023-5-2/textes/D00_20230419_IOMV2305068J.pdf.

¹³ <https://www.lacimade.org/schemas-regionaux-daccueil-des-demandeurs-dasile-quel-etat-des-lieux/>.

ruling. But also this single fountain is now a one-hour walk from the largest camp. Non-mandated NGOs provide more water than other sources. In total, only 5 litres per person are provided per day, according to the associations met, which is below the recommended limit.¹⁴ Migrants, asylum seekers and refugees have therefore not enough water – and appropriate equipment – for cooking, taking showers or cleaning up goods and equipment. There are moreover no toilets installed in the relevant areas. The delegation was also informed that the lack of access to toilets leads to urinary pathologies for women. Furthermore, women and minors are more confronted to danger and violence. Indeed distant, unsecured access to toilets, water, showers, etc. puts people in danger – e.g. crossing train tracks – and increases the risk of exploitation, particularly of the most vulnerable, namely minors and women – e.g. sexual acts in exchange for a shower, a bed, etc.

21. Access to food is also dramatically difficult for too many individuals. Food distribution relies mainly on non-mandated NGOs. The parliamentarians were informed that some municipalities are particularly reluctant to such assistance, considering this as a “pull-effect” (terminology used by officials met), leading to bylaws banning food and water distribution in town. Access to food is even more problematic for women and families, since the distribution points are not enough and too overcrowded, with all the implications of such situations, such as risks of tensions, violence etc.

22. Non-food items, such as blankets, tents, shoes etc., lack as well for most of the individuals of concern, without mentioning testimonies of goods (the precited items, as well as mobile phones) brought or destroyed by police forces when they expelled individuals from their living places. The representatives of the Migrants Support Platform (PSM) met raised numerous cases of supposedly violations and harassment vis-à-vis individuals by police forces. When they are expelled from a living place, they often lose everything and most of the time will not see their few goods again. In this respect, associations lodged complaints in 2018 against the State for confiscation of property.¹⁵ Part of the delegation visited “la ressourcerie”, a place difficult to access where belongings which were abandoned during police operations can be retrieved by their owners. The delegation saw numerous backpacks, clothes, toys and religious artefacts. By harassing migrants, asylum seekers and refugees, and making them more invisible, the authorities ultimately strengthen smugglers who are the last point of contact with them.

23. Access to healthcare is deficient too, fortunately partly compensated by mobile infirmaries and clinics ensured by NGOs, either mandated or not, but not in a sufficient proportion. There are specialised departments in hospitals for access to healthcare dedicated to migrants, asylum seekers and refugees in Calais and Dunkirk hospitals, but they are most of the time not known by them. Due to the described policy of negligence and harassment, it is moreover difficult to reach the individuals in need and for them to reach hospitals considering the long distance from their living places. The delegation was told by NGOs that volunteers often use their own vehicles to transport patients to hospital.

24. The delegation was impressed by the devotion of the NGOs supporting migrants, asylum seekers and refugees, despite limited means and a recurrent lack of human resources, in particular for the associations not mandated by State authorities and fully depending on private sources.

F. Conclusions and recommendations

25. The situation of refugees, migrants and asylum seekers in Calais and Dunkirk areas is appalling. Whilst ensuring their necessary border control sovereignty, as well as full respect of public order and security of the citizens living in the considered areas, France, and beyond all Council of Europe’s member States, must guarantee the fundamental rights and essential needs of refugees, migrants and asylum seekers.

26. It is highly problematic, but also symptomatic of member States being confronted with a high number of individuals with different status of vulnerability, backgrounds and reasons to seek security in Europe, still do not see the human dignity of each individual, and the imperative to respect it. Each of them is in desperate need of housing, food, water and other items, and winter is coming. Hence, further humanitarian aid through additional volunteers and resources for the associations acting on spot, especially the non-mandated structures, are urgently needed. Negligence vis-à-vis the fundamental dignity and core human rights of these individuals should end, as well as violations and harassments committed by police forces.

27. Beyond the congestion points themselves, there is a need to develop further aid to and co-operation with countries of origin and transit, including those impacted by climate crisis, which implies support for

¹⁴ According to the World Health Organization (WHO), between 50 and 100 litres of water per person per day are needed to ensure that most basic needs are met and few health concerns arise.

See https://www.un.org/waterforlifedecade/pdf/human_right_to_water_and_sanitation_media_brief.pdf.

¹⁵ https://www.lemonde.fr/immigration-et-diversite/article/2018/01/15/calais-des-associations-portent-plainte-contre-la-confiscation-des-biens-des-migrants_5242004_1654200.html (in French only).

democratic and social stabilisation in these countries. This entails a shared responsibility between all European countries, in order not to leave the burden to countries on the external border of the EU, where congestions points are observed.

28. Following this fact-finding visit, the ad hoc Sub-Committee has made specific observations and recommendations, and is at the disposal of the French authorities to transmit such observations and recommendations, upon request.

29. Further, the Assembly should work further on resolutions and potentially other formats of follow-up to this fact-finding visit, aimed at underlining the needs to improve the situation of refugees, migrants and asylum seekers in Calais and Dunkirk areas, and beyond in other congestion points on European soil where there are concentrations of arrivals – and departures – of individuals. In this respect, the ad hoc Sub-Committee thus suggests that the Assembly work further in the near future on the following thematic issues:

- The challenges and needs of public and private actors involved in migration management;
- The humanitarian crisis generated by congestion points of the European refugee and migration routes;
- Unaccompanied minors' fundamental rights violated along refugee and migration routes;
- How to reduce migration's incentives and how, at the same time, to secure and organise migration's routes?