



COUNTRY FACTSHEET: FRANCE 2012

EUROPEAN MIGRATION NETWORK

1. Introduction

This EMN Country Factsheet provides a factual overview of the main policy developments in migration and international protection in France during 2012, including latest statistics. It has been prepared in conjunction with the European Commission's 4th Annual Report on Migration and Asylum (2012).

2. Legal Migration and Mobility

2.1. PROMOTING LEGAL MIGRATION CHANNELS

France public action is overall structured by **four principles**: optimising the **contribution of immigrants to French society and economic growth**; **attracting talent** to the country in order to ensure France's position at the global level, thus **promoting higher education, research and enterprise**; consolidating the **French social model** and; **fighting against irregular immigration**.

Several measures have been introduced in 2012. For example, a parliamentary debate on migration for economic and student purposes contributed to **the implementation of the National Pact for Growth, Competitiveness and Employment**, adopted on 6 November 2012. Overall, the pact aims to strengthen France's attractiveness by 'welcoming foreign talents and professional visitors who contribute to the dynamism and reputation of the French economy'.

Following the aforementioned action principles, the government intends to improve the mechanisms for receiving and integrating foreigners legally residing in France. Thus, several developments took place, e.g. a **procedural reform to improve the reception of foreigners** took place in order to improve the reception and staff procedures at prefectures. As a result, several tools were developed establishing general principles for the prefectures to follow. Also, a circular introduced on 4 December 2012, established a **detail roadmap providing recommendations as well as quality indicators**. These initiatives will be

monitored by a mission managed by the Ministry of Interior.

Overall, France information policy for the promotion of legal migration channels is developed throughout its diplomatic network, e.g. websites, embassies and specialised agencies such as Campus France.

A. ECONOMIC MIGRATION

The **number of first-time long residence permits for economic reasons has declined since 2008**, representing 9% of all first residence permits in 2012. In order to provide **greater legal and procedural stability on exceptional residence requests**, circular of 28 November 2012 was introduced relating to the admission for residence for foreigners with an irregular situation. On the same year, circular of 31 May was established in order to make the principles regulating the **access to the labour market to foreign graduates more flexible**. Circular of 31 May 2012 recommends facilitating the issuance of provisional authorisation of residence, enabling foreign Masters-level graduates to seek employment. Regarding **interns**, a new category was introduced 'associate intern in a public health establishment' relevant for doctors, pharmacists and nurses. From now on, this category of interns can benefit from a long-stay visa equivalent to a residence permit. Also in 2012, the list for "shortage occupations", opened for non-EU citizens, returned to its original effects and is now composed by 30 occupations¹. Finally, circular of 26 August 2012 simplified access to labour market and professional training to nationals from Bulgaria and Romania.

2.3. FAMILY REUNIFICATION

The circular of 28 November 2012 also introduced specific provisions on family reunification regarding the admission for residency of foreigners in an irregular situation. The circular covered several categories of

¹ The list was shortened to 14 occupations in 2011, due to the economic crisis.

foreigners such as: parents of children attending school, partners of foreigners with a significant length stay, young adults and victims of domestic violence and trafficking in human beings. Also, in order to enable a temporary residence permit to those holding a European Blue Card, a new type of professional visa was introduced, where also the spouses of the visa holders are granted a 'Private and Family Life' residence permit allowing them to also work.

2.4. INTEGRATION

Since 2007, the Reception and Integration Contract (CAI) was made compulsory in France, aiming to prepare the integration of new immigrants into French society. The CAI, which is signed by the Prefect (representing the State) and the migrant, with one year duration, may be renewed for another year. During 2012 **a total of 101, 368 CAIs were signed**. Regarding specific provisions for the **integration for family migrants**, the French Office for Immigration and Integration (OFII), who is responsible for the arrangements and provision of French language training and tests within the migrants' countries of origin, signed agreements to ensure the process was operational in 43 additional countries. A total of 24,096 dossiers were registered in 2012. **French language training continues to be a priority** within the integration policy. As a result, language training was organised at national level (by OFII) for CAI beneficiaries and those migrants who arrived before the CAI was set up.

Encouraging the professional integration of migrants represents another priority. The multi-annual framework agreement for the period 2010-2013 continued with its tasks. The signatories of the agreement include: OFII, the Ministries responsible for integration and employment² and *Pôle Emploi*³. The aim of the agreement is to facilitate guidance and to reduce periods of unemployment for job seekers signatories of a CAI. For this purpose, partnership agreements have been concluded with: representatives of professional sectors and large economic networks, industrial groups and association networks for newly-arrived young and graduate female immigrants.

Also, the 'Seal of Approval for Diversity' and 'Charter for Diversity' initiatives continued their activities, with the latter being signed by 3,500 companies and other public and private organisations by the end of 2012. In addition, the Decree No.2011-1265 came into force in 2012 and provided that the language level of persons applying for **naturalisation** will no longer be assessed through an individual interview, but it can

now be evidenced with a certificate issued by a recognised institution in France.

Finally, the circular of 16 October 2012 from the Ministry of Interior, aimed to make a better consideration of the potential of young graduates and high level students, thus focusing on a balanced assessment on the basis of the applicants background and career and therefore avoiding systematic exclusion from naturalisation.

2.5 MANAGING MIGRATION AND MOBILITY⁴

The Law of 16 June 2011 and the Decree of Application of 6 September 2011 on migration and integration, regarding the creation of new types of visas, were implemented in July 2012. During the same year, **France continued to extend the collection of biometric data** throughout: its integrated consular services; external service providers and; the consulate and out-sourced receipt of applications. The latter will be taken over soon by external service providers in 2013. Since 29 June 2012, the PARAFE system (French Automated Schengen External Border Crossing System) is available in four kiosks at the Marseille-Provence airport. France has also continued its participation in the **POSEIDON Frontex** operation between the Greek-Turkish borders.

3. International Protection and Asylum

France continues to support the creation of a common area of protection for the establishment of a real common European asylum system.

In 2012, the French Office for the Protection of Refugees and Stateless Persons (**OFPPRA**) **Decision of 18 March 2011, placing Albania and Kosovo as safe countries of origin, was repealed** in March 2012. During the same year **OFPPRA also withdrew Mali from the list of safe countries of origin**. Also during March 2012, the European Resettlement Programme was adopted through amendments to the European Refugee Fund (ERF) Decision. France also continued to participate within the European Asylum Support Office (EASO) Board of Directors meetings and activities, including the action plan for Greece. Furthermore, OFPPRA incorporated to its training programme, the EAC, an EASO training programme.

Regarding **resettlement, during 2012 a total of 89 persons** (mainly Congolese and Iraqis) have been received in France as part of the resettlement programme.

4. Unaccompanied Minors and other Vulnerable Groups

Following the European Commission Action Plan on Unaccompanied Minors, EASO organised a set of workshops on the subject of establishing the age of unaccompanied minors. France has continued its

² Directorate for Reception, Integration and Nationality (for integration issues) and the Directorate for Employment and Professional Training (for employment issues).

³ The national public body tasked with access to employment.

⁴ "Managing migration and mobility" refers to the following themes: visa policy, Schengen governance and border monitoring.

commitment and participation on such workshops in order to contribute to the 'handbook' EASO was expected to present during the first half of 2013.

5. Actions against Trafficking in Human Beings

The French Office for the Suppression of Trafficking in Human Beings (OCRTEH) and the French Office for Combating Illegal Employment (OCLTI) continue to coordinate their efforts with the Office for the Suppression of Unauthorised Immigration and the Employment of Foreigners without Residence Permits (OCRIEST) to detect and investigate cases of trafficking in human beings. Furthermore, OCRTEH has increased its cooperation with EUROPOL, particularly regarding the PHOENIX Analytical Work File, aimed to combat trafficking in human beings with the purpose of sexual exploitation.

In terms of legislative changes, **in 2012, France prepared a draft law in order to transpose Directive 2011/36/EU** on the prevention of trafficking of human beings and the fight against this phenomenon and it foresees its adoption during 2013. The draft law introduces different provisions, for example: it considers the removal of organs as a form of exploitation and thus it is considered as trafficking in human beings; it provides the alternative means to characterise trafficking in human beings including the abuse of authority or a situation of vulnerability and; it extends the crime of trafficking in human beings by introducing a reference to slavery and forced work. Finally, after its approval on November 2012, the **Inter-ministerial Mission for the Protection of Women against Violence and Trafficking in Human Beings (MIPROF) was created** by Decree No. 2013-7 of 3 January 2013 within the Ministry of Women's Rights, in order to ensure the national coordination of the fight against trafficking in human beings.

6. External Dimension of EU Migration Policy

Following the adoption of the Global Approach to migration, France continues to implement **bilateral agreements with countries of origin**. The agreements usually include the following components: legal migration; the fight against irregular migration and; the establishment of development and co-development work through solidarity.

By the end of 2012 France had concluded: eight agreements on the management of migration flows and solidarity development with Benin, Burkina Faso, Cameroon, Cape Verde, Congo, Gabon, Senegal and Tunisia; seven agreements on the mobility of young people/youth exchanges with Gabon, Lebanon, Macedonia, Montenegro, Serbia, Bosnia and Albania; three agreements on professional migration with Russia, Mauritius and Georgia and; an agreement for

the creation of a bilateral mechanism for joint consultations on migration issues with Brazil.

7. Irregular Migration

During 2012 the fight against irregular immigration continued as a priority to be translated into sustained action against clandestine immigration flows. Several policy developments took place in this area, for example, in order **to comply with the Return Directive, Law No.2012 1560** regarding detention for the purpose of checking the right to residency was introduced in 2012. The Law **introduced** a maximum of 16 hours **administrative detention, accompanied by guarantees** such as: right to a lawyer, interpreter, doctor and legal aid amongst others. Furthermore, **the offence of irregular residence was abolished**. Nevertheless, the law considers an offence when a foreigner with a removal/expulsion order remains irregularly in French territory without a legitimate reason. In addition, the law reduced the scope of the offence of aiding irregular entry and residence, excluding families of foreigners' spouses, and **it abolished the offence of solidarity**. Also, following the introduction of circular of 6 July 2012, the **removal of families with children requires house arrest** to be established **as a priority**, leaving administrative detention as a last recourse. During 2012, 117 families had been placed under house arrest. OCRIEST continued its work regarding the fight against organised networks of irregular immigration, irregular employment and document fraud. Thus in 2012, 178 networks were dismantled and 5,600 people were prosecuted. As a result of the government's policy to combat irregular migration, the number of removals increased by almost 12% in 2012 when compared to 2011. Regarding Frontex removal operations, France participated in 22 European charter flights mainly destined to Nigeria, Georgia and Serbia.

8. Provision and Exchange of Information to support Policy Development

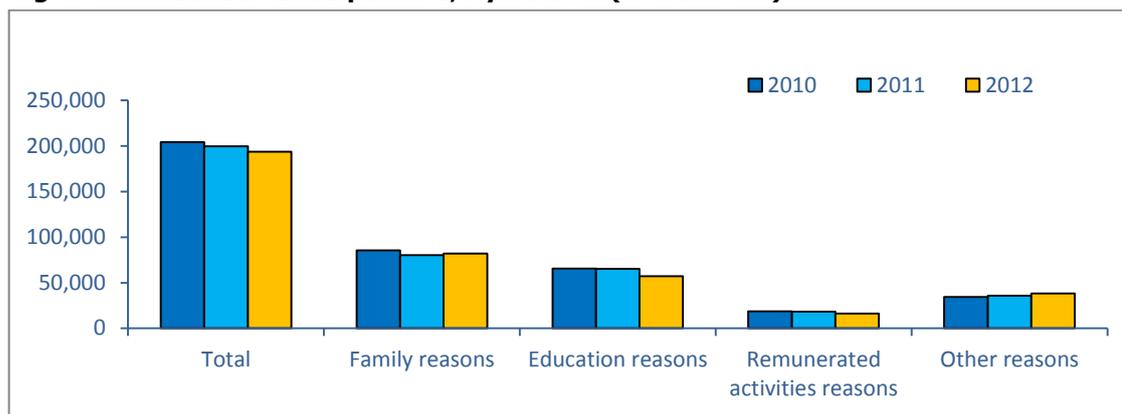
France continues to exchange information at the EU, national and regional level throughout the EMN in which it has been actively involved through the different activities organised during 2012. At national level, the French National Contact Point (NCP) has also participated and organised a conference on a Common European Asylum System.

STATISTICAL ANNEX

The Statistical Annex provides an overview of the latest available statistics for France on aspects of migration and asylum (2010-2012), including residence, asylum, unaccompanied minors, irregular migration, return and visas. Where statistics are not yet available, this is indicated in the Annex as "N/A".

Statistical Annex: Immigration and Asylum in France (2010-2012)

Figure 1: First residence permits, by reason (2010-2012)



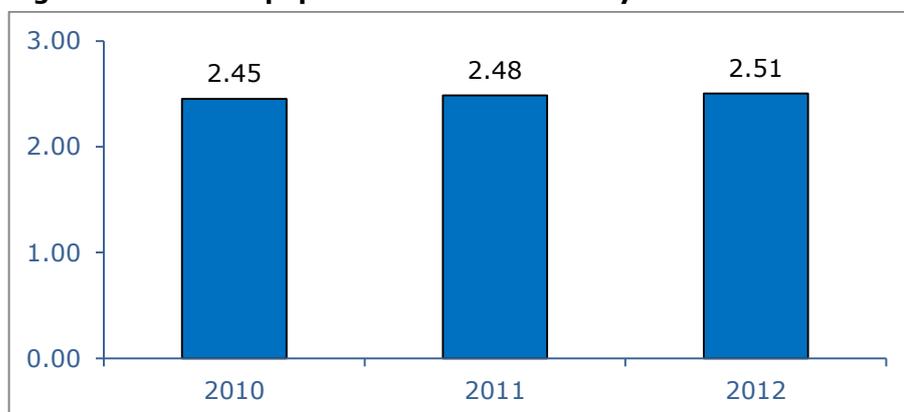
Source: Eurostat migration statistics (migr_resfirst)

Table 1: First residence permits: Top 5 nationalities (2010-2012)

2010	2011	2012
1. Algeria – 24,428	1. Algeria – 23,726	1. Algeria – 25,176
2. Morocco – 24,286	2. Morocco – 23,617	2. Morocco – 22,816
3. China – 14,540	3. China – 14,532	3. China – 14,684
4. Tunisia – 12,661	4. Tunisia – 11,944	4. Tunisia – 11,800
5. USA – 9,624	5. USA – 10,147	5. USA – 7,745

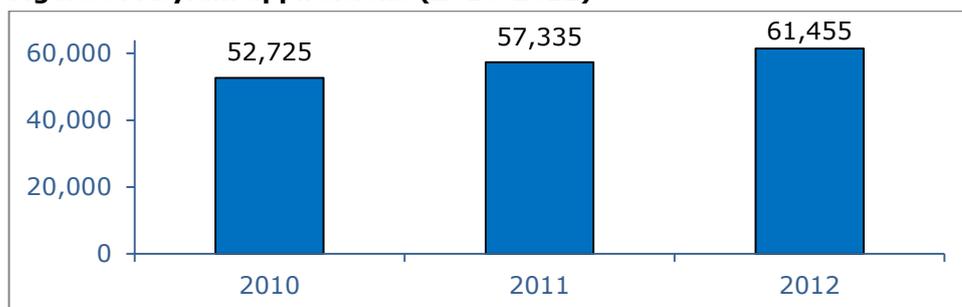
Source: Eurostat migration statistics (migr_resfirst)

Figure 2: Resident population of third-country nationals in millions (2010-2012)



Source: Eurostat migration statistics (migr_pop1ctz)

Figure 3: Asylum applications (2010-2012)



Source: Eurostat migration statistics (migr_asyappctza)

Table 2: Asylum applications: Top 5 nationalities (2010-2012)

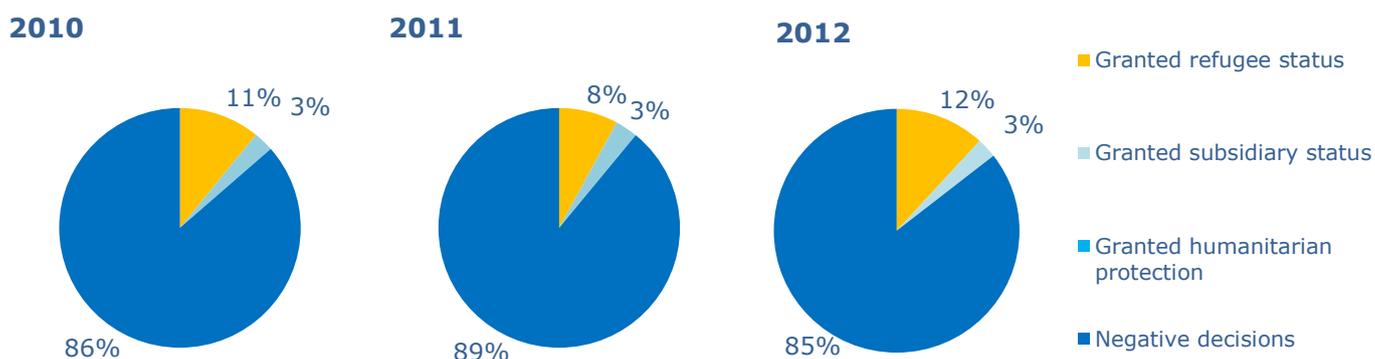
2010	2011	2012
1. Kosovo – 5,285	1. Russia – 4,480	1. Russia – 6,015
2. Russia – 4,695	2. Armenia – 4,195	2. Congo – 5,645
3. Congo – 3,715	3. Bangladesh – 4,140	3. Sri Lanka – 3,985
4. Bangladesh – 3,695	4. Congo – 4,105	4. Kosovo – 3,715
5. Sri Lanka – 3,410	5. Sri Lanka – 3,885	5. Albania – 2,705

Source: Eurostat migration statistics (migr_asyappctza)

Table 3: Asylum applications - First instance decisions by outcome (2010-2012)

	Total decisions	Positive decisions	Of which:			Negative decisions
			Refugee status	Subsidiary protection	Humanitarian reasons	
2010	37,610	5,095	4,080	1,015	N/A	32,515
2011	42,220	4,615	3,340	1,275	N/A	37,600
2012	59,830	8,645	7,070	1,575	N/A	51,185

Source: Eurostat migration statistics (migr_asydcfsta)

Figures 4-6: Asylum applications - First instance decisions by outcome (2010-2012)

Source: Eurostat migration statistics (migr_asydcfsta)

Table 4: Third-country nationals relocated and resettled (2010-2012)

	2010	2011	2012
Third-country nationals relocated	N/A	N/A	N/A
Third-country nationals resettled	360	130	100

Source: Eurostat migration statistics (migr_asyresa) and National contributions to EMN Annual Policy Report

Table 5: Unaccompanied minors (2010-2012)

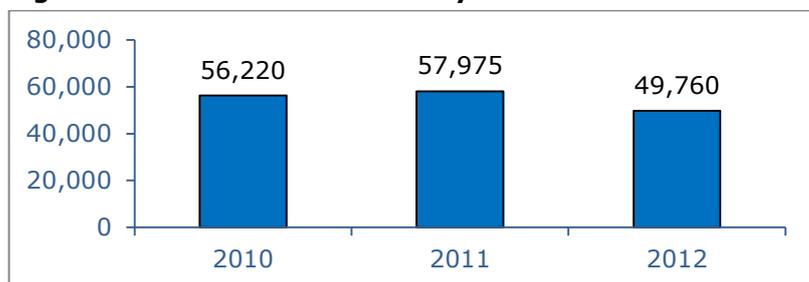
	2010	2011	2012
Unaccompanied minors (total)	N/A	N/A	N/A
Unaccompanied minors not applying for asylum	N/A	N/A	N/A
Unaccompanied minor asylum applicants	610	595	490

Source: National contributions to EMN Annual Policy Report

Table 6: Number of third-country nationals refused entry at external borders (2010-2012)

	2010	2011	2012
Third-country nationals refused entry at external borders	9,840	11,100	11,310

Source: Eurostat migration statistics (migr_eirfs)

Figure 7: Number of third-country nationals found to be illegally present (2010-2012)

Source: Eurostat migration statistics (migr_eipre)

Table 7: Third-country nationals returned (2010-2012)

	Third-country nationals ordered to leave	Returned as part of forced return measures	Returned voluntarily	Returned through an Assisted Voluntary Return Programme
2010	76,590	15,469	2,422	N/A
2011	83,440	12,990	2,775	N/A
2012	77,600	10,305	3,250	3,250

Source: Eurostat migration statistics (migr_eiord) and National contributions to EMN Annual Policy Report

Table 8: Number of visas issued by type (2010-2012)

	2010	2011	2012
Total visas	N/A	N/A	1,771,290 ⁵
Schengen visa (short-stay visas)*	1,780,607	1,941,477	2,107,308
National visa	N/A	165,745	129,295 ⁶

Source: Commission Staff Working Documents on the Annual Report on Immigration and Asylum; *DG HOME Statistics on Visa Policy website: http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/borders-and-visas/visa-policy/index_en.htm

⁵ Data from January until 30 September 2012

⁶ Data from January until 30 September 2012