LEGAL MIGRATION AND MOBILITY

PROMOTING LEGAL MIGRATION CHANNELS

No new developments were reported.

ECONOMIC MIGRATION

The Law of 10 September 2018 introduced measures on the right of residence of foreign nationals in France:

- The “talent passport” was extended; it enables innovative businesses to hire employees using this specific passport, as well as allowing for the possibility of issuing this residence permit to foreign nationals likely to participate in a significant and long-term manner to France’s economic, social international and environmental development and reputation.

- Conditions for temporary residence permits for intra-corporate transfers (both for interns and employees) were simplified.

- A new residence permit for au pairs was created.

- Foreign nationals who hold a qualification at least equivalent to a Master’s degree from an accredited national higher education establishment as well as researchers, can access the new “seeking employment or creating a company” residence permit.

- The entry and residence of students and researchers were facilitated, inter alia in the framework of the transposition of the Students and Researchers Directive (EU) 2016/801.\(^1\)

To combat social dumping, new legislation (the Law of 5 September 2018) was passed, which included training, voluntary service, pupil exchange schemes or educational projects and au pairing (recast).

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\(^1\) Directive2016/801/EU of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for the purpose of research, studies,
specific provisions on the posting of workers and the fight against illegal employment.

Furthermore, the procedures for issuing circulation visas to African students holding a French higher education qualification were simplified.

Lastly, the Government announced a new attractiveness strategy for international students which will simplify visa policy, increase classes in English, French-learning classes as well as study grants and create a label to improve reception provisions.

**FAMILY REUNIFICATION**

Following the new Law of 10 September 2018, violence within the family was added to spousal violence as a ground on which to not withdraw a residence permit to foreign nationals who entered France through family reunification.

**INTERNATIONAL PROTECTION INCLUDING ASYLUM**

Two new legislations introduced changes to the French asylum system: the Law of 20 March 2018 on the correct application of the European asylum regime with regard to application of the Dublin regulation and the **Law of 10 September 2018**. The latter provides “for a managed migration, an effective right of asylum and a successful integration” and aims:

- To consolidate the right of residence for beneficiaries of international protection, stateless people and members of their families;
- To reduce the length of time to process asylum applications;
- To evenly distribute asylum applicants across the country, while rationalising the regime applicable to material reception conditions.

This led to the implementation of several policies:

- to reduce timescales when processing asylum applications (such as the use of videoconferences) as well as the registration of asylum applications in one-stop shops;
- To increase resources dedicated to the relevant authorities and organisational measures. For example, the national and regional allocation schemes were changed to allow for a more efficient use of resources and better reception conditions, as well as the establishment of

“Dublin hubs” to process Dublin procedures across the country;

- to create 7 500 additional accommodation places (3 000 in temporary accommodation centres for the most vulnerable refugees, 2 000 in reception centres for asylum seekers, and 2 500 in emergency accommodation) as well as nearly 3 000 places in reception and administration situation examination centres.

**UNACCOMPANIED MINORS AND OTHER VULNERABLE GROUPS**

The increase in the number of unaccompanied minors in the country has led to many challenges both in financial terms and in terms of reception and accommodation.

A reform of the programme to provide shelter for and assess young people presenting as unaccompanied minors has started in 2018. To reduce the pressure on child welfare services, Departmental councils may ask the prefecture to meet with the person who is presenting as a minor and help with the identification and to provide a new age assessment support file. Additionally, conditions to access work permits (apprenticeships or career development contracts) and family reunification were simplified for unaccompanied minors.

The Law of 10 September 2018 exempted minors exposed to the risk of genital mutilation from regulations on medical confidentiality to speed up procedures allowing doctors who have carried out their examinations to directly send medical certificates for minors to the asylum services.

The right of residence of the most vulnerable groups, was improved to guaranty them greater protection.

**INTEGRATION**

Following the publication of the report “For an ambitious integration policy for foreign nationals arriving in France”, which presented 72 proposals for a more ambitious and assertive policy on integration, the Prime Minister created the Interministerial Integration Committee (Comité interministériel à l’intégration), that he chaired on 5 June 2018.

This new national strategy for the reception and integration of refugees is based on seven priorities:
strengthening the roll-out of the integration policy; involving each refugee in an improved integration pathway (for instance, developing workshops and trainings about French language and the French school system for parents of foreign pupils; improving French language ability and access to training and employment for refugees, as well as guaranteeing them access to housing; improving access to healthcare for asylum seekers and refugees; improving access to rights; and encouraging links between refugees and French society.

The groundwork for this reform was prepared throughout 2018, aiming to strengthen the personalised integration pathway and the French Integration Contract (Contrat d’intégration républicaine), through a series of practical measures which will apply from March 2019, enabling newly arrived foreign nationals to play an active role in society.

CITIZENSHIP AND STATELESSNESS

Legislative provisions introduced in 2018 enabled the adoption of new measures specific to stateless people pertaining to their right to residence (issuance of a four-year residence permit to stateless persons and their family members, which can be renewed in a ten-year residence permit.)

BORDERS, SCHENGEN AND VISA

To improve the management of migration flows, France continued to contribute to various FRONTEX operations and reserves, with contributions to the hotspots. France also participated in Joint Return Operations by organising charter flights to third countries.

IRREGULAR MIGRATION INCLUDING MIGRANT SMUGGLING

As part of the fight against irregular immigration and fraudulent asylum applications, France introduced action plans and cooperation agreements with several third countries where challenges have been identified such as the increase of irregular immigration and asylum applications and the fight against criminal organisations.

In order to fight irregular immigration an adapted procedure for processing asylum applications was introduced as well as regular meetings with the consular authorities of certain third countries.

TRAFFICKING IN HUMAN BEINGS

France continued its policy of combating violence against women and victims of trafficking. As a result of the 5th plan for mobilising and combating violence (2017–2019, with a budget of € 125 million), there have been improvements in how this violence is identified and how victims are treated, based on three objectives: strengthening mechanisms for victims to improve access to their rights; strengthening public action directed at the most vulnerable groups; and eradicating violence at its root by fighting sexism.

Several awareness-raising campaigns have been led by various NGOs (such as France Terre d’Asile) and professional trainings for people in contact with victims of trafficking were organised by the French authorities.

RETURN AND READMISSION

France continued improving the effectiveness of house arrest and monitoring foreign nationals who have been issued with return decisions, as well as the implementation of removal decisions. New measures were taken regarding the length of detention, detention capacity and to address the vulnerabilities of people in detention.

STATISTICAL ANNEX

The Statistical Annex provides an overview of the latest available statistics for France on aspects of migration and international protection (2015–2018), 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.”

LEGAL MIGRATION AND MOBILITY

Eurostat data on first residence permits for 2018 was not available at the time of writing. Please consult the 2018 ARM Statistical Annex for statistics on the number of first residence permits by reason (to be published in July 2019).

Figure 1: Resident population of third-country nationals as a share of total population in France, EU average, EU high and low (2015-2018)

Source: Eurostat migration statistics [migr_poplctz], data extracted 02.05.19

INTERNATIONAL PROTECTION INCLUDING ASYLUM

Figure 2: Asylum applications as a share of the total population in France, EU average and EU high and low (2015–2018)

Source: Eurostat migration statistics [migr_asyapctza], data extracted 26.04.19
Figure 3: Number of asylum applications and as a share of the total number of applications in the EU (2015-2018)

![Graph showing the number of asylum applications and as a share of the total number of applications in the EU (2015-2018).](image)

Source: Eurostat migration statistics [migr.asyapozta], data extracted 26.04.2019

Table 1: Asylum applications: Top five third-country nationalities (2015-2018)

<table>
<thead>
<tr>
<th>Nationality</th>
<th>2015</th>
<th>% of total</th>
<th>Nationality</th>
<th>2016</th>
<th>% of total</th>
<th>Nationality</th>
<th>2017</th>
<th>% of total</th>
<th>Nationality</th>
<th>2018</th>
<th>% of total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sudan</td>
<td>5 350</td>
<td>7%</td>
<td>Albania</td>
<td>7 445</td>
<td>9%</td>
<td>Albania</td>
<td>12 130</td>
<td>12%</td>
<td>Afghanistan</td>
<td>10 340</td>
<td>9%</td>
</tr>
<tr>
<td>Syria</td>
<td>4 640</td>
<td>6%</td>
<td>Sudan</td>
<td>6 170</td>
<td>7%</td>
<td>Afghanistan</td>
<td>6 675</td>
<td>7%</td>
<td>Albania</td>
<td>9 665</td>
<td>8%</td>
</tr>
<tr>
<td>Kosovo</td>
<td>4 285</td>
<td>6%</td>
<td>Afghanistan</td>
<td>6 130</td>
<td>7%</td>
<td>Haiti</td>
<td>5 755</td>
<td>6%</td>
<td>Georgia</td>
<td>7 000</td>
<td>6%</td>
</tr>
<tr>
<td>Democratic Republic of the Congo</td>
<td>4 120</td>
<td>5%</td>
<td>Haiti</td>
<td>5 355</td>
<td>6%</td>
<td>Sudan</td>
<td>4 775</td>
<td>5%</td>
<td>Guinea</td>
<td>6 935</td>
<td>6%</td>
</tr>
<tr>
<td>Bangladesh</td>
<td>4 020</td>
<td>5%</td>
<td>Syria</td>
<td>4 725</td>
<td>6%</td>
<td>Syria</td>
<td>4 710</td>
<td>5%</td>
<td>Côte d'Ivoire</td>
<td>5 450</td>
<td>5%</td>
</tr>
</tbody>
</table>

Source: Eurostat migration statistics [migr.asyapozta], data extracted 29.04.2019

Figure 4: Asylum applications: Top five third-country nationalities as a share of EU total per given nationality (2018)

![Graph showing the top five third-country nationalities as a share of EU total in 2018.](image)

Source: Eurostat migration statistics [migr.asyapozta], data extracted 26.04.2019

Note: the figure reads as: France received 10 340 asylum applications from Afghanistan or 22.53% of all asylum applications launched by Afghanistan in EU in 2018.
Table 2: Asylum applications – First instance decisions by outcome (2015-2018)

<table>
<thead>
<tr>
<th></th>
<th>Total decisions</th>
<th>Positive decisions</th>
<th>Of which:</th>
<th>Humanitarian reasons</th>
<th>Negative decisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015</td>
<td>77 910</td>
<td>20 630</td>
<td>16 790</td>
<td>3 845</td>
<td>57 280</td>
</tr>
<tr>
<td>2016</td>
<td>87 485</td>
<td>28 755</td>
<td>18 715</td>
<td>10 040</td>
<td>58 730</td>
</tr>
<tr>
<td>2017</td>
<td>110 945</td>
<td>32 565</td>
<td>19 005</td>
<td>13 560</td>
<td>78 380</td>
</tr>
<tr>
<td>2018</td>
<td>115 045</td>
<td>32 725</td>
<td>21 125</td>
<td>11 600</td>
<td>82 325</td>
</tr>
</tbody>
</table>

Source: Eurostat migration statistics (migr_asycfesta), data extracted 29.04.2019

Figure 5: Asylum applications – First instance decisions by outcome (2015-2018)

Source: Eurostat migration statistics (migr_asycfesta), data extracted 30.04.19

Figure 6: Negative decision rate for the top five nationalities of applicants at the first instance in comparison with EU for the same given nationality (2018)

Source: Eurostat migration statistics (migr_asycfesta), data extracted 30.04.19

Figure 7: Third-country nationals resettled (2015-2018)

Source: Eurostat migration statistics (migr_asyresa), data extracted 02.05.19
UNACCOMPANIED MINORS

Figure 8: Unaccompanied minors applying for asylum (2015–2018)

Source: Eurostat Asylum applicants considered to be unaccompanied minors by citizenship, age and sex Annual data (rounded) [migr.asylum], data extracted 02.05.19.

BORDERS, SCHENGEN AND VISA

Table 3: Number of Schengen visas applications (2015–2018)

<table>
<thead>
<tr>
<th>Uniform visas (short-stay visas)</th>
<th>2015</th>
<th>2016</th>
<th>2017</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>3 356 165</td>
<td>3 265 865</td>
<td>3 684 404</td>
<td>4 010 604</td>
</tr>
</tbody>
</table>

Source: DG Migration and Home – Complete statistics on short-stay visas issued by the Schengen States

Figure 9: Uniform visa applications received in France as a share of the total number of uniform visa applications in all Schengen states consulates (2015–2018)

Source: DG Migration and Home Affairs – Complete statistics on short-stay visas issued by the Schengen States
Table 4: Top five countries in which the highest number of visa applications for France was lodged (2015–2018)

<table>
<thead>
<tr>
<th>Country</th>
<th>2015</th>
<th>2016</th>
<th>2017</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>China</td>
<td>762 616</td>
<td>4 166 560</td>
<td>728 343</td>
<td>816 719</td>
</tr>
<tr>
<td>Algeria</td>
<td>554 313</td>
<td>2 059 195</td>
<td>606 611</td>
<td>544 585</td>
</tr>
<tr>
<td>Morocco</td>
<td>257 402</td>
<td>1 546 357</td>
<td>337 390</td>
<td>378 353</td>
</tr>
<tr>
<td>Russian Federation</td>
<td>176 250</td>
<td>170 578</td>
<td>265 665</td>
<td>362 425</td>
</tr>
<tr>
<td>Saudi Arabia</td>
<td>144 705</td>
<td>804 558</td>
<td>201 161</td>
<td>229 153</td>
</tr>
</tbody>
</table>

Source: DG Migration and Home Affairs – Complete statistics on short-stay visas issued by the Schengen States

IRRE bât migration

Table 5: Number of third-country nationals refused entry at external borders, found to be illegally present, ordered to leave and returned following an order to leave (2015–2018)

<table>
<thead>
<tr>
<th>Third-country nationals:</th>
<th>2015</th>
<th>2016</th>
<th>2017</th>
<th>2018</th>
</tr>
</thead>
<tbody>
<tr>
<td>Refused entry at external borders</td>
<td>15 745</td>
<td>63 390</td>
<td>86 320</td>
<td>70 445</td>
</tr>
<tr>
<td>Found to be illegally present</td>
<td>109 720</td>
<td>91 985</td>
<td>115 085</td>
<td>105 880</td>
</tr>
<tr>
<td>Ordered to leave</td>
<td>79 950</td>
<td>81 000</td>
<td>84 675</td>
<td>105 560</td>
</tr>
<tr>
<td>Returned following an order to leave</td>
<td>18 245</td>
<td>14 065</td>
<td>15 665</td>
<td>17 935</td>
</tr>
</tbody>
</table>

Source: Eurostat migration statistics (migr_eirfe)(migr_eire)(migr_esord) (migr_eirto) data extracted 03.05.2019

RETURN

Table 6: Third-country nationals returned (2015–2018)

<table>
<thead>
<tr>
<th>Year</th>
<th>Returned as part of forced return measure</th>
<th>Returned voluntarily</th>
<th>Returned through an Assisted Voluntary Return Programme</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015</td>
<td>7 039</td>
<td>6 820</td>
<td>4 029</td>
</tr>
<tr>
<td>2016</td>
<td>6 539</td>
<td>5 463</td>
<td>3 313</td>
</tr>
<tr>
<td>2017</td>
<td>6 903</td>
<td>6 660</td>
<td>4 800</td>
</tr>
<tr>
<td>2018</td>
<td>7 348</td>
<td>8 702</td>
<td>6 824</td>
</tr>
</tbody>
</table>

Source: EMN France