



# BULLETIN

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## No Economic Migrants, Only “Real” Refugees: France’s Conditional Solidarity with the EU

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*In absolute numbers, France has been relatively spared by the large increase in asylum requests in 2014–2015 in comparison with other EU countries. However, tensions in the country regarding the potential for integration of the refugees has led to general agreement among the main political parties for the need to halt inflows of so-called economic migrants. This indicates, that France will seek to limit its recent declaration of support for solidarity towards asylum seekers, notably by enforcing the EU’s return policy.*

After refusing to accept the refugee quota proposed by the European Commission last May, France agreed in mid-September to take in a total of 30,000 refugees in the next two years, out of 160,000 to be distributed EU-wide. Yet, this apparent demonstration of solidarity with the EU might be misleading in terms of France’s stance on the refugee crisis. Indeed, a look into developments on the issue inside France reveals a different and more nuanced attitude: one agreeable to compromise on the refugee quotas to better project at the EU level its growing determination to rush returns of so-called economic migrants.

**A Dysfunctional Asylum System.** Facing inflows of refugees from both the Balkan and Central Mediterranean migration routes, France experienced a significant increase of 85% in asylum requests between 2007 and 2013 (from 35,000 to 66,000). Since 2014, though, the large increase in asylum requests faced by other EU countries has not materialised in France.

In 2014, asylum requests remained largely stable at 64,802, according to the French Ministry of Interior (down 2.2% compared to 2013). This is compared to the dramatic increases in Germany (from 109,000 to 203,000), Sweden (from 54,000 to 81,000) or Hungary (from 20,000 to 43,000). The long queues of migrants at the Franco-Italian (Ventimiglia) and Franco-British (Calais) border crossing points show the country now appears largely to be a transit state for migrants arriving to Italy and heading towards the U.K. and Scandinavian countries, in particular.

This seems to indicate that the asylum seekers do not regard France as welcoming. The country has one of the lowest rates of recognition for asylum in the EU, with less than 25%, or 14,589 granted asylum last year. In addition, France’s recent subscription to the EC distribution scheme is expected to further put the country’s asylum infrastructure under stress—it has the capacity for 50,000 requests, but is likely to see an estimated 80,000 applications per year in 2015 and 2016. With some parliamentary reports estimating only 20% of refused asylum seekers are effectively deported out of an average of 45,000 refusals per year, the French asylum system would be creating around 30,000 to 40,000 undocumented immigrants every year on its soil.

**Asylum Seekers vs. Economic Migrants.** The domestic political answer formulated by the French socialist majority (PS) has clearly been a hardening of tone regarding economic migrants (i.e., pertaining to people coming to France from the Western Balkans or Africa) or, put another way, any asylum seeker whose application is rejected by French authorities. This is indeed perceived as the only way to enhance the country’s ability to welcome those in “real” need of international protection. In order to meet this goal, France’s parliament adopted an ambitious asylum reform act in July, quickly followed by its implementing decree in September.

The new law is expected to significantly increase the number of rejected asylum claims and, ultimately, the number of migrants being effectively expelled. To do this, processing time for asylum requests will be sharply reduced, from a

current average of 24 months to nine months. Moreover, a problem with asylum seekers concentrating in a few major French cities will be addressed by enforcing a better spread of asylum seekers and refugees around the country. But France's asylum reform will not be successful without a clear boost in overall returns. In order to ensure timely deportations as well as the destruction of smuggling networks (3,300 people have been arrested already in 2015), Interior Minister Bernard Cazeneuve announced the creation of 900 air and border police positions.

Overall, the new law's impact is expected to be negative on migrants' right to a fair and transparent asylum procedure. Among the changes raising concern, various NGOs have denounced the shortening of deadlines to file the still-complicated asylum application form in French and the absence of professional translation and *pro bono* lawyer services. These factors are likely to further discourage refugee arrivals to the country.

**Creeping Anti-Immigration Sentiment.** France's attempt to solve its dysfunctional asylum system appears to be only one aspect of the issue. Indeed, PS, which traditionally proposes a more accommodative immigration policy than the right-wing opposition, has been under pressure to reduce immigration flows "upstream," that is, at the EU's borders, given a context of aggravated tensions inside France. A trend to the right seems to have been reinforced ahead of December's regional elections—the last major ones before the 2017 presidential election—and PS is expected to lose control over most regions to right-wing and far-right opposition parties.

France's continued economic stagnation and the fear of new major terrorist attacks after the ones on *Charlie Hebdo* last January have altogether boosted anti-immigration rhetoric in the country. Although the recent terrorist attacks in France were committed by French citizens and not by foreigners, both Nicolas Sarkozy's Les Républicains and Marine Le Pen's Front National, the PS's two most serious political contenders, have particularly emphasised possible links between the mostly Muslim migrants and an increase in the terrorist threat. From their perspective, Germany's decision to temporarily open its borders in August was thus perceived as a menace to French national security and it publicly asked for the re-establishment of border controls in France.

If France is traditionally sceptical of the Schengen agreement, this call seems to be now more symptomatically supported by recent opinion polls, indicating a broadening societal and political consensus on the need to halt immigration. In a July Ifop-*Le Figaro* poll among residents of EU Member States most exposed to the refugee crisis, French citizens indeed appeared most favourable (67%)—including 53% of PS, 77% of Les Républicains and 85% of Front National supporters—to either a full suppression of the Schengen agreement or to a reintroduction of at least temporary, systematic border controls between EU countries. In addition, an early September *Le Parisien* poll indicated that more than half of French citizens was against loosening asylum rules for Syrian refugees.

**Towards Conditional Solidarity at the EU Level.** So far, France's reply to the migration crisis has been to bond growing internal pressure to halt immigration to a willingness by the socialist majority to maintain its pro-EU stance. By adopting the thorough reform of its asylum system, but thanks also to relatively stable figures in asylum applications, France has consented to this solidarity with its EU partners who face greater inflows of refugees. However, developments in France indicate that it will also push the EU to quickly implement a genuine bloc-wide "return policy" that would act as an "upstream" deterrent against economic migrants, i.e., stopping them at the EU's external borders.

This should lead to increased operational means to enforce readmissions to countries of origin. Despite the UNHCR's expectation of further intensification of migration to Europe, France seems ready to resist any permanent EU distribution mechanism as long as there are not well-functioning sorting centres for asylum seekers situated on the main EU border crossing points—so called "hotspots"—and conventions with countries of origin are not agreed or enforced to ensure immediate readmission of returned migrants. From that perspective, France also expects the EU's border agency Frontex to play a growing role in implementing return decisions on its own.

Even if leaked EU internal documents seemed to indicate that in early October France's expectations were being duly discussed, the temptation to increase repressive measures against economic migrants is, however, unlikely to curtail the migration influx. As experience shows, these measures rather will encourage them to seek illegal paths into the EU and also raise the risk of xenophobic violence. As it stands, France's approach could still be in line with that of Poland and other CEE countries that also demand that external borders be more effectively guarded. Nevertheless, thorough reflection on the need to preserve legal channels for economic immigration to the EU would certainly complement this overall repressive stance.