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HOW ASYLUM POLICY IN FRANCE CONTRIBUTES TO A GAP IN PERCEPTIONS BETWEEN
FRENCH NATIONALS AND ASYLEES

by

Caitlin Chenus

A thesis submitted in partial fulfillment of the requirements
for graduation with Honors in the International Studies

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All requirements for graduation with Honors in the
International Studies have been completed.

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How Asylum Policy in France Contributes to a Gap in Perceptions between French Nationals and Asylees

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Caitlin Chenus

Amy Weismann, Faculty Mentor

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Abstract

Asylum seekers in France are suffering both socially and economically due to a legal structure in place that blocks them from obtaining work during the first six months of their asylum claim processing. Interviews conducted during the summer of 2018 with French nationals, refugees and asylum seekers indicates that if asylum seekers were granted access to work after one month or less, negative attitudes between migrants and French nationals would be drastically reduced.

The six month timeline is new. Until September 10th, 2018, asylum seekers had to wait nine months before being allowed to search for work. If lawmakers in France today have agreed on this and taken action to cut the time down to six months, there is no valid argument as to why the wait period cannot be cut down even further. The economic situation for both asylum seekers and the French welfare system would be greatly improved if asylees could work, contribute to the economy, and pay taxes in France. By analyzing the history and current state of asylum policy in France, this thesis identifies the key issues of contention between French nationals and asylum seekers. This argument will be proven using demographic and polling data in France as well as research through the interviews conducted during the summer of 2018.

France has been an ideal study of these changes because it remains largely in the middle of extreme and differing points of view between other countries in Europe. France has not followed the extreme route Germany has in letting in massive numbers of Syrian refugees, nor has it reached the opposite extreme that Bulgaria has, with minimal acceptances and a terrible record of asylum seeker treatment.

Asylum seekers will not disappear from France anytime soon. They will continue to come into the country and the French economy will need them to become productive members contributing to the social and economic success of the country. They enrich France both socially, culturally, and linguistically. They must now have the additional ability to do so economically and to rebuild their lives in a new country.

Introduction

Asylum seekers in France are suffering both socially and economically due to a legal structure in place that blocks them from obtaining work during the first six months of their asylum claim processing.

French nationals and asylum seekers interviewed for this research asserted that the “broken” French immigration system prevents immigrants from working and thus integrating into French society. This has led to a rise of negative attitudes from French nationals. The French far right has expressed anti-migrant sentiments over the last seven years following the Arab Spring Uprisings. For example, Marion Maréchal Le Pen, a member of the Front National Party and granddaughter of former French President Jean-Marie Le Pen opposes migrant integration in order to “preserve ‘French identity’ and the ‘French family’”(Engelhart). However, even those on the left have their anti-migrant sentiments. The current French President, Emmanuel Macron, who campaigned as being ‘neither left nor right’ has set out asylum policies that are bent on sending asylees back to either their countries of origin or to “Safe Third Countries”, which are typically countries they passed through on their way to France.

Asylum seekers face countless barriers to successful integration into any new society. This is no different in France: a country of 67,364,357 (July 2018 est.) living within 640,427 sq

km, or “slightly more than four times the size of Georgia; slightly less than the size of Texas”(CIA World Factbook). As a comparison, the population of Texas is roughly 28.7 million, or slightly above a third of the population of France. For those seeking asylum, these numbers, when coupled with issues of access to resources, legality and language complicate an already extremely difficult situation. This thesis aims to clarify commonly misunderstood issues of asylum in France and more broadly within the European Union and to pinpoint the policies that have resulted in negative opinions and lack of social integration of migrants in France.

Topic Proposal

Asylum seekers who do not enter France with an asylum-seeking visa have to wait six months before they can work in France or until their status is resolved. If this wait time was shortened to one month or less, there would be fewer individuals turning to the welfare system for aid and that change would foster better relations between the French and migrants. The economic situation for both asylum seekers and the French welfare system would be greatly improved if asylees could work, contribute to the economy, and pay taxes in France.

By analyzing the history and current state of asylum policy in France, this research identifies the key issues of contention between French nationals and asylum seekers. This argument will be proven using demographic and polling data in France as well as the Principal Investigator’s research through interviews conducted during the summer of 2018. The additional will supplement the interview transcripts.

Preliminary findings suggest that the largest challenges to migrant integration are a result of the flawed immigration policy currently in place.

Why France? How French Policy Decisions Affect the Rest of Europe's Policy Decisions

France was one of the first countries to join the European Union, along with Germany, Italy, Belgium, the Netherlands and Luxembourg. Because of this and due to the country's continued activism in the Union, France looks to the EU for much of its decision making at the national level.

France took the lead in May 1950 when the French Foreign Minister Robert Schuman said "Europe will not be made all at once, or according to a single plan. It will be built through concrete achievements which first create a de facto solidarity"(*The Schuman Declaration*). He proposed that Western Europe countries join together to remake coal and steel structures. This resulted in the 1951 Paris Agreement which created the initial uniting of the six original Member States.

France has been a key player in the creation and continuation of the European Union and instrumental in shaping and reshaping the policies within the EU; from economic and trade agreements, to decisions on how to treat asylum seekers. This puts the country in a unique position to direct the Union's direction in future decisions on asylum. The rest of the European Union is both heavily influenced by France because of the positions French citizens have in the EU, but additionally due to the country's central position in European economy. Geopolitics play heavily into this as well. France is on the west coast of Europe, connected to Spain, Switzerland, Germany and separated by a narrow channel from the United Kingdom. French is one of the official languages of many ruling international bodies, like the International Criminal Court, and the language is an official one of both Belgium and Switzerland. There are three official

European Union seats, located in Brussels, Belgium, Luxembourg City, and Strasbourg, France. This further elevates the role that France plays in the Union.

In recent years, France has experienced rising nationalism, in large part due to the migrant crisis and sheer number of people coming to seek protection in the country. During the 2017 Presidential Election, France was divided between the current president, Emmanuel Macron, who represented the En Marche! Movement, and extremist candidate Marine Le Pen from the National Front party. The tensions between the two sides were much higher than they had been in recent years and the differences in ideologies much starker. Marine Le Pen and the National Front party represented a France that was against the European Union, against migrants, and against globalization.

Although Le Pen lost the election in May of 2017, the rise of nationalism in France continues and 'Frexit' stickers calling for the removal of France from the EU can be found stuck on light poles and street signs in Paris and most other major cities in France. This wave of nationalist sentiments has been echoed in nearly every country in the European Union, namely in Germany as a response to Chancellor Merkel allowing in many more asylum seekers than other European countries.

In an effort to curb increasing rates of nationalism, French President Emmanuel Macron and German Chancellor Angela Merkel signed the Treaty of Aachen on January 22nd, 2019 in Aachen, Germany. According to a recent *Washington Post* article titled "Germany, France renew friendship treaty, warn of nationalism" the Treaty "aims to boost cross-border cooperation along the 450-kilometer (290-mile) Franco-German frontier, and also improve coordination between the two nations when it comes to tackling international problems such as climate change and

terrorism”(Jordans and Meissner). The Treaty was signed in the town hall of Aachen, while outside, protesters yelled and waved signs. The Post article further states that “Among those opposed were dozens of people wearing yellow safety vests, which have become the signature outfit of anti-government protesters in France” (Jordans and Meissner).

Western Europe has experienced the migrant crisis very intimately within the last nine years. The Syrian Civil War sent asylees fleeing west in the hundreds of thousands and politics in Europe have developed around this crisis. Rising nationalism and growing divides between those who want and those who do not want migrants in Europe have shaped elections and attitudes towards migrants drastically in recent years.

Throughout these changes, France has been the ideal study because it remains largely in the middle of differing points of view. The country has not followed the extreme route Germany has in letting in massive numbers of Syrian refugees, nor has it reached the opposite position that Bulgaria has, with minimal acceptances and a terrible record of migrant treatment. An Amnesty International report for 2017/2018 stated that in Bulgaria “The necessary services were not provided to migrants and refugees, including to unaccompanied children. A climate of xenophobia and intolerance sharply intensified. Roma continued to be at risk of pervasive discrimination”(Amnesty International).

France has had a trend of rising nationalism similar to most of the other countries in Europe, but has managed to maintain a relatively good track record for allowing migrants in and treating them as well as resources allow. The defeat of extreme right-wing Le Pen presidential candidate by current President Emmanuel Macron in May of 2017 has aided in preventing France from leaning to far one way or another when it comes to immigration.

International Law Standards

Modern international and national standards for the protection of refugees can be traced back to post-World War II, after the fall of Nazi Germany. However, to properly understand this and the events that unfolded before World War II, it is important to look further back, to the first World War, when millions of Europeans found themselves without a home to return to. Their cities had been destroyed by bombs or fighting and Europe's infrastructure had been devastated. The struggles to care for displaced persons began in 1914 and did not end when the war did four years later. It continued on during the decades after and was further intensified with the onslaught of World War II in 1939. An article from the British Library by Peter Gatrell titled "Europe on the move: refugees and World War One" discusses the displacement of people in the aftermath of World War I and describes how it began in 1914 when "the Russian occupation of East Prussia caused around one million Germans to flee their homes"(Gatrell). This was one of the early mass displacements of people caused by World War I and continued throughout the entire war, worsening each year. The article discusses the Austrian invasion of Serbia as well and how it created a massive humanitarian crisis that prompted thousands of people into forced migration, including minorities on a massive scale.

During the aftermath of World War I, millions of people around Europe began to look to the future and determine how to begin their lives again. In many cases, Europeans were unable to return to their countries of origin and had to settle somewhere new. Among these individuals were Belgians, who came to the Netherlands, France and the UK; as well as nearly half a million Serbian refugees fled to Corsica, Tunisia and Albania. Gatrell also states that "Others were incarcerated in Austrian camps and forced to work for the enemy"(Gatrell).

The true rise of modern international human rights however, came after World War Two. From November of 1945 to October of 1946 a series of military tribunals, called the Nuremberg Trials were held in Germany to prosecute the most prominent Nazi leaders who had been responsible for organizing the killing of millions. After the large-scale human rights violations that occurred during World War Two, the international community decided it was time to create legal international human rights standards to hold each other accountable and ensure that such atrocities on such a massive scale never happened again. The gathering of countries and discussions that ensued spurred the creation of the United Nations.

The *Universal Declaration of Human Rights* was the first internationally agreed-upon document that laid out basic human rights standards to apply to every person everywhere in the world. Article 23 of the *Universal Declaration of Human Rights* guarantees the right to work. It reads:

- (1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.
- (2) Everyone, without any discrimination, has the right to equal pay for equal work.
- (3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
- (4) Everyone has the right to form and to join trade unions for the protection of his interests. (UDHR)

The *UDHR* is not a legally binding document. However, the standards within are what is known as soft law, meaning they are standards so universally known and accepted they are considered to be binding. Every single country in the European Union, including France has signed the *Universal Declaration of Human Rights* and thus made the promise to protect and promote the rights enshrined within. The right to work and to receive equal pay for that work without discrimination is one that must be prioritized for asylum seekers in France.

1951 Convention Relating to the Status of Refugees and 1967 Optional Protocol

The most important document in international law that defines who refugee is and lays out consequent protections is the *1951 Convention Relating to the Status of Refugees* and the *1967 Optional Protocol*. The Convention is a legally binding document requiring states who have signed and ratified it to follow the regulations and protections listed within. To date, 145 State parties have signed and ratified the Convention.

The European Commission cites the 1951 Refugee Convention as the “first international legally binding document that protects and promotes the fundamental rights of asylum”(“Common European Asylum System”). The Convention was created before the European Union committed itself to creating an asylum policy and provided a foundation upon which the Union was able to build its own policy.

The 1951 Convention was created specifically to address refugees in Europe after World War II. Therefore, it was “limited in scope to persons fleeing events occurring before 1 January 1951 and within Europe”(*Convention and Protocol Relating to the Status of Refugees* 2). While this still gave protections to millions of individuals, it excluded millions more who needed the protections offered through the Refugee Convention. This is why, in 1967, the Protocol was adopted to remove limitations to time and geography.

Under the 1951 Convention, a refugee is defined as “someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion”(*Convention and Protocol Relating to the Status of Refugees* 3).

The core, guiding principle of both the 1951 Convention and 1967 Protocol is *non-refoulement*. This principle is defined as “no one shall expel or return (“refouler”) a refugee against his or her will, in any manner whatsoever, to a territory where he or she fears threats to life or freedom”(Convention and Protocol Relating to the Status of Refugees 3). It is therefore *illegal* under international law to force an individual who has fled their country of origin to return to that country if they fear for their life or freedom. In many international treaties, it is an option to place restrictions or derogations temporarily on rights laid out within. These restrictions are often applied during times of armed conflict. However, the principle of *non-refoulement* was determined so absolutely fundamental to the protection of refugees that any exemptions or relaxations, even temporary, cannot be placed upon it. Therefore, *non-refoulement* is a non-derogable right, meaning it can never be suspended or limited.

A second key aspect of the 1951 Refugee Convention is the principle of non-discrimination and non-penalization. There are five recognized categories of ‘protected classes’ in the 1951 Convention. They are: “race, religion, political opinion, nationality or membership of a particular social group”(Convention and Protocol Relating to the Status of Refugees 3). In order for someone to gain asylum, they must prove that they fall into one of these protected categories. This is where problems most often arise because persons arriving in a country where they want to seek asylum rarely have any documents with them, or are able to gain access to documents in their country of origin. This results in large numbers of asylum seekers being denied refugee status each year.

While protections against discrimination and penalization may seem normal and expected in today’s world, in 1951 they were revolutionary. Non-penalization additionally prohibits

refugees being penalized “...for their illegal entry or stay. This recognizes that the seeking of asylum can require refugees to breach immigration rules”(Convention and Protocol Relating to the Status of Refugees 3).

A final and equally important protection the Convention provides is “basic minimum standards for the treatment of refugees, without prejudice to States granting more favourable treatment. Such rights include access to the courts, to primary education, to work, and the provision for documentation, including a refugee travel document in passport form”(Convention and Protocol Relating to the Status of Refugees 3). This cements the legal rights of refugees, recognizes those with refugee status as requiring the highest levels of protection, and further elevates refugee status in international law.

Article 24 of the 1951 Convention is titled “Labour Legislation and Social Security” (Convention and Protocol Relating to the Status of Refugees 25) and details labor protections while re-emphasizing that no discrimination to non-nationals of receiving countries may be made in terms of work and social security. It highlights that these rights apply to refugees staying within the country legally.

The 1967 *Optional Protocol* was added once it was realized that Europeans ‘fleeing events occurring before 1 January 1951’ were not the only group in need of the protections granted by the 1951 Convention. The Protocol removed the date requirement as well as the geographic barriers.

France has been a state party to the 1951 Refugee Convention since February 3rd, 1971, but has yet to sign the 1967 *Optional Protocol*. While signing the 1951 Refugee Convention directed France to help and care for refugees directly after World War II, the country needs a

push towards signing and ratifying the 1967 Protocol in order to further protect the asylum seekers most in need today. Signing the Optional Protocol would highlight the asylee issue even further as well as legally bind France to the terms of the Protocol.

A potential rational for France not having signed the *1967 Optional Protocol* can be found by looking at the historical context of the time period. In 1967, Charles de Gaulle was the President of France. A *BBC* article on De Gaulle cites him as being “Strongly nationalistic...sought to strengthen his country financially and militarily. He sanctioned the development of nuclear weapons, withdrew France from NATO and vetoed the entry of Britain into the Common Market”(“Historic Figures: Charles De Gaulle”). Clearly, De Gaulle would not have been a strong proponent of signing and ratifying a document that would force France to have policies and laws on asylum seekers dictated to the country by international actors.

The United Nations High Commissioner for Refugees is the UN refugee agency in charge of protecting and promoting refugee rights worldwide. One of the UNHCR’s principle roles is recognizing individuals as refugees under international law and coordinating with receiving governments. The *Statute of the Office of the United Nations High Commissioner for Refugees* lays out the UNHCR’s mission and duties, the primary one stated as

providing international protection, under the auspices of the United Nations, to refugees who fall within the scope of the present Statute and of seeking permanent solutions for the problem of refugees by assisting Governments and, subject to the approval of the Governments concerned, private organizations to facilitate the voluntary repatriation of such refugees, or their assimilation within new national communities. (*Statute of the Office of the United Nations High Commissioner for Refugees*)

A refugee is designated as such by the UNHCR, which then works with the hosting country to apply the Refugee Status Determination, or RSD process. If the hosting country has not ratified

the 1951 Convention, then the UNHCR was conduct the RSD process itself (“Refugee Status Determination”). The refugee is then able to enter the country with refugee status already in place, providing for a smoother transition into a new life.

Refugee and Asylum Status in France

If an individual in France has not gone through the RSD process and gotten refugee status before entering the country, they must register as an asylum seeker through the French Office for the Protection of Refugees and Stateless Persons, or OFPRA. Through OFPRA, there are two kinds of asylum protection. The first is refugee status and entails applying for asylum once in the country and gaining refugee status thereafter. The second type is called subsidiary protection. As noted in a *Library of Congress* report titled “Refugee Law and Policy in Selected Countries”, if you do not qualify for refugee status in France, you may gain subsidiary protection if you are determined to be in danger of “suffering the following violations in his/her country: (a) execution, (b) torture or inhumane or degrading treatment, or (c) if the person is a civilian, a serious and individual threat to his/her life or person by reasons of indiscriminate violence in situations of international or internal armed conflict”(Boring 121) If someone has been charged with a crime or is suspected to be guilty of one, subsidiary protection can be denied to that individual. The *Library of Congress* report mentioned above also states that “Beneficiaries of subsidiary protection gain the right to a temporary stay permit, valid for an initial term of one year and renewable for subsequent two-year terms. Both the residency permit and the temporary stay permit authorize the holder to work in France.”(Boring 125) Under certain conditions, the immediate family may also reside with the holder of subsidiary protection in France. However,

there are many instances where the spouse may be denied this protection. For example, if the spouse of the subsidiary protection holder did not practice monogamy or they presented a threat to the country, they would be denied subsidiary protection. (Boring 125) Both individuals with refugee status and those with subsidiary protection have nearly identical social benefits as French citizens, such as healthcare and free public education. There are also special programs for those with this status such as language classes and assimilation assistance. The prominent difference between those with refugee status and those with subsidiary protection is time limitations: those with subsidiary protections have only two years before they must renew their status. Once a person has applied for asylum and obtained refugee status in France, they are eligible to live and work within the country, as well as eligible to bring their immediate family to France. Notably, they also have the right to apply immediately to begin the naturalization process to become a French citizen.

If you gain refugee status in France, you will receive a Residence Permit to live in the country for ten years. If you are granted subsidiary protection, you receive a Residence Permit for one year. According to the *Asylum In Europe* section called “Residence Permit: France”, spouses and children of people granted asylum will also receive those protections, provided they match the criteria required. Much like a Green Card in the United States, you must apply and receive the renewal of a Residence Permit within three months of the expiration date. In the United States, you begin with a Conditional Permanent Residency Green Card for two years, and then apply for the Lawful Permanent Residency status, which allows the holder to remain in the United States long term and to serve in the United States military, if they so wish. Refugees in France are typically the best off once they receive their status. They have many more benefits

and protections than those waiting for their asylum request to be processed and granted and even those who are granted Subsidiary Protection. Because of this, the remainder of this thesis will focus on those who do not receive legal refugee status.

It is important to understand that many people use the term ‘refugee’ to reference all individuals fleeing their countries of origin. This is different from someone with legally recognized refugee *status*, which means they have proved that they fulfill the requirements to be a refugee and have the papers showing their status as such. This difference between unofficial and official refugee status often results in confusion when talking about migrants. For the purpose of this paper, the term refugee will be used in both senses of the word; some people interviewed and several resources cited will refer to people as refugees who do not hold that status legally, but the term will also be applied to individuals who have official refugee status. As these circumstances arise, the difference will be clarified.

The *1951 Convention Relating to the Status of Refugees* and *1967 Optional Protocol* are important documents that lay out basic minimum standards of treatment and non-discrimination requirements. The preamble discusses why it is so important to recognize that people seeking refugee status must be taken in and that states have an obligation to do so.

The *Universal Declaration of Human Rights* inspired the creation of the *1951 Convention Relating to the Status of Refugees*. The very beginning of the preamble of the Convention states “Grounded in Article 14 of the *Universal Declaration of Human Rights* 1948, which recognizes the right of persons to seek asylum from persecution in other countries, the *United Nations Convention relating to the Status of Refugees*, adopted in 1951, is the centrepiece of international refugee protection today”(Convention and Protocol Relating to the Status of Refugees 2). It is a

fundamental human rights document that was unprecedented at the time of adoption and helped to pave the way for future international refugee protections.

Encouraging France to sign and ratify the 1967 Protocol would promote the issue of caring for refugees, but more importantly, it would allow politicians and activists to highlight *why* it is important to protect the most vulnerable human populations in the world. While being a legally recognized refugee means that individual has had difficult and traumatic experiences, a person with this status will be cared for by the state and able to work, go to school and have nearly the same rights as a citizen. On the opposite end, being an asylum seeker is a constantly shifting and changing period of time where the individual often experiences less than minimum standards of care and rarely knows what the next day will bring in terms of shelter, food, and legal status.

In order to advance protections and rights for asylum seekers in France, it is important to first adopt the legal instruments already in place. For France, this means signing and ratifying the *1967 Optional Protocol* for the protection of refugees and then implementing further protections for asylum seekers. It means granting work permits to individuals currently being processed for asylum without a six month wait period. Making these changes to the French system will change negative attitudes between French individuals and asylum seekers, while saving the government considerable welfare costs and boosting the national economy.

Asylum Policy in the European Union

The European Union has developed its own asylum law and policies that directly impact every nation state within the Union. The larger legal framework of the European Union plays a

vital role in refugee and asylum policy in France. The legal basis for this framework is found within Articles 67(2), 78 and 80 of the *Treaty on the Functioning of the European Union (TFEU)* as well as in Article 18 of the *EU Charter of Fundamental Rights*. The overarching goal of the asylum policy of the Union aims “to develop a common policy on asylum, subsidiary protection and temporary protection with a view to offering appropriate status to all third-country nationals who need international protection, and to ensure that the principle of non-refoulement is observed”(Asylum Policy).

The EU lays out a basic process for asylum seekers to follow: an asylum seeker must register as a person seeking asylum as soon as they step foot in a country outside of the one they are fleeing from. Any person who is registered as an asylum seeker and is in a European Union country is entitled to subsidiary protection from that country. This includes, food, medical care, and housing. In Paris, where much of the research for this paper was conducted, there is often not enough housing for asylum seekers so often, asylum seekers are given these subsidiary protections and then seek shelter underneath bridges in the city in tents. The request for asylum is either granted or rejected by the country the person is seeking asylum in. If this request is rejected, the person can appeal this in Asylum Court. There is currently only one such court in France, located in Paris. The research conducted focused primarily on people who were in the asylum seeking process trying to become officially recognized as refugees in France. They had registered and were in a kind of limbo, waiting for word on whether or not they would be allowed to stay in the country.(Asylum Policy) The refugee definition used by the European Union is the same one defined in the *1951 Convention Relating to the Status of Refugees*. Several interviewees from the 2018 research were legally recognized refugees in France. The individuals

who had this status were officially recognized as refugees and in France, this means having free access to food, housing, medical care, education and smaller items such as metro passes.

A work entitled *The Limits of Transnational Law: Refugee Law, Policy Harmonization and Judicial Dialogue in the European Union* by Guy S. Goodwin-Gill and Helene Lambert states that “EU Member States have committed themselves to greater harmonization of their national laws on asylum, but interpretation and application of these new EC laws depend to a large extent on national judiciaries”(Goodwin-Gill, Lambert 2). In doing this, Member States of the European Union relinquish a portion of their political and economic sovereignty to allow the European Union ruling bodies in dictating these policies for them.

French judges and courts will take EU asylum policy into consideration when making decisions about cases in France and they often talk amongst each other to determine the correct path of action. The highest court in France is the Conseil d’Etat, which is where the administrative and civil judges preside. The National Court of Asylum reviews asylum applications and focuses on the facts within to determine whether or not the applicant will receive asylum. The Court has worked this way since 1982. (Goodwin-Gill, Lambert 39) Goodwin-Gill and Lambert also argue that, historically, French judges determining asylum cases make a point to stay away from referring to jurisprudence from other countries who have ratified the Refugee Convention, but that there is now a growing trend in France “towards increasing use of jurisprudence from other EU-countries in asylum cases”(Goodwin-Gill, Lambert 55). This means that France is moving towards a new model of looking at asylum cases. This new trend could go one of two ways.

The first, that France will look at countries such as Germany, which has been known to accept far more asylum seekers than other EU countries, and this example will reshape the French system to allow more in as well. Germany's Constitution also contains the right to seek asylum and, according to a publication titled "Refugee Law and Policy: Germany" by the *Library of Congress*, "The Asylum Act and the Residence Act are the two most important immigration laws in Germany that provide rules for the admission and handling of refugee claims"("Refugee Law and Policy: Germany"). However, this work also states that "There have been several amendments to these and other laws due to the current refugee crisis"("Refugee Law and Policy: Germany"). Perhaps with increased quotas on individuals granted asylum, the system in France would become better able to care for asylees and this would in turn cause attitudes towards migrants to become more open and tolerant.

The opposite of this scenario would be if France looked to countries that are very much against letting asylum seekers in. The rising wave of intense nationalism across Europe over the last few years has caused many political figures to push for asylum policy to be far more restrictive than in past years. Countries like Italy have been some of the first to receive migrants due to their proximity the Mediterranean Sea. Italy alone has recently received enormous amounts of individuals coming to seek asylum and has rescued many more from the sea and has had no other choice than to bring them into the country. Because of this sudden and drastic increase in migrants, attitudes towards them in Italy have become very negative. Although Italy "is among the few European countries to proclaim a right to asylum in their Constitution"("Refugee Law and Policy: Italy") and has quite a lot of policies protecting asylum seekers, attitudes have been changing due to the sheer numbers of migrants entering the country.

These negative perceptions could quickly escalate and lead to dramatic policy changes and new restrictions against asylum seekers in the future.

The European Union has traditionally supported and promoted the acceptance and protection of asylum seekers from all over the world and the *Treaty on the Functioning of the European Union* contains specific provisions to lay out and guarantee these protections. However, with a shift towards increasing nationalism across Europe, these policies may change to conform to the desires of the Member States and to maintain the influence of the European Union.

How EU Policy Impacts French Asylum Policy

The European Union was initially formed on April 18th, 1951 with the Treaty of Paris, which was signed by France, Germany, Italy, Belgium, Luxembourg and the Netherlands. The organization formed at this time was called the ECSC; the European Coal and Steel Community. The name was later changed with the signing of the European Economic Community Treaty in Rome on March 25th, 1957. Both agreements focused on economic unity over political control. Since the initial Treaty of Paris in 1951, the structure and sphere of power the European Union holds has dramatically changed and been widened to encompass far more than economic agreements on coal and steel. The EU now dictates many policies and guidelines for all twenty-eight Member States of the EU, among those being asylum policy. (“The history of the European Union”).

As laid out earlier in this paper, Articles 67(2), 78 and 80 of the *Treaty on the Functioning of the European Union* and Article 18 of the *EU Charter of Fundamental Rights*

define asylum policy within the European Union. The main purpose of the policy is “to develop a common policy on asylum, subsidiary protection and temporary protection with a view to offering appropriate status to all third-country nationals who need international protection, and to ensure that the principle of non-refoulement is observed”(Asylum In Europe). While this statement is quite vague and open-ended, the EU has clarified it by detailing the steps and levels of the process. To reiterate the steps laid out in the “Asylum Policy in the European Union” section of this paper: 1) an asylum seeker must register as a person seeking asylum as soon as they step foot in a country outside of the one they are fleeing from. 2) Any person who is registered as an asylum seeker and is in a European Union country is entitled to subsidiary protection from that country. This includes, food, medical care, and housing. 3) The request for asylum is either granted or rejected by the country the person is seeking asylum in. 4) If this request is rejected, the person can appeal this in Asylum Court. (*Asylum In Europe*)

France has taken much of what the EU created for its own system to process asylum seekers. The French system has the same steps to apply for asylum and the two types of protection are also identical: you are granted either refugee status or subsidiary protection if you receive asylum. France has changed regulations such as deadlines and wait times for processing, but its general framework for asylum processes comes directly from the European Union.

When looking at the amount of influence the European Union has on France and its policies on nearly every aspect of law, it is important to understand just how integral France has been to the EU since its creation in 1950. France was one of the six countries who initially created the Union and has maintained close connections to the workings of the Union ever since.

When looked at in this way, it is not surprising that France so readily models their asylum policy nearly exactly as laid out by the European Union.

Workers are free to move between countries in the European Union as long as they are citizens of one of the twenty-eight Member States. When the Union underwent enlargements in 2004 and 2007 that gave EU membership to many poorer Eastern-European countries, the Western states reacted much like they do now with asylum seekers pouring in from countries in the midst of crisis. They feared that workers from Eastern Europe would take all of the jobs from the West and dramatically change the demographic of the European Union in negative ways. This did not happen then and it will not happen now if asylum seekers are allowed to work in France without having to wait until they find themselves six months into being processed for asylum.

Migrant Workers in France and Current Legal Framework

France has historically been known to block migrants from working in jobs like the public sector and certain teaching professions. The ability of a migrant to work in France depends on how they arrive and what type of visa or other status they have upon arrival, as well as which profession they work in and when they come into the country. Much like the United States, France turns against migrant workers in times when unemployment reaches higher levels than normal, or other economic downturns occur. Because of this, many French nationals have negative views of migrant laborers, whether that be because they are employed and ‘taking jobs’ from others, or if they are not working because they are legally unable to and are therefore obliged to take state welfare.

Gender and race factor heavily into levels of migrant employment as well. During the research conducted in the summer of 2018, many asylum seekers who were interviewed spoke of how they had been discriminated against in attempting to find a job because they were African or Arab. Other, male interviewees discussed the problems surrounding women and being employed in France. In many cultures and countries, women do not work outside the home. They take care of their families and the husband works. However, upon arriving in France, women often have to change this structure and find a job in order to survive and with little to no experience or skills for the modern labor market, this can turn out to be next to impossible. A third barrier to employment for migrants in France is education. There are great numbers of highly skilled workers coming to France from Africa, Eastern Europe and the Middle East and yet when they look for work, they are often restricted from working in their field of specialty because of federal and local policies or laws requiring very specific educational requirements for the position.

In an interview that will be discussed in detail later in this paper, a man from the Democratic Republic of the Congo talked about his journey to France as a young adult in his twenties preparing to go to law school. He was met with a seven-year wait before he was able to attend school and when he was finally allowed to begin, he was instead obliged to find employment to support his family. Today he is a taxi driver in Paris, France.

According to an *Organisation for Economic Co-operation and Development* statistic, there are currently 2,754,341 African-born workers, 432,843 Asian-born workers, and 44,750,979 Europe-born workers currently holding jobs in France. By comparison, in Germany there are currently 138,180 African-born workers, 851,113 Asian-born workers and 60,313,453

Europe-born workers holding jobs (OECD). However, Germany's population is much older on average than the one in France.

There are many more North Africans in France due to geographical proximity and this shows in the number of workers currently in France who migrated from Africa. In addition, on page ten of a *Migration Policy Institute* publication by Patrick Simon and Elsa Steichen titled "Slow Motion: The Labor Market Integration of New Immigrants in France", the authors argue that "North-African migrants are especially prone to unemployment, however both groups of Africans had lower employment rates than other migrants and natives"(Simon, Steichen 10). The paper further argues that lack of education is the primary reason for this, stating that higher skilled migrants find it much easier to find work than uneducated laborers. This issue creates a far more negative view of African migrants in France because so many believe that migrants do not want to work and want instead to live off the welfare system in France.

Along with many in-person complaints delivered during interviews about not being allowed to work in France or to obtain a work permit, there are articles and publications that directly support this argument. One of these is a *Guardian* piece by Pierre Lepidi from March of 2018 titled "'We want to work': refugees tell France why UK is so attractive". The article lays out current restrictions on asylum seekers working in France and interviews four migrants who discuss why so many are trying to get into the United Kingdom, where they have heard it will be easier to find work. The article begins by stating that "Asylum seekers continue to flock to Calais in the hope of reaching Britain because France does so little to help new arrivals find work, retrain or integrate"(Lepidi). The severe restrictions on working in France as an asylum seeker contribute to the negative attitudes so many French have towards migrants.

As mentioned earlier, asylum seekers in France may not work while their asylum application is being reviewed. However, if the application takes longer than six months to be reviewed, the asylum seeker may apply for a temporary work permit and, if this is obtained, they are then able to work until they have been granted asylum status or had their application denied. In order to obtain a work permit, the asylee must “provide proof of a job offer or an employment contract”. In addition to this requirement, the *Asylum In Europe* website also states that “The duration of the work permit cannot exceed the duration of the residence permit linked to the asylum application. It may possibly be renewed”(Asylum In Europe). This makes finding a job and employer who will work with the asylum seeker and through the process of obtaining a permit extremely difficult.

The exception to the six month wait is if the applicant being reviewed for asylum has obtained “a special visa for the purpose of asylum from a French embassy or consulate”(Boring 118) within their country of origin. In this case, the asylum seeker may come to France and work while their asylum application is being processed. This type of visa is extremely difficult to obtain and there are very few asylum seekers who receive it.

An additional complication that often arises with permits and asylum seekers in France is when minors are seeking asylum. According to French law, the majority of vocational trainings are subject to a work permit as well, drastically limiting advancement opportunities for minors. *Asylum In Europe* states that “this permit is delivered to unaccompanied children, and the employment situation does not put any constraints if they meet some criteria, except when they are in asylum procedure due to limitations applied to all asylum seekers”(Asylum In Europe) and because of this, many minors choose not to apply for asylum. Later in this thesis there will be an

example of this further detailed: the story of a nineteen-year-old boy who was interviewed and spoke of how he considered himself a refugee but did not have that status officially and had never applied for asylum. His is just one of many stories about the difficulties asylum applicants experience each day in France.

LOI n° 2018-778

Many of the broad issues between French nationals and asylees can be understood, in part, by looking at current asylum policy in France. On February 21st, 2018, amid heightened immigration concerns in France and within the European Union as a whole, President Emmanuel Macron revealed an extremely controversial new immigration bill that would affect thousands of refugees and asylum seekers in France. The bill outlined a significantly stricter immigration policy than before, including imposing fines and jail time on illegal border crossings and faster asylum processing times and doubling the amount of time migrants being deported are held in detention. One of the most controversial parts of the new bill is “that failed asylum seekers awaiting deportation can be held for up to 90 days, double the existing period of 45 days”(“France approves controversial immigration bill”). This is being cited as further criminalizing asylum seekers and *BBC* also mentions how “Far-left leader Jean-Luc Mélenchon condemned the practice as ‘barbaric’”(“France approves controversial immigration bill”). President Macron’s public stance on this bill is that it will aid in streamlining and accelerating the asylum process in France. However, this seems to come with the reduction in human rights standards for asylum seekers in France. According to an NPR report written in January of 2018 when the bill was being negotiated, Macron had been “accused of betraying French humanistic

values with his proposed crackdown on migrants, with even some members of his own political party expressing concerns”(Beardsley).

The language of the bill focuses on “improving” receiving conditions and treatment of asylum seekers in general; promoting better treatment of migrants. However, Title III of the bill is titled “Strengthening the Effectiveness of the Fight Against Irregular Immigration” and continues on to lay out procedures for removing those who have not come to France through legal channels and the basis for denying admission of asylum seekers at the border. (*LOI n° 2018-778*).

This bill was officially passed on September 10th, 2018. In addition to the changes mentioned above, under the new law, asylees only have ninety days in which to file an application for asylum whereas the time period used to be 120 days. This change has been cited by *Human Rights Watch* as potentially hurting the “most vulnerable asylum seekers, who would be the ones most likely to miss the deadline”(“France: Bill Could Undermine Asylum Seekers’ Rights”). A *Polish Institute of International Affairs* publication titled “Immigration and Asylum Policy Reform in France” stated “...specialists say these deadlines are too short for consideration of the cases and are aimed at deterring migrants from coming to France”(Jurczyszyn). Interior Minister Gérard Collomb, declared that “the proposed changes are also the most restrictive in 70 years”(Jurczyszyn). For the purpose of this paper, one of the positive changes that *LOI n° 2018-778* has implemented is that asylum seekers currently undergoing the asylum review process can now apply to work six months after filing for asylum instead of nine, which it had been previously. This cuts down on both the number of asylum seekers being unable to support themselves or their families in France, as well as the welfare the French government has to

allocate to asylum seekers, which in turn will hopefully lead to less tension between French nationals and asylum seekers in France.

Although it includes negatives for migrants in France, LOI n° 2018-778 leads one to believe that France wants and needs asylum seekers *working* in the country and helps to refute arguments against those who do not want migrant laborers who ‘take jobs’ from French nationals. Given the opportunity, asylum seekers in France will work hard to create a more prosperous country, both culturally and economically. This argument is evidenced in the interviews conducted during the summer of 2018.

Findings from Interviews during the Summer of 2018

During the summer of 2018, the principle investigator(author of this paper) conducted research in France with the goal of providing qualitative data about the attitudes the French have towards migrants, and the resulting migrant experience. This was accomplished by asking questions of interviewees to examine solutions to the issues that arose due to the attitudes of French nationals towards migrants. The principle investigatorconducted interviews in Paris and in a smaller town called Mont-de-Marsan of around 30,000 in the south-west corner of France.

The purpose of the study was to focus on the negative attitudes towards immigrants in France and examine solutions to the issues resulting in these negative attitudes. *Le Figaro*, a popular French media outlet says that, according to their findings, “64 % des Français se disaient alors contre l'accueil d'une partie des migrants (64% of French are against the taking in of migrants)” (Bastié). An August 2016 poll done by Ipsos says that “half (50%) think that

immigration has placed too much pressure on public services in their country” and adds that, “Concern is highest in...France (60%)(Ipsos 2016).

Initially, the research was intended to identify issues solely faced by refugees. However, it became quickly apparent during the research that refugees were *not* the group to focus on for this particular question. Both migrants and French nationals pointed to asylum seekers as the group struggling the most and having the worst interactions with French nationals. The primary reason cited for this on both migrant and national sides was that individuals with refugee status were far more protected and had more opportunity to hold jobs and attend school than those with the status of asylum seeker.

Interview transcripts were analyzed and recurring themes documented accordingly. Each interviewee; whether French national or migrant, was asked the five following questions:

1) Please state your age and birthplace. 2) Please tell me about your education (level not institution) and career (past or present). 3) Have you ever traveled outside of your country of origin and France and if so, which countries? 4) What have been your initial and current perceptions of the French/migrants and any interactions which you wish to discuss. 5) Do you think that refugees/asylum seekers are being fairly treated in France and if not, why?

The emerging conclusions pointed to economics as the driving factor behind negative attitudes between migrants and French nationals. After extensive interviewing on both sides, it is clear that the prohibition on asylum seekers seeking work for the first six months of the asylum process has been the principal source of conflict.

Interviews with Migrants

Interviews with refugees, holders of subsidiary protection and asylum seekers were conducted at a school for young adult refugees and asylees in Paris, France called the *Pierre Claver Association*, and later at an association of refugee journalists also in Paris called *Maison des Journalistes*. Most of the migrants interviewed had been in the country for at least a year. Due to Institutional Review Board restrictions, interviewing the most vulnerable migrant populations was not allowed, such as those who were homeless or had just arrived in France. The interviews included here were chosen because they provided insightful and detailed information on the economic and social issues faced by migrants in France today.

The first interviewee was a forty-six-year-old man from the Democratic Republic of the Congo. He had passed his Baccalaureate in the Congo and came to France wanting to begin law school. His goal was to become a lawyer and to advocate for immigrants. Upon arrival, he was unable to attend school due to his lack of the proper paperwork, so he went on instead to work as a delivery, transport and taxi driver.

This individual's experience in France had not been a positive one. He talked about how he was an intellectual in the Congo and had been treated with respect, but not in France. He waited seven years without being able to work or go to school. And he discussed how he had sacrificed his whole life because of this. He had arrived at age twenty-six and said that "even without refugee status, give me access" to education, to work, to live. He currently has seven children who all reside in France with his wife, but when he first arrived, he had been forced to leave them behind while he worked to build them a new life in France.

He described how he was kidnapped in France early on after his arrival. He was taken from his home at two a.m. by French police who proceeded to beat him and send him to prison

with no explanation given. He stayed in prison for one month while awaiting trial because there were a lot of vacation days and the judge he was slated to see did not work during that time. He was later threatened with deportation back to the Congo.

When asked if he thought asylum seekers and refugees were well treated in France he replied that no, “colonization is still alive and present in France. Access is blocked for migrant children, who in their home countries walk long ways to school and do not eat enough or have light at night to read by. They put themselves underneath street lights to study.” He declared that many African children would surpass French children in academics if given the same opportunities in France. If refugees were given the chance, he said, they could help their mother countries. He said that “...this system is awful” and that it “Does not give me hope for the future, destroys humanity, unjust”. He stated that France gets money to take in and care for refugees but they [refugees] never get the funds. France is the only country in Europe who does not take care of asylum seekers, according to him. He says the best place to immigrate to is England and that he knew a lot of Sri Lankans and Indians in Paris trying to go migrate to the United Kingdom. He did not share what his current immigration status was in France.

Association Pierre Claver

In contrast to the middle-aged Congolese man, the second one conducted during this study was with a nineteen-year-old boy born in Damascus, Syria. He had passed his Baccalaureat in Syria, had an internship at a design company in Syria for six months and then a year of prep school in art decor after arriving in France. At the time of the interview, he was a student at the *Pierre Claver* school. His perspective on the French was quite different from the first

interviewee and the factors of age and number of years in the country contributes to this difference.

He had been in France for one year at the time of the interview and thought that, in general, the French were very open to conversation. “They will argue over literally anything, from soap to juice; they like to debate,” he said. Usually the French do not ask each other about religion and finances, but he declared that many French people have asked his mother these questions. His mother was a refugee who had entered France with her status already determined. He also said the French never cease to remind foreigners that they are different.

Finally, when asked if refugees were being fairly treated in France he replied that yes, when it comes to providing services and protections and staying in France. When it comes to respecting refugees as human beings however, the French do not do this, especially from people who work in refugee services. He stated that “You cannot ignore the fact that refugees are provided for legally and the government is trying its best but individuals are not”.

A particularly enlightening interview later that same day was conducted with a forty-five-year-old man from Iran who was a former student at the *Pierre Claver* school. He had studied horticulture in Iran and later left to pursue cartooning, which led to his current career as a political cartoonist. He knew absolutely no French when he had first arrived, but quickly learned the language at *Pierre Claver*. He said that students stay at *Pierre Claver* after graduating because it is a community to which they can contribute and integrate into. He now teaches a class at the school.

He had travelled to Beijing, China for a conference through the Cartoonist Rights Network International, which is based in Washington, D.C. as the representative Iran. He had

also been to Hungary for a conference through the same network about hate speech right after the Muhammad cartoons appeared in Denmark. He was wanted at these conferences partially because he was from Iran and could speak about the political situation there. This was risky for him. He had also been to the Hague in the Netherlands to do a TEDx Talk in March of 2014; right before the Charlie Hebdo attack in Paris happened.

When asked about his experiences and perspectives of France and the French people, he said that “the French system is old and outdated and seeks to rebuild you from scratch and this is the main problem. You are forced to prove who you are and this is too difficult for many people”. He says he has lived in two different worlds: one of the French system, which is the enemy of the refugee and the asylum seeker; and one of the French people themselves, who are amazing and offered him real friendship, good projects and were life changing. Why are these two worlds so separate? He says it is because the current immigration system is old and untouched and the people who run the government were educated very narrowly to think you should fit into a specific category and if you do not, the system blocks you. He says this is an issue because most refugees and people in general are different and do not fit a select few specific criteria.

When asked about the economic situation faced by migrants today, he said there is a job search organization in France called *Pole emploi* which assisted him in finding employment. He has engaged them three times. However, he stated that “When you go as a professional and explain your experience and education, it becomes a problem when they discover that these were not in France.” They gave him a list of magazines he could work for that they pulled from

Google. He was given small, easy tasks that did not at all fit his professional expertise. He finally quit and accepted the risk of not working.

When asked if he believed that refugees were being fairly treated in France, he said no, because, although according to the law, refugees receive some bare essential services, “as soon as you get your papers they drop you in the street”. He said that “The system abandons migrants as soon as it can.” If you declare yourself as active, meaning able to to work and contribute, you pay the system even without a job. They pay for you as long as you ‘beg’ them. If you show them that you are equals, the French system, not the people, hate you. “They want you to beg” but that “Part of the problem is us [refugees] too” There is a problem of integration with the French system. “Politics is being run by elites, not people. Despite France having a bad system, he believes there is hope, because of ‘Loi 1901’ which says that associations have complete independence and power and can do things that the official system cannot. The *Pierre Claver* school is one such association. This is the power of people at work.

Later that day an additional interview was conducted at the *Pierre Claver* school with a thirty-two-year-old man from Ghazni, Afghanistan who had never attended school. He had been a sheep herder back in Afghanistan. He had been one of the first students at *Pierre Claver* when it opened ten years ago. He said that, in his experience, French was a very difficult language to learn. Today he works in a lw office and teaches at *Pierre Claver* He also does theater in his spare time.

He had first come to France at age twenty-two with no papers and lived on the streets for a while. He spoke of when he had been in Greece before arriving in France and said that police

there were extremely violent. The migrants he had met in Cyprus were already headed to France and he had decided to travel with them. Before that he was in Greece for three months.

This man registered as an asylum seeker upon arriving in France and met nice French people. He never planned to go specifically to France - "just wanted to be able to live". He said that the French system does what it can but has recently received more refugees than it was created to be able to care for, so of course there are problems. In the French media "we only see problems from refugees and asylum seekers and never the positive things, and this is part of the problem". He said it is important to put yourself in the shoes of others and try to truly understand them before you decide to judge them. He described how he had come from a very small village in Afghanistan and still managed to meet a ton of people at the *Pierre Claver* school and those connections had helped him immensely in integrating into French society.

The sole female migrant who volunteered for an interview was a twenty-five-year-old woman from Armenia. She was a student at the *Pierre Claver* school in Paris and had refugee status. She explained that she had not known a word of French when she had first come to the country, but soon began studies at *Pierre Claver* in beginning French. Before coming to France, she had studied at an art school in Armenia, and learned to play the piano. She is currently in art school in Paris, "...thanks to *Pierre Claver* and Ayyam", the director *Pierre Claver*. During her time at *Pierre Claver*, she had taken theater, poetry and all the cultural classes she could in order to better live in the new country. *Pierre Claver* gave her a chance. "People here want you to succeed. When you come to France you are a baby in a new country and need a new mentality" she said in her interview. The first step is to learn the language. *Pierre Claver* does more than just function as a school - it helps people become integrated in the community and have access to

life. She started over when she came to France and to *Pierre Claver*. “You get better here and in life”. *Pierre Claver* helped her give concerts and meet new people through traveling with the school. She said that “Professors are very happy when you advance and when you make mistakes they forgive you - like a family”. She did two years at *Pierre Claver* and Ayyam helped her make her dreams come true.

She spoke of how Parisians and the French are amazing, very open and nice, and how she met amazing people who wanted to help and whom she could turn to for advice. Unlike many others in her position, she had had a straight path to her goals and did not waste any time; all due to the *Pierre Claver* school.

She said that “You must always be positive, even though my life was never easy. You must live a complicated life in order to be independent. See that small things that make you happy - like a flower in bloom”. She described some of her experience with the French and the French system, saying that “when people see your refugee card, they do not know what to think - they are scared for you”. While many refugees think they are treated like less, she said that she understood the French who do not know her and it is normal to be looked at differently; they don’t treat her as less, they are just scared. “Ayyam treats you like and equal and remembers your full name - that’s amazing. In France, it’s not that people don’t like you but there is a distance because they do not understand you. If they know you as a refugee first, a wall forms”.

A twenty-five year-old man from Somalia who had been in France since 2013 was interviewed a few days later and provided an honest and positive perspective on being a black refugee in France. He had passed his Baccalaureat in Somalia but could not get into a French university upon arrival because they wanted him to retake the Baccalaureate in France. He did

three years of studies at *Pierre Claver* and later began work at a hotel, which helped his French significantly. At the time of the interview, he was currently in school for coding in order to be a program analyst.

When asked how he had ended up settling in France, he stated that he had originally planned to immigrate to England but was blocked from doing so at the airport. He had been travelling alone and only twenty years old. He then met other Somalis in Paris who helped him find a place to stay and so he decided to stay in France. He said that for him, it was “great to meet a lot of diverse people from different countries and that everyone has their own culture that is different...It is a question of being accepting”. On the subject of racism he had experienced, he said that he takes everything he experiences in and filters out the negative, saying “I have a brain and can filter”.

When asked if he thought that, in general, refugees and asylum seekers in France are well treated he stated that, “Yes, because since I’ve been here, I feel I have rights like the French do and the French respect that. I have never had a problem with people being racist towards me”.

Maison de Journalistes

A second institution where interviews were conducted was the *Maison de Journalistes*, or *House of Journalists*. Founded in 2002, the organization provides shelter and protection for migrant journalists fleeing persecution because of their investigative work in their countries of origin. The interview from this association that proved to be the most enlightening was with a thirty-two-year-old refugee from Syria who, at the time, had been in France for just over one year. He had studied archeology in Syria and spoke of how, while he was working in a museum,

people in the government regime stole some artifacts from the museum and he wrote an article on this, figured out that he enjoyed writing and then continued to do so. The regime had soon arrived to question him on his articles and told him to stop writing. They wanted him to join the army, so he stopped writing and joined for two years. He then left and started working as a journalist again and the regime threatened him and his family so he stopped writing and began work again as an archeologist in a museum in Raqa. The regime came to where he worked and stole the museum antiquities and then forced him to leave his job. They declared he was with ISIS, even though he had no connection to the organization. He was taken by security and questioned in a building where he saw people chained to the walls in the hallways.

He described how the individual who questioned him said that he either had to sign a paper saying he loved Syria and would go back to the army, or be imprisoned. He signed the paper but did not go back into the military. Instead he went to Damascus, where he became the director of a museum. He said that the regime fired the officers who had questioned him in Raqa. He felt that after this, he was safe so he went back to his hometown in Syria and three days later security forces arrived and took him to a security center where five people beat him. He was then hung by his wrists and beaten for days. All his teeth were broken. They asked him if he worked for the Turks. He continued to be beaten and questioned for three months. Finally, his father managed to buy his way out and told him that he should not speak, saying "I always told you not to speak". His father made him leave Syria for his own safety, so he went to Lebanon where he stayed for six months. Later he went to Turkey and kept writing, this time about the schools in Turkey and in Syria, all of which are in bad shape. Then he went to Istanbul, where ISIS sent him death threats. He came to France after police in Turkey tried to stop him from leaving the

country and French officials let him in after having issued him a temporary visa. He did not disclose what specific visa he was issued. He currently holds refugee status.

There were several more refugees and asylum seekers interviewed during the period of this research, and the findings with the stories they presented remained generally consistent: that a lack of integration of migrants, especially the prohibiting of asylum seekers from applying for work permits remains one of the most pressing issues facing migrants in France today, both for economic and social reasons.

Interviews with French Nationals

French nationals in Paris and Mont-de-Marsan were identified through friend and family contacts. The most helpful for this research are detailed below.

The first French interviewee was a seventy-five-year-old woman who had been born and resided in Paris, France her entire life. She had graduated from high school and worked as a hairdresser and then later as a secretary for her husband's small business. On the topic of refugees and asylum seekers she said that "I understand that refugees are here, but there are too many. My husband was a refugee but worked hard to be in France. I can fully understand. A ton of men come without women and leave them behind. They don't want to adapt". She later spoke of how she believed that there are currently too many refugees and immigrants in France, and how she believed that they are all living in misery and not treated equally. They also have difficulties between each other already, she said. Her most prevalent concern with migrants today is that "They are given money and social services when retired old French people are not."

In her retirement, she said, “I do not get the amount refugees get each month in all of my retirement”. Her husband was interviewed next.

He was a seventy-six-year-old man with French citizenship but was born in Croatia and completed high school in Croatia and then fled violence at eighteen and went on to run his own small construction and household repair business in France. When asked about his perceptions of refugees, he said it was a sad situation that they come to a country that cannot fulfill their dreams. He understands that the immigration crisis is the fault of politics. But he said next that “immigrants do not adapt to this country. They are unmotivated and do not want to work - they want to have everything handed to them. Even if we give them resources and money they still continue to be unmotivated. They do not want to adapt.”

They have smart phones while he has a flip phone. He came to France and had nothing. When he visits other countries, people do not welcome him. He says refugees in France are treated well but that they do not adapt. He had worked in African embassies and said that “they have a ton of money and do not work a lot”. When he came here he had nothing. “ In his experience, “All of the African presidents have castles here in France - money is given to them to help their countries and instead it goes into their pockets”. His narrative gave an example of the view so many French nationals have towards migrants: as foreigners who have no desire to work or to contribute to the French economy in any way. This is a perfect example of why there are so many negative views of migrants in France today.

An interview conducted in the southwest town of Mont-de-Marsan, France with a seventy-four year old man from France showed a far more extreme view of the migrant situation in the country. The interviewee had been to primary school and then gotten a license to work at

age fourteen in France, and later certificate of technician, and had spent his entire life in the area. He became a businessman and later managed his deceased father's company that made office chairs. He traveled extensively around Europe for work and had been retired for a few years at the time the interview took place.

He spoke about how he had created bonds with people from all over the world in managing his company of 150 employees. The company was in his home region and he wanted it to stay that way. He said he likes Trump and that he is very rooted in his social environment and company, and that having local people work for him was important. A long time ago, he had someone work for him from another country who was black and he said they are still friends.

When this interviewee was asked whether he thought that migrants were being treated equally in France he said that there was no equality and that refugees today are less sanctioned than citizens. To keep their peace of mind, he said, politicians give too many resources and financial assistance to refugees. He said that "Retired people make less per month than refugees." But it depends - not all refugees get money. Many refugees can get away with more illegal stuff than he can. He is a Catholic Christian and very republican. For him, health, comfort and adaptation are important in a system that is intemporal, impersonal and minimalist. When he was born, there were two billion people in the world, now there are seven billion and "that's the problem right there". This thinking is not new in France or throughout the rest of the modern world.

What bothers him most about migrants is that they modify society too much. They refuse to adapt and want to impose their way of life on his country. They come to his country to "find what they don't have but bring and form France into their own society". Aside from the

economic side of the situation, this narrative also showed a negative view of what the interviewee perceived as different than what he knew society to be and for him, this was bad.

Interview Conclusions

Skin color was a significant factor in how a person was treated during their time in France but typically this was coupled with country of origin and level of education. The first interviewee, the taxi driver from the Democratic Republic of the Congo, gave a narrative on his treatment that highlighted the racism of many French nationals. He was mistreated in police custody; kidnapped, beaten and imprisoned without reason. He said that France was not a good country for refugees or asylum seekers and that he had expected better from a developed Western country. One prominent issue with this type of racism is that it comes from government officials. This interviewee was discriminated against upon the basis of skin color by police and by the court system. His story is yet another example of the systemic racism so prevalent in the developed western world. It is one thing to be racist when one holds no official power over the individual being discriminated against and an entirely different matter to be an official within the government and to display the same discrimination. The man from the Democratic Republic of the Congo had his life ruined at age twenty-six because of a lack of access to work and education in addition to poor treatment from those wielding their power over him.

Country of origin also plays a significant role in how people see and treat refugees and asylum seekers. The journalist from Raqa, Syria spoke on this. He talked about being treated with suspicion and how people seemed much more guarded when he mentioned he was from Raqa. For him, adding later on in conversations that he was a journalist seemed to ease people's

minds a little, but the feeling of a wall between him and others never left once his country and city of origin were known.

One final and central issue brought up by nearly every migrant interviewed is the word refugee itself. Having refugee status enables a migrant to receive many more financial and social benefits in France than if they did not have said status. Someone who has been legally recognized as a refugee is able to work, find housing and access education far more easily than someone with a different immigration status. However, based off of interviews with people who have refugee status, the word is often accompanied by negative changes in how the refugee is seen and treated by French nationals. The twenty-five-year-old woman from Armenia discussed this, saying that “when people see your refugee card, they do not know what to think...In France, it's not that people don't like you, but there is a distance because they do not understand you. If they know you as a refugee first, a wall forms.” A similar experience was felt by the nineteen-year-old boy from Damascus, Syria, whose mother is a refugee. He said that when it came to “respecting refugees as human beings...the French do not do this, especially the people who work in refugee services”.

The overarching theme of these interviews was the economic situation in France. For migrants, being unable to work and consequently being seen as lazy has detrimental effects on how they go on to interact with French nationals. For the French, their harsh judgment of migrants not working and contributing to the economy may be an obvious criticism of migrants themselves, but perhaps it is also a representation of the French as a people. France is known for being a nation of workers who constantly complain and go on strike far more than other

developed western nations. Perhaps when the French talk about immigrants who do not work, they are also thinking about themselves and how so many in their own society resent working.

One important consideration with these findings is that the questions asked during interviews (stated above) were quite open-ended. When asked the fourth question: “What have been your initial and current perceptions of the French/migrants and any interactions which you wish to discuss.”, interviewees immediately began by speaking about the restrictions on being able to work as an asylum seeker. Both migrants and French nationals emphasized this and the trend was consistent across interviews. At no point were interviewers asked whether they thought the employment restrictions were good or bad; it was entirely up to them to bring the issue up.

Refugees are treated well in terms of being allowed to have their basic economic needs met within the French system, but not when it comes to social acceptance and integration. Asylum seekers, however, face an even worse situation because they experience the same social stigmas and lack of acceptance that those with refugee status do, but on top of this, they are blocked from obtaining employment and taking the first step towards integrating into a new society.

The inability for asylum seekers to apply for a work permit during the first six months they are being processed for asylum is one of the most significant factors preventing migrant acceptance and integration in France. It puts more pressure on the welfare system and creates a divide between migrants and French nationals because of the lack of understanding between them. The French continue to believe that migrants are choosing not to work and simply living off of their taxes while asylum seekers are angered by being legally restricted from finding work and supporting themselves and their families.

Closing Conclusions

The refugees and asylum seekers interviewed during this research were diverse in age, origin, physical appearance and level of education. These factors caused their experiences as migrants in France to vary greatly and allowed for equally diverse responses to the questions asked during the interview process. Most interviewees, both French nationals and migrants, asserted that French asylum policy had a direct effect on their perceptions of migrants in France and that currently, this effect continues to be far more negative than anything else. The French nationals interviewed also indicated that if asylum seekers were able to work, they would see many issues discussed resolved very quickly. The frustration stemming from so many Frenchpeople is simply that they see migrants as a lazy population invading their country, benefitting from their welfare resources, and not wanting to work.

This paper laid out the legal frameworks and history of asylum to prove the argument presented above, and implemented interviews from a set of real, hardworking, and deserving migrants who have experienced what it means to be an asylum seeker in France today. The initial research questions on perceptions and societal integration focused on issues that refugees experienced. However, these questions quickly shifted to asylum seekers, who are generally far more vulnerable than those who have official refugee status. The quantitative data collected contributed significantly to answer the central research question: what would aid in improving the perceptions of migrants in France and increasing societal integration? This data can also serve to inform asylum policy in France; pointing out that policy has a far greater impact on perception than is often assumed.

This paper is not advocating for a huge change in French law. It is asking for an adjustment in the language of the laws and of the timelines built into these laws. A simple change from asylum seekers seeking employment having to wait six months to asylum seekers being able to work immediately would result in a significant reduction in the related issues being seen in France today.

Asylum seekers will not disappear from France anytime soon. They will continue to come into the country and the French economy will need them to contribute to the social and economic success of the country. Migrants enrich France socially, culturally and linguistically. They must now have the additional ability to do so economically and to rebuild their lives in a new country.

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