



Ca' Foscari
University
of Venice

Master's Degree programme – Second Cycle
(D.M. 270/2004)
in Comparative International Relations

Final Thesis

Immigration and Integration in France

The impact of French state policies and initiatives on
the process of integration of immigrants between
2014 and 2024

Supervisor

Prof. Kerem Halil-Latif Öktem

Graduand

Matilde Claret

Matriculation Number 1000500

Academic Year

2024/2025

TABLE OF CONTENTS

ABSTRACT	1
INTRODUCTION.....	3
CHAPTER 1 – MIGRATION THEORIES AND OTHER APPROACHES: WHICH CONNECTIONS TO THE FRENCH CASE?	7
Introduction.....	7
1.1 General theories of migration that can be useful to explain the French case	8
1.2 Theories related to the specificities of the French case and its views on integration.....	13
Conclusions	17
CHAPTER 2 – FRENCH IMMIGRATION AND INTEGRATION HISTORY: EVOLUTION OF A NATION BETWEEN PROGRESS AND REGRESSION.....	18
Introduction.....	18
2.1 France’s migration in the twentieth century: from the reconstruction after World War Two to the crisis (1945-1990s).....	19
2.2 The beginning of new century: the epoch of the “ <i>immigration choisie</i> ” (2000-2013).....	21
2.3 From 2014 onwards: France’s new journey, between crisis and modern challenges.....	23
2.4 Integration and citizenship in France: assessing the current situation	30
2.4.1 Integration or not? Analyzing the situation under different points of view	31
Conclusions	45
CHAPTER 3 – ANALYSIS OF IMMIGRATION AND INTEGRATION POLICIES IN FRANCE	47
Introduction.....	47
3.1 Reflections on the state of migration.....	47
3.2 Reflections on policies and the future of governance	48
Conclusions	52
FINAL REMARKS	54
APPENDIX	57
LIST OF ACRONYMS.....	68
BIBLIOGRAPHY AND SITOGRAPHY	69

ABSTRACT

This thesis examines the extent to which French policies have impacted immigrant integration between 2014 and 2024. The research aims to analyze the policies implemented by the French state during this ten-year period and their outcomes in terms of immigrant integration. Furthermore, it seeks to evaluate the continued relevance of these policies and their potential as a foundation for future actions. The interest in this topic was sparked by the necessity to understand how migrations' flows have changed during the years - mainly in recent times-, and how these impacts on the intersectionality that migration has with integration and politics among other variables. The historical context of French migration, significantly shaped by its colonial past, has created a diverse society, and despite numerous laws enacted since 1945 addressing immigration, a satisfactory resolution remains elusive. The period from the 2010s into the 2020s, marked by increasing immigration levels, presented significant challenges to integration and peaceful coexistence, further influenced by the rise of far-right political movements. The present thesis would thus like to investigate the concepts of integration and national identity, also in order to understand the reasoning behind the choices made by the different actors part of the decision-making processes, and how the various factors influence each other when it comes to the perception the dominant society type has of immigrants. Thus, this thesis aims at providing a comprehensive overview of how legal initiatives and policies of the French state in this field have evolved across multiple levels of governance over the most recent years and to what extent they have facilitated (or hindered) the economic, socio-cultural and civic and political integration of migrants with different cultural and social backgrounds into French society.

L'elaborato esamina la misura in cui le politiche francesi hanno avuto un impatto sull'integrazione degli immigrati tra il 2014 e il 2024. La ricerca si propone di analizzare le politiche attuate dallo Stato francese durante questo decennio e i loro risultati in termini di integrazione degli immigrati e relazioni sociali. Inoltre, cerca di valutare la continua

rilevanza di queste politiche e il loro potenziale come base per azioni future. L'interesse per questo argomento nasce dalla necessità di comprendere come i flussi migratori siano cambiati nel corso degli anni - soprattutto negli ultimi tempi -, e come ciò influisca sull'intersezionalità che la migrazione ha con l'integrazione e la politica, tra le altre variabili. Il contesto storico dell'immigrazione francese, notevolmente plasmato dal suo passato coloniale, ha creato una società diversificata e, nonostante le numerose leggi emanate a partire dal 1945 in materia di immigrazione, una soluzione soddisfacente sembra rimanere un obiettivo difficilmente raggiungibile. Il periodo compreso tra gli anni dieci e gli anni venti del duemila, caratterizzato da crescenti livelli di immigrazione, ha presentato sfide significative all'integrazione e alla coesistenza pacifica, ulteriormente influenzate dall'ascesa dei movimenti politici di estrema destra. La presente tesi si propone quindi di indagare i concetti di integrazione e identità nazionale, anche al fine di comprendere le motivazioni alla base delle scelte operate dai diversi attori nei processi decisionali e come i diversi fattori si influenzano a vicenda quando si tratta della percezione che la tipologia di società dominante ha degli immigrati. Pertanto, questa tesi mira a fornire una panoramica completa di come le iniziative giuridiche e le politiche dello Stato francese in questo campo si siano evolute su più livelli di governance negli ultimi anni e in che misura abbiano facilitato (o ostacolato) l'integrazione economica, socio-culturale, civica e politica dei migranti con background culturali e sociali diversi nella società francese.

INTRODUCTION

This thesis investigates the extent to which French state policies and initiatives between 2014 and 2024 have facilitated the integration of immigrants.

France has a long and ancient history of immigration, especially since the post-World War Two period. The years from 2014 to 2024, however, brought forth a new wave of changes and restrictive actions in French immigration policies. The refugee crisis of 2015-2016 provoked a series of pressures on the French asylum system; this led to a renewed debate about the actual capacities of France as a country to host migrants and make sure that they could integrate in its society. This kind of pressure triggered a vicious cycle that involved various political parties and fields of expertise, both within and outside the country. First of all, the more the pressure grew at national borders, the more restrictive policies became to protect the country from what was increasingly perceived as a threat to national security. This in turn caused the development of new migration routes: this implied not only more attempts at irregular border crossings, but also worse relationships with neighboring countries.¹

The ten-year span 2014-2024 was particularly important for migration because of the number of related events that happened during this time, and the subsequent sharp shift in political discourse regarding migration and its effects (in France just as elsewhere). In the European context in particular, the years of 2014 and 2024 surely marked the beginning and maybe the end of the most critical period of debate about this topic: in 2014 the discussion about the possibility of a concrete common European policy in terms of migration governance began to be seriously considered and in 2024 the EU ended up approving the New Communitarian Pact about immigration and asylum.² The last few years of the decade saw a continued politicization of migration and, in the case of France,

¹ One great example of this situation is the relationship between France and the UK when it comes to the crossings of the English Channel. However, international relations were also worsened by other events such as the Covid-19 pandemics, the Brexit and the Ukrainian war.

² Choosing such a relatively long period of analysis seems the most appropriate choice in order to evaluate how things have changed during the years and what the outcomes of different policies and actions have been.

they fueled the debate on the so-called “Republican model of integration”,³ in particular in relation to Islam, laicism and difficulty of integration in the French *banlieues*. All these debates tied into larger ontological questions and anxieties about what it means to be French, who can be accepted as a full citizen and who cannot, and finally, what political elites and the public at large want French society to be. This difficulty in determination implied the growth in number of policies regarding immigrants and migration; however, for the sake of brevity, this thesis will focus on national-level policies.

Analyzing the policies France adopted and what solutions it came up with in the above-mentioned ten-year span serves primarily two objectives: the first one is to study what the explicit and implicit aims of these policies were, what outcomes they have had in terms of their professed goals and how they have influenced the integration of immigrants and the relationships between the different components of the society; the second is to assess whether the policies that are still in place and implemented can be viewed as a starting point for better future actions. To do so, the thesis evaluates also the reasons why these policies (such as the Contrat d’Intégration Républicaine, the Code de la Nationalité, the Loi Collomb, or the 2024 Loi Asile et Immigration) are still applicable to today’s situation; it also carries out the assessment on integration mainly from three different points of view: economic, socio-cultural, civic and political.

The present thesis investigates the concepts of integration and citizenship; it tries also to understand the rationale behind the choices made by the different actors of the decision-making processes, and how the various factors influence each other when it comes to the perception French society has of immigrants. An important part in this perception process is played by the French state which, by hardening policies regarding immigration, has made even more difficult for immigrants to integrate and live a life in line with the rest of the (native) population.⁴

³ The “Republican Model of Integration” is a model that states that migrants can be seen as fully integrated in the French society only when they prove they have assimilated the values of the French Republic: in other words, the Republican values are seen as a prerequisite for the full integration of foreigners.

⁴ This is even more true when it comes to Muslim immigrants, which are the ones who are perceived as more of a threat compared to other minority groups. They are also the ones who are more subject to a sort of “assimilation policy” that forces them to abandon their own culture and original identity in most cases in favor of French values.

In a reality where those who migrate are constantly put in a situation where they are called into question and at the same time call into question who they are and how they should adapt, one thought that comes into mind in the French context is: how does the French republican model of universalism coexist with persistent forms of discrimination - especially against visibly Muslim immigrants -, and how does this shape identity, integration and citizenship challenges in turn? This thesis argues that the mentioned model of universalism, while supposedly aiming at promoting equality, does not account for the reality experienced by minority groups during their everyday lives. Thus, this system, while stating to be a supposedly neutral and equalitarian approach, reinforces discrimination issues faced by immigrants (in particular when it comes to specific groups).

Thesis structure

This thesis is divided into three chapters: the first chapter concerns itself with a review of already existing scientific literature that addresses the subject in question and presents the main theoretical approaches on migration. As the purpose of this thesis is to investigate the extent to which French state policies and initiatives between 2014 and 2024 have facilitated the integration of immigrants, and how the French model of integration influences issues of discrimination, this work also adopts a mix of different approaches: integration theory to examine whether and eventually how the state supports immigrant integration; postcolonial critique to highlight how France's colonial legacy shapes immigrant experiences; and critical race theory perspective to show how racialized assumptions structure policies and their outcomes.

The second chapter is devoted to the historical framing of migration issues and significant relevant events that somehow marked crucial points in the recent history of migration in France. It will also put into relation the theories discussed in the first chapter and the main laws, programs and governmental initiatives adopted in the 2014-2024 decade regarding migration; this in order to evaluate the efficacy and limits of said actions and see to what extent the integration in France has been realized. This evaluation is conducted from three different points of view: economic, socio-cultural, civic and political. Finally, the third

chapter will put into relation what has been stated in the previous chapters and reflect on future possibilities regarding migration, migration policies and integration in France.

The data used for this thesis, and in particular for the second chapter, are collected from different sources, such as existing databases from governmental and non-governmental organizations (e.g. INSEE, INED, France Terre d'Asile), French government reports and statistics on official sites (e.g. the data collected from the sites of Ministère de l'Intérieur and of the Ministry for Europe and Foreign Affairs), newspaper and blog articles and textual data (i.e. books). The purpose of this is to analyze French policies first according to their self-declared goals and then according to the real impact they had and still have on the lives of the immigrants who live in France. As the data that are elaborated are primarily quantitative ones, it is quite evident that the findings are somewhat generalized, without the possibility to take into account different individual experiences: that may give the impression that the present study could be too vague. However, the case study aims at evaluating the effects of governmental policies on France's immigrant population at a national level; that is why reviewing the most prominent theoretical approaches of migration studies and using a quantitative research design seems to be the most suitable option to put theory and reality into relation.

Finally, the results of this research are analyzed with a combined approach of process tracing and discourse analysis; the rationale behind this choice is to provide insights both on a macro and on a micro level: it is clear that political and institutional decisions affect even the apparently most insignificant aspects of migrants' lives.

CHAPTER 1 – MIGRATION THEORIES AND OTHER APPROACHES: WHICH CONNECTIONS TO THE FRENCH CASE?

Introduction

To understand migration flows and their characteristics needs a clarification of the concept of migration and of the theories that explain it.

Migration cannot be really understood without an explanation of some words like “migrant” and “migration” – among others. But what is even more important is: how do they acquire sense in relation to such a concept? To try to find an answer, we can begin by giving some definitions and some contextual distinctions. First of all, what – who – is a “migrant”? There have been a variety of definitions of the term throughout history, but for the sake of this research, we will take into consideration the description given by the International Organization for Migration (IOM): a migrant is << any person who is moving or has moved across an international border or within a State away from his/her habitual place of residence, regardless of the person’s legal status; whether the movement is voluntary or involuntary; what the causes for the movement are; or what the length of the stay is >>. ⁵ This definition may pose some problems, seeing its use as an umbrella term which does not specifically differentiate situations that can happen in relation to different contexts; however, we will not discuss this matter here. ⁶ Given this definition we can then clearly and simply define “migration” as << the movement of people away from their usual place of residence to a new place of residence, either across an international border or within a State >>. ⁷

⁵ The definition comes from the blog site of IOM <https://weblog.iom.int/who-migrant>, which provides a quick overview on the topic and on different situations tied to the migratory context.

⁶ Such difficulties in definitions often cause problems when it comes to the determination of the status of a migrant and their possible eligibility to obtain the documents that could allow them to find stability in their (possible) new lives and situations (e.g. the case of refugees or of determining who can acquire the nationality of a certain country).

⁷ The definition comes from the IOM site <https://www.iom.int/fundamentals-migration>. Other specifics on the topic can also be found here.

As for the theories that are related to this concept and explain it, the most relevant ones can be roughly divided into three groups: the **economic theories** (which explain migration based on economic factors and rational decisions made by individuals); the **sociological and structural theories** (which focus mainly on networks, [global] systems and structures of power); and finally, the most recent and **multidisciplinary approaches** (which try to place different factors into relation in order to give a more global and complete understanding of migrations flows, their causes and consequences).⁸

This chapter will concentrate on some more general approaches used in the field of migration studies that can be used to explain the dynamics of migration, followed by theories that are specifically related to the selected case study and to France's model of integration.

1.1 General theories of migration that can be useful to explain the French case

As previously stated in the introduction of this chapter, the field of migration studies is a vast one, comprising a selection of theories and approaches that intend to explain migration each from a specific point of view. While it is true that no theory can explain everything, taking into consideration some of them can help understand not only the causes of migration flows, but also the dynamics surrounding and deriving from them. In the French case, some of the most classical theories and then some of the newest approaches can provide some insights and understanding of such dynamics and of the different phases of migration.

Among the classical theories, three of them are important when it comes to the analysis of the factors that push people to migrate and to those that pull people to other countries other than their own. The action of migrating to another country is explained primarily by the world-system theory, the new economy of migration theory and the dual labor market theory. The *world-system theory*, firstly introduced by author I. Wallerstein,⁹ views migration as an inherent consequence of the development of global capitalism. This

⁸ For a critical analysis of all these theories see O'Reilly K, *Migration theories – a critical overview*, in Triandafyllidou A., Routledge Handbook of Immigration and Refugee Studies, Routledge, 2015.

⁹ Wallerstein I., *World-System Analysis*, Duke University Press, 2004.

approach sees the world as divided primarily into a core (represented by rich countries) and a periphery (constituted by “underdeveloped” countries): the economic expansion of the core destabilizes the periphery, causing (and at the same time accentuating) the structural inequalities between the two poles and triggering a vicious cycle that includes a constant demand for cheap workforce for the core and subsequent migration.¹⁰ This approach somewhat provides the context in which other theories come into play. Following this point of view, France – as a “first-world country” – should represent the core that attracts people from the periphery. This approach appears to be partly outdated: it could have been somewhat accurate in the post-World War Two period when this distinction between more and less industrialized countries was real and people emigrated from their countries of origin for mostly purely economic motives; however, since people nowadays migrate more and more also for other reasons, this theory seems to be inadequate to provide a satisfactory explanation of the current situation.

A second explanation of the phenomenon, which directly focuses on the countries of origin, is given by the *new economy of migration theory*. This approach views the decision to migrate as a *collective* action, which means that such a decision is often made in agreement among the various members of a family/community. In contexts where unexpected events can change the lives of entire groups of people, migration is seen as a strategy of risk diversification that can provide a family/community with different sources of income, ensuring them against an eventual total loss of sources of sustainment.¹¹ However, this approach, based on the concept of *relative deprivation*,¹² still lacks a certain

¹⁰ This theory is evidently valid only when explaining cases such as those of economic migration (and their consequences, like family reunification based on a cost-benefit analysis) and so on; that is to say, where people generally choose to migrate without being in a situation of dire need (contrary to what happens with refugees and asylum seekers).

¹¹ Such a theory is connected to another approach, the so-called *capabilities approach*. Following this perspective, migration is not only a matter of resources (present or future), but also of freedom and capacity of choosing to do what an individual or a group think is better for themselves. In this way, this theory stresses not only the importance of the human agency, but also the quality of a person’s life and the actual possibility that people have to make meaningful decisions: in this sense, the term “capability” can be intended as such only if the decision to migrate is a free and informed choice. Later, this approach has evolved into a more complete framework denominated *aspirations-capabilities framework*. The interesting take of this evolved approach is that capabilities alone are not enough to explain migration, because there is a discrepancy between the desire to migrate and the actual possibility to do so: that means that even if people had a high desire to migrate, they may not have the possibility to do so and vice versa.

¹² The concept of *relative deprivation* describes the situation in which a person/group believes that there is a discrepancy between their situation and the situation of another person/group in terms of resources or status owned. What plays a crucial part here is the *perception*: the discontent of the person/group is

globality in its explanation: by focusing only on push factors in the countries of origin, it makes an often-misplaced assumption that potential migrants, when evaluating their condition, will take their original community as their basis for reference and standard-setting, when in fact many of them would do so by looking at the community of the destination country.¹³ This was for example the case for Algerians coming to France after World War Two: many of them came from rural backgrounds, and going to a more industrialized country allowed them not only to create more revenues for their families, but also to eventually provide a better education and life for their children. As A. Sayad recounted in one of his books, this situation created a gap between those who had travelled to and worked in France at least once and those who did not: while the latter were mainly satisfied of the situation in their home country, the former were always looking at their life in France with a sort of nostalgia and constantly compared the two countries, even though their work conditions had been terrible.¹⁴

Finally, a third useful theory is the *dual labor market theory*. This approach, introduced by Michael J. Piore,¹⁵ assumes that migrations are caused not by push factors in countries of origin – or, at least not entirely –, but mainly by a structural demand for workforce in rich countries. This – which is mostly evident in the industrial sector and in the domain of caregiving – sets in motion what is called the “dual labor market”: the labor market is divided into upper and lower level, where workers in the upper level are highly-skilled, with high wages and stable jobs, while those at the bottom are the low-skilled who work in bad and precarious conditions. This fragmentation also corresponds to a social hierarchy: people in top positions have a higher social status, while people in lower positions tend to be socially stigmatized. For this reason, nationals tend to abandon low-level jobs, and this creates empty spots/spaces in the lower levels: this leads to a demand for new people willing to take them up, namely migrants, who accept them in anticipation of better future prospects. The situation hypothesized by this theory is a reality in France: while policies in multiple sectors of life highly favor native-born, immigrants and their descendants are often underrepresented in the economy (and also in politics and socio-

originated by the fact that they *perceive* themselves to be more worthy of what the counterpart has, even if they are not in a condition of (absolute) poverty.

¹³ Zanfrini L., *Introduzione alla sociologia delle migrazioni*, Editori Laterza, Bari-Roma, 2016, pp. 57-58.

¹⁴ Sayad A., *The Suffering of the Immigrant*, Cambridge: Polity, 2004.

¹⁵ Piore M.J., *Birds of Passage: Migrant Labor and Industrial Societies*, Cambridge University Press, 1979.

cultural life) and hardly have a relevant say in national debates, even when some of them regard them closely.

The above-mentioned theories regard mostly the first phase of migration while others shift their focus on the structures and relations happening in the journey from the country of origin to the country of destination and in the second part of migration (mostly the first contact with the country and society of destination). For example, the *network theory*, as its name says, focuses precisely on the role of networks and social structures: this approach states that migrations are auto-perpetuating through social networks and relations among people, which reduces the risks and costs of the movements of people but also facilitates the flows of information and financial help and give better support in the destination country. This way, the migration flow becomes easier and less risky as time passes. This could also explain why the dynamics of the “network logic” at work in the business relationships among migrants are so common: as author L. Zanfrini has clearly explained in one of her books,¹⁶ this logic can not only provide a “safe space” for immigrants and their descendants in which they can maintain their cultural heritage and traditions, but also << modify the existing opportunity structure, giving rise to new job opportunities and social mobility >>.¹⁷ Many communities, in France just as elsewhere, benefit of this situation: for example, some cities like Bordeaux have really strong Muslim communities with centers dedicated to communitarian networking. On this subject, these kinds of social and cultural ties extend far beyond national borders, linking countries of origins and countries of destination. The approach of *transnationalism*, which states that migrants maintain all sorts of ties with their country of origin, allowing them to build social, economic, cultural and political networks that transcend national borders, expresses exactly this idea. Those kinds of relationships have all sorts of consequences, both in the country of origin and in the one of destination: just to mention a few, this transcendence of boundaries can create hybrid identities and social and cultural remittances (in addition to the economic benefits) that influence the life of entire migrant

¹⁶ Zanfrini L., *ibid*, pp. 93-94.

¹⁷ In this sense, positive relationships with employers can be really useful for an entire ethnic group. When such groups make a good impression, they can use this factor as an advantage to obtain a more favorable treatment for other compatriots. Zanfrini L., *ibid*., pp. 93-94.

groups and communities.¹⁸ This approach is considered important also because it questions the entire idea of integration as a linear process that always follows the same path: that is to say, integration acquires a variety of forms depending not only in the specific person, but also on the surrounding context and previous experiences.

Finally, other theories and approaches concern themselves more with destination countries: among them, the institutionalist theory of migration and the mobility transition theory bring an important contribution to the debate. Taking as its starting point the assumptions given by the causal accumulation approach,¹⁹ the *institutionalist theory of migration* stresses first of all the role of migration policies, which have the power not only to condition the composition and the dimension of the flows, but also the status of migrants and their opportunities to integrate into the society of destination. Another important observation made by this approach, which somehow connects it with the network theory, is the attention put on the role of individual agency on one side and institutions and organizations on the other when it comes to migration processes. Inside each society, the actions and scopes of these different parties are never isolated from each other: everyday, they influence each other by limiting or expanding their possibility for action.²⁰ On the other hand, the *mobility transition theory* suggests that there is a relation between the changes in the economic and demographic levels of a country and the mobility models implemented in migration: that is to say, those two factors constantly influence each other thanks to and because of migration flows. Such theoretical approaches find a validation in the reality of integration and migration in France in the last decade: the migration policies that will be discussed in detail later in this thesis have significantly reduced the possibilities of migrants to achieve a life that can be considered on equal foot with the one of members of the mainstream society.

Another group of theories have gained ground in the field of migration studies in more recent times: the so-called *bordering theories*, which concern themselves with the

¹⁸ The remittances by the Algerian community in France were so important in the post-World War Two period that they led to a closure of the borders in order to stop the “illegal” transport of goods between France and Algeria.

¹⁹ The *theory of causal accumulation* states that migration generates migration: that is to say that every migratory movement and migration policy influence a series of factors (such as cultural values, social structures of different societies and so on) that in turn make migration more likely to happen in the future.

²⁰ Zanfrini L., *ibid.*, pp. 75-78.

analysis of how migratory processes are more and more framed in terms of security and criminality, especially when it comes to irregular migrants and asylum seekers. These studies are particularly important because they seek to understand how bordering practices²¹ function and how they impact on the lives and rights of migrants, both on a micro and macro level.²² Such theories can be also considered as closely connected with discourse framing, which in the French case (but not only) is an important aspect in the political world, in particular when it comes to the slogans and debates of the far-right and its related movements in regard to migrants and migration.

1.2 Theories related to the specificities of the French case and its views on integration

In France, the debate about identity, sense of belonging and cultural preservation often crystallizes on the contraposition between the Republican model of integration and a national reality that has become more and more multicultural. Generally speaking, the theory apparently preferred by the French political world, even nowadays, is the theory of assimilation: specifically, the classical one. That is to say, the French government and political forces prefer a model of integration based on the total assimilation of immigrant groups in a way where they should lose their cultures and original identities just enough as to not constitute “a threat to national cohesion”. Ideally, the refusal to comply and accept French Republican values should identify those who could be threatening, by extension, the very same life of the state. The *classical theory of assimilation* assumes that this process follows a straight line which, as time passes and generations change, should lead to a situation where there are no differences between natives and people of foreign origins. Such an approach, initially supported by the economic prosperity following World War Two, reflects the optimism deriving from this period’s conditions: this theory states that the system in which the second generation of immigrants live is consistently better than the one of the first generation. The improvements regard not only the social sphere, but also the economic success that should come with the integration of

²¹ For an example of what *bordering* means see Yuval-Davis et al., *Everyday Bordering, Belonging and the Reorientation of British Immigration Legislation*, in *Sociology*, Vol. 52(2), 2018, pp. 228–244.

²² Here, macro and micro levels are intended from the point of view of both institutions and everyday life. That is to say that bordering not only influences what migrants experience in different contexts of their everyday life (such as work, family, interpersonal relationships and so on); it also affects the relationship they have with institutions and that institutions have with them.

the newer generations. In turn, this would grant these people an improvement in their status within society, resulting in less conflict with the mainstream population.²³

However, as many reports and articles have demonstrated since the second part of the twentieth century, the reality of integration is not so simple. That is why authors such as A. Portes and M. Zhou²⁴ have brought forth the so-called *theory of segmented assimilation*. According to them, assimilation does not proceed in a straight line but experiences ups and downs that involve different generations, shaping itself into different forms. The core idea of such an approach is that different generations' values and feelings clash, often in violent ways, putting older people and youngsters in a contrast that continuously shapes their lives. That clash makes second-generation youngsters face a conflict between the values and ideas of their cultures of origin and those of the country of destination. Except for those that completely give up their heritage in order to fit in, people can end up following three different paths, as explained by this theory:

- 1- They can gradually integrate into the culture of the mainstream society;
- 2- They can end up in a situation of permanent poverty and remain in the lowest social classes by refusing to integrate;
- 3- They can rapidly elevate in terms of economic growth and intentionally preserve the values of their original community and maintain ties of solidarity with it.²⁵

In the same work, Portes and Zhou also analyze both the factors that play a role in this process and the importance of what they call the *modes of incorporation*. Regarding the variables that play a role, apart from those pertaining to the individual and the family situation, they stress in particular the cruciality that the context that immigrants (and then

²³ This would clearly happen because of the vanishing of the divide between host and foreign cultures caused by different values and traditions. Although the original explanation of such theory was firstly provided by Gordon M. in his book *Assimilation in American Life* (1964), a brief summary on such theory can be found in Ziyank S., *Critically Assessing Classic Assimilation Theory and Alternative Perspectives for Immigrants and the Second Generation in the United States*, in *Race, Gender & Class*, Vol. 22, No. 1-2, Jean Ait Belkhir, *Race, Gender & Class Journal*, 2015, pp. 143-149.

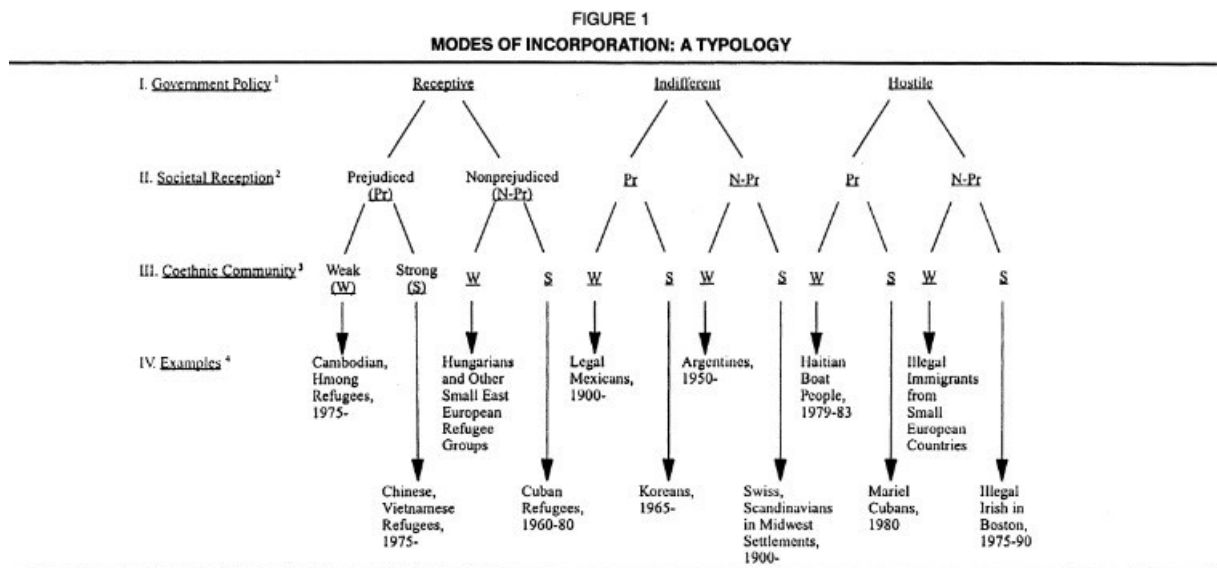
²⁴ Portes A., Zhou M., *The New Second Generation: Segmented Assimilation and Its Variants*, in *The Annals of the American Academy of Political and Social Science*, Vol. 530, *Interminority Affairs in the U.S.: Pluralism at the Crossroads*, Sage Publications Inc. in association with the American Academy of Political and Social Science, November 1993, pp. 74-96.

²⁵ Portes A., Zhou M., *ibid.*, p. 82. As it will be discussed in the next chapter, in France different communities can experience one or more of these paths, even within the members of the same generation. However, generally speaking, Europeans experience less difficulties in integrating into the receiving society than other groups.

their descendants) find when they first arrive in a country: that is to say, the modes of incorporation. By such term they intend the complex of variables constituted by the policies implemented by the government of the destination country, the values and prejudices of the society they will be living in and the characteristics of the co-ethnic community. Depending on the modes of incorporation present upon their arrival, immigrants and their kin can have the opportunity to deal with assimilation in various ways:

- 1- If the government is particularly favorable toward migrants, some groups could have the possibility to access government programs (this usually happens for refugees);
- 2- If there is a strong community of fellow nationals in the receiving country that has worked along the years to gain ground and finally earn the trust and acceptance of the mainstream society, newcomers could be shielded by prejudices and hostile behaviors experienced by other communities (thus, their process of adaptation could be smoother);
- 3- If the co-ethnic group has a strong sense of community, immigrants can access to resources provided by the group's network (for example, this happens when newcomers start working in a specific sector because they or their relatives know someone that can help them find a job there).²⁶

²⁶ The analysis reported here can be found in detail in Portes A., Zhou M., *ibid.*, pp. 74-96.



SOURCE: Adapted from Alejandro Portes and Rubén G. Rumbaut, *Immigrant America: A Portrait* (Berkeley: University of California Press, 1990), p. 91. Copyright © 1990 by The Regents of the University of California.

1. Receptive policy is defined as legal entry with resettlement assistance, indifferent as legal entry without resettlement assistance, hostile as active opposition to a group's entry or permanence in the country.

2. Prejudiced reception is defined as that accorded to nonphenotypically white groups; nonprejudiced is that accorded to European and European-origin whites.

3. Weak coethnic communities are either small in numbers or composed primarily of manual workers; strong communities feature sizable numerical concentrations and a diversified occupational structure including entrepreneurs and professionals.

4. Examples include immigrant groups arriving from the start of the century to the present. Dates of migration are approximate. Groups reflect broadly but not perfectly the characteristics of each ideal type.

Fig. 1: the graph shows the different and possible modes of incorporation and how they influence the different aspects of immigrants' lives. Even though this is taken from a work that specialized on the US situation, it can still be useful and applied to different national context, such as the French one.

Source: Portes A., Zhou M., *ibid.*, p. 84

As can be noted, some of the aspects of these theories remind of other approaches, such as the network theory or the institutionalist theory. However, they assume a significant role in France. The classical assimilation approach, in particular, reminds of the concept of *laïcité* that is one of the fundamental principles of the French state: according to this principle, the separation of the private sphere from the public one is absolutely necessary and compulsory and one's religion or culture should not challenge the republican – and, by extension, French – values.

Nevertheless, the concept of assimilation is being more and more challenged nowadays: once a rarer occurrence, now young people of foreign origins (the so-called *jeunes issus de l'immigration*) often feel they do not really belong anywhere and have to deal with the perception that the mainstream society has of them. Even though the younger generations

have been born in France, have attended French schools and speak the national language fluently, they are still perceived as outsiders and often looked at and judged in a negative way. This causes them to develop a dual identity and frustrations that crystallize above all in the *banlieues* and often distance them from the goal of a peaceful integration.

Conclusions

In view of all these theories, there is no doubt that it is really difficult to give a global and complete explanation of migration processes: as they involve such a huge number of factors and specificities varying from situation to situation it becomes nearly impossible to take everything into account. However, as noted by author L. Zanfrini, every theory seems to have an essential flaw that prevents us from having a clear vision of this phenomenon: that is the fact that every approach retains as its basic assumption that migration is something dysfunctional, and not an inherent part of modern society and of a world that is constantly changing and needs adaptation to face even our everyday life.²⁷ Nevertheless, such theories still have a role in explaining migration flows and make sense of the dynamics that surround them.

What just stated is also valid for the concept of assimilation. Even though this idea is mostly labelled as outdated, the French case proves that today's reality seems to deny that: legislation and political elites claim they aim at integration, but actually what they really want is assimilation. That is why keeping this theoretical discussion in mind is essential in order to understand the developments of French immigration and integration history and the events that will be addressed in the next chapter.

²⁷ Zanfrini L., *ibid.*, Editori Laterza, Bari-Roma, 2016, p. 82.

CHAPTER 2 – FRENCH IMMIGRATION AND INTEGRATION HISTORY: EVOLUTION OF A NATION BETWEEN PROGRESS AND REGRESSION

Introduction

In the long history of migration the 1990s represented an important phase for migration not only in France but also in the EU, in particular regarding border definition and migration policies, with the birth of the Schengen area and important acts such as the Dublin Convention in 1990, the Treaty of Amsterdam in 1997 and the Tampere Milestones in 1999. This period registered a first shift in perception: while at the beginning migration was perceived as something to manage in destination countries, at the end of the decade it came to be seen as something to be controlled directly in the origin countries and in cooperation with them. In the twenty-first century the EU continued in this last direction, while also strengthening its border control: the birth of FRONTEX in 2004 marked the starting point of an era of securitization that was to reach an all-time high in 2015-16 with the refugee crisis. However, things did not change after these years, and a number of pacts and actions have been put into place in order to stop migration flows – or, at least, reduce them by a significant amount. This process saw its most recent development with the approval of the New Pact on migration and asylum in 2024, which represents the result of the political, administrative and social pressures experienced by national systems all across Europe in the last decade. In this context, France has been no exception, with a rich migration history that is one of the most suitable examples of the transformations Europe (and then the EU) has been through.

In order to understand where some of the political and social choices made nowadays come from, this chapter will firstly provide an overview of the policies implemented by the French state in the twentieth century and some significant events that led history to turn a certain way. Then, the analysis will focus on the core period that is the topic of this thesis – the years from 2014 to 2024 – and the challenges that this time-span has brought forth for the issue of integration in France.

2.1 France's migration in the twentieth century: from the reconstruction after World War Two to the crisis (1945-1990s)

The second part of the nineteenth century is the period where France, shattered by the disastrous effects of the conflict, was in dire need of additional workforce in order to reconstruct the country. This is why the French government decided to recruit foreign workers from countries like Algeria, Italy, Portugal, Poland, Armenia and Czechoslovakia to work on the rebuilding of infrastructures and everything needed to put the country back on its feet. But it had not always been like that: in the Thirties, because of the global economic crisis, many migrants who had decided to migrate to France in order to earn a living were forced to return to their countries of origin. This tendency became even more evident in 1936, when about fifty percent of foreign workers had already left the country because of the hostility shown by the local population ²⁸ and the policies introduced in favor of French workers. In the post-conflict period however, as previously said, this tendency reversed, and from 1955 to 1974 the French government welcomed immigrants as the additional workforce used to sustain and implement the economic growth of those years. This same trend was also enhanced by the fact that in the decade 1950-1960 many new arrivals were due to the wars of independence of the former colonies.

This continuous growth was however to experience a first major setback during 1973, when a number of circumstances – such as Marseille's xenophobic riots and the first oil shock with the subsequent rise in unemployment – influenced the presence of migrants in the country, with a dramatic drop in their numbers. These conditions forced the French government to put a ban on the recruitment of foreign workers (especially aimed at those coming from North Africa) in hope of stabilizing the situation; however, policymakers did not forecast the fact that, by this action, in 1974 immigrants who already settled in the French territory felt secure enough to proceed with family reunification. The year of 1974 is also important because of another event: this is the moment when the word "integration" began to acquire some sort of importance in the French panorama of migration policy making, and started to substitute the term "assimilation". Thanks to that action of then-State Secretary for Immigration Paul Dijoud, migrants started to acquire

²⁸ Tensions started to appear everywhere, above all in areas with a significant presence of immigrant workers, such as the provinces bordering with Belgium or Italy. This was mainly due to the unemployment crisis of those years and to the political tensions caused by the regimes of the time.

more social and political rights, which however were still not on pair with those of French citizens; furthermore, many differences in religious and ethnical terms were not acknowledged, despite the actions undertaken by different civil parties, such as associations.²⁹

Despite the changes occurring during those years, the period of the 1980s – and even more of 1990s – represented a time of political conflict that symbolized a sort of bridge between the difficulties experienced in the post-war period and the challenges that were to be faced with the beginning of the new century. Notwithstanding the small victories achieved in the early Eighties, the year 1983 presented a series of events that were to hinder the process of integration of foreign people, especially Muslims; a significant role in this situation was played by the emergence of Le Pen in the elections of the same year, which led to a major politicization of the debate around immigration and integration. At the same time, France found itself more and more involved in a situation combining an alternation of left and right-wing governments and the general atmosphere of restrictiveness and securitization reigning inside the EU. These conditions were the basis for the two most important laws of the 1990s in terms of migration policies: the *Pasqua Law* (1993)³⁰ and the *Chevènement Law* (1998). The first one, clearly of rightist nature and inspired by other EU's laws, tried to stop immigration altogether: this, however, was an impossible feat, considering that multiple forms of migration and related processes cannot be impeded, both under the French Constitution and under international agreements. Part of the reasons behind the creation of this law were also the rumors circulating in France at the time regarding the supposed roundabout ways in which migrants were trying to obtain French citizenship, and that were putting the social and political landscape on edge.³¹ Despite the harsh critiques moved to the government mostly by human rights associations in regard to the provisions of said law, nothing much changed and the following *Pasqua-Méhaignerie law* supported the restrictiveness of the previous decree by making the access to French nationality even more difficult. The

²⁹ Withol de Wenden C., The case of France (chap.2), in Zincone G. et al., *Migration Policymaking in Europe: The Dynamics of Actors and Contexts in Past and Present*, Amsterdam University Press, 2011, pp. 65-66.

³⁰ The French Minister Pasqua issued a series of laws regarding migration and other connected issues; however, this can be considered the most important one of the series concerning migration policymaking.

³¹ Such rumored roundabout ways included for example arranged marriages.

Chevènement Law, on the other hand, was more of leftist nature, and softened some of the rougher aspects of the previous *Pasqua Law*, for example those regarding family reunification and the right to asylum.³²

2.2 The beginning of new century: the epoch of the “*immigration choisie*” (2000-2013)

The beginning of the twenty-first century marked a period of new development regarding French migration policies and the path to integration, with the formation of an early form of the system we know today.

In 2003, the then-Home Minister Sarkozy passed a law that started the period of the so-called “*immigration choisie*”. This decree contained several provisions, mainly on topics already handled in previous migration laws: among others, the conditions for family reunification and marriage-based entrance were two fields whose conditions were especially sharpened. At the same time, the law focused also on fighting illegal immigration and introduced the so-called *Contrat d'accueil et intégration*;³³ this last one in particular is something worth talking about, as it can be seen as one of the most peculiar and discussed elements of the French migratory system. According to what is written in the OFII's site,³⁴ this contract is an agreement between the French state and the migrant who intends to acquire French citizenship that bounds said migrant to << respect the principles and values of French society and of the Republic >>;³⁵ in addition, the person is required to follow all the formative processes presented to him/her in order to successfully integrate into the French society under every aspect of his/her life. This

³² One of the novelties contained in the law regarding asylum rights, was the introduction a new categorization of asylum seekers who were now divided into three categories: constitutional asylum (rarely granted) for "freedom fighters", conventional asylum as defined by the Geneva Convention, and territorial asylum for individuals who did not meet the Convention's criteria (i.e. the Algerians threatened by non-military groups during the 1995 Algerian crisis).

³³ This was an early form of nowadays *Contrat d'Intégration Républicaine* (CIR). The shift from one to the other happened in 2016.

³⁴ The acronym OFII stands for *Office Français de l'Immigration et de l'Intégration*, which is the public office responsible for overseeing the management of immigration and the integration of foreign people, while also providing reception services for asylum seekers and assistance for the voluntary return and reintegration of migrants in their countries of origin.

³⁵ From the site of the OFII, specifically the section regarding the procedure of reception and integration. <https://www.ofii.fr/procedure/accueil-integration/>

contract has given rise to all sorts of discussions, ranging from social to political, to economical ones: one of the main arguments raised around this topic is the fact that, despite the formal abandonment of the concept of assimilation, this seems to be a return to that very same concept, informally obliging minorities and people with a different cultural background to leave behind whatever peculiar characteristic they had prior to their life in France in favor of new values and principles. Despite claims to the contrary, debates like the one about the topic of headscarves in public spaces such as schools, demonstrate how the French state is actually discriminating against behaviors and characteristics that are not considered those of the “French ideal type”.

Exactly the topic of feeling included – or, better, excluded – from society is at the core of one of the most significant events of 2005, the *balieues*’ riots of Clichy-sous-Boys and other municipalities surrounding Paris. Largely felt among young components of the so-called second and third generations of immigrants, this event held a significant meaning for French society, showing one important outcome: the universalistic policies put into place by the government may not have had the success the political world wished for. This same event also carried some nuanced aspects that render even more peculiar the motives behind the protests. Even though at a first glance these riots seemed to be based on a desire of those people to have their original identities recognized, the unfolding of the events showed a completely different thing: many of the protesters – young people holding French citizenship, but of foreign origins – felt they were not really considered French, even though a large number of them were actually born in France and had led a life totally similar to the one of their peers of native origins. Furthermore, they felt they could not share the typically French values they had learnt until then, starting a cycle always leading to the same point where they felt excluded in one way or another. For this very same reason, what they asked for was only to be recognized as French citizens in their own right, with equal rights and opportunities to lead a good life.

Despite the political claims and desire to have zero immigration, in the same year it became clear that France still needed immigrants, at least economically speaking. As the 1974’s ban on the recruitment of salaried workforce was still in force, the French labor market was experiencing workforce shortage in several fields, such as agriculture, hotel and catering and so on, where French nationals were reluctant to work in. This is why in

2006 another convenient law was passed under Sarkozy's lead: the measure was meant to solve the problems of the labor market, allowing both highly skilled and low qualified to enter the country, finally lifting the ban imposed on the circulation of salaried workers present since 1974. However, this law and those of the following years continued the hard line proposed by the previous *Pasqua Law*: family reunification was still under highly restrictive rules, mixed marriages were under several limitations and obtaining citizenship became increasingly difficult. The field of illegal migration was no exception: the legalization of illegal migrants was prohibited, unless it was for humanitarian reasons.³⁶

2.3 From 2014 onwards: France's new journey, between crisis and modern challenges

The decade from 2014 to 2024 was full of new challenges. The 2015-16 refugee crisis marked a starting point in this process, not only in France but also in the rest of the EU. It showed that the system for managing and accommodating migrants was not prepared for events of such intensity, sparking a political and social debate on the topic. Although migrants from conflict zones and unstable regions like Syria and Eritrea had already started arriving in previous years, these two years are identified as the crisis's peak. Primarily due to the escalation of the Syrian civil war, a massive increase in flows was recorded, creating zones of political and social tension across Europe. However, the major conflicts occurred not only in the areas of disembarkation or first arrival but also, and above all, in northern European countries, which were privileged destinations for migrants.

One of the moments of greatest tension for France, not only domestically but also concerning its relations with other countries and institutions, occurred in October 2016, when the French government announced the dismantling of the so-called "Calais' Jungle." This "border zone", located near the homonymous city, had turned into a run-down residential center where migrants intending to reach England had settled and lived

³⁶ The fields of illegal immigration and asylum were some of the most critically hit by the new laws. Specifically, the new restrictions heavily impacted on the situation of these more vulnerable categories, as they added to previous ones such as the prohibition for asylum seekers to work (1991). For an overview on the topic, see Withol de Wenden C., *ibid.*, pp. 61-94.

in conditions of total neglect and uncertainty. Deemed a threat to national security by the government and in response to British pressure, the settlements in the area were completely dismantled, and most of the migrants present were transferred to reception centers throughout France. However, the government's action was severely criticized not only by NGOs and associations but also by European communitarian institutions, which asked the government to take into consideration alternative solutions.³⁷ One of the most debated aspects of the event was the fact that the government had not considered the situation of hundreds of vulnerable individuals (particularly minors), for whom no specific action had been planned to allow them to lead a decent life and receive the support they needed.³⁸ At a national level (as had also happened in other European countries), this situation sparked a debate on two main fronts: the social one (concerning issues such as security and the capacity of reception systems) and the political one (mainly because nationalist and anti-immigration political movements saw in the crisis an opportunity to push for more restrictive policies and greater control of national borders).

On the social side, reception systems and their capacity to provide decent conditions were one of the biggest issues, in particular regarding the accommodation of asylum seekers: national accommodation centers were seen as not enough, both in terms of housing conditions/location and of support given to migrants by the staff. Reports such as those issued by the AIDA (Asylum Information Database), clearly state that overcrowding of the centers where migrants are redirected risks not only to jeopardize their life conditions, but also to put the regional systems under unbearable pressure. In addition, a situation of short staffing was also highlighted in those structures: even though governmental directives state that it is compulsory to have a ratio of one trained staff every fifteen people, it is evident that this is not enough to follow every case in detail and to provide the assistance these people need (this is even more true when it comes to people who do

³⁷ For an example, see the Briefing Note *France dismantles a migrant camp at Calais* on the UNHCR website. Even though this is a summary of what was said by UNHCR spokesperson Andrej Mahecic and it is antecedent to the effective dismantlement of 2016, it shows that concerns were raised already in 2009.

³⁸ Medecins Sans Frontieres published an article on its website, illustrating some of the major concerns regarding the situation on the camp's dismantlement, such as the critical situation of a significant number of minors. <https://www.msf.fr/actualites/demantelement-imminent-de-la-jungle-de-calais-que-vont-devenir-les-mineurs-isoles>

not speak French, as often these facilities do not have the necessary means to hire an interpreter).³⁹

On the other hand, the concerns that emerged regarding this chaotic situation led to a renewal of the power of the far-right in the political sphere, which caused a new wave of restrictive migration policies. Supported also by events such as the attacks to the Bataclan Theatre and to the premises of the satirical newspaper Charlie Hebdo in 2015, the fear of immigrants (especially of those of Muslim religion) provided a strong basis for the political discourse of the far-right, in particular for the campaigns of the Rassemblement National. With slogans that sounded like the typical populist discourse, right-wing parties received again their fair share of attention and votes: as the overall situation could not be politically ignored anymore, the Macron's government decided to take action, and in 2018 passed the *Law for a controlled immigration, an effective right to asylum and a successful integration* (also known as the Collomb Law, from the then-Minister of Domestic Affairs). This law, divided into five major sections, focused mainly on three aspects of migration: the requests of asylum and the conditions of reception, the management of "regular" migration and finally the fight to irregular migration. The decree constituted a major blow in particular to the rights of asylum seekers and, more in general, of vulnerable subjects: in a country where already 80 percent of the requests for asylum are normally rejected, those people faced now a situation where it would be even more likely to be deported back to their countries of origin (art. 20-23-24 of the law n. 2018-778 of the 10th September 2018). Furthermore, the deadline to present the asylum application was shortened and unauthorized migrants could be now detained for a period spanning up to ninety days (art. 29 of the law n. 2018-778 of the 10th September 2018).⁴⁰ Nonetheless, this same law introduced some novelties about topics where the French state did not have any control upon, such as family reunification (art. 1 of the law n. 2018-778 of the 10th September 2018).⁴¹

³⁹ For a clear and updated explanation of the reception conditions and problems regarding the reception systems, see the dedicated section on the AIDA website at <https://asylumineurope.org/reports/country/france/reception-conditions/short-overview-of-the-reception-system/>.

⁴⁰ Some statistics and specifics about the French reception system can be found in the Asylum Information Database.

⁴¹ These topics are here defined as "out of state control" in the sense that the government can do nothing to change already existing conditions when it comes to fields that are protected by treaties, agreements or

By examining the provisions contained in said document, it is clear that various factors influenced the creation of an act that can be considered a “dummy” law: on one hand, such provisions were written keeping in mind French obligations to respect international and EU agreements (e.g. art. 2 of the law n. 2018-778 of the 10th September 2018, about the permit for stateless people and beneficiaries of subsidiary protection); on the other hand, it is evident that many other articles suffered from the political pressures of the far-right and were made with French economic interests in sight (e.g. previously mentioned art. 20, and art. 40-41 about the facilitations for the entry and stay of international students and highly skilled migrants). Most importantly, it is also quite clear that this is both a directly and indirectly discriminating law, not only because of the content of the articles, but also because of the burden put onto foreign people: for example, many provisions state that the responsibility to prove something in compliance with French laws is of the migrant, without accounting for the possibility that these people might not be able to speak the national language or know about their rights and the national legal framework. If those people had adequate support to face these kinds of situations, many results might be different.

As mentioned before, this lack of support and the perception of discrimination that immigrants experience in their everyday life has played – and still plays – a crucial role in a number of events throughout France’s history of immigration and integration. This is even more true nowadays, in a globalized world where thanks in particular to social media people can see that they are often not alone when it comes to discrimination and unfair living conditions. In a way, it could be said that the rage coming from the awareness of the gap between what a person has and what they could have, has grown exponentially in modern days thanks to the consciousness of not being alone in this situation. As sociologist F. Trongue has clearly explained in an article on the website of Euronews.com,⁴² some of the core motives at the basis of previous episodes that happened because of the rage caused by discrimination have blended with new ones, creating an even more explosive mix. In this regard, the discrimination caused by laws and institutions is one of the core motives behind the 2023 riots in the *banlieues* of different

bodies that are above the French state. For example, family reunification is a right protected both under the French Constitution and the 1951 Geneva Convention.

⁴² Euronews’ article *France: quelles différences entre les émeutes de 2023 et celles de 2005*, July 7th 2023, Euronews website.

French cities, following the death of a Franco-Algerian teenager at the hand of the police. The relationship between the social, economic and political spheres has started a dangerous vicious cycle that involves the entire reality of French society.

These commotions show how much the universalistic social model proposed by the French state is far from what reality really is for immigrants, especially for the so-called *jeunes issus de l'immigration*. As many journalists and experts have highlighted, what really bothers immigrants (or, in any case, those of foreign origins) is the treatment of suspicion that institutions and the police reserve for them, which has as a natural result the feeling shared by quite a number of immigrants that they are left to themselves. Even though evidence exists that social mobility is a not-so-rare event among immigrants, and that there are political and civil parties that try to build a better life for the immigrant population, the common perception is that nothing really changes. Many people living in disadvantaged neighborhoods of French cities report a critical situation where general conditions such as unemployment and precariousness mix with others that are more specific to such areas: among them, racism, discrimination, bad school conditions and ghettoization of neighborhoods with a high percentage of immigrant residents.⁴³ As a consequence of such institutional absence, many people of foreign origins feel that the only possible solution that could make them feel seen is resorting to blatant actions that, more often than not, end in violence (the riots of 2005 and 2023 are some striking examples).⁴⁴

More recently, the situation has worsened: in 2024 the new law on immigration, asylum and integration (also known as *Law to control immigration and ameliorate integration* or Darmanin Law) passed. Among other reasons, the official document issued by the government about this law states that the overall international situation and the demographic and economic changes have brought forth the need for new migration policies that give clear answers to the migration problem. The law is divided into two main sections, comprising some immediate measures on one hand and some priorities on

⁴³ For an analysis of the riots and the context, see the article *Décryptage : comprendre les émeutes de juin 2023 avec Marco Oberti*, October 12th 2023, Sciences Po's website.

⁴⁴ The fact that some of the most damaged places in the riots are spaces like schools, police stations and other places that symbolize the presence of the state on the territory is quite indicative of how much immigrants feel they are not seen or heard by institutions.

the other. Overall, it can be said that the goals of such law have not changed much from those of previous migration policies: among them, the fight to irregular migration, the regulation of the labor market regarding immigrant people, the control of the borders and the question of integration are some of the most prominent topics treated in the document. Even with declaration of such noble intents, what is evident from the text of the law is that the condition of foreigners and immigrants has only taken a turn for the worse, and it is likely to further deteriorate if those provisions continue to be applied.

This law presents a series of critical points, not only for the right to asylum, family reunification or work conditions, but also for the problem of integration altogether. Starting from the cases of arrival in France, two things are clear: there are discriminations against migrant families (with a higher difficulty to obtain family reunification) and there is less protection for vulnerable migrant subjects (even more so if they enter the French territory irregularly).⁴⁵ Another problem that arises in most cases is the distribution of reception facilities on the territory and the distribution of migrants in such spaces: as stated in the AIDA website, the functioning of the French reception system is based on two pillars, which are better accommodation and support, based also on the availability of space. This means that migrants, especially those that ask for asylum, are distributed in the available facilities (which are unevenly distributed in various regions), but most of the time the destination where migrants are directed to by the government ends up disrupting the plans made by these people. In this sense, two problematic consequences arise: migrants' agency is reduced (or not taken into account altogether), causing problems of organization for them, and the regions with the highest number of facilities end up overloaded and with no relief valve.⁴⁶

However, problems do not stop at these. This law has also made it increasingly difficult to obtain nationality, independently from the age and condition of a person: apart from the issue of the CIR and the imperative of the acceptance of Republican values, immigrants are now required to reach higher levels of proficiency in French and to pass

⁴⁵ The topic of irregular migration is recurrent throughout the text of the law, highlighting the far-right background of the law. Regarding the discrimination against migrant families, in *priorité* n. 2 of the 2024 law is clearly stated that << 500 places for the detention of irregular migrants have been created or reopened thanks to the suppression of places destined to families >>.

⁴⁶ Such an aspect is also treated as one of the weaknesses of the French reception system on the Asylum Information Database in the "Short overview of the reception system" section.

a civic exam.⁴⁷ This is clearly problematic for every immigrant: for adults in particular, who often need to find a job fast in order to support themselves and eventually their families, it can preclude the possibility to access to a source of livelihood and a stable life (even though the text of the law expressly states that the working environment shall be the primary space of integration for migrants). Another concerning aspect in this section of the law,⁴⁸ is the total absence of attention for the integration of minors, especially those who find themselves particularly at a disadvantage: the text pays great attention to the labor market, but no dispositions regarding schools – which are, or should be, the main place of socialization and integration for immigrant minors – are to be found in the law.

The disadvantage experienced by immigrants is also notable in the relationships not only with institutions such as the police, but also with the administration. In the previously mentioned section, another example showcases the disadvantageous conditions of migrants when it comes to this kind of relations: the law states that a contact center for the citizens (CCC) under the responsibility of the ANTS (Agence Nationale des Titres Sécurisés),⁴⁹ accessible via telephone or online, will be instituted in order to accompany people – immigrants in this specific case – that need to manage their official documents. What is problematic for immigrants in this case is the fact that a potential difficulty for them is not contemplated: many of them could have some problems when it comes to speaking French or they could not be able to use electronic systems and devices, which would make using some kind of in-person support necessary for them.

One last important aspect that is affected is the juridical one: in the *priorité* n. 5, it is stated that, when it comes to the rights of migrants, the National Court of Asylum << shall rule in principle by decision of a judge unique, while preserving the possibility of referring complex cases to a team of experts >>. Prior to this law, the panel of the National Court of Asylum was composed of three judges; now, there is only one judge who is nominated by the French state. In such a context, it is evident that having a single judge means having a single opinion: without the diversity of points of view that collegial

⁴⁷ *Priorité* n. 4, “Mieux intégrer par la langue, par le travail et par l’engagement à respecter les principes de la République”.

⁴⁸ *Priorité* n. 4, “Mieux intégrer par la langue, par le travail et par l’engagement à respecter les principes de la République”.

⁴⁹ The Agence Nationale des Titres Sécurisés is a French governmental agency that is responsible of the issuing and production of official personal documents such as IDs or passports.

plurality could bring, there is a risk of ending up with a unilateral and excessively limited vision of specific situations – that is to say, an opinion that would probably be biased. More in general, this is only the last example of the aspects that have been analyzed so far that show how far the process of securitization and restriction has come since the beginning of the twenty-first century in particular. The *Darmanin Law* represents not only the most recent step of this decades-old path, but also the synthesis of all the contradictions and complex aspects of a European – and then national – debate that needs to take into account a social and political tension caused by the difficulty to balance various factors: national identity, security and control on one hand, and integration and multiculturalism on the other.

2.4 Integration and citizenship in France: assessing the current situation

As already discussed in previous sections of this chapter, France has had and still has to deal with a notable cluster of problems deriving from a series of issues regarding integration in all of its aspects. All along its history, this state has had to find a balance between national identity and multiculturalism, leading to the question of integration: this issue is centuries-old, but it still has probably a long way to go before being resolved. What is important to keep in mind is first of all what integration means: integration can be defined as << the process that aims to promote the sharing of common values, common goals among individuals within a society or a social group >>.⁵⁰ This definition in itself already poses some difficulties, as it can be sensed that the line between integration and assimilation is really thin, and the extent to which immigrants should integrate in the French society has been largely discussed: this is a problem that has been affecting the French history of migration all along, and it has strongly resurfaced in recent times with the issuing of the 2024 immigration law.

The next section will take into account the effects of such debate in the context of the difficult last ten-year span from 2014 to 2024, and will explore the concept of integration

⁵⁰ The definition comes from the site of the European Centre for the Development of Vocational Training C:\Users\Matilde\AppData\Roaming\Microsoft\Word\European Centre for the Development of Vocational Training <https://www.cedefop.europa.eu> > <https://www.cedefop.europa.eu/en/tools/vet-glossary/glossary/soziale-integration>.

and its applications from three points of view: economic, socio-cultural and civic and political. The goal of this analysis is to give a comprehensive overview of the topic, by analyzing every aspect and then show how they influence each other and migrants' lives at the same time.

2.4.1 Integration or not? Analyzing the situation under different points of view

France has long been a country of work-related immigration, but globalization and events of significant impact such as the 2015-16 refugee crisis quite expectedly have had important effects on the economy and the labor market. The economic dimension is an important means of integration, as it is often regarded as the first type of integration that one has to achieve in order to integrate more easily; however this appears to be easier said than done.

Some of the most recent data regarding the employment and unemployment rates of immigrants in France date back to 2021: according to a report of the INSEE,⁵¹ the situation of people of immigrant descent seems to have slightly improved, with a 70 percent of them employed after exiting education in a timespan from one to ten years. However, these percentages vary significantly depending on the origins of such people: compared to the rates of people with no ties with immigration (79 percent), employment rates of people of immigrant descent are of 64 percent if they are of African origins, 74 percent if they are of Asian origins and 80 percent if they are of European origins. The unemployment and inactivity rates are also higher compared to those of native people: the former is of 14 percent (compared to the rate of 10 percent of native, and can touch the threshold of 17 percent when it concerns those with a higher education) and of 8 percent for the latter.

On the other hand, regarding the work situation (self-employed or employed), the rates of people with immigrant descent are practically identical to those of natives: 92 percent of them work as employees, while the remaining 8 percent are self-employed people. However, the type of contract of employed people changes significantly based on their

⁵¹ Report *Immigrés et descendants d'immigrés – Édition 2023*, section *Insertion professionnelle des descendants d'immigrés*, March 2023, INSEE website.

origins: even though 70 percent of immigrants and of immigrants descent employees have a permanent contract (with peaks of 75 percent if they have certain types of diplomas), people of African origins tend to be more discriminated and have less possibilities of obtaining a permanent contract or be civil servants.⁵² Conversely, 18 percent of those of immigrant descent that exit their education have a temporary contract (but this percentage rises up to 31 percent if they end their education years with a high school diploma at best) and 15 percent have part-time jobs (with this rate attending 34 percent if they possess only a middle school diploma). Furthermore, people of immigrant descent are also more likely to stay for longer periods in a situation of training, and this is even more true for those who have not had access to higher education.

Nevertheless, the French labor market constitutes a somewhat peculiar example: native workers represent a majority in the various sectors, but immigrants and people of foreign descent, even though underrepresented, are quite evenly distributed in the different working sectors. The following table, including data from analyses carried out between 2021 and 2024 by the French National Institute of Statistics and Economic Studies (INSEE), gives a clear picture of the evolution of the labor market in France, based on the percentages of immigrants, people of immigrant descent and people who are neither:

SECTORS	TYPES OF PEOPLE	YEARS			
		2021	2022	2023	2024
Agriculture, sylviculture, fishing	Immigrants	4,4%	5,4%	5,2%	6,1%

⁵² Back to when the report was issued, only 67 percent of people of African origins had a permanent contract, compared to a rate of 75 percent for people native of Europe.

	People of immigrant descent	2,6%	2,6%	3,7%	3,5%
	Native-born	93,0%	91,9%	91,1%	90,4%
Constructions	Immigrants	18,2%	18,6%	19,1%	19,6%
	People of immigrant descent	8,6%	9,9%	9,6%	9,3%
	Native-born	73,2%	71,5%	71,3%	71,1%
Industries	Immigrants	8,1%	9,0%	8,3%	7,9%
	People of immigrant descent	8,1%	7,5%	8,2%	8,2%
	Native-born	83,8%	83,5%	83,5%	83,9%
Commercial tertiary	Immigrants	12,1%	12,5%	13,5%	13,7%
	People of immigrant descent	9,6%	10,2%	10,3%	10,0%
	Native-born	78,4%	77,4%	76,2%	76,4%
Non-commercial tertiary	Immigrants	7,5%	8,1%	8,2%	8,7%

	People of immigrant descent	8,2%	8,6%	9,2%	9,0%
	Native-born	84,3%	83,4%	82,6%	82,3%
Non-specified	Immigrants	18,7%	21,4%	19,8%	12,7%
	People of immigrant descent	10,2%	11,4%	9,9%	8,5%
	Native-born	71,2%	67,2%	70,3%	78,8%

The data visible in this table are put into a comparative synthesis in chronological order and are drawn from various reports issued from 2021 to 2024 by the French National Institute of Statistic and Economic Studies (INSEE) on the economic sectors where employed people work based on sex and origins (immigrants, people of immigrant descent and those who are neither). The subjects considered are people living in France (except Mayotte), in an ordinary lodging and aged 15-74.

Sources: Insee, enquête Emploi 2021, 2022, 2023, 2024

The following data present an aggregated picture of the evolution of employment rates of immigrants, people of immigrant descent and native-born between 2021 and 2024, also with the total percentages considering all previously listed economic sectors:

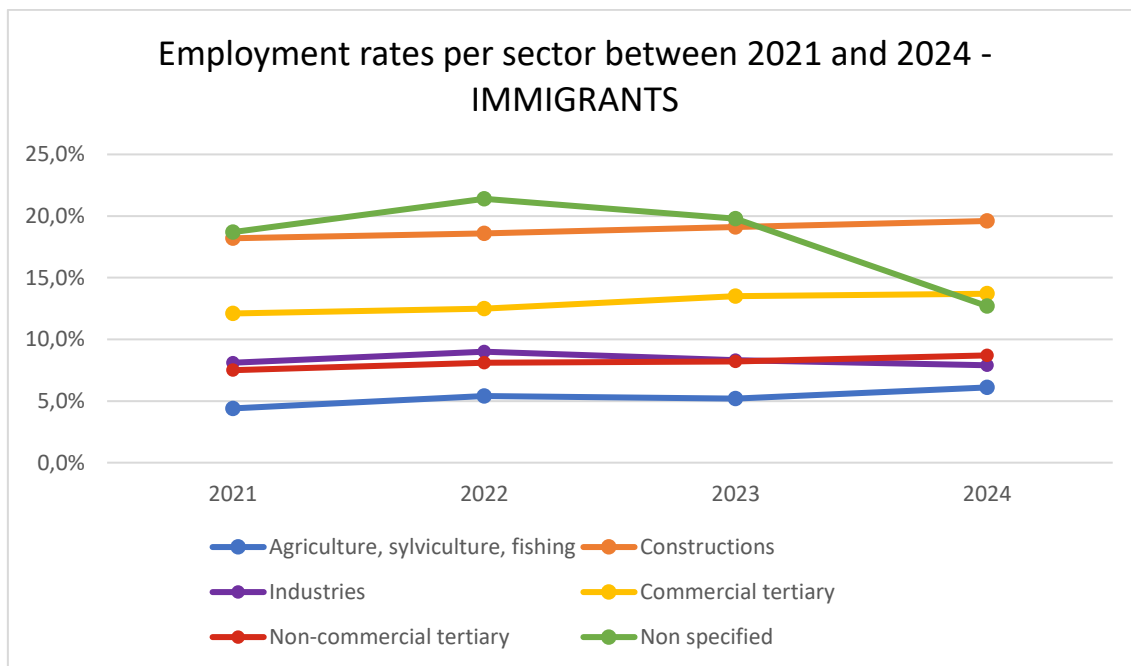


Fig. 1a

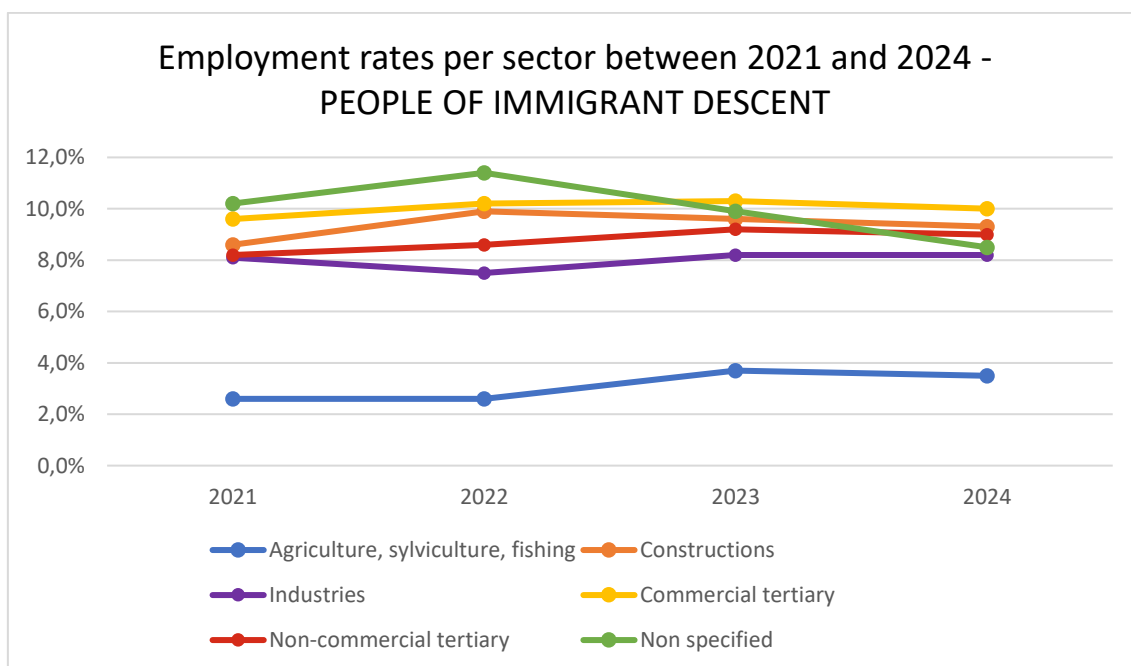


Fig. 1b

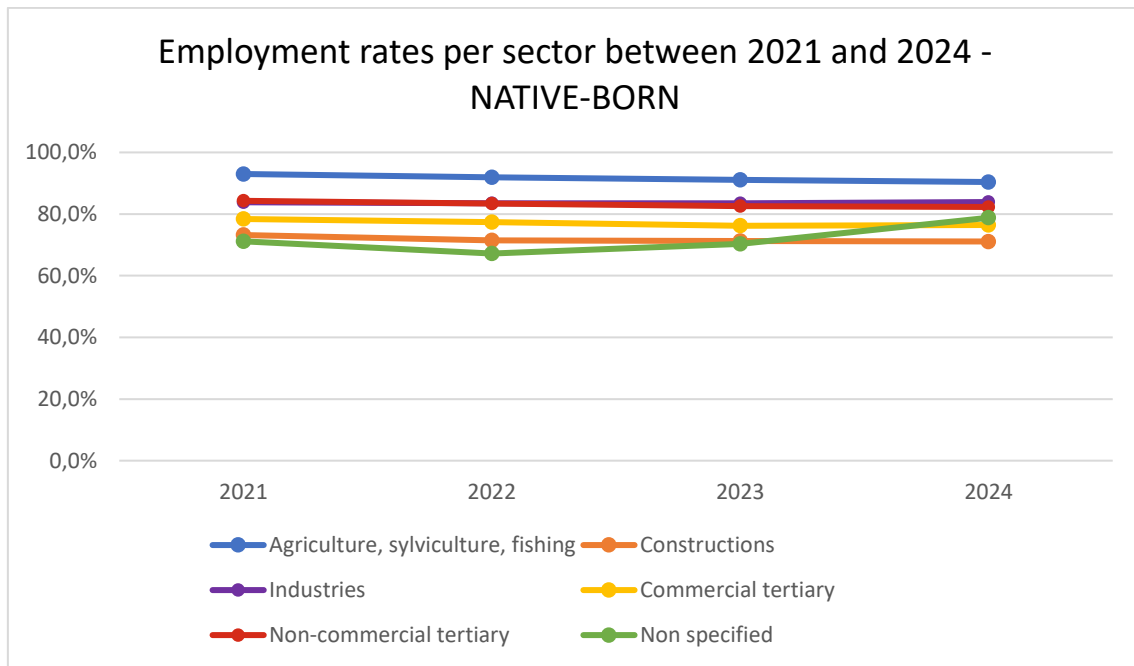


Fig. 1c ⁵³

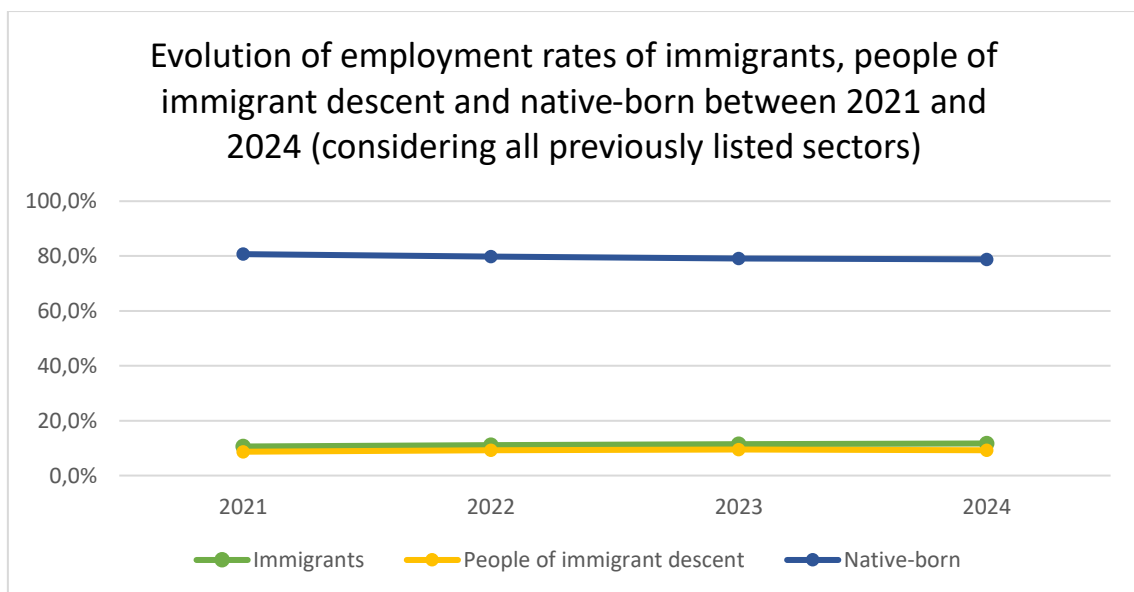


Fig. 1d

Fig. 1a, 1b, 1c, and 1d: these graphs are intended to provide a graphical representation of the data included in the table previously inserted in this chapter.

Sources: Insee, enquête Emploi 2021, 2022, 2023, 2024 (graphic representation made by the author).

⁵³ In this graph, the term “native-born” refers to the mainstream white French population and their descendants.

The above picture pretty much shows in numbers how difficult it is for immigrants and their descendants to enter the labor market and find a stable situation. However, the level of education and employment/unemployment rates are not all: immigrant workers have to deal with more barriers in the workplace once (and if) they are employed, notably those of discrimination and language among others. As previously mentioned, language is one of the main barriers, above all for those who arrive in France as immigrants without an antecedent basic knowledge of French: not knowing the language – or knowing it just a little – already puts immigrant people in a difficult situation. It is true that the government has declared, with the Loi Collomb, that they intended to improve the language training courses provided within the CIR framework: *orientation* n. 4 of the Loi Collomb states that it is necessary to improve the knowledge of the language and develop language training for professional purposes (which is considered pre-qualifying and qualifying training for entry into employment).

However, this does not secure against discrimination. Multiple reports and analysis describe in detail what the situation of immigrants and people of immigrant descent is when it comes to the labor market and the workplace: the picture provided is one of devaluation, where the origins of people, their religion and their appearance are often much more important than their qualifications. Something many analyses agree on is that immigrants and people of immigrant descent, compared to those who are neither, often occupy an inferior position at work, even though many of them nowadays hold a college degree: this can be due to different factors, such as non-recognition of titles obtained outside France or a logic of association among members within the same ethnic groups. Nevertheless, many immigrants feel that they are often treated unfairly both when they seek employment and then in the workplace, in particular when it comes to some types of professions where there are legal constraints on nationality. People of certain origins are more penalized than others: according to a recent report, people of North African origins have 32 percent less probability to be called back after a job interview.⁵⁴

Some of the dynamics within the workplace reflect the socio-cultural situation of a large portion of those considered to be “a little less French” than the mainstream population.

⁵⁴ Arnoult (Dares) É., Report *Immigrés et descendants d'immigrés – Édition 2023*, section *Les discriminations sur le marché du travail subies par les personnes d'origine maghrébine*, March 2023, INSEE website.

One report published by the INSEE in 2024 about the issue of discrimination demonstrate that the perception of being discriminated is a common occurrence for many immigrants and people of foreign origins, in particular among young people: according to the data, between 2019 and 2020, one fourth of the population of foreign origins has stated to have been discriminated against or unfairly treated.⁵⁵ This is especially true for those of non-European origins, who have been exposed to discrimination or discriminatory experiences since childhood and report a strong feeling of not being perceived as French.⁵⁶ However, experiences vary significantly on the basis of different indicators, such as origins, sex or physical appearance. Regarding the issue of discriminatory treatments, the INSEE has published a useful report that synthesizes the topic and offers some insights about it.

Figure n. 2 shows a comparison between three different categories (immigrants, people of immigrant descent and those who are neither) in two different time-spans, dividing them by origins and sex. What emerges from the analysis is that people of immigrant descent are surprisingly more discriminated against than immigrants, and the percentage of reported episodes of unfair treatment and discrimination varies sensibly according to the origins (even though such episodes seem to be a little less frequent than in the past).

⁵⁵ Rouhban O, Simon P. and Tanneau P, Report *France, portrait social – Édition 2024*, section *Le sentiment de discrimination persiste à la deuxième génération*, November 2024, INSEE website.

⁵⁶ This is often the case of people of immigrant descent, who feel that they are more often discriminated against. This perception could also be due to a change in socio-demographical conditions: as those people were born in France and they have mostly had a path in life similar to that of their peers, they expect to be treated as equals and as native-born, when in fact they end up being treated differently.

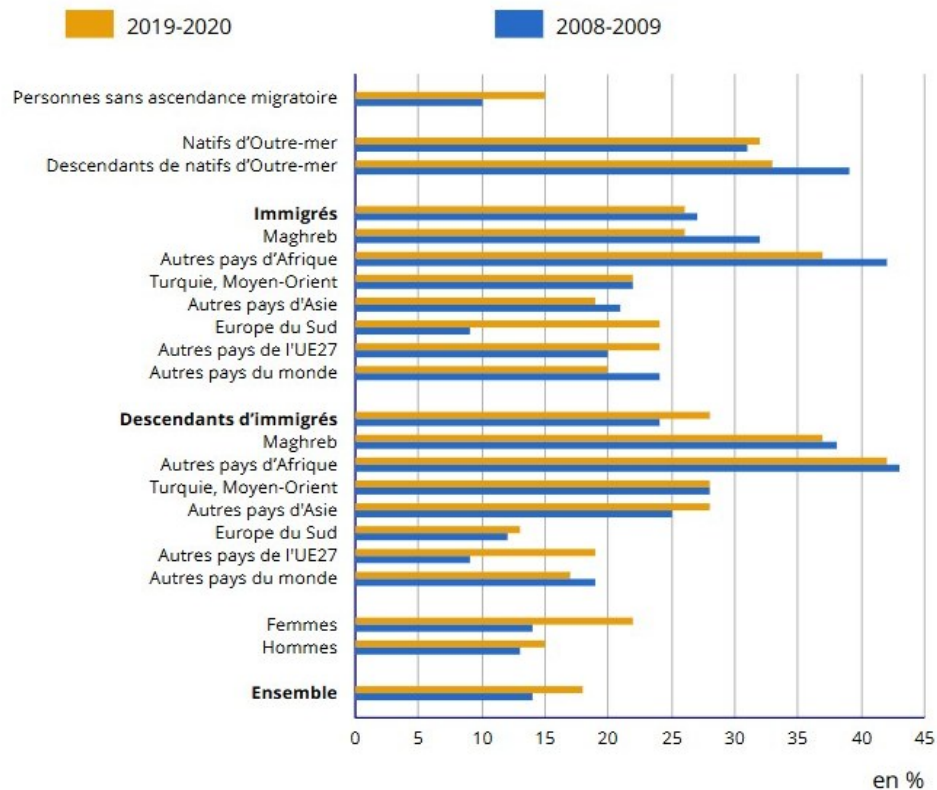


Fig. 2 – Declaration of unfair or discriminatory treatments suffered: The graph shows the answers to the question: “In the last five years, do you think you have been unfairly treated or discriminated?” The subjects of the analysis are people of both sexes and from different origins, aged 18-49 and living in metropolitan France in an ordinary lodging.

Sources: Ined-Insee, enquêtes Trajectoires et Origines 2 (2019-2020) et Trajectoires et Origines (2008-2009). Graph contained in the 2022 INSEE report *En dix ans, le sentiment de discrimination augmente, porté par les femmes et le motif sexiste* by Lè J., Rouhban O., Tanneau P., Beauchemin C. , Ichou M., Simon P.

The report goes even more in depth, also providing disaggregated data for women and men, showing that some of motives of discrimination are more bound to happen either for the former or the latter, and that some grounds of discrimination have acquired importance through the years.

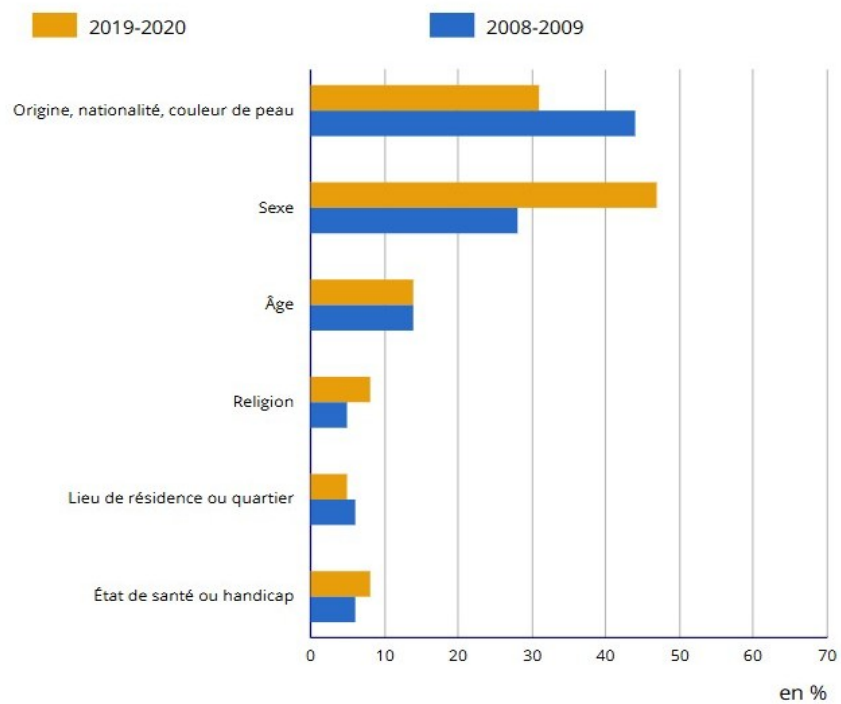


Fig. 3a

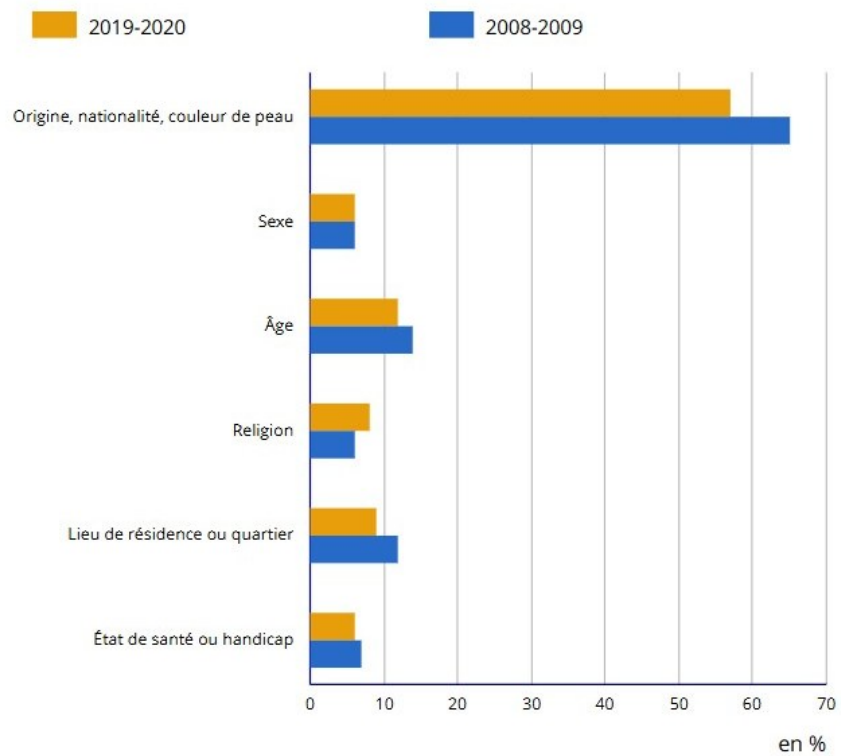


Fig. 3b

Fig. 3a and 3b – Main reasons of unfair treatments and discrimination: In both cases (fig. 3a for women and fig. 3b for men), the subjects of the analysis are people living in metropolitan France, in an ordinary lodging and aged 18-49 years. These graphs provide interesting insights on how the weight of grounds for discriminatory and unfair treatments have changed overtime.

Disclaimer: the report specifies that in the research other grounds of discrimination were proposed, but they are not represented here, and that a person could indicate multiple grounds (so the percentages associated with the motives can be higher than a 100 percent).

Sources: Ined-Insee, enquêtes Trajectoires et Origines 2 (2019-2020) et Trajectoires et Origines (2008-2009). Graphs contained in the 2022 INSEE report *En dix ans, le sentiment de discrimination augmente, porté par les femmes et le motif sexiste* by Lê J., Rouhban O., Tanneau P., Beauchemin C. , Ichou M., Simon P.

As can be seen, origins, nationality and skin color are still the most common grounds of discrimination; however, in the last few years religion seems to have acquired a new importance in the experiences of people of foreign origins and French society as a whole. Unfortunately, it is difficult to have a clear picture of discrimination related to religion and to the religious situation in general in France, as this topic is not one of the most studied by state institutions. Nevertheless, two things can be said about religion in France: many nationals tend to say that they are not religious, while twice as many immigrants and their descendants are affiliated to a religion compared to those who do not have ties to migration;⁵⁷ and that more in general the perception of religion as a defining characteristic of a person's identity has begun to gradually change among different generations. The latter seems to be a result of the French state's efforts to spread even more the idea of *laïcité*: being one of the characteristics that define France as a state, it is clear that the government should want to do everything it can to implement incentives to secularization (which are already relatively strong).

The discussion on religion in relation to national identity is somehow directly connected with the one that links the latter with origins, nationality and skin color: despite governments' intentions of affirming the contrary, "Frenchness" still seems to find its basis in a post-colonial view of the world. That is to say, "Frenchness" is often based not

⁵⁷ Being more or less religious varies widely depending on the origins of a person and on their links to migration. This means that tendencies are greatly heterogeneous among various groups. For example, among Muslims religion is no longer a defining characteristic of a person's identity as much as it once was.

on nationality or cultural assimilation, but on a person's appearance: judging people as outsiders on the basis of their look perpetuates stereotypes and prejudices, which in turn foster discrimination.⁵⁸ As previously mentioned elsewhere in this thesis, many people of immigrant descent do not "feel at home" in France, even though they were born and raised there, because they feel they are perceived as "not French enough" by the mainstream population. In turn, this causes a sense of frustration that can only have three possible outcomes: either a sense of rage that ends up being destructive (see the cases of the riots in the French banlieues in 2005 and 2023), a desire for redemption (which is the case for example of those people of immigrant descent who achieve their goal for social mobility), or a cognitive dissonance (for example when a person tries to hide or leave behind their cultural heritage in order to be accepted into the mainstream society). In any case, there may often be a feeling of resentment or giving up built up inside people that shows that the current situation is still far from what true integration means.

What is really concerning in this situation is the number of people that think that reacting in one way or another to discrimination is useless and prefer not to do anything. In a 2022 INSEE report, the data show that reactions to discrimination in France vary according to the reason. While people discriminated against because of health or handicap are the most likely to take action (with 7 percent filing complaints and 12 percent turning to associations), victims of discrimination based on origin or religion show greater resignation and turn much less often to legal channels or associations. This difference in the use of complaints or external aid reflects what previously stated: people discriminated against on the basis of their origin or religion have less confidence in an eventually successful outcome of their actions.⁵⁹

⁵⁸ Simon P., *French national identity and integration: who belongs to the national community?*, May 2012, Migrationpolicy.org.

⁵⁹ A 2023 INSEE report, analyzing the civic and political participation of immigrants and their descendants (in particular in regard to political elections), has highlighted that immigrants are generally keener in trusting institutions than native-born. However, a significant percentage of the analyzed sample either has refused to answer the questions regarding this topic or did not know how to respond to them. The results show also that the feeling of distrust regarding institutions and their activity is stronger for the members of the second generation. Report *Immigrés et descendants d'immigrés – Édition 2023*, section *Vie citoyenne*, March 2023, INSEE website.

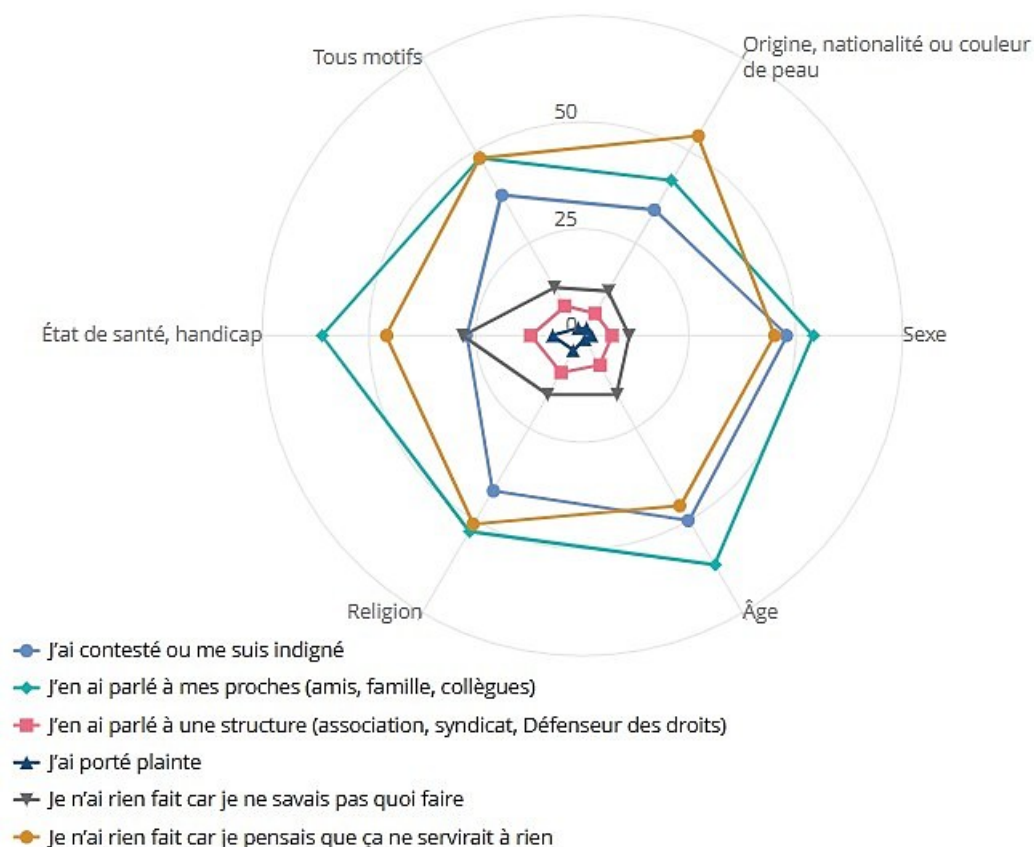


Fig. 4 – Reactions after experiencing discrimination and reasons: the graph shows various types of reactions after having experienced discrimination which are classified according to the grounds for it. In order, indicators are: I have protested or I was outraged; I have talked about it to people close to me (friends, family, colleagues); I have talked about it to a body (association, syndicate, Defendant of rights); I have filed a complaint; I have done nothing because I did not know what to do; I have done nothing because I thought it was useless.

Disclaimer: It is possible for a person to declare different reactions, especially if they have experienced multiple incidents of discrimination. For this reason, the sum of the percentages can exceed 100 percent. The subjects of the research are people living in metropolitan France, in an ordinary lodging and aged 18-49 years.

Sources: Ined-Insee, enquête Trajectoires et Origines 2 (2019-2020). Graph contained in the 2022 INSEE report *En dix ans, le sentiment de discrimination augmente, porté par les femmes et le motif sexiste* by Lè J., Rouhban O., Tanneau P., Beauchemin C. , Ichou M., Simon P.

The feeling of powerlessness also reflects the experience of civic and political integration of immigrants and people of immigrant descent in France. According to the 2019 MIPEX, << non-EU newcomers to France enjoy more opportunities than obstacles to integration and these opportunities have improved since 2015 >>; however, recent developments have shown a regression of the situation, including the sphere of political and civic rights. In particular, newcomers and foreign citizens are somewhat excluded from political life and they are rarely consulted by authorities and institutions even for decisions that concern them closely (i.e. migration policies and political and social reforms). As of now, there are discriminating distinctions even among migrant groups and minorities: EU citizens that reside in France are slightly more favored, with the possibility to vote and be elected, but only for municipal and European elections; non-EU citizens (who are mostly immigrants that do not have French citizenship) are completely excluded from the political sphere: they cannot vote, regardless of the type of election. The only way they could do so would be by naturalization, but with the 2024 *Loi Darmanin* acquiring citizenship has become even more difficult, not only because of a stronger implementation of the CIR, but also because of the introduction of a civic exam whose positive outcome conditions the issue of multiple documents (e.g. the multi-year stay, the resident card or the naturalization).

This situation – and more in general the overall condition of immigrants – in turn influences the political representation of people of foreign origins and their participation in the governmental bodies and institutions. Even though having a fair share of representatives of foreign origins at a national level seems to be still difficult, local communities appear to be much keener in offering immigrants and people of foreign descent a more favorable political space and helping them feel included in the lives of the communities.⁶⁰ The only exception to this is represented by the Inter-ministerial Delegation for the Reception and Integration of Refugees, which has been the body responsible for the consultations of refugee communities at a national level since 2018.

⁶⁰ For example, the Conseil Consultatif des Résidents étrangers (the consultative body instituted by the city of Grenoble in 1999 that aims to promote the political and civic participation of people of foreign origins) is composed by both French and foreign people and also of associations that promote integration and rights in regard to foreigners. The importance of the involvement of migrants (whatever their category) both for them and for institutions is stressed in the *Lettre de l'Asile et de l'Intégration*, éd. n. 94 published by the organization France Terre d'Asile in June 2021.

Nevertheless, it is evident, given the purely consultative nature of these organs, that the positive effects of such representations and consultations remain mostly limited in practice.⁶¹

Even though actual integration under the political point of view seems to be still far from its realization, immigrants and their descendants can find a useful ally in associations and social movements, which can provide assistance and support for multiple aspects, ranging from cultural questions to legal help to integration. By turning to associations and social movements, refugees and migrants can see an increase of their agency, thus implementing effective equality and valorization of everyone's strengths. Furthermore, this continued interaction between parties can be fruitful for everyone: on one hand, associations and social movements gain valuable insights regarding the situation of the people they want to help; on the other hand, immigrants and people of immigrant descent have the opportunity to gain experience and knowledge in different ways and that can be beneficial for their integration process.

Conclusions

This chapter aimed at presenting the history of migration in France and its ties to nowadays' policies and integration: this was propaedeutic to an overview of the steps that led to the approval of specific laws and state initiatives in the 2014-2024 decade. Various events described in this chapter have shown that history tends to repeat itself: the whole history of integration in France has some recurrent features and events that have influenced – and still influence – the decisions of policymakers when it comes to migration and integration. The findings of the analysis proposed in this chapter demonstrate that the universalistic model imposed by the French state has, at least for now, failed to facilitate the integration of immigrant people and their descendants in the national society; in fact, mostly because of recent actions, actual integration seems to be far from happening. This is particularly true for people of non-EU origins, who are some

⁶¹ According to the 2019 MIPEx report on France, this country's style of integration can be defined as "*temporary integration*": that is to say that, while non-EU citizens are accorded some basic rights and sometimes support for equal opportunities, they do not possess << the long-term security they need to settle permanently, invest in integration and participate as full citizens >>.

of the most discriminated against subjects and have to deal with all sorts of barriers in their everyday life.

The analysis provides a comprehensive picture on the topic, showing that integration is often a much more complex path than one may expect and that, while in some cases it can be easier to achieve, in most of them it is really difficult to find the right balance between inner identity and the perception that people have of each other. The data provided also suggest that integration is not a univocal and linear process: on the contrary, it is shaped by experiences and circumstances that are unique to each person, making the journey extremely diverse for everyone under different aspects.

Certainly, conducting an analysis on the level of integration is a difficult and complex feat, which has its own limits. Integration is a multidimensional process that follows a path difficult to predict as it is influenced by a significant number of factors that can combine with each other in an infinite number of ways. This means also that it is really subjective and interpretable: what could be considered as integration for someone, could at the same time could not be considered so by someone else. Furthermore, it is extremely complex to measure abstract concepts such as discrimination and sense of belonging, and the diversity and limited size of the samples included in researches and reports tend to achieve objectivity on the matter very hard.

The evidence presented in this chapter – in particular in the last section – underlines the fact that many immigrants and people of immigrant descent experience many difficulties and that it is necessary to implement policies that actually help them integrate more easily into the society of destination. In a rapidly changing and globalized world, the French model of integration appears to be outdated and it would benefit from a shift of perspective where immigrants and people of foreign origins are viewed not as a threat but as a resource that can help build a more adaptive society.

The data presented and discussed in this chapter will provide the basis for a reflection on the future of migration and integration laid out in the last part of this thesis.

CHAPTER 3 – ANALYSIS OF IMMIGRATION AND INTEGRATION POLICIES IN FRANCE

Introduction

There is no doubt that migration and integration have been, still are and always will be important topics in every society, regardless of the state in which the debate about them takes place. However, nowadays the prominence of such topics in national and global life has increased, due to the rapid development of a globalized world. The case of France is one of the many that show how challenging those debates and situations are, and it provides a basis for a reflection both on the present and the future.

In this final chapter the focus will be on the consideration of the relationship between the current situation in France and possible future developments: that is to say, what does the present teach us and how do such results provide the basis for an eventual future when it comes to migration and integration?

3.1 Reflections on the state of migration

Overtime migration flows toward France have changed significantly: from the migration of purely economic migrants of the post-war period, to the refugees of the 2015-2016 refugee crisis to the students going to France to study or train, these flows have never remained the same. Such transformations have dramatically impacted both on the responses of the political world to the phenomenon and on the conceptualization of integration. The diversification in the typologies of flows has made it necessary to adapt and find proper solutions for each distinct case; thus, finding a balance not only among different segments of society but also among the economic and political contexts is absolutely necessary and extremely difficult at the same time. Because of that, policies on integration have to take into account not only different goals, but also experiences and perceptions that vary widely from person to person.

Of course, France is not an isolated case and the decisions regarding the internal situation are heavily affected by the regional and global contexts. Looking at a more circumscribed

area, French policies are aligned with the common framework of the EU, and somehow influence it: this is for example the case of the new *Pact on Migration and Asylum* approved in the EU in 2024, which was influenced by the ideas of the 2022 French Presidency of the European Council. Political and institutional contexts set aside, other factors have acquired influence in the first decades of the twenty-first century: climate change and the already-mentioned geopolitical conflicts, but also developments in the economic and cultural spheres, play a role in deciding on new migration policies by providing new challenges that have to be dealt with.

It is also important to remember that migration flows and migration policies mutually determine each other: the former change according to the favorability of the latter, and the latter takes shape according to the nature and the scale of the former. In the universe that are migration flows there are a lot of aspects to consider, and these characteristics certainly take a toll on migrants themselves: when migrating, these people have to constantly adapt to new situations and challenges, and this might lead them to reconsider their identity and their relationships with the country and culture of origin and the destination country and its culture. Such a process can take different shapes and have different outcomes depending on the person that has to go through it and the surrounding context, including the attitude that institutions have toward them. Although institutions play an important role in this constant “negotiation of identity”, they are not the only actors: co-ethnic communities and the receiving society can have a real weight in the social and psychological clash that migrants have to face in their everyday lives.

3.2 Reflections on policies and the future of governance

Over the years the French state has implemented a variety of policies and initiatives, but generally speaking all of them revolve around the traditional French Republican model of integration. Even though this model represents one of the core bases of the French state and culture, it can hardly be compatible with a nation and a country where multiculturalism has become a reality despite the efforts of political elites to prevent it. Even though the model stresses the importance of national harmony, this is only an ideal that is simply not reflected by reality: people may share some common grounds, but

diversity inevitably implies conflict and this is something that cannot be avoided. What can be done is focus on what, in this diversity, can benefit all parties and can make the country grow under all its different aspects. Instead of using a rhetoric where people put each other down without actually knowing which positive things they have to offer, debates should concentrate on what could be done to value contributions from different people and come up with solutions that might actually work despite diversities. In this sense, obliging people to give up their identity in order to fit in is in no way beneficial, neither for them, nor for the receiving country. On the contrary, it creates a frustration that can actually have violent outcomes that perpetuate the vicious cycle of suspicion and discrimination.

Even though this model of integration focuses on possibly positive things such as national feeling and moral values, it does so in a detrimental way that leads to the opposite outcome of what national elites would like. Furthermore, it does not take into account social dynamics and feelings that surround migration and migrants. In his report of May 2012, P. Simon makes some interesting considerations as regards this discussion:

<< National feeling is constructed not only by the patterns of attachment and belonging that develop during an individual's life, but also in relation to the perception that others have of one's identity. This interaction is revealed particularly clearly in the dimension of national feeling – a feeling that can be denied by a restrictive definition of national identity based on, say, skin color or sociocultural norms. >>

62

By being so exclusive, the French model does not encourage immigrants and their descendants to be attached to the country and to develop a sense of belonging to the national community; instead, it reinforces the prejudices and the negative feelings that lead to discrimination and racism.

⁶² Simon P., *French National Identity and Integration: Who belongs to the National Community?*, Migrationpolicy.org, May 2012, pp. 12-13.

The following words by P. Simon brilliantly synthesize this situation and the aversion of the French political world to other models of integration:

<< Multiculturalism is overwhelmingly rejected by French political elites as a model relying on the recognition and valorization of ethnic communities and their cultural differences. It is strongly associated with foreign experiences [...] and perceived as the opposite of the French model of integration. It is seen to conflict with Republican values and national cohesion, and defined only in negative terms [...]. Yet, France is multicultural in the sense that its population is increasingly diverse [...]. Diversity has fostered the expression of multiple cultural identities. But despite this “hyper diversity,” the French national identity remains more or less unchanged. In 2012 it is still expected that cultural identities will remain settled in the private sphere of life without the need for public or political recognition. The recent debate on national identity and the 2012 presidential campaign have clearly shown that the definitions of “Frenchness” that have been most heatedly promoted do not, unfortunately, offer an inclusive perspective for ethnic minorities, but instead stigmatize those who allegedly are not “French enough” and who are threatening the national cohesion by their “broken Frenchness.” >> ⁶³

French integration policies have failed – or, rather, have had only a partial success – precisely for this reason: by favoring only the immigrants that have a cultural background that is not too dissimilar from the French one, they have left out a large portion of the population that is thus less likely to effectively integrate in the receiving society. Naturally, such policies are studied to serve the interests of the political elites and of the mainstream society, but the discontent that may come out of this situation can effectively threaten the harmony that is so sought by the Republican model of integration. Following this stream of thought, what comes spontaneously in mind is that integration is sought only when it is convenient. An example is the 2024 *Darmanin Law*, which gives great importance to integration through work, but does not mention integration through school, which should be the place where integration (and, desirably, acceptance of otherness) starts.

Objectively speaking, creating and implementing policies that are well-received by everyone is almost impossible; nevertheless, for the French case maybe something could be done. Starting from the economic point of view, one first step toward integration could

⁶³ Simon P., *French National Identity and Integration: Who belongs to the National Community?*, Migrationpolicy.org, May 2012, pp. 14-15.

be represented by the amelioration of the conditions of the labor market, making it more favorable for immigrants that need to find employment. As of now, one of the biggest barriers to the access to the French labor market for immigrants is the non-recognition of their diplomas and qualifications – and, by extension, of their skills – if they had been obtained them abroad. Allowing an easier recognition of such titles could help immigrants build their assets and find a job that is aligned to their skills and formation. This would help promote personal and working mobility, which would be beneficial for various reasons and would help avoid the saturation of critical zones like the *banlieues*.

In this sense, economic mobility would help build a social mobility, which however needs to be supported. Implementing measures that can help migrants to integrate regardless of their age and background would avert the crises deriving from the explosive mix of poverty, the lack of means for mobility and the discrimination that is so common in the *banlieues* and leads to a spiral that perpetuates the difficult situation of many immigrants. One way to achieve this could be by giving education the importance it deserves, with *ad-hoc* measures for schools and other educational bodies that can provide the younger generations with means for a better future, thus avoiding social stagnation and the creation of continuously-impooverished zones. In addition, providing conscious information about the possibilities given by the government at a national level and by associations at a local level would help immigrants and their descendants transition more smoothly into the receiving society.

Finally, integration from a civic and political perspective could be achieved by various means. First of all, a starting point should be increasing transparency and clarity when it comes to the procedures for the access to citizenship: clear indications and a working network of help would let immigrants know their rights and initiate them to the national legal system in a way that does not negatively impact them. Beside this first step, as noted in a report of the organization France Terre d'Asile,⁶⁴ two other steps are particularly important: the extension of the right to vote to foreign residents under certain situations and the increase of their civic participation by making them actively take part in decisions that directly involve them. Such actions would actually encourage a sense of belonging

⁶⁴ *Lettre de l'Asile et de l'Intégration*, éd. n. 94, France Terre d'Asile, June 2021, p. 6.

and give immigrants not only the perception of being seen in a positive way, but also a sense of purpose.

Another important general consideration about an alternative framework could be an emphasis on local integration efforts instead of top-down national directives. Giving more space for action to local administrations and eventually to organizations and associations would focus on specific issues that need to be addressed also according to the area where they are or can become a problem. This would not only accelerate the solution of problems, but also allow foreign residents to report issues in an easier and more direct way, thus making local institutions aware of the situation faster.⁶⁵ In other words, the dialogue among different institutions, and then between institutions and migrant groups, should be such as to allow a more successful communication on issues and suggestions for improvement.

It is true that some of the suggested solutions for a more inclusive framework may be costly, but the goal should be the benefit, long-term speaking, for all the parties involved. Knowing which are the more important problems that must be solved at a certain moment may avoid needing to find high-cost solutions at a later date.

Conclusions

The analysis presented in this final chapter highlights the need for a strategic reorientation. The goal of a new policy framework should be moving beyond the binary choice between an idealized past and the multicultural present and consider how to build a resilient and cohesive society.

A functional approach in this sense would require two crucial shifts in perspective: first, a move from ideological rigidity to flexible pragmatism that could empower local actors who are best positioned to tailor integration strategies to specific local needs; second, a

⁶⁵ That is not to say that national directives should not have a place in the framework anymore. However, it is quite easy to sense that different areas may have to face different problems: for example, some French regions have a higher concentration of centers that are part of the reception system for refugees and asylum seekers. Precisely because national directives are made to be of guidance for all, they are too general to be able to grasp the differences in the necessities of the various regions, and may end up causing more difficulties in the long run.

move from uniformity to value-based pluralism that would consider migrant's networks and communities not a threat to national unity, but a means to strengthen it. Ultimately, true "Frenchness" in the twenty-first century could be one defined not by what it excludes, but by its capacity to embrace diversity as a source of national strength and innovation. The challenge for policymakers, academics, and citizens alike is to bridge the gap between these two models and forge a new path; however, recent French policies seem to have failed to do so.

FINAL REMARKS

France's historical crossroad is and has always been a choice between two opposing logics: either persisting in a paradigm of assimilation (which has shown its limitations) or embracing a new model where national cohesion derives not from uniformity but from the ability to let differences coexist and thrive. As previously discussed in this thesis, the French model is still far from producing actual integration and is more prone to assimilation. Generally speaking, all generations of immigrants and their descendants have to face challenges; however, each generation face different ones, based on the position they acquire in mainstream society. Contrary to what first-generation immigrants experienced when they first entered the receiving country, people belonging to the second and third generations face a different type of discrimination and subsequently have a divergent relationship with their identity. As thoroughly discussed by A. Sayad in one of his works,⁶⁶ younger generations with a foreign background have to face a situation where they feel they are too French to be fully integrated into their parents' home countries, but are often not perceived as "French enough" in France. The official French republican model insists on a single, shared identity, yet these citizens are frequently reminded of their "otherness" through media portrayals, political discourse and daily discrimination. Such an identity crisis is bound to have effects not only on their inner world, but also on the relationship they have with institutions and the mainstream society (the 2005 and 2023 riots in the *banlieues* are an example of the manifestation of such a crisis).

The conclusion that can be drawn from the current situation in France is that the traditional model of assimilation is in direct conflict with the reality of a multi-ethnic society. Perhaps, a shift in perspective is now needed to face the challenges of integration: that is to say, "Frenchness" should not be based on a static ethnic identity anymore; instead, it should become a civic one where the primary markers of belonging should not be cultural or religious uniformity, but the ability to speak French, participate in civic life, and respect the laws. Current policies are hindering the process of integration that is

⁶⁶ Sayad A., *The Suffering of the Immigrant*, Cambridge: Polity, 2004.

already starting to happen at a social level.⁶⁷ A modern and effective approach to integration would be one where people are treated less as a threat and more as a positive long-term resource that enriches the country and provides new perspectives on issues that directly involve everyone. Nonetheless, this process can only smoothly progress as far as elites and institutions do their share and take action: they need to acknowledge that being French does not mean only one thing anymore. Moving away from the universalism that has traditionally characterized France until now could allow to face issues more honestly and without a hyper-fixation on a single point of view.

The transition toward a more effective integration in France is not merely a matter of political adjustment but a radical shift of paradigm. The move from exclusive universalism to inclusive pluralism is not an ideological compromise; instead it is a pragmatic necessity founded on three interconnected strategic directions, each requiring in-depth analysis.

The first direction is represented by moving away from the traditional definition of “Frenchness”. One of the main reasons for the failure of integration policies in France is the monolithic definition of “Frenchness”, which excludes the possibility of a composite identity. Adherence to this model implies rejecting one’s cultural heritage in the public sphere – a demand that, as sociological research and statistics show, generates deep cognitive dissonance and a sense of “double absence”⁶⁸ among second and third generations. Successful integration would require deconstructing this static perspective in favor of a civic identity that does not conflict with the expression of diverse cultural and religious affiliations. “Being French” should therefore mean adhering to the Republic’s fundamental values – liberty, equality, fraternity – while also valuing a dynamic identity of a multicultural society. Such a process, clearly a difficult one, cannot however happen without mutual respect and a change in the way migrants are portrayed.

Valorizing this social capital would give migrants and their communities the recognition they need to successfully integrate and make use of the important resources immigrants’

⁶⁷ Such transition becomes evident when thinking about the North African and West African influences on French music, cuisine, and language.

⁶⁸ Sayad A., *The Suffering of the Immigrant*, Cambridge: Polity, 2004.

networks can offer. The republican model has often viewed co-ethnic communities as obstacles to integration, seeing them as sources of “separatism”. A forward-thinking perspective, however, would recognize them as an essential foundation for integration. Such networks offer support, information, and job opportunities that the formal system often fails to provide. Policies that encourage and support these networks, rather than obstruct them, can transform what are perceived as “ghettos” into bridges to the broader society. Ultimately, valuing social capital means recognizing that integration is not built solely through law, but through human interaction and cooperation.

Finally, the third strategy is represented by a complementary strategy of governance that blends state action and inputs coming from such local community networks. Historically speaking, French migration policies have always been conceived and managed at a central level: even though this is a positive thing as it can avoid organizational chaos by providing everyone with the same directives, at the same time it fails to grasp the regional nuances and concrete needs of local communities. Decentralization is an essential strategic solution to overcome this problem. Transferring greater decision-making power and resources to local entities, associations, and civil society actors would allow for the development of tailored, agile, and direct solutions. At the local level, integration manifests daily in the job market, schools, and social services: directly listening to and involving those who live and manage these realities can create a virtuous cycle of trust and cooperation, which is essential for the process to succeed.

APPENDIX

Articles Loi Collomb (2018) – texts from the Légifrance website

L'Assemblée nationale et le Sénat ont délibéré,

L'Assemblée nationale a adopté,

Vu la décision du Conseil constitutionnel n° 2018-770 DC du 6 septembre 2018 ;

Le Président de la République promulgue la loi dont la teneur suit :

TITRE I^{er}

ACCÉLÉRER LE TRAITEMENT DES DEMANDES D'ASILE ET AMÉLIORER LES CONDITIONS D'ACCUEIL

CHAPITRE I^{er}

LE SÉJOUR DES BÉNÉFICIAIRES DE LA PROTECTION INTERNATIONALE

Article 1^{er}

Le chapitre III du titre I^{er} du livre III du code de l'entrée et du séjour des étrangers et du droit d'asile est ainsi modifié :

1° Le 10° de l'article L. 313-11 et l'article L. 313-13 sont abrogés ;

2° A la fin de la première phrase du 2° de l'article L. 313-18, les mots : « ainsi qu'à l'article L. 313-13 » sont supprimés ;

3° La section 3 est complétée par des sous-sections 5 et 6 ainsi rédigées :

« Sous-section 5

« La carte de séjour pluriannuelle délivrée aux bénéficiaires de la protection subsidiaire et aux membres de leur famille

« Art. L. 313-25. – Une carte de séjour pluriannuelle d'une durée maximale de quatre ans est délivrée, dès sa première admission au séjour :

« 1° A l'étranger qui a obtenu le bénéfice de la protection subsidiaire en application de l'article L. 712-1 ;

« 2° A son conjoint, au partenaire avec lequel il est lié par une union civile ou à son concubin, s'il a été autorisé à séjourner en France au titre de la réunification familiale dans les conditions prévues à l'article L. 752-1 ;

« 3° A son conjoint ou au partenaire avec lequel il est lié par une union civile, âgé d'au moins dix-huit ans, si le mariage ou l'union civile est postérieur à la date d'introduction de sa demande d'asile, à condition que le mariage ou l'union civile ait été célébré depuis au moins un an et sous réserve d'une communauté de vie effective entre époux ou partenaires ;

« 4° A ses enfants dans l'année qui suit leur dix-huitième anniversaire ou entrant dans les prévisions de l'article L. 311-3 ;

« 5° A ses ascendants directs au premier degré si l'étranger qui a obtenu le bénéfice de la protection est un mineur non marié.

« La carte délivrée en application du 1° du présent article porte la mention "bénéficiaire de la protection subsidiaire". La carte délivrée en application des 2° à 5° porte la mention "membre de la famille d'un bénéficiaire de la protection subsidiaire".

« Le délai pour la délivrance de la carte de séjour pluriannuelle à compter de la décision d'octroi de la protection subsidiaire par l'Office français de protection des réfugiés et apatrides ou la Cour nationale du droit d'asile est fixé par décret en Conseil d'Etat.

« Cette carte donne droit à l'exercice d'une activité professionnelle.

« Sous-section 6

« La carte de séjour pluriannuelle délivrée aux bénéficiaires
du statut d'apatride et aux membres de leur famille

« Art. L. 313-26. — Une carte de séjour pluriannuelle d'une durée maximale de quatre ans est délivrée, dès sa première admission au séjour :

« 1° A l'étranger qui a obtenu le statut d'apatride en application du titre I^{er} bis du livre VIII ;

« 2° A son conjoint, au partenaire avec lequel il est lié par une union civile ou à son concubin, s'il a été autorisé à séjourner en France au titre de la réunification familiale en application de l'article L. 812-5 ;

« 3° A son conjoint ou au partenaire avec lequel il est lié par une union civile, âgé d'au moins dix-huit ans, si le mariage ou l'union civile est postérieur à la date d'introduction de sa demande du statut d'apatride, à condition que le mariage ou l'union civile ait été célébré depuis au moins un an et sous réserve d'une communauté de vie effective entre époux ou partenaires ;

« 4° A ses enfants dans l'année qui suit leur dix-huitième anniversaire ou entrant dans les prévisions de l'article L. 311-3 ;

« 5° A ses ascendants directs au premier degré si l'étranger qui a obtenu le statut d'apatride est un mineur non marié.

« La carte délivrée en application du 1° du présent article porte la mention "bénéficiaire du statut d'apatride". La carte délivrée en application des 2° à 5° porte la mention "membre de la famille d'un bénéficiaire du statut d'apatride".

« Cette carte donne droit à l'exercice d'une activité professionnelle. »

Article 2

L'article L. 314-11 du code de l'entrée et du séjour des étrangers et du droit d'asile est ainsi modifié :

1° Le 8° est complété par un alinéa ainsi rédigé :

« La condition de régularité du séjour mentionnée au premier alinéa du présent article n'est pas applicable aux cas prévus aux *b* et *d* ; »

2° Le 9° est ainsi rédigé :

« 9° A l'étranger titulaire de la carte de séjour pluriannuelle prévue à l'article L. 313-26 et justifiant de quatre années de résidence régulière en France ; »

3° Après le 11°, il est inséré un 12° ainsi rédigé :

« 12° A l'étranger titulaire de la carte de séjour pluriannuelle prévue à l'article L. 313-25 et justifiant de quatre années de résidence régulière en France. »

TITRE III

RENFORCER L'EFFICACITÉ DE LA LUTTE CONTRE L'IMMIGRATION IRRÉGULIÈRE

CHAPITRE I^{er}

LES PROCÉDURES DE NON-ADMISSION

Article 20

Le livre II du code de l'entrée et du séjour des étrangers et du droit d'asile est ainsi modifié :

1° A la deuxième phrase du sixième alinéa de l'article L. 213-9, les mots : « sauf si l'étranger dûment informé dans une langue qu'il comprend s'y oppose, » sont supprimés ;

2° A la première phrase du troisième alinéa de l'article L. 222-4 et à la troisième phrase du premier alinéa de l'article L. 222-6, les mots : « à laquelle l'étranger dûment informé dans une langue qu'il comprend ne s'est pas opposé » sont supprimés ;

3° Avant la dernière phrase du premier alinéa de l'article L. 222-6, est insérée une phrase ainsi rédigée : « Le premier président de la cour d'appel ou son délégué peut, par ordonnance motivée et sans avoir préalablement convoqué les parties, rejeter les déclarations d'appel manifestement irrecevables. »

CHAPITRE II
LES MESURES D'ÉLOIGNEMENT

Article 23

L'article L. 511-1 du code de l'entrée et du séjour des étrangers et du droit d'asile est ainsi modifié :

1° Le 6° du I est ainsi rédigé :

- a) La référence : « de l'article L. 743-2 » est remplacée par les références : « des articles L. 743-1 et L. 743-2 » ;
- b) Est ajoutée une phrase ainsi rédigée : « Lorsque, dans l'hypothèse mentionnée à l'article L. 311-6, un refus de séjour a été opposé à l'étranger, la mesure peut être prise sur le seul fondement du présent 6° ; »

2° Le 3° du II est ainsi modifié :

- a) Le e est complété par les mots : « ou s'il a fait usage d'un tel titre ou document » ;

b) Le f est ainsi rédigé :

« f) Si l'étranger ne présente pas de garanties de représentation suffisantes, notamment parce qu'il ne peut présenter des documents d'identité ou de voyage en cours de validité, qu'il a refusé de communiquer les renseignements permettant d'établir son identité ou sa situation au regard du droit de circulation et de séjour ou a communiqué des renseignements inexacts, qu'il a refusé de se soumettre aux opérations de relevé d'empreintes digitales ou de prise de photographie prévues au deuxième alinéa de l'article L. 611-3, qu'il ne justifie pas d'une résidence effective et permanente dans un local affecté à son habitation principale ou qu'il s'est précédemment soustrait aux obligations prévues aux articles L. 513-4, L. 513-5, L. 552-4, L. 561-1, L. 561-2 et L. 742-2 ; »

c) Après le même f, sont insérés des g et h ainsi rédigés :

« g) Si l'étranger, entré irrégulièrement sur le territoire de l'un des Etats avec lesquels s'applique l'acquis de Schengen, fait l'objet d'une décision d'éloignement exécutoire prise par l'un de ces Etats ou s'est maintenu sur le territoire d'un de ces Etats sans justifier d'un droit de séjour ;

« h) Si l'étranger a explicitement déclaré son intention de ne pas se conformer à son obligation de quitter le territoire français. » ;

3° Le III est ainsi modifié :

a) Au premier alinéa et à la fin du sixième alinéa, les mots : « sa notification » sont remplacés par les mots : « l'exécution de l'obligation de quitter le territoire français » ;

b) A la fin du premier alinéa, les mots : « ou lorsque l'étranger n'a pas satisfait à cette obligation dans le délai imparti » sont supprimés ;

c) Le quatrième alinéa est ainsi modifié :

- les mots : « des cas prévus » sont remplacés par les mots : « du cas prévu » ;
- sont ajoutés les mots : « à compter de l'exécution de l'obligation de quitter le territoire français » ;

d) Aux sixième et septième alinéas, après le mot : « maintenu », il est inséré le mot : « irrégulièrement » ;

e) Le sixième alinéa est ainsi modifié :

- les mots : « peut prononcer » sont remplacés par le mot : « prononce » ;
- est ajoutée une phrase ainsi rédigée : « Des circonstances humanitaires peuvent toutefois justifier que l'autorité administrative ne prononce pas d'interdiction de retour. » ;

f) Au huitième alinéa, la référence : « au premier alinéa » est remplacée par les références : « aux premier, sixième et septième alinéas » ;

g) A la première phrase du dernier alinéa, les mots : « , selon des modalités déterminées par voie réglementaire, » sont supprimés ;

h) Il est ajouté un alinéa ainsi rédigé :

« Les modalités de constat de la date d'exécution de l'obligation de quitter le territoire français de l'étranger faisant l'objet d'une interdiction de retour sont déterminées par voie réglementaire. »

Article 24

L'article L. 512-1 du code de l'entrée et du séjour des étrangers et du droit d'asile est ainsi modifié :

1° Après le premier alinéa du I *bis*, il est inséré un alinéa ainsi rédigé :

« La même procédure s'applique lorsque l'étranger conteste une obligation de quitter le territoire fondée sur le 6° du I dudit article L. 511-1 et une décision relative au séjour intervenue concomitamment. Dans cette hypothèse, le président du tribunal administratif ou le juge qu'il désigne à cette fin statue par une seule décision sur les deux contestations. » ;

2° Le III est ainsi modifié :

a) Le premier alinéa est complété par deux phrases ainsi rédigées : « Le juge des libertés et de la détention informe sans délai le tribunal administratif territorialement compétent, par tout moyen, du sens de sa décision. La méconnaissance des dispositions de l'avant-dernière phrase du présent alinéa est sans conséquence sur la régularité et le bien-fondé de procédures ultérieures d'éloignement et de rétention. » ;

b) Le troisième alinéa est ainsi modifié :

- à la fin de la première phrase, les mots : « soixante-douze heures à compter de sa saisine » sont remplacés par les mots : « quatre-vingt-seize heures à compter de l'expiration du délai de recours » ;
- au début de l'avant-dernière phrase, les mots : « Sauf si l'étranger, dûment informé dans une langue qu'il comprend, s'y oppose, » sont supprimés ;

c) Le début de la seconde phrase du dernier alinéa est ainsi rédigé : « Le président du tribunal administratif ou le magistrat désigné à cette fin statue dans un délai de cent quarante-quatre heures à compter de... *(le reste sans changement)*. » ;

3° Le IV est ainsi rédigé :

« IV. – En cas de détention de l'étranger, celui-ci est informé dans une langue qu'il comprend, dès la notification de l'obligation de quitter le territoire français, qu'il peut, avant même l'introduction de sa requête, demander au président du tribunal administratif l'assistance d'un interprète ainsi que d'un conseil.

« Lorsqu'il apparaît, en cours d'instance, que l'étranger détenu est susceptible d'être libéré avant que le juge statue, l'autorité administrative en informe le président du tribunal administratif ou le magistrat désigné qui statue sur le recours dirigé contre l'obligation de quitter le territoire français selon la procédure prévue au III et dans un délai de huit jours à compter de l'information du tribunal par l'administration. »

CHAPITRE IV

LA MISE EN ŒUVRE DES MESURES D'ÉLOIGNEMENT

Article 29

Le titre V du livre V du code de l'entrée et du séjour des étrangers et du droit d'asile est ainsi modifié :

1° L'article L. 551-1 est ainsi modifié :

a) Le I est complété par les mots : « , en prenant en compte son état de vulnérabilité et tout handicap » ;

b) Le II est ainsi modifié :

- à la première phrase du premier alinéa, les mots : « , sur la base d'une évaluation individuelle prenant en compte l'état de vulnérabilité de l'intéressé » sont supprimés ;

TITRE IV

ACCOMPAGNER EFFICACEMENT L'INTÉGRATION ET L'ACCUEIL DES ÉTRANGERS EN SITUATION RÉGULIÈRE

CHAPITRE I^{er}

DISPOSITIONS EN FAVEUR DE L'ATTRACTIVITÉ ET DE L'ACCUEIL DES TALENTS ET DES COMPÉTENCES

Article 40

La sous-section 2 de la section 3 du chapitre III du titre I^{er} du livre III du code de l'entrée et du séjour des étrangers et du droit d'asile est ainsi modifiée :

1° L'article L. 313-20 est ainsi modifié :

a) Au 1°, après le mot : « impôts », sont insérés les mots : « ou dans une entreprise innovante reconnue par un organisme public suivant des critères définis par décret et dont la liste est publiée par le Gouvernement » et, à la fin, sont ajoutés les mots : « ou avec le développement économique, social, international et environnemental de ce projet » ;

b) La seconde phrase du premier alinéa du 4° est complétée par les mots : « ou la mention "chercheur – programme de mobilité" lorsque le chercheur relève d'un programme de l'Union européenne, d'un programme multilatéral comportant des mesures de mobilité dans un ou plusieurs Etats membres de l'Union européenne ou d'une convention d'accueil signée avec un organisme public ou privé ayant une mission de recherche ou d'enseignement supérieur préalablement agréé » ;

c) Le second alinéa du même 4° est ainsi rédigé :

« L'étranger ayant été admis dans un autre Etat membre de l'Union européenne conformément à la directive (UE) 2016/801 du Parlement européen et du Conseil du 11 mai 2016 précitée peut séjourner en France, après notification de sa mobilité aux autorités administratives compétentes, pour mener une partie de ses travaux en France sur la base de la convention d'accueil conclue dans le premier Etat membre, pour autant qu'il dispose de ressources suffisantes, sans que soit exigé le respect de la condition prévue à l'article L. 313-2. La mobilité de longue durée a une durée maximale de douze mois. La mobilité de courte durée a une durée maximale de cent quatre-vingts jours sur toute période de trois cent soixante jours. Le conjoint et les enfants du couple sont admis au séjour dans les mêmes conditions que le chercheur et ont droit à l'exercice d'une activité professionnelle en cas de mobilité de longue durée ; »

d) Au 10°, après le mot : « établie », sont insérés les mots : « ou susceptible de participer de façon significative et durable au développement économique, au développement de l'aménagement du territoire ou au rayonnement de la France » et, après le mot : « artistique, », il est inséré le mot : « artisanal, » ;

2° Le premier alinéa de l'article L. 313-21 est ainsi modifié :

a) A la première phrase, les mots : « à ses enfants » sont remplacés par les mots : « aux enfants du couple » ;

b) Est ajoutée une phrase ainsi rédigée : « La même carte est délivrée de plein droit au membre de la famille du chercheur titulaire de la carte mentionnée au 2° du I de l'article L. 313-8, pour une durée identique à la période de validité restant à courir de la carte de séjour de son conjoint ou parent. »

Article 41

I. – L'article L. 313-7 du code de l'entrée et du séjour des étrangers et du droit d'asile est ainsi modifié :

1° Le premier alinéa du I est complété par une phrase ainsi rédigée : « Cette carte, d'une durée inférieure ou égale à un an et renouvelable, porte la mention "étudiant – programme de mobilité" lorsque l'étudiant relève d'un programme de l'Union européenne, d'un programme multilatéral comportant des mesures de mobilité dans un ou plusieurs Etats membres de l'Union européenne ou d'une convention entre au moins deux établissements d'enseignement supérieur situés dans au moins deux Etats membres de l'Union européenne. » ;

2° Après le même premier alinéa, il est inséré un alinéa ainsi rédigé :

« L'étranger ayant été admis au séjour dans un autre Etat membre de l'Union européenne et inscrit dans un programme de mobilité conformément à la directive (UE) 2016/801 du Parlement européen et du Conseil du 11 mai 2016 relative aux conditions d'entrée et de séjour des ressortissants de pays tiers à des fins de recherche, d'études, de formation, de volontariat et de programmes d'échange d'élèves ou de projets éducatifs et de travail au pair peut séjourner en France, après notification de sa mobilité aux autorités administratives compétentes, pour une durée maximale de douze mois, pour effectuer une partie de ses études au sein d'un établissement d'enseignement supérieur, pour autant qu'il dispose de ressources suffisantes, sans que soit exigé le respect de la condition prévue à l'article L. 313-2. » ;

3° Le second alinéa du même I est complété par une phrase ainsi rédigée : « Ce même droit est octroyé dans les mêmes conditions à l'étranger qui entre dans les prévisions du deuxième alinéa du présent I. » ;

4° Au dernier alinéa du II, après le mot : « enseignement », sont insérés les mots : « , celles relatives à l'étranger ayant été admis conformément à la directive (UE) 2016/801 du Parlement européen et du Conseil du 11 mai 2016 précitée ».

II. – La sous-section 3 de la section 2 du chapitre III du titre I^{er} du livre III du code de l'entrée et du séjour des étrangers et du droit d'asile est ainsi rétablie :

« Sous-section 3

« Dispositions particulières applicables aux étrangers étudiants ou chercheurs prolongeant leur séjour à des fins de recherche d'emploi ou de création d'entreprise

« Art. L. 313-8. – I. – Une carte de séjour temporaire portant la mention "recherche d'emploi ou création d'entreprise" d'une durée de validité de douze mois, non renouvelable, est délivrée à l'étranger qui justifie :

« 1° Soit avoir été titulaire d'une carte de séjour temporaire ou pluriannuelle portant la mention "étudiant" délivrée sur le fondement des articles L. 313-7, L. 313-18 ou L. 313-27 et avoir obtenu dans un établissement d'enseignement supérieur habilité au plan national un diplôme au moins équivalent au grade de master ou figurant sur une liste fixée par décret ;

« 2° Soit avoir été titulaire d'une carte de séjour pluriannuelle portant la mention "chercheur" délivrée sur le fondement du 4° de l'article L. 313-20 et avoir achevé ses travaux de recherche.

« II. – La carte de séjour temporaire prévue au I est délivrée à l'étranger qui justifie d'une assurance maladie et qui :

« 1° Soit entend compléter sa formation par une première expérience professionnelle, sans limitation à un seul emploi ou à un seul employeur. Pendant la durée de la carte de séjour temporaire mentionnée au premier alinéa du I, son titulaire est autorisé à chercher et à exercer un emploi en relation avec sa formation ou ses recherches, assorti d'une rémunération supérieure à un seuil fixé par décret et modulé, le cas échéant, selon le niveau de diplôme concerné.

« A l'issue de cette période de douze mois, l'intéressé pourvu d'un emploi ou d'une promesse d'embauche satisfaisant aux conditions énoncées au premier alinéa du présent 1° est autorisé à séjourner en France au titre de la carte de séjour pluriannuelle mentionnée aux 1°, 2°, 4° ou 9° de l'article L. 313-20 ou de la carte de séjour temporaire mentionnée aux 1° et 2° de l'article L. 313-10, sans que lui soit opposable la situation de l'emploi ;

« 2° Soit justifie d'un projet de création d'entreprise dans un domaine correspondant à sa formation ou à ses recherches.

« A l'issue de la période de douze mois mentionnée au premier alinéa du I, l'intéressé justifiant de la création et du caractère viable d'une entreprise répondant à la condition énoncée au premier alinéa du présent 2° est autorisé à séjourner en France sous couvert de la carte de séjour pluriannuelle mentionnée au 5° de l'article L. 313-20 ou de la carte de séjour temporaire mentionnée au 3° de l'article L. 313-10.

« III. – L'autorité administrative ne peut procéder à des vérifications dans les conditions prévues à l'article L. 313-5-1 qu'à l'expiration d'un délai de trois mois suivant la délivrance de la carte de séjour temporaire.

« IV. – L'étranger qui a obtenu dans un établissement d'enseignement supérieur habilité au plan national un diplôme au moins équivalent au grade de master ou figurant sur une liste fixée par décret et qui, à l'issue de ses études, a quitté le territoire national peut bénéficier de la carte de séjour temporaire prévue au I, dans un délai maximal de quatre ans à compter de l'obtention dudit diplôme en France. »

III. – La section 3 du chapitre III du titre I^{er} du livre III du code de l'entrée et du séjour des étrangers et du droit d'asile est complétée par une sous-section 7 ainsi rédigée :

« Sous-section 7

« La carte de séjour pluriannuelle portant la mention "étudiant – programme de mobilité" »

« Art. L. 313-27. – La carte de séjour pluriannuelle portant la mention "étudiant – programme de mobilité" est délivrée, dès sa première admission au séjour, à l'étudiant étranger relevant d'un programme de l'Union européenne, d'un programme multilatéral comportant des mesures de mobilité dans un ou plusieurs Etats membres de l'Union européenne ou d'une convention entre au moins deux établissements d'enseignement supérieur situés dans au moins deux Etats membres de l'Union européenne et qui justifie qu'il dispose de moyens d'existence suffisants. Cette carte est délivrée pour la durée dudit programme ou de ladite convention, qui ne peut être inférieure à deux ans. L'autorité administrative peut accorder cette carte de séjour sans que la condition prévue à l'article L. 313-2 soit exigée et sous réserve d'une entrée régulière en France. »

IV. – L'article L. 531-2 du code de l'entrée et du séjour des étrangers et du droit d'asile est complété par cinq alinéas ainsi rédigés :

« Il en est de même de l'étranger étudiant et de l'étranger chercheur ainsi que des membres de la famille de ce dernier, admis au séjour sur le territoire d'un Etat membre de l'Union européenne et bénéficiant d'une mobilité en France conformément à la directive (UE) 2016/801 du Parlement européen et du Conseil du 11 mai 2016 relative aux conditions d'entrée et de séjour des ressortissants de pays tiers à des fins de recherche, d'études, de formation, de volontariat et de programmes d'échange d'élèves ou de projets éducatifs et de travail au pair, lorsque :

« a) Le titre de séjour a expiré ou a été retiré par l'Etat membre qui l'a délivré, au cours de la période de mobilité ;

« b) L'étranger ne remplit pas ou plus les conditions de la mobilité ;

« c) L'autorité administrative compétente n'a pas reçu la notification de l'intention de cet étranger d'effectuer une mobilité sur le territoire français ;

« d) L'autorité administrative compétente a fait objection à la mobilité de cet étranger. »

2/ Expulser les étrangers représentant une menace pour l’ordre public

→ Nos orientations

La priorité donnée à la lutte contre l’immigration irrégulière avait donné lieu à plusieurs mesures fortes de la loi « Collomb » du 10 septembre 2018 ayant permis d’allonger la durée de retenue pour vérification du droit au séjour à 24h et la durée de rétention à 90 jours, et à recourir à l’assignation à résidence pour l’exécution des OQTF.

Les éloignements forcés exécutés ont ensuite progressé de 54 % entre le niveau atteint en 2019 et celui de la législature antérieure. Après deux années 2020 et 2021 marquées par les restrictions sanitaires, le nombre d’éloignements a progressé en 2022 et en 2023. Au total pour en 2023, le nombre de sorties du territoire comptabilisées augmente de 17 %. Ces résultats sont le fruit d’une action constante et déterminée des préfets : le nombre de placements en CRA a augmenté de 7 %, celui des assignations à résidence de 27 %, celui des demandes de laissez-passer consulaires de 44 %.

Une orientation forte a été donnée à droit constant par instruction du ministre de l’intérieur pour mieux tirer les conséquences sur le droit au séjour du comportement d’un étranger représentant une menace pour l’ordre public.

- **Depuis octobre 2020, plus de 4000 retraits de titres de séjour pour des troubles à l’ordre public et 90 000 refus et renouvellements** de titre ont été prononcés (contre quelques centaines antérieurement).
- La priorisation du placement en rétention des étrangers ayant commis des infractions graves, radicalisés et représentant une menace pour l’ordre public a permis d’augmenter les expulsions d’étrangers délinquants : 1834 en 2021, 3 615 en 2022, puis 4 686 en 2023.

→ Les moyens mobilisés

Depuis 2017, près de 500 places de centre de rétention administrative (CRA) ont été créées ou réouvertes par la suppression de places destinées aux familles pour atteindre aujourd’hui 1869 places de CRA disponibles. Les moyens portés par la loi d’orientation et de programmation du ministère de l’intérieur (LOPMI) permettront de disposer de 3 000 places de rétention à horizon 2027, avec de nouveaux CRA à Dijon, Oissel, Nantes, Béziers, Aix-en-Provence, Goussainville, Nice, Olivet, Mérignac, à Mayotte et dans le Dunkerquois.

Ce que change la loi

- **Élargissement des possibilités de recours à l’expulsion d’étrangers ayant commis des infractions graves** et extension des possibilités de prononcer des peines d’interdiction du territoire français, en facilitant la levée de certaines protections contre ces mesures. Ces protections, qui ne découlent pas d’obligations constitutionnelles ou conventionnelles, bénéficient notamment à l’étranger entré en France avant l’âge de 13 ans, l’étranger résidant en France depuis plus de 10 ans ou encore l’étranger marié à un conjoint français depuis plus de 3 ans.
- **Suppression des protections contre les décisions portant obligation de quitter le territoire français** visant les étrangers en situation irrégulière. Seuls les mineurs restent protégés quoi qu’il arrive. L’OQTF sera « édictée après vérification du droit au séjour, en tenant notamment compte de la durée de présence de l’étranger sur le territoire français, de l’ancienneté et de la nature de ses liens avec la France et des considérations humanitaires pouvant justifier un tel droit. »

- **Possibilité de retirer ou refuser de renouveler les titres de séjour pour des motifs supplémentaires** sans avoir besoin de caractériser la menace à l'ordre public dans les situations suivantes :
 - Étranger qui a commis des faits de faux et usage de faux documents.
 - Étranger qui a commis des faits de violences contre des élus, des personnes dépositaires de l'autorité publique ou des agents de sécurité.
 - Étranger a commis certains délits graves ou crimes tels que le trafic de stupéfiants, réduction en esclavage et exploitation de personnes réduites en esclavage, traite des êtres humains ; proxénétisme et infractions qui en résultent, recours à la prostitution, exploitation de la mendicité, conditions de travail et d'hébergements contraires à la dignité de la personne, du travail forcé et de la réduction en servitude, vol lorsqu'il est commis dans un véhicule affecté au transport collectif de voyageurs ou dans un lieu destiné à l'accès à un moyen de transport collectif de voyageurs, demande de fonds sous contrainte, certaines formes de recel.
- **Possibilité de retrait ou de refus de renouvellement de titres en cas de menace grave à l'ordre public :**
 - Carte de résident (dégradation en APS obligatoire).
 - Titres de séjour des bénéficiaires de la protection internationale, y compris plus de 5 ans après leur délivrance, en cas de retraits de la protection par l'OFPR.
- **Conditionnement de la libération sous contrainte de plein droit** d'une personne détenue sous mesure d'expulsion ou d'éloignement **à l'éloignement effectif, l'objectif de réinsertion d'un condamné n'étant pas compatible avec la situation de séjour irrégulier.**
- **Allongement à 3 ans la durée de l'assignation à résidence de longue durée** (« assignation-report ») en cas d'impossibilité de quitter le territoire français.
- **Possibilité d'une seconde prolongation de l'assignation** à résidence avec perspective d'éloignement pour atteindre au total 135 jours.
- **Création d'un motif autonome de placement en rétention, en cas de menace à l'ordre public.**
- **Réduction de 7 à 2 jours du délai minimum entre deux mesures de placement en rétention administrative consécutives** en cas de circonstance nouvelle de fait.
- **Augmentation de la durée de l'interdiction de retour à 10 ans** maximum en cas de menace grave pour l'ordre public.
- **Assignation à résidence ou la rétention d'un demandeur d'asile présentant une menace à l'ordre public** ou un risque de fuite.
- **Mineurs non accompagnés :** création d'un fichier relatif aux personnes se déclarant mineures impliquées dans des infractions à la loi pénale.
- **Suppression de l'obligation pour les départements de prendre en charge un ancien MNA** jusqu'à l'âge de 21 ans s'il fait l'objet d'une OQTF.
- **Caractère suspensif de l'appel du procureur ou du préfet d'une mesure de libération du JLD** en cas de terrorisme.
- **Création d'une procédure de contradictoire asymétrique** pour le contentieux de certaines décisions administratives fondées sur des motifs en lien avec la prévention d'actes de terrorisme.
- **Création d'un levier visa** - réadmission permettant de restreindre la délivrance de visas envers les États ne délivrant pas de laissez-passer consulaires (LPC)

4/ Mieux intégrer par la langue, par le travail et par l'engagement à respecter les principes de la République

→ Nos orientations

La loi CIAL renforce l'intégration des étrangers séjournant en France dans trois directions :

- **La maîtrise effective du français.** L'atteinte d'un niveau de langue n'était jusqu'ici pas exigée pour obtenir un titre de séjour pluriannuel ; ce sera désormais une obligation de résultat, avec un rehaussement de la prescription linguistique au niveau A2, facilitant notamment l'intégration par le travail.
- **Le respect des principes de la République.** Cette notion désormais définie par la loi recouvre les principes de liberté, d'égalité, de fraternité et de dignité de la personne humaine, ainsi que les symboles de la République au sens de l'article 2 de la Constitution, c'est-à-dire l'emblème national, l'hymne national et la devise de la République et, enfin, de ne pas se prévaloir des croyances ou de ses convictions pour s'affranchir des règles communes régissant les relations entre les services publics et les particuliers. Dans le cas contraire, le titre de séjour pourra être retiré.
- **L'intégration par le travail**, qui doit être le premier lieu de l'intégration des étrangers. Le taux de chômage des immigrés reste ainsi de 11,7 % contre 7,3 % pour l'ensemble de la population, en particulier pour les femmes.

→ Les moyens mobilisés

Les formations linguistiques délivrées dans le cadre du contrat d'intégration républicaine (CIR) ont été renforcées depuis 2018 pour améliorer la maîtrise du français (100, 200, 400 ou 600 heures visant le niveau A1 du cadre européen de référence pour les langues -CECRL, 100 heures visant le niveau A2 et 100 heures visant le niveau B1) et pour développer les formations linguistiques à visée professionnelle (formations pré-qualifiantes et qualifiantes pour l'entrée dans l'emploi). 431 millions d'euros seront consacrés en 2024 à l'intégration des étrangers primo arrivants, en hausse continue depuis 2018.

Le programme « Administration numérique pour les étrangers en France » permet de réduire les difficultés d'accès au guichet. Le nombre de passages en préfecture est réduit en moyenne de 3 à 1 passage pour la remise du titre uniquement, ou à deux passages maximum si la prise d'empreinte n'a pas déjà été effectuée. La dématérialisation est déjà déployée pour 60 % des titres de séjour, et concernera l'ensemble des titres de séjour à horizon 2025.

Un accompagnement renforcé des usagers est mis en place via :

- Un centre de contact citoyen (CCC) de l'Agence nationale des titres sécurisés (ANTS), accessible par téléphone ou via un formulaire en ligne.
- Un réseau de points d'accueil numérique (PAN), installés dans l'ensemble des préfectures et dans les sous-préfectures accueillant le plus d'usagers mettant à leur disposition du matériel informatique ainsi qu'un accompagnement pas à pas par un médiateur numérique.

L'amélioration des conditions de délivrance des titres de séjour s'appuiera sur l'expérimentation à 360° des demandes de titres de séjour et sur le programme expérimental de réforme des services étrangers (PERSée), qui bénéficieront de l'affectation des trois quarts des créations de postes d'agents de préfecture en 2024. Outre le lancement de trois plateformes régionales pour la pré-instruction des titres de séjour, les modalités de renouvellement des titres de séjour seront facilitées en s'appuyant sur le déploiement complet de l'Administration Numérique pour les Étrangers en France d'ici 2025.

Pour renforcer l'intégration par le travail des étrangers déjà présents en France titulaires de certains titres « salarié », la procédure d'autorisation de travail déjà délivrée actuellement dans des délais réduits sera adaptée pour leur permettre de changer d'employeur plus facilement en tenant compte des différentes situations d'emploi.

Ce que change la loi

- **Conditionnement de la délivrance de tout document de séjour à la signature, par l'étranger, d'un contrat d'engagement au respect des principes de la République française** et création d'un examen civique ; la réussite à cet examen conditionnera la délivrance de la carte de séjour pluriannuelle, de la carte de résident et la naturalisation, au même titre que le test linguistique.
- Création d'un motif de **refus ou de retrait d'un document de séjour détenu par un étranger dont le comportement manifeste le rejet des principes et valeurs de la République française.**
- **Passage d'une obligation de moyens à une obligation de résultat pour la maîtrise du français** en conditionnant la première délivrance de la carte de séjour pluriannuelle (CSP) à la maîtrise d'un niveau de français A2, la première délivrance d'une carte de résident à l'atteinte du niveau B1, et la naturalisation à l'atteinte du niveau B2. Cette mesure nous rapprochera de nos voisins européens comme l'Allemagne, les Pays-Bas, l'Autriche, l'Italie ou le Portugal.
- Contribution de l'employeur à la formation linguistique dans le cadre de la formation professionnelle sur le temps de travail effectif de l'employé, considérant leur responsabilité pour l'intégration, via :
 - la possibilité pour les employeurs de proposer aux salariés de suivre un parcours de formation en français langue étrangère (FLE) sur le temps de travail, cette possibilité s'inscrivant dans le plan de formation des employeurs ;
 - la possibilité de suivre les cours de français à l'OFII sur le temps de travail (jusqu'à 600 heures) pour les salariés signataires du contrat d'intégration républicaine ;
 - une autorisation de travail de plein droit pour les salariés prenant des cours de français financés sur leur compte personnel de formation.
- **Inscription dans la loi d'une nouvelle voie de régularisation :** les travailleurs qui justifient de 12 mois d'activité continue ou non **dans un métier en tension** sur les 24 derniers mois et qui justifient d'une résidence en France depuis 3 ans sans que l'accord préalable de leur employeur.
- **Simplification des passeports « talent » pour répondre aux besoins des entreprises de profils très qualifiés :** le titre actuel « **Passeport talent** », qui exonère de l'autorisation de travail et permet également d'accueillir sa famille, sera simplifié en créant deux grandes catégories de talents professionnels : talent salarié qualifié et talent porteur de projet.
- **Création d'une carte de séjour « talent-professions médicales et de la pharmacie »** pour les praticiens diplômés hors Union européenne titulaire d'une attestation d'exercice de la médecine en France.

5/ Garantir le droit d'asile en engageant une réforme structurelle de notre organisation

→ Nos orientations

La politique du Gouvernement engagée depuis 2017 consiste à garantir le droit d'asile pour offrir aux personnes accueillies sur notre sol des **conditions d'accueil dignes** et des **perspectives d'intégration renforcées** en améliorant les délais de traitement des demandes, en accroissant capacités des dispositifs d'hébergement et en rééquilibrant l'accueil sur l'ensemble du territoire.

→ Les moyens mobilisés

Les acteurs de l'asile ont bénéficié de moyens conséquents, qu'il s'agisse de l'OFPRA (+200 ETP depuis 2018) ou de la CNDA (+60 ETP). **Le délai global d'examen des dossiers – environ 10 mois – reste encore éloigné du délai cible de 6 mois**, ce qu'entend améliorer le projet de loi en réformant notre organisation.

Grâce à la création de **30 000 places d'hébergement supplémentaires** (+33 %) en 5 ans, soit un total de 121 732 places financées en 2024, la part des demandeurs d'asile éligibles aux conditions matérielles d'accueil et hébergés à titre gratuit est passée de 45 à 74 % entre 2017 et 2023, grâce aux effets conjugués de la réduction des délais de procédure, du renforcement des dispositifs d'hébergement et au mécanisme d'orientation directive créé par la loi du 10 septembre 2018 qui assure un accueil plus équilibré sur le territoire.

Les **moyens pour l'intégration des réfugiés** ont été structurés grâce à la création d'un programme d'Accompagnement global (AGIR) pour favoriser leur accès aux droits, à l'emploi et au logement. Le programme AGIR sera déployé dans toute la France en 2024, mobilisant un budget inédit de 630 M€ d'ici 2027, permettant de proposer **un accompagnement** à près de 40 000 réfugiés chaque année.

Ce que change la loi

- **Création de pôles territoriaux « France asile »**, qui ont vocation à se substituer aux guichets uniques pour demandeurs d'asile en y incluant, aux côtés des services des préfectures et de l'OFII, une présence d'agents de l'OFPRA en vue d'effectuer immédiatement, avec leur appui, les démarches d'introduction de la demande d'asile. Elle permettra de gagner 1 mois sur les délais d'introduction de la demande ; un délai de préparation du récit sera préservé en amont de l'entretien à l'OFPRA.
- **Création de chambres territoriales de la Cour nationale du droit d'asile**, pour réformer la juridiction localisée à Montreuil et rapprocher la juridiction des justiciables, en s'appuyant sur le maillage actuel des cours administratives d'appel.
- **Prévoir que la Cour nationale du droit d'asile statue en principe par décision d'un juge unique**, tout en préservant la possibilité de renvoyer les affaires complexes à une formation collégiale.

LIST OF ACRONYMS

AIDA	Asylum Information Database
ANTS	Agence Nationale des Titres Sécurisés
CCC	Contact center for the citizens
CIR	Contrat d’Intégration Républicaine
INED	[French] National Institute of Demographic Studies
INSEE	[French] National Institute of Statistics and Economic Studies
IOM	International Organization for Migration
MIPEX	Migrant Integration Policy Index
MPI	Migration Policy Institute
OFII	Office Français de l’Immigration et de l’Intégration

BIBLIOGRAPHY AND SITOGRAPHY

Books and articles

O'Reilly K., *Migration theories – a critical overview*, in Triandafyllidou A., Routledge Handbook of Immigration and Refugee Studies, Routledge, 2015

Piore M.J., *Birds of Passage: Migrant Labor and Industrial Societies*, Cambridge University Press, 1979

Portes A., Zhou M., *The New Second Generation: Segmented Assimilation and Its Variants*, in The Annals of the American Academy of Political and Social Science, Vol. 530, Interminority Affairs in the U.S.: Pluralism at the Crossroads, Sage Publications Inc. in association with the American Academy of Political and Social Science, November 1993

Sayad A., *The Suffering of the Immigrant*, Cambridge: Polity, 2004

Wallerstein I., *World-System Analysis*, Duke University Press, 2004

Withol de Wenden C., The case of France (chap.2), in Zincone G. et al., *Migration Policymaking in Europe: The Dynamics of Actors and Contexts in Past and Present*, Amsterdam University Press, 2011

Yuval-Davis et al., *Everyday Bordering, Belonging and the Reorientation of British Immigration Legislation*, in Sociology, Vol. 52(2), 2018

Zanfrini L., *Introduzione alla sociologia delle migrazioni*, Editori Laterza, Bari-Roma, 2016

Ziyanak S., *Critically Assessing Classic Assimilation Theory and Alternative Perspectives for Immigrants and the Second Generation in the United States*, in Race, Gender & Class, Vol. 22, No. 1-2, Jean Ait Belkhir, Race, Gender & Class Journal, 2015

Online articles and reports

LOI n° 2018-778 du 10 septembre 2018 pour une immigration maîtrisée, un droit d'asile effectif et une intégration réussie

<https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000037381808>

Loi pour contrôler l'immigration et améliorer l'intégration (PDF version)

<https://www.interieur.gouv.fr/actualites/actualites-du-ministere/presentation-de-loi-pour-controler-limmigration-et-ameliorer>

Médecins Sans Frontières <https://www.msf.fr/actualites/demantelement-imminent-de-la-jungle-de-calais-que-vont-devenir-les-mineurs-isoles>

Report *Immigrés et descendants d'immigrés – Édition 2023*, section *Insertion professionnelle des descendants d'immigrés*, INSEE, March 2023
<https://www.insee.fr/fr/statistiques/6793264?sommaire=6793391&q=occupation+immigr%C3%A9s>

Report *Immigrés et descendants d'immigrés – Édition 2023*, section *Vie citoyenne*, INSEE, March 2023
<https://www.insee.fr/fr/statistiques/6793298?sommaire=6793391>

Arnoult (Dares) É., Report *Immigrés et descendants d'immigrés – Édition 2023*, section *Les discriminations sur le marché du travail subies par les personnes d'origine maghrébine*, INSEE, March 2023
<https://www.insee.fr/fr/statistiques/6793310?sommaire=6793391&q=immigres#onglet-2>

Lê J. et al., Report *En dix ans, le sentiment de discrimination augmente, porté par les femmes et le motif sexiste*, INSEE, 2022
https://www.insee.fr/fr/statistiques/6473349#figure2_radio1

Rouhban O, Simon P. and Tanneau P, Report *France, portrait social – Édition 2024*, section *Le sentiment de discrimination persiste à la deuxième génération*, INSEE, November 2024

<https://www.insee.fr/fr/statistiques/8242403?sommaire=8242421&q=immigres#onglet-2>

MIPEX report on France <https://www.mipex.eu/france>

Simon P., *French national identity and integration: who belongs to the national community?*, Migrationpolicy.org, May 2012

<https://www.migrationpolicy.org/research/french-national-identity-and-integration-who-belongs-national-community>

Lettre de l'Asile et de l'Intégration, éd. n. 94, France Terre d'Asile, June 2021

chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.france-terre-asile.org/images/stories/publications/pdf/FTA_Lettre_asile_94_WEB.pdf

Briefing Note *France dismantles a migrant camp at Calais*, UNHCR website, 2009

<https://www.unhcr.org/news/briefing-notes/france-dismantles-migrant-camp-calais>

Euronews' article *France: quelles différences entre les émeutes de 2023 et celles de 2005*, Euronews, July 7th 2023 <https://fr.euronews.com/2023/07/07/emeutes-en-france-quelles-differences-entre-les-violences-urbaines-de-2023-et-celles-de-20>

Décryptage : comprendre les émeutes de Juin 2023 avec Marco Oberti, Sciences Po, October 12th 2023 <https://www.sciencespo.fr/fr/actualites/decryptage-comprendre-les-emeutes-de-juin-2023-avec-marco-oberti/>

Databases and institutional sites

AIDA <https://asylumineurope.org/>

European Centre for the Development of Vocational Training
<C:\Users\Matilde\AppData\Roaming\Microsoft\Word\European Centre for the Development of Vocational Training> <https://www.cedefop.europa.eu> › <https://www.cedefop.europa.eu/en/tools/vet-glossary/glossary/soziale-integration>

INED <https://www.ined.fr/>

IOM <https://www.iom.int/fundamentals-migration>

Légifrance <https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000037381808>

Ministère de l'Intérieur

<https://www.interieur.gouv.fr/actualites/actualites-du-ministere/presentation-de-loi-pour-controler-limmigration-et-ameliorer>

MIPEX <https://www.mipex.eu/>

MPI <https://www.migrationpolicy.org/>