

France

The immigration situation in France has been strongly influenced to the present day by the legacy of colonialism of earlier centuries as well as the long tradition of recruiting foreign workers. Overall, there has been a steady increase in immigration over the last century, and this has had a strong impact on the nature of French society. Although immigration has been regarded as a success story in economic terms, in the past three decades it has increasingly been perceived as the root of social problems. The success of extreme right-wing parties in elections – especially of the Front National (FN) – makes this as readily apparent as the unrest that flares up time and again in the suburbs. As a result, integration policy in recent years has moved towards the centre of public attention.

Against this background, immigration policy has, in the last years, taken an increasingly restrictive course in France. As in other European countries, there is an effort to manage immigration with a view to maximizing benefits to the econ-



Background Information

Capital: Paris

Official Language: French

Area: 543,965 km², with overseas territories 672,352 km² (for comparison, Germany: 357,027 km²)

Population (January 1, 2012): 63.46 million (65.35 million including overseas territories)

Population density: 115 inhabitants per km²

Population growth (1996–2011): +0.55% per year

Labor force participation rate (2010): 70.1%

Foreign population as a percentage of total (2008): 5.8%

Immigrant population as a percentage of total (2008): 8.4%

Percentage of foreign employees amongst gainfully employed (2010): 6.2%

Unemployment rate: 9.4% (2010), 8.9% (2005); 8.5% (2000)

Religions (2011): Catholics (64%), Muslims (4.3%), Protestants (1.8%)

omy. Consequently, increased control of admissions and the integration of second- and third-generation descendants of immigrants represent the most important challenges for immigration policy-making in France in the near future. There is currently a strong focus on the integration of Muslims in French society and the relationship of the French state to Islam.

Historical Development of Immigration and Immigration Policy

France has a long history of immigration. Immigrants were brought in as early as the 18th and 19th century because the process of industrialization in conjunction with the fall in the birth rate had resulted in a labor shortage. In this sense, France was an exception in Western Europe during this period. Most other industrialized states, including Germany, had higher birth rates and were primarily countries of emigration. The shortages on the French labor market were aggravated still further as a result of the decline in population brought about by the wars of 1870-71 and 1914-1918.¹ In order to alleviate this, France concluded labor recruitment agreements with e.g. Italy² (1919), Poland (1906), Czechoslovakia (1920) and Spain (1932). At the beginning of the 1930s, France was the second most important country in the world for immigration after the USA by absolute numbers. At that time there

were about 2.7 million immigrants living in France (6.6% of the total population).

After the Second World War and during the economic upturn of the 1950s and 1960s, France once again recruited (predominantly male) workers on the basis of bilateral recruitment agreements with Italy (1946), Greece (1960), Spain (1963), Portugal (1964), Morocco (1964), Tunisia (1964), Turkey (1965) and Yugoslavia (1965).³ At the same time, immigration from the former colonies increased due to the process of decolonization. As a result of the Algerian War (1954–62) and the subsequent independence of Algeria in 1962, a large number of French settlers and pro-French Algerians moved to France.⁴ In 1964, France negotiated an agreement for the recruitment of Algerian workers with the now independent country.

During the economic crisis of the early 1970s, France followed the example of other European countries and in 1974 stopped all recruitment programs for foreign workers. At the point in time when labor recruitment was halted, 3.5 million migrants lived in France, and they made up in total 7 percent of the entire French population. Portuguese and Algerians were the largest groups, each with about 20 percent.

Ending the recruitment of foreign labor did, however, lead neither to immigrants returning to their own countries, nor to a decrease in immigration. On the contrary, many immigrants remained in France and fetched their families to join them. In terms of numbers, family reunification has since become the most important channel for immigration, yet with currently declining tendency.

In the late 1980s and early 1990s, the conservative Minister of the Interior, Charles Pasqua, (*Rassemblement Pour la République*)⁵ pursued the aim of a zero immigration policy (*immigration zéro*). Numerous regulations were tightened up as a result. For example, the waiting time for family reunification was extended from one year to two, and foreign graduates from French universities were forbidden to take up employment in France. Especially the “fight” against irregular migration moved to political center stage. The introduction of the so-called “Pasqua laws” was, however, a source of considerable dispute. The protests reached their high point in 1996 in the occupation of a church in Paris by Africans and Chinese who had lived for many years in France without a residence permit and who wanted to draw attention to their precarious situation. Thousands of people supported the protest campaigns of the *sans papiers*.⁶

Under the centre-left government of Prime Minister Lionel Jospin (*Parti Socialiste*, PS), many of the restrictive Pasqua regulations were withdrawn or toned down from 1997 onwards. For example, a special immigration status was created for highly qualified employees, scientists and artists. In 1997 a legalization program was drawn up for foreigners who were residing in the country without authorization (see “Irregular Immigration”).

Since a Conservative government came into power in 2002, one can observe a return to a more restrictive immigration policy. This course was continued under Nicolas Sarkozy (*Union pour un Mouvement Populaire*, UMP), who won the presidential elections in April 2007 (compare “Current Developments”).

The perception of immigration as a problem, however, is tempered by a growing awareness that it represents an enrichment of French society. There are several examples for this development: the Soccer World Cup in 1998 (most players in the *equipe tricolore* had a migration background, and the team won the title in their own country), the opening of a museum on the history of immigration (*Cité nationale de l'histoire de l'immigration*, CNHI, inaugurated on October 10, 2007), as well as the naming of Rachida Dati as the first female minister who came from a migrant family (in office 2007–2009).

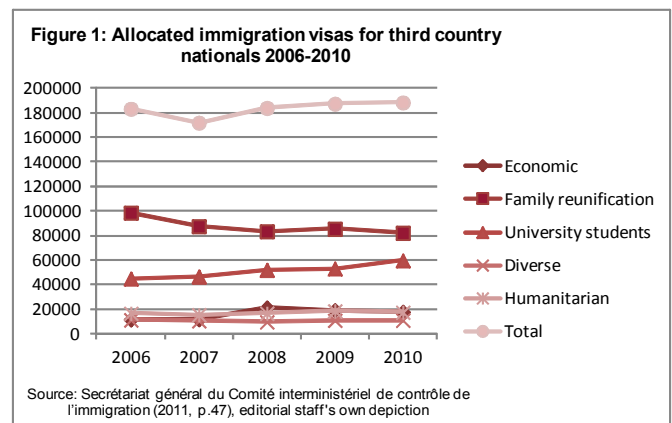
The presidential and parliamentary elections in 2012 will determine the future course in French migration politics (compare “Future Challenges”).

Current Migration Trends

Despite its restrictive immigration policy, immigration to France has risen constantly in recent years. This can be seen in the allocation of residence permits to third country nationals. In 2006 and 2008 about 183,000 residence visas were given each year to immigrants from third countries. In 2010 it was about 188,000.

The main form of immigration continues to be family reunification (82,235 residence permits were allocated in this category in 2010), followed by student migration (17,819 residence permits for foreign students in 2010) and labor migration (19,251 work permits were given out in 2010). While family reunification is decreasing due to more restrictive conditions (compare “Current Developments”), student migration is gaining in significance. The influx of foreign students rose from about 50,000 people in the years 2007 and 2008, respectively, to about 60,000 people in 2010 and 2011. Chinese students constitute the largest group (since 2008 about 10,000 per year). The preferred students are those undergoing their master and doctoral studies, usually in the context of set programs and partnerships with foreign universities.

With regard to third country nationals, between 2007 and 2010 the most important sending countries were Algeria and Morocco. Each year about 25,000 new migrants came from each of these countries to France. Ranked third and fourth are China and Tunisia, respectively.⁷



All in all, the migration balance (net immigration) has been continuously positive in recent years. In 2010, it was at about 75,000 people. Migration has thus contributed to the growth of the French population. Unlike other European countries such as Germany, however, France also has a higher number of births than deaths. The average birth rate in France in 2010 was about 2.01 births per woman (average in the EU-27 in 2010 was 1.59 births/woman). In this year the birth rate reached the highest level since the end of the Baby Boom in 1973.⁸

According to the *Institut National d'Etudes Démographiques* (INED), contrary to the widespread stereotype, the birth rate among immigrants is not significantly higher than that of the French-born population.⁹

In contrast to fears expressed in the wake of the EU's enlargement to the East in 2004, even eight years later no significant rise in legal and long-term immigration from these countries to France has been registered. Together with the majority of EU states, France first limited the free movement of workers from East European countries, then opened their employment market to them incrementally. Right on time for the French accession to the EU-Council Presidency on July 1, 2008, France finally lifted the last of these restrictions to their employment market.¹⁰

In 2006 residence permits were granted to 7,879 immigrants from those East European countries which became Member States in 2004. After the admission of Bulgaria and Romania (2007), the number of residence permits rose to 9,569 (2007) and 9,566 (2008). The rescission of the transitional regulations for those Eastern European states that had joined the EU in 2004 and the accompanying full movement and residence rights for their citizens led to a significant decrease in the number of allocated residence permits (6,711 in 2009 and 7,358 in 2010).¹¹

The Immigrant Population

In French statistics, immigrants (*immigrés*) and foreigners (*étrangers*) are recorded separately. Immigrants are defined as people who were born abroad as foreign citizens, and they continue to be recorded as such even if they acquire French citizenship. On January 1st, 2008 there were 5.23 million immigrants living in France (total population on January 1st, 2008: 62.13 million).¹² 2.72 million immigrants had acquired French citizenship by 2008. In general the proportion of immigrants in the French population has risen significantly since the mid-1970s. At that point, it was about 7.4%, and it stayed at that level until the turn of the millennium. Then it rose to 8.4% by 2008.

In contrast to immigrants, foreigners are defined as people who do not have French citizenship. At the beginning of 2008, about 3.6 million foreigners lived in Metropolitan France, which corresponds to about 5.8% of the entire population. More than 550,000 of these were born on French territory. Between 1999 and 2008 the foreign population grew faster than the French population as a whole (14.4% vs. 8.7%).

Table 1: Immigrants by country of origin

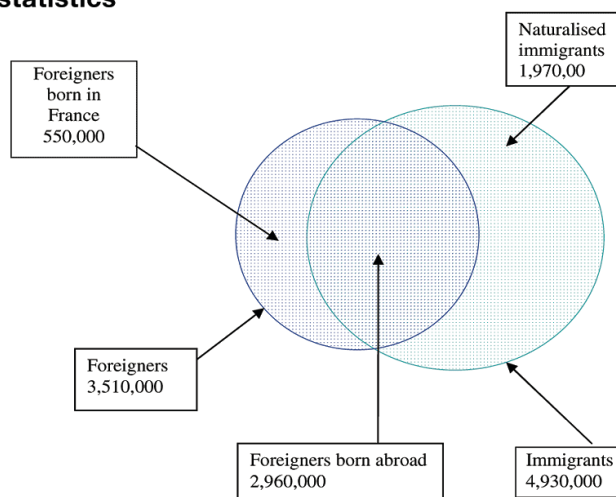
	2008	
	in %	in absolute numbers
Europe	38.0	2,032,021
EU-27	33.9	1,808,425
Spain	4.8	257,315
Italy	5.9	317,260
Portugal	10.9	580,598
United Kingdom	2.8	147,954
Other EU-27 states	9.5	505,296
Other European countries	4.2	223,596
Africa	42.5	227,1231
Algeria	13.4	713,334
Morocco	12.3	553,826
Tunisia	4.4	234,669
Other African countries	12.5	669,401
Asia	14.2	756,846
Turkey	4.5	238,862
Cambodia, Laos, Vietnam	3.0	162,684
Other Asian countries	6.7	355,301
America, Oceania	5.3	282,191
Total	100	5,342,288

Source: INSEE, Census 2008 (France with overseas territories)

Figure 2 exemplarily shows for the year 2006 how the groups of immigrants and foreigners can overlap in statistics.

Concurrent to the relative and absolute increase in the immigrant population is the change to its composition according to country of origin. After the Second World War the majority of immigrants came from Europe (1962: 79%). This proportion has fallen steadily. In 2008 it was at only 39.2%. At the

Figure 2: Immigrants and foreigners in official statistics

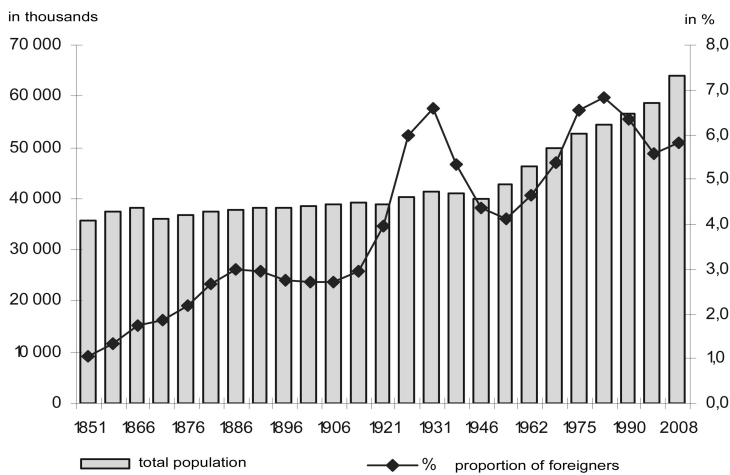


Source: Institut national de la statistique et des études économiques, INSEE (2006), author's own depiction

same time, the regions of origin are ever more remote from France. In 2005, for the first time there were more immigrants from Africa¹³ living in France (1962: 15.3%; 2005: 42.2%) than from Europe. Also in 2008 migrants from Africa rep-

represented the largest group of foreigners in France, although this trend is falling slightly (41% of foreigners living in France in 2008 were of African descent). They represent especially immigrants from the former French colonies in North Africa: Algeria, Morocco, and Tunisia. Also the immigration from Asia has significantly risen (from 2.4% in 1962 to 13.9% in 2005). In 2008 migrants from Asia constituted 13.7% of all foreigners living in France. Turkey was the most important Asian sending country.

Figure 3:
Proportion of foreigners in the total population according to population censuses since 1951 (France without overseas territories)



Source: Secrétariat général à l'immigration et à l'intégration/Ministère de l'Intérieur, de l'outre-mer, des Collectivités territoriales et de l'Immigration (ed./2011, p.53)

Notes: (1) From 1851 to 1876 data refers to France's resident population at the time of the census. (2) From 1881 to 1939 data refers to the population present on French territory at the time of the census.

Measured in absolute numbers, about 1.3 million of the 3.7 million foreigners living in France (including the country's overseas territories) come originally from the European Union (EU-27). Another 154,000 immigrants with a foreign passport came from a non-EU European country. In total 1.5 million immigrants were citizens of African countries. About 509,900 of those foreigners living in France had their roots in Asia.¹⁴

The most important individual countries of origin of the foreign population in France as of 2008 were Portugal (490,724), Algeria (470,776), Morocco (443,536), Turkey (221,935), Italy (174,016), Great Britain (150,819), Tunisia (143,716) and Spain (128,780).

The gender distribution among the immigrants has also changed in the course of the years. After the Second World War it was at first predominantly men who came to work in France. From 1974, with family reunification, female immigration dominated. Since the turn of the millennium, however, the proportion of male and female immigrants has evened out. In 2008, 51% of France's foreigners (*étrangers*) and 49% of the country's immigrant population (*immigrés*) were male.¹⁵

Descendants of immigrants

Descendants of immigrants (*descendants d'immigrés*) are defined as people who are born in France and have at least

one parent who was born abroad with foreign citizenship. Estimates for the year 2010 indicate that about 6.4 million people living in France could be counted in this group. This constitutes about 10.4% of the entire population. The composition of the group of descendants of foreigners reflects France's history of immigration. 3.3 million people with a migration background had at least one parent who migrated from a European country, especially Italy, Spain and Portugal. These were countries that already provided a majority of

the foreign workers in the early phases of labor migration since the 19th century. Further 1.8 million people were descendants of immigrants from Maghreb states, that is, former French colonies in North Africa. The remaining 1.3 million people with a migration background have their roots in other regions of Africa and in Asia, countries which have provided the more recent influx of immigration. The descendants of immigrants are a young population. Their average age is about 31.9 years old, significantly lower than that of the population as a whole (40.5 years old).¹⁶

Living conditions of the migrant population

A look at immigrants' employment market integration shows that they are facing a considerable disadvantage compared to the population as a whole. This is especially the case for third country nationals. They are more commonly confronted with unemployment and precarious working conditions and

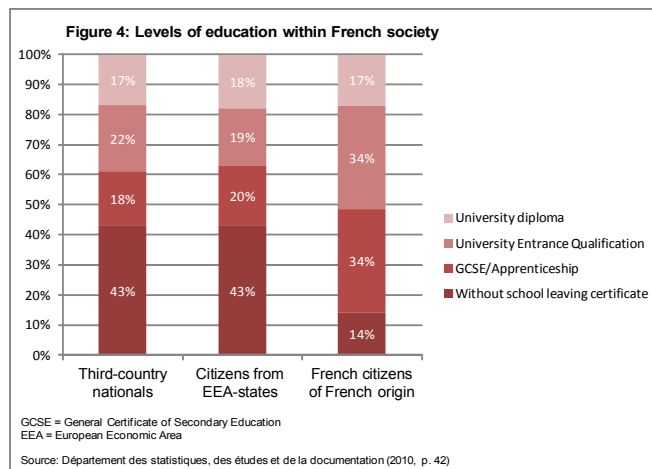
show a lower rate of participation in the labor force.

In 2010 the labor-force participation rate among the foreign population was 64.5%, compared to 70.6% in the French population. This low rate is mainly the result of the comparison of labor-force participation of foreign women (52.4%), compared to French women (66.9%). This rate was especially low among women from Turkey (21.8%) and from the Maghreb States (37.3%). In contrast, especially male foreigners from the European Economic Area and Switzerland (81.2%) as well as Algeria (80.5%) show labor participation rates that are significantly higher than the average in the French population (70.6%).

In 2010 third country nationals were unemployed three times more often than French nationals. Their unemployment rate was 23.5%, compared to 8.9% of the French population. The unemployment rate of immigrants from the European Economic Area (8.5%) was lower than that of French nationals. The higher unemployment, especially among third country nationals, as well as their often precarious employment conditions, contribute to this group's higher risk of facing poverty. In 2009, 36% of all third country nationals lived under the poverty line, compared to 10% of people with a French passport.¹⁷

The educational level of immigrants has risen significantly; one can observe that this population is catching up with non-

immigrants. However, there is still an educational disadvantage, which especially becomes apparent regarding the number of students leaving school without a degree (see figure 4).



Regionally, immigrants to France are concentrated within the major urban areas. The region with the highest proportion of immigrants is the Region Île-de-France (in Greater Paris), where 40% of all foreigners live. Other important regions are Rhône-Alpes (Lyon) and Provence-Alpes-Côte d'Azur (Marseille). In 2008, the proportion of foreigners in both regions was 8%.¹⁸

Irregular Immigration

According to estimations, some 200,000 to 400,000 people without legal residence status – *sans-papiers* – are present on French territory. The number of irregular migrants in the French overseas territories is especially high. In French Guiana alone the number of *sans-papiers* is estimated at 30,000 – 80,000 (entire resident population in 2008: 216,000¹⁹). Due to the geographic proximity to migrants' countries of origin, especially Mayotte, French Guiana, St. Martin and Guadeloupe face a stronger migration pressure than Metropolitan France.²⁰

While irregular migrants in the overseas territories come from the surrounding regions (e.g. Haiti), it is assumed that the majority of the irregular migrants in Metropolitan France comes from West Africa and the Maghreb states.

In response to this phenomenon, an initial legalization program was carried out in 1982, with 132,000 people being given legal residence status as a result. The *sans-papiers* came to public notice in particular with their protests in 1996. In that year they occupied two churches in Paris demanding the granting of residence permits. Since that time both the term *sans-papiers* and their cause have been firmly anchored in French public consciousness. A few weeks after coming into power in June 1997, the government of Lionel Jospin (PS) drew up a second legalization program. This time about 87,000 out of a total of 150,000 applicants were given a residence permit. In 2006 a limited number of families without papers whose children were attending school in France were legalized. Of the more than 30,000 applicants,

6,924 were ultimately granted a residence permit. Migrant aid organizations such as the RESF network (Education without Borders) are calling for further legalization for families living in France without authorization.²¹ More legalization is also the aim of the trade unions, which support workers without valid work permits. Of these, 500 occupied the French museum for migration (*Cité nationale de l'histoire de l'immigration*) for three months in 2010.

The Immigration Act of 2006 abolished the automatic legalization of immigrants living without authorization for at least ten years in France. It thus represents a move away from legalization as a means of dealing with the issue of unauthorized residents.

The deportation of people without a valid residence permit became a popular strategy under Nicolas Sarkozy in the "fight" against irregular migration. Already during his post as Minister of the Interior, Sarkozy had declared that he wanted to significantly raise the number of deportations of irregular migrants. He then purposefully implemented this policy. While between 1997 and 2002 around 9,000 irregular immigrants were deported per year, deportations reached a record level in 2011: The government reported that a total of 32,912 people were deported. More than half of the deportations took place in the French overseas territories. In Mayotte alone, 20,429 people were deported in 2010. The Minister of the Interior Claude Guérant declared in January 2010 that this course would be continued. The number of deportations of irregular migrants should increase in 2012 to 35,000.²²

Refuge and Asylum

At the end of the 1980s, the number of applications for asylum in France rose significantly (1982: 22,500; 1989: 61,400). This can be explained in part by the fact that immigrants resorted increasingly to the right of asylum in the absence of other legal channels of migration. Bureaucratic obstacles and a trend towards lower recognition rates led to a decrease in the number of applicants in the 1990s. However, contrary to the European trend, the number of applications for asylum rose again at the end of the 1990s.

The number of new applications tripled between 1996 (17,405) and 2003 (52,204). In the following years the number of asylum applications sank, because the French asylum policy had become much more restrictive due to reforms in 2003. Since 2008, however, one can again observe a rise in the number of asylum-seekers. In 2010 a total of 52,762 asylum applications were placed (48,074 of these were new applications). With this, France was the country with the highest rate of asylum applications in Europe. Internationally they were ranked second, just behind the United States.²³

In 2010, the three main sending countries for asylum seekers were Kosovo, Bangladesh and the Democratic Republic of Congo. Generally the number of asylum applications from European countries is decreasing, while the number of asylum applications from Asian countries is increasing.

Asylum applicants in France by country of origin

Continent	2010	%	2009	%	Evolution 2010/2009 in %
Europe	11,442	31.0	11,609	34.9	-1.4
thereof Kosovo	3,267	8.8	3,048	9.2	7.2
Russia	2,425	6.8	1,961	5.9	23.7
Armenia	1,278	3.5	2,297	6.9	-44.4
Turkey	1,240	3.4	1,826	5.5	-32.1
Asia	10,310	2.9	8,170	24.6	26.2
thereof Bangladesh	3,061	8.3	1,375	4.1	122.6
Sri Lanka	2,265	6.1	2,617	7.9	-13.5
China	1,805	4.9	1,542	4.6	17.1
Africa	13,028	35.3	11,600	34.9	12.3
thereof Democratic Rep. of Congo	2,616	7.1	2,113	6.4	23.8
Guinea	1,712	4.6	1,455	4.4	17.7
Algeria	1,024	2.8	1,015	3.1	0.9
Mauretania	862	2.3	1,069	3.2	-19.4

Source: Secrétariat général du Comité interministériel de contrôle de l'immigration (2011, p. 100)

Since January 1, 2004, France not only provides a conventional refugee status, but also so-called subsidiary protection (*protection subsidiaire*). This status can be granted to people who do not fulfill the criteria for refugee status, but who face the death penalty or torture in their country of origin, or if they have to fear for their lives upon return to that country. These people can receive a temporary residence permit. At the end of each year, the authorities investigate whether or not such protection is still necessary. If this is the case, the residence permit can be prolonged. In 2009, subsidiary protection was granted in 1,785 cases.²⁴ Subsidiary protection has replaced the territorial asylum (*asile territorial*) that was set up in 1998.

Due to the current rise in the number of asylum applications, the Minister of the Interior Claude Guérant wants to make asylum law more restrictive and to sanction "economic refugees" and "asylum fraudsters". Furthermore, an expansion of the list of so-called safe countries of origin should considerably decrease the number of qualifying asylum applicants. The reform of the law has, however, not yet been translated into action.

Citizenship

The Citizenship Law of 1889 established a territorial principle for citizenship (*jus soli*) which is still considered valid. Accordingly, children who were born in France to foreign parents automatically receive French citizenship when they become 18 years old, as long as they have lived at least five years in France and have their fixed residence on French territory at the time of naturalization. People born abroad and living in France can acquire French citizenship if they satisfy certain conditions. They must be able to prove a minimum stay of five years (spouses of French citizens four years) and have an adequate knowledge of the language. Moreover, they must not be dependent on social security benefits.

Towards the end of the 1990s, the number of naturalizations increased significantly, with a new record of 150,025 naturalizations being reached in the year 2000. This record was again surpassed in 2005 (154,827 naturalizations). Since 2006 the number of naturalizations has decreased (143,275 naturalizations in 2010²⁵). This may be due to the more restrictive criteria for receiving French citizenship, es-

pecially regarding provable language abilities. With the Law on Immigration, Integration and Nationality (*loi relative à l'immigration, à l'intégration et à la nationalité*), published on June 16, 2011, citizenship criteria was set at the B1 level of the Common European Framework of Reference for languages. Additionally, foreigners will – in the future – be required to sign a Charter on the Rights and Duties of Citizens (*Charte des droits et des devoirs du citoyen*), where they pledge to recognize French laws and values before they become naturalized. These restrictions may lead to a decrease in the number of naturalizations. In the last ten years, especially people from the Maghreb states Morocco (17,601 in 2010), Algeria (16,417) and Tunisia (5,613) became naturalized citizens.²⁶ The large majority (61.2%) of those who became a French citizen in 2010 were from an African country. People from Asia (13.2%) and Europe (9.4%) took second and third places in the naturalization statistics in the same year.

Current Developments

Immigration policy

Since a conservative government under Jean-Pierre Raffarin (UMP)²⁷ took over in 2002, a trend towards a more restrictive immigration policy has become apparent. In the following a few important aspects of this development will be illustrated.

On June 30, 2006 the French Senate adopted a new Immigration Law (*loi relative à l'immigration et à l'intégration*) which substantially reformed immigration and integration policy. The aim is a more purposeful, demand-oriented regulation of immigration. Accordingly, the law became known under the term "selective migration" (*immigration choisie*). It contains tougher criteria for family reunification, a newly created residence status for especially qualified workers (*carte compétences et talents*), as well as a required "Reception and Integration Contract" (*contrat d'accueil et d'intégration - CAI*) for third country nationals who would like to stay in France long-term. The integration contract requires the participation in civil society trainings and language classes. As mentioned before, the automatic legalization of immigrants who lived without a residence permit in France for at least ten years was repealed.²⁸

The law has been severely criticized by human rights organizations and parties on the left. They have described the concept of *immigration choisie* as *immigration jetable* ("disposable immigration"), since in their opinion only economic benefits – and not the people themselves – take priority. Several opposition parties brought a legal action protesting against the law; however, the constitutional court (*Conseil Constitutionnel*) dismissed the action on July 20, 2006.

In 2007 there followed the Law on the Control of Migration, Integration and Asylum (*loi relative à la maîtrise de l'im-*

migration, à l'intégration et à l'asile), with the aim of fighting irregular immigration, limiting immigration opportunities (especially in the context of family reunification), and strengthening immigration of (highly qualified) workers.

The Law requires proof of adequate financial means to support immigrating family members, measured according to the size of the family. Additionally, families are required to sign an integration contract for families (*Contrat d'accueil et d'intégration pour la famille*), wherein parents declare that they will foster their children's integration into French society. As a result of these more restrictive policies, a decrease in family reunification between 2006 and 2008 can be observed. In 2010 a total of 82,235 residence permits were given to immigrating family members from third countries.²⁹

The Law on Immigration, Integration and Nationality (*loi relative à l'immigration, à l'intégration et à la nationalité*, published June 16, 2011) mainly serves to implement three European Directives which regulated the immigration of highly qualified workers, the sanctioning of employers of irregular migrants, as well as the deportation of *sans-papiers*. The Law continues in the same course as the 2006 policy of *immigration choisie*. It introduces the European "Blue Card", which is supposed to ease the access of highly qualified third country nationals to the employment market.

Integration policy

Since the mid 1980s, there has been debate about the integration of immigrants, in particular as regards those from the Maghreb states, as well as about the limits of the republican integration model.³⁰ Time and again, for example in the fall of 2005 and 2007 as well as in summer 2010, there has been violent conflict involving predominantly young people with an immigrant background.³¹ At the same time, since the 1980s the extreme right – especially the Front National (FN) – has been enjoying increasing success on the political stage. These two symptoms of crisis are, however, only the most visible phenomena. In addition, the tension between the secular republican values (*laïcité*) of the republic and the right to the free practice of religion, in particular among the growing Muslim community, has intensified since the 1990s and has become a central issue (see "Dealings with Islam").

Against this background, the law of equal opportunities (*loi pour l'égalité des chances*) of the 31st March 2006 represents an important development in the area of integration policy. Although it had been planned for some time, it was presented by the government as a response to the unrest in the suburbs in autumn 2005. It contains a large number of measures to prevent discrimination and is therefore intended to improve the chances of integration for young people with an immigrant background, especially on the labor market. Central measures include programs to promote education and to open up the labor market for young people from disadvantaged social backgrounds, particularly in the suburbs where families with an immigrant background are concentrated. The legal measures provide further for the establishment of an office for social cohesion and equality of opportunity (*Agence nationale pour la cohésion sociale et l'égalité des chances*, Acsé). In addition, the law in its original form

contained the much disputed "first job contract" (*contrat première embauche*, CPE).³² However, this was withdrawn after weeks of protest.

Since January 1, 2007, all newly immigrating third country nationals must sign an integration contract (*Contrat d'accueil et d'intégration*), with which they pledge to obey the laws and values of the French Republic and to learn the French language. To this aim, the State makes language and orientation classes available. If immigrants do not fulfill their integration obligations, their residence permits might not be extended. The implementation of French integration policy is the responsibility of the *Office français de l'immigration et de l'intégration* (OFII), which was created in 2009.

Roma Controversy

The close connection between migration and the discourse on France's national security could be witnessed in 2010. The eviction and destruction of illegal Roma settlements and the deportation of hundreds of Roma to their countries of origin, especially to Romania and Bulgaria, gained international attention. After violent conflicts between police officers and Roma youths in Grenoble and Saint-Aignan in July 2010, the Minister of the Interior Brice Hortefeux introduced a package of measures against Roma who were living illegally in France. Their settlements were referred to by Nicolas Sarkozy as "hotbeds of criminality". The following mass deportations of Roma residents raised vigorous international critique. The UN-Committee on the Elimination of Racial Discrimination demanded that the deportations stop immediately, claiming that collective deportations violate human rights. Also the EU-Commission reacted and accused France of violating the EU-Treaty's right to freedom of movement of EU-citizens within the European Union. France defended the deportations with an EU-Directive of 2004 (2004/38/CE), which says that EU-citizens and their families only have the right to stay in another EU Member State for longer than three months if they have a job and enough financial means to sustain their existence, as well as proof of adequate health insurance protection. Most Roma who live in France do not fulfill these requirements. At the same time, the Minister of Immigration Eric Besson emphasized that these were voluntary departures, since the state granted these people a departure payment of 300 euros per adult and 100 euros per child. People who took these departure payments were, however, forbidden to return to France. EU Minister of Justice Viviane Reding threatened to sue France for the violation of the Charter for Basic Rights of the EU. France then gave in and declared that they would fully implement EU rights.³³

Dealings with Islam

France is the home of the EU's largest Islamic community, consisting of about five million Muslims. For some years, and increasingly since the terrorist attacks in the USA on September 11, 2001, the French government has tried to encourage a moderate Islam compatible with the French constitution. In 2003, the first French Council of the Muslim Faith (*Conseil français du culte musulman*, CFCM) was elected. This is in-

tended to provide united representation before the government of all Muslims living in France and also to be responsible for the training of imams (Muslim religious leaders).³⁴ At the same time there has been a stronger attempt to defend the secular values of the republic as laid down by law in 1905. To this end a law was passed forbidding religious symbols in schools,³⁵ which came into force on the 2nd September 2004 at the start of the new school year. The law was preceded by a long discussion about secularity, in other words about the form of division between the state and the church/religion. According to the law “conspicuous” signs of religious expression are banned in schools, including the wearing of the headscarf by Muslim schoolgirls that had triggered the discussions. For the most part, however, the introduction of the new regulation went through virtually without conflict. Another law has been introduced to combat religious fundamentalism. It regulates the treatment of persons “inciting violence against any individual,” and allows in such cases for the possibility of deportation.³⁶

Headlines and fierce debate ensued when a law came into effect in April 2011, under which wearing a full body veil in public would be cause for punishment. This is assessed as a symbol of the subjugation of women and of fundamentalist Islam. Estimates indicate that about 2,000 Muslim women living in France wear such a full body veil and would thereby be subject to this law.³⁷ Opponents of the law see this as a violation of the freedom of religion and opinion.

Since September 2011 Muslims are no longer allowed to pray in public. This law affects especially those Muslims who have to lay their prayer rug on the sidewalk, because there are not enough prayer rooms in French cities. President Sarkozy is being accused of using this law to secure right wing votes for the presidential election in the spring of 2012.³⁸

Future Challenges

The presidency of Nicolas Sarkozy, who was voted to become the Head of State in 2007, clearly led to more restrictive French migration policy. The closing of camps of mainly Afghan irregular migrants in Calais in September 2009, the eviction and destruction of several hundred Roma settlements and the deportation of their residents in 2010, the “Burka Ban” in 2011, as well as the discussion on French national culture³⁹ and Halal-butchered meat – these are just a few key moments in a development in the last years which has led to a stigmatization of the immigrant population. These are also an expression of the widely held fear of immigration, this fear being fueled by right-populist voices in politics (especially Front National) and in the French population.

It is foreseeable that the course of restrictive migration policy will continue if Sarkozy wins the presidential elections in the spring of 2012. As in 2007, immigration is one of the central issues in the election campaign. The present governing party is pursuing the goal of reducing the current immigration of around 200,000 people per year by 10%. The leading candidate of the right-wing extremist party Front National, Marine Le Pen, declared that she will limit the number of im-

migrants to 10,000 per year. A more moderate position is taken by the Socialist Party, which would want to implement voting rights at the local level for third country nationals.⁴⁰

Overcoming the social and economic marginalization of migrants in the suburbs poses the central challenge for French politics and society. The disturbances in these residential areas in autumn 2005, which have since flared up repeatedly, albeit with less intensity, are only the most visible manifestation of this challenge. This marginalization is a result of extremely high youth unemployment and a poorly functioning education system that is not suited to the special needs of these young people. Political responses, which have scarcely gone beyond symbolic politics, need to focus on the root causes of marginalization in the future. Measures such as the Action Plan “Hope for Disadvantaged Suburbs” (*Espoir Banlieue*), which was passed in 2008 to help equalize the chances for the population in so-called “sensitive urban zones” (ZUS – *Zone urbaine sensible*), have not been very successful.⁴¹

Compared with the European average, demographic aging in France is less pronounced due to the relatively high birth rate and the influx of immigrants. Nonetheless, long-term immigration will be necessary in order to guarantee the continued existence of the social system. The topic of immigration will therefore gain further importance in coming years.

Notes

- ¹ In the First World War alone, 1.4 million French people were killed or disabled.
- ² Even before the signing of the Recruitment Agreement, France already had contractual provisions with Italy regarding the organization of labor migration. This country has traditionally provided the most important source of foreign labor.
- ³ For detailed information on bilateral migration treaties in Europe between 1919 and 1974, see Rass (2010).
- ⁴ In total, this concerned about two million people, who were mostly described as *pieds-noirs* (“black feet”). Among them there were also about 100,000 so-called Harkis, i.e. Muslim Algerians who had fought on the side of the French army during the Algerian War of Independence. While the majority of the Harkis were killed after the French withdrawal, a small number managed to immigrate to France. Their legal position was long a matter of dispute.
- ⁵ *Rassemblement pour la République* existed from 1976 to 2002 when it merged with the *Union pour la Majorité Présidentielle*, later renamed the *Union pour un Mouvement Populaire* (UMP).
- ⁶ In English: “without papers.” This is a term often applied to irregular migrants in France.
- ⁷ *Secrétariat général du Comité interministériel de contrôle de l’immigration* (2011).
- ⁸ *Pla/Beaume* (2012) and *Pla/Beaume* (2011).
- ⁹ *Libération* 1-21-2004.
- ¹⁰ See *Euractiv* 5-29-2008.
- ¹¹ *Secrétariat général du Comité interministériel de contrôle de l’immigration* (2011).

- ¹² INSEE, Census 2008. In France there is no legal obligation to report where one lives. Comprehensive information on the population is collected only every eight to nine years in the general census (recensement de la population). It is on this basis that one can draw conclusions about the immigration population. The last census took place in 2008. Sensitive data, for instance regarding religious affiliation or ethnic background, are not allowed to be collected, which makes it more difficult to make statements on immigration and integration processes.
- ¹³ In particular from the Maghreb (Tunisia, Morocco, Algeria).
- ¹⁴ INSEE, Census 2008.
- ¹⁵ INSEE, Census 2008.
- ¹⁶ Secrétariat général à l'immigration et à l'intégration/Ministère de l'intérieur, de l'outre-mer, des collectivités territoriales et de l'immigration (eds/2011).
- ¹⁷ Département des statistiques, des études et de la documentation (2010).
- ¹⁸ Secrétariat général à l'immigration et à l'intégration/Ministère de l'intérieur, de l'outre-mer, des collectivités territoriales et de l'immigration (eds/2011).
- ¹⁹ <http://www.cr-guyane.fr/la-guyane/geographie/la-population-guyanaise> (accessed: 3-20-2012)
- ²⁰ The proportion of legal migrants in the entire population of Mayotte and St. Martin is about 40%, in French-Guiana they make up about 30%.
- ²¹ See newsletter 'Migration und Bevölkerung' 5/06, 6/06, 7/06.
- ²² See newsletter 'Migration und Bevölkerung' 1/12.
- ²³ Secrétariat général du Comité interministériel de contrôle de l'immigration (2011).
- ²⁴ <http://www.france-terre-asile.org/demande-dasile/statut-de-refugie> (accessed: 3-20-2012).
- ²⁵ Département des statistiques, des études et de la documentation (2011)
- ²⁶ Secrétariat général du Comité interministériel de contrôle de l'immigration (2011).
- ²⁷ Jean-Pierre Raffarin was replaced as Prime Minister in 2005 by Dominique de Villepin. Under Nicolas Sarkozy, who succeeded Jacques Chirac in 2007 as President of the French Republic, François Fillon (UMP) became Prime Minister.
- ²⁸ See newsletter 'Migration und Bevölkerung' 4/06.
- ²⁹ Secrétariat général du Comité interministériel de contrôle de l'immigration (2011).
- ³⁰ In this model, integration of immigrants takes place as part of a total social integration strategy committed to the model of cultural homogeneity. It is predicated on a political concept of the nation in which all citizens are equal in the eyes of the law regardless of their different ethnic identities.
- ³¹ See newsletter 'Migration und Bevölkerung' 10/05.
- ³² The contrat première embauche (CPE) ("first job contract") would have been applicable to employees below the age of 26 in companies with more than 20 employees. During the first two years of employment the employee could have been dismissed without reason and without warning.
- ³³ See newsletter 'Migration und Bevölkerung' 7/10 as well as the country Profile France in Fischer Weltalmanach 2012.
- ³⁴ See newsletter 'Migration und Bevölkerung' 4/03.
- ³⁵ See newsletter 'Migration und Bevölkerung' 1/04.
- ³⁶ See newsletter 'Migration und Bevölkerung' 5–7/04.
- ³⁷ See newsletter 'Migration und Bevölkerung' 08/11 and 6/09
- ³⁸ Spiegel Online: Wahlkampf in Frankreich. Sarkozy verbietet Straßengebete, 9-16-2011.
- ³⁹ For more information see newsletter 'Migration und Bevölkerung' 09/09.
- ⁴⁰ See newsletter 'Migration und Bevölkerung' 10/11.
- ⁴¹ Hillebrand/Kreuder-Sonnen (2009).

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Electronic Resources

Cité nationale de l'histoire de l'immigration, CNHI (French National Museum of the History of Immigration)
<http://www.histoire-immigration.fr/>

French Embassy in Germany
http://www.botschaft-frankreich.de/article.php3?id_article=1654

French Ministry of Justice
<http://www.justice.gouv.fr/>

French Ministry of Employment, Social Cohesion and Housing
http://www.social.gouv.fr/rubrique.php3?id_rubrique=45

Haute autorité de lutte contre les discriminations et pour l'égalité, HALDE (High Authority for Equality and Combating Discrimination)
<http://www.halde.fr/>

Haut Conseil à l'intégration (High Council for Integration)
<http://www.hci.gouv.fr>

Institut national d'études démographiques, INED (French National Institute for Demographic Studies)
<http://www.ined.fr/>

Institut national de la statistique et des études économiques, INSEE (French National Institute for Statistics and Economic Studies)
<http://www.insee.fr>

Newsletter 'Migration und Bevölkerung'
<http://www.migration-info.de/>

Office français de protection des réfugiés et apatrides, OPFRA (French Office for the Protection of Refugees and Stateless Persons)
<http://www.ofpra.gouv.fr/>

Office français de l'immigration et de l'intégration (French Office for Immigration and Integration)
<http://www.ofii.fr/>

Additional Information

C.i.m.a.d.e
<http://www.cimade.org/>

Forum Réfugiés
<http://www.forumrefugies.org/>

Groupe d'information et de soutien des immigrés, GISTI (Information and support for immigrants)
<http://www.gisti.org/>

Réseau Éducation Sans Frontières (Education without Borders)
<http://www.educationsansfrontieres.org/>

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