

Original Article

Knocking on France's Door: Migration Policies and Reception Data (2015-2019)

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Abstract: Is there an alignment between France's migration policies and its pattern of receiving immigrants and refugees? Immigrants represent 13.1% of the French population, and debates about their impact and assimilation capacity date back to the 19th century. National and European legislation sets the rules governing entry permits and the conditions for obtaining permanent residence. This article analyzes France's migration policy based on the legislation enacted between 2015 and 2019 and data on the granting of residence, asylum, and resettlement in the same period. The results reveal: (i) a trend towards open border and better reception conditions due to legislation; (ii) an increase in the number of successful applications for residence and resettlement, accompanied by a decrease in successful asylum appeals, conditioning refugees to stay outside French territory to be accepted.

Keywords: Migration Policy; France; European Union; Legislation; Reception Data.

Batendo à Porta da França: Políticas e Dados sobre a Recepção de Migrantes (2015-2019)

Resumo: Existe um alinhamento entre as políticas migratórias da França e o seu padrão de acolhimento de imigrantes e refugiados? Os imigrantes representam 13.1% da população francesa, e as discussões sobre seus impactos e capacidades de adaptação remontam ao século XIX. A legislação nacional e europeia estabelece as regras que regem as permissões de entrada, e as condições para a obtenção de residência permanente. Este artigo analisa a política migratória da França, com base nas legislações promulgadas entre 2015 e 2019, e de dados de concessão de residência, asilo e reassentamento no mesmo intervalo temporal. Os resultados indicam: (i) uma tendência à abertura das fronteiras e melhores condições de acolhimento devido à legislação; (ii) um aumento no número de concessão de residência e reassentamentos, acompanhado de uma diminuição nos recursos de concessão de asilo, condicionando refugiados a ficarem fora do território francês para serem aceitos.

Palavras-chave: Política Migratória; França; União Europeia; Legislação; Dados de Acolhimento.

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Introduction

The implications of globalization in terms of the narrowing of borders and the construction of multicultural spaces give rise to an important discussion on migration flows and integration policies. This discussion generates the need to understand decision-making processes. This need is especially evident when it comes to the receiving countries that make up the European Union (EU), considering that migratory flows towards them have intensified strongly since 2015 (European Parliament, 2017).

The relationship between the EU and its respective member states – specifically France – is a relevant issue in the discussion on migration, since, together with Germany, France is one of the main EU members and the destination of many immigrants. As a country of immigration for over a century (Reis, 1999), migratory flows are at the center of the French political agenda and, consequently, France enacts extensive legislation on the subject.

In addition to providing a brief overview of immigration in France, this article sheds light on the cohesion of French citizenship¹ and its ramifications, when it comes to foreign communities. We aim to answer the question: Is there an alignment between France's migration policies and its pattern of reception of immigrants and refugees?² It will be pertinent, in view of France's ties with the European Union, to analyze France's legislation regarding immigration, as well as the data relating to foreigners.

Investigating the alignment between migration policies and the actual data on the reception of immigrants can reveal the effectiveness (or lack thereof) of these policies. In addition, it is possible to understand not only the behavior of bureaucrats who evaluate residence and asylum applications, but also the pattern that policies assume in the face of migratory flow. This study does not seek to delve into its causal mechanisms, but it can indicate relevant parameters for this research agenda.

We carried out a detailed analysis of the texts of French and EU immigration legislation published between 2015 and 2019 and collected data on the granting of residence, asylum, and resettlement in France during the same period.³ In doing so, we sought to ascertain France's tendency to receive immigrants through a classification of the content of the norms and the number of immigrants accepted over the five years we consider.

This article is divided into four sections. The first section presents an overview of migration policies and integration processes. The second section places these aspects in a French context. The third section details the methodology of the empirical analysis and our findings. This section is subdivided into two parts: a descriptive analysis of the data related to residence, asylum and resettlement in France, and a review of the legislation in France and the European Union. In the fourth section, we clarify the conclusions drawn from our findings.

Migration Policies and Integration

On April 21, 2021, a group of retired generals of the French armed forces released an open letter that mentioned the risk of civil war and called for the military to intervene in government due to the religious extremism of followers of Islam (Ex-generais..., 2021).

¹ The issue of *communautarisme* is increasingly debated in France. It is a phenomenon characterized by any form of self-centeredness whereby a religious or ethnic group values its differences from the rest of society (Zwilling and Guedj, 2020).

² The question refers to a potential alignment between what France's policies seem to indicate and the pattern of their reception in France, i.e., the extent to which France makes concessions to immigrants.

³ Due to the impacts of the COVID-19 pandemic, our study does not include 2020 legislation and data, as the consequences of the pandemic go beyond the thematic focus of this article.

France, traditionally a secular State, had 6.7 million immigrants in 2020, representing 10.1% of its population (INSEE, 2021).⁴ Data from that same year show that approximately 8% of France's population was Muslim (Pew Research Center, 2020).

Migration is a phenomenon that affects all continents and not only the countries of destination, but also those of passage and departure, generating a complex and intricate network. There are three different dimensions to migration: residence, employment, and social relationships. Each of these dimensions is represented in micro-individual, macro-structural, and network approaches in studies of migration flows, including impacts upon immigrants and nationals (Piché, 2013). Within these dimensions are the distinct categories of migration: emigrants, immigrants, refugees, and asylum seekers.

With the end of World War II, the terms "refugee" and "asylum" emerged to describe individuals who migrated due to risk situations. According to the United Nations High Commission for Refugees (UNHCR), "refugee" is a temporary status granted to those who leave their place of origin due to armed conflict or threats to their human or political rights or to their life (UNHCR, 2019). "Asylum" is a status conferred to any refugee who obtains permission to settle in a particular country (UNHCR, 2020).

Piché (2013) analyzes the political, economic, and social effects of immigrants on the destination state. In the case of political effects, there are consequences that depend on proximity between countries and local context of the receiver, which can affect a country not only due to the pressure on reception mechanisms, but also in terms of how to deal with the flow of people considering issues of power asymmetry.

Economic effects are linked to the structure of the workforce and the level of technical education of the receiving state's population. Despite statements to the contrary, research shows highly skilled immigrants do not threaten natives in the labor market and, in general, the effects of their arrival are positive as they generate economic growth, innovation, and more tax revenue. With regard to so-called remittances, they have many positive effects in the countries of departure, benefiting education, investment, and development (Piché, 2013).

In the case of social effects, Piché specifically mentions ethnic and racial themes, resulting from an ultra-consciousness of belonging. Group members are threatened by immigrants in cultural and institutional areas, which foregrounds the minority-majority relationship in the national identity debate, encompassing questions about individual rights, culture, and ideology (Piché, 2013).

All these effects and relationships become relevant because they denote a conflict between liberal democratic values, such as sovereignty and the protection of fundamental rights. When taking into account the reaction of the population, governments do not act quickly enough in relation to the needs of immigrants and changes in the immigration process, generating serious problems related to migration management and inclusion policies.

An example of this is integration, the process of adaptation and accommodation of immigrants in society through the acceptance and inclusion of these individuals in the social system and its institutions (Modood, 2011; Grzymala-Kazlowska and Phillimore, 2017; Penninx, 2019). Unlike assimilation, a process in which immigrants change their characteristics to include themselves in the social dynamics of the receiving society, integration depends on some degree of institutional accommodation (Penninx, 2019).

Penninx (2019) describes three dimensions of acceptance via integration: (a) legal-political, which determines the possibility of obtaining residency and political rights, regulating the scale of illegal immigrants and citizens; (b) socioeconomic, related to social and economic participation regardless of nationality, granting access to an active presence in these areas;

⁴ In 2022, the most recent data available, there were 7 million immigrants in France, 10.3% of the population (INSEE, 2023).

and (c) cultural-religious, accommodating immigrant perceptions and practices as a reciprocal reaction to diversity.

Notwithstanding these possibilities, the policies in place reveal an effort by governments to mold inclusion processes to the benefit of the native society. Relations between immigrants and the receiving society are characterized by an asymmetry of power and the lack of resources, in the case of the former, to influence these policies (Penninx, 2019).

Appropriate integration policies seek outcomes in relation to issues such as educational development, employment, health, income, housing, social and cultural capital, security, and quality of accommodation, among others (Grzymala-Kazłowska and Phillimore, 2017). They are especially useful in places where diversity is pervasive and intersects with various aspects of life associated with immigration, favoring transnational multiculturalism (Vertovec, 1999).

Modood (2011) defines multiculturalism as a process of institutional integration in which differences between minorities and majorities are noted, while rights and duties are maintained. Kozakai and Wolter (2007) and Ward et al. (2018) define it as a social experience of recognition and cultural diversity. This explains why multiculturalism engenders peace and pride in identity, but also generates social isolation and the perception of an existing threat to national identity and liberal democratic values (Ward et al., 2018).

Integration policies that value multiculturalism depend on how majority groups perceive discrimination and insecurity towards minorities. Another important factor is the satisfaction that both groups have with the proposals, reinforcing the fact that individual rights provide conditions for them to participate in the debate. In the pursuit of preserving the rights of minorities and majorities, integration links communities in an egalitarian manner and establishes an inclusive vision of citizenship (Modood, 2011; Ward et al., 2018).

This discussion paves the way for debates related to nationalism and sovereignty, especially when it comes to immigration. Nationalism is a mark of identity that symbolizes a political link between the individual and the State; this is one of the reasons why immigration is such a central political issue (Brito, 2013).

According to Reis (2004, p. 150), "*State autonomy in the field of migration is one of the main characteristics of traditional international law*". Ultimately, countries control entry to and exit from their borders. The practical ramifications may be different when we distinguish between forced migration (refuge and asylum) and non-forced migration, as the rules that involve the former revolve around national and international regimes, while the latter depends mostly on internal rules.

In the case of France, migration policies are also influenced by the deliberations that take place within the EU political structure. However, the EU tends to prioritize the autonomy of Member States in these decisions, especially when migration is not forced, as the central point of discussion is less human rights than migration governance.

In relation to forced migration, there are so-called "durable solutions" for the reception of refugees: (a) voluntary repatriation, when refugees can return to their country of origin; (b) local integration, in which they obtain permanent residence and social and economic rights in the State of asylum; and (c) resettlement, which is legal admission into a State that offers social and economic rights to refugees located outside its territory (Fisher, 2019).

Durable solutions involve decisions that promote security, human rights, and long-term legal status in the host country. However, there is a relevant issue that specifically involves resettlement. As States cannot penalize refugees who illegally enter their territories under the principle of *non-refoulement* (UNHCR, 2021), they seek ways to limit the entry of these refugees, with the aim of avoiding any legal obligation towards them. In addition to reducing border porosity, States use resettlement programs as an incentive to keep refugees out of their territory (Fisher, 2019).

Fisher's (2019) case study of the European Union found that, as of 2015, there was an effort underway to discourage irregular immigration and encourage resettlement. According to Fisher, concentrating and retaining refugees in Turkey and Greece was aimed at keeping immigrants in refugee centers known as "hotspots". The French government has shown an interest in opening one of these centers in Libya, which is on the route for many sub-Saharan Africans who want to reach France or some other European country (Rueckert, 2017; Fisher, 2019).

The migration and integration policies of the Elysée/Matignon tandem will be analyzed in more depth in the next section. We will pay special attention to how these are contingent on actions taken by the EU.

The Case of France

At the end of World War I, France signed major agreements with other European countries for the recruitment of foreign labor. The aim was to meet the demand for work in the textile industry, and the agreements led to intensified immigration.

After an extended period in which external borders were not managed, migration policy gained momentum in the interwar period (1918-1939). The creation of associations such as the *Service Social d'Aide aux Émigrants* (Social Support Service for Migrants, SSAE) in 1920 and the *Société Générale d'Immigration Agricole et Industrielle* (General Company for Industrial and Agricultural Immigration, SGI) in 1924 promoted the formalization of controls on the entry of immigrants, at a time when there were large numbers of foreigners looking for work or interested in taking up residence.

After World War II, demographic deficits and labor shortages across Europe prompted the development of policies to restructure the devastated continent. In France, this context prompted the creation of the *Office National d'Immigration* (National Office of Immigration, ONI), which played a relevant role in the reconstruction of the economy (Reis, 2006). As in the first post-war period, the search for foreign workers once again became the main object of the State's decision-making agenda.

From the 1960s onwards, the ONI extended its missions to other countries in Europe and demonstrated its commitment to combating illegal immigration through the suitable reception of immigrants. As a result, there was a rampant increase in the arrival of working families - who played a key role in Europe's economic recovery - in addition to the influx of refugees encouraged by the 1951 Geneva Convention. Almost six million foreigners were processed between 1945 and 1975, which led to the implementation of stricter immigration policies (OFII, 2021).

Especially in the early 1970s, the visibility given to immigrants through participation in strikes and labor movements led the government to discourage and control illegal entry and end its policy of attracting foreign labor (Reis, 2006). Furthermore, the oil crisis negatively affected the French economy, which contributed to the declining effectiveness of the social integration process.

The political influence of immigrants was a reflection of the increase in the number of claims and protests, with an emphasis on a generation related to aliens from the former French colonies. Immigration took on more complex traits and reached a point where the French government began to consider it a security problem and a threat to the integrity of the population and the territory (Bourbeau, 2015).

At this juncture, a problem arose in the political debate: in addition to needing to effectively manage migratory flows, France also needed to deal with the "integration" of immigrants (Peralva, 1994). The unavoidable reality of communities placed on the margins of society highlighted the need to seek mechanisms to incorporate new groups into the social and economic context, thus assimilating them.

In the 1980s, the implications of immigration in France gained even more strength with family reunification measures that brought about the insertion of foreigners (Mung and Lacroix, 2003). Migration policies were primarily influenced by ideological shifts in the person of the president⁵ (Schain, 2009). This led the government to institute policies aimed at youth.

This being so, the generation related to foreigners became the French government's hope for social and economic insertion. These people were gradually integrated into the national culture and taught about the language, rights, and duties of French citizenship. The objective was to instill the values and traditions of the native-born population in immigrants, making the reception of these individuals less costly for civil society.

According to Schnapper et al. (2016, p. 18), the "*legal transformation of immigrants and their children into French citizens*" was an instrument for the inclusion of foreigners in society. From the intergenerational transmission of symbols and discourses, the feeling of belonging was engendered in these subjects as a result of the formation of national identity. This was a reiteration of the French heritage of inclusion based on universalist and heterogeneous principles.

The concept of universalism is intrinsically linked to the transformation of the foreign population into French citizens. As discussed by Schnapper et al. (2016):

Republican universalism is understood as a principle of integration, which should ensure that all people, regardless of their origins or beliefs, are likely to be 'unified to' (rattachés) political society, if they receive national curriculum education, through which individuals from diverse backgrounds become French citizens just as much as autochthonous persons. (Schnapper et al., 2016, p. 16)

In other words, in an attempt to abolish the cultural traditions of populations from other parts of the world, France employed a historical policy of assimilation that had already been used on immigrants from the former colonial empire (Schnapper et al., 2016). This approach significantly impacted the formation of the French people, who appropriated the cultural, religious, and traditional identities of diverse groups. This process culminated in the transformation of individuals from foreign communities into French citizens, instead of allowing them to retain their original characteristics, as integration in fact proposes.

However, over time, important concepts guided the process of inclusion of immigrants in France, such as the very notion of national identity, which encompasses the elements that distinguish a people, such as language and culture. In the perspective of Reis (1999), the construction of this national feeling has a relationship with migration policy, described by the author as dialectical and strongly modified and influenced by the globalization process.

The effort to create identity ties in the country can be seen in the generalization of the *Contrat d'Accueil et d'Intégration* (Reception and Integration Contract, CAI) in 2005, under the presidency of Jacques Chirac (2002-2007). The document proposed the integration of immigrants through civic and linguistic training, as well as education about French institutions and republican values (Silva and Amaral, 2013). In this sense, France seemed to seek alternatives for successful reception and insertion, while reaffirming its assimilationist legacy.

In addition, there have been several changes and discussions to determine the institution responsible for managing migratory flows on the national territory. In 2009, the government of Nicolas Sarkozy (2007-2012) established the *Office Français de l'Immigration et de l'Intégration* (French Office for Immigration and Integration, OFII) as the sole entity with this responsibility (Marthaler, 2008). The OFII became the first port of call for the reception,

⁵ With the election of the socialist François Mitterrand to the presidency in 1981, a different policy towards immigrants was introduced, encouraging the regularization of those in the country illegally and family reunification. However, the electoral rise of far-right parties and the decline of the French Communist Party on the far-left profoundly changed the dynamics of electoral politics.

welcome, and support of immigrants and asylum seekers by centralizing the assessment of the legal entry of foreigners into the French territory. Through the *Contrat d'Intégration Républicaine* (Republican Integration Contract, CIR),⁶ the French State proposed an individualized admission system, which assessed each person's situation and initiated civic training.

In general, these mechanisms reflect French authorities' attempts to establish policies capable of accompanying immigrants from reception, throughout the hosting process, to their actual integration into society. Gradually, the universalism advocated by the French State opened space for a more careful management of communities of socioeconomically marginalized foreigners. However, the idea of belonging to French society (and having access to employment, housing, and other fundamental social rights) overlaps with immigrants' origins and reveals the structural barriers they face.

Mainly with regard to labor aspects, the rigidity of hierarchical boundaries, as described by Simon (2015), represents an impediment to the successful inclusion of immigrant populations. For Simon (2015), minorities are gradually incorporated into French society, but the acceptance of diversity is more evident in the context of social relations and cultural aspects than in access to the labor market. Furthermore, the acquisition of nationality is still a condition for political participation, which accentuates the difficulty of completing the integration process.

The narrowing of borders between States, intensified by the globalization process, has made it inevitable that numerous groups of different origins and religions will coexist in the same space. This aspect calls into question the relationships between individuals and the functioning of institutions. For this reason, the clash between multiculturalism and universalism is a key topic in the public debate in France and highlights the importance of cultural diversity.

For Schnapper et al. (2016), the French pattern of integration does not necessarily imply the extinction of foreign values and identities. They argue that, despite an assimilationist legacy, ethnic and cultural plurality continues to exist in France. However, the expression of diversity in the political and social sphere is challenged by the homogeneity required in civil society. This conception accentuates the complexity of making republican equity effective for the immigrant and refugee class (Kozakai and Wolter, 2007).

In this context, multiculturalism represents a plausible alternative for mitigating the structural difficulty of the integration process as conceived by successive French governments (Simon, 2015). As stated by Kozakai and Wolter (2007), a multicultural system can facilitate the acceptance of values from other cultural and ethnic categories, which enables the reception of immigrant communities. On the other hand, universalism is intolerant of diversity and sees multiple cultural identities as detrimental to the preservation of traditional principles.

The rise of multiculturalism highlights the universalist traits of autochthonous people and is perceived by civil society as an intrusion into the sphere of their identity. This context reflects the failure of French integration policy, based as it is on assimilationist principles, and represents a barrier to the full inclusion of immigrants (Marthaler, 2008). The dissimilarity between the theory underlying multiculturalism and the practice of the policy intensifies hostility and the spread of anti-immigrant sentiments (Ward et al., 2018).

Alongside racist and xenophobic demonstrations in France, there has been a growth of far-right parties, such as the *Rassemblement National*.⁷ The RN blames immigration for the ruin of French culture and economy, proposing a zero-tolerance policy.

⁶ This was previously known as the Reception and Integration Agreement (CAI).

⁷ The *Rassemblement National*, called the *Front National* until 2018, was founded in 1972 with the aim of unifying the various traditional nationalist currents of the time. Headed by Jean-Marie Le Pen until 2011, the party represents the main force of the nationalist right in France.

As a result, the segregation and marginalization of immigrant and refugee communities in European nations is accentuated. As described by Dalmáz et al. (2016), despite the European Union's effort to build instruments that aim to reaffirm respect for multiculturalism and human rights, the marks of intolerance are still present in many European countries. Furthermore, the fact that the EU is still making efforts to create a Common European Asylum System causes many countries to close their borders, jeopardizing free movement and the construction of a space based on cultural plurality.

The European Union, endowed with autonomy of action and a permanent character, institutes obligations and rights that fall on Member States. Thus, these countries have some limited powers to favor community bodies, taking into account the treaties and the legislative, executive, and judicial acts arising from these regimes (Soares, 2000).

In order for certain policies to succeed – such as the creation of the Schengen Area,⁸ developed in 1995 with the main objective of further integrating Europe and facilitating the flow of people – the signatory States renounced part of their sovereignty, mainly in the area of border control. In this way, it is possible to share sovereignty⁹ in areas of common interest, giving those who make up the EU the strength and influence on the international stage that they would not have individually.

Regarding the relationship between the European Union and France specifically, the decision-making process regarding the flow of immigrants is complex. However, the EU reaffirms its respect for the powers and limits assigned in France's constitution. As Chris Beauchemin of the *Institut National d'Études Démographiques* (INED) states, the EU has made progress in standardizing immigration procedures, but only marginally (Beauchemin, 2019).¹⁰ As a sovereign State in terms of decision-making on matters related to its territory and borders (Habermas, 2002), France acts with barely limited autonomy in formulating nationality and immigration policies.

Examples of restrictions imposed on France by the EU, notably in the field of immigration, are the Treaty of Lisbon, the Schengen Area, and the Dublin III Regulation, which enshrine the idea of free movement. For this reason, and taking into account that the legal apparatus of the bloc is considerable, it is essential to analyze the European Union legislation together with the French national legislation.

Methodology and Results

In an attempt to understand the French migration situation, the empirical analysis of this paper seeks to identify whether there is an alignment between migration policies and the reception of immigrants and refugees. The analysis is divided into two axes: (1) one axis focusing on descriptive data on granting residence, asylum, and resettlement between 2015 and 2019; and (2) another axis linked to national and European Union migration rules that were promulgated or modified over the same period. At this second stage, items of legislation are divided by their origin and classified according to their inclination towards inclusion, receptivity (in the case of French legislation), and restriction to sovereignty (in the case of EU legislation).

⁸ The countries that are part of the Schengen Area are: Germany, Austria, Belgium, Czechia, Denmark, Slovakia, Slovenia, Spain, Estonia, Finland, France, Greece, Hungary, Iceland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Norway, Netherlands, Poland, Portugal, Sweden and Switzerland (European Union, 2021).

⁹ Shared sovereignty is defined as the agreements under which individuals chosen by international organizations, powerful States, or ad hoc entities share authority with nationals over some aspects of domestic sovereignty, and is a useful addition to the policy repertoire (Krasner, 2004).

¹⁰ The authors were granted authorization to publish his statements in academic productions at the time of the interview.

The period was defined by the increase in immigration into Europe from 2015 onwards, the height of the crisis, and the moment of greatest impact on certain EU members – such as France –, which led to the creation of new policies. Together, these two approaches allow a panoramic view of the configuration of migration in France, making it possible to understand the general trends in practice.

Descriptive Analysis: Residence, Asylum, and Resettlement in France

One option to analyze trends in migrant reception is to descriptively analyze pertinent data, after selecting three sets of information: residence grants, asylum, and resettlement. According to Fisher's (2019) durable solutions, this information allows for the monitoring of the numbers in each case. The data analyzed here were extracted from Eurostat.¹¹

The first set is "residence," which shows all types of valid permits –with categories for family reasons, students, employment, asylum application, subsidiary protection (granted to people who do not qualify as refugees), and others. In this set, the objective is to observe the trend by year. The second set, "asylum," presents the group that fits the description of a refugee and receives residence in France. We will show the data by continent (and by the Maghreb region),¹² as well as by gender, age group, and year. The third and final set presents "resettlement" numbers, i.e., refugees who have applied for asylum in France while outside the country, also displayed by continent, gender, age group, and year. Immigrants of European nationality are not counted in the analyses, given the context of permits in the region. Below we present a series of graphs with the most relevant information.¹³

Figure 1 refers to data on the granting of residence and shows growth in residence permits in France. In 2015, this figure was around 2.6 million, and in 2019, after successive increases, it exceeded 3 million, i.e., an increase of around 13.3%. During our entire period, 41.2% of permits were assigned to the "others" category and 40.9% to the "family reasons" category, while the smallest figure, 0.9%, relates to the "subsidiary protection" category. The percentage of residence for asylum application, 5.7%, is slightly higher than that of residence for employment reasons (5%).

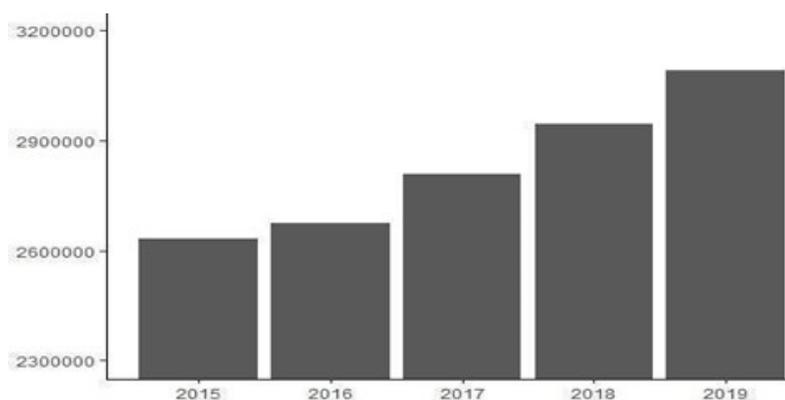


Figure 1 - Residence Permits (2015-2019) |

Source: elaborated by the authors, data from Eurostat (2021).

¹¹ Eurostat is the statistical office of the European Union, responsible for producing data about the EU in partnership with National Statistical Institutes and other national authorities.

¹² Comprising Tunisia, Morocco, Algeria, and Libya, the region has a historical migratory relationship with France.

¹³ Readers are advised to always check the counting scales on the y-axis from now on, as they will change.

The pattern of asylum grants is shown in Figure 2 and reveals an upward trend followed by a fall. After peaking at over 32,000 in 2018, the number dropped to just over 28,100 in 2019. This represents a drop of 12% compared to the previous year and is lower than the total recorded three years earlier -28,700 in 2016.

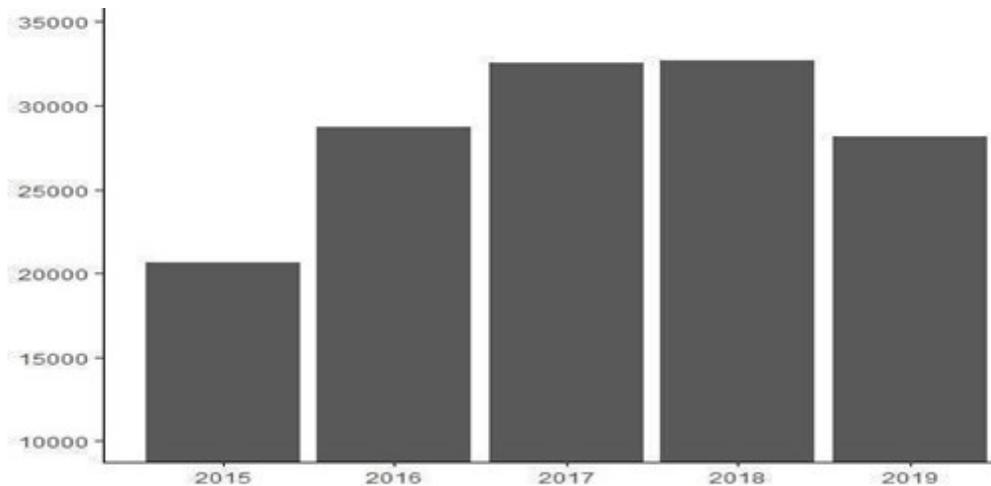


Figure 2 - Asylum Grants (2015-2019) |
Source: elaborated by the authors, data from Eurostat (2021).

Figure 3 shows the number of rejected asylum applications increased in the period. In 2015, they added up to 57,200; between 2016 and 2017, more than 78,300 applications were denied. For 2019, the figure was 85,000. In total, there was a growth of 32.7% compared to the first year of the analysis.

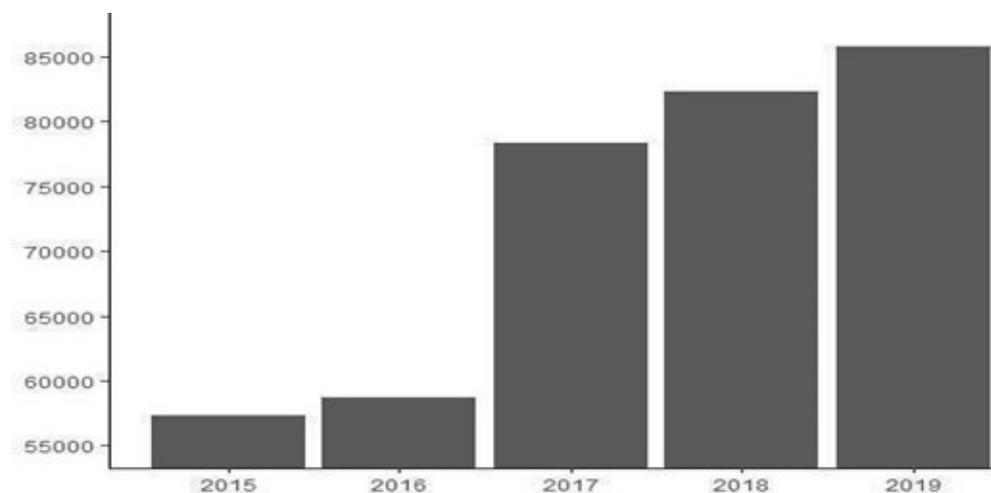


Figure 3 - Rejection of Asylum Applications (2015-2019) |
Source: elaborated by the authors, data from Eurostat (2021).

By categorizing asylum grant numbers by continent of origin,¹⁴ it is possible to observe the data with new variables: gender and age. Each quadrant in the charts below represents an age group: under 18, between 18 and 34, between 35 and 64, and 65 and over. The colors of the bars represent gender: orange for female and blue for male (see legend).

¹⁴There are no asylum seekers from Oceania within the time series.

Asylum applications made by people arriving from Africa (Figure 4) increased, starting at 7,000 people in 2015 and reaching 13,700 in 2018. In 2019, the figure decreased by 2.6%, with just over 11,800 asylum seekers coming from Africa that year. It is interesting to note that women are the majority in the under-18 population, while men predominate in other age groups. In the case of the population aged 65 and over, there are very few people, with a peak of 60 in 2016.



Figure 4 - Asylum Application (2015-2019): From Africa |
Source: elaborated by the authors, data from Eurostat (2021).

For the Maghreb region, the trend is an increase of approximately 63.8%. While in 2015 the total number of people granted asylum was 295, in 2019 it was 815. Between the ages of 18 and 34 years, men outnumbered women. Most of those granted asylum are under the age of 18 (Figure 5).



Figure 5 - Asylum Application (2015-2019): From Maghreb |
Source: elaborated by the authors, data from Eurostat (2021).

Figure 6 shows the number of people from Asia granted asylum, revealing an increase between 2015 and 2017, from 10,100 to 16,200. This was followed by a decreasing trend, reaching 12,300 in 2019, around 24% less than the peak recorded two years earlier. The number of men is considerably higher than that of women, especially between the ages of 18 and 34, a group that also contains the largest number of people of both sexes. In 2019, only 35 people from Asia aged 65 and older were granted asylum.



Figure 6 - Asylum Application (2015-2019): From Asia | Source: elaborated by the authors, data from Eurostat (2021).

Statistics on asylum seekers from the American continent show a significant increase (Figure 7). In 2015, there were 215, increasing 73.1% to 800 in 2019. The number of men and women is balanced, with most applicants aged between 18 and 34, and a total of 25 people aged 65 and over receiving asylum during the entire period.



Figure 7 - Asylum Application (2015-2019): From America | Source: elaborated by the authors, data from Eurostat (2021).

There was considerable growth from 2015 to 2019 (Figure 8). In 2015, 620 people were resettled; in 2016, there were 600. A sharp increase led to 2,620 in 2017, another increase to 5,565 in 2018, and a slight increase to 5,600 in 2019. In total, there was an increase of more than 88.9% in five years.

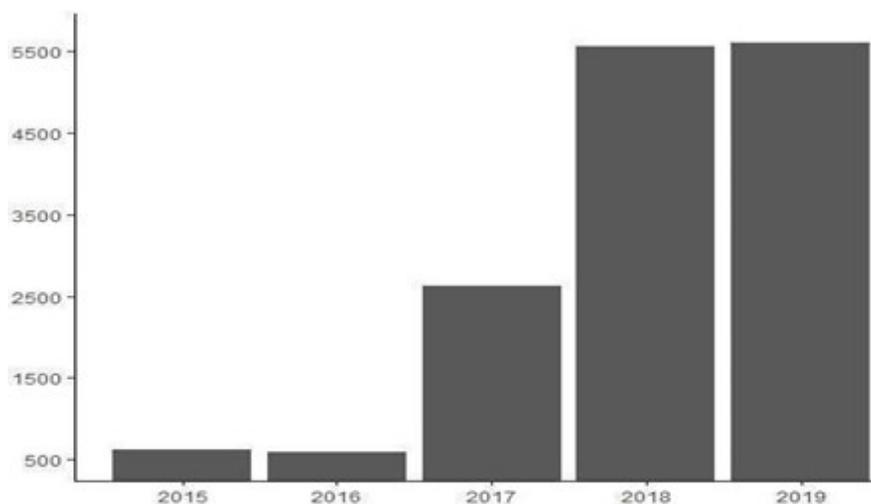


Figure 8 – Resettlement (2015-2019) |

Source: elaborated by the authors, data from Eurostat (2021).

Analyzing the numbers by continent,¹⁵ Figure 9 shows an increase in successful applications made by people coming from Africa. Despite the anomaly of 2016 (when only five people, all under the age of 18, were resettled), 2019 registered 2,400 resettlements, almost three times the number of 2018. More men than women were resettled, most aged between 18 and 34.



Figure 9 – Resettlement (2015-2019): From Africa |

Source: elaborated by the authors, data from Eurostat (2021).

¹⁵There is no resettlement of people from Oceania or the Americas. From the Maghreb, only 5 people were resettled in 2019, the total number of the analyzed period, all of them male.

In the case of people from Asia, Figure 10 shows an increasing trend until 2018, with a decline in the following year. In 2015, 475 people were resettled, rising substantially to 4,615 in 2018 and falling to 3,200 in 2019. In total, 2019 registered an increase of 85.1% compared to 2015. Although the gender gap is small, more women were resettled than men. Most of those granted asylum were aged under 18.



Figure 10 - Resettlement (2015-2019): From Asia | **Source:** elaborated by the authors, data from Eurostat (2021).

This information reveals certain patterns. Grants of residence are generally increasing, even though the number of refugees granted residence is not a significant part of the total number. For this group, asylum is a declining alternative, while resettlement is on the rise. Confirming those trends, asylum was responsible for receiving 28,100 people in 2019 and rejecting 85,000 applications. Meanwhile, in the same year, 5,600 people were resettled.

In the analysis by region, we see decreases in people from Asia, as well as a decrease in the number of successful asylum seekers from Africa and an increase in the number of people from Africa who benefited from resettlement. Asylum seekers from the Maghreb and the Americas were more successful during our period, which in the case of the Americas may indicate socio-economic and humanitarian problems that are increasingly salient in the continent’s democracies, especially in Latin ones.

Analysis of legislation: European Union and France

As mentioned earlier, France - like other EU members - largely exercises its sovereignty with regard to immigration-related issues. However, its link with the European Union is made clear by France’s need to submit to certain guidelines and measures that, in one way or another, shape its behavior. In view of this, we assess French and EU legislation together, considering the indispensability of the EU legal apparatus.

We systematically analyze French and EU legislation concerning immigrants, asylum seekers, refugees and, in the case of the EU, third-country nationals. The items of legislation selected as our object of study were published between 2015 and 2019. We defined a time interval with reference to the increase in migration flows and the set of measures adopted by the European Commission to manage external borders and protect the Schengen Area.

Table 1 presents the description of the categories used to classify the legislation analyzed in this study. French laws were classified into *open borders* and *border control*, regarding the reception of immigrants. European Union laws were classified as *non-restrictive to the country* and *restrictive to the country*, taking into account respect for the sovereignty of the Member States. The joint analysis of French and EU legislation allowed us to classify individual items into *inclusive* and *non-inclusive* as measures to integrate immigrants into civil society.

TABLE 1 - Description of Proposed Classification for Items of Legislation.

	Classification	Description
France	Open Borders	Support for reception measures, such as speeding up and improving admission procedures for immigrants.
	Border Control	Stricter guidelines regarding border control, encouraging immigrants to return to their country of origin and strengthening internal security.
European Union	Non-restrictive to the country	Items that reaffirm the sovereignty of the Member States of the European Union.
	Restrictive to the country	The sovereignty of the Member States that make up the EU is not supported.
France and European Union	Inclusive	Incentives for social, economic, and cultural policies capable of integrating immigrants into civil society.
	Non-Inclusive	Imposition of barriers to the integration of immigrants in the territory.

Source: elaborated by the authors.

In total, twenty-three immigration-related items were selected. The first part of the analysis included the organization and formal preparation of the material. Then, the laws were explored and categorized, with the aim of grouping them according to their common characteristics. We then started the process of dealing with our findings, making them meaningful and valid.

Through the legislative files available in EUR-Lex (2021), it was possible to analyze items of European legislation related to immigration published between 2015 and 2019. We selected current EU Regulations and Directives¹⁶ that relate to immigration.

Each item was classified as *restrictive to the country* or *non-restrictive to the country* in view of its effects on national sovereignty. Habermas (2002), considering classical Public International Law, argues that sovereignty results in the fundamental prohibition of meddling in the internal affairs of an internationally recognized State. Our classification was carried out to consider each item's effects on the sovereignty of Member States.

All of the items we considered were classified as *non-restrictive*, an indication that the European Union, at least in the Regulations and Directive that we looked at, reaffirms the sovereignty of Member States with regard to reception at their borders. An example is *Regulation (EU) 2016/399*, which establishes the EU's rule for the passage of people across borders. The document requires Member States to designate the national services responsible for border control, in accordance with their national law (EU, 2016a).

One point worth mentioning is the creation of the European Border and Coast Guard Agency (Frontex) through the *Regulation (EU) 2016/1624*, which aims to develop and implement integrated European border management at national and regional levels (EU, 2016c). This is indispensable for the free movement of people and essential for improving migration management. This is one of the reasons why we classify the items we analyze as non-restrictive, given their cooperative logic and respect for national sovereignty.

There are also Regulations and Directives that seek to facilitate the role of the national authorities of the Member States in carrying out the return of illegally staying third-country nationals who do not have valid travel documents, such as the *Regulation (EU) 2016/1953* (EU, 2016d). In this sense, migration on European territory is facilitated, as is clear from *Directive 2016/801*, where the right of a Member State to determine, in accordance with Article 79 (5) of the Treaty on the Functioning of the European Union, the number of third-country nationals that it admits, as referred to in Article 2 (1) of the Directive, is not affected (EU, 2016b).

As for French legislation, we collected our raw data from Légifrance (2021), the public service portal for disseminating legislation. We looked at texts published from 2015 to 2019. The French laws related to immigrants, asylum seekers and refugees that were published in this period are fewer than the EU Regulations and Directives published in the same period. However, significant changes have been made to the Code on the entry and residence of foreigners and the right to asylum.

The items were classified as *open borders* and *border control*, in view of the reception measures reinforced in the content of the legislation. Our analysis of items of legislation allowed us to identify aspects that corroborate the "welcoming" content of the legislation. An example of this is the attempt to speed up and improve admission procedures. A significant effort was also made to extend long-term visas and grant foreigners and asylum seekers permission to stay in France.

Only two of the items analyzed presented an incentive for immigrants to return to their country of origin. Through the creation of a fund responsible for managing family assistance and the social reintegration of former migrants in their country of origin, *Decree 2015/1239* allows foreign retirees with scarce resources, living alone in a social residence or migrant worker's accommodation, to be reintegrated into their country of origin and thus achieve family reunification (France, 2015).

¹⁶The Regulations are binding pieces of legislation, applicable in all EU countries. The Directives establish a general objective that all Member States must achieve, however, it is up to each country to develop its own legislation to comply with this objective, so they are essential norms that can be used to analyze the autonomy of the States that make up the bloc (EUR-Lex, 2022).

Law 2017/1510 establishes mechanisms to strengthen internal security and combat terrorism (France, 2017). The law provides for the possibility to verify the identity of any person and for the investigation and prevention of offenses related to cross-border crimes. In view of this, the law is classified as *border control* as it aims to strengthen national protection.

By analyzing EU and French legislation together, it was possible to classify individual items as *inclusive* or *non-inclusive*. This classification considered the items that seek to integrate immigrants into society through social, economic, and cultural policies. Most of the laws were classified as *inclusive*, as they aimed to facilitate the flow and residence of immigrants on European territory. The mechanisms created seek to ensure an integrated management of external borders, with a view to managing them efficiently, in full respect of fundamental rights.

Many of the laws classified as *inclusive* contribute to simplifying integration after reception. They also seek to reduce the number of entries refused at external borders as well as internal barriers to fundamental rights. *Regulation (EU) 2017/1601*, for example, promotes shelter and transit communities, contributing to the sustainable reintegration of immigrants returning to their countries of origin (EU, 2017).

The *non-inclusive* classification includes guidelines to improve barriers to individuals from third countries. These items do not provide security for the integration of immigrants and instead support the prevention of illegal migration. The EU legislation seeks to improve data management for accurate border monitoring. In the case of France, security is emphasized over freedom and justice. An example of this is French *Law No. 2017-1510*, which strengthens national security and the fight against terrorism (France, 2017).

In this way, the systematic analysis of the norms reveals the reception content of the great majority of the laws in force in France. There is a tendency in this type of legislation to facilitate the flow and settlement of immigrants in the territory. Furthermore, it seeks to accelerate and improve the procedure for admitting foreigners to the country, highlighting the inclusive nature of the legislation analyzed. Additionally, a review of European legislation - which is fundamental given the link between France and the EU - confirms France's sovereignty in the drafting of migration-related legislation.

Final Considerations

This study has sought to understand whether there is an alignment between migration policy and the pattern of reception of immigrants and refugees in France between 2015 and 2019. For this, it was necessary to observe the distribution of entry permits in France through a descriptive analysis. In addition, we analyzed how French and EU legislation set up the formal framework for the reception of immigrants and the migration policies in the period considered.

The legislation reveals a focus on the inclusion of immigrants and a search for ways to make people more comfortable in their host country. This is done through basic guarantees such as access to income, health, or education, which are parameters of good migration policy (Grzymala-Kazłowska and Phillimore, 2017). This notion corroborates the idea of Schnapper et al. (2016) that, despite France's assimilationist legacy, ethnic and cultural plurality has been welcomed in the country.

Some of France's and EU's legislation was classified as *non-inclusive*, indicating some opposition to making immigrants completely welcome. Even so, most of the legislation we analyzed sought to facilitate immigration and settlement, by accelerating and improving their admission to the country.

Nonetheless, the descriptive analysis shows that of the total number of immigrants granted residence (an increasing trend), only a small component is refugees. Asylum grants are decreasing. In terms of resettlement, the growth of almost 90% in five years is significant. In both cases, differences are apparent when world regions are considered in a disaggregated way, some showing growth – such as America and the Maghreb in terms of successful asylum applications, and Africa in terms of resettlement – while others revealed a decline – such as Africa and Asia in terms of asylum, and Asia in terms of resettlement. As for asylum permits, the majority went to male refugees, aged 0-34, from Africa and Asia.

The data, therefore, indicate that even if French and EU policies seek to lay the ground for a less onerous process for receiving immigrants, the amount of entry permits is being negatively affected, especially for refugees. As noted by Fisher (2019), it is necessary to be aware of maneuvers to circumvent the reception process and harm those who cross borders illegally. There is a clear interest in encouraging resettlement and keeping immigrants out of the national territory until they have obtained entry permits.

The former context of the reception of immigrants in France has generated many political tensions. The situation is no different now and the issue remains relevant for society. It generates pressure on the government and arouses the interest of politicians inside and outside the opposition, mobilizing nationalism as a central lens (Marthaler, 2008; Brito, 2013). Furthermore, migration policies that aim at integration depend on alignment between the feeling of security of the majority in relation to minorities. However, the link with the EU also affects France in terms of decision-making and rule-making, although the country's autonomy is reinforced in the formulation of EU legislation (Modood, 2011; Grzymala-Kazlowska and Phillimore, 2017; Ward et al., 2018; Penninx, 2019).

This must be one of the main reasons for the growth of resettlement programs, albeit timid, which condition refugees to remain outside France until their asylum applications are accepted. Asylum grants are still significant, but are in the process of being reduced in an attempt to discourage displaced persons from entering and applying from within the territory. Laws suggest ease of entry, but data shows that conditions exist, indicating a misalignment.

New research agendas that follow up on this work could begin with an in-depth analysis of the data or of specific cases. Studies may also seek to empirically and robustly identify the social, cultural, and economic characteristics of the individuals who are most likely to be granted permission to settle in France. Qualitative research can also be conducted on the degree of integration of individual victims of forced displacement and their descendants.

Observing the fate of new Afghan refugees can generate data on recent developments in French migration policy. The European Commission's Migration and Home Affairs Department has already started to act by providing support to countries close to Afghanistan, such as Pakistan and Tajikistan, so that they can accept as many people as possible and thus avoid a repetition of the 2015 crisis (Ledroit, 2021).

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