

ANNUAL REPORT 2022 ON MIGRATION AND ASYLUM POLICIES IN FRANCE

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EMN France

EMN France

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- Site of the EMN at European level: http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/index_en.htm (in English)
- Site of EMN France: <https://www.immigration.interieur.gouv.fr/Europe-et-International/Le-reseau-europeen-des-migrations-REM3/Le-reseau-europeen-des-migrations-REM2> (in French)

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LIST OF ACRONYMS

- **AGIR** : Global and individualised support programme for the integration of refugees
- **ANEF**: Digital Administration for Foreign Nationals in France. (*Administration Numérique pour les Étrangers en France*)
- **ASE** : Child welfare services (*Aide sociale à l'enfance*)
- **BIP** : Beneficiaries of international protection
- **CESEDA**: Code on Entry and Residence of Foreign Nationals and Right of Asylum (*Code de l'entrée et du séjour des étrangers et du droit d'asile*)
- **CNDA**: National Court of Asylum (*Cour nationale du droit d'asile*)
- **DCPAF**: Central Directorate of the French Border Police (*Direction Centrale de la Police aux Frontières*) within the Ministry of the Interior
- **DGEF**: General Directorate for Foreign Nationals in France (*Direction générale des étrangers en France*) within the Ministry of the Interior
- **Diair** : Inter-Ministerial Delegation for the Reception and Integration of Refugees (*Délégation interministérielle à l'accueil et à l'intégration des réfugiés*) within the Ministry of the Interior
- **ERRIN** : European Return and Reintegration Network (*Réseau européen pour le retour et la réinsertion*)
- **MEAE**: Ministry for Europe and Foreign Affairs (*Ministère de l'Europe et des Affaires étrangères*)
- **MIPROF**: Inter-ministerial Mission for the Protection of Women against Violence and the Fight against Trafficking in Human Beings (*Mission interministérielle pour la protection des femmes contre les violences et la lutte contre la traite des êtres humains*)
- **OFII**: French Office for Immigration and Integration (*Office français de l'immigration et de l'intégration*)
- **OFPRA**: French Office for the Protection of Refugees and Stateless Persons (*Office français de protection de réfugiés et des apatrides*)
- **JOP** : Joint Operational Partnerships
- **THB**: Trafficking in Human Beings
- **UAM**: Unaccompanied minor
- **VIS**: Visa Information System (*Système d'Information des Visas*)

EXECUTIVE SUMMARY

Following an introduction (section 1) presenting the methodology and contributions to this report, a **summary** and an **overview of main asylum and migration policy developments in France in 2022** (section 2), section 3 focuses on the **response to the influx of people fleeing the war in Ukraine**. It presents the **actions undertaken both under the Temporary Protection Directive** in terms of access to rights, services, the labour market and addressing situations of vulnerability, and **outside the legal framework of this directive**, specifically in relation to preventing and combating trafficking in displaced persons from Ukraine.

The section 4 of this report **is dedicated to developments in legal migration** and more specifically the measures related to simplified process aimed at facilitating applications for residence permits, employment arrangements for foreign workers as well as the policy of attractiveness of international talent and students.

Section 5 presents important changes in the area of **international protection and asylum**, including issues relating to application processing times, improved accommodation and distribution, the reception and integration of beneficiaries of international protection (BPI) and international cooperation measures.

Section 6 is dedicated to **unaccompanied minors and other vulnerable groups** and focuses on the adoption of the law of 7 February 2022 on the protection of children. It deals with protection measures to strengthen the identification, registration and reception of unaccompanied minors and the anticipation of the transition to adulthood, as well as training and awareness-raising for professionals.

Section 7 details the measures which have had an impact on the **integration policy** and inclusion of adult migrants, in particular the continued implementation of integration territories in the form of territorial reception and integration project contracts, the individualised global support programme for the integration of refugees (AGIR), and the strengthening of the Republican Integration Contract (CIR), and presents the actions taken to guarantee access to rights and take account of vulnerabilities.

While Section 8 deals with nationality and **statelessness issues**, section 9 deals with border, **Schengen and visa issues**.

Section 10 focuses on measures related to the fight against **irregular migration** and abuse of legal migration channels, such as visa liberalisation between Kosovo and the Member States, while section 11 presents the policy to combat **trafficking in human beings (THB)** by detailing commitments to international cooperation and arrangements to adapt investigative techniques to the new modes of operation of THB networks, and measures adopted to develop training and awareness-raising tools for the identification, protection and referral of vulnerable persons.

Section 12 focuses on the policy in favour of the **return and readmission** of migrants, outlining efforts to ensure the effective enforcement of obligations to leave French territory (OQTF), and the implementation of alternatives to detention, while the last section (section 13) focuses on **the links between migration and development** with

the renewal of the 'migration and development' strategy and the promotion of dialogue on this issue, in the context of the presidency of the Global Forum on Migration and Development (GFMD).

1 Introduction

Objectives and methodology of this political report

The 2022 Annual Report on migration and asylum aims to **cover changes to immigration and asylum policy and legislation** which have taken place throughout the year.

EMN France, the French EMN National contact point, contacted the relevant departments and services in order to provide information relating to legislative and regulatory provisions as well as statistics about events which had marked 2022.

Contributions to this report

Thus, the Sub-Directorate for Residence and Employment (*Sous-direction du séjour et du travail - SDST*) in the General Directorate for Foreign Nationals in France (*Direction générale des étrangers en France - DGEF*) within the Ministry of the Interior and Overseas territories contributed towards questions relating to **legal migration** for aspects relating to residence and employment.

The General Directorate for Labour within the Ministry for Labour provided information related to **social dumping** and **labour exploitation**.

Contributions on **integration** including integration of minors, and on **citizenship** were made by the Directorate for Integration and Access to Citizenship (*Direction de l'intégration et de l'accès à la nationalité - DIAN*) in the DGEF.

The Sub-Directorate for Combatting Irregular Migration (*Sous direction de la lutte contre l'immigration irrégulière - SDLII*) and the Sub-Directorate for visas (*Sous direction des visas - SDV*) within the DGEF addressed the issue of **Borders and Schengen area** as well as **irregular migration and return of migrants**.

The section on **international protection and asylum policy** was prepared by the Asylum Directorate (*Direction de l'Asile - DA*) of the DGEF within the Ministry of the Interior and Overseas territories as well as the French Office for the Protection of Refugees and Stateless Persons (*Office français de protection des réfugiés et apatrides - OFPRA*). OFPRA also contributed to the section related to minors.

The SDST provided its contribution on issues relating to **unaccompanied minors**, in addition to the elements provided by the Unaccompanied Minors Mission (*Mission Mineurs non accompagnés - MMNA*) within the Directorate for Judicial Protection of Youth (*Direction de la protection judiciaire de la jeunesse - DPJJ*) of the Ministry of Justice, OFPRA, as well as the Office for the Protection of Children and Teenager of the Sub-Directorate for Children and Families within the General Directorate for Social Cohesion (*Direction générale de la Cohésion sociale - DGCS*).

Several ministries and bodies participated in drafting the section on **trafficking in human beings**: the Interministerial Mission for the Protection of Women Victims of Violence and the Fight against Trafficking in Human Beings (*Mission interministérielle pour la protection des femmes contre les violences et la lutte contre la traite des êtres humains* - MIPROF), the French Office for the Suppression of Trafficking in Human Beings (*Office central pour la répression de la traite des êtres humains* - OCRTEH), the Central Office for Combatting Illegal Employment (*Office central de lutte contre le travail illégal* - OCLTI), and the National Consultative Committee on Human Rights (*Commission nationale consultative des droits de l'homme* - CNCDH).

The mission for Democratic Governance of the General Directorate for Globalisation, Development and Partnerships (*Direction générale de la mondialisation* - DGM) and the Sub-Directorate for Higher Education and Research within the Ministry for Europe and Foreign Affairs (*Ministère de l'Europe et des Affaires étrangères* - MEAE) were also asked for information on the sections relating **to legal migration routes and diasporas as well as migration and development**.

The section dealing with **responses to the influx of people fleeing Ukraine** has been completed with the DGEF's Ukraine Unit.

2 Summary of changes to the national migration / asylum system in 2022

KEY POINTS

- 1 France has made **integration a public policy priority**. New integration priorities have been defined, taking into account the difficulties and vulnerabilities of newcomers in a legal situation. The reception and integration projects, the programme of global and individualised support for the integration of refugees (AGIR) and the platform for civic mentoring of refugees have been continued.
- 2 **The law No. 2022-140 of 7 February 2022 on childhood protection** aims to complete and improve the national strategy for the prevention and protection of children for 2020-2022. The legal framework for the identification, registration, care, reception and protection of unaccompanied minors (UAMs) has been completed and strengthened, taking into account their vulnerabilities.
- 3 France has implemented **several measures in response to the Russian invasion of Ukraine**. The status of beneficiary of temporary protection was granted to those categories of people who were eligible. Beneficiaries of temporary protection were granted a temporary residence permit "beneficiary of temporary protection", and rights of access to the labour market, and access to basic services.

Overarching changes to the national migration and asylum system in 2022

Legal Migration

- ✓ France has continued the actions undertaken to **fluidify** and **simplify** the conditions of employment of **qualified migrant workers**, in particular with the possibility of carrying out online the procedures for obtaining of a "Passeport Talent" residence permit for a business creation project, an adaptation of the medical examination for **British seasonal workers** or the opening of the "trainee" residence permit to health professionals in certain health establishments.
- ✓ Several measures have been adopted to **reaffirm the application of the rules on the posting of workers to the road transport sector**.
- ✓ France has continued its efforts to fight against **labour exploitation and illegal work** with the Assessment of the National Plan to fight against illegal work for 2019-2021, the definition of the orientations of the future plan and the implementation of **control** operations at European and national level.
- ✓ France has continued to implement **Working Holiday Programmes** with the **signature of agreements with Ecuador and Peru**.
- ✓ France has **developed the operational implementation of the research stay** in order to **secure the status of doctoral students and researchers** from French and foreign governments hosted in research laboratories.
- ✓ In the context of the organisation of the **Olympic and Paralympic Games in Paris in 2024** and the resulting **significant increase in visa applications** by foreign nationals who are members of the Olympic family, France has adopted **derogations** in the appointment of the authorities responsible for issuing these visas, in order to **guarantee the harmonised processing of applications** and the **carrying out of control operations within a timeframe that is compatible with the organisation of the Games**.

- ✓ In view of the increasing number of crises in all regions of the world, France supported the creation of the UNIV'R scheme developed by the UN Refugees Agency (UNHCR) and the Agence universitaire de la francophonie (AUF) to **improve the routes and conditions for legal migration for refugees wishing to study for a Master's degree** in Metropolitan France and welcomed 21 students in 2022.

International Protection

- ✓ In order to respond to the **difficulties related to the availability of accommodation** places, and at the same time to **improve the accommodation conditions and support for asylum seekers and refugees**, France has continued to implement the national reception scheme for asylum seekers and refugees (SNADAR). As part of the **regional orientation mechanism** which came into force in 2021, France has **proceeded with the territorial rebalancing of asylum seekers**, with the orientation of almost 14,000 asylum seekers in the regions, from the Ile-de-France in the first nine months of 2022. In a context of a continuing increase in asylum applications, France has **continued its efforts to improve the operational aspects of the asylum procedure by reducing the time required to process these applications and by extending the system of dematerialisation of OFPRA convocations and decisions** to all metropolitan regions in order to guarantee ease of access, follow-up and individualised support.
- ✓ In order to support States facing strong migratory pressure in their asylum system, France is **actively engaged**, under the French Presidency of the EU Council, in the **negotiation for the elaboration in June 2022 of a new voluntary mechanism and relocation of asylum seekers** who arrived in Italy, Spain, Cyprus, Malta and Greece.
- ✓ France's resettlement objectives for 2022 have been adjusted to 3,000 refugees so that France can **continue its action in favour of vulnerable refugees in need of resettlement** while **remaining fully committed to different reception mechanisms**, particularly in relation to the implementation of temporary protection for displaced persons from Ukraine. The APAGAN operation continued in 2022 with around 40 arrivals per week in the first half of the year. As of 31 September 2022, 3,390 asylum applications have been submitted by Afghans evacuated under Operation APAGAN.
- ✓ In view of the continuing deterioration of the situation in Lebanon, France has **committed to renewing the protocol on the implementation of humanitarian corridors and to receive 600 Syrians and Iraqis on the basis of an asylum visa between 2021 and 2023**.

Minors and Other Vulnerable Groups

- ✓ The **law of 7 February 2022 on childhood protection** establishes the legal framework for the sheltering and the assessment of persons presenting themselves as UAMs by generalising and making compulsory the support file for the assessment of minority, by allowing better identification and assessment of this group of people implicated in criminal cases and by establishing temporary emergency reception. France has **continued and strengthened its reception strategy for minors** by modifying the criteria for the distribution of unaccompanied foreign minors in France in order to share the effort between

departments, and by allocating exceptional funding for the care of UAMs entrusted to the social child and youth care services (ASE) by certain departments.

- ✓ Several initiatives have been undertaken to **ensure that minors have access to services and their rights**. A **good practice guide on the assessment of the health needs** of persons declaring themselves as UAMs during the emergency temporary reception phase has been drawn up for the professionals involved in their care.
- ✓ **The improvement of support for UAMs by anticipating the transition to adulthood** was taken into account by the law of 7 February 2022, which aims to avoid any breach of rights when young people come of age and to promote the support of UAMs by the ASE with a view to filing an asylum application.

Integration and inclusion of adults

- ✓ In 2022, France has made the **effective integration of foreign nationals residing legally in the country a public policy priority** and in this context, **five priority areas of intervention have been defined**: integration through employment, special attention for beneficiaries of international protection and foreign women, involvement of civil society, deepening the dynamics of integration territories with local authorities and coordination of the action of State services and operators.
- ✓ France has also implemented the **AGIR programme in 2022**, which allows for the systematic provision of comprehensive support for employment and housing for beneficiaries of international protection through the deployment of departmental single-desk contact point.
- ✓ France has extended and strengthened the implementation of the **partnership scheme with local and regional authorities ("Territoires d'intégration")**
- ✓ To highlight, promote and share the good practices of integration actors and local partners directly involved in the reception and integration of newcomer foreign nationals, France has organised **Integration Week in October 2022**.
- ✓ The **Republican Integration Contract (CIR) has been strengthened** in order to improve the quality of training, by reinforcing linguistic positioning and improving civic training.
- ✓ **Integration through culture** was also highlighted by the conclusion of a partnership to facilitate access to national monuments for newcomer foreign nationals who have signed the Republican Integration Contract (CIR).
- ✓ France has continued to implement measures accessible to the foreign public with a view to **adapting the procedure for validating acquired experience (VAE) and supporting the valorisation of qualifications with two measures: the "VAE sans frontières" programme and the "Expériences sans frontières" programme**.
- ✓ Special attention is given to **women** through the implementation of integrated schemes combining vocational training and support for parenthood.
- ✓ Integration through access to basic services continued in 2022, particularly through **access to housing, which is at the heart of integration policies**, and a plan to relaunch the plan to deal with migrant workers' centres (FTMs) was launched to rehabilitate FTMs by targeting the most dilapidated centres as a priority.
- ✓ **Access to mental health care** has also been strengthened by the experimentation of the "health appointment", a preventive medical visit implemented under certain conditions for the signatories of the CIR.

- ✓ As part of an experiment launched by the Inter-Ministerial Delegation for the Reception and Integration (DiAIR) of Refugees in 2021, awareness-raising kits on **access to a bank account** have been made available to the territories in 2022 for dissemination.
- ✓ France has supported **education, prevention, training and victim support actions**, as well as **communication and event organisation related to the fight against racism and discrimination related to anti-LGBT hatred**. In this context, calls for projects contributing to the continuation of the National Action Plan for Equal Rights and Against Anti-LGBT Hatred and Discrimination in France have been launched.

Citizenship and Statelessness

- ✓ The **process of dematerialising applications for naturalisation** continued to expand in France.
- ✓ The **citizen's booklet** containing examples of the knowledge required to obtain nationality has been updated.

Borders, Visas and Schengen

- ✓ France has contributed to ensuring that border controls remain fluid by creating an automated processing system for personal data for the pre-registration devices.
- ✓ In the context of the Russian invasion of Ukraine, in addition to **visa sanctions**, the **agreement between the European Community and the Russian Federation** on visa facilitation for citizens of the Russian Federation was **suspended in full** in September 2022.
- ✓ The implementation of the **agreement between the EU and the Republic of Vanuatu** on short-stay visa waiver has been **partially suspended** due to the issuance by Vanuatu of "golden" passports which allow visa-free access to the Schengen area. France has extended this measure to the overseas territories
- ✓ An **airport transit visa requirement** has been introduced for **Nepalese and Turkish nationals** holding ordinary passports, in order to limit transit abuse, following the increase in migratory pressure from these countries.
- ✓ The **visa litigation procedure has been** reformed to make the pre-litigation filter more effective and to reduce the number of appeals.
- ✓ Due to an increase in irregular crossings of the EU's external borders, France has **reintroduced internal border controls** from 1 April to 31 October 2022, and from 1 November 2022 to 30 March 2023.

Trafficking in adult human beings

- ✓ France has evaluated the **progress made on the right to residence of foreign nationals who are victims of trafficking in human beings** in the framework of the 2nd National Action Plan to Combat Trafficking in Human Beings (2019-2021) in view of the preparation of the 3rd Action Plan.
- ✓ France has developed new training initiatives and partnerships with associations for the protection of victims of pimping. **New techniques of investigation have been put in place to adapt to the new operating mode of pimping networks**, whose activity is increasingly dematerialised.
- ✓ France has put in place **training and awareness-raising tools to improve the care of victims of trafficking through better dissemination of information**. A training course on the audition of victims of pimping for investigations has been set up, and a training guide "Identification and protection of victims of trafficking in

human beings" has been drawn up with a view to setting up a national mechanism for the identification and referral of victims of trafficking in human beings.

- ✓ ECPAT France has published a guidance note to **inform** European and national policy makers of the **need to strengthen the access and rights of child victims of trafficking to information** before and during criminal proceedings, emphasising the **crucial role of interpreters**.
- ✓ National authorities have continued to cooperate through the publication of joint annual surveys, in order to **enrich and facilitate the data collection on victims of trafficking**.
- ✓ France also **continued its cooperation with third countries** in the fight against trafficking in human beings in South-Eastern Europe and South America in order to identify victims from the time of their recruitment in their country of origin.
- ✓ France has renewed its commitment to the Europol EMPACT network and has registered as a co-driver of the Trafficking in Human Beings priority for the new Empact 2022/2025 cycle with two actions in 2022: lodged prostitution and trafficking of Ukrainian origin.

Return and Readmission

- ✓ France has continued its efforts to **guarantee the effective enforcement of orders to leave French territory** (OQTF) and to **prioritise placements in administrative detention facilities** (CRA). The conditions for the **implementation of alternatives to detention**, such as house arrest for foreign nationals under orders to leave French territory (OQTF), **have been specified** in order to ensure strict monitoring until their removal.

Migration and Development

- ✓ After the expiry of the Migration and Development Action Plan 2018-2022, the **"migration and development" strategy has been renewed**: this new strategy will now be inter-ministerial and will reflect the international and European normative framework.
- ✓ France has held **the presidency of the Global Forum on Migration and Development** since 1 July 2022. Dialogues have been held on topics chosen by France (Impact of climate change on human mobility, Human rights and migration, Multi-level governance, Diasporas, Labour migration, Culture and discourse).
- ✓ Two **Team Europe Initiatives** - Western/Atlantic route and Central Mediterranean route - were launched on 12 December 2022.

Response to influx of persons fleeing the war in Ukraine and Temporary Protection

- ✓ On 10 March 2022, France clarified in an interministerial instruction the measures put in place in France in application of the EU Council decision of 4 March 2022 for displaced persons from Ukraine
- ✓ France has provided **access to paid employment for beneficiaries of temporary protection**, by attaching the right to work to the temporary residence permit issued to them. In addition, actions aimed at **strengthening the professional integration of displaced persons from Ukraine** have been put in place, including measures to encourage beneficiaries of temporary protection to register with the Pôle emploi. A programme of quick language learning and support

by the public employment service was launched for adult beneficiaries of temporary protection.

- ✓ Various actions have been undertaken to **ensure that beneficiaries of temporary protection have access to basic services**. These services include **access to housing, medical care** including **mental health care, social welfare** and **means of subsistence assistance**, and **education for minors and adults**.
- ✓ Displaced children from Ukraine have been enrolled in regular classes with special support, while a special reception facility for students under temporary protection has been set up.
- ✓ Particular attention was given to **UAMs or isolated minors from Ukraine**, for whom France **facilitated adapted and emergency care** by **taking into account the needs of the child and clarifying the appropriate legal framework**.
- ✓ Measures to **facilitate the return to Ukraine** have been undertaken by distributing free transport tickets to beneficiaries of temporary protection.
- ✓ A **coordination group on the risks of trafficking in human beings** of displaced persons fleeing the war in Ukraine has been set up to raise awareness of associations' volunteers and professionals who meet victims of trafficking.

3 Response to the influx of persons fleeing the war in Ukraine

3.1 TEMPORARY PROTECTION FOR PERSONS FLEEING THE WAR IN UKRAINE

3.1.1 IMPLEMENTATION OF THE COUNCIL IMPLEMENTING DECISION 2022/382 WHO SHALL AND MAY BE ENTITLED TO TEMPORARY PROTECTION

Development: The inter-ministerial instruction of 10 March 2022 on the implementation of the EU Council decision of 4 March 2022, taken in application of article 5 of the directive 2001/55/EC of the Council of 20 July 2001, presents the mechanism for people from Ukraine who may benefit from temporary protection.

Objective: Grant this status in a simple, smooth way to all persons likely to benefit from it, determine who may benefit from this status and present the rights attached to temporary protection.

Driver: The status of beneficiary of temporary protection is granted to the following categories of people:

- a) Ukrainian nationals who lived in Ukraine before 24 February 2022, i.e.: Ukrainian nationals who left Ukraine after 24 February 2022; and Ukrainian nationals present at that date in a European Union Member State under a visa waiver or a Schengen visa.
- b) Nationals of third countries or stateless persons who benefit from international protection or an equivalent national protection in Ukraine before 24 February 2022.
- c) Family members of the persons indicated in 1° and 2°, without being hindered by the circumstance that they may return to their country or region of origin in safe and sustainable conditions whatever their nationality. In order to be eligible for temporary protection, the family members from a third country may have been displaced from Ukraine as from 24 February 2022, whereas they lived there up to then.

Nationals of third countries that hold a permanent residence permit issued by the Ukrainian authorities enter into the scope of application of temporary protection. The inter-ministerial instruction of 10 March 2022 recalls that two conditions must be met for these third country nationals to be eligible for temporary protection: the holding of a permanent Ukrainian residence permit *and* the impossibility of returning to their country of origin in safe, sustainable conditions.

3.1.2 REGISTRATION OF PERSONS ARRIVING FROM UKRAINE

Development: The inter-ministerial instruction of 10 March 2022 on the implementation of the EU Council decision of 4 March 2022 taken in application of article 5 of the directive 2001/55/EC of the Council of 20 July 2001 presents the mechanism for people from Ukraine who may benefit from temporary protection.

Objective: Create a dedicated access in the prefectures for these people.

Driver: Persons displaced from Ukraine who come under temporary protection are invited to present themselves directly to the prefecture, where a dedicated access will be set up. They will then be directed to the OFII in order to open their rights to the Asylum Seeker's Allowance (ADA).

3.1.3 PROVISION OF RESIDENCE PERMITS OR OTHER DOCUMENTS GRANTING THE RIGHT TO RESIDE TO BENEFICIARIES OF TEMPORARY PROTECTION

Development: The inter-ministerial instruction of 10 March 2022 on the implementation of the EU Council decision of 4 March 2022 taken in application of article 5 of the directive 2001/55/EC of the Council of 20 July 2001 presents the mechanism for people from Ukraine who may benefit from temporary protection.

Objective: Issue of a temporary residence authorisation "beneficiary of international protection" of a duration of six months renewal for the duration of validity of the EU Council decision.

3.1.4 ENSURING ACCESS TO THE LABOUR MARKET FOR BENEFICIARIES OF TEMPORARY PROTECTION

Development: Decree no. 2022-468 of 1 April 2022 on the right to work for beneficiaries of temporary protection

Objective: The decree amends the access to salaried work for the beneficiaries of temporary protection by attaching the right to work to the temporary residence authorisation issued to them.

Driver: The issue of a temporary residence authorisation in respect of the temporary protection automatically carries the issue of a work authorisation. Its holder may, therefore, occupy a job without the employer needing to request a work authorisation from the foreign workforce services.

The beneficiaries of temporary protection are authorised to carry out a non-salaried professional activity. The decision of 27 April 2022 on the supporting documents required for the exercise of a non-salaried activity by the beneficiaries of temporary protection, online on the DGEF intranet, stipulates the modalities for this exercise.

Among the specific measures promoting access to training and employment for displaced people from Ukraine that are beneficiaries of temporary protection (BPT), comprising mainly women, children of the BPT up to three years old were welcomed in a local nursery, with offers collected on monenfant.fr, free of charge up to 31 December 2022. As at 25 November 2022, almost 500 children under three were welcomed within this framework. The DIAN provided its contribution in this area by financing the translation into Ukrainian and Russian of information supports on these care systems. This coverage for BPT also reaffirms the necessity, carried by the priorities of the integration policy, to facilitate access to common law childcare systems for the children of newly arrived foreign families.

Development: As a complement to the temporary protection status, which authorises the exercise of a professional activity, actions to reinforce professional integration for displaced people from Ukraine were set up during 2022.

In order to encourage the beneficiaries of temporary protection to register at *Pôle emploi* (job service), in a 'go to' approach, a specific questionnaire was diffused and filled in by over 9 644 displaced people from Ukraine¹. The information collected

¹ Data on the activity and employment of displaced people from Ukraine as at 11/01/2023 – *Pôle emploi*.

enabled the needs of Ukrainian job seekers to be identified and to build a tailored path towards employment.

Discussions between the public job service officers and displaced Ukrainians were also promoted by the generalisation within *Pôle emploi* agencies of an instant translation tool (Trad'Emploi). Moreover, in order to inform beneficiaries about the job market in France, the jobs that recruit, and to prepare a tailored programme upstream, *Pôle emploi* is implementing a digital application project. In addition, in order to facilitate meetings with employers, and centralise recruitment needs for BPT, an online platform (lesentreprises-sengagent.gouv.fr) was set up.

Objective: Improve the professional integration of third country nationals, and, in particular, of beneficiaries of temporary protection.

Driver: In November 2022, 13 300 people born in Ukraine (and not employed in France before March 2022) were employed in France. The departments where the largest number of Ukrainian displaced people work are Paris (1 100 to 1 200), the Alpes-Maritimes and the Haute Vienne (between 700 and 800)².

At the beginning of January 2023, around 14 201 Ukrainians were registered at *Pôle Emploi*. 4 313 BPT were registered with *Pôle emploi* in training adapted to their level of language at 11 January 2023, compared to 2 641 in November 2022³.

3.1.5 ACCES TO BASIC SERVICES FOR BENEFICIARIES OF TEMPORARY PROTECTION

i. Access to suitable accommodation and/or means to obtain housing

Development: The inter-ministerial instruction of 10 March 2022 on the implementation of the EU Council decision of 4 March 2022 taken in application of article 5 of the directive 2001/55/EC of the Council of 20 July 2001 presents the mechanism for people from Ukraine who may benefit from temporary protection.

Objective: Facilitate the information and orientation of the people concerned to the reception and care systems, solicit the prefectures for regular reporting on available accommodation outside of the national asylum seekers reception system.

Driver: France initially proposed short-term temporary accommodation (1-2 nights) close to the places of arrival (Paris, Strasbourg, Nice, Lyon notably) or care in *ad hoc* emergency accommodation.

The short-term temporary accommodation, with capacity for 150 to 500 places according to the arrivals, aims to direct the people according to their individual situation, with emergency humanitarian care, and to provide the necessary information.

Afterwards, the people displaced from Ukraine may be offered long-term housing or temporary accommodation, for three to six months, either in the region of arrival or as part of an orientation to another region.

Citizen housing is provided in addition with suitable support and as a complement to the systems set up at the national level.

² Data on the activity and employment of displaced people from Ukraine as at 11/01/2023 – *Pôle emploi*. The four main regions of professional integration of displaced people from Ukraine are Île-de-France (24%), Nouvelle Aquitaine (15%), Auvergne Rhône Alpes (12%), Provence-Alpes-Côte d'Azur (10%).

³ Data on the activity and employment of displaced people from Ukraine as at 11/01/2023 – *Pôle emploi*

The prefects in the regions and departments are responsible for listing the housing and proposals for citizen accommodation from individuals (as well as accommodation made available by the usual partners: social landlords, territorial authorities, private real estate companies, institutional actors, real estate agencies, among others).

ii. Access to medical care including in relation to mental health

Development: The inter-ministerial instruction of 10 March 2022 on the implementation of the EU Council decision of 4 March 2022 taken in application of article 5 of the directive 2001/55/EU of the Council of 20 July 2001 presents the mechanism for people from Ukraine who may benefit from temporary protection.

Objective: Access to medical care for these displaced people requires specific attention.

Driver: Under the coordination of the focal point of the Ministry for Foreign Affairs, emergency medical aid was set up with the projection of two mobile health positions with stocks of medicines. A telephone medical-psychological position was activated from 24 February to help French people or French-speaking people requiring medical-psychological care.

Under the temporary protection, the displaced people from Ukraine may benefit from universal health protection (PUMa), as well as solidarity health insurance (CSS) without a waiting time.

The *Assurance Maladie* covers the cost of all urgent healthcare carried out in a health institution, including medicines prescribed by the institution doctor, within the limits of the social security tariffs. The person also benefits from a total waiver of the advance on costs of this care.

Access to mental health care is according to the modalities of common law: however, the health authorities pay particular attention to the trauma that these people who have fled their country may have.

iii. Access to assistance in terms of social welfare and means of subsistence

Development: The inter-ministerial instruction of 10 March 2022 on the implementation of the EU Council decision of 4 March 2022 taken in application of article 5 of the directive 2001/55/EC of the Council of 20 July 2001 presents the mechanism for people from Ukraine who may benefit from temporary protection.

Objective: Benefit from the Asylum Seeker's Allowance (ADA) during the protection period if they meet the conditions of age and resources

Driver: They have access to the Asylum Seeker's Allowance (ADA) (article D. 581-7 of the Code on Entry and Residence of Foreign nationals and Right of Asylum - CESEDA) The ADA is paid by the OFII, its amount is set according to a scale that takes into account the family composition and the household's resources.

iv. Access to education for minors (including educational support)

Development: The inter-ministerial instruction of 10 March 2022 on the implementation of the EU Council decision of 4 March 2022 taken in application of article 5 of the directive 2001/55/EU of the Council of 20 July 2001 presents the mechanism for people from Ukraine who may benefit from temporary protection.

Objective: Going to school is a right for all French and foreign children who live or arrive in France. In France, public schooling is free of charge and education is compulsory for boys and girls aged from 3 to 16 years.

Young people from 16 to 18 years without school, training or employment are accompanied to find solutions to return to school or have access to a qualification or employment. For young people from 16 to 18 years who were not or do not wish to be in education, the Directorates of the Departmental Services of the National Education service (DSDEN) accompany them to find employment or vocational training.

Driver: A Ukraine unit was set up within the Education Ministry in March 2022.

19 200 Ukrainian students have been registered as of 1 December 2022 in primary schools, secondary schools and lycées since 24 February 2022.

Children are educated with the other students, in ordinary classes. They benefit from specific support, to learn French, in the same way as the other non-French speaking children, thanks to educational units for arriving non-French speaking children (UPE2A), which are dedicated educational units.

The accelerated learning of French takes place, in principle, within the framework of the educational units for arriving non-French speaking children (UPE2A). In addition, the Correspondance school system (CNED) has made available its "French as a foreign language" training module, which may be mobilised including during school time, **for students of high schools and lycées that have a basic level of French**, registration is managed at the academy level. This autonomous learning time is requested by the teacher at the UPE2A in view of the needs and skills of each of the students. They support the students in choosing the modules offered in the CNED catalogue.

v. Access to education for adults

Development: Decision of 3 May 2022 on language training for BPT.

Objective: Promote the integration in society and the labour market with learning of French language and support through the public Job Service. Rapid language learning by the Ukrainian beneficiaries of temporary protection has two objectives: promote better knowledge of their environment and prepare their professional integration.

Driver: An assessment of written and spoken skills in French for beneficiaries of temporary protection is carried out in reference to the Common European Framework of Reference for Languages of the European Council, as adopted by the Council of Europe Committee of Ministers in its recommendation CM/Rec (2008) 7 of 2 July 2008 by a language training service provider selected by the French Office for Immigration and Integration after a public call for tender. Based on the results obtained at the test, the above organisation proposes language training adapted to the level of the beneficiary of temporary protection.

Beneficiaries of temporary protection can benefit from **language training provided by French Office for Immigration and Integration (OFII) service providers**, with around 15 000 paths of up to 200 hours for level A1 of the Common European Framework of Reference for Languages and up to 100 hours for levels A2 and B1. Holders of temporary protection may also benefit from support from the Public Job Services, including for adult vocational training. After having collected information such as the type of professional experience, level of mastery of English and French, their desire to occupy a short, medium or long term job, or obstacles to access to employment, the public job service comes back to them to propose registration as a job seeker and an in-depth interview during which a skills assessment and suitable orientations are carried out (training prior to employment, services to clarify professional aspirations thanks to immersion periods in companies, support for

mobility, preparation for training, integration contracts, orientation to programmes specifically for foreign nationals, including support for the validation of experience). To facilitate the comparability of diplomas, the recognition carried out by ENIC-NARIC (excluding regulated professions) is provided free of charge, in the same way as for beneficiaries of international protection.

Development: Displaced people from Ukraine that fled their country after the war triggered by Russia in February 2022 benefit from provisions on temporary protection in the European Union Member States. While the beneficiaries of temporary protection (BPT) do not necessarily want to stay over the long term in France, they may, nevertheless, benefit from certain actions of the integration policy, which are adapted for them. In this respect, the regional offer in terms of French language learning (socio-linguistic workshops, OEPRE workshops, adapted OFII offering) was made accessible to them.

The roll-out of go-to procedures to promote the professional integration of the BPT was carried out in close collaboration with the public job service. Moreover, the access for this population to the provisions of the integration through employment policy, such as the HOPE programme was made possible.

Objective: Allow displaced people from Ukraine to access autonomy during their stay in France, and if possible, to integrate them.

Driver: Arrival in France of around 106 000 people displaced from Ukraine since February 2022.

Development: The circular of 22 March 2022 on the reception of displaced Ukrainian students that benefit from temporary protection describes the measures taken to welcome these students, in terms of rights to residence, housing, social security or financial aid, as well as the operational modalities of orientation and registration for students welcomed to the establishments.

Driver: From an operational viewpoint, requests are centralised by Campus France (the French agency for the promotion of higher education, reception and international mobility) in order to enable monitoring and support for these students and facilitate their orientation and the care by the establishments. The **students eligible for temporary protection** who wish to join a course in a French higher education establishment must contact Campus France, and provide information on the full name, nationality and description of their situation. Campus France will support them in restarting their studies in France in collaboration with the French establishments.

3.1.6 FAMILY REUNIFICATION FOR BENEFICIARIES OF TEMPORARY PROTECTION

Development: The inter-ministerial instruction of 10 March 2022 on the implementation of the EU Council decision of 4 March 2022 taken in application of article 5 of the directive 2001/55/EU of the Council of 20 July 2001 presents the mechanism for people from Ukraine who may benefit from temporary protection.

Objective: Maintain family ties.

Driver: France applies the same modalities provided by article 15 of the Temporary Protection Directive.

With regard to maintaining family ties, the instruction implementing the EU Council decision of 4 March 2022 indicates the following:

- The foreign national benefiting from temporary protection may request to be joined by:

- A member of their family that benefits from temporary protection in another EU Member State
- A direct member of their family who is not yet present in an EU country

The request is sent to the department prefect (or the Police Prefect in Paris) who takes into account the reception capacities in the department and the reasons for the necessity or emergency evoked by the person.

3.1.7 PROTECTION OF UNACCOMPANIED MINORS AND SEPARATED CHILDREN ENJOYING TEMPORARY PROTECTION

Development: An inter-ministerial circular of 7 April 2022 presents the care of minors from Ukraine.

Objective: Facilitate their emergency care and define a suitable temporary protection mechanism while fighting against the risk of trafficking in children, offer a suitable and legally consolidated care with an assessment of the child's needs

Driver: This circular describes the cases of arrivals and the applicable procedures

Case 1: Minor arrives alone, without an escort.

Case 2: minor is separated from their parents, but accompanied by a trusted adult

Case 3: minor accompanied by a Ukrainian institution or *ad hoc* support structure

Case 4: unaccompanied minor going to a parent that resides in another EU member state

Development: The instruction of 7 April 2022 (INTK2211105J) and the note of 12 April 2022 (JUSF2211427N) seek to carry out, as far as possible, the verifications on the identity of the minors, their legal situations and the status of their escorts, in association with the Ukrainian authorities and notably the consular representations in France. The aim is to examine the different situations of the minors at their arrival in France and clarify the applicable legal framework. The regional health agencies are responsible for carrying out health assessments when the minors arrive.

Objective: Provide suitable and legally consolidated care for vulnerable persons, notably separated children or unaccompanied minors from Ukraine.

Driver: Anticipation by France of the arrival of people that have fled the war in Ukraine. The aim is to facilitate the emergency care, following the activation by the European Union of a temporary protection mechanism that grants a suitable status to the situation.

3.1.8 SUPPORT FOR PERSONS ENJOYING TEMPORARY PROTECTION

Development: The voluntary return assistance as provided by the CESEDA and distributed by the OFII only concerns illegally staying foreign nationals. Article L. 711-2 of the CESEDA provides that "the foreign national subject to a decision related to an order to leave the French territory may request a return assistance mechanism in their country of origin".

Thus, beneficiaries of temporary protection cannot benefit from the voluntary return assistance mechanism, as they do not meet the conditions.

However, the directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons, provides in its article 21 that "The Member States shall take the measures necessary to make possible the voluntary return of persons enjoying temporary protection or whose temporary protection has ended. They shall ensure that the provisions governing

voluntary return of persons enjoying temporary protection facilitate their return with respect for human dignity”.

Within this framework, the granting of free transport tickets by the SNCF to Ukrainians benefiting from temporary protection constitutes a facilitation for return as this aid extends to travel up to the countries bordering France, and notably Germany. Other European train companies have implemented the same mechanism. As they benefit from free train travel, Ukrainian displaced persons can organise their return by their own means.

In total, over 42 000 free travel tickets have been granted by the SNCF since this aid was implemented in France.

3.2 MEASURES TAKEN OUTSIDE OF THE LEGAL FRAMEWORK OF THE TEMPORARY PROTECTION DIRECTIVE: PREVENTION OF AND/OR THE FIGHT AGAINST TRAFFICKING IN HUMAN BEINGS

Development: A coordination group on the risks of THB for displaced persons fleeing the war in Ukraine was set up shortly after the start of the conflict in Ukraine, in March 2022. Jointly steered by the UNHCR and the MIPROF, it brings together organisations specialising in support for victims of trafficking in human beings, asylum seekers and refugees, and in childhood protection, as well as administrations and institutions (Ministry of the Interior, Justice, DIHAL, OFII, OFPRA, DIAIR). UNICEF and the ILO were also represented. The work carried out resulted in the creation of flyers and prevention leaflets on the risks of THB for the displaced persons, which were rolled out in a version specifically adapted to children, as well as a booklet to raise awareness on the detection and orientation of victims of THB for professionals. The prevention tools, available on the sites Help.fr of the HCR and the Ministry of the Interior, were translated into Ukrainian, English and Russian, and are currently being translated into other languages in order to be used beyond the scope of the war in Ukraine.

At the same time, on 1 July 2022, the DIHAL, the Ministry of the Interior and the MIPROF carried out a webinar to raise awareness on the risks of trafficking for associations that participate in the housing, accommodation and support for refugees from Ukraine, in collaboration with the associations CCEM, *Amicale du Nid* and ECPAT.

The OCLTI has designed a vigilance notice for the interior security forces to raise awareness of the risks incurred by this population in terms of economic exploitation. The partnership approach is recommended for detecting and processing labour exploitation cases.

Objective: Raise awareness of the refugees fleeing the conflict in Ukraine on the risks of trafficking and exploitation of human beings. Implement a battery *"of awareness-raising tools in several languages that can be used both by volunteers in the associations and by professionals liable to meet potential victims: social workers, teachers, police, magistrates, etc"*

Driver: These actions are part of the measures implemented on a national and European level within the context of the war in Ukraine, notably the "Stay Safe" campaign launched by the HCR on a European level and the [Common Anti-Trafficking Plan](#),

launched on 11 May 2022 by the European Commission, under the steering of the EU Anti-Trafficking Coordinator, Diane Schmitt.⁴

⁴ The Common Anti-Trafficking Plan achieves one of the objectives set in the ten-point action plan to better coordinate the European Union's actions to welcome people that have fled the war in Ukraine.

This plan builds on the European anti-trafficking strategy and attentively follows the European Anti-Trafficking Directive. It sets five objectives:

1. Strengthen awareness regarding risks of trafficking in human beings and setting up dedicated helplines
2. Reinforce prevention against trafficking in human beings
3. Enhance law enforcement and judicial response to trafficking in human beings
4. Improve the early identification, support and protection of human trafficking victims
5. Address the risks of trafficking in human beings in non-EU countries, especially Ukraine and Moldova.

4 Legal migration

4.1 OVERARCHING STRATEGIC LEGAL OR POLICY CHANGES IN LEGAL MIGRATION

The ministerial decision of 4 May 2022 sets the list of documents required for the issue of residence permits and travel documents for foreign minors, as well as for filing requests for family reunification and exceptional admission to residence.

This decision also introduces two new requirements for supporting documents to be provided by the applicant in certain cases:

- Provide a sworn statement that they are not living polygamously in France if the applicant is married and is a national of a State that authorises polygamy;
- Provide the act of commitment to comply with the values of the Republic, when the application is for a multi-year residence permit. However, holders as of right to a residence permit, a four-year multi-year residence permit and beneficiaries of subsidiary protection are not concerned by this obligation.

This decision aims to guarantee the principle of user equality with regard to public burdens. The objective is also to ensure that the user's filing of the request for a residence permit is correctly entered into the ANEF (Digital administration of foreign nationals in France).

Lastly, the two new requirements indicated above aim to guarantee compliance by applicants with the principles and values of the Republic.

France has observed disparities in the application by the services of the initial list of documents required for applicants for residence permits, travel documents for foreign minors, and for filing applications for family reunification and exceptional admission to residence.

This is a substantial regulatory change as this list of documents must be scrupulously followed by the services responsible for studying the different applications. If not, the filing of the application may not be taken into account, and the documents requested, if they are not on this list, may not be opposed in the event of a dispute.

Lastly, the new documents required are a significant innovation in French law as they were not mandatory previously.

4.2 WORK-RELATED MIGRATION

Admission policies for specific categories of third-country nationals

4.2.1 CATEGORIES OF WORKERS

i. Highly qualified workers

Development: Since 1 January 2022, foreign nationals who wish to request the issue of a "Talent Passport" residence permit for a real and serious project to create a

company or an innovative economic project, may use the dedicated teleservice for filing requests for a decision online.

Objective: Dematerialise the request for a decision prior to the request for a “Talent Passport” residence permit in order to simplify the procedure for foreign nationals.

Driver: The adoption of measures to promote the attractiveness of international talents, carrying innovative ideas or company creation projects, is a Government priority.

Development: Opening up of the benefit of the temporary “intern” residence permit to health professionals received in private, not-for-profit health establishments (Decree no. 2022-1740 of 30 December 2022 extending the benefit of temporary “intern” residence permits to certain professionals received in private, not-for-profit health establishments).

Objective: Expand the type of health establishments that can receive associate intern doctors.

Driver: In view of the context of tension in the French health system and the desire by private, not-for-profit health establishments to be able to recruit foreign nationals as associate interns in the same way as public health establishments, the Code on Entry and Residence of Foreign nationals and Right of Asylum was amended to open up this possibility.

ii. Seasonal workers

Development: Adjustment to the medical examination for British seasonal workers: British seasonal workers may carry out their medical check-ups in the UK and transmit the results to the French Office for Immigration and Integration (OFII), which after studying the documents, can issue the medical certificate required for the issue of seasonal multi-year residence permits.

Objective: Facilitate and smooth the procedures for British seasonal workers.

Driver: The entry into force of the BREXIT resulted in British workers being subject to the CESEDA. Thus, British seasonal workers are now subject to the obligation of holding a work authorisation and of producing a medical certificate issued by the OFII. Faced with the difficulties encountered by British seasonal workers in 2021, notably to obtain an appointment to have a medical check-up, it was proposed to adjust the modalities for this procedure by allowing British seasonal workers to carry out the medical examinations in the UK.

4.2.2 'SOCIAL DUMPING'⁵ AND LABOUR EXPLOITATION

Development: [Decree no. 2022-104 of 1 February 2022 on land transport companies that post road transport drivers or navigators to France.](#)

Objective: The decree no. 2022-104 aims to transpose the provisions of the Directive (EU) 2020/1057⁶. The provisions of this directive meet both a social challenge, to avoid a deterioration in the conditions for the application of rules on the posting of road transport drivers, and an economic challenge to defend the conditions for fair competition.

Driver: This change in the regulations entered into force on 2 February 2022. It enables the express restatement of the application of the rules on the posting of workers in the road transport sector. It ends the differences in interpretation and implementation of these provisions between European Union Member States.

Development: on 11 March 2022, the Inter-ministerial Anti-Fraud Committee dedicated to the fight against illegal work presented to the social partners an overview of the national plan to fight against illegal work (PNLTI) 2019-2021 and first orientations of the future plan.

Concealed work and the employment of foreign nationals without a work permit remain the most reported offences since 2019. To note: the emergence of new infringements, with digitalisation and the development of matchmaking platforms. It is also essential to better regulate posted work. Posting fraud is a central focus in the fight against illegal work. To combat this form of fraud and to ensure compliance with posting rules, controls have been intensified.

The next plan, currently being prepared, should notably maintain a high level of control, particularly on services at risk, by improving the targeting thanks to exchanges of available data between services; mobilising the social partners, notably through national and local conventions to fight against illegal work; taking into account emerging fraud in line with the development of networking platforms and benefit from synergies with the European Labour Authority (ELA) in order to develop joint inspections and reinforce cross-border cooperation.

Objective: Coordinate the action by the services and corps of inspectors in terms of the fight against illegal work.

Driver: The fight against fraudulent posting requires European cooperation (joint inspections), the development of alternative solutions to promote local employment and the consolidation of the legal framework for the posting of workers.

⁵ While there is no definition of the concept of "social dumping" in EU law, the term is generally used to point to unfair competition due to the application of different wages and social protection rules to different categories of worker (Parliamentary questions, 27 May 2015, E-008441-15). The EMN Glossary (Version 7.0) defines [social dumping](#) as "The practice whereby workers are given pay and / or working and living conditions which are sub-standard compared to those specified by law or collective agreements in the relevant labour market, or otherwise prevalent there."

⁶ This directive harmonises the administrative requirements applicable to road transport companies that post workers to another Member State. It notably provides for the implementation of a standard declaration prior to the posting via the interface connected to the Internal Market Information System (IMI). It also sets the list of documents that must be kept in the vehicle to facilitate controls as well as the list of documents that may be sent via IMI at the request of control officers after the posting period.

Development: [Order no. 2022-1293 of 5 October 2022](#) and [Decree no. 2022-1346 of 21 October 2022](#) complete the harmonisation between national regulations in order to take into account the entry into force on 2 February 2022 of the provisions transposing directive no. 2020/1057/EU on the posting of road transport drivers.

Objective: Simplify and clarify the formalities for road transport companies that post land transport drivers or navigators to France.

Driver: The posting declaration provided by the transport code is removed, from 1 January 2023, except for the posting of a driver carrying out an international transport service in a light vehicle in the road transport sector.

Water transport, road transport companies that post drivers as part of temporary work or intra-group posting, as well as road transport companies located outside of the European Union that post drivers to carry out international transport services with heavy goods vehicles, must file a posting declaration in advance, in accordance with the Labour code via the SIPSI teleservice.

Posting declarations created before 1 January 2023 remain valid up to a maximum of six months after their preparation.

The order also provides, for a transitory period, the obligation for companies located outside of the European Union carrying out international transport services using heavy goods vehicles to appoint a representative in France responsible for liaising with the inspection officers, until these companies have access to the European Commission's IMI system and until they can declare the contact details of a contact person in the country in which they are based.

Development: Maintained commitment by the General Labour Directorate (DGT) to participate in joint action days organised by EUROPOL, for two weeks per year under the coordination of the Central Office for the Fight against illegal work (OCLTI) on the fight against trafficking in Human Beings. It should be noted that AQUAPOL took part in the action and inspection of a catering activity on a river cruise boat for the first time in September 2022.

Objective: Performance of control operations mobilising the different competent inspection corps in the identified sectors: agriculture, construction sector, catering.

Driver: Since 2017, France has taken part in joint action days and good level of mobilisation of the services has been noted. In 2022, both violations with regard to trafficking in Human Beings and more classical violations with regard to illegal work were pursued.

551 inspections concerning 1 940 workers were carried out by the labour inspection services.

94 violations were liable to be noted, broken down as follows: 64 violations of concealed work, 19 violations of labour exploitation including 4 under trafficking in human beings and 6 violations regarding the employment of a foreign national without a work permit. During these inspections, the conditions of accommodation of workers were subject to specific attention.

While the construction sector gave rise to the largest number of inspections, the activities of hotels, cafés, restaurants, transport, agriculture and industry were also targeted by the coordinated inspections.

Development: In 2022, the national action priorities for the labour inspection system concerned compliance with the fundamental rights of workers and human beings.

Objective: Present the 2021 review and the first trends in 2022 on the work of the labour inspectorate, as well as the outlook for 2023 to the social partners.

Driver: Specific attention was expected on the protection of posted workers in order to:

- guarantee equality of rights between posted workers and workers employed by French companies,
- ensure compliance with the fundamental rights of these workers (remuneration, working hours, accommodation, work health & safety) and guarantee the effective implementation of their rights.

The national action plan also includes the fight against illegal work as a priority. The aim of this inspection focus is to reduce illegal work, notably in terms of the employment of foreign nationals without work permits, and re-establish the rights of workers that are victims of illegal work. The fight against trafficking in Human Beings for exploitation through work is one of the focuses of this national action priority.

4.2.3 BILATERAL LABOUR MIGRATION AGREEMENTS⁷

The agreement on the Vacation Work Programme between France and Ecuador entered into force on 1 May 2022.

The quota planned is 300 beneficiaries per country. The agreement enables Ecuadorians to remain for a maximum of one year in France to visit or work.

Vacation Work visas for Ecuador started to be issued from August 2022.

It should be noted that Vacation Work visas for Peru under the agreement on the Vacation Work Programme between France and Peru entered into force on 1 February 2021 started to be issued from April 2022.

4.3 RESEARCHERS

Development: Deepening of the implementation of a research stay.

Objective: The implementation of a research stay secures the status of doctoral fellows and French and foreign government researchers welcomed to research laboratories, and provides greater attractiveness for this status through the issue of a talent passport, along with an increase in living allowances. During 2022, the operational implementation of this status was carried out and a broad communication was conducted. A webinar targeting 500 establishments was organised, along with workshops for positions as part of the Campus France encounters.

Driver: The welcome of international researchers, including doctoral students, was simplified in 2016 with the creation of the multi-annual "talent passport" residence permit, by the law no. 2016-274 of 7 March 2016 on the rights of foreign nationals in

⁷According to the International Organization for Migration (IOM), bilateral labour migration agreements are "formal mechanisms concluded between States, which agreements are essentially legally binding commitments concerned with inter-state cooperation on labour migration. The term is also used to describe less formal arrangements regulating the movement of workers between countries entered into by States as well as a range of other actors, including individual ministries, employer organizations, etc." (Source: https://publications.iom.int/system/files/pdf/iml25_1.pdf) , last accessed on 15 November 2021

France. However, over the last few years, French higher education and research institutions have encountered difficulties in welcoming young researchers benefiting from grants based on scientific criteria, whether these grants are financed by foreign institutions or governments or by the Ministry for Europe and Foreign Affairs (MEAE). The absence of a legal framework raised the risk of re-qualification of the contract as a work contract with an URSSAF (social security contribution) adjustment.

4.4 FAMILY REUNIFICATION⁸ INCLUDING FAMILY FORMATION

Development: **Within the framework of the organisation of the 2024 Olympic and Paralympic Games in Paris, decree no.2022-1629 of 23 December 2022 appointed the** Director of Immigration at the Ministry of the Interior and Overseas Territories, along with the Director of French citizens abroad and the Consular administration of the Ministry of Europe and Foreign Affairs, as the two competent authorities for the issue of visas to members of the Olympic family.

Objective: **Guarantee harmonised processing of visa requests and the conducting of inspection operations as part of the issue of visas within a** time period compatible with the organisation of the Games.

Driver: **This exemption (the French diplomatic and consular authorities are normally competent for the issue of such visas for foreign nationals that live in their consular districts) comes within the framework of the organisation of the** Paris 2024 Olympic and Paralympic Games, **which will give rise to a** significant increase in visa requests, **by foreign nationals that are members of the Olympic family.**

4.5 INFORMATION ON ROUTES TO AND CONDITIONS OF LEGAL MIGRATION

Development: Creation of the UNIV'R programme by the UNHCR and the "Agence universitaire de la Francophonie" (AUF) (Francophone University Association)

Objective: The UNIV'R project - for University for Refugees - aims to develop a university corridor to France on a national scale, i.e. a legal, safe admission route allow French-speaking students who are currently refugees in a first country of asylum (in the Middle East, North Africa, Central or West Africa) to pursue Master's studies in France. It was first implemented in France in 2022.

The first call selected 21 winners from seven nationalities in eight first countries of asylum. The Ministry of Europe and Foreign Affairs (MEAE) supported this programme through social security grants and the financing of the students' transport.

This multi-stakeholder project involves the French authorities at national level (the Ministry of Higher Education, Research and Innovation (MESRI), the Ministry of the Interior and Overseas Territories (MIOM), the Secretariat-General for European Affairs (SGAE/Prime Minister), the Ministry of Europe and Foreign Affairs (MEAE)), local authorities, higher education institutions, the Migrants network in Higher Education, NGOs, civil society, the private sector and refugees.

⁸ For this question, this refers to family reunification under the Family Reunification Directive (2003/86/EC), except family reunification of refugees.

Driver: Faced with the multiplication of crises (economic, political, health, climatic) across the regions of the globe and the current momentum of migratory flows as a result, the support provisions for vulnerable students are likely to expand in the years to come. On 15 December 2021, during the Meeting of Senior Officials in Geneva as part of the Global Pact on Refugees, France makes a commitment to develop university corridors from 2022.

Only 5 % of refugees have access to higher education. By opening these university corridors, France is responding to UNHCR's call for the development of legal pathways.

5 International Protection

5.1 ACCESS TO THE ASYLUM PROCEDURE

Change: An OFPRA (French Office for the protection of refugees and stateless persons) antenna has been opened in Mayotte for registration and introduction only.

To apply for asylum in Mayotte, asylum seekers must first go to the one-stop shop in Mamoudzou. They will then be given an asylum application form and an asylum application certificate. From the date of submission of this form by the prefecture, the asylum seeker has 7 days to complete it and deposit it in person at the premises of OFPRA (Grande Terre) in Mamoudzou.

Driver: Applications for asylum lodged in that territory are now following the procedure laid down in Decree No 2022-211 of 18 February 2022 adapting certain provisions relating to the procedures for processing asylum applications in Mayotte and correcting the provisions applicable in Guadeloupe, French Guiana and Martinique.

5.1.1 RECEPTION OF ASYLUM APPLICANTS

i. General developments concerning the reception of asylum seekers

Development: Within the framework of the continued implementation of the national reception plan for asylum seekers and refugees 2021-2023, the strengthening of accommodation capacities in the national reception system enabled the creation of 36 370 places over five years. Thus, in April 2022, the national reception system included 113 832 authorised places (including 5 122 places in centres for reception and assessment of situations (CAES), including 46 809 places in emergency accommodation for asylum seekers (HUDA), 46 632 places in reception centres for asylum seekers (CADA), 5 351 places in the reception and accommodation programme for asylum seekers (PRAHDA) and 9 918 places in temporary accommodation centres (CPH)).

This accommodation stock for asylum seekers and refugees has doubled since 2015, increasing the share of asylum seekers accommodated free of charge from 45% in 2017 to 73% in 2022.

For 2022, the instructions provided for the creation of 4 900 places in the CADA and CAES from 1 July, however, due to the Ukrainian crisis, the creation of these places was delayed until 2023. For 2023, it was decided to reinforce the CPH stock with the creation of 1 000 new places.

Moreover, in 2022, the reception and accommodation programmes for asylum seekers (PRAHDA), notably dedicated to emergency accommodation mainly for asylum seekers or those under the Dublin procedure, were renewed for five years.

Objective: This scheme has two main objectives: better accommodate and better support asylum seekers and refugees while effectively managing the available places.

Driver: This scheme results from the finding of a complex and insufficiently directive accommodation system. In addition to its saturation, the national reception system had three types of difficulties:

- Asylum seekers could choose to reside in the region of their choice; this resulted in them mainly staying in Île-de-France, with this region concentrating 45% of the demand for 20% of the places;

- This situation generated camps, with the orientation of applicants taking place according to a complex system, which was a source of friction.

Development: The regional orientation mechanism, provided by the law of 10 September 2018 which entered into force in January 2021, allowing the reception in regions outside of Paris for a regional rebalancing of asylum demand enabled almost 14 000 asylum seekers to be oriented to the regions from Île-de-France over the first nine months of 2022.

Objective: The aim is to reduce tension in certain regions (notably Île-de-France). The implementation of the regional orientation follows a gradual multi-year trajectory, aiming to reach a theoretical target of 2 500 orientations by month in 2023.

Driver: The law of September 2018 for a managed migration, provided for the orientation of asylum seekers to the regions, to relieve Île-de-France which received almost 45% of them.

ii. Integration measures specifically for adult asylum seekers

Development: In France, while access to the labour market for applicants for international protection is governed by articles L. 554-1 et seq. of the French code for the entry and residence of foreign nationals and the right to asylum (CESEDA), providing that "access to the labour market may be authorised for asylum applicants when the OFPRA, for reasons not imputable to the applicants, has not ruled on the asylum request within six months from the filing of the request", the Council of State through the decisions no. 450285, 450288 of 24 February 2022, partially cancelled this article for applicants for international protection coming under the Dublin procedure, as it excludes access to the labour market for asylum seekers subject to a transfer decision in application of the (EU) decision no.604/2013.

Article L.554-1 of the CESEDA continues to apply to the other applicants for international protection.

However, France plans to change its legislation in order to allow for faster access to employment for applicants with nationalities subject to high levels of protection.

Driver: Access to the labour market was closed for people subject to a transfer decision to another EU Member State under the Dublin III regulation that cannot file their requests with the OFPRA.

Considering that the right to work could not be limited to asylum applicants that have filed a request with the OFPRA, the Council of State ruled that the right to work cannot be limited to asylum applicants that have filed a request with the OFPRA.

5.1.2 ASYLUM PROCEDURE – OPERATIONAL ASPECTS

i. Time limits and case management

Development: The average overall time period for the Structures for the Initial Reception of Asylum seekers to the definitive decision on the asylum request was 365 days in September 2022, in a context of a rebound in asylum requests.

This time period is an improvement compared to 2021 (487.6 days) and 2020 (447 days).

In prefectures, the legal registration deadline (three days) is managed (five and a half days in September 2022 compared to eighteen days at the beginning of 2018).

Thanks notably to reinforcements allocated to the OFPRA (200 full-time employees), the average time taken by OFPRA to examine is now in the order of 4,9 months (148

days), the trough of the last twelve years has been reduced to 5,2 months over the whole of 2022, reaching even a trough of 4 months at the end of the year. Particular attention has been paid to the handling of the oldest cases. Thus, the share of cases exceeding one year's seniority in pending applications was reduced to 3.4 % at the end of the year.

This improvement in the average processing time continued according to the annual mission performance trajectory, coming close to 100 days at the end of 2022 and aiming for the target of 60 days in 2023 set by the French President.

Objective: The aim is to reduce processing times for asylum applications, on the one hand to allow beneficiaries of international protection to more rapidly enter an integration path, and on the other to more rapidly draw the conclusions of rejected applications, and enable an effective return of people whose applications have been rejected to their countries of origin.

Driver: The continued increase in requests for asylum is a challenge for maintaining the time periods.

ii. Digitisation of the procedure/Data management elements

Development: On 2 May 2022, the dematerialisation procedure for notifications and decisions from the OFPRA, which was already in force in Brittany and Nouvelle-Aquitaine, was generalised to all of the other regions in mainland France, by virtue of a ministerial decision of 25 April 2022 pursuant to the law no. 2018-778 of 10 September 2018.

This teleservice provides asylum seekers (with the exception of applicants under Dublin procedures, unaccompanied minors (UAM) and applicants showing situations of vulnerability) with a secure, personal digital space, where the different letters related to the processing of asylum applications that the OFPRA sends them, notably the invitation to an interview and the final decisions on their asylum applications, are placed. The concerned applicants receive a dedicated notice at the single-desk contact point (GUDA) as soon as their asylum application is recorded.

Objective: The objectives pursued by this dematerialisation are:

- The autonomy and ease of access (from any computer terminal, without needing to physically travel);
- Time savings;
- Individualised monitoring and support (for the use of the system and access to documents from the national reception system up to the end of the procedure).
- The conservation of all documents in the applicant's secure, personal digital space.

Driver: This change will allow for a reduction in postal expenses, a reduction in time periods and better accessibility to the documents.

This is an innovation in the procedure which should greatly change the nature and time periods for the procedures

5.1.3 MAINTAINING FAMILY UNITY⁹ FOR ADULT APPLICANTS FOR AND BENEFICIARIES OF INTERNATIONAL PROTECTION

On 6 September 2022, the APAGAN unit created a functional email address responsible for processing requests for family reunification formulated by Afghan nationals. In order to reduce response times, part of the email processing was outsourced via an artificial intelligence solution.

Since 6 September, the email address has received 16 403 messages, for an estimate of 90 000 people concerned.

5.2 RELOCATION AND RESETTLEMENT

5.2.1 RELOCATION¹⁰

Development: In June 2022, 21 Member States and Associates agreed on a new voluntary relocation mechanism for asylum seekers arriving in five Mediterranean countries: Italy, Spain, Cyprus, Malta, Greece.

Objective: France was particularly active in negotiating this new arrangement, adopted under the French Presidency of the European Union. It has committed to relocate 3 000 asylum seekers by summer 2023 from the 5 Member States of the Mediterranean Basin (Med5). The aim is to support these countries in the face of pressure on their asylum systems, in particular as a result of the arrival of particularly vulnerable applicants rescued by NGO vessels in the Central Mediterranean.

Driver: Relocation is a European mechanism which allows derogations from the provisions of the Dublin III Regulation by transferring asylum seekers in need of protection from one Member State to another. This is a demonstration of solidarity and responsibility sharing with countries hosting large numbers of asylum seekers arriving, in particular as a result of rescue operations at sea.

Launched in 2015 by the European Commission for a period of two years, this emergency programme was subsequently supplemented by ad hoc arrangements between Member States, such as the one concluded by France with Greece in 2019.

⁹A right to family unity, in the context of a refugee, a right provisioned in Art. 23 of Directive 2011/95/EU (Recast Qualification Directive) and in Art. 12 of Directive 2013/33/EU (Recast Reception Conditions Directive) obliging EU Member States to ensure that family unity can be maintained.

¹⁰ Relocation: The transfer of persons having a status defined by the Geneva Refugee Convention and Protocol or subsidiary protection within the meaning of Directive 2011/95/EU (Recast Qualification Directive) from the EU Member State which granted them international protection to another EU Member State where they will be granted similar protection, and of persons having applied for international protection from the EU Member State which is responsible for examining their application to another EU Member State where their application for international protection will be examined. In the context of the EU emergency relocation programme, the transfer of persons in clear need of international protection, as defined in Council Decision 2015/1601 and 2016/1754, having applied for international protection from the EU Member State, CH or NO which is responsible for examining their application to another EU Member State, CH or NO where their application for international protection will be examined (see EMN Glossary v7.0 relocation (europa.eu)).

As the Valletta Declaration has produced insufficient results, this new mechanism aims to respond more effectively to the needs of solidarity before the adoption of the Pact and its provisions on solidarity measures.

5.2.2 RESETTLEMENT AND HUMANITARIAN ADMISSION PROGRAMMES¹¹

Development: In 2022, France remained fully committed to receiving resettled refugees with an objective of welcoming 5 000 resettled refugees this year from nine countries of first asylum (Lebanon, Türkiye, Jordan, Egypt, Niger, Chad, Ethiopia, Cameroon and Rwanda). However, these objectives had to be readjusted downwards, to around 3 000 individuals received during the year, to take into account the country's reception capacities.

As at 31 December 2022, 3 047 refugees had been welcomed to France under the resettlement programme:

- 5 refugees from Ethiopia;
- 189 refugees from Niger (including people evacuated from Libya);
- 319 refugees from Chad;
- 226 refugees from Cameroon;
- 267 refugees from Rwanda (including people evacuated from Libya);
- 431 refugees from Egypt (including people evacuated from Libya);
- 210 refugees from Jordan;
- 678 refugees from Turkey;
- 722 refugees from Lebanon.

In addition, under the bilateral framework agreement concluded between France and UNHCR in February 2008, 117 refugees of very diverse nationalities were resettled to France in 2022.

Objective: France remains fully committed to supporting international solidarity in the resettlement of refugees in need of protection and sustainable integration solutions. Since 2014, large-scale resettlement operations have been carried out in some countries of first asylum in the Middle East and Africa, where France has committed to hosting refugees identified in an extremely vulnerable situation and eligible for resettlement by UNHCR. Once selected, the refugees resettled in France are directed towards permanent housing and receive comprehensive care and support by an contracted operator for one year.

Driver: France's resettlement targets for 2022 have been adjusted to 3 000 refugees so that France can continue its action in favour of vulnerable refugees in need of resettlement, while remaining fully mobilised on various reception facilities, in particular as part of the implementation of temporary protection for displaced persons from Ukraine (100 000 persons received in Ukraine in a few months). This revision of

¹¹ Resettlement: In the EU context, the transfer, on a request from the United Nations High Commissioner for Refugees (UNHCR) and based on their need for international protection, of a third-country national or a stateless person, from a third country to an EU Member State, where they are permitted to reside with one of the following statuses: (i) refugee status within the meaning of Art. 2(d) of Directive 2011/95/EU (Recast Qualification Directive), (ii) a status which offers the same rights and benefits under national and EU law as refugee status (see EMN Glossary v7.0 [resettlement \(europa.eu\)](#)).

the objectives also takes into account the constraints on the reception system for asylum seekers and refugees, in a context of a significant increase in asylum applications on the territory.

Development: Since May 2021, and following the seizure of power by the Taliban in Afghanistan, France has participated in the evacuation of nationals from Afghanistan via the so-called Operation APAGAN. In 2022, Operation APAGAN was still on-going with around forty arrivals to take in each week over the first half of the year.

The arrivals, from the evacuation operations, took place in three main flows:

- First flow before the fall of Kabul: arrival of 623 Afghan ADL employees between May and July 2021;
- Second flow, Operation 'Apagan-Abu Dhabi': 2 805 people airlifted to France in 16 flights between 17 and 29 August 2021, with a large majority of Afghans (2 635 out of 2 805, or 94%), the remaining 6% being French citizens;
- Third flow, as at 8 April 2022, 1 809 people had arrived in France since 13 September 2021 either by evacuation flights from Afghanistan via Doha (532 people) or by commercial flights from neighbouring countries (557 people).

As at 22 April 2022, 4 517 people had benefited from evacuation operations to which can be added 2 580 Afghan nationals that had obtained long stay visas (mainly family reunification, family regrouping and asylum). In total, since Spring 2021, 7 097 nationals had been brought to France.

As at 30 September 2022, 3 390 asylum requests had been filed by Afghans evacuated during Operation APAGAN.

Objective: The evacuation of nationals from Afghanistan following the seizure of power by the Taliban.

Development: A protocol on the implementation of humanitarian corridors was signed on 14 March 2017 between the Ministry of the Interior, the ministry of Europe and foreign Affairs and five confessional associations, for 500 Syrian and Iraqi nationals in need of protection and in situations of vulnerability in Lebanon. Since this protocol reached its objectives (504 persons), was renewed during 2021 with a total objective of receiving 600 Syrians or Iraqis between 2021 and 2023. These refugees, welcomed to France under asylum visas, were then taken in by the signatory associations to the protocol.

As part of this same system, 99 agreements have been issued since January 2022 and as many people have arrived in France.

Objective: This protocol was renewed during 2021 with an objective of 600 people welcomed over three years.

Driver: As the objectives of the First Protocol have been met and the protection needs in Lebanon have not diminished due to the very sharp deterioration of the situation in Lebanon, the programme has been renewed with a slightly higher target

6 Minors and other vulnerable groups

6.1 IDENTIFICATION, REGISTRATION, RECEPTION OF MINORS

6.1.1 IDENTIFICATION AND REGISTRATION OF MINORS

Development: The law no. 2022-140 of 7 February 2022 on childhood protection and the introduction of article L.221-2-4 in the Code for social action and families.

Objective: This new article of the Code for social action and families aims to set the framework at legislative level for the shelter and assessment of people claiming to be unaccompanied minors by giving the competency to the president of the departmental council, as leader in childhood protection. In this respect, the new article L.221-2-4 of the Code for social action and families (CASF) generalises the presentation of the young person in the prefecture in order to implement the minor-status assessment support protocol (AEM) when the minor status of the person being assessed is not clear. Moreover, it aims to promote compliance with its obligations by the Departmental Council by ensuring that the State provides a flat-rate contribution to the expenses committed by the departments for the shelter and assessment of the minor status and separation. This contribution may be modulated if, on the one hand, the Departmental Council responsible for the assessment does not organise the presentation of the person in the prefecture for the AEM protocol or, on the other hand, if it does not organise the transmission, each month, of the dates and direction of the individual decisions taken after the assessments.

Development: **Pursuant to the law no. 2022-52 of 24 January 2022, the circular of 12 July 2022 of the Ministry of Justice on improving the processing of acts of delinquency committed by people claiming to be unaccompanied minors (UAM) presents two main focuses: firstly, improvements to the identification of the suspects claiming to be UAMs in order to ensure appropriate criminal orientation and, secondly, the implementation of a jurisdiction policy and a mobilisation of stakeholders specialised in care for UAMs.**

Objective: **Fight more effectively against delinquency by UAMs thanks to** better identification and assessment of the situations of UAMs that are suspects in criminal affairs. Avoid situations where adults are directed to reception places and mechanisms reserved for minors.

Driver: **A minority of UAMs has difficulties in integrating the assessment, protection and integration mechanisms. The judicial institution is liable to know some of them as part of the criminal framework as they are sometimes distant from the protection institutions and fall into delinquency networks. These types of delinquency test the judicial mechanisms and the educational care usually set up, given their specificities.**

This change implements and manages a coercive reporting mechanism applicable to minors as part of criminal proceedings.

Development: The law no.2022-52 of 24 January 2022 on criminal responsibility and internal security for which the provisions are presented in the circular of 28 March 2022 provides for provisions on criminal responsibility and internal security enabling the use of forced fingerprinting and continued detention of suspects despite errors on adult or minor status.

The circular presents the regime applicable to adults and minors. It provides additional guarantees applicable to minors due to their vulnerability. This possibility is reserved for minors that are manifestly aged over thirteen, and who, as a result, are liable to be taken into custody.

Objective: Implement a managed mechanism allowing the use of force to obtain fingerprints, hand prints and photographs of suspects that refuse to identify themselves, in order to more effectively determine their identity and age.

Driver: Faced with difficulties in identifying suspects without identity papers, who refuse to identify themselves or use different names or aliases, it appeared necessary to provide for a mechanism that authorises the use of strictly managed force to obtain their fingerprints, hand prints and photographs.

6.1.2 HUMAN TRAFFICKING OF MINORS

Development: A day of training on care of UAMs was organised on 8 December 2022, at the National School of Judicial Protection for Young People for professionals responsible for the care of unaccompanied minors (UAM).

Objective: Provide expertise in terms of trafficking in human beings and develop inspiring share practices. The aim is to raise awareness of professionals and deepen/harmonise good practices in the care of UAMs in the EU, and thus improve their support (educational approach to criminal affairs, health, sociology and trafficking in human beings).

Driver: This training day was organised within the framework of the European EUPROM (*European Union Protection of Unaccompanied Minors*) project steered by the Directorate of Judicial Protection for Young People (DPJJ) in connection with the National School of Judicial Protection for Young People (ENPJJ). This project involves France, Spain, Italy and Sweden and aims to prepare an overview of operations in each Member State with regard to the care of UAMs and to identify shared challenges, as well as good practices, in order to create synergies within the European Union on the issue of UAMs, through a comparative approach.

On 21 and 22 June 2022, the 'École nationale de protection judiciaire de la jeunesse' hosted, as part of the French Presidency of the Council of the European Union, a symposium on the assessment of the needs of unaccompanied minors, organised by the international hub of the Directorate for Judicial Protection of Youth (DPJJ), which addressed the issue of trafficking and exploitation of unaccompanied minors.

6.1.3 RECEPTION FACILITIES FOR MINORS

Development: **The law no.2022-140 of 7 February 2022 on childhood protection amends the criteria for the distribution of separated foreign minors in France, by adding two new criteria: a socio-economic¹² criterion and the number of UAMs that became adults cared for by the departments, in order to take into account the socio-economic situation of the departments and their level of commitment to UAMs when they reach 18 years.**

Objective: **Spread the effort between different departments and encourage support for young adults.**

¹² The socio-economic criterion will be defined by a decree currently being prepared and arbitrated during the drafting of this report.

Driver: **This law aims to improve and supplement the national strategy for childhood protection and protection of 2020-2022 by meeting the issues highlighted following surveys of testimonies for children that were previously concerned.**

The distribution criteria for UAMs were based up to now on demographic and geographical distance factors.

This is a substantial modification to the distribution method for separated foreign minors in France.

Article 7 of the law of 7 February 2022 prohibits the reception of minors and protected young adults in hotels by 2024. Until this prohibition enters into force, no child may be accommodated for over two months in a hotel, and this accommodation must take place with reinforced physical safety and educational conditions. A draft decree is being prepared to stipulate the transitory measures until 2024.

Development: The law no.2022-140 of 7 February 2022 on childhood protection sets at the legislative level the framework for the shelter and assessment of people claiming to be unaccompanied minors as part of a temporary emergency reception. The law also provides that a person claiming to be a UAM should be able to benefit from a period of respite as part of the temporary emergency reception. Moreover, law no. 2022-140 of 7 February 2022 on childhood protection provides that:

- The services responsible for the social assessments must be social services and medical-social services establishments, thus subjecting these services to the rules of authorisation, control and functioning defined in the Code for social action and families;
- The young people claiming to be UAMs are sheltered in establishments authorised and controlled by the president of the Departmental Council for the care of minors and protected young adults under 21 years.

Objective: These provisions aim to provide better care for young people claiming to be UAMs. These are substantial new guarantees provided by law leading to better care of UAMs.

Development: **Through a decision of 21 November 2022**, departments that receive an additional number of unaccompanied minors (UAM) at 31 December 2021 compared to 31 December 2020 receive exceptional State financing. **The amount of this financing is set at €6,000 per young person for 75% of additional young people cared for by child welfare services (ASE) at 31 December 2021 compared to 31 December 2020. This number is rounded up to the next whole number.**

Objective: Support the additional care by certain departments for UAMs entrusted to the child welfare authorities (ASE) by a legal decision.

Driver: Increase support by certain departments for UAMs entrusted to the child welfare authorities (ASE) by a legal decision between 31 December 2020 and 31 December 2021.

6.2 ACCESS TO STATUS DETERMINATION PROCEDURES AND PROCEDURAL SAFEGUARDS FOR MINORS

6.2.1 PROCEDURAL SAFEGUARDS IN THE ASYLUM PROCEDURE FOR MINORS

Development: As from 01/05/2022, generalisation through metropolitan France of the notification by any means of the invitation to the personal interview and decisions and other correspondence from the OFPRA ([article L. 531-22](#) and [article R.531-17](#) of the CESEDA amended by [Decree no.2018-1159 of 14 December 2018](#)). However, unaccompanied minors are exempt from this paperless notification system (exemption provided in paragraph 5 of I. of [article R.531-17](#) of the CESEDA). The invitation to the personal interview, decisions and other mail related to the processing of asylum applications by the OFPRA concerning them continue to be sent by post to their legal representative (tutor, parental authority delegate or *ad hoc* administrator) with a copy sent to the minor.

Objective: Take into account the vulnerability of unaccompanied minors.

6.2.2 AGE ASSESSMENT

Development: Article 40 of the law no.2022-140 of 7 February 2022 on childhood protection amends the normative framework for the assessment of the minority and isolation of persons presenting themselves as an unaccompanied minor (UAM) carried out by the Departmental Councils and makes the use of the support file for the assessment of minor status (AEM) compulsory. All individuals that claim to be minors must be recorded in the AEM file at the prefecture, "unless the minor status of the person is manifest".

The use of the "Assistance in the Evaluation of Minors" (AEM) scheme, already deployed in the majority of prefectures, becomes mandatory. This scheme helps departmental councils to identify young people by means of their fingerprints and photos. It also makes it possible to detect whether a young person has already been assessed by another department.

The law also prohibits a departmental council from reevaluating the minority and the isolation of young people declaring themselves to be MNA.

Objective: Avoid administrative nomadism. Improve the administrative management of the minor status assessment.

Driver: This law aims to improve and supplement the national strategy for childhood prevention and protection of 2020-2022 by meeting the issues highlighted following surveys of testimonies for children that were previously concerned.

One of the main changes is the improvement of the administrative management related to minority assessment.

The departmental councils responsible for evaluation must sign an agreement with the prefectures to organise the presentation of young people in the prefecture.

This law imposes a new obligation related to the assessment of an individual's minor status.

Development: Article 39 of the law no.2022-140 of 7 February 2022 on childhood protection prohibits the reassessment of minor status and isolation of UAMs by the Departmental Councils, if the latter have already been declared minors in another department.

Objective: Fight against attempts to use the childhood protection system by separated adults as part of a wider framework to improve the distribution criteria for unaccompanied foreign minors.

Driver: This law aims to improve and supplement the national strategy for childhood prevention and protection 2020-2022

and avoid a second assessment in a second department, when the minority status has already been proven in the initial department.

6.3 INTEGRATION OF MINORS

6.3.1 INTEGRATION POLICIES FOR MINORS AT NATIONAL/REGIONAL LEVEL

As part of the 2022 national call for projects, the Ministry of the Interior and Overseas highlighted the importance of combining mechanisms of support towards employment and language learning for parents with childcare for children under three on the same site as the training.

As part of the 1,000 first days plan implemented by the Ministry for solidarities, a training plan for childhood professionals covers the topic of interculturality and acquisition of the language for non-French speaking children.

6.3.2 ACCESS TO SERVICES/RIGHTS FOR MINORS

i. Access to healthcare

Development: An inter-ministerial information note of 18 November 2022 presents the guide of good practices for the first assessment of the health needs of people claiming to be minors, and deprived of the protection of their families during the temporary emergency reception phase, for professionals involved in their care. **The guide stipulates the different stages of the health appointment, the organisational modalities of this assessment and the rules on the consent of the young person and the sharing of information between the different participants. It also provides clarification on the opening of rights during this period.**

Objective: The healthcare needs assessment is different from the assessment on minor and separated status. It aims to direct the person as early as possible towards care adapted to their healthcare needs. The preparation of this guide of good practices aims to stipulate how to put into practice the healthcare needs assessment during the temporary emergency reception period.

Driver: As part of a temporary emergency reception in order to assess the minor and separated status of a person that claims to be a minor and who is unaccompanied, an initial assessment of their healthcare needs is also carried out. This guide was also prepared based on an opinion from the High Council for Public Health (HCSP) on the healthcare assessment of unaccompanied foreign children ([opinion of 7 November 2019](#)).

ii. Other

Development: **The decree no.2022-1730 of 30 December 2022 stipulates** the conditions for experimenting a departmental committee for childhood protection). **The departments can set up**, as an experiment and for a maximum duration of five years, **a departmental committee for childhood protection. This is a** strategic coordination and decision body, **which carries out the** inter-ministerial coordination

of all childhood protection stakeholders in the region **and monitors the consistency of their actions.**

Objective: **Ensure the inter-ministerial coordination of all childhood protection stakeholders at the department level and monitor the consistency of their actions.**

Driver: **The creation of this committee comes under** the application framework of article 37 of the new law of 7 February 2022 **on childhood protection, and will be complimentary to the departmental childhood protection observator) created in accordance with the law of 5 March 2007, which works within the framework of the departmental childhood protection scheme.**

iii. Specific case of minors who do not apply for asylum but are involved in another migration procedure

Development: The law of 7 February 2022 broadens the possibility of admission to residence of people placed with a trusted third party.

Objective: Broaden the possibilities of admission to residence and promote this type of reception (with a trusted third party), and no longer limit admissions to residence to UAMs placed at the ASE.

Development: **Since January 2022**, requests for travel documents for minor foreign nationals (DCEM) are carried out entirely online.

Objective: Simplify the procedures, more rapidly process the requests **and** limit travel to the prefectures.

Driver: **This change is a** new stage in the process of modernising the service provided to foreign users, as part of the ANEF¹³ **(Digital administration of foreign nationals in France) project and the schedule for its deployment ([available online](#)).**

6.3.3 TRANSITION TO ADULTHOOD

Development: **Article L.222-5-1 of the Code for social action and families, amended by article 16 of the law no.2022-140 of 7 February 2022 provides that** the interview which takes place one year before the age of eighteen should enable UAMs to be informed that they benefit from support from the ASE in their procedures to obtain a residence permit or to file a request for asylum.

Moreover, the law makes it compulsory to support young people entrusted previously to the ASE until the age of 21.

Objective: Avoid gaps in their rights for young people when they become adults.

Anticipate the question of the lawfulness of the stay and better inform the NAMs of ESA's support for the submission of an asylum application, echoing the finding that the asylum application has not been used a lot.

¹³ In the longer term, the Digital administration of foreign nationals in France (ANEF) aims to dematerialise all procedures for access to nationality and residence.
<https://www.immigration.interieur.gouv.fr/Info-ressources/Actualites/L-actu-immigration/Qu-est-ce-que-l-Administration-Numerique-pour-les-Etrangers-en-France> last accessed on 20/12/2022.

Driver: **The change in the modalities for the interview aim to meet the finding, in certain situations, of administrative gaps at the age of eighteen, due to lack of anticipation.**

The law of 7 February 2022 aims to improve support for UAMs and anticipate the issue of legality of residence when they become adults.

6.4 INTERNATIONAL PROTECTION OF MINORS: ACCESS TO THE ASYLUM PROCEDURE FOR MINORS

There were no legislative, regulatory or policy developments in 2022 on the asylum procedure of UAMs. However, in order to raise awareness of access to the asylum procedure for NAMs, training and communication activities have been carried out by the Directorate for Asylum and OFPRA (see Action No 9 of the Vulnerability Plan) for all professionals in the field of childhood and prefectures.

7 Integration and inclusion of adult migrants¹⁴

7.1 NATIONAL INTEGRATION STRATEGY

i. Developments/changes in the national integration strategy (in general or targeting specific groups)

Development: In 2022, France made the effective integration of foreign nationals legally residing in France (including the beneficiaries of international protection (BIP)), a public policy priority contributing to the cohesion of our society.

The instruction NOR INTV2202529J of the Minister of the Interior and the Delegated Minister to the Minister of the Interior, responsible for citizenship, of 25 January 2022 defined five priority action focuses:

- The integration through employment of eligible foreign nationals; as a priority to promote the autonomy and integration of foreign nationals, and which also meets the recruitment needs of a number of economic sectors.
- The granting of specific attention to BIPs and foreign women who, due to their vulnerabilities, may meet more significant integration difficulties.
- The involvement of civil society: through actions to create connections with French people and to value paths, in order to support the integration efforts of foreign nationals and contribute to “changing how foreign nationals are viewed”.
- The deepening of the momentum of the integration regions with the local authorities, who have key competencies in terms of housing, social action, healthcare and training.
- The effective coordination of actions between the State’s services and operators.

Objective: The aim of the integration policy is to support eligible foreign nationals during their first years of residence, in order to facilitate their social and professional integration and their French language learning.

Driver:

- Issue of knowledge of French and its learning
- Issue of access to employment and disqualification in view of diplomas and/or experience acquired in the country of origin.
- Issue of specific vulnerabilities.

The definition of these integration policies outlines a strategy to be followed for the year.

¹⁴ The European Commission against Racism and Intolerance (ECRI) considers integration to be a two-way process with society, governments and local authorities facilitating, supporting and promoting the integration efforts of individuals. Inclusion is an approach that values diversity and aims to afford equal rights and opportunities by creating conditions which enable the full and active participation of every member of society.

Development: In 2022, France rolled out the AGIR programme (Comprehensive and tailored support for refugees) in order to make support towards employment and housing of the BIPs systematic.

The programme consists of setting up a departmental single-desk contact point for the integration of refugees aiming to provide comprehensive and tailored support to the refugees, for a maximum of 24 months.

- Opening of rights; support towards housing and employment/training by building on and organising with the public job service.
- The specialisation of programmes outside of AGIR, towards which the AGIR service provider will be responsible for directing the BPIs according to their needs: employment (training/contact with employers/French for business purposes or on specific subjects); language; healthcare; mobility; meeting the welcoming company, etc.

The AGIR programme is being rolled out in three stages - between 2022 (26 departments), 2023 (26 new departments) and 2024 (generalisation throughout France).

Objective: The aim of the programme is to facilitate for each programme applicant access to their rights (right to residence, social and family benefits, access to healthcare, notably mental health, support for parenthood, access to a bank account, exchange of driving licence etc.), to long-term accommodation adapted to their personal and family situation, and to long-term employment or certifying or qualifying training.

Driver: In 2021, almost 54 000 people obtained international protection from the OFPRA or the National Court for the Right to Asylum (CNDA). In 2022, this figure was almost 56 000 beneficiaries of international protection. The integration of the BIPs is defined as a major issue for the cohesion of French society.

Access to housing and employment for the BIPs are priority mobilisation focuses. The success of this new programme is also based on good coordination and organisation of all local integration stakeholders, including institutional stakeholders (decentralised State services, common law operators such as the public job service), the regional authorities and specialised operators, under the steering of the departmental and regional prefects. The implementation of the AGIR programme provides a harmonised and systematic response throughout France.

Development: Since 1 January 2022, the Republican Integration Contract (CIR) has been reinforced pursuant to the decree no. 2021-1790 of 23 December 2021 and the decisions of 30 December 2021 on civic and language training and the standard version of the CIR.

Within this framework, the contracts passed by the OFII were renewed and the specifications for training reviewed with the aim of improving the quality of training. A new positioning and language certification contract was also set up, the changes are presented in sections 4.4 and 4.7.

Objective: This system pursues the reaffirmed aim of ensuring professional, social and language integration.

Driver: This contract takes into account the result of the evaluations carried out in 2020-2021 on language and civic training which notably recommends a better consideration of the professional aspect and an improvement to the quality of language training paths.

ii. Distribution of responsibilities for integration policy between national, regional, and local authorities

Development: In 2022, the partnership mechanism with the regional authorities, called "Integration Territories", which was rolled out in 2021 as regional reception and integration contracts and projects (CTAI/PTAI) was extended and reinforced with an increase in the dedicated resources (reaching €10 million) and a simplification of the mechanisms with the grouping of the CTAI and PTAI into a single instrument: the regional reception and integration contracts (CTAI).

Objective: The objectives set for 2022 within the instruction of 25 January 2022 NOR INTV2202529J of the Minister of the Interior and the Delegated Minister to the Minister of the Interior, responsible for citizenship, are notably:

- The mobilisation of the competencies of the authorities on at least two areas of integration, including a mandatory "housing" focus when the signatory authority is competent;
- The systematisation of the opening of the CTAI to all newly-arrived foreign nationals;
- The involvement of all of the communal block (central commune and inter-communalities), with the possibility of opening the approach to other levels of authorities in view of their competencies (social action for the departmental councils, vocational training for the regional councils, etc).

Driver: This approach is based on the finding that, while the responsibility for admission to legal residence to France of foreign nationals lies with the State, which must mobilise the resources required to facilitate their reception and support as part of the Republican integration paths, the regional authorities hold key competencies, that it is important to mobilise in order to promote their integration in their everyday environment, for example, in terms of social action, integration, economic development and vocational training, mobility, healthcare, support for parenthood, and childcare and housing.

7.2 INVOLVEMENT OF MULTI-STAKEHOLDERS INCLUDING NON-GOVERNMENTAL ORGANISATIONS

Development: The civic service is a flagship focus of the youth engagement policy, carried by France. The implementation of the civic service programme, Volont'R, continued in 2022.

In 2022, around 11 000 young volunteers, including 1 000 newly-arrived foreign nationals and BPIs, were able to benefit from French lessons, reinforced tutoring, support in a future project, as well as the coordination of the programme at the regional and/or departmental level, notably through the organisation of regional meetings.

Objective: The aim is to facilitate the social, cultural and even professional integration of young newly-arrived foreign nationals, and also to contribute to changing how migration is viewed.

Driver: The civic service promotes learning of French language and the development of social skills, enabling the participants to acquire skills that are recognised in the labour market and better understand how French society functions.

Development: The 2022 Integration Week from 17 to 21 October for newly-arrived foreign nationals organised by the Ministry of the Interior and Overseas Territories (MIOM), the inter-ministerial delegation responsible for the reception and integration of refugees (DIAIR), and its other inter-ministerial partners, focused on the regions by mobilising the local stakeholders and partners directly involved in the reception and integration of the newly-arrived foreign nationals.

Objective: The Integration Week has several objectives¹⁵:

- Offer a time for promotion and discussion around the actions implemented by all of the stakeholders mobilised throughout France for the integration of newly-arrived foreign nationals;
- Carry actions on reinforcing the awareness by foreign nationals of the offer of services available to promote their integration.
- Promote the progress achieved in terms of the integration of newly-arrived foreign nationals, by highlighting the regional initiatives.

Driver: Improve the visibility of actions and share good practices of the integration stakeholders.

7.3 EDUCATION AND TRAINING

7.3.1 BASIC SKILLS AND LANGUAGE TRAINING

Development: As part of the reinforcement of the CIR implemented for newly-arrived foreign nationals, the language positioning test was reinforced, with, at the reception stage with the OFII, an assessment of the level of French by an external service provider, extended to the level below A1 up to level B1 of the Common European Framework of Reference for Languages¹⁶. The level of education of the signatories is also taken into consideration for directing them to the set language training programmes.

Signatories that are close to the level A1 at the end of the set 400 and 600 hours may now benefit from a bonus of 10% of the hours.

The signatories are also encouraged to register more widely in additional A2 paths (100 hours) and B1, which is now 100 hours.

The use of distance learning has also been facilitated and managed, for people in employment or who have difficulties in travelling.

The "Qualopi" quality certification is now compulsory for the training organisations that are OFII service providers.

Objective: The educational materials for the CIR language training were renovated to promote professional role playing and improve support for non-readers/non-writers, with the 400- and 600-hours packages now focusing on starting to read and write in adulthood.

The educational materials for the CIR civic training were renovated to promote understanding of the functioning of the public job service.

¹⁵

<https://www.immigration.interieur.gouv.fr/Integration-et-Acces-a-la-nationalite/Semaine-de-l-integration-des-etrangers-primo-arrivants-en-France-du-17-au-21-octobre-2022>

¹⁶ Decision of 3 May 2022 on the language training for beneficiaries of temporary protection (for the BPI)

Driver: As part of the Republican integration path, learning of French language, support towards employment and vocational training are essential conditions for social integration, becoming autonomous in administrative procedures, finding a job, participating in children's education.

Development: The 'Opening up schools to parents for children's success" (OEPRE) mechanism, which contributes to better mastery of the language, understanding of the Republic's values and understanding of the functioning of schools, continued in 2022.

On 9 May 2022, over 70 stakeholders of the OEPRE mechanism met in Paris during the fifth national meeting, under the leadership of the General Directorate for Foreign Nationals in France (DGEF) and the General Directorate for school education (DGESCO) for discussions and workshops which outlined the progress focuses to affirm the place of OEPRE even further as a key mechanism for the integration of foreign parents and their children, and effectively extend it everywhere it is needed.

In 2021-2022, the first reports indicates that 16 863 parents took part in 1 067 workshops. In 2022-2023, 1 190 workshops received 18 496 beneficiary parents.

Objective: The aim is notably to develop this mechanism in the disadvantaged neighbourhoods, by highlighting the priority city neighbourhoods in priority education networks and reinforced priority education networks and fragile rural areas that welcome eligible foreign nationals. This mechanism also helps mothers, who have sometimes lived for some time in France, to become less isolated.

Driver: It was considered essential by France to explain and promote the values of the Republic and the concept of citizenship to the new arrivals.

7.3.2 OTHER FORMS OF EDUCATION/TRAINING

Development: On 12 July 2022, the ministry of the Interior and Overseas, the Centre for National Monuments (CMN) and the OFII signed an unprecedented partnership that aims to facilitate access for newly-arrived foreign nationals that have signed the CIR to the national monuments. This partnership will be rolled out for two years around several components:

- Signatories of the CIR can visit a national monument, free of charge, accompanied by a person of their choice.
- During the CIR language and civic training, trainers also have the possibility of organising visits to national monuments with their students.

Objective: Participate in integration through culture by facilitating the access of newly-arrived foreign nationals that have signed the CIR to national monuments.

Driver: Access to places of culture, such as historical monuments, libraries, museums, theatres, conservatories or schools of music and to cultural practices promotes learning of the French language. It also enables the person to discover French society, the history of France and Republican values.

7.4 LABOUR MARKET AND SKILLS

7.4.1 MEASURES TO FACILITATE THE RECOGNITION OF SKILLS

Development: The General Directorate for Foreign Nationals in France (DGEF), the general delegation for employment and vocational training (DGEFP) and the general directorate for school education (DGESCO) have undertaken over the last few years to adapt the procedure for validating prior experience (VAE) and support towards

validating qualifications using mechanisms that are more accessible to foreign populations.

As part of the ongoing reform to the modalities of the VAE, experiments have been deployed on the implementation of an adapted procedure and simplified acceptance for all employees and job seekers. The most recent experiment (REVA 2) which will end in June 2023, concerns a list of 20 diplomas and vocational certificates in the health and social sector.

The programmes to support eligible foreign nationals in the VAE procedure have been extended and continued in 2022 through two mechanisms:

- The VAE Without Borders programme: aims to propose specific support for foreign nationals to help them in their VAE request. This reinforced support includes language support and also, if applicable, additional technical training. The project is currently being carried out in eleven academies (Lille, Reims, Normandy, Créteil, Versailles, Paris, Dijon, Nancy-Metz, Nice, Toulouse, Montpellier).
- The Experience Without Borders programme, carried out in the Ain, Rhône and Loire departments, provides for the integration of the VAE into a “seamless” path towards employment. The VAE is part of a comprehensive strategy adapted to each foreign national that can mobilise several levers (language training, ‘job’ training, recognition of diplomas via the ENIC-NARIC¹⁷ network, immersion period in companies, support for company creations, etc.).

Objective: The aim is to facilitate the recognition of professional skills by adapting the procedure for the validation of prior experience.

In the longer term, it will make this support systematic in each region as part of a “single-desk contact point” for support towards VAE backed, if applicable by the information and support mechanisms set up by the regional councils.

Driver: The support towards employment is facilitated by the recognition of diplomas and by the valuation of the qualifications and professional experience acquired abroad. In a context of a lack of qualified workers in numerous sectors of activity, these procedures meet a dual challenge of integration without professional declassification and the aim of meeting companies’ needs.

In 2021, 72% of the 108 900 signatories of a CIR declared that they exercised a professional activity abroad, however the unemployment rate of migrants from outside the European Union in France is significantly higher than that of non-migrants: 15.1% compared to 7.4% (INSEE, 2020 employment survey). There is, therefore, a problem with access to employment, on the one hand, and de-qualification with regard to the diplomas and/or experience acquired in the country of origin, on the other hand¹⁸.

7.4.2 MEASURES TO FACILITATE THE RECOGNITION OF SKILLS

Development: As part of the reinforcement of the CIR, the fourth day of civic training has been specialised on employment, to which eligible working age people are directed.

¹⁷ European Network of Information Centres – National Academic Recognition Information Centres <https://www.france-education-international.fr/expertises/enic-naric?langue=fr>

¹⁸ <https://www.interieur.gouv.fr/sites/minint/files/medias/documents/2022-12/06-12-2022-DP-immigration-en-France.pdf> (Debate in the Parliament - 6 December 2022)

An experiment was launched in Île-de-France to offer CIR signatories a professional French language training path.

Objective: The fourth day of civic training focusing on employment enables CIR signatories to obtain all of the information that is useful to access the labour market. Professional French as a foreign language training aims to provide useful language skills for non-French speaking foreign nationals so that they can communicate satisfactorily in their working environments.

Driver: The unemployment rate of migrants from outside the European Union in France is significantly higher than that of non-migrants: 15.1% compared to 7.4% in 2020 (INSEE , 2020 employment survey).

Development: The instruction of 25 January 2022 NOR INTV2202529J of the Minister of the Interior and the Delegated Minister to the Minister of the Interior, responsible for citizenship, indicates that foreign women require specific attention within integration by employment, with the implementation of dedicated programmes, combining the discovery of jobs, awareness raising on diversity, along with training actions and support towards employment.

In this context, it was considered essential that these programmes include an aspect of childcare for children under three years, either by putting people into contact with structures that offer childcare places or child minders and help for obtaining financial support and completing an application, or by facilitating the setting up of pop-up childcare centres by the supported structure.

Objective: The aim is to enable newly-arrived foreign women to access integrated mechanisms that combine professional training and support for parenthood.

Driver: Foreign women have a rate of activity that is lower than newly-arrived foreign men, and a particularly high unemployment rate. In 2020, the unemployment rate of migrant women from outside the European Union was 16.7% compared to 15.1% for migrant men from outside the European Union.

The rate of activity for migrant women is 10 points lower than that of non-migrant women. (61.6% compared to 71.2%). The rate of employment of migrant women is 53% compared to the rate of employment for non-migrant women of 66%.

7.5 BASIC SERVICES

7.5.1. ACCES TO HOUSING

Development: The 2022 Finance Act authorised 800 new places in temporary accommodation centres (CPH), which have almost been completed. The draft 2023 Finance Law provides for the creation of 1 000 new CPH places.

Driver: The issue of integration through housing is at the heart of the integration policies for people with refugee status. Since 2018, annual instructions organise the framework for public action and have enabled an acceleration in the pace of housing construction and renovation.

Development: A stimulus plan for the processing plan for migrant worker hostels (FTM), which provide housing for workers of foreign origin that come to work alone (i.e. that are separated from their families who remain in the country of origin) and who hold a valid residence permit, was launched with additional financing for 2021-2022.

Objective: The aim is to accelerate the rehabilitation of the FTM by targeting the most dilapidated as a priority.

Driver: The FTM, built in the 1950s to meet the urgent need for housing of migrant workers (post-war workforce) and the development of "shanty towns" to house a large number of residents to the detriment of comfort and privacy are often over-occupied (in Île-de-France in particular) and have rapidly deteriorated.

7.5.2 ACCES TO HEALTHCARE INCLUDING IN RELATION TO MENTAL HEALTH

Development: In 2022, the experiment of the "healthcare appointment"¹⁹ which consists of a preventive medical check-up, has been rolled out within several of the OFII's regional divisions and made accessible to signatories of the CIR under certain conditions (important socio-medical vulnerabilities identified during the CIR signature interview).

Objective: Consideration of the healthcare needs of newly-arrived foreign nationals.

Driver: The need to take into account the healthcare needs of newly-arrived foreign nationals is affirmed by the inter-ministerial integration committees of 5 June 2018, the Vulnerabilities Plan of 28 May 2021 and is underlined in the inter-ministerial instruction of 2022. It is with the perspective of a healthcare path based on actions of prevention, information and orientation that the experiment on the healthcare prevention appointment is proposed to the most vulnerable signatories of the CIR²⁰.

7.5.3 ACCES TO SOCIAL SECURITY

Development: Within the framework of the AGIR programme, a social support for access to rights, translating into regular monitoring, appointments approximately every two months and group workshops, and covering rights to residence, social and family benefits, parental advice and administrative procedures, was made available to BPI that have signed the CIR.

Access to social benefits is also the subject of regular discussions with the Ministry for Solidarities and Healthcare. In March 2022, new regulatory provisions in the Social Security Code adapted the list of supporting documents (notably the production of identity documents for the BIPs) to smooth the assignment of the definitive social security number for people born abroad²¹.

Objective: Facilitate access and limit non-use of social rights by BIPs.

Driver: The opening of rights as soon as their status and their good understanding is a fundamental focus of the integration path that notably contributes to guaranteeing a seamless path.

6.5.4 OTHER

Development: Following the experiment launched by the Interministerial Delegation for reception and integration of refugees (DIAIR) in 2021, in collaboration with the Bank

¹⁹ <https://www.ofii.fr/le-rendez-vous-sante-a-lofii-pourquoi-pour-qui-ou/>

²⁰ <https://www.interieur.gouv.fr/actualites/dossiers/semaine-de-lintegration-du-17-au-21-octobre/lintegration-par-sante>

²¹ *MSS - Decree no.2022-292 of 1 March 2022 on the registration of people born abroad awaiting the assignment of the registration number on the national register of physical persons*

of France and institutional, regional and associative stakeholders concerned, awareness-raising kits on access to a bank account were made available to the regions in 2022 for distribution, including versions translated into the main languages of refugees.

Objective: Inform eligible foreign nationals of their right to a bank account.

Driver: The right to a bank account exists, but is insufficiently complied with, whereas it is an essential condition for life in France.

Over the last few months, the procedure for activating the right to an account has been simplified. Since 13 June 2022, the absence of response from the bank within 15 days from the filing of an application is considered as a refusal, and will enable the applicant to contact the Bank of France to apply the right to an account procedure.

7.6 ACTIVE PARTICIPATION OF MIGRANTS AND RECEIVING SOCIETIES IN INTEGRATION

Development: As part of the reinforcement of the CIR, several improvements have been integrated into civic training in 2022, including:

- The renovation of workshops to focus more on professional integration: the three existing workshops (social, cultural, employment) have been replaced by a mandatory "employment" workshop for all working-age signatories, with variations according to their situations, and a social-cultural workshop for the other signatories;
- Two summary booklets on the training and a mobile app dedicated to the signatories, translated into ten languages to enable better understanding of the skills provided.

The use of distance learning (has been facilitated and managed for people in employment or who have difficulties in travelling. New educational materials specifically created to provide civic training in a distance learning format for the first two days.

Objective: Direct the existing civic training towards professional integration and mastery of the French language.

7.7 FIGHTING RACISM AND DISCRIMINATION

Development: In 2022, France committed to fighting against racism, anti-Semitism, and anti-LGBT+ hatred, by launching calls for projects provided with €5 million and carried by the inter-ministerial delegation for the fight against racism, anti-Semitism and anti-LGBT+ hatred (DILCRAH) under the leadership of the Prime Minister.

These calls for projects contributed to the continuation of the National plan for equal rights, against anti-LGBT+ hatred and discriminations for 2020-2023 in France. Amongst these, a week of education against racism and anti-Semitism, organised by the DILCRAH took place from 21 to 27 March 2022. Bringing together the entire educational and training community, including parents and personnel from schools, student and high school organisations, as well as additional educational associations, in particular those that fight against discrimination, xenophobia, racism and anti-Semitism, they enabled all students to be educated about respect for the equal dignity of human beings, whatever their origins, condition or convictions.

Objective: The aim of the calls for projects launched was to support actions of education, prevention, training and assistance to victims as well as communication and the organisation of events connected to the fight against racism and anti-Semitism and the fight against anti-LGBT+ hatred.

Driver: Promoting fraternity, citizen engagement, respect for others and the fight against prejudice is at the heart of the French Government's priorities.

Educating all students on respect for the equal dignity of human beings, freedom of conscience and secularism is one of the schools' missions. It appeared necessary to give a strong national impetus to the educational actions carried out within the field of the prevention of racism and anti-Semitism, defence and promotion of Human Rights and the fundamental principles of the Republic.

8 Citizenship and Statelessness

Development: The generalisation of the dematerialised filing of naturalisation requests via the NATALI teleservice was delayed until the start of 2023.

However, this dematerialisation of procedures, which has been experimented since 5 August 2021 by six naturalisation platforms (Nantes, Nanterre, Toulouse, Rennes, Créteil, Clermont-Ferrand) was extended in January 2022 to two additional platforms (Lyon and Grenoble). See Decision of 11 January 2022 amending the decision of 30 July 2021 setting the schedule for the deployment of the different dematerialised procedures for acquiring or losing French nationality.

At this stage, it only concerns the procedure for acquiring French nationality by decree and will include the declarative procedures at a later date, by 2024.

Objective: This is a new stage in the process of modernisation and broadening of the remote procedures for access to French nationality.

It should enable substantial reductions in the processing times for applications and improve the service provided to users (greater ease and traceability of application filings, real time information on progress, easier communication with the administration).

Driver: The texts providing for a generalisation of NATALI were examined by the Council of State on 19 December 2022. They provide for the extension to all departments (excluding the following DOM/COM: Guyana, Saint-Barthélemy, Saint-Martin, Saint-Pierre-et-Miquelon, Wallis and Futuna, French Polynesia and New Caledonia) of the dematerialised filing procedure as at 1 February 2023.

Development: The decision of 4 February 2022 approved the citizenship booklet that brings together different examples of knowledge expected by the candidate who wants to obtain French nationality.

Objective: Update to the citizenship booklet to enable candidates who come to the interview in order to obtain French nationality to prepare under the best conditions.

Driver: In France, the candidate for access to French nationality must pass an oral interview in the prefecture, sub-prefecture or the consulate. The aim of this interview is to assess the level of assimilation of the person to the French community: their knowledge of French society, their acceptance of the principles and values of the Republic and the way in which they apply them on a daily basis.

This booklet, for which the previous version dated from 2015, included obsolete content, and required an update.

9 Borders, Visas and Schengen

9.1 BORDER MANAGEMENT

9.1.1 ENTRY/EXIT SYSTEM (EES)

Development: Decree no. 2022-1145 of 10 August 2022 creating an automatic processing of personal data for pre-registration systems.

Objective: Contribute to maintaining satisfactory flows for border controls in the perspective of the entry into service of the EES system.

9.1.2 EUROPEAN INTEGRATED BORDER MANAGEMENT (IBM)

Development: The IBM steering committee met in 2022 to monitor the implementation of the national IBM strategy. At the European level, the Commission presented its political orientation document on European integrated border management that will be adapted into the multi-year strategic policy in order to take into account the opinions of the EU Council and European Parliament. These documents constitute important stages in the multi-year policy orientation strategic cycle.

Objective: Improve integrated border management.

9.2 VISA POLICY

Development: Decision (EU) 2022/333 of the Council of 25 February 2022 on the partial suspension of the application of the agreement between the European Community and the Russian Federation to facilitate the issue of visas to European Union and the Russian Federation: suspension of the short term visa waiver for holders of Russian diplomatic passports, suspension of facilitations for the governing class and business community (fewer supporting documents, issue of multiple entry visa, waiver of costs, reduction in processing times).

Objective: Visa restrictions.

Driver: Russian invasion of Ukraine.

Development: Decision (EU) 2022/1500 of the Council of 9 September 2022, on the full suspension of the application of the agreement between the European Community and the Russian Federation to facilitate the issue of visas to citizens of the Russian Federation.

Objective: Visa restrictions.

Driver: Russian invasion of Ukraine.

Development (major) : Decision (EU) 2022/2512 of 14 December 2022 on the non-acceptance of Russian Federation travel documents issued in the occupied territories of Ukraine and Georgia: Russian Federation travel documents issued in the Ukrainian regions or territories that are occupied by the Russian Federation or in the separatist

territories of Georgia, which, at the time of entry into force of this decision, are not under the control of the Georgian government, as well as Russian travel documents issued to people living there, are not accepted as valid travel documents for the issue of a visa or for border crossings.

Objective: Visa sanctions.

Driver: Russian invasion of Ukraine.

Development: Decision (EU) 2022/366 of the Council of 3 March 2022 on the partial suspension of the application of the agreement between the European Union and the Republic of Vanuatu with regard to the short stay visa waiver. Since 2015, Vanuatu has developed programmes to issue so-called "golden" passports to foreign investors, which allow visa-free access to the Schengen area and overseas territories. On a national level, France has extended this measure to the overseas territories.

Objective: Visa Sanctions (Leverage against third countries that implement golden passport programmes).

Driver: Golden passport programme - Nationality against investment.

Development: Implementing decision (EU) 15216/22 of 6 December 2022 providing additional measures to the implementing decision [\(EU\) 2021/1781 of 7 October 2021](#) providing for the temporary suspension of certain provisions of the Community Code on Visas (CCV) with regard to Gambian nationals that have filed a request for a short term visa (ordinary, diplomatic and official passports). The decision applies a fee of €120 for short stay visa requests filed by Gambian nationals, except for categories of applicants exempt from visa fees under the CCV.

Objective: Encourage better cooperation on readmission from third countries.

Driver: Lack of cooperation in terms of readmission.

Development: Introduction of an airport transit visa obligation for Nepalese nationals holding ordinary passports, from 13 January 2022: France has decided to temporarily submit Nepalese nationals to the obligation to have an airport transit visa, following the migratory pressure observed from Nepal. This accelerated during 2021 with a strong increase over the last few months.

Objective: Reduce transit abuse.

Driver: Increase in migratory pressure.

Development: Reform of the contentious procedure for visa refusals - The decrees no. 2022-962 and no. 2022-963 of 29 June 2022 reformed the contentious procedure applicable to visa refusals:

1/ The time period for preliminary contentious appeals is reduced from two months to 30 days;

2/ The assessment of refusals for short stay visas (80% of appeals) is entrusted to a single authority (Sub-director of visas) instead of the visa refusal appeal commission which will continue to assess all appeals for long-stay visa refusals.

3/ The appeal procedure for judgements issued by the Nantes administrative tribunal with regard to short-stay visa refusals is removed (appeal maintained for long-stay visas).

Objective: reinforce the effectiveness of the pre-dispute filter (mandatory preliminary administrative appeal); reduce the number of contentious appeals.

Driver: strong increase in the number of contentious and preliminary contentious appeals.

9.3 SCHENGEN GOVERNANCE

9.3.1 INTERNAL BORDERS (INCLUDING TEMPORARY SUSPENSION OF SCHENGEN)

Development: Reintroduction of internal border controls from 1 April to 31 October 2022, and from 1 November 2022 to 30 March 2023.

Objective: Provide a response to the outside security threats to the internal European Union borders.

Driver: Increase in illegal border crossings at the external European Union borders, war in Ukraine, failures at the external borders.

Development: Addition from November 2022 of a 2-D bar code in field 16 of the 75VI visa sticker in application of regulation EU 2017/1370 of 4 July 2017 and the implementing decision of 13 April 2020.

Objective: Smooth border post crossings.

9.3.2 SCHENGEN EVALUATION MISSIONS

Development: Schengen evaluation of France on visa policy.

The Schengen evaluation of France on visa policy took place on 24 and 25 October 2022 within the visa service of the France Consulate General in Dakar.

This evaluation is part of regulation (EU) 2022/922 of the Council of 9 June 2022 on the establishment and operation of an evaluation and monitoring mechanism to verify the application of the Schengen acquis. It aims to ensure the correct implementation of the provisions of the Visa Code.

The mission report is currently being drafted. It will soon be proposed to the Schengen Committee for adoption and will give rise to the preparation of an action plan by France.

Objective: Respond to the European Commission's remarks on the application of Schengen acquis in the area of visa policy.

9.3.3 OTHER SCHENGEN GOVERNANCE RELATED DEVELOPMENTS

Development: As President of the EU Council in the first half of 2022, France gave a new impetus to Schengen governance by creating a "Schengen" Council bringing together European Interior Ministers as part of a new Schengen cycle. This cycle includes the presentation by the European Commission of a new report on the situation in the Schengen area and the monitoring of actions identified as priorities.

Objective: Reinforce the political steering of Schengen.

Driver: Absence of political discussions on "Schengen" issues to reach decisions.

10 Irregular migration including migrant smuggling

PREVENTING AND TACKLING IRREGULAR MIGRATION IN LEGAL MIGRATION CHANNELS (VISA LIBERALISATION)

Development: Proposal for a regulation on the waiver of short-stay visas for Kosovo nationals.

This proposal follows the recommendation issued by the Commission in 2018 to waive the obligation for short-stay visas for Kosovo nationals.

A finalised version of the draft regulation was approved on 20 December 2022 by the COPEPER then sent to the Council for approval.

Objective: Exempt Kosovo nationals from short-stay visas for entry into the Schengen area.

Driver: Desire to promote economic, political and cultural exchanges between Kosovo and Member States.

11 Trafficking in adult human beings

11.1 NATIONAL STRATEGIC POLICY DEVELOPMENTS

Development: From September 2022, the DGEF presented the overview of the progress achieved in terms of the right to stay for foreign nationals that are victims of trafficking in human beings (see measures 20 “reinforce the role of the Prefectures” and 21 “recall the conditions for the issue of residence permits and the necessity to appoint THB contact persons” of the plan) as part of the 2nd national action plan to fight against trafficking in human beings (2019-2021), implemented under the coordination of the Inter-ministerial Mission for the Protection of Women against violence and the Fight against Trafficking in Human Beings (MIPROF).

Objective: Assessment of the 2nd national action plan to fight against trafficking in human beings.

Driver: The overview of the 2nd national action plan to fight against trafficking in human beings supplemented the conclusions of the meeting of the Miprof coordination committee in which all of the Ministries concerned (Ministry of Justice, the Interior, Labour, Solidarities and Healthcare) and the associations of the “together against trafficking” collective body took part in June 2022 as part of the 2nd action plan and considered the challenges and outlooks for the purpose of preparing the 3rd national action plan.

Improving detection, identification of and provision of information to third-country national victims of trafficking in human beings

11.2 PROVISION OF INFORMATION ON ASSISTANCE AND SUPPORT TO THIRD-COUNTRY NATIONAL VICTIMS

i. Training²² and awareness raising²³

Development: A new training module for investigators on hearings for victims of pimping was set up by the Central Office for the Repression of Human Trafficking (OCRTEH) in connection with different partners such as the MIPROF and victim assistance associations. Two sessions took place in 2022, to train all of the Office’s investigators and other participants from territorial judicial police services and the Central Directorate for Border Police (DCPAF).

The OCRTEH was also the initiator for the preparation of standard documents for

²² Training in this context refers to the training of professional and other support staff involved in providing information and assistance to third-country national victims.

²³ Awareness raising in this context refers to raising awareness amongst third-country national victims about the provision of assistance and support.

investigators and victims:

For investigators: transcript of the hearing of victims so that the specific rights that may be granted to them are systematically notified to them

For victims: a document presenting the different rights of people that are victims of trafficking and pimping and explaining the stages of their care by the police and partner associations has been prepared. Translated into foreign languages (Spanish, Romanian, Chinese, Ukrainian...), it was made available to investigators via the National Police intranet, and is designed to be distributed to the victims received by the national or regional investigating services.

Objective: Ensure better care for victims of pimping.

Driver: This approach is part of the development of action by the OCRTEH to protect victims of pimping.

Development: The DGEF took part in the preparation of the training guide entitled "Identification and Protection of victims of trafficking in human beings" published in September 2022 and completed under the leadership of the MIPROF, in collaboration with 28 associations of the "Together against trafficking" collective body and the ALC, France *Terre d'Asile* (FTDA), the Mission for intervention and awareness raising against trafficking in human beings (MIST) along with the Ministry responsible for gender equality, diversity and equal opportunities, the Ministry of the Interior and Overseas Territories, the Ministry of Justice, the Ministry of Europe and Foreign Affairs, the Ministry of National Education and Young People and the Secretary of State responsible for childhood.

Objective: This guide aims to provide concrete responses to the questions asked by professionals that intervene throughout the paths of victims of trafficking in order to improve their care and support. It enables the acquisition of a shared culture to better understand the mechanisms of trafficking and improve the tracking and identification of these victims.

Driver: It is part of the desire to facilitate the partnership between professionals in order to introduce a national identification and orientation mechanism for victims of trafficking in human beings.

ii. Measures on cooperation between national authorities

Development: The specialised associations are now systematically called upon by the OCRTEH before each phase of questioning, via the single point of entry constituted by the Ac.Sé network. A partnership convention has been signed, describing the joint intervention protocol.

Objective: Ensure better care for victims of pimping.

Driver: This approach is part of the development of action by the OCRTEH to protect victims of pimping.

Development: Circular NOR SSAA2201128C of 13 April 2022 on the opening of rights as part of a procedure to leave prostitution and move towards social and professional integration, co-signed by the Minister of the Interior and the Delegated Minister responsible for gender equality, diversity and equal opportunities, aims to generalise the installation of departmental commissions to fight against prostitution, pimping and trafficking in human beings in all departments.

Objective: It sets the imperative to complete the installation in all departments of departmental commissions to fight against prostitution, pimping and trafficking in

human beings for sexual exploitation. It recalls the criteria for obtaining a provisional residence permit for people engaged in procedures to leave prostitution and move towards social and professional integration, created by the law no. 2016-444 of 13 April 2016 aiming to reinforce the fight against the prostitution system and support prostitutes.

Driver: An assessment of the implementation of the law (by a joint inspection (General Inspectorate for Administration (IGA) - General Inspectorate for Social Affairs (IGAS) - General Inspectorate for Justice (IGJ)), made public at the end of June 2020, notably pointed out the finding of an unequal implementation in the regions for the social component of the law. An inter-service meeting of the ministries concerned by the different components of the law and the meeting of the monitoring committee for the law of 13 April 2016 led to believe that a new impetus to this law was necessary.

See contribution from the General Directorate for Foreign Nationals in France (Office for Family migration within the Directorate for migration) on the circular of 13 April 2022 on the opening-up of rights in connection with the exit from prostitution and social and occupational integration, co-signed by the Minister for the Interior and the Minister Delegate to the Prime Minister for Gender Equality, Diversity and Equal Opportunities.

iii. Measures on cooperation between (Member) States

Development: **In May 2022, the non-governmental organisation ECPAT France published an orientation note entitled "towards a right to guaranteed information for children that are victims of trafficking in human beings" in the form of recommendations for national and European political decision-makers.**

Objective: **Inform** European and national political decision-makers of the **need to reinforce access and rights for** child victims of trafficking in human beings **to information** upstream and during criminal proceedings by highlighting the **essential role of interpreters**. The document also aims to **issue recommendations and identify challenges and good practices** in this area in order to **increase compliance with the right to information for child victims**.

Driver: This orientation note is part of the **CAPISCE project which ended in September 2022**. This project was prepared in partnership with the associations ECPAT Belgium, ECPAT Netherlands, ECPAT Italy and EULITA (European Association of Legal Interpreters and Translators), in order to carry out an **analysis of the application of the directive on the rights of victims, and notably the rights of children, during criminal investigations and procedures in Belgium, France, Italy and the Netherlands**. This project showed that the main deficiencies in the protection of child victims of trafficking in human beings come from the lack of information given to them.

11.3 DETECTION, IDENTIFICATION, AND PROTECTION OF VICTIMS OF TRAFFICKING IN HUMAN BEINGS

i. Training and awareness raising

Development : the training guide on the identification and protection of victims of trafficking in human beings for professionals, which is the result of cooperation work between the MIPROF, ministries and associations specialising in supporting victims of trafficking in human beings, was presented by the MIPROF on the occasion of the return of the 6th edition of the survey of victims of THB accompanied by the associations on 21 October 2022, and during the training sessions on THB organised by the Central Office for the Repression of Human Trafficking (OCRTEH), the French Central Office for Combating Illegal Work (OCLTI), the French National School of Human Beings (ENGL) and the French National Directorate for the Expression of Trafficking in Human Beings (OCRTEH), the French Central Office for Combating Illicit Work (OCLTI), the French National School 2022 (French National Directorate for the Prevention of Trafficking in Human Beings) (ENGC-2023) and the French National Directorate for the Prevention of Trafficking in Human Beings (OCLTI). The guide was also distributed internally by the Ministries and Services and to external partners such as the European Asylum Agency (EUAA) in November 2022 by the OFPRA.

Driver: The creation of this guide responds to measure 14 of the Second National Action Plan against Trafficking in Human Beings 2019-2021: "Define a training and awareness plan". This guide is part of the need to comprehensively understand the phenomenon of trafficking in human beings and thus to better understand the role of each of the actors involved and the way in which the mechanisms should be implemented.

Development: The national gendarmerie, represented by the Central Office for the fight against illegal work (OCLTI), which leads the action of the judicial police carried out at the national level against labour exploitation, implemented a specialist internal training module as an experiment in November 2022 on the "investigator of trafficking in human beings for labour exploitation".

Objective: This five-day training course, alternating theoretical lessons, practical workshops and interventions by partners involved in the fight against THB for labour exploitation, enabled the 15 investigators registered to better understand the theme of serious types of labour exploitation and to manage complex investigations in this area, in collaboration with the OCLTI and its institutional partners. This first training course is intended to be renewed in other locations in France in order to enable a better consideration of this specific type of THB by police forces.

Driver: The implementation of this training course comes under measure 14 of the second national action plan against trafficking in human beings 2019-2021. "Define a training and awareness-raising plan", in this case for representatives of the police forces.

Development: Within the OCRTEH, training and massive use of the different techniques adapted to new technologies with, for example, investigations using pseudonyms (cyberpatrols) and open-source searches.

Objective: Adapt the investigation techniques to the new functioning of pimping networks.

Driver: The operating methods of pimping networks have rapidly changed over the last few years. Prostitution and its exploitation are now carried out in a dematerialised way.

ii. Measures on cooperation between national authorities

Development: On 20 October 2022, the MIPROF and the Internal Security Ministerial Statistics Service (SSMSI) of the Ministry of the Interior and Overseas Territories jointly published the results of the [annual survey on the victims of trafficking in human beings supported by associations in France in 2021](#). This sixth edition of the survey, carried out in 2022, covers victims supported by associations in 2021. Specific attention was paid in the 2022 edition of the survey to unaccompanied minors.

Objective: Trafficking in human beings is a complex phenomenon in terms of statistics due to the invisibility of both the victims and the perpetrators. The collection of data from victim support associations aims to supplement and enrich the partial overview resulting from the delinquency registered by the security forces. It also aims to improve knowledge by providing findings on the profiles and paths of victims in order to effectively adapt the policy on the fight against trafficking in human beings.

Driver: The conducting of this survey responds to measure 8 of the second national action plan against trafficking in human beings 2019-2021: "Continue the survey on the victims of trafficking in human beings monitored by the associations over the long term".

Development: In October 2022, the SSMSI of the Ministry of the Interior published the annual survey on [the trafficking and exploitation of human beings since 2016: an approach through administrative data](#), for the first time jointly with the Ministerial Statistics Service of the Ministry of Justice (SDSE). This analysis gave rise to two publications on 18 October 2022: Interstat Analyse n°49 and Infostat Justice n°189.

Objective: The SSMSI aims to improve the understanding of this criminal phenomenon as part of the second national action plan against trafficking in human beings.

Driver: Since 2014, France has accentuated its efforts to collect and publish data, notably with the creation of an institutional working group bringing together the main ministries concerned. The aim is to determine a shared field for trafficking in human beings and regularly publish the corresponding data. This publication is part of measure 9 of the second national action plan against trafficking in human beings which aims to publish the administrative data available in France on an annual basis.

iii. Other

Development: Development by the OCRTEH of an IT tool called "ProxHit", to prepare statistics and a mapping of prostitution based on the real-time analysis of prostitution advertisement sites.

Objective: Adapt the statistical methods to the change in the operating methods of pimping networks.

Driver: The operating methods of pimping networks have rapidly changed over the last few years. Prostitution and its exploitation are now carried out in a dematerialised way, making them invisible.

11.4 COOPERATION WITH THIRD COUNTRIES

i. Training and awareness raising

Development: Since the adoption in June 2014 of an inter-ministerial strategy of cooperation in the fight against the trafficking in human beings in South-East Europe, an inter-ministerial steering committee is organised every year by the Ministry for Europe and Foreign Affairs to take stock of the actions implemented and examine the programming envisaged for the following year.

On 2 and 3 March 2022, a regional workshop of experts in “financial investigations, asset recovery and compensation for victims of trafficking in human beings in Bosnia-Herzegovina”, was jointly organised by the *Human Trafficking and Migrant Smuggling Section* (HTMSS) of the UNODC, and France’s permanent representation at the Office of the United Nations and international organisations in Vienna.

Another regional workshop of experts on “the fight against the use of technologies in cases of trafficking in human beings for sexual exploitation in Montenegro” was organised on 5 and 6 July 2022. As part of the latter, a head of an operational group at OCRTEH took part as an expert and trainer.

Objective: Promote discussions and share good practices in order to reinforce international cooperation, harmonise and simplify the procedures for financial investigations, asset recovery and reinforce compensation for victims of trafficking in human beings in South-East Europe. The objective of the second workshop was to improve the prevention and fight against trafficking in human beings thanks to technology, in South-East Europe.

Driver: The French strategy for the Western Balkans prepared in 2019 provided for the reinforcement of bilateral cooperation on the issues of stabilisation and security and recommended, in its “Justice” component, to continue technical cooperation actions on the fight against trafficking in human beings and to promote the constitution of common investigation teams with all countries in the region.

This programming comes under the action carried out by the Ministry for Europe and Foreign Affairs to implement the measures of the “International” component of the second national plan against trafficking in human beings.

Development: The OCRTEH is engaged in the Europol EMPACT network. In this respect, since 2022, it has been co-driver of the (OAP) THB priority, in partnership with the Netherlands, for the new EMPACT 2022-2025 cycle and leader for two actions, the first on accommodated prostitution and the second on trafficking from Ukraine. The Office also takes part in several relevant actions in view of its theme, notably on cooperation with several Latin American countries and on Nigeria.

It is also involved in the Lynx network of the European EL PAcCTO programme, for which the aim is to reinforce the exchange of information, cooperation and the creation of a network of dedicated correspondants, in the area of trafficking in human beings with Latin American countries.

The OCRTEH is also involved in Interpol’s expert network on THB in which several nationalities are represented.

Its involvement with its third partners as part of investigations has also enabled the development of assistance to victims of trafficking. For example, as part of a pimping affair covered by the Office, Colombian victims located in France, were heard by

Colombian investigators. Their trip was made possible thanks to European financing. The fact that the investigators had the same nationality as the victims enabled real operational results to be obtained and promoted the victims' good cooperation.

Objective: This positioning within the EMPACT THB steering division recognises France's engagement in this priority. Through the three central offices of judicial police that are involved in actions under EMPACT THB, France confirms its positioning as one of the most active Member States within this priority with the leadership of four actions, joint leadership in five actions and participation in eleven others.

Driver: The issue of THB is one of the mobilising themes in the French Presidency of the European Union during the first half of 2022 and the renewal of the EMPACT cycle consolidated France's engagement in this area, through this new positioning.

ii. Other

Development: Through reinforced international cooperation, the OCRTEH endeavours to dismantle all criminal organisations by tracing them back to the head, in the source country, and by going via any transit countries, where the support base of the network is often based. This in-depth work enables arrests and seizures in the third countries.

This cooperation is effective within the European Union and has enabled networks to be dismantled throughout the territory.

The OCRTEH now endeavours to develop this cooperation beyond the European Union and has been able to carry out large-scale operations in Paraguay and Colombia.

This cooperation enables victims to be identified from their recruitment in their countries of origin.

12 Return and readmission

12.1 FORCED RETURN

Development: **The circular of 17/11/2022 (not published) on the execution of orders to leave French territory and the strengthening of retention capacities** reminds prefects of the extent and diversity of instruments enabling them, at constant law, to ensure the execution of the removal orders (OQTF).

12.2 DETENTION

Development (major): A circular of 03/08/2022 provides the placing foreign nationals whose profiles evoke risks for public disorder as a priority in the administrative retention centers (CRA).

Objective: Illegally staying foreign nationals who do not present a 'public disorder' profile must be placed in retention centers, for which the number of places should increase for this purpose.

Driver: The increase in the number of places in the retention centers is useful for carrying out programmable removals such as Dublin transfers.

Retention must, as a priority, concern irregular migrants with risks of public disorder, including when the removal is not a foregone conclusion at the time of arrest or release for people leaving prison facilities.

Development: The circular of 17/11/2022 (not published) **on the execution of orders to leave French territory and the strengthening of retention capacities** provides for an increase in the number of places in CRA, by making more places effectively available thanks to increased personnel and by raising the trajectory of the CRA plan to a target of 3 000 places by 2025/2026 compared to 2 200 currently.

Development: Decree no. 2022-818 of 16 May 2022 adapting the retention time in administrative retention premises in Mayotte.

Objective: Raise the maximum duration of retention in administrative retention premises from twenty-four to forty-eight hours for adults accompanied by children.

12.3 ALTERNATIVES TO DETENTION

Development: The circulars of 03/08/2022 and 17/11/2022 indicate to the prefects the conditions for the assignment to residence of foreign nationals under OQTF.

Objective: Systematically assigning foreign nationals under OQTFs that are not placed in retention to a reliable address enables their localisation and their rigorous monitoring by the police and gendarmerie until they are removed.

13 Migration and development

Development (major) : Arrival at the end of the term for the action plan for migration and development 2018-2022 and renewal of the "migrations and development" strategy.

Objective: Complete the preparation of the new "migrations and development" strategy (2023-2030) which will now be at an inter-ministerial level and reflect the changes in the international and European normative framework (partnerships for mobility and migration - PMM, Joint Action Plan for La Valette, Cadix action plan).

Broaden the scope of action to the five pillars of the Joint Action Plan for La Valette and reinforce our efforts on pillars 4 and 5.

Support this strategy with a new four-year action plan that will involve operators and civil society in project management.

Driver: Arrival at the end of the term of the previous action plan, need to better reflect the changes that have occurred in the European and international framework.

The renewal of this strategy is important as it will constitute the guideline for the actions carried out by France in terms of migrations and development.

Development: The French Presidency of the World Forum for Migration and Development since 1 July 2022.

Objective: Engage and feed dialogue around six themes selected by France (Impact of climate change on human mobility, Human rights and migrations, multi-level governance, Diasporas, Work migration, Culture and debate).

Driver: Rotation of the presidency among the Forum's Member States.

Development: Adoption of the Cadix Declaration and action plan 2023-2027 as part of the Rabat Process.

Objective: Continue the work engaged since 2006 as part of Euro-African dialogue on migrations and development and define a roadmap for the future actions to be carried out.

Driver: Desire by the Spanish presidency of the Rabat Process to achieve the adoption of new texts at the Cadix Ministerial Conference (13 and 14 December 2022).

Development: Launch of two Europe Team Initiatives - western/Atlantic route and Central Mediterranean route on 12 December 2022.

Objective: Direct financing from the European Commission and Member States to projects targeting notably the fight against the deep causes of illegal migration and support third countries in developing a better migration management system.

Driver: Setting of a target of 10% allocated to migrations in the Neighbourhood, Development and International Cooperation Instrument (NDICI).

STATISTICAL ANNEX

I. UNACCOMPANIED MINORS RECORDED WITHIN THE CHILD PROTECTION SYSTEM

Unaccompanied minors [1] recorded within the child protection system (i.e. outside of the asylum procedure) in 2022 - flow data (i.e. UAM newly recorded between 1 January 2022 and 31 December 2022)

[1] i.e. whose age of minority has been confirmed by the (Member) State authorities

Instructions

Please **do not leave blank cells**

Insert "n/a" when the data is **not applicable**

Insert "n/i" when information is **not available**

When the number is **equal to zero**, insert "0"

	Number of recognised unaccompanied minors recorded within the child protection system (outside of the asylum procedure) - flow data			Comments
	Total	Female	Male	
FR	14 782	1012	13 770	14,782 placement orders and judgments concerning persons declared to be UAMs were brought to the attention of the unit between 1 January and 31 December 2022. 93.2% of UAMs are boys, i.e. 13,770, and 6.8% are girls, i.e. 1,012. source : Mission UAM on 2 March 2023 (ministry of Justice)

3. TRAFFICKING IN HUMAN BEINGS (2)

Statistics on total numbers of traffickers[1] arrested as suspects and on traffickers convicted in 2022

[1] The total is required here – the statistics reported should not be limited to traffickers from third- countries only.

Instructions

Please **do not leave blank cells**

Insert "n/a" when the data is **not applicable**

Insert "n/i" when information is **not available**

When the number is **equal to zero**, insert "0"

Traffickers arrested as suspects and traffickers convicted			Comments
MS	Arrested / otherwise involved in a criminal proceeding	Convicted	
FR 2022	990 * involved in a criminal proceeding	1039 convicted**	Données 2022** - Champ : TEH large Directorate for Criminal Affairs and Pardons (DACG), Ministry of Justice, SID-Cassiopée, data 2016-2022, March 2023 *SID-Cassiopée **provisional data

4. VISA POLICY

Visas issued (2022)

Statistics on total number of visas issued, the number of (Schengen) short stay visas and national visas.

Definitions (Source: EMN Glossary 7.0):

Short-stay visa: The authorisation or decision of an EU Member State with a view to transit through or an intended stay on the territory of one or more or all the EU Member States of a duration of no more than 90 days in any 180-day period.

Long-stay visa: The authorisation or decision issued by one of the EU Member States in accordance with its national law or Union law required for entry for an intended stay in that EU Member State of more than three months.

Instructions

Please **do not leave blank cells**

Insert "n/a" when the data is **not applicable**

Insert "n/i" when information is **not available**

When the number is **equal to zero**, insert "0"

MS	Total visa	(Schengen) short stay Visas (so called A and C visas, the latter including LTV visas – stays of up to 90 days)		
		Issued to third country nationals coming directly from a third country	Issued to third country nationals resident in another EU Member State	If only totals available please insert here
FR	1 738 151	1 445 393	15 720	1 461 113

National long-stay Visas (so called D visas)			Comments
Issued to third country nationals coming directly from a third country	Issued to third country nationals resident in another EU Member State	If only totals available please insert here	
271 722	5 316	277 038	source: Division for the valorisation of administrative sources, Department for studies, statistics and documentation (DSED), General Directorate for foreign nationals in France (DGEF)/ministry of the Interior, 28 March 2023

5. RETURN

The number of third-country nationals being returned to their home country by type of return - break-down by gender.

[1] Statistics on the total number of returns by type of returns will be extracted centrally from Eurostat dataset migr_eirt_vol (TCN who have left the territory by type of return and citizenship). In the below, please provide a further breakdown by gender for the data provided by your Member State to Eurostat for migr_eirt_vol. Please also provide the total number of returns per type of returns to allow for a cross-check with the numbers available on Eurostat (i.e. the sum of female and male returnees by type of return should correspond to the totals available on Eurostat).

Definitions (taken from Eurostat metadata for dataset migr_eirtn):

Enforced return: Enforced return, removal refers to the situation in which the third-country national is subject to the enforcement of the obligation to return (the enforcement procedure has been launched). Definition based on Art 3.5 and 3.8 Directive 115/2008/EC.

Voluntary return: Voluntary Return refers to the situation in which the third-country national complies voluntarily with the obligation to return (i.e. no enforcement procedure had to be launched) and this departure is confirmed by the information from eg. the border authority or the consulate authorities in the country of origin or other authorities such as IOM or any other organisations implementing a program to assist migrants to return to a third-country. Definition based on Art 3.8 Directive 115/2008/EC.

Assisted Return: Assisted Return refers to the situation in which the third-country national was assisted to return. He/she is the beneficiary of a national or EU MS cooperative program to encourage return and to provide reintegration assistance. The TCN received (i) an in-kind assistance prior to departure (e.g. purchase of plane tickets) and/or (ii) in-cash allowances at the point of departure/upon arrival and/or (iii) an in-kind or in-cash reintegration assistance. Please note that beneficiaries of assisted return programs are mostly TCN who voluntarily return but some may also have been returned by force Definition based on Art 3.8 Directive 115/2008/EC and Asylum and Migration Glossary 2.0.

MS	Enforced return			Returned voluntarily			Among TCNs returned voluntarily, the number of TCNs returned as part of an assisted return programme			Comments
	Total	Female	Male	Total	Female	Male	Total	Female	Male	
FR	5 280	n/i	n/i	5 035	n/i	n/i	3 361	n/i	n/i	source: Division for the valorisation of administrative sources, Department for studies, statistics and documentation (DSED), General Directorate for foreign nationals in France (DGEP)/Ministry of the Interior, 28 March 2023

6. RELOCATION (to be confirmed whether this data can be delivered by COM)

Statistics on the total number of relocated third country nationals between 1 January 2022 and 31 December 2022

[1] The transfer of persons having a status defined by the Geneva Refugee Convention and Protocol or subsidiary protection within the meaning of Directive 2011/95/EU (Recast Qualification Directive) from the EU Member State which granted them international protection to another EU Member State where they will be granted similar protection, and of persons having applied for international protection from the EU Member State

[2] In the context of the EU emergency relocation programme, the transfer of persons in clear need of international protection, as defined in Council Decision 2015/1601 and 2016/1754, having applied for international protection from the EU Member State, CH or NO which is responsible for examining their application to another EU Member State, CH or NO where their application for international protection will be examined.

	Number of relocated third country nationals - flow data			Comments
	Total	Female	Male	
FR	38	7	31	These 38 persons were transferred at the end of August 2022 from Italy. And on 31/12/2022, in addition to these 38 persons already transferred, 225 persons were pending transfer to France following the 9 missions that had already taken place in Italy, Spain and Cyprus. Source : Directorate of Asylum, General Directorate for Foreign Nationals in France, Ministry of the Interior, March 2023

7. RESETTLEMENT

Statistics on the total number of resettled third country nationals between 1 January 2022 and 31 December 2022

[1] In the global context, the selection and transfer of refugees from a State in which they have sought protection to a third state which has agreed to admit them as refugees with permanent residence status.

[2] In the EU context, the transfer, on a request from the United Nations High Commissioner for Refugees (UNHCR) and based on their need for international protection, of a third-country national or stateless person, from a third country to an EU Member State, where they are permitted to reside with one of the following statuses:

- (i) Refugee status within the meaning of Art. 2(d) of Directive 2011/95/EU (Recast Qualification Directive)
- (ii) A status which offers the same rights and benefits under national and EU law as refugee status.

	Number of resettled third country nationals - flow data			Comments
	Total	Female	Male	
FR	3164	1561	1603	<p>3047 refugees resettled from 9 countries of first asylum (5 refugees from Ethiopia; 189 refugees from Niger, including 29 evacuated from Libya; 319 refugees from Chad; 226 refugees from Cameroon; 267 refugees from Rwanda, including 19 evacuated from Libya; 431 refugees from Egypt; 210 refugees from Jordan; 678 refugees from Turkey; 722 refugees from Lebanon.</p> <p>117 refugees under the framework agreement with UNHCR.</p> <p>Source : Directorate of Asylum, General Directorate for Foreign Nationals in France, Ministry of the Interior, March 2023</p>