



Peer Review on “Integration of Refugees into the Labour Market”

Berlin (Germany), 11-12 October 2017

FORWARD TO BEFORE 1991?

Strengthening access to the labour market for refugees and for asylum seekers

Peer Country Comments Paper - France

DG Employment, Social Affairs and Inclusion



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Peer Review on “Integration of Refugees into the Labour Market”

DG Employment, Social Affairs and Inclusion

Directorate-General for Employment, Social Affairs and Inclusion
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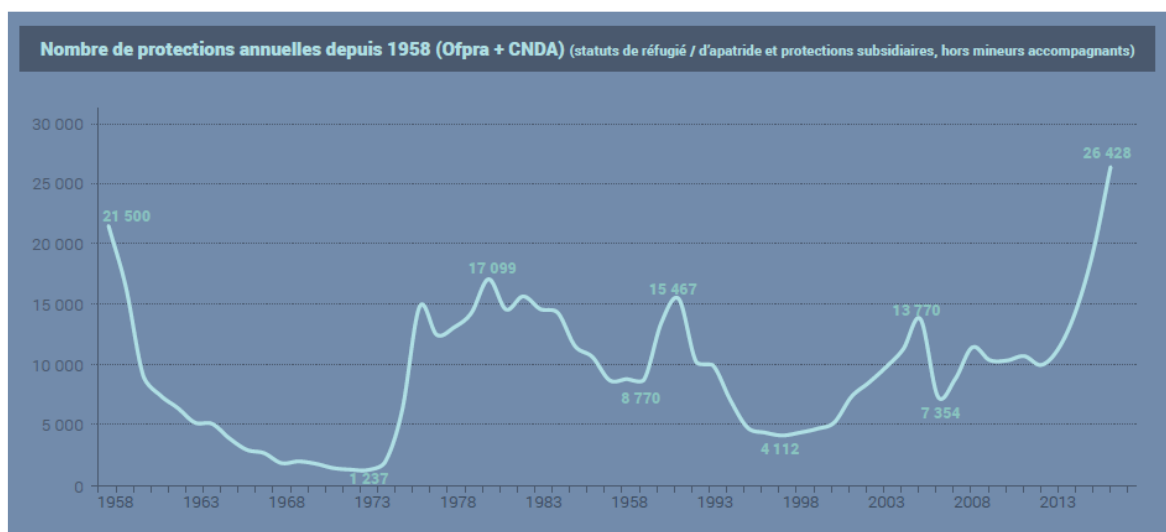
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1 Situation in the peer country relative to the host country

1.1 The French situation regarding immigration, asylum seekers and refugees

The French share of asylum seekers in Europe is relatively modest: with nearly 86 000 asylum applications, France in 2016 was ranked 11th among EU Member States. In 2016 the refugees resettled in France amounted to 6 000 whereas total relocations (including HCR visas) from Greece and Italy reached 3 780 as of mid-July 2017. In the French case, it is thus difficult to talk in terms of the much used phrase 'migratory crisis', when the present situation is compared with Germany's, and, for that matter, with Sweden's and Italy's. Overall, the migrants' share of the total population amounted to 0.13% against the EU average of 0.25%.

Graph 1 puts the present number of recognitions of refugee and subsidiary protection into a long-term perspective: it shows a "peak" in the late 1980s (war in Yugoslavia) and one in 2004 (reform of subsidiary protection).



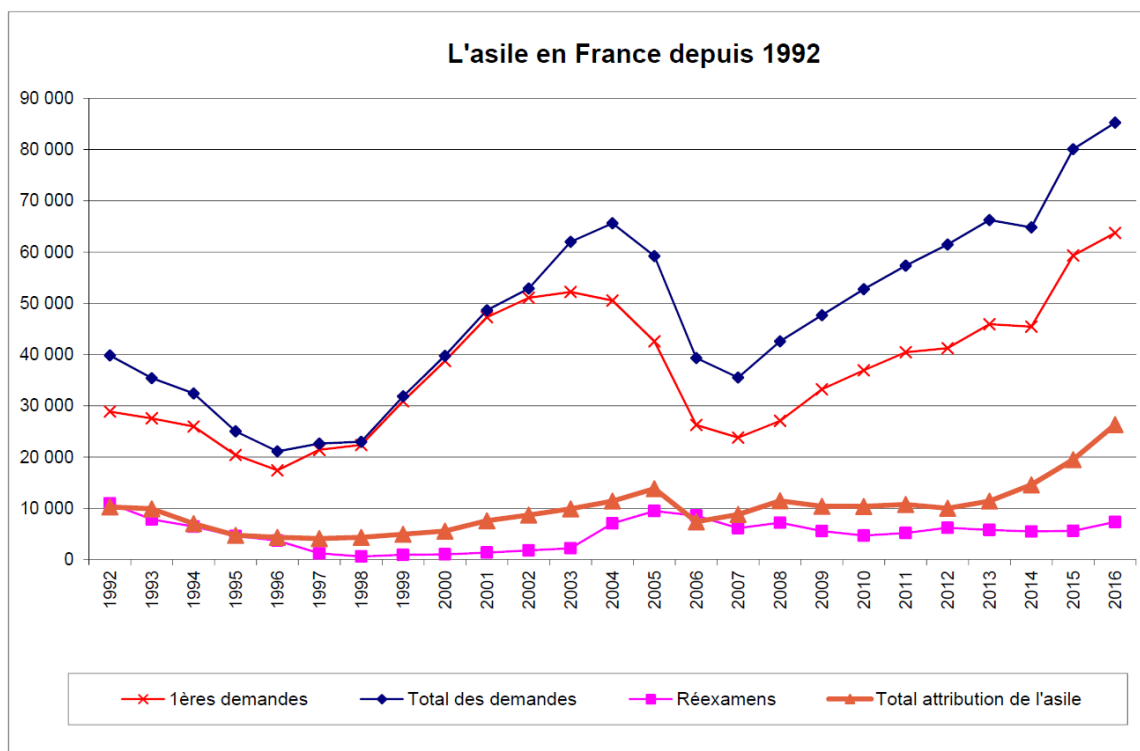
Graph 1 Yearly number of protections recognized (refugee + subsidiary protection) excluding accompanying minors. Source: OFPRA, Annual report , 2016.

Statistics for asylum applications¹ showed first a decrease in 2014 followed by a net increase in 2015 and 2016. In 2016, France received a total of 85 726 applications (6.6% of all applications in the EU). This figure included 63 935 first-time applications and 14 436 accompanying minors.

Graph 2 shows that the recognition rate increased significantly from 2014 onwards: between 2002 and 2014 about 10 000 protections were yearly granted (including about 2 500 subsidiary protections) reaching nearly 26 000 in 2016 (of which 10 000 subsidiary protections).

In terms of gender proportion, 38% of protections concern women. According to OFPRA (2016), as regards countries of origin, Sudan, Syria and Haiti were among the five major countries of origin, together with Kosovo and Bangladesh in 2015 and Albania and Afghanistan in 2016. Rates of recognition of the refugee status (incl. subsidiary protection) vary widely across countries: more than 90% of applications were recognised from Syria and nearly 80% from Iraq compared to 42% from Sudan.

¹ Total including first and other applications plus unaccompanied minors. European migration network, Country Fact sheet, 2016, France and Ministère de l'intérieur, France, 17 July 2017.



Source : OFPRA

Graph2. Note: First-time applications (*1ère demandes*); total applications (*total des demandes*); appeal decisions (*réexamens*); total number of recognitions (*total attributions*). Source: Ministry of Interior, September 2017.

The overall picture of asylum should be put in a wider immigration context. Compared to the other types of immigration, the number of refugees and even the number of asylum seekers remains modest. According to the Ministry of Interior, roughly 200 000 regular residence permits for third country nationals (TCNs) have been issued yearly since 2010; this figure has recently increased to 227 000 (2016) against 28 700 recognitions for all "humanitarian" reasons (i.e. 12.5% that particular year). Immigration social scientists reckon that this situation is relatively stable and under control (Héran, 2017; Weil, 2012).

1.2 Comparative context: essential caveats

Drawing sense from comparative asylum statistics entails interpreting them in the complex comparative context of the EU, which consists of very different histories and political cultures (Barbier, 2013). France has long been a country of immigration and its treatment of refugees has been mixed up very strictly with the wider question of immigration since the early 1930s. The relative modesty of the present figures of refugees is in sharp contrast with the French historical experience. It has had recurring experience of waves of refugees over the 20th century and it actively participated in the creation of legal international protection. In the thirties, especially in 1933-1934, France was rather isolated in Europe when receiving refugees from Nazi Germany; true, the welcome was not consistent over the 1930s. But France also received 500 000 refugees from Spain in January 1939; at the time, international protection was in its infancy (Angoustures *et al.*, 2017). Further openness was also practiced with regard to the Vietnam boat people in the 1970s.

The present situation is explained, at least partially, by this legacy, which also entails the world role of the French language (*francophonie*) and France's complicated colonial past. Nevertheless a long-term central contradiction has existed between the official desire to protect "our national manpower (*notre main-d'oeuvre nationale*)", as politicians phrased it in the thirties (Weil, 2004, p. 42-43; Barbier, 2014), and the

desire to be faithful to a long-term political culture of humanitarian welcome for human fellows, and especially refugees. This blatant contradiction explains much of a hesitating and restrictive policy today. A public controversy opposed the government to the *Défenseur des droits* (Defender of Rights Jacques Toubon, an independent constitutional authority) in summer 2017 about the consistency of the theory of "*appel d'air*" ("pull factors" supposed to explain why asylum seekers rush to Europe and France in particular). Refuting the 'pull factor theory', Toubon took a completely different position from the Government's². For all these political reasons, the importance of more precise and focused comparison with other countries is essential for France but it needs to set this comparison into a complex and multifactorial framework, including first the legal status of asylum seekers and immigrants. This does not entail however that transferability of policies will be easy to achieve, because the political treatment of refugees and asylum seekers, but also of immigrants in general, is at the same time extremely diverse and politically sensitive across the EU. As Akgüç and Ferrer (2015, p. 1) rightly write "Studies in the area generally agree that integration of immigrants is highly idiosyncratic, depending on the culture and diversity of the immigrant population as well as on the set of institutions in the host country."

Even though France obviously uses the same notions as other EU countries, defined as in Germany (asylum seeker, refugee, subsidiary protection, recognition of status), one should stress the fact, linked to the French political culture, the notion of '*immigré*' plays an important symbolic role. An '*immigré*', in demographic terms, is a foreign person born outside France, whether or not he or she acquired French nationality, pointing to the inextricable political nexus between questions of nationality, citizenship, immigration and refuge. Only recently, the now common term '*migrant*' has been used.

Paradoxically, with regard to the labour market situation, Akgüç and Ferrer (2015, p. 2-3) have noted the meagre amount of migration studies despite France's long immigration tradition. One of the specific recommendations of the 2013 UNHCR report on integration of refugees in France was precisely to step up studies and research about the labor market situation of the *immigré* population. Another aspect of the French political culture is, in terms of programme implementation, a preference for '*droit commun*' (universal law applicable to all persons i.e. 'mainstream'); in labour market policies, this translates into stable '*public prioritaires*' (priority target groups, i.e. for instance, long term unemployed, disabled, etc.), who are universally granted 'priority'. This practice and conception have the drawback of making refugees yet another group to prioritise. And this prevailing conception is a definite hindrance to define sub-categories with privileged status within the refugee population, as is made in Germany.

1.3 Labour market situation

The very different situations of the French and German labour markets are very well known. The (open) unemployment rate was about 10% in 2016 and is now about 9.5% (second quarter 2017), much higher than in Germany. Hence, the competition pressure between national candidates and foreigners is more significant, especially for low-skilled occupations. The argument is, in fact, often contested by those who argue that for certain low-qualified occupations (the construction, care and catering and restaurants branches) vacancies often remain unfilled. Another essential difference with Germany is the labour market demographics: with a comparable demographic situation, unemployment in France would be similar to Germany's. Over the period 2006-2016 there was a yearly flow of more than 100 000 entrants to absorb each year

² Jacques Toubon (July,21 2017): "*Arrêtons de penser que la mise à l'abri de ces personnes à la rue crée un effet d'appel d'air. Cette théorie est fautive* » (this theory is wrong. Let's stop thinking that putting these people in safe accommodation creates an '*appel d'air*'). Migrants leave home not because rational choice but for vital necessities. They have a fundamental right, and that is to be received decently".

and the performances of both labour markets are quite different for that essential reason.

Data on the employment situation of asylum seekers and of refugees in France are scarce; generally refugees are included in the data concerning the total group of immigrants and one can seldom focus on representative categories of TCNs. Mainstream Ministry of Interior data do not give information on the occupational profiles of refugees and the Ministry of Social Affairs has only recently been aware of the necessity of documenting such information. Very few specific studies are available although relevant indicators exist in the INSEE³ Labour market survey. Additionally, an important source of background data resides in the TeO survey.

More specifically, conducted in 2008 by INSEE and the National Demographics Institute (Héran, 2017; Akgüç & Ferrer, 2015), this survey constitutes an important source of data. In a dearth of representative data, two important surveys remain, the data of which have unfortunately not recently been updated:

1. The PPM (*Parcours et profils des migrants*): in this survey (DARES, 2011) concerning immigrants interviewed in 2006, the employment rate of refugees was 34%.
2. The *Enquête longitudinale sur l'intégration des primo-arrivants* (Elipa, a representative survey of 6 000 new migrants, of which 10% were refugees) presented the following findings:
 - Refugees tend to be less educated than other foreign nationals (TCNs);
 - Refugees, along with beneficiaries of family reunification, were more likely to be unemployed and more often employed in low-skilled occupations such as in the construction, cleaning and care sector.
 - More generally, French studies find that the labour market performance of most immigrant groups (as well as their descendants) is generally worse than that of the native-born population.

According to the Elipa waves of interviews (2010-2013), 32% of all new migrants had no certified primary education, 40% had achieved secondary education whereas this was respectively 39% and 36% for refugees in the sample. At the same time, employment rates were 60% for refugees in 2013 and 61% for non-refugees; unemployment rates were the same at 21% for both (Ministère de l'intérieur, 2015). These figures are only relevant for the years considered (employment rates for the 2010 wave were respectively 39% for refugees and 47% for non-refugees, for instance) (ibid.). Moreover, a UNHCR study suggested that the migrants' situation improved over time: for instance, the unemployment rate of migrants was halved after five years, and twice as many migrants had found permanent housing after five years (UNHCR, 2013).

Apart from these statistics, focused administrative statistics, linked to the 2016 Agreement between the Ministry of Interior and the Public Employment Service (PES)⁴, started to be collected in 2017⁵, for the group of immigrants who opted to participate in the '*contrat d'intégration républicaine* (CIR)' (republican integration contract, see further).

³ INSEE, Institut national de la statistique et des études économiques is the Public Statistical service.

⁴ National Agreement between OFII (Ministry of Interior) and the Ministry of Employment and the Public Employment Service (PES, Pôle Emploi), November 2016. Following the agreement, which is valid for 3 years, a monitoring of *contrats d'intégration républicaine*, is implemented according to registration at the PES, job search and language courses.

⁵ Example August 2017: a flow of 5 989 CIR participants, among which 1 911 protected persons of which 968 are looking for a job (723 registered with the PES).

2 Assessment of the policy measure

The situation regarding the reception of asylum seekers and refugees in France is very different from the German one; it takes place in a very different historical, political, legal and financial/fiscal context, in general (see point 1.2 above), especially when it comes to the integration of refugees on the labour market. Before changes were announced by the government for the period 2017-2018 (see further), the policy approach towards refugee integration could hardly be seen as a sustainable solution to the challenges posed to France and the EU in terms of managing the flows in urgency, inventing short term forms of accommodation and demanding much responsiveness from associations and charities, despite progress made in some areas in the years 2015-2016. What is crucial is that Parliament in France is aware that, despite a significant increase of credits for the budget chapter 'Immigration, asylum and integration', the number of accommodation places is largely insufficient and the integration of refugees remains what the Senate commission calls the "*parent pauvre de notre politique d'asile*" (has received poor attention in our asylum policy") (Senate commission, 2017 budget, report n° 140, Tome III, Annexe 17, p. 6)⁶.

2.1 Asylum seekers and refugees: legal situation

Asylum seekers. Since the Prime Minister Instruction (*circulaire* of 26 September 1991), open access to legal work, vocational training and employment is barred to asylum seekers and reserved for those who enjoy recognition whether it is subsidiary protection or refugee status. This essential feature of the legislation has been strictly adhered to ever since by the Ministry of Interior. Many sections of French public opinion, including associations and charities, have however criticized this legal situation, especially in view of comparison with other countries and cross-national expertise (OECD, 2016). Directive 2013/33/EU of 26 June 2013, laying down standards for the reception of applicants for international protection, defines the delay for accessing the labour market at 9 months after the registration of asylum seekers (article 15.1). French legislation formally complies with this provision, but additional work permits must be issued by labour market authorities after checking the particular labour market situation of applicants who have found a potential employer. A similar 'priority check' was apparently waived in Germany. The general view held by actors is that these permits are too few. Actually, there are no national statistics⁷ of the eventual number⁸ of authorizations issued after the labour market 'checks'. These checks echo the ones implemented in the 1930s in France (Barbier, 2014). In principle, asylum seekers do not have access to the PES services; exceptions are only possible when the OFPRA has not respected the 9 months deadline for ruling on the asylum application. The legacy of the 1991 *circulaire* is evoked in the title of the present report, which suggests getting "forward" in returning to before 1991, when asylum seekers were allowed to work without labour market "checks".

Refugees and subsidiary protection. Legally, refugees enjoy the same 'employment' rights as French and other regular foreigners without requiring any additional authorization). However, many professions and occupations are not accessible to foreigners including for instance in the public sector and protected professions.

⁶ Note that, compared with the German paper, which gives elements for estimating the funding of policies for refugees and asylum seekers in this country, it is impossible to compare equivalent French figures, for lack of a comprehensive framework of comparison.

⁷ Ministers have yet to answer an official written question raised by the Senate in April 2017 (see https://www.senat.fr/basile/visio.do?id=qSEQ170425722&idtable=q325892%7Cq323243%7Cq321573%7Cq320175%7Cq320176%7Cq326954%7Cq326914%7Cq326157%7Cq325222%7Cq324499&_s=11026G&rch=qa&de=19780101&au=20170424&dp=1+an&radio=deau&appr=text&aff=sep&tri=dd&off=0&afd=ppr&afd=ppl&afd=pjl&afd=cvn)

⁸ Our very exploratory survey tends to show that the idea that there was only one such permit in 2015 in the Paris Region would be untrue. (Migration Policy Center, 2016, p. 54).

All in all, asylum seekers are de facto in limbo during the administrative and legal checking of their situation, which often lasts over more than 9 months⁹. During this period, provision of accompanying services in matters of employment and professional language education is extremely rare, and voluntary, dependent on provision from associations. This means that, when the recognition of their status eventually happens for some asylum seekers, they need even more time to rearrange their lives, and to become free and autonomous, because they have too long been estranged from the world of work.

2.2 Several stages in the development of a general policy approach

Since 2015, the French government has implemented various reforms in the area of asylum and immigration. The 2015 July 29 Act implemented a reform of asylum policy, and introduced regional framework arrangements with a focus on accommodation and reception. In 2016, the March 7 Act reformed the legal status of foreigners¹⁰. In the area of labour market integration, in 2015, the Ministry of Employment issued a directive on labour market integration for beneficiaries of protection, followed by the comprehensive cross-departmental instruction of December 2016¹¹. The latter is mainly focused on the young (less than 25 old working age refugees). On July 12, 2017, the government presented a new policy framework 'Garantir le droit d'asile, mieux maîtriser les flux migratoires' (Implementing asylum rights and better managing migration flows), which will be implemented through a new Bill due to be presented in the first semester of 2018. New measures will be discussed in autumn in the French Parliament. This new policy is a follow-up to the 2015 'migrants plan'. In the Summer of 2017, the Ministry of Interior acknowledged the weaknesses of the current asylum and refugee policy framework: "The integration of foreigners is a first priority in France for social cohesion. So far, our budgetary commitment is clearly not matching the needs. For those who have seen their refugee status recognized, we will implement an integration policy in order for them to benefit from the equality of opportunities"¹². This political declaration clearly demonstrates that such an integration policy is still very much in its making, with regards to forms of interventions, monitoring, coordinating and evaluation.

Specifically regarding the integration of refugees on the labour market, France's current policy framework is certainly less comprehensive than Germany's even though it is based on technically similar actions and programmes (language education, vocational training, job search support). Generally and comparatively, it looks more piecemeal and experimental. The role of associations (and voluntary work) in the overall policy output is essential, in a situation where resources rarely match the demand for services. In many cases, programmes and interventions are still in their early stages: the number of places for special schemes is limited, and in their absence, refugees are deemed to be dealt with by mainstream PES programmes for the unemployed, as the other unemployed. However the outputs, results and

⁹ OFPRA (*Office français de protection des réfugiés et apatrides*) (2016), which delivers refugee documents, has a policy of reduction of the processing time, but the official duration figure is considered among actors to underestimate the overall time, which does not include waiting periods before the official appointment is given to the refugee (one-stop, GUDA) and the possible additional time for appeals and second decisions. In his speech to the Préfets (September, 5, 2017), criticizing the situation, President Macron spoke of 'more than one and a half year'. <http://www.elysee.fr/declarations/article/discours-du-president-de-la-republique-aux-prefets-du-5-septembre-2017/>

¹⁰ March, 7 2016 Act Concerning Foreigners' Rights (*Loi relative au droit des étrangers*).

¹¹ *Circulaire interministérielle du 12 décembre 2016 relative à l'insertion professionnelle des bénéficiaires d'une protection internationale* (Inter-ministerial Instruction on *Integration in Employment of People Benefitting of International Protection*, December 2016).

¹² « L'intégration des étrangers en France est un enjeu de premier plan de cohésion sociale. Les moyens mobilisés à cette fin ne sont aujourd'hui clairement pas à la hauteur des enjeux. Pour celles et ceux qui se sont vu reconnaître l'asile ou le droit au séjour, une véritable politique d'accueil et d'intégration sera mise en place pour leur garantir une réelle égalité des chances. (see Ministry of Interior's website).

outcomes of service provision delivered to refugees are not monitored yet as such by the PES (see basic CIR statistics mentioned in section 1.3).

2.3 A more active and experimental intervention since 2016

It is not easy to interpret the French policy because it is not yet entirely explicit and its development has been adaptive. Some argue that the government's actual priorities do not include labour market integration of refugees because of a one-sided focus on short-term reception of asylum seekers and security and policing concerns (Migration policy center, 2016, vol. 1, p. 26-27). True, in official documents issued in 2015-2017, whereas quantitative estimates were made for the objectives of accommodation and reception, labour market integration was not dealt with on a similar quantitative footing.

For instance, it is difficult to identify what the target groups for interventions are. A study by the Ministry of Interior (Point de contact 2016, p. 38) makes an attempt at this, starting from the number of persons protected residing in France. In fact, OFPRA latest 2016 statistics (excluding accompanying minors) put the figure of protected persons at 228 000 (of which 43% women, with a mean age similar for men and women, at 43). The Ministry (ibid.) states that 84 000 protected persons entered France in the last ten years (supposedly excluding minors). Apart from this 'stock', the 2016 flow was 26 000, with a mean age of 30. Among the 2016 flow, the proportion of men was 70% and the mean age 30 for Africans; resp. 75% and 30 for Asians (OFPRA, 2016). Here we have figures that allow assessing an overall quantitative framework, but do not precisely delineate the target groups.

It is understandable then that recently French policy has tended to focus on the young, once the mainstream (*droit commun*) principle is supposed to be in place, according to which asylum seekers (of whatever age) are not allowed to work (bar exceptions) and refugees are seen as enjoying the same rights as French or foreign permanent residents. The 2016 Instruction (section 1, p.2) de facto targets the young (working age refugees less than 25 years) the proportion of which it evaluated at 15% of the expected 2017 flow. For this group the 2016 Instruction lists an array of traditional employment programmes that are implemented on a mainstream basis for the traditional target groups of French employment policy (among which the EU co-funded Youth Guarantee).

A pilot scheme was presented in the Instruction for 100 refugees in each one of two French regions (Haut de France and Ile de France)¹³. One could say that this is a two-tier policy, one, experimental and focused on small groups of targeted (young) people, and the other for the mainstream part of potential eligible refugees, mostly young, which are not really distinguished from the rest of all '*groupes prioritaires*' (priority groups among the other unemployed). Apart from the under 25, France has not implemented any particular targeting of refugees as Germany seems to have: as mentioned, this privileged targeting would bring forward the '*droit commun*' question. Apart from that, three points should be stressed.

1. *Civic and language education*: Since the 2016 Act already mentioned, all new immigrants are requested to enlist in the *Contrat d'intégration républicaine* (CIR) process¹⁴. Protected persons (refugees and subsidiary protected) are invited to join but are not obliged. A two-day preparatory 'civic course' starts the contract. Then, the main aspect of it is French language training (target: A1 international level). CIR is a mainstream programme which enlisted 110 000 persons in 2016, of which about 12 000 protected persons. Based on the CIR instrument, the three-year (2016-2019) Agreement between the Ministries of Interior and of Employment and the PES is

¹³ AFPA (*association de formation professionnelle des adultes*), the PES training branch, reported about its success in the Hauts de France, where the pilot finally comprised 79 young people, with a success rate of 94%, see <https://www.afpa.fr/actualites/programme-pilot-79-refugies-diplomes>

¹⁴ Excluding students, francophone asylum seekers and persons familiar with the French language.

implemented. Having been in France for less than 5 years, participants are registered at the PES and have access – including protected persons, to a mainstream treatment. Dependent on the test undertaken, refugees, as others, are offered three types of language courses: 50, 100 or 200 hours under the supervision of OFII¹⁵. The 2016 target was supposed to increase to a flow of 50 000 persons (including protected persons), and the mean number of hours for courses was 240 in 2011, a number much smaller than the German reference (Karoutchi, 2017). Non-compliance with the provisions of the contract can lead to sanctions for participants in the delivery of permits.

Moreover, in principle, French law ¹⁶ provides that a mainstream employment support is delivered to refugees participating in the CIR. No data on the implementation of this Law is available; however a UNHCR report argued that these support services are provided on a selective basis rather than to all refugees (2013, p. 78).

2. Mainstream services. In general, refugees, because they are deemed to have access to all PES programmes on a universal basis, are supposed to have access to special short-term skill evaluations in firms, but no statistics about the number of refugees participating in these mainstream measures are available. In addition, the group of young refugees are also eligible to priority schemes such as those available for young people (instructions 2015 and 2016 already quoted). Details about this treatment would entail a review of the entire French labour market policy

3. Pilot schemes: Since 2016 a new turn seems to have been taken by French authorities and measures towards improving labour market integration of refugees were piloted in two regions, namely North and Ile de France (see previous note on AFPA). In Mid-2017, based on the experience of the two regional pilots, another more ambitious programme was started for 1 000 participants¹⁷. It is expected that this still experimental programme will be extended across France. The programme is mainly implemented by the Public Service Agency for Vocational Training (AFPA) and funded by branch-level funds for vocational training. Its participants are presently being integrated in a programme that combines housing, vocational training and language education. The programme targets under-25 years old working age refugees and some 25+, coming from the whole national territory, who can prove an A1 language level knowledge. The programme is set on the basis of an eight month schedule. Participants are provided with boarding while benefitting of vocational training and language courses. The programme is rolled in two stages: the first part consists in a vocational orientation and training (400 hours, participants are considered as unemployed); the second part, where participants are employees, foresees their enrolment in a training scheme designed in cooperation with partner companies, and for which they eventually receive an employment certification. Refugees who accepted signing a CIR have access to the corresponding language training with the A1 level target as a start.

4. Local initiatives run by large or small associations.

Apart from the above mentioned measures, there is a great variety of projects and activities being implemented by associations, of which only a part is funded by public money. Even though it is not possible to obtain quantitative results of these initiatives at the moment, two specific 'good practice' examples are being mentioned amongst these initiatives: the first is ACCELAIR, promoted by a large association - Forum Réfugiés. The scheme was initially funded by the EU Equal Programme in 2002 and has existed since. This innovative scheme in Rhône-Alpes is implemented in the framework of a complex network of actors (firms, public institutions, private actors) and combines accommodation, vocational training including language training linked

¹⁵ OFII is the French Office for Immigration and Integration (Office français de l'immigration et de l'intégration) an agency close to the Ministry of the Interior and the Ministry of Employment.

¹⁶ article L-711-2 of the special code for asylum seekers

¹⁷ Framework agreement for experimental pathways for refugees, May 2017.

to work. The second most quoted programme is RELOREF (linked to another big association, FTDA, France Terre d'Asile) is generally seen as a very innovative scheme for housing. Furthermore, apart from various language courses, collective workshops for job search and counselling are proposed by many voluntary organisations.

2.4 Language education/training

It is commonly recognized that the learning of the local language is a crucial step for professional integration in any country (OECD, 2016) and it is the same in France (UNHCR, 2013, p. 80). However, an interest for systematic language education of *immigrés* and now migrants, is still new in France. The many shortcomings of the French system with regard to language education for foreigners have been documented in a special Parliament report (Karoutchi 2017). Unfortunately this document is at the same time a political comment on current programmes and an administrative report, but does not contain a proper scientific evaluation. In short, the report stresses the following issues:

- First, the funding available (i.e. 47 million euros in 2017) is not sufficient to achieve the objectives set for the language programmes.
- Secondly, the duration of courses is considered too short and the report suggests extending the language training up to 600 hours (quoting Germany). However, in contrast to this suggestion the average duration of courses has actually been reduced from 240 hours in 2011 to 148 hours in 2016 (Karoutchi, 2017, p.6).
- Lastly, students are grouped in too heterogeneous classes, making the learning and teaching challenging. As a consequence, less than 50% of participants achieves level A1, attesting basic knowledge of the language.

Apart from the 'official' OFII courses, a variety of other programmes exist, including those supported by universities and voluntary courses. For lack of precise scientific assessment, it is only possible to make two tentative conclusions at this stage.

A first one is that there is a need to learn from the German programmes: French opinion is prepared for that. One could learn from Germany also by including the difficulties it has experienced in the years 2015-2016. One of the main lessons was that linguistic difficulties for migrants are not only 'professional' but also linked to their possible immersion in German-speaking wider contexts (Knuth, 2017).

More innovative and more ambitious, a second conclusion is promoted by a number of associations, such as the Jesuit Refugee service (JRS). These associations plead for considering language as part of a basic array of indispensable resources for a decent living (such as accommodation, food, access to water, etc.) and thus as pertaining to basic human rights. Taking this approach would have important implications in terms of funding in the French case, but it should be seriously considered for asylum seekers and refugees. Until such an approach could be gradually promoted, France has a long way to go with regard to an adequate provision of language training to refugees. It is unfortunately presently impossible to draw systematic comparison with Germany apart from the fact that numbers of hours are much lower, and homogenous groups are not often mainstreamed (Karoutchi, 2017).

3 Assessment of the success factors and transferability

Two main questions emerge by comparison with other countries, Germany in particular.

The role of the de facto impossibility of work for asylum seekers in France is the first one. The change of policy was initiated in 1991 in France, and at the same time, the prohibition was abandoned in Germany (GISTI, 1991). Divergent policies in France (prohibition) and Germany (authorization) were thus implemented. They have

certainly not rendered French policies more adequate in the 1990s and the early 2000s for labour market integration than the German policies. Given the practice today in many EU countries and not only Germany, time has probably come to re-examine the prohibition of work for asylum seekers on principle.

Moreover, international expertise stresses the benefits linked to the early access of asylum seekers to forms of work and training, and to the services of the PES (OECD, 2016, p.13-18). These benefits are not only economic (not being dependent on assistance), but also social (integrating more rapidly, in particular for young children) and moral (the dignity provided). Interestingly, the German report mentions how the 'early intervention' was first piloted in this country, and how it was accompanied with 'capacity building' for the staff in the PES (inter-cultural education and specific knowledge education). Such practices could also be tested in France.

Experimental activities could also be inspiring to help asylum seekers organize their own work or activities. For instance, the association Du pain et des roses (www.dupainetdesrouses.org), is working in partnership with France Terre d'Asile (FTDA), a key French association receiving asylum seekers. It organizes 'workshops' for women who make bouquets and sell flowers. This also of course has important implications for the asylum seekers' and the refugees' moral conditions of life, as constantly reported by actors of their reception and integration in France since 1991 (UNHCR, 2013, p. 60)

The second main question has featured in many reports about the integration of refugees. It was strongly put forward in the 2013 UNHCR report. It is seen as a key linkage between housing, the indispensable support for finding permanent housing and proper integration in employment. This points to the fact that support, counselling and what is termed '*accompagnement*' (working with in order to help) in French parlance is not only a question of funds, but a question of articulating diverse elements of the project for a genuine social integration. The pilot projects currently being implemented exactly draw on this key linkage. French mainstream social institutions (as the PES, among them) do cater for the needs of millions of persons and it is difficult to strike a balance between the universal needs and the special groups' expectations and legal rights. As the refugees, and the asylum seekers still represent a modest proportion *vis à vis* the rest of the population, enhancing interventions for their integration on the labour market is possible without huge transformations of the PES and the social actors, and it is less demanding than it was in the German case.

Generally speaking, the other points put forward by the host paper are all very pertinent: early labour market integration, the key factor of language, and the role of enterprises. Stepping up (qualitatively and quantitatively) programmes for labour market integration of refugees (and asylum seekers) in France entails a better balance between the influence of security and policing needs and requirements, and of better targeted services for the labour market. We saw how this balance (and sometimes contradiction) has been at the heart of the immigration and refugees policies in France since the early 1930s. The experience made in Germany in the years 2015-2017 is also important from another angle: the necessity of taking time really into account (Knuth, 2017), time for the learning processes (of language and of the foreign society and culture into which refugees are exiled) and for adaptation, by the administration, to the needs of the asylum seekers and refugees as persons in need of recognition of their dignity and extreme difficulties, but also time for inventing and tailoring adequate interventions from the part of the public sector, and from the general public. Finally, one should take into consideration the fact that associations plead for considering language as part of a basic array of indispensable resources for a decent living (such as accommodation, food, access to water, etc.) and thus as pertaining to basic human rights.

4 Questions to the host country in the Peer Review

- How can a mainstream 'activation' (Fördern and Fordern) rationale be adapted to the special case of refugees, who need so much support and 'accompagnement' (all sorts of specific support, especially language education)
- How define the right moment for engaging in work and job search? In other terms how early is the most adequate early intervention with regard to the period of the first accommodation/reception procedures?
- What are acceptable targets for the duration of language courses?
- Do remaining controls exist for the access to employment of asylum seekers in certain regions of Germany? Can you explain the 'priority check' described in part 4.2? Was there reluctance at the beginning to its lifting? What are its practical consequences now?

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Annex 1 Summary table

Situation in the peer country relative to the host country

- Very different situation: modest impact of reception of refugees, but increasing.
- In addition, still modest but increasing number of recognitions.
- Refugees form about 10% of immigrants.
- Weak labour market situation: high open unemployment -Competition for low-skilled jobs.

Assessment of the policy measure

- Legal prohibition of work for asylum seekers since 1991.
- Refugees are granted the same rights for work and training than nationals.
- Lack of specific statistics: dearth of quantitative data.
- Since 2016, experimental spirit for labour market integration of refugees.
- Overall weak coordination of measures and initiatives and lack of monitoring and evaluation.

Assessment of success factors and transferability

- Desire to emulate Germany in allowing asylum seekers to work.
- Learning from other countries is essential with regard to language education.
- Language education as basic human right to be discussed also for asylum seekers.
- Enhance provision of language education and duration of courses and introduce homogenous groups.

Questions to the host country in the Peer Review

- How can a mainstream 'activation' (Fördern and Fordern) rationale be adapted to the special case of refugees, who need so much support and 'accompagnement' (working with in order to help)?
- How to define the right moment for engaging in work and job search? Especially with regard to accommodation/housing
- What are acceptable targets for the durations and characteristics of language courses?
- To explain the 'priority checks' more in detail.

