



PROVIDING SAFE AND LEGAL PATHWAYS FOR REFUGEES TO FRANCE:

POTENTIAL FOR DEVELOPMENT

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Abstract

Although the United Nations High Commissioner for Refugees (UNHCR) estimates that 2.4 million people will need to be resettled in 2024, safe and legal pathways are more than ever a means to protect refugees and foster international solidarity with countries that host the most refugees. These mechanisms, which allow people in need of international protection to be transferred in a legal and organised way, have experienced a revival in Europe since 2015 without, however, being up to international challenges. Above all, we are seeing the development of initiatives by civil society organisations (NGOs, churches, universities, the private sector, etc.) that are helping to diversify access routes to Europe.

France has also been involved in this trend. Government resettlement programmes are becoming established in the country with a target of 3,000 refugees per year confirmed at the Global Refugee Forum in December 2023. France, along with Germany, is also one of the main contributors to relocation operations within the European Union. A university corridor was opened in 2022, enabling refugees to study at 13 French universities, and a pilot project is set to be launched to include refugees in labour mobility programmes. Finally, it should not be forgotten that family reunification remains the most frequently used legal pathway, enabling more than 12,000 people to join a refugee family member in France in 2022.

In addition to these mechanisms, the French government can issue long-stay visas for people wishing to apply for asylum in France. This legal instrument has been used to set up *ad hoc* protection operations, for example, for persecuted minorities in Iraq between 2014 and 2021 and for Afghans evacuated after 15 August 2021. French non-government organisations (NGOs) have also made use of asylum visas to respond to individual emergency situations, particularly for human rights activists or LGBTQI+ people. Humanitarian corridors set up by the Federation of Protestant Mutual Aid (FEP: Fédération de l'entraide protestante) and the Community of Sant'Egidio are the most successful example of a project based on asylum visas. Inspired by the Canadian model of private sponsorship programmes, humanitarian corridors have enabled hundreds of refugees to be relocated from Lebanon to France where they are hosted and supported by citizen groups.

Therefore, there is a favourable environment for developing legal pathways in France. However, this potential is weak due to a series of legal, political

and financial obstacles, but also because of a very restricted ecosystem that operates in silo. Poor co-ordination between legal pathways, the absence of a secure legal framework and the lack of political ownership of these mechanisms are all threats to their future. Moreover, apart from government resettlement programmes, other legal pathways only receive piecemeal public funding which puts the continuity of civil society initiatives at risk.

The challenge is also to expand the range of stakeholders involved beyond the restricted circle of the current ecosystem. Firstly, a sufficient number of volunteers need to be recruited. The outstanding support for displaced Ukrainians shows that there is a pool of people ready to open their doors. However, the citizens' welcome of Ukrainians also showed that this development needs to be supported, managed and time-bound. This highlights the important role played by NGOs in organising refugee sponsorship programmes and acting as intermediaries for the government. These NGOs could also play a role in promoting their programmes and in involving "communities" and organisations working outside the asylum sector, such as feminist and LGBTQI+ rights organisations, professional organisations whose members are at risk worldwide, or diasporas.

The future of legal pathways clearly lies in the ability of "traditional" stakeholders to enter into partnerships outside of established channels. University corridors have shown the impact of such partnerships with universities. Local and regional authorities and the private sector represent a significant group of potential contributors to facilitate the seamlessness of legal pathway channels. But also philanthropic foundations, because these programmes desperately need financial support to ensure their continuity.

All these obstacles are not insurmountable, but the fact cannot be ignored that legal pathways are developing against a background that is not conducive to a calm debate about immigration in France and Europe. They should not be a pretext for outsourcing the right to asylum but a beacon for international solidarity.

Contents

Introduction	4
International solidarity to correct imbalances in hosting refugees	4
What about France?	7
Towards a diversification of legal pathways	9
A humanitarian priority	9
Restoring family life	15
Investing in refugees' academic and professional skills	16
A still weak commitment to legal pathways	19
A long-term French model	19
Expanding mobilisation to consolidate legal pathways	23
Conclusion	29

Introduction

At the end of the Second World War, the writers of the Geneva Convention Relating to the Status of Refugees of 28 July 1951 recognised “the international scope and character” of the problems resulting from an imbalance in the distribution of refugees around the world and emphasised that international solidarity was a key to solving these problems. In 2024, this principle is more relevant than ever.

International solidarity to correct imbalances in hosting refugees

The number of refugees worldwide increased from 15 million in 2010 to 35 million by the end of 2022, reaching unprecedented levels since 1945. More importantly, 76% of these people are mainly hosted in low- or middle-income countries, an imbalance that the war in Ukraine has only marginally corrected¹. Furthermore, the number of refugees in migration trends varies considerably depending on each countries' level of wealth. According to World Bank data, 50% of international migrants in the poorest countries are refugees and asylum seekers, most of whom are women and children. Conversely, they only account for 3% of migrants in the richest countries where labour migration is more likely to contribute to their economies². This means that many refugees do not have the wherewithal to reach countries with better resources and remain in already vulnerable countries.

These imbalances are the greatest threats for the future of the global refugee protection system. This is why international solidarity was placed at the heart of the Global Compact on Refugees in December 2018, which was signed by the international community with a few exceptions³. It is also why the United Nations High Commissioner for Refugees (UNHCR) called on states to make concrete commitments at the 2019 and 2023 Global Refugee Forums.

International solidarity assumes many forms. Firstly, keeping countries open to those fleeing persecution is not only an obligation under international law but also an expression of solidarity. Contributing to the UNHCR's budget and providing humanitarian and development aid are also ways of supporting countries which host the most refugees. Enabling people in need of protection to gain legal, safe and organised access to a country where

¹ UNHCR, *Global Trends-Forced Displacement in 2022*, June 2023. Available at: www.unhcr.org.

² See the United Nations' Population Division's figures (www.un.org).

³ The Global Compact on Refugees was ratified by 181 countries at the United Nations' General Assembly on 18 December 2018. The United States and Hungary voted against it. The Dominican Republic, Eritrea and Libya abstained.

they will be able to find protection and build a new life is part of this international solidarity effort.

While legal and safe pathways may seem secondary, or even insignificant, in numerical terms compared to the impact of aid directly provided to millions of refugees in first countries of asylum, the fact remains that they save lives, particularly those of the most vulnerable people, and have significant consequences. Firstly, legal pathways send a clear signal to countries which host the most refugees. These countries will be more ready to improve the living conditions of refugees who remain in their lands if they are supported by the international community. Secondly, recent history has shown that legal pathways have played a leading role in the development and organisation of national asylum systems and, more generally, the global refugee protection system.

This was the case after the Second World War, when more than one million European refugees were resettled in America and Oceania, in 1956 with the distribution of Hungarian refugees and in the 1970s with refugees from South-East Asia. The reception of these people made a significant contribution to the development of the Western European reception systems as we know them today.

The period that began in the 2010s is definitely a key moment in the history of global refugee protection. Against this background, refugee aid organisations and the UNHCR are urging countries to substantially expand legal pathways for refugees. In 2019, the UNHCR launched a Strategy on Resettlement and Complementary Pathway which aims to transfer three million refugees to 50 countries by 2028. But there is still a long way to go. In 2022, only 57,000 people were able to move to a new country through government resettlement programmes. Yet, according to the UNHCR, 2.4 million refugees will need to be resettled from a first country of asylum in 2024.

However, the prospects are not all bleak. Since 2015, there has been an admittedly insufficient but genuine impetus surrounding legal pathways in the European Union⁴. In several Member States, resettlement is gaining ground as a common way of accessing international protection. This development is not restricted to governments. NGOs, citizens' groups, universities, communities and companies are coming together and

⁴ As part of the negotiations on the European Pact on Migration and Asylum, on 8 February 2024 the Council and the European Parliament confirmed their agreement to adopt a regulation setting out the EU Framework for Resettlement and Humanitarian Admission. The European Commission's proposal for a regulation dated back to 2016. See www.consilium.europa.eu.

organising themselves to bring in and host refugees with remarkable inventiveness.

LEGAL PATHWAYS ACCORDING TO UNHCR

Resettlement involves the selection and transfer of refugees from a State in which they have sought protection (host country) to a third State which has agreed to admit them – as refugees – with permanent residence status (resettlement country). The status provided ensures protection against refoulement and provides a resettled refugee and his/her dependants with access to rights similar to those enjoyed by nationals. Resettlement also carries with it the opportunity to eventually become a naturalized citizen of the resettlement country.

Complementary pathways for admission are safe and regulated avenues for refugees that complement resettlement by providing lawful stay in a third country where their international protection needs are met. These people may be able to obtain a permanent status in the third country. There are various complementary pathways for admission:

- Family reunification;
- Private or community sponsorship programmes;
- Humanitarian admission routes;
- Student mobility programmes;
- Labour mobility programmes.

Finally, alongside these programmes designed to bring refugees from outside the European Union, there is intense debate in Europe about a fairer distribution of asylum seekers across Europe. Relocation, a term used to differentiate this resettlement mechanism, is also designed as a solidarity tool, but this time within the EU. Relocation is also sometimes presented as a corrective mechanism for the effects of the Dublin III Regulation, which places a greater burden on countries with external borders. The first intra-EU relocation scheme was conducted in 2008 and 2009 for Malta and involved people who already had international protection. It was mainly between 2015 and 2017, that a more extensive, but still temporary, mechanism was implemented in response to the “refugee crisis”. Slightly

more than 30,000 people “manifestly in need of international protection⁵” were relocated to other Member States from Greece and Italy; however, this was very far short of the initial target of 160,000. Since then, the story of European solidarity has followed a rather turbulent course, but projects to relocate different categories of migrants have continued, particularly for those who have landed on European shores, on an *ad hoc* basis, without rules and criteria and at the discretion of volunteer states. With a few exceptions, France has always contributed to these relocation operations which are becoming a new pathway for organised arrivals to the country for people who will then be registered in the French asylum system.

What about France?

It is often forgotten that organised reception operations for refugees have profoundly shaped the right to asylum in France. The country played its part in hosting Hungarians in 1956, victims of Latin American dictatorships in the early 1970s and then refugees from South-East Asia. This type of operation ceased when the right to asylum was no longer seen as a vector of French foreign policy but as an instrument of its immigration policy. In the late 2000s, France made a tentative attempt to revive a resettlement programme with the UNHCR⁶ and a humanitarian admission programme for Iraqi nationals from “persecuted minorities⁷”. These programmes were implemented very slowly by institutional and NGO stakeholders which have lost the expertise of the 1970s. Above all, they were not large enough to be a real government priority. All this changed in 2015 when resettlement became a response to the so-called “refugee crisis”.

Since the summer of 2015, resettlement has been considered within a European framework⁸, even though the tasks of selecting, transferring and receiving refugees still remain the responsibility of Member States. Based on these European commitments, as well as bilateral solidarity with Lebanon, the French resettlement programme aimed for a target of 10,000 people for the period 2016–2017. It was a substantial quantitative leap, but one that has not been fully followed up.

⁵ The criterion used to define a person “manifestly in need of international protection” was an average recognition rate for international protection of at least 75% within the EU for nationals from the same country. In concrete terms, this involved Syrians, Eritreans and, occasionally, Iraqis.

⁶ France made a commitment to the UNHCR in 2008 to examine around 100 resettlement cases per year. This agreement is still in force.

⁷ Between 2008 and 2012, around 1,200 Iraqis, mainly Christians, were received directly from Iraq or Syria.

⁸ An EU Council Decision of 20 July 2015 established a European resettlement programme with a quantified breakdown for each Member State. Since 2017, the European Commission has been collecting Member States’ quota commitments. The EU’s role is primarily to provide financial support for the States and co-ordinate priorities and targets.

When President Macron was newly elected, he confirmed France's commitment to a similar level for 2018–2019. But this time, 10,000 refugees actually arrived in France. France stated that it wanted to keep up the momentum at the Global Refugee Forum in December 2019, but COVID-19 seriously hampered this effort which is now at 3,000 refugees per year.

Therefore, there is a favourable environment for developing legal pathways for refugees in France. But this environment is weak in many respects

In addition to these government efforts, civil society organisations, citizens' group and universities are mobilising to provide creative, though still limited, complementary pathways for refugees. A new dynamic has been put in place which both expands the group of stakeholders involved in legal pathways and gradually establishes them as solutions that can be linked to support for refugees, who are arriving spontaneously and in ever-increasing numbers in France.

Therefore, there is a favourable environment for developing legal pathways for refugees in France. But this environment is weak in many respects. First and foremost, politically. As there is no clear legal framework, legal pathways are subject to the government's discretion, with the exception of family reunification. The same applies to initiatives by civil society stakeholders who cannot avoid co-operation with the government, at the very least with regard to the issuing of visas and access to protection or residence in France. Added to this is an uncertain economic model in a country where public funding, both French and European, still deeply shapes reception schemes.

The purpose of this paper is, therefore, to outline the French context of legal pathways, which is changing and diversifying, without ignoring the political, legal or financial obstacles to this type of programme becoming established in the national asylum system. This paper will also try to argue that these obstacles are not a foregone conclusion and can be overcome by better pooling of resources and expertise and by mobilising new allies.

Towards a diversification of legal pathways

After a tentative start, France is now one of the biggest contributors to resettlement in the EU⁹. Since 2015, legal pathways have developed and diversified. This development has been accompanied by an expansion of the group of stakeholders involved. Legal pathways are presented by the UNHCR as international solidarity tools. As such, they are intended to meet the governments' humanitarian policy objectives by targeting the most vulnerable refugees. Like the trends observed in Canada and the rest of Europe, the profile of people using legal pathways has diversified in order to offer more places¹⁰.

A humanitarian priority

The primary objective of legal pathways is to provide effective and durable protection to refugees who do not have access to it in their first country of asylum. In fact, vulnerability criteria are used to select people who are eligible. This is particularly true of resettlement programmes. While governments retain control over the selection of refugees, the identification of these is undertaken by UNHCR in accordance with the UN agency's Guidelines. This handbook defines seven criteria for resettlement: the need for legal and/or physical protection, victims of violence and/or torture, medical needs, women and girls in at-risk situations, family reunification, children and adolescents in at-risk situations, and lack of other short-term durable solutions.

Government programmes that are becoming established

France has set up two resettlement programmes. The first has existed since 2008, following the signature of a framework agreement between the government and UNHCR. This framework agreement allows for the review of a 100 cases per year. Selection is based on files forwarded by UNHCR, which means a very wide range of nationalities and first countries of asylum can be reached. Moreover, refugees hosted under this framework have frequently been displaced for a long time and are extremely vulnerable, particularly in medical terms.

As stated above, resettlement really took off in France in 2015. A second resettlement programme was then launched within a European framework. Initially, this programme only targeted Syrian refugees in the Middle East.

⁹ According to Eurostat data, France was the third largest resettlement country in the EU in 2021 after Sweden and Germany.

¹⁰ For a detailed presentation of resettlement programmes and complementary pathways in France, see the tool kit published in November 2023 as part of the SAFE project co-ordinated by Forum réfugiés: safepathways.eu.

Since 2017, some of the quotas have also been used for sub-Saharan refugees on the central Mediterranean route and/or evacuated from Libya via Niger and Rwanda. Although this programme is aimed at refugees likely to arrive irregularly in Europe, the main selection criterion is vulnerability. The selection procedure differs from the previous programme since France organises on-site selection missions, but always based on files submitted by UNHCR. Since the COVID-19 pandemic, the resettlement quotas have been revised downwards. Around 3,000 refugees were received in France as part of the European programme in 2022 and then in 2023. At the Global Refugee Forum in December 2023, France maintained its commitment to resettling 3,000 refugees a year, with part of the quota going to “isolated and particularly vulnerable female refugees, initially Afghan women¹¹”.

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Intra-European relocation shares humanitarian aspects with resettlement, but primarily solidarity, this time within the EU. However, unlike resettlement, it is not aimed at people whose need for protection has been recognised, but at people claiming asylum or who wish to do so, and at unaccompanied minors. Furthermore, people's vulnerability is not always presented as a selection criterion. To be more precise, there are currently no established European criteria.

Subsequently, transfers of asylum seekers and migrants from one Member State to another are conducted as part of *ad hoc* initiatives or pilot projects on a voluntary basis. France has contributed to all these operations and has stated it supports European legislation on this topic. According to data published by the Ministry of the Interior, 865 people were relocated to France from Greece in 2020 and 2021 as part of a scheme involving 16 European countries¹². Similarly, at the instigation of the French presidency of the EU, a pilot project was adopted by 21 European countries in June 2022 to relocate 8,000 migrants who had landed in EU Mediterranean countries. France pledged to receive 3,500 of them. The government has not released the results of this programme, but the European Commission

¹¹ See the speech by Catherine Colonna, the Minister for Europe and Foreign Affairs at the Global Refugee Forum on 13 December 2023: www.vie-publique.fr.

¹² Ministry of the Interior, *Les étrangers en France – rapport au Parlement sur les données de l'année 2021, [Foreigners in France – Report to Parliament on Data for the Year 2021]*, 2023.

stated that 38 people had been relocated from Italy as at 31 December 2022 and that another 225 people had been selected by France at the same time after missions to Spain, Italy and Cyprus¹³. In Europe, it would seem that only 1,457 people have been able to benefit from this voluntary solidarity mechanism¹⁴.

The year 2024 should mark a turning point in the troubled history of European solidarity programmes with the almost unexpected adoption in European legislation of a permanent relocation mechanism of at least 30,000 people per year. However, Member States will be able to opt out of this obligation by preferring other forms of solidarity, notably the payment of a sum of € 20,000 per asylum seeker not accepted. France's position during the negotiations on the European Pact on Migration and Asylum suggests that it will take up the distribution option. It has also been announced that a reception transit centre will be opened in 2024 to receive relocated people.

Asylum visas: a versatile but not very transparent tool

In addition to these programmes designed and implemented by the government, more specifically by the Ministry of the Interior, France can issue long-stay visas to “people in a vulnerable situation and who face serious risks to their lives due to their commitment to freedom or conflict in their country of origin¹⁵”. When they arrive in France, these people then have to apply for asylum under the same conditions as those who came to France on their own.

These long-stay visas are an increasingly poorly-kept secret in the French legal arsenal. However, we do have no precise data on the number of asylum visas issued annually by France. Figures published by the Ministry of the Interior indicate that 9,579 so-called “humanitarian” visas were issued to refugees, stateless people and beneficiaries of subsidiary protection in 2023 and 15,806 in 2022¹⁶. These figures may seem high and could include refugees received through resettlement programmes.

Therefore, asylum visas are a major legal instrument in the French government's toolbox. They have the advantage of being versatile enough to respond to individual or collective emergencies. Conversely, they have

¹³ Eurostat and the European Migration Network *Annual Report on Migration and Asylum 2022 – Statistical Annex*, 2023. Available at: ec.europa.eu.

¹⁴ R. Philips, “En un an, seuls 1.500 demandeurs d’asile ont été relocalisés via le mécanisme de solidarité européen”[“In One Year, Only 1,500 Asylum Seekers Were Relocated via the European Solidarity Mechanism”], *Infomigrants*, 13 June 2023. Available at: www.infomigrants.net.

¹⁵ Ministry of the Interior, *op.cit.*

¹⁶ See the provisional figures for immigration to France in 2023 published on 24 January 2024. Available at: www.immigration.interieur.gouv.fr.

the disadvantage of a lack of transparency and predictability in terms of issue. While recognising that these visas are subject to the government's discretionary powers, organisations and individuals who apply for these visas for at-risk people emphasise the lack of standardised practices from one embassy to another, or even from one consular official to another.

A response to individual emergencies

Asylum visas are regularly granted to human rights activists, journalists and other activists whose activities put them in serious and imminent danger in their country. Applications are often supported by NGOs, particularly Reporters Without Borders, FIDH, Agir ensemble pour les droits humains, or the International Refugee Assistance Project (IRAP), or individuals in France. Without it being explicitly specified, the authorities require a link to be established with France, which could arise from relatives in the country or some kind of sponsorship by a French organisation. Especially as embassies require applicants to provide proof of accommodation on arrival in France.

A LEGAL PATHWAY FOR LGBTQI+ REFUGEES

Asylum visas enable people persecuted because of their sexual orientation or gender identity to be evacuated from their country of origin or first country of asylum to apply for asylum in France. Founded in 2017 to support Chechens threatened with torture or death, Urgence homophobie has since developed expertise in supporting visa applications for LGBTQI+ people in Russia. Urgence homophobie experienced an increase in applications and a diversification in countries of origin (Armenia, Georgia, Serbia, Kazakhstan, Turkey, etc.) which further increased in 2022 because of the war in Ukraine and the repression of LGBTQI+ people in Russia. The NGO supported about 50 cases in 2023.

The NGO, Ankh, was founded in 2018 by LGBTQI+ rights activists in Egypt. Now in France, it provides support for asylum visa applications for at-risk people in the Middle East, North Africa and more recently, for Afghan refugees in Pakistan. About 20 cases were supported in 2023.

Urgence homophobie, Ankh, and other NGOs supporting asylum visas for LGBTQI+ people are also faced with a lack of transparency in the procedure, but also difficulties in contacting the relevant people at the embassies. The French special

envoy for LGBTQI+ rights, attached to the Ministry of Foreign Affairs, has announced the appointment of a focal point in each French embassy. However, the list has not yet been distributed to the NGOs to date.

Ad hoc protection programmes

In addition to issuing visas on a case-by-case basis, asylum visas are a tool that can be used to set up evacuation, and sometimes, reception programmes for persecuted groups. A ministerial instruction in 2014 opened up the possibility of issuing asylum visas to persecuted minorities from Iraq with connections to France, i.e., relatives or organisations that could host them. Between 2014 and 2021, 7,562 Iraqis came to France under this scheme¹⁷. Similarly, 8,268 Syrians were granted asylum visas between 2012 and 2021¹⁸. In these cases, the authorities had made no provision for reception arrangements in France.

It was a different for the special operation to receive Yazidi women launched at the instigation of Nadia Murad, winner of the 2018 Nobel Peace Prize. This programme enabled 466 people to come to France in 2018 and 2019, and then to supported by NGOs mandated for that purpose. The Afghans evacuated as part of Operation Arpagan following the fall of Kabul in August 2021 also received asylum visas before being accommodated and supported in reception centres for asylum seekers in France.

Humanitarian corridors

Humanitarian corridors are the most elaborated example of a programme based on asylum visas, initiated and implemented by civil society stakeholders. It is also the project which most closely resembles the private sponsorship programmes that have existed in Canada since 1978, whereby citizen groups come together, in partnership with the Canadian authorities, to take in refugees from a first country of asylum, to welcome them and support their first few months in Canada, including their accommodation¹⁹.

¹⁷ Ministry of the Interior, *Les étrangers en France – rapport au Parlement sur les données de l'année 2021*, [Foreigners in France – Report to Parliament on Data for the Year 2021], 2023.

¹⁸ *Ibidem*.

¹⁹ Private or community sponsorship programmes for refugees are public-private partnerships between the government, which facilitates the legal admission of refugees into the country, and private stakeholders who provide financial, social and/or emotional support to receive and integrate refugees into the host society.

The French humanitarian corridors are also part of the development of this type of complementary pathway in Europe in various forms and ways²⁰.

Humanitarian corridors started in France following a protocol signed in March 2017 between the government and five NGOs: the Community of Sant'Egidio, the Federation of Protestant Mutual Aid (FEP), Secours catholique – Caritas France, the Bishops' Conference of France and the Protestant Federation of France. This agreement allowed for 500 asylum visas for Syrian, Iraqi and Palestinian refugees from Syria in Lebanon. This partnership continues today with the signing of two new protocols at the end of 2021, the first with Sant'Egidio for the reception of 300 new refugees over two years, and the second with FEP for 300 refugees over three years.

The reception arrangements in France may differ depending on the NGO but, in both cases, they are responsible for identifying and selecting refugees on vulnerability criteria, whose applications are submitted to the French embassy in Beirut. With regard to the FEP, reception and support in France are provided by citizens' groups made up of 20 to 30 volunteers for around 18 months. This reception includes the provision of self-contained accommodation for refugees, who usually arrive with their families. At the same time, five regional co-ordinators employed by FEP member associations take care of the administrative procedures, particularly asylum procedures and eligibility for social welfare.

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programmes*

Humanitarian corridors are the perfect example of the potential of asylum visas as a versatile and adaptable way of building legal pathway programmes to respond to humanitarian emergencies, the protection needs of persecuted minorities, situations of great vulnerability, and/or to rescue human rights activists. Nevertheless, this type of programme requires mutual trust and smooth working relationships between the government and civil society organisations.

²⁰ See ICMC Europe, *Resettlement and Community Sponsorship across Europe*, A Share Quality Sponsorship Network (QSN) Publication, 2023. Available at: www.share-network.eu.

Restoring family life

Although it is presented by UNHCR as a complementary pathway to resettlement, family reunification, which allows a refugee to be reunited with their family members, is numerically the most significant legal pathway in France. In 2022, 12,253 people, most of whom were minors, were granted visas for this reason. There were only 2,780 people in 2017²¹. This sharp increase may be explained as an automatic and postponed effect of the increased number of people recognised as refugees in France, but also as a catch-up effect of cases suspended during COVID-19.

Above all, unlike other legal pathways which fall under the government's discretion, family reunification is an application of the fundamental right to lead a normal family life guaranteed by international and European laws, as well as by the French constitution. Therefore, it is the only legal pathway governed by Article L.561-2 of the Code Governing Entrance and Residence of Foreign Nationals and the Right to Asylum (Ceseda: Code de l'entrée et du séjour des étrangers et du droit d'asile). This provision opens up family reunification to a refugee's spouse, civil union partner or cohabiting partner, as well as to their unmarried children aged under 19 years. Unaccompanied minor refugees can also apply to be joined by their parents and unmarried minor siblings. Unlike other categories of resident foreign nationals, refugees do not need to meet the income and housing criteria.

In many respects, therefore, the French family reunification system is fairly liberal, at least on paper. Because the reality is more complex. Family reunification is often a long process fraught with difficulties²². The procedure can last months, or longer, creating situations of family breakdown lasting several years if you add to this the increasingly long migration routes taken by refugees and the length of the asylum procedure in France. Added to this are the difficulties family members have in obtaining reliable and comprehensive information in a language they understand, in providing the required documents due to their situation as refugees, in obtaining appointments and even getting to the consular office in complete safety.

Although finding their family is generally their priority as soon as France recognises their protection, refugees are also caught in the upheaval of integrating into French society, particularly in terms of access to housing and employment. Furthermore, it is common for the reunification procedure to last longer than the timeframe of an asylum NGO's support, when

²¹ See the immigration figures to France in 2022. Available here: www.immigration.interieur.gouv.fr

²² For more on this subject, see Forum réfugiés' tool kit on complementary pathways to resettlement.

refugees have been fortunate enough to benefit from such support. Yet, mainstream social services have little or no knowledge of this very specific procedure. As a result, there is a lack of support for refugees during the reunification procedure. This lack of support is even more glaring for family members who have remained in the country of origin or the first host country. After family reunification, it will be a case of initiating administrative and social procedures for the new arrivals and supporting family members who have not seen each other for years.

Furthermore, it is often forgotten that the Dublin III Regulation allows for families whose members are scattered throughout the European Union to be reunited. Family unity is the overriding criterion when it comes to determining which Member State will be responsible for assessing an asylum application. In practice, this provision is scarcely used by European countries, since it only accounted for 2% of applications assessed in 2022²³. The reform of the Dublin system as a result of the European Pact on Migration and Asylum should do little to change this state of affairs, or even make the right to family reunification less effective, since irregular asylum seekers will have to pass through the screening of border procedures before they can claim it.

Finally, whether in the context of family reunification for refugees or for asylum seekers, the current regulation only considers members of the nuclear family, although it is open to unmarried couples, including same-sex ones. This definition does not include different family backgrounds, particularly those resulting from enforced exile. Due to the lack of a flexible legal framework, asylum visas can be used as a means of reunification for dependents apart from a couple's children, but the outcome of which depends on the discretion of the French authorities.

Investing in refugees' academic and professional skills

Faced with a growing gap between the number of resettlement places offered by governments and the number of refugees in the world, whether in need of resettlement or not, many stakeholders are promoting the idea of creating international mobility programmes for refugees, which they are often excluded from de facto or de jure. Indeed, due to their personal, social and legal vulnerability, refugees usually cannot access or be eligible for legal migration programmes, implemented by the so-called Northern countries. Two avenues are being explored: international student hosting programmes and labour mobility programmes.

²³ European Council on Refugees and Exiles, *The Implementation of the Dublin III Regulation in Europe*, Asylum Information Database, November 2023. Available at: asylumineurope.org.

Refugee students have long been welcomed into Canadian universities as part of sponsorship programmes through student fees when they enrol. However, as the continental European university system is different from the Anglo-Saxon model, it seems difficult to pass the financial burden of hosting refugees onto students. As is often the case, Italian civil society is the forerunner. Since 2019, NGOs, about 20 universities and the UNHCR have been operating a university corridor enabling refugees to come to study in Italy.

France drew on this model and in 2022 launched its own university corridor called Univ'R, which followed the Forum réfugiés experiments with a business graduate school in Lyon and then with the University of Clermont-Ferrand. Led by UNHCR and the Association of Francophone Universities (AUF: l'Agence universitaire de la francophonie) with support from the Network Migrants in Higher Education (MEnS: Réseau migrants dans l'enseignement supérieur), the Univ'R project enabled 21 refugees in 2022 and 18 refugees in 2023 to come to France to study for Master's degrees at 13 universities.

The latest trend is to include refugees in labour mobility programmes

The latest trend is to include refugees in labour mobility programmes. Talent Beyond Boundaries (TBB) is the leader in this field. The NGO has compiled a “catalogue of international talent” of over 65,000 refugees in Lebanon and Jordan to whom companies can offer positions. Unsurprisingly, this programme was experienced in Canada. The United Kingdom was the first European country to take the plunge, particularly in the healthcare field. Since 2022, TBB, with International Organisation for Migration (IOM) and Fragomen Consultants, has been running a pilot project in Belgium, Ireland and Portugal. This experiment is due to be extended to France from 2024 with new financial support from the European Commission's Asylum, Migration and Integration Fund (AMIF). The model developed is based on high level of involvement, particularly financial, from the companies, including responsibility for the visa applications, travel and accommodation in Europe. Indeed, the ambitions of these programmes are still limited. The experiment to be conducted in France envisages bringing around only a dozen refugees to the country within three years.

University corridors and labour mobility programmes promote refugees' skills and their contributions to the host societies. It is too early to determine

whether these programmes, which so far only involve a few dozen refugees, have the potential to become instruments of international solidarity with countries that host the most refugees worldwide. For the time being, they are diverting the global refugee protection system from its founding objectives by prioritising academic and professional skills over protection needs. There is no reason why the two should be opposed, but the European countries that have embarked on these programmes, including France, have preferred to grant student or employment visas, for a relatively short term, rather than a refugee residence permit. In other words, the desirable diversification of legal pathways and the stakeholders involved in them is accompanied by a dilution of the right to asylum at a time when it is under increasing attack in Europe.

A still weak commitment to legal pathways

Legal pathways for refugees are booming, as seen by the adoption of resettlement programmes as a common way to access international protection in France but also through the ingenuity of various civil society stakeholders. However, figures matter, and the number of refugees able to benefit from these opportunities is still too low compared to global requirements. There is no doubt that legal pathways can be developed and diversified further. However, they face a series of obstacles in doing so. These obstacles are related to both public and political support and to the challenge of expanding the group of stakeholders in safe and legal pathways.

A long-term French model

Resettlement programmes were established in France because they were supported at the highest level by French institutions in the specific context of post-2015 “refugee crisis”. But they have been implemented in a way that is closed off to other legal pathways although they have similar or complementary objectives. Therefore, it is still difficult to conclude that there is a public policy governing legal pathways for refugees in France.

The lack of integrated management

A central administrative department at the Ministry of Interior is dedicated to what is known as the external dimension of asylum policy. This department manages resettlement programmes, asylum visas but also humanitarian and university corridors. However, this broad overview of French legal pathways is not supported by a co-ordinated governance of the variety of stakeholders involved. Consequently, there is no space to better think about and identify complementary aspects, the links between and pooling of resources between the different forms of legal pathways. Subsequently, legal pathways are implemented in silos when identifying beneficiaries through to reception and integration in France. For example, it would be beneficial for everyone to foster interactions between social workers in resettlement programmes with volunteers in humanitarian corridors, as they are similar audiences, or to create links between organisations supporting asylum visa applications with stakeholders in reception, including those which manage public housing.

However, this space is desired by NGO stakeholders to find solutions to the challenges, not to say the problems, they encounter in the field. But, the government has discontinued the National Steering Committee, including even for resettlement programmes, as the management of reception of

resettled refugees has been devolved to the regions. It is the regional prefecture's responsibility to organise steering committees in their areas, which they do with varying degrees of thoroughness. This has led the NGOs to set up a platform for exchange and, potentially, co-operation, firstly under the leadership of the French Institute of International Relations (Ifri), and from 2021–2023, as part of Forum réfugiés SAFE project²⁴.

What this exchange platform highlights is that diversification of legal pathways in France has been accompanied by an increase in administrative statuses of beneficiaries when they arrive in France, including within government resettlement programmes. Between those who are granted international protection as soon as they set foot in France (the European Resettlement Programme), those who have to go through the asylum procedure (the framework agreement with UNHCR, asylum visas and humanitarian corridors), or those who only receive a student residence card (university corridors), the French system is difficult to understand even for the most knowledgeable²⁵. This is not the case for refugees, particularly when they are required to apply for asylum when they thought they had already been accepted by France.

The issue is not just the comprehensibility of the French system. This increase in administrative statuses has a very tangible impact on refugees' early experiences in France, since their rights are recognised at different times, which can delay the start of their integration process by several months. For example, there is no waiver from the three-month waiting period for access to medical cover for refugees admitted under the UNHCR framework agreement and humanitarian corridors.

Another effect of the lack of a comprehensive policy on legal pathways is their piecemeal public funding²⁶. Naturally, resettlement programmes are fully funded by the government through the European Union Asylum, Migration and Integration Fund (AMIF)²⁷. For the other programmes, it is a do-it-yourself approach. Some NGOs manage to fund parts of legal

²⁴ <https://safepathways.eu>. Since the end of the SAFE project, Synergies migrations has been responsible for running this exchange platform on legal pathways.

²⁵ See the SAFE project position paper, *La multiplicité des statuts administratifs pour les bénéficiaires des voies complémentaires à la réinstallation: un enjeu pour la protection internationale*, 2022 [The Increase in Administrative Statuses for Beneficiaries of Complementary Pathways to Resettlement]. Available at: safepathways.eu.

²⁶ See the SAFE project position paper, *Réinstallation et voies complémentaires : un développement tributaire d'une pluralité de financements*, 2023 [Resettlement and Complementary Pathways: Development dependent upon Multiple Sources of Funding]. Available at: safepathways.eu.

²⁷ As part of the European Resettlement Programme, the European Commission has made provision for a flat-rate funding of € 10,000 per resettled refugee. Out of this sum, the Ministry of the Interior has decided to pay € 7,000 to NGOs responsible for supporting these refugees. The remainder is used to fund selection missions carried out by the French Office for the Protection of Refugees and Stateless Persons (Ofpra: l'Office français de protection des réfugiés et des apatrides) and the IOM, which are responsible for transferring refugees to France.

pathways by participating in European projects also funded by AMIF²⁸. Nonetheless, these are neither viable nor long-term solutions. Indeed, these European projects cannot cover all of the costs, particularly social welfare. They are for a limited period of time²⁹. They are subject to the European Commission's schedule for calls for proposals and to a strong European competition on the agenda. In addition to this public funding, the NGOs have to rely on their own funds, public donations, the philanthropic sector, and, especially, volunteers' time³⁰.

However, France has one major advantage: its inclusive welfare system which helps to alleviate the financial burden on NGOs. Indeed, refugees are eligible for the all existing social benefits in France (RSA: active solidarity income; CAF: family allowance fund; APL: personal housing benefit, etc.) on an equal footing with French nationals. However, these rights are reduced during the asylum application period. Furthermore, the bureaucracy and the misinterpretations of the rules by social services unaccustomed to dealing with this specific group of people can cause delays in access to these rights. Finally, the recent parliamentary debates on the Immigration Act in December 2023 emphasise that access to social welfare for foreign nationals is no longer guaranteed. Admittedly, refugees were excluded from the provision restricting access to these benefits for foreigners, which was also rejected by the Constitutional Council on procedural grounds. However, it is a sword of Damocles which, if it strikes, will bring down the precarious foundations on which legal pathways in France are built.

A legal and political uncertainty

Legal pathways are also suffering from the lack of an overt legal framework governing them, with the notable exception of family reunification. In that respect, they do not benefit from the legal security that the law could provide. Resettlement has already been enshrined in Article L.520-1 of Ceseda by the 2018 Asylum and Immigration act in the following terms: *“The authorities responsible for asylum may organise, where appropriate by carrying out on-site missions, the resettlement of vulnerable people who are eligible for international protection from countries outside of the European*

²⁸ In each Member State, a responsible authority is in charge of managing AMIF at national level. In France, it is the Ministry of the Interior. The European Commission can also directly support projects with a European dimension via calls for proposals. Therefore, the FEP humanitarian corridors are partly funded at the same time by participation in European projects, such as Forum réfugiés' SAFE project and ICMC Europe's SHARE project.

²⁹ European projects USUALLY last two or three years.

³⁰ However, it should be noted that university corridors receive additional financial support from the Ministries of Foreign Affairs and Higher Education.

Union These people are authorised to come and settle in France by the competent authority.”

While this recognition of France's contribution to international solidarity in welcoming refugees is a first step, it paradoxically deprives parliamentarians of any competence in this matter. Indeed, this provision gives a blank cheque to the executive, which can decide without debate about the existence of a resettlement programme, its numerical targets and its priorities in terms of nationality, selection criteria, and/or first countries of asylum. There is no legal basis for civil society's participation in legal pathways, which would not only stabilise and perpetuate the existing initiatives, and enshrine the existing initiatives but also enshrine in law the importance of the host society's role in integrating refugees.

*There is no political ownership of legal pathways,
or even unawareness of them*

Admittedly, the first part of this paper shows that the expansion of legal pathways for refugees has taken place under existing laws through the work of a handful of institutional and NGO stakeholders. But apart from relocation programmes within the EU, there is no political ownership of these tools, or even political unawareness of them. This creates confusion and misunderstandings about what resettlement and complementary pathways are. This is particularly the case when presenting the idea of private sponsorship, also known as community sponsorship. Although France has the advantage of having the Canadian French-language model, where these programmes were developed, the terms “private” and “community” have different connotations on this side of the Atlantic. The French cannot perceive a civic contribution to the protection of refugees. While the humanitarian corridors set up by the FEP and Community of Sant’Egidio are the French model for private sponsorship, the term is not unambiguous either, as it is also used in international law to guarantee the delivery of humanitarian aid during conflicts or natural disasters. Even so, these minor semantic issues are an obstacle to a broader understanding of legal pathways. Therefore, a sustained educational effort is still needed to create conditions for the political support needed to strengthen legal pathways and make them a permanent means of accessing international protection in France.

However, in the current political climate, discretion about legal pathways cannot be ruled out as its strongest ally. Indeed, political debates on asylum

and immigration are increasingly toxic and irrational, and mainly try to close as many routes of entry as possible. Yet legal pathways could bear the brunt of over-simplistic and polarised approaches by French politicians. European examples emphasise that resettling refugees is not immune to the over-politicisation of immigration. In the Nordic countries, refugee resettlement programmes were the subject of consensus within parties on both the left and right since the late 1970s. Those days are long gone with the coming to power of parliamentary coalitions supported by far-right parties, imposing either a suspension of these programmes, as in Denmark, or a drastic reduction in resettlement quotas, as is currently the case in Sweden and Finland. Therefore, before bringing legal pathways into the realm of political debate, we need to consider the narrative that is presented about them. In other words, how can legal pathways be taken from the realm of asylum and immigration policy to be presented as instruments of humanitarian and human rights policies around the world?

Expanding mobilisation to consolidate legal pathways

The increase in resettlement and diversification of legal pathways in France has been accompanied by an expansion of the group of stakeholders involved. However, this small “ecosystem” is precarious. Some NGOs have withdrawn from resettlement given the complexity and risks of the financial model. Similarly, of the five NGOs which helped to launch humanitarian corridors in 2017, only three are still involved to date. Finding new allies is becoming a necessity to consolidate these programmes over the longer term.

Where can we find committed citizens?

Setting up reception projects around the asylum visa tool is one of the main approaches to developing legal pathways in France. This is what FEP and Community Sant’Egidio have done with the humanitarian corridors by mobilising hundreds of volunteers. These volunteers are an invaluable resource, which can be measured by the scale of the commitment involved in providing accommodation and supporting refugees for many months. This inevitably limits the number of citizens who can give so much of their time and energy. The scant information we have about the profile of volunteers involved in refugee sponsorship programmes in Europe and North America shows that they generally have high levels of education, are more often women, around 60 years of age, and often have stable incomes³¹. In fact, it

³¹ M. Belen Zanzuchi, N. Dumann, F. Tissot et A. Skodo, *Attracting, Retaining, and Diversifying Sponsors for Refugees in Community Sponsorship Programs*, Migration Policy Institute, September 2023. Available at: www.migrationpolicy.org. This report is based on a survey of sponsors in Belgium, Ireland and Germany. This

is understandable that it is harder for young people, or working people with young children to devote time, money and, sometimes, space in their homes for refugees they do not know.

*The hosting of displaced Ukrainians showed that
there was a large pool of supportive citizens
ready to help people on the move*

However, the hosting of displaced Ukrainians showed that there was a large pool of supportive citizens ready to help people on the move, like in the rest of Europe. Nearly half of the Ukrainians who came to France were housed in people's homes, either as part of a government-supported scheme or completely spontaneously³². The Observatoire de l'hébergement citoyen (Observatory of Citizen Hosting) in the Rhone department also aims to raise the profile of this low-key citizen commitment. An initial analysis of the situation in 2022 showed that at least 1,600 volunteers were involved in providing accommodation and/or support to 1,254 migrants of all administrative statuses and nationalities, and that 618 accommodation places were available in the department³³. Of course, these figures fall short of reality, as they only account for citizen hosting managed by NGOs. However, we should not be too quick to come to conclusions that volunteers' commitment is seamless without a more in-depth analysis of their motivations. Indeed, hosting migrants who are at risk of being homeless or being concerned about the fate of people displaced by a war breaking out on our doorstep does not set the same wheels in motion as organising the transfer of refugees to France and providing them with accommodation.

Volunteers can also become fatigued and decide not to renew their commitment at the end of an initial hosting period. This was regularly the case for people who had hosted displaced Ukrainians, who may have felt alone in supporting their guests without knowing the length of their stay³⁴.

profile coincides with that of volunteers in citizen hosting initiatives in Europe. See M. Bassoli and C. Luccioni, "Homestay Accommodation for Refugees (in Europe). A Literature Review", *International Migration Review*, July 2023.

³² UNHCR France, *Hébergement citoyen des réfugiés ukrainiens. Tirer les enseignements d'une exceptionnelle solidarité [Citizen Accommodation for Ukrainian Refugees. Learning Lessons from Exceptional Solidarity]*, 2024.

³³ N. Camp, *Visibiliser l'hospitalité : la place de l'hébergement citoyen dans l'accueil des personnes migrantes. Un état des lieux à Lyon et dans le Rhône en 2022 [Highlighting Hospitality: The Place of Citizen Accommodation in the Reception of Migrants. An Overview of the Situation in Lyon and the Rhone Department in 2022]*, Synergies migrations, November 2023. Available at: <http://synergies-migrations.org/>.

³⁴ S. Fratzke, V. Pulkkinen and E. Ugolini, *From Safe Homes to Sponsors: Lessons from the Ukraine Hosting Response for Refugee Sponsorship Programs*, Migration Policy Institute, October 2023. Available at: www.migrationpolicy.org.

Hence the importance of properly setting volunteers' responsibilities from the outset. Furthermore, the Canadian experience of private sponsorship shows that citizen groups are all the more committed when they can have a say in the choice of refugees they sponsor, particularly by supporting the reception of relatives of the first refugee family they hosted³⁵.

This raises the question of involving the refugees and, more broadly, the diasporas to implement these sponsorship programmes. Here again, 2022 highlighted the important role played by Ukrainian NGOs in providing accommodation for their compatriots, but also in mediating between the host society and the displaced people. What has been achieved naturally with the Ukrainians, admittedly in the specific context of a foreign invasion, is much more cautious with other exiled nationals who are too often confined to the role of cultural mediators, perhaps out of fear of accusations of communitarianism. Yet, the diasporas could prove to be useful partners and a source of volunteers throughout the refugee's journey, from the country of departure to integration into French society.

Ultimately, the challenge is to identify what constitutes community in the individualistic societies of continental Europe. To date, European experiences of private sponsorship, including French humanitarian corridors, have been run almost solely by Christian faith-based NGOs, although the support they provide is entirely secular, and they are forbidden from discriminating against refugees on the basis of their religion. These initiatives are struggling to break out of this relatively restricted community. A number of NGO stakeholders are turning their attention to the LGBTQI+ communities, which, on the strength of greater equal rights in Western Europe, are taking their fight to sexual minorities elsewhere. But we could also think about professional organisations (journalists, lawyers, artists, etc.) whose members are in danger in other parts of the world. Multiple threats against rights activists and minorities of all kinds are unfortunately not about to disappear from this planet.

Building on partnerships between NGOs

Citizen commitment cannot succeed without structured co-ordination between non-government organisations. The NGOs are also essential for building dialogue with the government about objectives and the operationalisation of legal pathways. One of France's strengths is the variety of its NGO sector, particularly in the area of asylum field, and its good coverage. Government resettlement programmes have prompted the

³⁵ M. Belen Zanzuchi, N. Dumann, F. Tissot et A. Skodo, *Attracting, Retaining, and Diversifying Sponsors for Refugees in Community Sponsorship Programs*, Migration Policy Institute, September 2023.

government to sign contracts with the usual NGOs involved in providing accommodation and support for asylum seekers and refugees. The state generally used the same operators to manage the citizen hosting of displaced Ukrainians in 2022. An interesting model was set up in Paris where France terre d'asile entered into partnership with JRS France and Singa, established stakeholders in the provision of citizen hosting in France. So; each NGO was able to bring its own added value to bear: social and administrative support from France terre d'asile, support and assistance for host families from JRS and Singa.

This example is inspiring because it has encouraged these NGOs to think outside the box, while paradoxically maintaining their core competencies. It would be possible to go even further by seeking out NGOs outside the asylum and immigration ecosystem. The NGOs' expertise, those responsible for the humanitarian corridors and other projects to encourage citizens to help refugees, could be usefully combined with NGOs that advocate for the rights of a particular category of the population (women, LGBTQI+ people, etc.) or more generally, human rights. The development of legal pathways can be a vector for decompartmentalising the French NGO sector and, therefore, of the pooling energy, resources, networks and competencies.

Involving local and regional authorities and the private sector

NGOs are not the only stakeholders who can play a role in implementing legal pathways in France. For example, it was because of the University of Clermont-Ferrand's commitment to higher education for refugees, followed by other universities, that university corridors were created. In this sense, 2015 was a turning point in the realisation that welcoming and integrating refugees was everyone's business. So, although they have no regulatory responsibilities in this area in France, we have seen local and regional authorities start to consider the situation of refugees and what they could do to help them.

This is the case for local authorities which, mainly via networks like Anvita³⁶, have developed expertise and initiatives for this group of people. Several of them expressed a desire to help receiving Afghans evacuated by France after the fall of Kabul in August 2021. They subsequently played a more active role in organising the reception of displaced Ukrainians in conjunction with the government agencies and civil society organisations. Closer links between towns and cities and NGOs in their area could make them partners in legal pathway projects, notably by facilitating co-ordination between

³⁶ www.anvita.fr.

different NGOs and citizen engagement. Above all, they have housing stock which can be a base for refugees transferred to France. However, given the scale of the housing crisis in France and the difficult trade-offs to be made between those in need, this contribution could only be carried out on the sidelines as part of a committed civic policy to support refugees. Finally, towns have communal social welfare centres (CCAS: centres communaux d'aide sociale), which could also provide support to NGOs and volunteers helping refugees.

We have also started to see French companies take an interest in refugees after the 2015 crisis and even more so with the war in Ukraine. While their initial approach was more focused on humanitarian aid, companies have started to think about their role, which could be described as helping refugees find employment. The labour needs of the French economy have made this approach more proactive, although it is still difficult to turn good intentions into practice³⁷. The most visible evidence of this commitment has been through participation in business networks, such as the Tent Partnership for Refugees³⁸, les Entreprises s'engagent³⁹ or, more tangibly, through employer groups for integration and qualification (GEIQ) which can offer training to unemployed people⁴⁰.

The labour mobility model for refugees developed by Talent Beyond Boundaries, which is due to be trialled in France over the next three years, relies on substantial investment by partner companies. But without going so far as to cover the cost of visas, transfers to France and accommodation in the country, the private sector is obviously a partner to approach to promote access to training and employment for resettled refugees or those received via other legal pathways. The quicker refugees are employed, the smoother the legal pathway programmes will be. However, it should be borne in mind that the refugees selected for these programmes are usually chosen based on vulnerability. These vulnerabilities often make quick employment impractical, especially as it is hindered by delays in accessing international protection and social welfare.

³⁷ S. Bilong and F. Salin, "L'emploi des personnes réfugiées : des trajectoires professionnelles aux politiques de recrutement des entreprises" [The Employment of Refugees – From Career Pathways to Company Recruitment Policies], *Les études de l'Ifri*, February 2022. Available at: www.ifri.org.

³⁸ www.tent.org.

³⁹ lesentreprises-sengagent.gouv.fr.

⁴⁰ See the agreement signed in 2021 between the French Federation of GEIQs and the Interministerial Delegation for the Reception and Integration of Refugees: www.lesgeiq.fr.

*The NGOs that run legal pathway projects badly
need money*

However, the NGOs that run legal pathway projects badly need money. Therefore, financial contributions from companies, but also from large cities, are of course particularly welcome to supplement piecemeal public funding. The idea of corporate sponsorship at local level has not yet been fully explored, but it could be used to support the work done by the citizen host groups. Larger companies could also support legal pathway projects via their corporate foundations. This is hardly the case at present, whether it be corporate foundations or individual or family foundations. Although the situation is changing in Europe, this trend has not yet reached France. In fact, as referred to previously, for political leaders, the concept of legal pathways, particularly private sponsorship, is scarcely known within the philanthropic sector, which may also question whether it would not be more useful to support the integration of refugees already in France. Therefore, it is up to the NGOs to carry out this important task of convincing people. But here, we have come up against the limits of the NGO sector. Not all NGOs have the resources and capacity to conduct these fundraising activities given a philanthropic sector that is extremely diverse in its priorities and practices. An integrated management of legal pathways in France would help to better reach and unite private and philanthropic actors who would like to get involved.

Conclusion

The French model is undergoing positive changes, and especially a diversification in the ways people in need of international protection can enter the country safely and legally. But there is still a long way to go before resettlement and other legal pathways are entrenched in the French refugee protection system. The willingness is there, expertise is developing, and only the resources are waiting to be harnessed. There is a lack of political impetus to co-ordinate these efforts and make them part of the long-term approach.

However, the fact should not be ignored that these legal pathways are developing in a context which is not conducive to measured and genuine debate about the future of the right to asylum in France and in Europe. The temptation to outsource the processing of asylum applications is increasing. We are moving from rhetoric to practice, with some attempts taking form. Whether it is, for the time being, futile attempts by the British to confer responsibility for asylum seekers to Rwanda, the Italian project of carrying out the asylum procedure in Albania, or more broadly, all the European immigration management partnerships with third countries, outsourcing is gradually becoming a reality.

The establishment of resettlement programmes and other legal pathways cannot be dissociated from these developments. It is even advocated by the European Union, which regards these schemes as a means of preventing irregular crossings of the Mediterranean and of breaking the smugglers' "*business model*". Furthermore, the European resettlement priorities are focused on refugees likely to arrive irregularly in Europe, at the expense of those whose geographical distance makes such a journey impossible. If you follow the argument to its logical conclusion, this would mean the end of territorial asylum as traditionally understood in Europe. Secondly, it should be emphasised that it does not add up. EU Member States' resettlement commitments made at the last Global Forum on Refugees fall far short of the ever-growing needs of refugees. They fall below what the Europeans could offer. The development of legal pathways should not turn the right to asylum into a prerogative subject to the whims of politics, but rather enrich it and make it a standard of international solidarity.

AUTHOR

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SYNERGIES MIGRATIONS

Synergies migrations is a think tank based on dialogue and action at the crossroads of expertise, support with decision-making and stakeholder capacity-building on asylum, immigration and inclusion issues. Synergies migrations intends to contribute to the development of informed policies and practices that promote migrant access to protection and dignity and the emergence of an open and inclusive society.

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