



# ÉTATS GÉNÉRAUX DES MIGRATIONS

## Manifesto of the Local Assemblies gathered together for the 1<sup>st</sup> plenary session of the general state on Migration<sup>1</sup>

**Common set of standards for migration policy  
that respects people's fundamental rights and maintains their dignity**

*27 May 2017*

### **Whereas:**

- The deplorable humanitarian situation endured by numerous foreigners on the French territory, or at its borders, where their fundamental rights are denied;
- Foreigners encounter great difficulty when it comes to making their journeys, skills and rights recognised as legitimate;
- The devastating consequences of mostly repressive policies that are rooted in: the 'minimal' enforcement of the right to asylum; stringent conditions that need to be met in order to acquire a residence permit; making it an offence to illegally enter the French territory; manhunts; detaining and deporting people whose only crime has been not having the right documents at the right time;
- The shocking amount of money that is spent on such policies, which cannot justify neither the precarious situation faced by foreigners nor the expected results of the so-called 'border closing' - which is always contradicted by the facts;
- France has breached international law and agreements that it has ratified, and it has been sentenced by European and International courts;
- Increased military presence at borders, establishing exceptional measures on border areas and in overseas territories, and their fatal consequences;
- The lack of dialogue with foreigners and actors of civil society, in addition to the absence of any form of evaluation of the policies that have been in place for decades;
- using the speeches and decisions of public authorities to create a competitive environment among people who are particularly vulnerable, whether they are french or not;
- an increasing number of citizens are expressing their indignation, solidarity and are rallying together throughout the French territory;
- the almost systematic questioning of the presumption of minority, the gaps of the French child protection services, the abuse and confinement that minor persons face;

We, French citizens and foreign nationals residing in France, associations, collectives and trade unions working at the local, national and international level to respect the rights of foreigners, as part of the general state on Migration:

- have come together as 106 local assemblies from the French mainland and Overseas Territories to set out the basis for overhauling the current dominant discourse on migration in the following declaration;
- write the following declaration as a continuation of the Universal Declaration of Human Rights in addition to the international commitments made by France on respecting human rights;
- state there is no such thing as a migration crisis, but a migration's policy crisis;
- call upon everyone to join us to promote a migration policy that is rooted in fundamental rights and governed by the following principles:

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<sup>1</sup> 500 people came together for the first plenary session and adopted this first text eight months after the process of the General Assembly on Migration was initiated (106 local assemblies, across 76 French Departments - including three overseas Departments)

## **1. A dignified reception of new arrivals**

1-1 Establish public facilities for primary housing with a human dimension throughout France, where people who have arrived in France can freely go;

*These facilities should be based on the following principles:*

1-2 Unconditional welcome;

1-3 Specialised care for the most vulnerable;

1-4 Accommodation, the obligation to give immediate shelter and provide means of subsistence;

1-5 Information on opportunities on the territory, administrative rights, steps that need to be taken, while considering every person's own plans.

## **2. Respecting the right to asylum effectively and no longer using a screening process**

2-1 There is a need to provide effective international protection to people who are threatened by persecution, in particular by:

2-2 Stopping to send people back to their country of entry in the European Union;

2-3 Removing with fast-track procedures;

2-4 Abandoning the concept of safe countries of origin;

2-5 Including more criteria to make refugee status more accessible, taking into the account the extremely numerous reasons for forced exile;

2-6 Rejecting any measure that stops potential refugees from having their application assessed fairly and having the means to appeal a refusal from the French Office for the Protection of Refugees and Stateless Persons (OFPRA).

2-7 The right to asylum should never be used as a screening method, whereby a distinction is made between people who 'intend' to settle in France and other people who are deemed 'economic migrants' and thus considered undesirable.

## **3. Giving equal rights to French and foreign nationals in France**

3-1 Effective observance of fundamental rights and the international texts ratified by France via the following measures:

3-2 Upholding the rights of unaccompanied minors under child protection systems, based on the presumption of minority; taking into account the fact that special attention must be given to the child's best interests in any decision that affects them, whether they be alone or accompanied.

3-3 Removing bone-age testing to determine whether a young person is a minor or not and can thus benefit from child protection services.

3-4 Putting an end to police controls and racial profiling

3-5 Putting an end to all forms of confinement and house arrest for illegal entry or stay;

3-6 The right to obtain legal status for all people residing in France

3-7 Work permits for all people who have a document granting them residency (residency permit, certificate showing they have sought asylum, acknowledgement of application for residency), which is granted upon signature of an employment contract and/or the declaration of a working relationship;

3-8 Removing specific criteria for foreign nationals to gain employment or set up an economic activity;

3-9 Providing access to training (language learning, putting children in school, studies, professional training);

3-10 Recognising more equivalent diplomas;

3-11 Removing conditions that restricts the right to family reunification;

3-12 Removing barriers that prevent people from having effective and unconditional access to somatic and mental healthcare, based on common law;

3-13 Respect of the the principle of equality in access to public services at all levels. Unconditional access to

interpreting services;

#### **4. Acknowledging citizen-led initiatives in receiving and supporting foreigners**

4-1 Fully removing the 'solidarity crime' and any other measure that discourages people from helping foreign nationals on an unconditional and not-for-profit basis;

4-2 Acknowledging and recognising the value of solidarity initiatives such as actions serving the common interest;

4-3 Public authorities acknowledging and recognising the value of expressions of solidarity carried out by citizens and municipalities.

#### **5. Changing the rules on accessing France and modifying European and international policies**

In an effort to ensure consistency with the above, rules on accessing the French territory (which are based on a screening process) must be revised. This change must be encouraged within the European Institutions.

5-1 Removing the Dublin Regulation, giving foreign nationals the right to choose their destination country;

5-2 The freedom of entry, movement and settlement within the EU for non-EU nationals;

5-3 Putting an end to exceptional border measures in mainland France and the French Overseas Territories and Communities;

5-4 Stopping outsourcing policies, and the so-called 'hotspots' and the proliferation of migrant screening centres on migration routes;

5-5 Ending deportations, bans, and in particular, the use of the ban on entering the French territory;

#### **6. Conditions for developing and implementing such an alternative policy**

6-1 Ending generalised discrimination and suspicion towards foreigners. Such actions lead to tragedies, violence, suffering, humiliation and harassment;

6-2 Transferring budgets set aside for the current repressive security policy into reception and support facilities;

6-3 Changing governance: migration policy should not be solely entrusted to the Minister for Home Affairs. Fostering an inter-ministry approach that is based on common law;

6-4 Training administrators, civil servants and social workers on issues linked to migration, interculturality and goodwill;

6-5 Stopping the impunity of State elected officials and representatives who have violated the inalienable rights of foreign nationals: making systematic inquiries from civil society and enable them to seize in order to punish people who acted against their mission, and providing protection to the agents who denounce these violations;

6-6 Establishing platforms for consultation and cooperation between civil society and the authorities (without this leading to making up for the shortcomings of the State);

6-7 Independent bodies independently evaluating migration bodies via a mechanism that makes it mandatory for public authorities to take their recommendations into account.