

## **New “asylum / immigration” law: towards the reinforcement of a policy of expulsion of the "undesirables"**

While a new immigration law is being prepared, prefectural practices against freedom of movement and settlement have been steadily reinforced over the past two years, with a stricter application of the Dublin III regulation. The main objective is to deport more and more towards the country of entry into Europe. Thus, a law has been voted recently allowing confinement in a detention center, even before the decision of deportation. When it does not achieve this objective, the preferred practice of the State is to multiply risky convocations (prefecture's offices, house arrest, convocation at the airport ...). However, after having missed two convocations of this type, the state deprives asylum seekers of their rights (allowance, accommodation, registration of asylum application, etc.) by placing them "on the run", thus attempting to get rid of them.

The law in preparation follows the same logic:

– Currently, registering your asylum application in normal procedure is a real struggle: within 120 days from the date of entry into the territory, you have to wait in endless queues in front of the reception platforms (PADA), often several days sleeping there, under pressure and intimidation from cops, security guards of the PADA and sometimes residents (as at the PADA of Jaurès-Flandres in the 19th arrondissement of Paris) to finally get an appointment in prefecture at best a month later. Breaking these barriers with 30 days less, as planned by the law, will become almost impossible.

– Access to a translator in the desired language during the asylum application is already complicated. With the new law, the prefecture could make the procedure even more difficult by arbitrarily determining, and from the beginning of the asylum procedure, the language of translation according to the country of origin of the persons (where it can co-exist several languages not understood by all) and not their effective mastery of this language. The prefecture may even voluntarily consider an English-speaking, Arabic-speaking or French-speaking person since he/she babbles three words of a language. In this way the state will make people even more dependent and will be able to eliminate more applications.

– The house arrest, used to better control and deport at any time by requiring to sign at the police station or the PAF one to seven times a week, would become a real confinement at home of a duration that can extend up to 10 hours a day. Once again for the undocumented, as for many others, the answer of the State is the jail ...

– The various hearings before the acceptance or rejection of the asylum application (before the CNDA<sup>1</sup>, the JLD<sup>2</sup> and TA<sup>3</sup>) will not necessarily be held in the presence of the person concerned, but in “video-hearing”, without she/he can refuse it. With this measure the procedures will be even more dehumanizing and expeditious.

– Now, following a refusal of asylum by OFPRA<sup>4</sup>, the deadline for appeal to the CNDA is one month. This period is already very short, especially since it is better to prepare it accompanied (by an association or a lawyer). The bill proposes not only to divide this period by two, but also to no longer make it systematically suspensive. These new restrictions will severely limit the number of appeals. The

state can then deport more massively on the one hand and, on the other, keep those who are not "deportables" in a situation of extreme precariousness, without papers and without resources.

– Until then the administration communicated only by mail to an administrative address already difficult to keep throughout the process, which can last for years. With the main argument of simplifying administrative procedures, the bill plans that the prefecture will communicate by SMS, MMS, e-mail, etc. In reality this will allow the State to add an additional filter eliminating all those who do not have the possibility of having access to a mobile network and the internet. Those who do not have the means will not receive or not in time the convocations, decisions ... and will be dispossessed of all possibilities to defend themselves against the OFPRA and the CNDA and/or to contest any administrative decision.

The asylum seeker's permanence in which we participate, located in La Chapelle and created in 2015, is run by a group of self-organized activists, some of whom are themselves confronted with the asylum procedure or have been confronted with it in the past. We receive almost exclusively people under Dublin procedure, placed "on the run" or whose application has been rejected. We translate and explain to people the content of the documents sent to them, refer people to lawyers or associations, and ensure the transmission of information about the asylum procedure and the control and expulsion systems. The goal is to make information accessible and look for ways to get around these laws. This is necessary but remains insufficient. Seizing every opportunity to fight against all borders is essential for all people to move and settle where they decide.

This asylum / immigration law follows on from all those that have been voted over the past 40 years, governments after governments, and which define and redefine the categories of undesirables that are today the "asylum seekers in Dublin procedure" as well as the "economic migrants" and the "foreigners in an irregular situation".

Faced with this new attack, it is essential to break with the logic of charity and the humanitarian practices according to which one acts "for the others", by deciding and speaking in their place, thus consolidating a relation of domination. On the other hand, it seems important to us to free ourselves from paternalistic reflexes and to build collective spaces where we fight together side by side, preserving the part of autonomy of each.

Let's destroy borders and detention centers!

Some participants of the permanence for asylum seekers in La Chapelle.

**National demonstration on April 7th at 2pm in La Chapelle!**

<sup>1</sup> Cour nationale du droit d'asile (National Asylum Court)

<sup>2</sup> Juge des libertés et de la détention (Judge of freedoms and detention)

<sup>3</sup> Tribunal administratif (Administrative Tribunal)

<sup>4</sup> Office français de protection des réfugiés et apatrides (French Office for the Protection of Refugees and Stateless Persons)