

The purpose of this guide, produced by the United Nations High Commission for Refugees, the Ministry of the Interior and the association Forum Réfugiés is, from the first contact with the French administration, to offer to anyone wanting to ask for asylum in France essential legal and practical information.

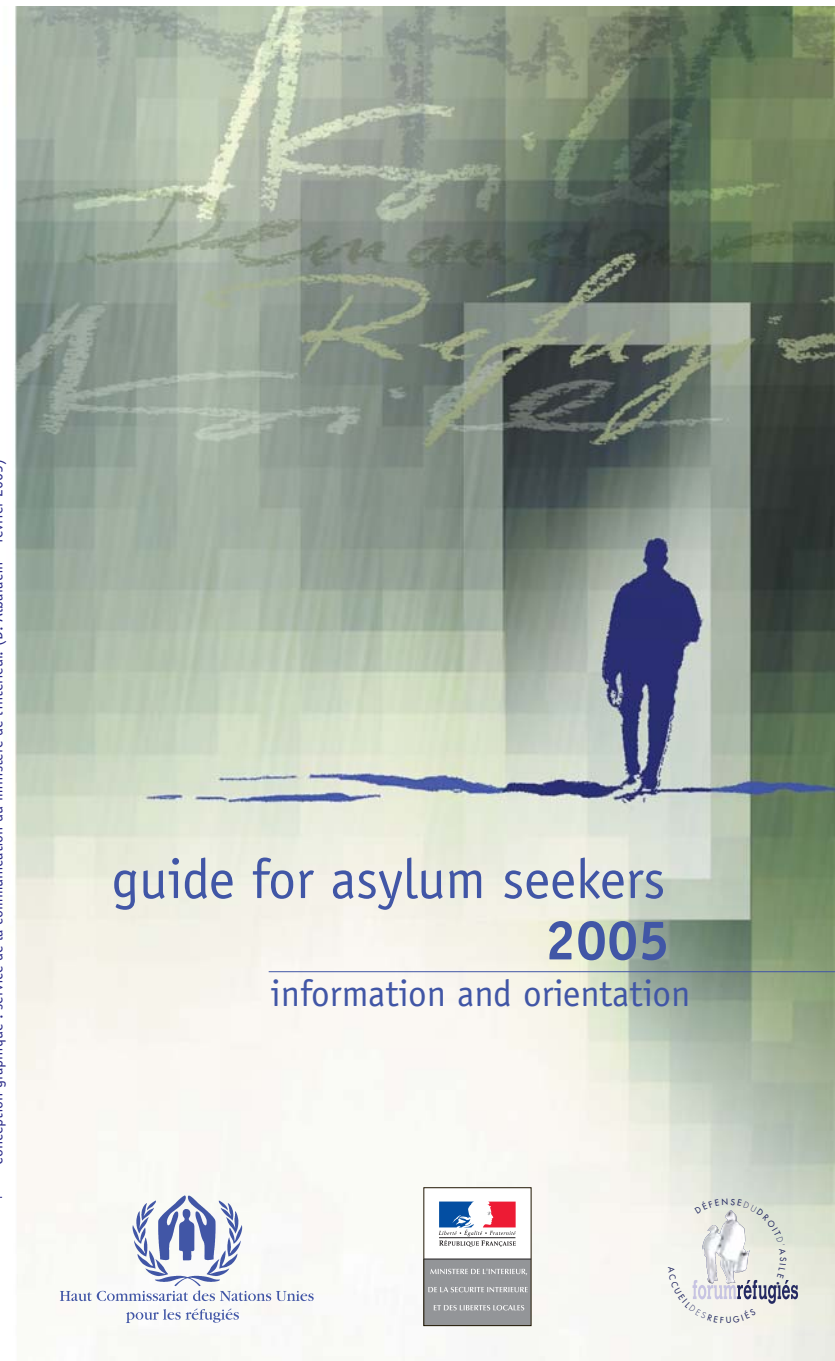
This document, which is made under a reduced shape and available through three languages (French, English and Russian), will be thus given to asylum seekers in the prefectures, the unique places where they can make an application for asylum on the French soil.

This brochure was elaborated in order to bring clear and complete information about the asylum procedure in France, its juridical status, the steps asylum seekers should take and the rights they may benefit from (right to stay and welfare rights in particular).

On another hand, the guide gives information about organisations that can offer assistance to asylum seekers throughout the chosen asylum procedure (cf. in the annexe, the useful addresses both nation-wide and within the department).

Web sites : www.interieur.gouv.fr
www.hcrfrance.org
www.forumrefugiés.org

Conception graphique : service de la communication du ministère de l'intérieur. (D. Albaracin © février 2005)



CONTENTS

1. THE DIFFERENT FORMS OF PROTECTION	4
1.1. Refugee status	4
1.2. Subsidiary protection	4
1.3. Stateless person status	6
2. PROVISIONAL STAY AUTHORISATION : THE PREFECTURE	6
2.1. Documents required	6
2.2. Permission to stay	7
3. CONDITIONS FOR EXAMINING YOUR APPLICATION	9
3.1. OFPRA	9
3.2. The Refugee Appeal Commission (CRR)	14
4. RE-EXAMINATION	17
5. STATELESS PERSON STATUS : OFPRA	18
6. SOCIAL AID	19
6.1. Accommodation	19
6.2. Financial Assistance	20
6.3. Access To Health Care	21
7. RETURNING TO YOUR COUNTRY OF ORIGIN	22
7.1. Reintegration assistance	23
7.2. Other programmes	24
8. USEFUL ADDRESSES	24
8.1. National addresses	24
8.2. Department Addresses	28

1. THE DIFFERENT FORMS OF PROTECTION

In France, there are three forms of protection: refugee status, subsidiary protection and stateless person status.

1.1. REFUGEE STATUS

There are three possible foundations for granting refugee status:

■ **The Geneva Convention** of 28 July 1951 on refugees. The convention applies to «any person who (...) owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his or her nationality and is unable, or owing to such fear, is unwilling, to avail himself or herself of the protection of that country.»

■ **Constitutional asylum** (is based on paragraph 4 of the Introduction to the 1946 Constitution): refugee status is also granted to «any person persecuted because of his or her actions for liberty».

■ **The HCR mandate:** You have been recognised as a refugee by the United Nations High Commission for Refugees (UNHCR) on the basis of articles 6 and 7 of its statutes.

If you have been recognised as a refugee, you and your spouse will have the right to a 10 year residence permit (if the marriage took place before refugee status was granted or failing that if it took place at least one year previously and you have lived together continuously). When they reach the age of eighteen (or sixteen if they wish to work) your under age children will have the same rights. Travel documents will be issued on request.

1.2. SUBSIDIARY PROTECTION

Article 2-II-2 of the modified law of 25 July 1952 relating to the right to asylum provides for subsidiary protection to be granted for a renewable period of one year to «any person that does not fulfil the conditions for refugee status (...) and who has established that in the country of origin he or she would be exposed to the following serious threats :

- a) the death penalty
- b) torture or inhuman or degrading treatment
- c) for a civilian : «a serious, direct and individual threat against his or her life or person because of generalised violence resulting from an internal or international armed conflict.».

If subsidiary protection is granted, you and your spouse will have the right to a renewable temporary residence permit (if the marriage took place before subsidiary protection was granted or failing that if it took place at least one year previously and you have lived together continuously). When they reach the age of eighteen (or sixteen if they wish to work) your under age children will have the same rights.

OFPPRA may refuse to renew subsidiary protection if the reasons that originally justified it no longer apply. Travel documents will be issued to you on request if OFPPRA considers it is not possible for you to request travel documents from the authorities of your own country.

In France, refugee status and subsidiary protection are granted by the Office Français de Protection des Réfugiés et Apatrides – French office for the protection of refugees and stateless persons - (OFPPRA) under the control of the Commission des Recours des Réfugiés – the refugee appeal commission - (CRR).

When you apply for permission to stay from the prefecture, you will apply for asylum without having to specify the type of protection you would like (refugee status or subsidiary protection). It is a single procedure during which your application will be examined by OFPPRA, firstly in relation to refugee status, and only if rejected, in relation to subsidiary protection.

If OFPPRA refuses both refugee status and the benefit of subsidiary protection, you may appeal to the CRR. Similarly, you can appeal to the CRR if you want to challenge the type of protection you have been granted. OFPPRA and the CRR may reject your asylum application if they consider that you have access to protection on part of your national territory of origin.

You may only apply for asylum in one country of the European Union in accordance with the “Dublin II” regulation.

1.3. STATELESS PERSON STATUS

In the convention relating to stateless person status of 28 September 1954, stateless person status applies to persons that « *no state considers its national in accordance with its legislation* ». This status is different from the two other forms of protection and uniquely concerns those people that do not have nationality. This status does not take into account the risks of persecution in the country of origin. You have to apply directly to OFPPRA.

If you are recognised as a stateless person, one year temporary residence permits allowing you to work will be issued to you and to your spouse (if the marriage took place before stateless person status was granted or failing that if it took place at least one year previously and you have lived together continuously). Your under age children when they reach the age of eighteen (or sixteen if they wish to work) will have the same rights. The permit will only be renewed if you still fulfil the conditions that enabled you to receive the first permit.

A provisional stay authorisation - une autorisation provisoire de séjour - (APS) will not be issued during the period that your application for stateless person status is being examined.

You may apply for stateless status at the same time as you apply for asylum.

2. PROVISIONAL STAY AUTHORISATION : THE PREFECTURE

In order to make an application for asylum, you first have to go to the prefecture : this procedure is obligatory whether you are under age or an adult. You have to go to the prefecture rapidly. If you have a visa, you are advised to make your asylum application at the prefecture before your visa expires.

You may apply for asylum even if you are on French soil illegally.

2.1. DOCUMENTATION REQUIRED

To be given permission to stay as an asylum seeker you have to present an application dossier made up of a number of items, the detailed list of which

will be provided by the prefecture. The main items are:

1. four identity photos
2. information relating to your name, date of birth, marital status etc
3. information relating to the conditions under which you entered France and your itinerary since you left your country of origin.

You may apply for asylum even if you have no passport, visa or identity documents: you then have to make a written declaration in relation to your name, date of birth, marital status etc.

4. Proof of your place of residence: the prefecture needs an address so that it can send you the letter concerning your application for asylum and your stay in France. For the provisional authorisation to stay (APS) and the first *récépissé* (acknowledgement of application) to be issued, this address does not necessarily have to be the place in which you are living : if you do not have stable accommodation, you can give an address care of a private individual, a hotel or an association approved by the prefecture. However, in order to renew the *recépissé* you have to prove your place of residence, that is to say indicate the address where you are living.

In all circumstances, the address you give should be in the department where you are making your application for asylum.

If you change address at any time in the asylum procedure, you must inform the prefecture.

2.2. PERMISSION TO STAY

2.2.1. If you are given provisional permission to stay, the prefecture will issue you with :

1. A provisional stay authorisation - autorisation provisoire de séjour - (APS) showing the words “**with a view to the OFPRA procedure**” valid for **one month**. The APS will be issued to you within fifteen days of you presenting yourself at the prefecture with your complete

application dossier for permission to stay (see 2.1).

2. An asylum application form, which you should complete and send to OFPRA for registration, without fail within 21 days of the date your APS was issued.

Before issuing you with an APS, the prefecture will take your finger prints in order to check that France is the European Union state responsible for examining your asylum application.

If when your one month APS expires you do not present yourself at the prefecture with an attestation certifying the registration of your asylum application, the prefecture may decide to refuse you permission to stay.

2.2.2. The prefecture will refuse to issue a provisional stay authorisation (APS) in the following four cases :

1. If another European country should examine your asylum application: for example, if before arriving in France you passed through another European Union country that is a signatory to the **Dublin Convention** or the **Dublin regulation** (Germany, Austria, Belgium, Cyprus, Denmark, Spain, Estonia, Finland, France, Great Britain, Greece, Hungary, Ireland, Iceland, Italy, Latvia, Lithuania, Luxembourg, Malta, Norway, Netherlands, Poland, Portugal, Czech Republic, Slovakia, Slovenia, Sweden) or the authorities in one of these countries issued you with a residence permit or a visa. You must also indicate whether a member of your family is a refugee or has applied for asylum in one of these states: if you want to, and under certain conditions, you may join the member of your family in that country. The prefecture will then approach the country to ask whether it will take responsibility for you; the prefecture will issue you with a document authorising you to stay in France while awaiting this country’s response. If the country agrees, the prefecture will decide whether to allow you make your own way to this country or give you a police escort. If the country refuses, you will be given permission to stay in France and you can make your asylum application, which will be examined in accordance with the usual procedures.
2. You are a national of a country where OFPRA considers, generally speaking, there is no further risk of persecution (the countries concerned as at

January 2005 are Romania, Bulgaria, Chile, Cape Verde, Benin) or you are a national of a country considered a safe country of origin (list of countries established by OFPRA then by the European Union).

3. Your presence in France constitutes a serious threat to public order, public safety or state security.

4. Your application is considered to be fraudulent (for example you have made several applications for asylum under different identities) or improper (for example if you apply for asylum when you are subject to a removal measure notification or have been arrested when you have already been in France for some time.

A refusal to issue an APS for the reasons mentioned in points 2, 3 and 4 does not prevent you from applying to OFPRA through the intermediary of the prefecture. The application is dealt with under the priority procedure and OFPRA rules within 15 days. If the decision is negative you may appeal to the Commission des Recours des Réfugiés (CRR), but the prefecture may return you to your country of origin without waiting for decision of the CRR.

3. THE CONDITIONS FOR EXAMINING YOUR APPLICATION

The prefecture has just given you an asylum application form

3.1. OFPRA

3.1.1. In order to fill in the OFPRA form :

- the dossier has to be written **in French**
- you have to write your address **very clearly**
- you have to answer all the questions on the OFPRA form being careful to :
 - describe all **the personal reasons** that led you to flee your country and the reasons you are unable to return there
 - pay attention to the **chronological order** and ensure the facts are logical

- mention **dates, places and people's names**

■ you may use the last page of the OFPRA form to add any information you think may be useful when your application is examined

■ **sign and date your application**, otherwise OFPRA will not be able to register it (for a minor it should be signed by the legal representative).

3.1.2. Documentation required:

1. a photocopy of your APS
2. 2 recent identity photos
3. the originals of any identity papers in your possession (passport, national identity card, birth certificate etc)
4. documents to support your account if you have any.

3.1.3. Sending the application:

It is vital to send your **complete** application dossier **within 21 days** of your one month APS being issued. **If you exceed the 21 day deadline or if your application is incomplete, OFPRA cannot register your application.** You are advised to send your application by registered post with acknowledgement of receipt, mentioning clearly your name in the part marked «expéditeur - sender». Keep the proofs of posting and deposit carefully. You may also hand in your application dossier in person at the OFPRA reception desk. Keep photocopies of everything in your application dossier (including the OFPRA form) and any documents you may send to OFPRA.

At any time in the procedure you may send OFPRA additional items for your application dossier. On any letter you send to OFPRA do not forget to show your registration number, which you will find on the letter from OFPRA registering your asylum application.

3.1.4. Proof of registration:

If your application dossier is complete, OFPPRA will send you a letter, to the address you gave in your application dossier, informing you that your application has been registered and giving you the registration number. This document officially proves your asylum application has been registered. The letter will reach you before your one month APS expires. It is however very important to keep on your person the proofs of having sent the application dossier so that if necessary you can present them to the prefecture when your APS expires.

If your dossier is incomplete when it reaches OFPPRA before the 21 day deadline has expired, OFPPRA will return it to you requesting any additional information or items. You must return it or hand it into OFPPRA as soon as possible with the items requested in order not to exceed the 21 day deadline. If not, OFPPRA will not register your application.

3.1.5. The acknowledgement – “le récépissé”:

When you receive the letter from OFPPRA, you must take it to the prefecture with a new proof of your address. Within three days of your APS expiring the prefecture will give you a “**récepissé**” - **acknowledgement of asylum application registration**. It is valid for **3 months** and can be renewed during the whole period of the procedure. Each time this document authorising you to stay is renewed, you have to present **proof of where you are living**, which in principal excludes the use of any post office domiciliation. The récepissé does not authorise you to work.

3.1.6. Interview at OFPPRA:

OFPPRA will call you for an interview unless:

- 1) The items in your application dossier are sufficient for OFPPRA to grant you asylum.
- 2) You are a national of a country where OFPPRA considers, generally speaking, there is no further risk of persecution (the countries concerned are Romania, Bulgaria, Chile, Cape Verde, Benin).
- 3) The elements in your application dossier are manifestly unfounded, that is to say if the reasons you give are not in accordance with the criteria for asylum.
- 4) Medical reasons prevent an interview being held.

If you are called for interview you have to go to the OFPPRA office. You will be interviewed by a protection officer. OFPPRA will provide an interpreter for the language you stated you speak in your asylum application dossier.

If you do not attend this interview your absence will have negative consequences for your asylum application. It is therefore essential to let OFPPRA know if you are unable to attend or will be late.

If your address changes it is also essential to inform OFPPRA by post as soon as possible and preferably by registered post with acknowledgement of receipt. OFPPRA will inform you of its decision by post to the last address that you gave. Keep a copy of the letter informing them of your change of address as well as the proofs of sending and receipt from the post office.

3.1.7. The OFPPRA decision:

The time required for OFPPRA to make a decision varies (15 days for the priority procedure up to several weeks for the standard procedure). You must be vigilant and check your post frequently.

- If your asylum application is accepted, you will be:

- **either recognised as a refugee** by OFPPRA, which in this case will inform you, in a registered letter with acknowledgement of receipt, of the decision to give you refugee status. On presentation of this document, the prefecture will, within 8 days, give you a residence permit application récepissé which authorises a 3 month stay, can be renewed and allows you to work. The récepissé is issued while you wait for your **10 year residence permit which is renewable as of right**.

The prefecture may refuse to issue a residence permit if your presence on French soil constitutes a threat to public order

The same applies to your spouse (if the marriage took place before refugee status was granted or failing that if it took place at least one year previously and you have lived together continuously or if your spouse has been given refugee status). Your under age children when they reach the age of eighteen (or sixteen if they wish to work) will have the same rights. On request, the

prefecture will give you travel documents that will allow you to go to any country except your country of origin. OFPRA becomes the government department that will re-issue the official documents (birth, marriage certificates etc) that you can no longer obtain from your country of origin.

If you return to your country of origin or if you decide to re-establish contact with the diplomatic or consular authorities of your country, your refugee status may be withdrawn.

- **or given the benefit of subsidiary protection.** OFPRA will inform you, in a registered letter with acknowledgement of receipt, of the decision to give you the benefit of subsidiary protection. On presentation of this document, the prefecture will, within 8 days, give you a residence permit application *recipissé* which authorises a 3 month stay, can be renewed and allows you to work. **The *recipissé* is issued while you wait for your temporary residence permit, marked « private and family life », which is valid for one year and can be renewed if all the reasons justifying subsidiary protection continue to apply.**

The same applies to your spouse (if the marriage took place before subsidiary protection was granted or failing that if it took place at least one year previously and you have lived together continuously or if your spouse has been given subsidiary protection). Your under age children when they reach the age of eighteen (or sixteen if they wish to work) will have the same rights. If OFPRA considers that it is no longer possible for you apply to the authorities of your country of origin for a passport, on request the prefecture will give you travel documents that will allow you to go to any country except your country of origin. In this case, OFPRA becomes the government department that will re-issue the official documents (birth, marriage certificates etc) that you can no longer obtain from your country of origin.

The prefecture may refuse to issue a temporary residence card if your presence on French soil constitutes a threat to public order

- **If your application for asylum is rejected :**

You may appeal against OFPRA's decision to reject your asylum application before the Commission des Recours des Réfugiés (CRR) within one month.

If you do not appeal to the CRR you must leave French territory. The prefecture will notify you with an invitation to leave the country - invitation à quitter le territoire, (IQF) - which will be followed by a removal measure notification, an order from the prefect for the police to escort you back to the frontier - l'arrêté préfectoral de reconduite à la frontière - (APRF), if you have not left the territory within one month.

3.2. THE REFUGEE APPEAL COMMISSION. COMMISSION DES RECOURS DE REFUGIES (CRR)

OFPRA's rejection decision is sent to you by registered post with acknowledgement of receipt to the last address you gave.

3.2.1. The deadline for appeal:

You have one month from the time you are notified of the rejection by OFPRA to register your appeal with the Commission des Recours des Réfugiés (e.g. if you receive your rejection by post on 20 January, your appeal must be registered at the Commission des Recours des Réfugiés before 21 February). Your appeal must therefore be sent several days before the deadline. If this one month deadline is exceeded, your appeal will be considered inadmissible, that is to say it will be rejected without being considered.

If you are not at home, the post office leaves an « Avis de passage du facteur » notice informing you that the postman visited and that there is a letter for collection at the post office. The post office will keep this letter for 15 days. If at the end of the 15 day period you have not claimed the letter, the post office will return it to OFPRA. In this case, the period of one month begins from the date shown on the «avis du passage du facteur» left by the postman.

3.2.2. The appeal:

■ Firstly, carefully read all the explanations, which are shown on the back of the OFPRA decision to reject the application.

■ The appeal must be written in French on plain paper (there is no special form) on which you should indicate your surnames, first names, full information about dates of birth, marriage, children etc, profession and address.

- You must enclose the original or a copy of the OFPRA decision with your appeal.

- You should explain why you do not agree with the reasons put forward by OFPRA. Explain why you are unable to return to your country of origin. If you have not been called for interview by OFPRA, mention this in your appeal.

- You should enclose the documents proving your identity, your nationality and your account of events. **These documents must be translated into French.** If there is no translation, the Commission des Recours des Réfugiés will not be able to use them. It is best to enclose the originals of these documents (systematically keeping a copy). On request the originals may be returned to you by the Président of the CRR.

- You must sign your appeal; if you are a minor, your legal representative must sign it.

- You must send your appeal by registered post with acknowledgement of receipt.

3.2.3. Receipt of appeal:

After you have sent your appeal, the Commission des Recours des Réfugiés will send a document entitled «**reçu d'un recours – receipt of appeal**» to the address you have indicated. This document certifies that your appeal has been registered. You must present this document to the prefecture so that your three month *recipissé* can be renewed. Subsequently, in any letter to the CRR do not forget to mention your registration number (6 figures) which will be shown on your receipt of appeal.

3.2.4. The assistance of a lawyer:

You may be assisted by a lawyer during the CRR hearing. The lawyer may be paid by the state only if you came into France legally (visa, safe conduct issued in a holding are etc.) and **depending on your resources**. You must then ask for legal aid from the legal aid office - **Bureau d'Aide Juridictionnelle (BAJ) - within the CRR.**

3.2.5. The CRR hearing:

The Commission des Recours des Réfugiés will call you for a hearing to hear your appeal. The summons will reach you by post approximately three weeks before the date of the hearing. The commission that examines your appeal is made up of a president, a qualified person appointed by the HCR (United Nations High Commission for Refugees) and a person appointed by the French council of state - Conseil d'Etat - on the suggestion of one of the ministers sitting on OFPRA's governing body.

The Commission des Recours des Réfugiés will provide an interpreter in the language you have indicated speaking on the OFPRA form. It is strongly recommended that you attend.

The hearing is in public, but you can ask for it to be held behind closed doors, that is to say ask for your case to be heard without the public being present.

If your appeal does not present any serious element that could call the OFPRA decision into question, the CRR may rule by order without a hearing but after a rapporteur has examined your dossier.

3.2.6. The CRR decision :

The CRR informs you of its decision by registered post with acknowledgement of receipt. The CRR can :

- **cancel OFPRA's rejection** and give you refugee status or the benefit of subsidiary protection. You will then benefit from the same rights as if OFPRA had accepted you under one of the two protections (see 3.1.7);

- **confirm OFPRA's decision** and reject your appeal.

The CRR's decision may be subject to a final appeal to the Conseil d'État. It will not re-examine the whole of your application but only certain legal questions. It is a long and costly procedure, requiring a lawyer (but legal aid may be applied for). It does not allow you to extend your stay and will not prevent you being returned to your country of origin. Take advice from an association or a lawyer.

The rejection by Commission des Recours des Réfugiés ends the validity of your three month *récépissé*: the prefecture will send you a letter informing you that your stay is at an end and asking you to leave French soil within one month (see 3.1.7).

The prefecture will also indicate that you may benefit from repatriation assistance to help you return to your country. You should contact the national foreigner's reception and migration agency - Agence Nationale pour l'Accueil des Etrangers et des Migrations (ANAEM) (see 7).

If at the end of the one month period, you have not asked ANAEM for repatriation assistance and you are yourself still in France, your stay is illegal and the prefecture may issue a removal measure notification (an order from the prefect for the police to escort you back to the frontier) which may be enforced at any time. The order may be accompanied by removal to a detention centre prior to sending you back to your country. The order may be challenged before the Tribunal Administratif of your place of residence, within 48 hours if the order was given to you at the prefecture or within 7 days if the order was sent to you by registered post with acknowledgement of receipt. The decision of the Tribunal will be given within 48 hours.

4. RE-EXAMINATION

After your application for asylum has been rejected by the CRR, you can apply to OFPRA to re-examine your application but only if you have a "new element":

1. that is of such a nature as to justify your fears of persecution if you return
2. and that the information dates from after the date of the CRR's rejection or before the rejection if you only became aware of it after that date.

You may take advice from an association or a lawyer. You should present yourself at the prefecture once more to ask for an APS. The prefecture will examine your application for an APS as it did for the first application.

There are two possibilities :

-**The prefecture issues you with an APS for fifteen days** and OFPRA's re-examination form. You then have 8 days to forward your complete application dossier to OFPRA which will register it and decide within 96 hours after registration whether it should examine your situation once more. The absence of a response after this delay has expired means your application for re-examination has been rejected. You then have the right to appeal without waiting for an express decision to be notified to you.

-**The prefecture refuses to issue you with an APS** for one of the reasons mentioned in 2.2.2. It will give you the form to complete and a summons to return to the prefecture with your complete application dossier. The prefecture will pass your dossier on under the priority procedure to OFPRA, which will decide whether it should re-examine your situation and make a decision, if applicable, within a period of fifteen days.

5. STATELESS PERSON STATUS : OFPRA

You do not have to go to the prefecture, but have to write directly to OFPRA, indicating your surnames, first names and address and the reasons for your application.

OFPRA will send you a form to apply for stateless person status. You must complete it and explain the circumstances that led to you not having any nationality.

The form should be returned to OFPRA by registered post with acknowledgement of receipt.

You will be called to OFPRA for an interview.

■ **If you are recognised as a stateless person**, OFPRA will issue you with a stateless persons card. The prefecture will give you and your spouse a **temporary residence permit marked «private and family life»** (if the marriage took place before stateless person status was granted or failing that if it took place at least one year previously and you have lived together continuously). Your under age children when they reach the age of eighteen (or sixteen if they wish to work) will have the same rights. The permit is valid for **one year**, is renewable and allows you to work.

■ **If OFPRA refuses your application**, you may challenge the decision before the Tribunal Administratif of your place of residence within

2 months of the decision. The appeal does not have a suspensive effect, which means you may be subject to a removal measure (APRF), without waiting for the Tribunal Administratif to decide on the application to overrule OFPRA's refusal to give you stateless person status.

During the procedure, a provisional stay authorisation (APS) is not a right. You may be sent back to your country during the procedure. There is no fast track procedure for dealing with an application for stateless person status.

6. SOCIAL AID

Social aid relates to accommodation, financial assistance and health care. Social aid, financed by the state, depends on the person's status, type of permission to stay and its validity.

6.1. ACCOMMODATION

6.1.1 Accommodation in an asylum seeker reception centre :

Reception centres are found across the whole French territory and are only available to asylum seekers (and their direct family). To benefit from this accommodation you have to have an APS of one month or a 3 month recipissé issued in relation to an application for asylum.

Generally speaking, you have to apply to the asylum seeker reception platform or the association which manages the accommodation. Your application for accommodation at an asylum seeker reception centre (centre d'accueil des demandeurs d'asile, CADA) is examined by a local admission committee, chaired by the state social services, which makes decisions based on the places available in the department or anywhere in France and meets every week.

You may therefore have to leave the region in which you have made your application. If you refuse the offer of accommodation in a reception centre you risk being deprived of the welfare allowance (provisions that will come into force in 2005) and no other offer of accommodation of this type will be made to you.

However, if there are no available places you will be placed on a waiting list, with a view to being given accommodation in one of these centres at a later date, and if necessary you will be directed to temporary accommodation solutions.

In some departments, transit centres take asylum seekers awaiting a place at a CADA.

Accommodation in a CADA is for the whole period of your stay, including if applicable the period of appeal before the CRR. If your asylum application is rejected by OFPRA (without being followed by appeal) or by the CRR, you must leave the centre.

N.B. there is a third type of centre for people that OFPRA or the CRR have recognised as refugees. These are called « centres provisoires d'hébergement », CPH (provisional accommodation centres) where the stay is limited to 6 months.

In asylum seeker reception centres, you will benefit from administrative support (guidance in the asylum application procedure), social support (health care, children's schooling), financial food aid that **cannot be claimed at the same time as the welfare allowance**. It is funded by the state and in general is managed by associations.

6.1.2. Accommodation outside a centre and emergency accommodation

If the national asylum seeker reception centre system is not able to take you or offer you temporary accommodation outside a centre, you will doubtless have to find other accommodation. The possibilities vary considerably depending on the town in which you are and are not described in this booklet. In relation to emergency accommodation, it may be possible to find accommodation in the various centres for the homeless. These centres provide accommodation only for the night and in principle do not serve meals. The length of stay allowed varies depending on the centre but in any case is very short (a few days).

There is a free phone number, **115**, that you can dial any day **from any telephone box**. Give your name and your location and you will be looked after for the night and housed in an emergency centre. This number is often busy and you have to keep trying.

6.2. FINANCIAL ASSISTANCE

As an asylum seeker, you will probably not be authorised to work. You may however apply to the prefecture for permission to work, but this may be re-

fused based on either the employment situation in the region or the sector concerned.

Asylum seekers that do not have accommodation in transit centres, CADA, or CHRS may benefit from the welfare allowance :

the welfare allowance: in order to benefit from it, you must have a 3 month *recépissé* and apply to **ASSEDIC** producing a copy of the registration letter from OFPRA and a document declaring that you have no resources or that you do not benefit from accommodation in respect of state social assistance.

The welfare allowance is for the sum of 290.67 euros per month and per adult, paid for a maximum period of 12 months until 2004, and paid for the whole period of the procedure from when the new provisions come into force in 2005. However, if your application is rejected by OFPRA (without being followed by an appeal) or by CRR, these payments will come to an end.

You should also know that after 6 months allowance has been paid, you must personally go ASSEDIC in order for the payments to continue. Failing this, payments will not continue.

N.B. If you are given refugee status by OFPRA or the Commission des Recours des Réfugiés, the residence permit gives you the right to work and allows you to benefit from the same rights as French nationals, except for civic rights.

6.3. ACCESS TO HEALTH CARE

6.3.1. Emergency treatment:

While waiting for the social protection offered to asylum seekers as part of universal health cover - *Couverture Maladie Universelle (CMU)* - you may go to hospitals where there are permanent health care access points - *Permanences d'Accès Aux Soins de Santé (PASS)*. You will be treated by doctors and any medication will be given to you free of charge.

Furthermore, some associations offer dental, ophthalmological and psychological care access points without you having to have health insurance.

The Maisons du Département (depending on where you are living) usually house PMIs (*Protection Maternelle et Infantile* - mother and child clinics) responsible for regular check ups for children and for their vaccinations without any requirement for health cover and the *Centres de Planification et Education familiale* for women (information on contraception and pregnancy check-ups).

6.3.2. Universal health cover - *Couverture Maladie Universelle*:

As an asylum seeker, **you may benefit from *Couverture Maladie Universelle (CMU)***. This cover is offered from the time you make your asylum application **on presentation either of an appointment or a summons or a temporary stay document (provisional stay authorisation or *recépissé*), accompanied by an attestation of domiciliation.**

It will cover you for all medical and hospital expenses of any nature for you, your spouse and your children without having to make any payment beforehand. In the absence of official documents certifying the composition of your family, you will have to fill in a sworn statement. You have to do the same thing if you have no documents proving your lack of resources.

In order to benefit from CMU, you have to **apply to the social security services that cover your place of residence**. You can be assisted in this procedure by some associations, community centre or inter-communal welfare action centre or the hospital social services. Once you have made an application, you will receive an attestation of health cover.

The social security (*Caisse Primaire Assurance Maladie*) may later ask you for additional documents (notably your 3 month *recépissé*) so you can be given a definitive number and an electronic health card called the "*carte Vitale*" can be produced. The card must be kept up to date using points in social security centres.

7. RETURNING TO YOUR COUNTRY OF ORIGIN

After your application for asylum has been rejected by OFPRA and the CRR, the prefecture will send you a letter asking you to leave France -> *Invitation à quitter le territoire* (IQF) - within one month. After this time, if you are still in France and in an irregular situation you may be subject to a removal measure and be sent back to your country. There are programmes and assistance that cover this situation.

7.1. REINTEGRATION ASSISTANCE

This programme is implemented by the Agence Nationale pour l'Accueil des Etrangers et des Migrations (ANAEM), previously Office des Migrations Internationales (OMI)

7.1.1. Beneficiaries:

You may receive it if your application for asylum has been rejected and you have received a request to leave France - «Invitation à quitter le territoire français» (IQF). Your spouse and under age children (under 18 years of age) may also benefit. You may not benefit from the programme if you are subject to an order from the prefect for the police to escort you back to the frontier - l'arrêté préfectoral de reconduite à la frontière - (APRF), a prefecture or ministry expulsion order - un arrêté préfectoral ou ministériel d'expulsion or a legal order banning you from French territory.

7.1.2. Delay:

The application has to be made to the ANAEM within **one month** from the date of notification of the request to leave France, that is to say within the time the IQF gives you to leave France.

7.1.3. The aid:

- Material aid for leaving: covering travelling costs for you, your spouse and any under age children from the town of departure in France to the arrival town in the country of origin.

- Administrative aid to prepare for your departure (obtaining the necessary documents for returning to the country of origin, closing bank accounts etc.)

- Financial aid.

- Assistance for re-integration in the country of origin through an evaluation before departure of the professional opportunities in the country to which you are returning. A representative of the ANAEM in the country you are returning to will be able to continue to advise and assist you. For further information on aid and procedures, approach the local ANAEM representatives or the prefectures.

7.2. OTHER PROGRAMMES

There are other programmes that will assist you with your return such as humanitarian repatriation or reintegration contracts in the country of origin. These other programmes may be for different beneficiaries or offer other assistance. For full information, contact the local ANAEM representatives or the prefectures.

8. USEFUL ADDRESSES

8.1. NATIONAL ADDRESSES (the list is not exhaustive)

OFPPA

Office Français de Protection des Réfugiés et Apatrides

201, rue Carnot
94136 FONTENAY SOUS BOIS Cedex
tel: 01 58 68 10 10
fax: 01 58 68 18 99

CRR

Commission des Recours des Réfugiés

35, rue Cuvier
93558 MONTREUIL SOUS BOIS Cedex
tel: 01 48 10 40 00
fax: 01 48 18 41 97

HCMUR

Haut Commissariat des Nations Unies pour les Réfugiés

9, rue Kepler
75116 PARIS
tel: 01 44 43 48 58
fax: 01 40 70 07 39

ANAEM (previously OMI)

Agence nationale pour l'accueil des étrangers et des migrations

44, rue Bargue
75015 PARIS
tel: 01 53 69 53 70
fax: 01 53 69 53 69

ACAT**Association des chrétiens pour l'abolition de la torture**

7, rue Georges Lardennois
75019 PARIS
tel: 01 40 40 42 43
fax: 01 40 40 42 44

ACT UP

45, rue Sedaimé
75011 PARIS
tel: 01 48 06 13 89
fax: 01 48 06 16 74

Amnesty International

76, boulevard de la Villette
75019 PARIS
tel: 01 53 38 65 16
fax: 01 53 38 55 00

Association Primo Lévi

107, avenue Parmentier
75011 PARIS
tel: 01 43 14 08 50
fax: 01 43 14 08 28

AMPSR**Association d'accueil aux médecins et personnels de santé réfugiés en France**

Hôpital Sainte Anne
1, rue Cabanis
75014 PARIS
tel: 01 45 65 87 50
fax: 01 53 80 28 19

CAEIR**Comité d'aide exceptionnelle aux Intellectuels réfugiés**

43, rue Cambronne
75015 PARIS
tel: 01 43 06 93 02
fax: 01 43 06 57 04

CASP**Centre d'Action Sociale Protestant**

16, rue Santerre
75012 PARIS
tel: 01 53 33 87 50
fax: 01 43 44 95 33

CIMADE**Service oecuménique d'entraide****Service Accueil Etrangers**

46, boulevard des Batignolles
75017 PARIS
tel: 01 40 08 05 34
fax: 01 40 08 05 27

COMEDE**Comité médical pour les exilés**

Hôpital de Bicêtre
78, rue du Général Leclerc BP 31
94272 LE KREMLIN BICETRE
tel: 01 45 21 38 40
fax: 01 45 21 38 41

Croix Rouge Française

1, place Henry Dunant
75008 PARIS
tel: 01 44 43 11 00
fax: 01 44 43 11 69

FASTI**Fédération des associations de soutien aux travailleurs immigrés**

58, rue des Amandiers
75020 PARIS
tel: 01 58 53 58 53
fax: 01 58 53 58 43

Forum Réfugiés

28, rue de la Baisse
 BP 1054
 69612 VILLEURBANNE Cedex
 tel: 04 72 97 05 80
 fax: 04 72 97 05 81

FTDA**France Terre d'Asile**

25, rue Ganneron
 75018 PARIS
 tel: 01 53 04 39 99
 fax: 01 53 04 02 40

GAS**Groupe Accueil Solidarité**

17, place Maurice Thorez
 94800 VILLEJUIF
 tel: 01 42 11 07 95
 fax: 01 42 11 09 91

GISTI**Groupe d'Information et de Soutien des Immigrés**

3, villa Marcès
 75011 PARIS
 tel: 01 43 14 60 66
 fax: 01 43 14 60 69

LDH**Ligue des Droits de l'Homme**

138, rue Marcadet
 75018 PARIS
 tel: 01 56 55 51 00
 fax: 01 56 55 51 21

MRAP**Mouvement contre le racisme et pour l'amitié entre les peuples**

43, boulevard Magenta
 75010 PARIS
 tel: 01 53 38 99 99
 fax: 01 40 40 90 98

Secours Catholique**23, boulevard de la Commanderie**

75019 PARIS
 tel: 01 48 39 10 92
 fax: 01 48 33 79 70

SSAE**Service Social d'Aide aux Emigrants**

58 A, rue du Dessous des Berges
 75013 PARIS
 tel: 01 40 77 94 24
 fax: 01 40 77 94 87

SNPM**Service National de la Pastorale des Migrants**

269 bis, rue du Faubourg St Antoine
 75011 PARIS
 tel: 01 43 72 47 21
 fax: 01 46 59 04 89

8.2. DEPARTMENT ADDRESSES

The list of useful addresses in your department is available from the prefecture.



NOTES



NOTES