



AT THE MERCY OF A PIECE OF PAPER

WHEN THE FRENCH STATE CREATES PRECARIOUS CONDITIONS FOR MIGRANT WORKERS

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GLOSSARY AND ABBREVIATIONS

WORD	DESCRIPTION
BILATERAL AGREEMENT	A legal agreement between two States. In the context of this report, this term refers to agreements between France and countries outside the European Union which govern the residence and employment of foreign nationals in France.
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women.
CLASS	All people occupying the same position in the social division of labour, defined in particular by their position and material wealth.
EXPLOITATION AT WORK	Although “exploitation at work” is not defined as such by international texts, this concept refers to working conditions which can affect the rights defined in these texts. It should be understood as a spectrum covering phenomena of varying severity. Decent work, freely chosen and exercised in conditions which respect rights is thus at one extreme of this spectrum, while at the other end are the most serious forms of exploitation, such as forced labour, human trafficking for labour exploitation, and slavery. Between these two extremes lie multiple forms of abuse, sometimes experienced in a cumulative way.
ICCPR	International Covenant on Civil and Political Rights.
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination.
ICESCR	International Covenant on Economic, Social and Cultural Rights
ILO	International Labour Organization.
IMMIGRATION POLICY	Measures aiming to control movements of people between one country and another, with the particular aim of managing the presence of foreign nationals in a country.
MIGRANT WORKERS	According to Article 2.1 of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the expression “migrant workers” refers to “a person who is to be engaged, is engaged or has been engaged in a remunerated activity in a State of which he or she is not a national”. In the context of this report, the term refers more specifically, among these people, to workers from countries outside the European Union holding temporary and multi-annual “Private and Family Life”, “Temporary Worker”, and “Employee” residence permits, who are the subject of this study.

WORD	DESCRIPTION
RACIALISATION	Process by which institutions and groups socially construct racial meanings and use them to justify discrimination, violence, stereotyping and other forms of alienation. The term “race” used in this report refers to this process.
CONCEPTS SPECIFIC TO THE FRENCH CONTEXT	
ADMINISTRATIVE PRECARIOUSNESS	In the context of this report, the concept of administrative precariousness refers to the uncertainty and fragmentation of the administrative status of foreign nationals, caused by the processes governing residence permits and their renewal.
ANEF	<i>Administration Nationale des Étrangers en France</i> . Digital system for managing residence permits.
CESEDA	<i>Code de l’Entrée et du Séjour des Étranger.es en France et du Droit d’Asile</i> . Code on the Entry and Residence of Foreign Nationals in France and the Right of Asylum. French legislation governing the residence of foreign nationals in France.
CIRCULAR	An administrative text providing information and giving directives on implementing a law to one or more administrative services of the State.
DGEF	<i>Direction Générale des Étrangers en France</i> (DGEF), Directorate-General for Foreign Nationals in France, within the Ministry of the Interior.
DSED	<i>Département des Statistiques, des Etudes et de la Documentation</i> (DSED) within the Directorate-General for Foreign Nationals in France.
INED	<i>Institut National des Etudes Démographiques</i> . French Institute for Demographic Studies.
INSEE	<i>Institut National de la Statistique et des Etudes Economiques</i> . French Institute for Statistics and Economic Studies.
INTERRUPTIONS TO THE RIGHT OF RESIDENCE	Loss of administrative status giving right to residence, caused by dysfunctions in the State machinery. This concept should be differentiated from “violations of human rights”, including the “violation of economic and social rights” which refers to a violation of the enjoyment of the rights covered by international texts. The “interruption to the right of residence” may lead to a “violation of economic and social rights”.
OCCUPATIONS UNDER PRESSURE	Occupations facing recruitment difficulties or labour shortages where the number of vacancies is higher than the number of applicants.
OQTF	<i>Obligation de Quitter le Territoire Français</i> . Obligation to Leave French Territory. This administrative (and not judicial) decision is taken by the Prefect, notably when an application for a residence permit is refused or in the event of irregular residence in France. It obliges the person to leave France, by their own means, within 30 days. In some cases, it may also impose an immediate departure. This decision can be appealed to the administrative tribunal.
PROVISIONAL RESIDENCE DOCUMENT	A document entitling the holder to reside and, in some cases, work in France while their application for a residence permit or renewal of their residence permit is processed by the administration. This document may take the form of a receipt, a certificate of an extension of the processing time, or a certificate of a favourable decision.

WORD	DESCRIPTION
RIGHT OF RESIDENCE	In the French context, this refers to the permission granted to foreign nationals to reside in France by virtue of holding a residence document issued by the administration or by virtue of international and regional agreements such as the legal framework governing the free movement of people within the European Union. The right of residence is not a human right covered by international law and does not exist in international texts.
SHORT-TERM AND LONG-TERM RESIDENCE PERMITS	“Residence permits” is a generic term which refers to documents issued by the French authorities authorising residence and, for some, employment in France to nationals of countries outside the European Union for a set period of time. “Short-term” residence permits range from a one-year residence permit (temporary residence permit) to multi-annual residence permits which may last up to four years. “Long-term” residence permits refer to ten-year residence permits. For the purposes of comprehension, this report will essentially use the terms “short-term” and “long-term” residence permits.

EXECUTIVE SUMMARY

"[Migrant workers] accept whatever they find, whatever they're offered, because not many French people are willing to do these very difficult jobs. [At work], people spoke to me as if I was a dogsbody, a servant. They knew I was in need. It's more difficult to find another job with a short-term residence permit. And suddenly, everything can be taken away from you and you can't do anything about it." Nadia

In France, thousands of migrant workers are subject to a dysfunctional and harmful residence permit system, which disregards their rights, forces them to live in precarious conditions and exposes them to an increased risk of physical and psychological abuse and other rights violations in the workplace.

These workers, most of whom originate from the Global South and areas previously colonised by France, are largely racialised and over-represented in professional sectors such as personal care, construction, and cleaning. Sectors which are regularly described as being essential to French society and the economy, but where precarious jobs are legion and working conditions are notoriously poor. Some of these workers came to the country a few years ago, while others have been there for decades. Every year, every two years, or every four years, they have to renew their residence permit. These individuals therefore endure the almost constant stress of administrative instability, which affects every aspect of their lives, trapping them in abusive working conditions and exposing them to multiple violations of their rights.

Despite repeated warnings from institutional actors and civil society organisations about the harmful effects of the residence permit system and its administrative failings, the authorities, far from taking action to improve the situation, have only made it worse.

This report reveals the structural mechanisms, created by France's migration policies, which lead to the violation of the rights of racialised migrant workers and expose them to a greater risk of exploitation. It analyses the impact of the current system of residence permits, particularly the "Employee", "Temporary Worker" and "Private and Family Life" temporary and multi-annual residence permits, on these workers' rights. Its conclusions are based on research conducted in mainland France between April 2024 and September 2025. This research combined extensive documentary research and in-depth interviews with 27 migrant workers of 16 different nationalities, who have been living and working in France for between six and 30 years. Like the vast majority of migrant workers whose lives and work in France depend on a residence permit, they are all racialised individuals. Where possible, supporting documentation and additional sources have also been sought to confirm the information gathered. Amnesty International also conducted discussions with 39 experts (sociologists, legal professionals, economists, lawyers, NGO leaders, trade unionists, and journalists) with specific knowledge, as well as with ten representatives of national and international institutions working on the human rights issues at the centre of this research.

This report documents a wide range of human rights abuses which affect racialised migrant workers on precarious residence permits including wage theft, extended working hours, dangerous working conditions, and multiple instances of violence, particularly on the grounds of race. Far from being isolated occurrences committed by unscrupulous employers, these attacks on human rights are widespread and systemic, as they are rooted in the precariousness of these migrant workers' administrative status. A precarious status created, maintained and aggravated by the French migration policies implemented over the past decades. Far from protecting them, the State exposes racialised migrant workers to coercive and abusive working environments where they can be treated as a workforce to be exploited at will and whose rights are negligible. Given that the structural dysfunctions of this system directly affect their access to employment

and other economic resources, the State disregards these workers' rights to work, social security and an adequate standard of living, exposing them to an even greater risk of exploitation. Lastly, because it disproportionately impacts the rights of racialised workers – especially women – this residence permit system is also discriminatory.

A discriminatory and unreliable system which keeps racialised workers from Global South countries in a cycle of precarious residence permits

The current permits system is the legacy of a long history of colonial domination, exploitation, and discrimination governing access to residence and employment of foreign nationals from countries outside the European Union. It allocates residence permits of varying lengths from temporary permits valid for no more than one year, to multi-annual permits valid for between two and four years, and long-term permits, valid for ten years. The possibility of moving gradually from a temporary residence permit to a ten-year residence permit is established in law. In reality, however, multiple factors cause access to a long-term residence permit to be a veritable obstacle course.

Over recent decades, the proliferation of laws modifying the system have made it both incomprehensible and unstable. The many categories of permit are based on different rules and the processes of renewing a residence permit have reached such levels of complexity that many foreign nationals cannot complete them without help, with each error compromising their ability to reside and work in France. The significant discretionary power given to the prefecture administration makes it even harder to renew these documents and access a more stable permit, while the procedures themselves are fraught with numerous dysfunctions, such as: long processing times, procedural errors and bugs in the IT system, insufficient personnel, or failure to issue or renew provisional residence documents. These dysfunctions are the result of an unstable legal and regulatory framework, and a proliferation of short-term residence permits leading to the relevant administrative services being overloaded. These difficulties are not isolated, but systemic.

In addition, the many requirements imposed to access the longest-term permits, such as holding a permanent employment contract, mastering the French language, and a minimum level of income, are insurmountable barriers for many. These requirements, which are seemingly neutral, have a disproportionate impact on certain migrants, in particular racialised migrants, women, people in precarious economic situations, native speakers of languages other than French, and those who have had little or no education in their country of origin. And these situations are far from being mutually exclusive. Women in particular, who are more often in part-time, low-income jobs and represent the majority of single parents, are likely to be impacted by all of these factors of structural and social exclusion. Because they often don't have the financial, temporal, educational, and linguistic resources to meet the requirements, they face specific challenges in accessing a long-term residence permit, granting them real administrative stability in France.

Each application to renew a residence permit involves a range of conditions, evidence to be provided, waiting time, and uncertainty. Because it determines and fragments the lives and prospects of racialised migrant workers, this administrative precariousness leads to the abuses set out in this report, which cannot simply be put down to unscrupulous employers. On the one hand, this precariousness can be a direct lever for their exploitation. Thus, the need for "Employee" and "Temporary Worker" permit holders to have an additional work permit, issued by the administration to their employer, means these workers are dependent on the goodwill of their employer, as this document is essential for renewing their residence status.

On the other hand, the precariousness of their residence permits limits the opportunities for professional development of non-European migrant workers and contributes significantly to locking them into jobs and professional sectors facing labour shortages, with notoriously difficult working conditions. In addition, not only does this precariousness reinforce the factors leading to abuses connected with the individual's situation or the grounds of gender, race, skin colour, and national or social origin, but it also prevents them from fleeing exploitative working conditions, reporting the abuses to which they have been subjected, and accessing justice and reparations.

This is because for these migrant workers, leaving their job means running the risk of not finding another job before their residence permit has to be renewed. An excessive risk given the difficulty of finding a stable job while only holding a short-term permit. However, holding an employment contract is crucial, indispensable even, for renewing their administrative status. Standing up to abuse also means risking reprisals and, potentially, losing their job. Fleeing the exploitation or reporting the abuse thus implies the risk of losing not only their income but also their right to live and work in France. Consequently, existing appeal

mechanisms are, in reality, not accessible to many racialised migrant workers, due to the multiple factors of precariousness that both expose them to abuses and prevent them from reporting them.

Through this system of precarious residence permits, the French authorities thus contribute to the exploitation and discrimination of an underclass of racialised migrant workers.

Administrative precariousness leading to social and economic precariousness: the consequences of administrative failures that propel people into irregularity

The systematic malfunctions that plague the procedures for renewing residence permits lead to multiple interruptions to people's administrative status, which has a real impact on their day to day lives as well as on their well-being and long-term stability. Without a response from the administration to their application to renew a residence document, racialised foreign nationals can see their right to live in France expire and can thus fall, from one day to the next, into irregularity. The right to work and access to regular employment is conditional upon the residence status, and these failings in the administrative system lead to contracts being suspended and people being dismissed, unable to access the labour market, and marginalised in the informal economy.

Under French law, regular residency is key to almost all social benefits, including unemployment benefit, family allowance, housing benefit, and minimum allowances, which enable individuals to live in decent conditions, including in the event of extreme economic precariousness due, in particular, to loss of employment. Failings by the administration also have the consequence of depriving racialised migrant workers of the benefit of these welfare payments at the very time when they are most in need.

Undocumented, the victims of these interruptions to their administrative status suffer from the loss of their financial resources, and fall into significant social and economic precariousness. Most of them tumble into a spiral of debt to cover their essential needs and those of their families. Such situations have a disproportionate impact on single parents – mostly women – who are the only caregiver of their children. Some people spoke about having to choose between feeding themselves properly and keeping a roof over their heads. This situation can last for weeks, months, or in some cases, years.

Due to the short-term nature of permits issued by the prefectures, even if their status is ultimately restored, the risk of losing it again is high, with every renewal of their residence permit. By constantly interrupting their access to social and economic rights and fragmenting their professional and personal lives, French migration policies and the structural failings they generate not only directly affect the human rights of racialised migrants but also increase their exposure to abusive working conditions.

The State's responsibility to bring the system in line with its human rights obligations

The French authorities are aware of these abuses and violations, having been warned several times of the deleterious effects of their immigration policy on the residence and employment of non-European racialised migrant workers. Migrants, civil society organisations, national institutions, academics, the media, and other stakeholders have widely documented these violations over the years and have brought them to the State's attention. Despite this, the system of precarious residence permits has never been fundamentally challenged. Although legislators have sometimes questioned the impact of this administrative precariousness, this has only been founded on concerns over the "integration" of migrants into French society, rather than respect for their human rights. The few attempts to limit this precarious residence status have thus instantly been counteracted by other legal provisions – such as higher language proficiency requirements - ultimately endangering the rights of racialised migrant workers, rather than reducing the harm caused.

Amnesty International concludes that the violations of the rights of racialised migrant workers are systemic: they are the predictable result of a system of residence permits which have become more and more precarious over recent decades. The French State thus holds direct responsibility for the abuses and violations caused by this legislative mechanism, its underlying policy choices and the failings of its administration. The extent and persistence of these violations, despite multiple reports from civil society organisations and institutions, demonstrates that the necessary steps to resolve the issues have not been taken.

The French authorities are thus violating their obligations to respect, protect, and fulfil the rights to work and to just and favourable working conditions, notably by virtue of Articles 6 and 7 of the International Covenant on Economic, Social and Cultural Rights (ICESCR). By failing to put an end to these multiple interruptions of administrative status caused by their residence permits policies and the dysfunctions of the administration, the French authorities are failing to respect, protect, and fulfil the rights of racialised migrant workers, in

particular their right to work, to social security, and to an adequate standard of living as defined in Articles 6, 9, and 11 of the ICESCR.

Amnesty International also finds that the system of residence permits is discriminatory, as it disproportionately exposes racialised migrant workers to exploitation and violation of their rights. The conditions imposed to access a stable residence permit are also discriminatory, as they have a disproportionate impact on certain categories of racialised migrants. Far from preventing such discrimination, the French State has, on the contrary, law after law, continued to reinforce these barriers to the equal enjoyment of these rights. Kept in a precarious situation as a result of their short-term residence permits, these foreign nationals find themselves over-exposed to exploitation and to interruptions to their status. Amnesty International concludes that the French State is violating the prohibition of discrimination as set out, notably, in Article 2 of the ICESCR, in Article 2 and 5 of the CERD and Article 2, 11 and 13 of the CEDAW.

The short-term, precarious nature of temporary and multi-annual “Employee”, “Temporary Worker”, and “Private and Family Life” residence permits is the source of the exploitation and discrimination of racialised migrant workers who hold them, as well as of multiple other attacks on their rights. Consequently, the system which governs them must be urgently transformed to put an end to these repeated violations and prevent any future infringements.

Main recommendations

This report concludes with a series of detailed recommendations to respond to the serious human rights concerns set out in this report. In particular, Amnesty International calls upon the French state to:

- Undertake an urgent reform of the system of temporary and multi-annual residence permits, particularly those allowing employment as a salaried worker, as well as a reform of access to long-term residence permits. These reforms should be developed in partnership with the individuals concerned and civil society organisations
- Ensure that the system of residence permits respects, protects, and fulfils the rights of all racialised migrant workers without discrimination on the grounds of class, gender, nationality, race and ethnic origin.
- Strengthen provisions for protection against abuses and discrimination against racialised migrant workers in a professional environment, and guarantee fair access to justice and reparations for all racialised migrant workers, regardless of their administrative status,
- Take urgent steps to acknowledge and address the systems and structures which uphold race, class, gender and other hierarchies and perpetuate racism within its labour and immigration policies.

METHODOLOGY

Body of evidence

The findings of the research and the conclusions contained in the resulting report are based on the data obtained from surveys conducted in metropolitan France between April 2024 and September 2025. These surveys were developed and designed following desk research into the situation of migrant workers from outside the European Union in France. Researchers combined in-depth interviews with 27 migrant workers of 16 different nationalities, holding temporary and multi-year residence permits as well as where possible further verification through document review which both confirmed and supplemented the data obtained in the interviews.

The 12 women and 15 men we met came from Mali, Nigeria, Guinea, Côte d'Ivoire, Gambia, Angola, Cape Verde, Cameroon, the Democratic Republic of Congo, the Comoros, Morocco, Algeria, India, Sri Lanka, Bangladesh, and Colombia. All of them are racialised, which means that their national origin, skin colour, ethnic origin or religious background shape how they are perceived and positioned within society as migrant workers through socially construed ideas of race. The people interviewed by Amnesty International have lived and worked in France for between six and 30 years, in the Paris region and in seven other cities in mainland France: Bordeaux, Grenoble, Lille, Marseille, Montpellier, Rouen, and Toulouse. They currently work or have worked in cleaning, personal care, construction, security, catering, sales, mechanics, and in hospitals. They are currently employed or have been employed in private sector companies of all sizes, from small and medium-sized enterprises to large multinationals and the abuses documented in this report are not linked to any specific type of company.

Amnesty International sought advice and guidance from partner organisations who work with foreign nationals on a daily basis and, in some cases, Amnesty International followed up on suggestions of further potential interviewees from the interviewees themselves.

These semi-structured interviews were conducted between September 2024 and September 2025. Most of them were conducted face-to-face, although some were conducted remotely. This was followed by further discussions by telephone and email. In support of their testimonies, the interviewees shared residence and work documents, contracts and pay slips, written exchanges with the authorities and with their employers, court and administrative files, and medical documents.

In accordance with the informed consent given by the interviewees and the standard practice for Amnesty International surveys, we have indicated the date on which the interview took place, but, in accordance with the wishes of some of the individuals interviewed, we have preserved their anonymity by using a pseudonym – which they have accepted – and by not mentioning their place of residence, sometimes their nationality, or any other details that could identify them.

Amnesty International also spoke to 39 experts (sociologists, legal experts, economists, lawyers, heads of NGOs, trade unionists, and journalists), often on multiple occasions, as well as with ten representatives of national and international bodies including the French Labour Inspectorate (*l'Inspection du Travail*), the French Defender of Rights (*le Défenseur des Droits*), and the International Labour Organization (ILO). In March 2025, Amnesty International contacted the Directorate-General for Foreign Nationals in France and several prefectures, but its meeting requests went unanswered or were turned down.¹

¹ Meeting requests sent by email on 10 March 2025 to 8 prefectures (in départements 13, 31, 38, 75, 76, 93, 94 and 95). Meeting requests sent by email to the Directorate-General for Foreign Nationals in France on 14 March 2025.

The research team also consulted official statistics, national legislation, and judicial and administrative decisions, as well as academic books and articles, reports by civil society organisations and national and international institutions, and press releases and articles.

THE LIMITS OF STATISTICAL DATA

National statistics on residence permits are published only partially. Each year, the French Ministry of the Interior presents data sets on the number and type of residence permits issued in response to first applications, and sometimes on renewals, as well as the number of valid residence permits in France. However, this data is not broken down into specific categories. When data on residence permit renewals are published, they do not specify whether this concerns a first, second, third, or subsequent renewal. Moreover, these official statistics are only partially disaggregated by gender and nationality. Finally, contrary to the recommendations of international human rights standards, these data are not broken down by race and ethnic origin. The shortcomings of these public statistics consequently limit the scope for quantitative analysis of the administrative career paths of foreign nationals and impede a detailed measurement of the impact of migration policies in terms of racial and gender discrimination. Considering these limitations, this report uses nationality as a proxy for race to understand racial discrimination in the French residence permit system, although it acknowledges that it cannot encompass all the complexity of racialised migrant workers' experiences based on the current data. The Ministry of the Interior data reveals that the majority of residence permit holders come from countries where the population is globally racialised. Consequently, this report is based on the conclusion that the holders of precarious residence permits – who are the focus of this report - are, for the most part, racialised and therefore refers to them as racialised migrant workers.

As part of its investigation, in February 2025 Amnesty International submitted a detailed request for statistical data to the Department of Statistics, Studies and Documentation (DSED) within the Directorate-General for Foreign Nationals in France (DGEF), which falls within the Ministry of the Interior. In its response, the DSED indicated that the required data was not currently available, in some cases because the elements requested had not been collected. The DSED also stated that although other data had been collected, this had not yet been statistically processed for publication, although it may be made available in the future. That said, no precise timescale was given.²

The quantitative analyses carried out by the French Institute for Statistics and Economic Studies (INSEE) on the employment of foreign nationals generally include data on foreign nationals within data on immigrants, and do not distinguish them from those who have acquired French nationality after arriving in France. This limits the quantitative measurement of any potential impact of nationality and administrative status on the socio-professional careers of foreign nationals. Nonetheless, these analyses, combined with the qualitative research carried out by the French Institute for Demographic Studies (INED), provide important information, particularly on the professional sectors and types of jobs held by people of foreign origin.

During this research, Amnesty International sent information requests to the offices of the Ministries of the Interior, Labour, Solidarity and Justice on 30 September 2025. However, as of 17 October 2025, Amnesty International had received no information or response to the questions posed. The organisation did meet with the Residence and Employment Division within the Immigration Department of the Directorate-General for Foreign Nationals in France (DGEF), which falls within the Ministry of the Interior

² Email correspondence with the DSED and the Communications department of the Ministry of the Interior on 11 and 12 February 2025, 3 March 2025 and 4 June 2025.

Scope of the research

Geographical area

The research carried out by Amnesty International focused on violations of economic and social rights in metropolitan France. French overseas territories, which have special legislative provisions and specific migratory contexts are, therefore, not the subject of this report.

Administrative situation of the people concerned

This report presents the findings of in-depth research into the impact of specific, albeit widespread, administrative situations.³ These findings relate to the infringement of rights suffered by foreign nationals holding temporary and multi-year residence permits authorising them to work. More specifically, they concern the effects generated by "Private and Family Life", "Employee", and "Temporary Worker" permits.⁴⁵

This report does not deal with the abuse suffered by people in an irregular situation who have never obtained a residence permit. It should be noted, however, that most of the foreign nationals interviewed as part of this survey had experienced the stress of living in an irregular situation for several years before obtaining their first residence permit, and that they describe these years as characterised by systematic abuse and heightened forms of exploitation. The exploitation of undocumented migrant workers has been recorded by other specialist organisations and appears in reports by civil society organisations, criminal justice rulings, academic papers and press articles. The violations described in this report therefore represent a pattern of exploitation and violations suffered by foreign nationals in France.

The international legal context

The rights of migrant workers in France are protected by international law, regardless of their individual situation with regard to immigration law or their employment status.

The Universal Declaration of Human Rights states that everyone has the right to "work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment"⁶ as well as to "social security",⁷ a "reasonable limitation of working hours",⁸ and a "standard of living adequate for the health and well-being of [themselves] and [their] families".⁹

France is signatory to several international instruments protecting human rights.¹⁰ By ratifying the International Covenant on Economic, Social and Cultural Rights (ICESCR), France has agreed to respect, protect and fulfil everyone's right to work, in other words the right to "gain [their] living by work which [they] freely choose or accept".¹¹ It has also made a commitment to respect, protect and fulfil everyone's right "to the enjoyment of just and favourable conditions of work"¹² which guarantees, among other things, fair wages that allow for a decent living, safe and healthy working conditions, and reasonable limitation of working hours. The French State is also bound to respect, protect and fulfil "the right of everyone to social security, including social insurance"¹³ and "the right of everyone to an adequate standard of living for [themselves] and [their] family, including adequate food, clothing and housing, and to the continuous improvement of living conditions".¹⁴ Finally, the Covenant requires that these rights may be exercised

³ There are many different administrative situations within which migrant workers in France can fall, each of which can affect human rights in different ways. It is not the purpose of this report to present each of these situations in full.

⁴ Nationals of European Union countries, refugees, and asylum seekers are therefore not the subject of this report. The same applies to people holding "Student", "Entrepreneur/Professional" or "Talent" residence permits and ten-year residence permits. Because workers with seasonal residence permits are bound by very specific terms and conditions, they were not included in this research

⁵ Because the statistics published by the Ministry of the Interior are only partially disaggregated, the precise number of people currently covered by these residence permits is not known. However, Amnesty International notes that residence permits for economic reasons (including "Employee", "Temporary Worker", "Seasonal", and "Talent" residence permits and the corresponding long-stay visas) and family reasons (including "Private and family life" residence permits and the corresponding long-stay visas) accounted for more than half of the 1,400,877 residence permits which were valid for fewer than ten years on 31 December 2024. Source: Ministry of the Interior, DGEF, DSED, Les chiffres de l'immigration en France, 26 June 2024 - <https://www.immigration.interieur.gouv.fr/fr/Info-ressources/Etudes-et-statistiques/Les-chiffres-de-l-immigration-en-France/Sejour> (in French).

⁶ Universal Declaration of Human Rights, Article 23.

⁷ Universal Declaration of Human Rights, Article 22.

⁸ Universal Declaration of Human Rights, Article 24.

⁹ Universal Declaration of Human Rights, Article 25.

¹⁰ In particular: The International Covenant on Civil and Political Rights (ICCPR; ratified in 1980); the International Covenant on Economic, Social and Cultural Rights (ICESCR; ratified in 1980); the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW; ratified in 1983); and the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD; ratified in 1971).

¹¹ ICESCR, Article 6.

¹² ICESCR, Article 7.

¹³ ICESCR, Article 9.

¹⁴ ICESCR, Article 11.

without any discrimination, particularly on the grounds of race, skin colour, sex, religion, or national and social origin.¹⁵

The Committee on Economic, Social and Cultural Rights, the body responsible for monitoring implementation of the ICESCR, has recalled that States parties have the obligation not only to respect the rights defined in the Covenant – and thus to abstain from directly or indirectly preventing the exercise of these rights – but also to protect the enjoyment of these rights and prevent the violation of these rights by third parties such as private sector companies.¹⁶

The Committee has stressed that “individuals and groups of individuals continue to face socio-economic inequality, often because of entrenched historical and contemporary forms of discrimination”.¹⁷ This discrimination can be indirect in the case of “laws, policies or practices which appear neutral at face value, but have disproportionate impact on the exercise of Covenant rights as distinguished by prohibited grounds”.¹⁸ The Committee notes that “discrimination against some groups is pervasive and persistent” and is “deeply entrenched in social behaviour and organization”.¹⁹ It goes on to say that “such systemic discrimination can be understood as legal rules, policies, practices or predominant cultural attitudes in either the public or private sector which create relative disadvantages for some groups, and privileges for other groups.”²⁰ It also stresses that people can experience multiple and cumulative discrimination, based on several prohibited grounds such as gender, skin colour, and national origin.²¹ Finally, the Committee on Economic, Social and Cultural Rights recalls that “the Covenant rights apply to everyone including non-nationals”.²²

The International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)²³ and the Convention on the Elimination of All Forms Discrimination against Women (CEDAW)²⁴ also confirm the obligation on States parties to ensure the equal enjoyment of economic, social and cultural rights, and particularly the right to freely chosen work, just and equitable working conditions and pay, and social security.

By becoming a party to the ICERD, France undertook the commitment to “take effective measures to review governmental, national and local policies, and to amend, rescind or nullify any laws and regulations which have the effect of creating or perpetuating racial discrimination wherever it exists”.²⁵ The Committee on the elimination of racial discrimination also stresses that “the potential indirect discriminatory effects of certain domestic legislation, particularly legislation on terrorism, immigration, nationality, banning or deportation of non-citizens from a country, as well as legislation that has the effect of penalizing without legitimate grounds certain groups” should be seen as indicators of racial discrimination.²⁶ Therefore, it calls for States to ensure that the implementation of any legislation does not have discriminatory effects on non-citizens²⁷ and that immigration policies do not have the effect of discriminating against persons on the basis of race, colour, descent, or national or ethnic origin.²⁸

By becoming a party to the CEDAW, France also committed “to refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation”.²⁹

¹⁵ ICESCR, Article 2.2.

¹⁶ These obligations are recalled in the General Comments issued by the Committee on each specific right. See notably, the Committee on Economic, Social and Cultural Rights, General Comment No. 23 (2016) on the right to work (Article 7 of the ICESCR), paras. 58, 59 and 60.

¹⁷ Committee on Economic, Social and Cultural Rights, General Comment No. 20 (2009) on non-discrimination in economic, social and cultural rights (Article 2 of the ICESCR), para. 1.

¹⁸ Committee on Economic, Social and Cultural Rights, General Comment No. 20 (2009) on non-discrimination in economic, social and cultural rights (Article 2 of the ICESCR), para. 10.

¹⁹ Committee on Economic, Social and Cultural Rights, General Comment No. 20 (2009) on non-discrimination in economic, social and cultural rights (Article 2 of the ICESCR), para. 12.

²⁰ Ibid.

²¹ Committee on Economic, Social and Cultural Rights, General Comment No. 20 (2009) on non-discrimination in economic, social and cultural rights (Article 2 of the ICESCR), para. 17.

²² Committee on Economic, Social and Cultural Rights, General Comment No. 20 (2009) on non-discrimination in economic, social and cultural rights (Article 2 of the ICESCR), para. 30.

²³ ICERD, Article 5 (e-i).

²⁴ CEDAW, Article 11.

²⁵ ICERD, Article 2.1(c).

²⁶ Committee on the elimination of racial discrimination, General recommendation No. 31 (2005) on the prevention of racial discrimination in the administration and functioning of the criminal justice system”, para. 4(b).

²⁷ Committee on the elimination of racial discrimination, General recommendation No. 30 (2005) on discrimination against non-citizens, para. 7.

²⁸ Committee on the elimination of racial discrimination, General recommendation No. 30 (2005) on discrimination against non-citizens, para. 9.

²⁹ CEDAW, Article 2(d).

France has ratified nine of the ten fundamental Conventions of the International Labour Organization (ILO), thus contributing towards defining the scope of just and favourable working conditions.³⁰

France is also party to regional instruments protecting the rights of workers, such as the Charter of Fundamental Rights of the European Union of 2000.³¹

Within national legislation, the right to employment is set out in the preamble to the Constitution of 1946.³² The right to employment as applied to foreign nationals is based on the principle of non-discrimination and equal treatment.³³

³⁰ France has ratified the Forced Labour Convention, 1930 (No. 29); the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); the Right to Organise and Collective Bargaining Convention, 1949 (No. 98); the Equal Remuneration Convention, 1951 (No. 100); the Abolition of Forced Labour Convention, 1957 (No. 105); the Discrimination (Employment and Occupation) Convention, 1958 (No. 111); the Minimum Age Convention, 1973 (No. 138); the Worst Forms of Child Labour Convention, 1999 (No. 182); and the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187). At the time of writing, the Occupational Safety and Health Convention, 1981 (No. 155) had not yet been ratified by France. It is, however, the subject of a bill for ratification examined by the French National Assembly, following its adoption by the Senate.

³¹ Articles 15.1 and 15.3.

³² Article 5: "Each person has the duty to work and the right to employment. No person may suffer prejudice in [their] work or employment by virtue of [their] origins, opinions or beliefs."

³³ Employment for nationals of non-European Union countries is, however, restricted by a certain number of provisions, defined jointly in the French Labour Code and the Code on the Entry and Residence of Foreign Nationals and the Right of Asylum (CESEDA). See Chapter 1, Section 1.2.

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Amnesty International would like to express its profound gratitude to the workers who shared their accounts as part of this report. We thank them not only for giving up their time – something of which they have so little – but also for having shared some of their lives and experiences with the organisation. Amnesty International salutes their courage and their commitment. While this report cannot fully reflect either the complexity of the violations and harm to which they have been subjected, nor the energy and resilience with which they have dealt with it, the organisation hopes that it can carry their voices, their accounts, and their demands.

Amnesty International thanks the academics, social workers, lawyers, trade unionists, activists and their organisations for their expertise, the contacts they shared, and the time they gave to answering its many questions.

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FROM EXPLOITATION TO LOSS OF RIGHTS: THE CASES OF NADIA AND PAUL.

The violations and abuses set out in this report do not arise in isolation but cumulatively. Because their administrative status is precarious, due to short-term residence permits, racialised foreign nationals are at heightened risk of multiple, interconnected abuses. The following accounts illustrate this cycle.

Nadia³⁴, an Ivorian national, felt liberated when she obtained her regularisation in 2015, after living in France for 12 years without a residence permit. “I was finally able to live without fear of having to move.” With her one-year “Private and Family Life” residence permit, she immediately trained as a personal carer. “Once I was trained, it wasn’t hard to find a job, there is such a shortage,” she said. She worked part-time for a home help organisation in the Paris region and for a Centre Communal d’Action Sociale, as well as being a single mother to her daughter, who was born in France in 2014. But the work isn’t what she had hoped. “I’m not sent to elderly people’s homes to care for them, but to be a dogsbody. Sometimes [the clients] speak to me badly. Once, a man asked me for “services” and I said I wasn’t there for that.” When she reported these problems to the Centre, they went unanswered. However, Nadia continued working. “I needed this job, and I was expecting to get a permanent contract (CDI). I was told that after a certain period, this would be possible.” But three years went by, and one six-month contract followed another. Her short-term residence permit was renewed first for one year and then two. The CDI remained a mirage, as did her hope of a longer residence permit. For Nadia, the two problems are linked. Some of her colleagues received a CDI very quickly after their arrival. She notes that they were either French or had long-term residence permits. “The rest of us, with our short-term residence permits stayed on short-term contracts (CDD). One friend of mine is still in that situation after five years, she still doesn’t have a CDI.” Nadia also says that the most difficult jobs with the most demanding clients and the most work to be done, are given to staff with CDDs and a one- or two-year residence permit. “[French nationals and those holding long-term residence permits] can refuse jobs where the house is really unhygienic, but we can’t. We knew we didn’t have a choice,” she said. “[My bosses] spoke to me as if I was a dogsbody, a servant. If you said you didn’t want to do a specific job, they didn’t care, [...] they knew you needed the work.”

Nadia’s life changed in 2022, when she applied to renew her fourth residence permit. She received a temporary three-month document. “I asked to renew the [provisional document],” she said. “For eighteen months, every single day I chased the prefecture on-line and by phone. I don’t know how many times I went there in person; they all know me now. But without an appointment, they never let me in.” In the weeks after her temporary document had expired, Nadia, who was now in an irregular situation, lost her job as a personal carer. Welfare payments for her daughter stopped. From one day to the next, she found herself with no income. “I couldn’t cope. I had no money to buy clothes for my daughter or to feed her. We depended on donations from charities. I was afraid of being kicked out of my apartment because I couldn’t pay the rent. The electricity supply was almost cut several times, but thankfully friends paid the bills for me.” Her debts accumulated to several thousands of euros in rent, electricity, water, and telephone bills. A social worker applied for emergency aid from the local authority, amounting to €140 which Nadia picked up from the tax office every month. “I have always managed. I worked hard and, although my daughter and I never had much, we were comfortable and could afford an outing or a trip to the cinema every so often. I am not used to asking for help. [The prefecture] made me dependent on welfare.” With the help of an NGO, in June 2024 Nadia contacted a lawyer, who immediately lodged an appeal with the administrative tribunal which recognised the error by the administration. A few weeks later, Nadia was once again issued with a three-month document. By the time she had re-established her administrative existence, from registering with the child benefits agency to the French employment agency, the document had expired.

“I had to set everything up with France Travail, among other places, and my three-month document expired without me receiving a new one. [My lawyer] had to contact the [administrative] court so that I could get an order [to be issued another temporary document] and I had to represent myself in proceedings with the prefecture.”

³⁴ Interviews with Nadia (whose name has been changed), 19 December 2024 and 30 September 2025.

Once again, the document was not renewed. Every time Nadia got a new document, she desperately looked for work, but even when she found a job, the employer refused to sign a contract, considering the short-term nature of her document. While she waited, she used her reestablished welfare benefits to pay off part of the outstanding rent. It was not until two months after her second temporary document had expired that she finally received an appointment to pick up her residence permit, in April 2025. Nearly three years had passed since she had applied to have it renewed, and she was in an irregular situation for two of these years, due to the lack of an official response. At the time of drawing up this report, Nadia has a two-year residence permit, allowing her to live and work in France. But she and her daughter are facing an eviction procedure from their social housing³⁵. The reason: the unpaid rent accumulated over the years of irregularity caused by the silence from the prefecture. When she wanted to change jobs, Nadia forced herself to sign a new contract with a domestic help agency to secure her income but also because she was afraid of fresh difficulties with her next residence permit renewal in 2027. "I'm scared that if I can't show that I've had a stable job for two years, payslips, there will be problems again", she says.

Paul³⁶, a Congolese national, works as a painter and decorator in a middle-sized French town. He entered France irregularly in 2003 and was issued his first one-year "Private and Family Life" residence permit in 2018, for health reasons. He then underwent professional training and found a permanent contract with a small construction firm. But over time, Paul realised that he wasn't being paid for all the hours he worked, nor was he being paid overtime. "We were supposed to work from 8am to 5pm but I generally worked until 7pm, and my additional hours were not always paid. And when it came to my payslips and payments into my bank account, there was always something wrong, about €100-€150 missing." When he asked his boss, he didn't get an answer, and Paul didn't want to insist for fear of losing his job. Holidays were meted out "in dribs and drabs", he said, and only after numerous requests. During the COVID-19 pandemic, the employer did not provide them with face masks. And personal protective equipment, which is compulsory on a building site, such as gloves, masks, safety boots, were not provided and the workers themselves had to buy it. Paul reported that he had been exposed to asbestos without any mask or protective equipment. The work involved repeatedly crouching down and carrying heavy loads and he developed knee problems. In 2022, when he was carrying a heavy pot of paint in one hand, his knees gave way, and he collapsed. Although Paul now knows that his employer should have reported it as a workplace accident, at the time he didn't and simply received a doctor's note signing him off. For three years, Paul suffered from these repeated abuses without complaining too loudly, for fear of losing his job. But the situation worsened at the start of 2023. "No pay for four months", he explained. His last temporary residence permit would expire shortly. His medical treatment had ended, and he needed to change status, so he applied for an "Employee" residence permit as a worker with a permanent contract. But this was dependent upon his employer first applying for a work permit in his name. "He said he would do it, but he never did," said Paul. "[After four months with no pay and no news of a work permit], I was forced to hire a lawyer. [My employer] didn't agree, he told me he wasn't going to work with me anymore. I told him that if he wanted to fire me after I'd worked with him for 3 years, he had to give me a termination letter, but he didn't want to do that. He wanted me to resign. I called my lawyer, he told me not to sign anything at all. [So my employer] fired me for serious misconduct, even though I'm meticulous. He fired me because I was asserting my rights."

Paul and his lawyer initiated proceedings at the industrial tribunal but his employer didn't turn up when summoned. In the meantime, having no work permit, Paul was not granted an "Employee" residence permit and was issued with consecutive provisional documents lasting three or six months which constantly had to be renewed by making an appointment at the prefecture. However, the lack of available appointments meant that his provisional document expired in November 2024 before he could renew it. Paul fell back into an irregular situation for more than two months before finally getting an appointment and renewing his document. He describes the impossibility of obtaining stable work when in such a precarious administrative situation and said he could only find short-term contracts and trial periods which were often interrupted by the next expiry of his provisional residence document. "One employer said to me, 'we'll stop there' because there were only two weeks left on my document," he said. Twice, he said, companies refused to hire him because of his administrative situation. "For example, there was one-week job labouring on a building site. The woman [in the temp agency] asked for my papers and then said that provisional documents involved too much

³⁵ Amnesty International has seen a letter from the prefect ordering a welfare report, on which they will base the decision whether or not to proceed with eviction from the accommodation by law enforcement officers.

³⁶ Telephone interviews with Paul (whose name has been changed) on 31 January 2025 and 25 June 2025.

work.” He also described exploitation by some employers: “one employer took me on for a trial. But he wanted me to finish [painting] two apartments in a day. That’s something we never do because all the preparation [before the painting] takes time. He wanted me to work like a slave.” Paul refused and his employer ended his trial period after five days. Unable to find stable work, Paul survived on unemployment benefits and sometimes worked cash-in-hand for pitiful amounts and no social security. He said he has racked up several thousands of euros in debt in rent and electricity bills and fears being kicked out of his accommodation. In April 2025, his last provisional document was not renewed, and he was issued with an Obligation to Leave French Territory (OQTF).

CHAPTER 1. FRENCH MIGRATION POLICY AND THE SYSTEM OF RESIDENCE PERMITS

On 30 April 2025, the French Ministry of the Interior addressed a circular to prefects aiming to direct unemployed foreign nationals in a regular situation towards sectors referred to as being “under tension” (sectors facing recruitment difficulties).³⁷ A little more than a year before, labour shortages in the French economy had already fuelled discussions around the immigration law of 26 January 2024. Far from a recent phenomenon, this economic rationale has long shaped the legal framework governing foreign nationals in France, through migration policies which have oscillated between the need for labour and the desire to control and exclude immigrants.

This chapter presents the system of residence and employment permits for foreign nationals in France and analyses the migration and colonial policies that governed its development. It demonstrates how the current system is rooted in a long history of discrimination, exclusion, abuses and violations of the rights of some specific groups of migrant workers in France.

1.1 THE ORIGINS OF FRENCH MIGRATION POLICY: FROM IMPORTING COLONIAL AND FOREIGN LABOUR TO POLICIES OF CONTROL AND EXCLUSION

From the end of the 19th century, the premises of the legal control of foreign nationals in France were shaped by a political tension between the need for labour and a clear intention to control immigration. To address changes in French society and the impact of the second industrial revolution, migrant workers, for the large part male and European, were widely recruited for jobs which were rejected by national workers. They could be found particularly in agricultural jobs, factories where they were employed as production line workers subject to the rhythm of machines, and as domestic workers.³⁸ Although driven by economic necessity, the State nevertheless intended to monitor and control this population, if only to respond to the latent xenophobia in French society, which continued to rear its ugly head with each new economic crisis.

However, it was first and foremost the male population that the State was concerned with. Not that female foreign nationals didn't work in France, but their gender assigned most of them to the domestic economy – for a large part informal. They were therefore overlooked by legislators, who focused on industry and agricultural production. For much of the 20th century, female foreign nationals were thus almost totally absent from political debate and legal regulation, relegated to a much greater extent than their male counterparts, to the margins of society.³⁹

Successive legal texts therefore essentially dealt with male foreign nationals.⁴⁰ In 1893, a first law created registration records of the foreign nationals in each commune.⁴¹ During the First World War, in order to replace men who had gone to the front and to supply its weapons factories, the State organised a massive immigration of European workers and some 220,000 workers from territories under its colonial rule.⁴² At the time, France was a colonial empire ruling vast territories, particularly in Africa and South-East Asia. A colonial empire which had been largely built on slaves' labour - between the 16th and the 19th century, France was the third most active nation in the triangular trade, importing thousands of men and women from African territories to work on its plantations in the Caribbean and the Indian Ocean.⁴³ Abolished in

³⁷ Circular INTV2513131J, “Priorités pour 2025 de la politique d'intégration des étrangers primo-arrivants, dont les personnes réfugiées” was published on 30 April 2025. - <https://www.legifrance.gouv.fr/circulaire/id/45605?origin=list> (in French).

³⁸ Gérard Noiriel, *Le creuset français: histoire de l'immigration, XIX e-XX e siècle*, Paris, Éd. du Seuil, 1988 (in French).

³⁹ See box: The invisibility of female migrant workers.

⁴⁰ Foreign nationals wishing to work had to declare their residence and submit their registration certificate every time they changed commune. If they failed to do so, penalties applied both to the foreign national and to the employer who had recruited an unregistered worker.

⁴² Jeanne Singer-Kerel, “Protection' de la main d'œuvre en temps de crise, Le précédent des années trente”, *Revue européenne des migrations internationales*, Vol. 5, No. 2, 1989 (in French).

⁴³ Cécile Vidal, « Traite des esclaves », *La France aux Amériques*, Bibliothèque nationale de France [online] published online in May 2021, consulted 27/08/2025. Permalink: <https://heritage.bnf.fr/france-ameriques/traites-esclaves> (in French).

1848, slavery nevertheless still shaped colonial ideology, policies and practices, with a persistence of other forms of forced labour in territories under France's colonial rule.⁴⁴ Deliberately framed as inferior, local populations were perceived by the colonizing power as a source of workers, suited for unskilled and disposable tasks. Not considered as "real" French citizens, they were thus administratively deprived of many rights.⁴⁵ France drew extensively on this cheap source of exploitative labour to supply its economy in the colonies but also on the mainland.⁴⁶ At the outbreak of the First World War, the State thus arranged for the arrival of some 75,000 Algerians, 49,000 Indo-Chinese,⁴⁷ 35,000 Moroccans, 18,500 Tunisians, and 5,500 Madagascans, as well as 37,000 Chinese, who were subsequently partly expelled when the armistice was signed.⁴⁸ In the 1920s, emigration from the colonies to mainland France was subject to numerous restrictions – notably the payment of a deposit to cover repatriation costs.⁴⁹ Once in mainland France, the movement and employment of colonial and migrant workers was subject to the obligation to hold a specific identity card. After the war and in a context of economic recovery, employers' associations were largely left to manage these workers. However, the State would nevertheless restrict their geographic and professional mobility,⁵⁰ to maintain labour where it best met production needs.⁵¹ Assigned to sectors which were constantly in need of labour, foreign nationals and those from the colonies were even further exploited as they did not hold the same rights as French nationals.⁵²

By 1930, the State therefore had established a significant, albeit disparate, legislative arsenal to control the movement of foreign and colonial workers,⁵³ although it was little used in practice. As the economy recovered, the need for labour took precedence over the wish to control, until the beginning of the 1930s, with its economic crises and the exacerbation of xenophobia in French society. Increased police resources were dedicated to controlling foreign nationals and legal texts multiplied. Migrant workers quotas workers were set by sector and the most highly-qualified posts were reserved for national workers. Subordinate and less well-paid positions remained limited and the most physical – in other words, dangerous – jobs were

⁴⁴ Romain Tiquet, Comment l'abolition de l'esclavage a légitimé le travail forcé colonial en Afrique de l'Ouest, *The Conversation*, [online], published online 13 November 2019, consulted 27/08/2025. Permalink: <https://theconversation.com/comment-labolition-de-lesclavage-a-legitime-le-travail-force-colonial-en-afrique-de-louest-126091> (in French).

Bernard Salvaing, « Travail et migrations forcés dans les colonies européennes », *Encyclopédie d'histoire numérique de l'Europe* [online], ISSN 2677-6588, published online 23/06/20, consulted 27/08/2025. Permalink: <https://ehne.fr/fr/node/14226> (in French).

⁴⁵ Emmanuelle Saada (2003). *Citoyens et sujets de l'Empire français. Les usages du droit en situation coloniale*. *Genèses*, no. 53(4), 4-24. <https://doi.org/10.3917/gen.053.0004>. (in French)

⁴⁶ Laurent Dornel. *Les usages du racialisme. Le cas de la main-d'œuvre coloniale en France pendant la Première Guerre mondiale*. *Genèses. Sciences sociales et histoire*, 1995, p.48-72 (in French).

⁴⁷ French Indochina covered the current territories of Laos, Cambodia, Vietnam, and part of South China under various statuses.

⁴⁸ The figures presented here do not take into account the thousands of workers from colonized territories initially recruited as soldiers but who, in reality, were allocated to numerous tasks supporting military deployment, such as digging trenches. These workers recruited during the war were "sent back in an authoritarian and inconsiderate manner, as soon as the armistice was signed, partly because the war factories had stopped operating and partly because the French authorities wanted to prepare for the re-entry of demobilised French soldiers to the labour market and, in addition, to prevent the development of a worrying working-class xenophobia. It was somewhat of a de facto expulsion, as remaining in mainland France was conditional upon the foreign or colonial worker's ability to produce a certificate of employment." Source: Laurent Dornel, *La démobilisation des travailleurs coloniaux et étrangers (1918-1922) in Outre-Mers*, 400-401, 2018 - <https://shs.cairn.info/revue-outre-mers-2018-2-page-79?lang=fr#r4no4> (in French)

⁴⁹ Between 1924 and 1928, free movement between colonised Algeria and metropolitan France was brought into question by a series of measures. Immigrants from the colonies had to first produce a certificate of accommodation signed by the French Ministry of Employment and a medical certificate, plus a clean criminal record check, and evidence of their financial resources. They also had to pay a deposit to cover their repatriation costs. Similar measures were gradually introduced in other territories colonised by France. Source: Olivier Le Cour Grandmaison, "Colonisés-immigrés et 'périls migratoires': origines et permanence du racisme et d'une xénophobie d'Etat (1924-2007)", *Cultures & Conflits* [online], 69 | Spring 2008, published online 16 June 2008, consulted 1 July 2025. URL: <http://journals.openedition.org/conflits/10363>; DOI: <https://doi.org/10.4000/conflits.10363> (in French).

⁵⁰ The law of 11 August 1926 entitled "For the protection of national employment" thus linked the migrant worker's identity card to a specific profession and contract. While previously any foreign national holding this document could be freely recruited, changes to the law meant the card was now issued on the basis of a specific profession and employment contract. The worker could not change employment in the first year or before the end of their contract, and remained limited to a specific profession. - Danièle Lochak, *La carte de séjour: brève histoire d'une centenaire*, in *GISTI, Précarisation du séjour, régression des droits*, GISTI, 2016 (in French).

⁵¹ In his reference work on the history of immigration, Gérard Noiriel writes: "It is important to see that the legislation on the identity card, administrative, and police control are fundamental elements of complementary action taken by the State and big business to direct the flow of immigrant labour to precisely where it was needed." - Gérard Noiriel, *Le creuset français: histoire de l'immigration, XIX e-XX e siècle*, Paris: Éd. du Seuil, 1988, Op. Cit.

⁵² Migrant workers received lower wages and did not have the same social protection or, of course, the same political and civil rights as French men – to a lesser extent – French women. Thus, the "undeniable advantage of foreign labour for French capitalism came from the low costs of production which it entailed. The inability to express opposition in any way other than by fleeing meant that this fraction of the working class was confined to sectors where salaries were the lowest and working conditions were the worst." - Gérard Noiriel, *Le creuset français: histoire de l'immigration, XIX e-XX e siècle*, Paris: Éd. du Seuil, 1988, Op. Cit.

⁵³ "In principle, [the State] can manage movements of migrant workers almost as it pleases. [...] it can accelerate or immediately stop entry into the country. The government can also control the presence of foreign nationals in France by modifying the duration of the ID card, by issuing instructions so that work permits can be extended more or less easily, and by adjusting this policy to different professions and regions." - Jeanne Singer-Kerel, "Protection de la main d'œuvre en temps de crise, Le précédent des années trente", *Revue européenne des migrations internationales*, Vol. 5, No. 2, 1989 (in French).

exempt from this quota policy.⁵⁴ The objective was to regulate all aspects of foreign nationals' residence and employment and to remove any "undesirable" elements. In 1938, a series of decrees established a system of permits, classified by length and according to whether they were attached to a specific contract, profession, or geographic area. At the same time, political discussions on immigration were shaped by racialised beliefs and assumptions about the assimilation potential of foreign and colonial populations. Although most Europeans were seen to be capable of integrating into French society, people from the colonies were considered to be fundamentally non- assimilable. These views were promoted by influential ideologists and rooted in racist stereotypes about cultural and biological inferiority.⁵⁵

Under the administration of the Vichy regime, racist and xenophobic policies towards foreign nationals and people from the colonies further restricted their rights and increased deportations and exploitation. The law of 27 September 1940 on "surplus migrant workers in the national economy" provided for a system of forced work without pay for foreign nationals who were deemed to be supernumerary.⁵⁶

At the end of the Second World War, however, the French authorities wanted to respond to the pressing need for reconstruction and re-population, and immigration was seen as a fitting response. In March 1945, Général de Gaulle announced to the Consultative Assembly a plan to "methodically and intelligently introduce the right elements of immigration into France over the coming years".⁵⁷ Within the administration of the time, many senior civil servants, former members of the Vichy regime, supported the need to introduce quotas by race and nationality. Although this policy did not ultimately make it into law, it influenced the administrative services responsible for managing residence permits, in a context of significant immigration from the colonized territories, particularly Algeria, as soon as free movement was re-established between the colonized territory and mainland France in 1947. Over the coming decades, the administration increased discriminatory practices, notably in terms of regularisation and family reunification.⁵⁸

On paper, however, the system introduced by the Ordinance of 2 November 1945 on the conditions of entry and residence of foreign nationals, continued the typology of 1938, selecting foreign nationals not by origin but according to the length of authorised residency: temporary residents with one-year permits, ordinary residents with three-year permits, and special residents with permanent permits, a period which would be reduced to ten years in 1975. The right to work for foreign nationals was disassociated from their residence permit. In order to be able to work, a foreign national had to hold a separate employment permit, which could be restricted by duration, geographic area, and the professions which could be carried out. This duality wasn't without its (many) problems. An individual could find themselves with an expired residence permit but a valid employment permit, and vice versa. The wide-ranging rules, which were imprecise in terms of how the permits were to be granted and renewed, were established by legal order in 1945 and left a large margin for manoeuvre to the administrative services. This led to the State having discretionary power over the residence and employment of foreign nationals, who consequently had little recourse if their rights were violated.⁵⁹ Over the following decades, the independence of the former colonized countries led to a number of bilateral agreements on the movement of workers from these territories, further complexifying immigration legislation which was already constantly changing as a result of the administration's discretionary power to respond to the needs of the French economy.⁶⁰

The economic crisis of 1973 led to an official halt on immigration for employment and a tightening up of the conditions for entry to and residence in France. The objective was to stop all possibilities of immigration other than temporary immigration. But this desire to control immigration essentially took place through circulars and the residence permit system established in 1945, which remained more or less unchanged

⁵⁴ Elsa Bourdier, *Le travail et la famille au fondement du droit des étrangers - une analyse de genre*, Thesis in public law defended at the University of Paris Nanterre (Credof), 10 January 2025

⁵⁵ Olivier Le Cour Grandmaison, "Colonisés-immigrés et 'périls migratoires': origines et permanence du racisme et d'une xénophobie d'Etat (1924-2007)", *Cultures & Conflits* [online], 69 | Spring 2008, published online 16 June 2008, consulted 1 July 2025. URL: <http://journals.openedition.org/conflits/10363>; DOI: <https://doi.org/10.4000/conflits.10363> and Yazid Benhadda, "Constructing the 'North African Problem' in France (1920–1956): A Colonial Genealogy of Migration Security Practices", *International Political Sociology*, Vol. 19, Issue 3, September 2025, olaf017, <https://doi.org/10.1093/ips/olaf017>

⁵⁶ Elsa Bourdier, *Le travail et la famille au fondement du droit des étrangers - une analyse de genre*, Thesis in public law defended at the University of Paris Nanterre (Credof) 10 January 2025

⁵⁷ Cited in: Alexis Spire, *Étrangers à la carte: l'administration de l'immigration en France (1945-1975)* Paris, Grasset, 2005 (in French).

⁵⁸ Alexis Spire, *Étrangers à la carte: l'administration de l'immigration en France (1945-1975)* Paris, Grasset, 2005 (in French)

⁵⁹ The French government made unrestrained use of circulars when dealing with foreign nationals, an "infra-law" to use Danièle Lochak's expression, "a law 'on the cheap' which simultaneously confirmed and increased foreign nationals' precariousness, insecurity, and inferiority." – Danièle Lochak, *Étrangers: de quel droit?*, Presses universitaires de France, 1985 / Alexis Spire, *Étrangers à la carte: l'administration de l'immigration en France (1945-1975)* Paris, Grasset, 2005 (in French).

⁶⁰ Elsa Bourdier, *Le travail et la famille au fondement du droit des étrangers - une analyse de genre*, Thesis in public law defended at the University of Paris Nanterre (Credof) 10 January 2025

until 1984. Paradoxically, in the 1970s and 1980s, foreign nationals obtained rights which had been refused to them up to this point, such as access to social security rights. With a view to retaining those migrant workers who were already in France – and upon whom the French economy continued to depend⁶¹ – a family reunification policy was developed.

The introduction of the residence permit in 1984 shook up the system which had been established in 1945. The precariousness and violations of rights caused by numerous temporary permits went on to be criticised by numerous civil society organisations and the individuals concerned. By introducing a ten-year permit which allowed people to live and work anywhere in France without needing a separate employment permit, the law of 17 July 1984 reversed the rationale of control and direction of migrant workers which had prevailed to that point. According to its advocates, the creation of this permit simplified the administrative procedures for foreign nationals who had been in France for a long time, guaranteeing them stability and allowing for greater “integration” into French society.^{62,63} By linking foreign nationals’ stay not with employment but with residency, it was possible to “no longer see immigrants only as economic agents, but as human beings gradually on the path to citizenship.”⁶⁴ In addition, it also relieved the administration of the responsibility for residence permits. The initial system was not, however, completely abandoned. The one-year temporary residence permit was maintained and continued to be conditional upon the prior granting of a separate employment authorisation. As for the long-term residence permit, it was not accessible to all foreign nationals. It was attributed to nine categories of people, including the spouses and parents of French nationals and people who had been living in France for more than 15 years. It could also be granted – in a discretionary way – after three years of residence in France.

Over the following decades, these conditions continued to be tightened. While the development of the European Union was opening up borders to Europeans, who were authorised to live and work in France without a permit, in contrast, the right to live and work in France for non-European nationals became more precarious.⁶⁵ In the 2000s, the rationale governing the creation of the long-term residence permit was reversed. The notion of “integration” became a condition to accessing long-term stability and non-European nationals had to demonstrate evidence of their “integration”, particularly through work, to access the 10-year residence permit.⁶⁶ While access to this permit was tightened, in contrast, successive legal texts multiplied the categories of short-term residence permits, while strengthening control and expulsion mechanisms. In 2016, the creation of a multi-annual residence permit claimed to lighten administrative procedures for non-European foreign nationals and to improve their “integration” into French society.⁶⁷ The arguments were the same as those presented in 1984 but this time, they supported the creation of permits with a much shorter duration (See Chap. 1, Section 1.2.2). Eight years later, access to these multi-annual permits would be further restricted by the law of 26 January 2024.⁶⁸

Since the 2000s, successive governments have continued to increase legislation and regulations on the residence and employment of non-European foreign nationals in France (See Chap. 3, section 3.3.1). These numerous and superimposed measures almost systematically led to an increasingly precarious right to residence and a restriction of liberties, resulting in a system which was not only illegible but unstable, leading to new human rights violations of non-European foreign nationals.

⁶¹ The historian Gérard Noiriel estimated that at the end of the 1970s, migrant workers recruited since the end of the Second World War had built approximately one home in two, 90% of the country’s motorways, and one machine in seven. - Gérard Noiriel, *Le creuset français: histoire de l’immigration, XIX e-XX e siècle*, Paris, Éd. du Seuil, 1988; Georges Mauco, *Les Étrangers en France et le Problème du racisme*, La Pensée universelle, 1977 (in French).

⁶² Journal Officiel, Débats de l’Assemblée nationale, 2nd session of 25 May 1984, cited in: Danièle Lochak, *Heurs et malheurs de la carte de résident*, in GISTI, *Précarisation du séjour, régression des droits*, GISTI, 2016 (in French).

⁶³ While affirming the desire to provide stability for foreign nationals in France, the reform of 1984 was accompanied by measures to combat irregular immigration and heightened restrictions at the borders. - Danièle Lochak, *Heurs et malheurs de la carte de résident*, dans GISTI, *Précarisation du séjour, régression des droits*, in GISTI, 2016 (in French).

⁶⁴ Journal Officiel, Débats de l’Assemblée nationale, 2nd session of 25 May 1984, cited in: Danièle Lochak, *Heurs et malheurs de la carte de résident*, in GISTI, *Précarisation du séjour, régression des droits*, GISTI, 2016 (in French).

⁶⁵ Antoine Math and Alexis Spire, *Précarisation: la preuve par les chiffres*, in *Plein droit*, 102(3), 2016 (in French).

⁶⁶ The Sarkozy law of 26 November 2003 made granting a residence permit conditional upon “the foreign national’s integration into French society”, to be assessed based on their French language skills and understanding of the principles of the French Republic. - Law No. 2003-1119 of 26 November 2003 on controlling immigration, the residency of foreign nationals in France and nationality, Article 8.

⁶⁷ Law No. 2016-274 of 7 March 2016 on the rights of foreign nationals in France, Explanatory statement - https://www.legifrance.gouv.fr/dossierlegislatif/JORFDOLE000029287359/?detailType=EXPOSE_MOTIFS&detailId=

⁶⁸ Ibid (in French).

THE INVISIBILITY OF FEMALE MIGRANT WORKERS: WHEN MIGRATION POLICIES EXACERBATE PREEXISTING AND PERVERSIVE GENDER INEQUALITIES

In the many texts governing the right of residence and employment of foreign nationals, women were long overlooked. Historically built around the labour needs of the French economy, the laws on immigration were designed only with male workers in mind.⁶⁹ Not that there were no female migrant workers in France, but the majority of them found jobs in the domestic sector. These were mostly informal roles and were not governed by employment contracts thereby providing no rights or protections to the workers. Therefore legislators paid them little attention. It was only in the 1970s, under the premise of family reunification, that the French state really began to concern itself with the administrative situation of female foreign nationals. They were not seen as potential workers, but as spouses and, thus, a stabilising force to encourage integration through the families of male workers, upon whom the French economy continued to depend.⁷⁰ For most of the 20th century, the majority of foreign women lived in France without any real administrative status and, consequently, they were essentially deprived of recourse to exercise their rights. When the State finally granted them status, it often remained subject to the situation of their partner, leading to economic and administrative dependency. French migration policies thus perpetuated and reinforced gender stereotypes and had a direct impact on the rights of female foreign nationals, and racialised women in particular.

The current system of residence permits, which is apparently neutral, continues this historic pattern. To this day, the majority of women who are non-European nationals hold residency permits for reasons of “Private and Family Life”.⁷¹ Although some aspects of these permits appear to provide greater protection than employment-based permits, they are also more precarious, particularly due to them being limited to two years in most cases (see Chap. 1, Sections 1.2.1.2 and 1.2.2). Because many of them are linked to the migration status or French nationality of their spouse, these permits make women administratively dependent on their conjugal relationship, which they cannot end without taking the risk of falling back into an irregular status and also increasing the risk of domestic violence. Renewing these permits involves presenting the administration with numerous private details to prove their “integration” into French society.

⁶⁹ Elsa Bourdier, *Le travail et la famille au fondement du droit des étrangers - une analyse de genre*, Thesis in public law defended at the University of Paris Nanterre (Credof) 10 January 2025

⁷⁰ Ibid.

⁷¹ Only one woman in ten is admitted for economic reasons, compared to one man in every three admitted for the first time. In contrast, three-quarters of women receive their first residence permit for family reasons, compared to only half of men. – INSEE, “L’insertion professionnelle des immigrés primo-arrivants en France”, *Immigrés et descendants d’immigrés*, Edition 2023, 30/03/2023 - <https://www.insee.fr/fr/statistiques/6793312?sommaire=6793391> (in French).

1.2 THE CURRENT SYSTEM OF TEMPORARY AND LONG-TERM RESIDENCE PERMITS

For non-European Union nationals, residency is based on a system of documents – known as residence permits – allowing the holder to remain for varying lengths of time in France.⁷² There are currently around thirty reasons why a French residence permit may be issued, some of which allow the holder to work.

This section aims to present the main residence documents which authorise the holder to carry out salaried work⁷³ and the methods for renewing them. These documents are classified according to duration and subject. There are three main types of residence permit:

- temporary residence permits, with a maximum duration of one year (see 1.2.1 below);
- multi-annual residence permits, valid for between two and four years depending on the category (see 1.2.2 below); and
- long-term residence permits, valid for ten years (see 1.2.3 below).

Bilateral agreements between France and several of its former colonized countries set out specific provisions governing the residency of nationals of these countries (see 1.2.4 below).

Within the temporary and multi-annual residence permits authorising the holder to exercise salaried employment, there are three main categories: residence permits for employment; residence permits for private and family life; and residence permits for “Talent”.⁷⁴

Applications for residence permits and renewing them are made online, on the site of the Administration Nationale des Etrangers en France (ANEF) or by sending or submitting an application directly to the Prefecture, depending on the category of permit being requested.^{75,76} While waiting for their application to be processed, foreign nationals should, in principle, receive a provisional document⁷⁷ extending their right to stay and work for a duration of between one and six months. The foreign national can apply to have these provisional documents renewed for as long as the initial application has not been processed by the administration. Some people may, therefore, spend months or even years holding these provisional documents (See Chapter 4, Section 3.1.2).

⁷² Some residence permits can be requested from the French consular authorities in the country of origin. An individual who enters and remains in France in an irregular way can also, under certain conditions, apply for a residence permit as part of a regularisation process, known as “Exceptional permission to stay”.

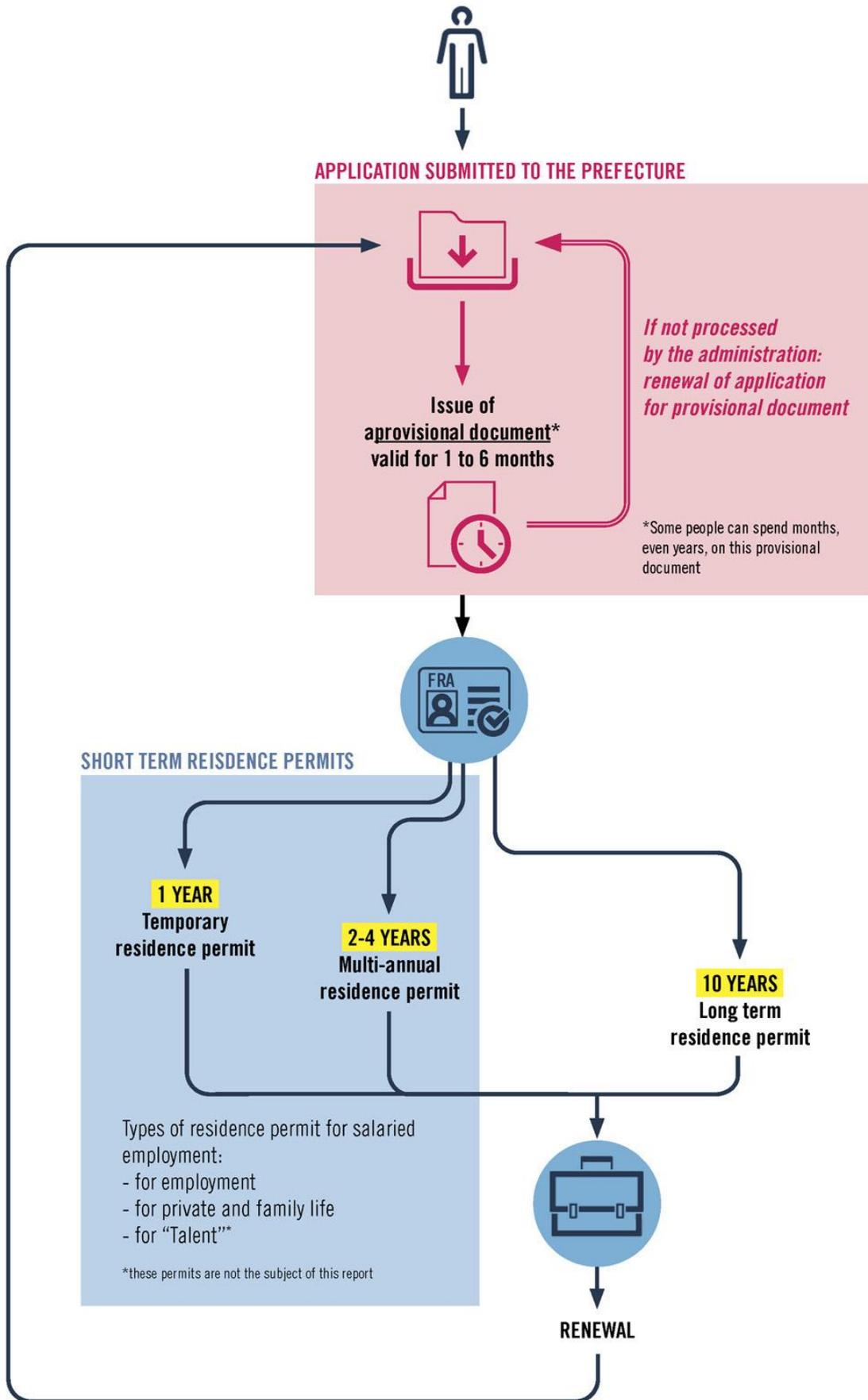
⁷³ With the exception of seasonal workers’ permits, which are not the subject of this report.

⁷⁴ In addition to these three categories, there are “Student” permits which allow the holder to work in addition to their studies for up to 60% of the annual duration of employment, i.e. 964 hours (CESEDA, Article L.422-1). These permits are not covered by this report.

⁷⁵ At the time of writing this report, in Spring 2025, most of these residence permits were managed online, through the ANEF website. The “Employee” and “Temporary Worker” permits were not, however, integrated into this mechanism.

⁷⁶ Since the Law of 26 January 2024 on immigration, all foreign nationals applying for a residence permit must sign a contract in which they agree to respect the principles of the Republic. Refusal to sign this contract or violation of the contract can compromise the issuance of the permit or can lead to it being withdrawn. Other reasons can also be given for refusing to issue or renew a residence permit, particularly violation of an Obligation de Quitter le Territoire Français (OQTF, order to leave France) or a “threat to public order”.

⁷⁷ If the application is made directly to the Prefecture, this document may take the form of a receipt. If the application is made online on the ANEF website, in principle applicants then receive an Attestation de Prolongation d’Instruction (API, confirmation of extended procedure). They should immediately be given a document confirming that they have submitted their application online. However, unlike the API, this does not justify the right to live in France. Finally, they may subsequently receive an Attestation de Décision Favorable (confirmation of a positive decision) extending their rights, if their application has been processed but their permit is still being prepared.



Each time a residence permit is renewed, the applicant must pay a tax (generally €225, as of the date of publication).⁷⁸

While French legislation allows for the possibility of changing a temporary residence permit into a multi-annual residence permit and ultimately a long-term residence permit, this is hindered by several legal conditions and restrictions, which are, for the large part, left in practical terms to the administration. Many migrant workers thus find themselves locked into an endless cycle of administrative precariousness linked to the very nature of their residence permits and the requirement imposed by the authorities for holders to constantly renew them.

THE TAXATION OF RESIDENCE PERMITS: A COST FOR THE MOST DISADVANTAGED AND A BONUS FOR THE STATE

Every time a residence permit is renewed, the applicant must pay a tax of €200⁷⁹, plus an additional €25 “stamp duty”. Foreign nationals with short-term residence permits must, therefore, pay €225 every year, every two years, or every four years depending on the length of their permit. The people Amnesty International interviewed said that they “managed” to pay this amount with every renewal, despite it being a non-negligible cost for these workers who tend to have a low income (see Chapter 1, Section 1.3.2). Although some of this tax is used to fund the production of the permits themselves, the majority of the profit is absorbed into the State’s general budget. And the amount is considerable, having been estimated at €193.11 million in 2017.⁸⁰

1.2.1 TEMPORARY RESIDENCE PERMITS

Temporary residence permits, with a maximum duration of one year. Since the law of 26 January 2024 on immigration, a number of these permits cannot be renewed more than three times for the same reason⁸¹.

1.2.1.1 TEMPORARY RESIDENCE PERMITS LINKED TO EMPLOYMENT AND THEIR RENEWAL

French law allows for two specific permits aimed at employment:⁸² the temporary “Employee” permit and the “Temporary Worker” permit. These permits are issued and renewed on condition of the applicant already holding a work permit,⁸³ which makes the migrant worker’s right to stay dependent on their employer knowing about this procedure and their goodwill.

PERMISSION TO WORK: WHEN CONTROLLING EMPLOYMENT BECOMES AN OBSTACLE TO PROFESSIONAL MOBILITY

Any company wishing to recruit a foreign national under the “Employee” or “Temporary Worker” residence permit must apply for a nominative work permit.⁸⁴ During this online application to the

⁷⁸ If the applicant fails to comply with the renewal timescale (generally between two and four months before the preceding residence permit expires) or if they are in an irregular situation, a supplementary tax is applied. Taxes defined by CESEDA: https://www.legifrance.gouv.fr/codes/section_lc/LEGITEXT000006070158/LEGISCTA000042772038/ (in French).

⁷⁹ Certain categories of people, such as students, seasonal workers, or holders of an accident and sickness pension, receive a reduction that brings this tax to €50. Other people are exempt from tax, including refugees, former unaccompanied minors, and nationals of certain European countries or States that have bilateral agreements in place with France.

⁸⁰ In 2017, the share of tax revenue and stamp duty paid to the National Agency for Secure Documents was capped at €14.49 million, less than 8% of the €193.11 million collected that year. Source: Assemblée Nationale, Stella Dupont, Rapport d’information No. 2041 relatif à la taxation des titres de séjour, undertaken under for the Commission des Finances, de l’Economie Générale et du Contrôle Budgétaire, submitted 19 June 2019 - <https://www.assemblee-nationale.fr/dyn/opendata/RINFANR5L15B2041.html>

⁸¹ This measure does not affect holders of a “Temporary Worker”, “Student”, “Student Mobility Programme”, “Trainee”, or “Visitor” residence permit, or “Private and Family Life” residence permits issued on health grounds or issued to foreign nationals aged 16-21, who were born in France and have lived in France for at least eight years and attended school in France for at least five years.

⁸² Other than the “Seasonal Worker” permit, which has specific conditions and is not covered by this report.

⁸³ CESEDA, Article L.414-12 referring to Articles L. 5221-2 et seq. of the French Labour Code.

⁸⁴ French Labour Code, Article R.5221-1

prefectoral services, the company must prove that it is impossible to recruit a French national to the position in question.⁸⁵ They must also demonstrate the legality of the conditions of employment and salary being offered.⁸⁶ They must also show that their company is in order.⁸⁷ The length of time for the administration to process the application is not supposed to exceed two months, but in practice it can go beyond that.⁸⁸

Since 2021⁸⁹, permission to work is linked to the employer submitting the application. If the migrant worker changes company, the document is terminated. The individual must receive a new work permit from their new company. Without this, their residence permit cannot be renewed when it expires.

Only those with a permanent employment contract (*contrat de travail à durée indéterminée*, CDI) are eligible for the temporary “Employee” residence permit. Valid for one year, it can be renewed three times.⁹⁰ If the person still holds a CDI when they first renew their permit, they can apply for a multi-annual “Employee” residence permit (See Chap. 1, Section 1.2.2). In the event of involuntary loss of employment, their permit can be renewed for one year, then for the period covered by their rights to unemployment benefit.

The “Temporary Worker” permit is aimed at people with temporary contracts (*contrat de durée déterminée*, CDD) and cannot be renewed in the event of loss of employment.⁹¹ As with other temporary residence permits, they cannot be renewed more than three times for the same reason. However, it cannot lead to a multi-annual residence permit. If the employee obtains a CDI, they must first apply for a change of status and obtain a one-year “Employee” permit, before applying for a longer-term permit.

1.2.1.2 TEMPORARY RESIDENCE PERMITS LINKED TO PRIVATE AND FAMILY LIFE AND THEIR RENEWAL

Eleven categories of people are eligible for a temporary “Private and Family Life” residence permit,⁹² particularly people with “personal and family links to France, such that refusal to grant a permit would affect their right to private and family life in a disproportionate manner.”⁹³

Conditions of access to this residence permit depend on the situation of the applicant. If they have applied as a result of their “personal and family connections” they must provide evidence of their links to France, of their habitual residence in France, of their integration into French society, and living conditions (income, taxes, housing, etc.).⁹⁴ When an initial “Private and Family Life” permit expires, the permit holder can also apply for a multi-annual permit.

⁸⁵ The job vacancy must have been published for three weeks with French public employment services, and no valid application can have been received. This approach is not, however, necessary if the job in question has been identified by French administrative services as being “under tension” and facing labour shortages. Other exceptions exist, particularly when recruiting someone with a Master’s degree or someone who is a former unaccompanied minor in the care of the French child welfare services (Aide Sociale à l’Enfance).

⁸⁶ The salary offered cannot be lower than the minimum hourly wage (SMIC) or the salary set out in the collective agreement applicable to the company, whichever is higher.

⁸⁷ The employer must be up to date with their social declarations, and must not have been sentenced or received any administration sanctions for offences, in particular for illegal employment or for violation of the general health and safety regulations within the company. No serious violations in these areas can have been recorded by the administration.

⁸⁸ See also Chapter 3, Section 3.1.3.

⁸⁹ Decree No. 2021-360 of 31 March 2021 on the employment of migrant workers. Previously, a work permit had to be obtained for the foreign national’s first job in France. This could limit them to working in a specific geographic area or type of job. But once the first permit had been issued, the individual was able to change companies without needing to go through any additional administrative procedures. Changing employer did not, therefore, run the risk of not having the necessary permit in order to renew the residence permit.

⁹⁰ This request must be made to the prefectural services no later than two months before the expiry of the original permit, and a valid work permit must be submitted.

⁹¹ If the individual is still employed, they can apply for the renewal in the two months preceding the expiry of their permit, by including a valid work permit.

⁹² Eleven categories of people are eligible for a “Private and Family Life” temporary permit. As its name indicates, it can be issued for private or family reasons to spouses of French nationals, parents of French children, former minors in the care of the French child welfare services, and others. It can also be issued for humanitarian reasons – particularly in the case of victims of human trafficking or people with a condition requiring medical care – and for other reasons such as receipt of a work injury pension or occupational disease pension. The full list of situations eligible for a temporary “Private and Family Life” permit is set out in CESEDA, Articles L.423-1 to L.423-23, L.425-1 to L.425-11, L.426-5 to L.426-7, and L.426-12 to L.426-16.

⁹³ CESEDA, Article L.423-23

⁹⁴ If they still meet the conditions for it being issued, the permit can be renewed up to three times. The application must be made online on the ANEF website, between two and four months before the expiry date on the original permit.

1.2.2 ACCESS TO A MULTI-ANNUAL RESIDENCE PERMIT

As indicated in the preceding sections, holding an initial “Private and Family Life” or “Employee” temporary permit allows the holder to apply for a multi-annual residence permit from the first renewal of their permit. This is supposed to lighten the administrative load on foreign nationals and offer them better possibilities for integrating into French society,⁹⁵ but only offers very limited stability to many of them. Several elements hinder effective access to this document.

A change in the individual's personal or professional situation can delay access to a multi-annual permit, if this involves changing category of permit.⁹⁶ This change of category returns the individual's “paper career”⁹⁷ to the initial stage and it is only upon expiry of a new temporary permit that the foreign national can apply for a multi-annual permit with the same indication.⁹⁸

The multi-annual residence permit is subject to a condition of “integration”, which was tightened up by recent legislative provisions. Foreign nationals wishing to obtain an initial multi-annual permit are obliged to sign a French integration contract (*contrat d'intégration républicaine*, CIR), by which they are bound to following civic training and, depending on their French language skills, language classes. Previously, attending the classes was the only condition to be met to honour the CIR and the language level required was a beginner's level, A1.⁹⁹ However, the law on immigration of 26 January 2024 specified that these classes must now be accredited by a certificate and the language level now required is A2, the foreign language level required in junior high school. Initially presented as support with social, cultural, and professional integration for those arriving in France for the first time,¹⁰⁰ the CIR has now been transformed into a filtering mechanism (See Chap. 5, Section 5.1).

The administrative stability granted by this permit is relative, as its duration varies depending on the reason and the situation of the foreign national submitting the application.¹⁰¹ While the “Employee” permit lasts for four years, the “Private and Family Life” permit often lasts no longer than two years – other than in specific cases.¹⁰² For many foreign nationals, this multi-annual permit does not really offer any long-term right of residence. The intervals between each renewal are still short and are further reduced by abnormally long administrative delays (see Chapter 3, Section 3.1.1).

“TALENT” RESIDENCE PERMITS AND EXCEPTIONS FOR “SELECTIVE IMMIGRATION

While creating the multi-annual residence permit conditional on evidence of “integration”, the law of 7 March 2016 also introduced a new long-term residence visa (for periods less than one year) and a new residence permit for “Foreign Talent”.¹⁰³

⁹⁵ According to the explanatory statement of the Law of 7 March 2016: “The difficulties in renewing a residence permit are one of the factors of economic fragility, instability, and ultimately obstacles to integration”, and foreign nationals will benefit, through the introduction of this multi-annual residence permit, from “a less restrictive administrative framework.” - Law No. 2016-274 of 7 March 2016 on the rights of foreign nationals in France, Explanatory statement - https://www.legifrance.gouv.fr/dossierlegislatif/JORFDOLE000029287359/?detailType=EXPOSE_MOTIFS&detailId= (in French).

⁹⁶ For example, a woman holding a “Private and Family Life” permit as a wife of a French national or resident will lose the possibility of renewing her residence permit should the couple separate. If she is working and holds a CDI, she can of course, apply for an “Employee” permit. However, she will then only receive a one-year temporary permit, even if she previously held a multi-annual permit.

⁹⁷ An expression developed by the sociologist Alexis Spire to refer to the administrative journey of foreign nationals in France – Alexis Spire, *Étrangers à la carte: l'administration de l'immigration en France (1945-1975)*, Paris, Grasset, 2005 (in French).

⁹⁸ In principle, this legal provision only applies when changing to an “Employee” residence permit. However, discussions between Amnesty International and several NGOs and legal specialists indicate that some prefectures refuse applications for multi-annual permits if the applicant's situation has changed in any way and issue a temporary permit in its place.

⁹⁹ In the grid established by the Common European Framework of Reference for Languages (CEFR).

¹⁰⁰ The explanatory statement of the Law of 7 March 2016 on the rights of foreign nationals in France noted “the need to increase efforts to remove obstacles to their social, cultural, and professional integration” and presented the CIR as aiming to “better support people arriving in France for the first time during the first years of living in France”. - Law No. 2016-274 of 7 March 2016 on the rights of foreign nationals in France, Explanatory statement - https://www.legifrance.gouv.fr/dossierlegislatif/JORFDOLE000029287359/?detailType=EXPOSE_MOTIFS&detailId= (in French).

¹⁰¹ CESEDA, Article L.411-4.

¹⁰² The multi-annual residence permit lasts for four years for beneficiaries of family reunification, for foreign nationals who have reached the age of 18 and who have resided in France since the age of 13, for those who have been in the care of the French child welfare service prior to the age of 16 or longer at the age of 16, for people born in France and who have lived in France for at least eight years, and finally for those in receipt of a work injury pension. But it only lasts two years for anyone holding this permit due to their personal connections to France – other than for those who entered France as part of family reunification.

¹⁰³ This new residence permit replaced the “Compétence et Talent” permit created in 2006. In 2016, according to the legislator, existing categories of visas and permits were not “appropriate” for these individuals, whose qualifications were particularly beneficial for French society. Stressing the “French economy wishes to benefit from the experience and professional qualifications of these talented migrant

These documents are reserved for nine categories of people, notably very highly-qualified professionals or those holding particularly sought-after skills and significant economic capital.¹⁰⁴

For these categories of individuals, the multi-annual “Talent” permit presents several advantages. Valid for four years,¹⁰⁵ issued upon the first admission for residence (with exceptions), a “Talent” residence permit allows the holder to work without a prior work permit and can also be issued to family members of the permit holder. Finally, the holders of these “Talent” permits are not subject to the condition of integration.¹⁰⁶

By establishing the nine categories of individuals who can be granted a Talent residence permit, the French state thus draws a clear line between immigrants who are deemed desirable, and others. Recipients of the “Talent” permits, however, represent a small proportion of the total permit holders. Only 19,069 “Talent” permits were issued to first applicants in 2024.¹⁰⁷

1.2.3 ACCESS TO LONG-TERM RESIDENCE PERMITS

There are three long-term residence permits: the ten-year residence permit, the EU long-stay residence permit, and the permanent residence permit, which can be applied for when the two former permits expire. These permits are long-term and do not require a separate employment permit in order to work, thus providing the greatest stability for foreign nationals in France – although their withdrawal for reasons relating to public order and respecting the principles of the French Republic is only getting easier. But obtaining one of these permits is increasingly complex, due to successive legislative changes.

Some people can request a ten-year residence permit, for example, foreign national children of a French national or those who have been recognised as refugees.¹⁰⁸ Others may apply for the permit after three or four years of regular residence, such as families of residents who entered France on the grounds of family reunification.¹⁰⁹

Nationals of non-European countries who can provide evidence of regular and uninterrupted residence in France for at least five years can apply for an EU long-term residence permit, which is also valid for ten years. This authorises them to live in other European Union countries.

workers’”, the explanatory statement of the Law of 7 March 2016 presented the creation of these “Talent” permits as a “necessity, as the current residence permits do not appear to be sufficiently adapted to this group of people”. - Law No. 2016-274 of 7 March 2016 on the rights of foreign nationals in France, Explanatory statement -

https://www.legifrance.gouv.fr/dossierlegislatif/JORFDOLE000029287359/?detailType=EXPOSE_MOTIFS&detailId= (in French).

¹⁰⁴ Several categories of people can benefit from this exceptional mechanism: qualified employees, highly qualified employees, researchers, innovative entrepreneurs and investors, legal representatives of companies established in France, as well as artists-performers, foreign nationals with a national or international reputation, and medical and pharmaceutical professions. Each category includes specific conditions. In addition to the conditions of qualifications and experience, qualified employees must also have an annual minimum income of €43,243 – approximately twice the SMIC – and the highly qualified employees must have an annual salary of at least €53,836, approximately 2.5 times the SMIC. Source: <https://www.service-public.fr/particuliers/vosdroits/F16922> (in French).

¹⁰⁵ The duration of this permit may be aligned with the duration of the employment contract or project, up to four years.

¹⁰⁶ These foreign nationals are not required to sign a CIR or to follow the civic and language classes to certify their language level and understanding of French society.

¹⁰⁷ Source: Ministry of the Interior, DSED, Chiffres de l'immigration, estimations 2024, 26 June 2025 -

<https://www.immigration.interieur.gouv.fr/Info-ressources/Etudes-et-statistiques/Les-chiffres-de-l-immigration-en-France/Sejour> (in French).

¹⁰⁸ People with “automatic” access to the ten-year residence permit include: foreign nationals aged between 18 and 21 or who are children of French nationals; dependent parents of French nationals or their spouses; refugees; close family members of a refugee, foreigners eligible to acquire French nationality due to being born in France; foreign nationals holding a “Retired” residence permit which justifies their desire to live in France and have their primary residence in France; victims of human trafficking (people who have pressed charges or given evidence against the perpetrators of crimes of procuring or human trafficking when the perpetrators were found guilty); foreign nationals receiving a workplace accident pension or occupational disease pension paid by a French body and with a permanent incapacity rate which is equal to or greater than 20%; dependents of foreign nationals in receipt of a death benefit for work-related accident or occupational disease; former soldiers and legionnaires.

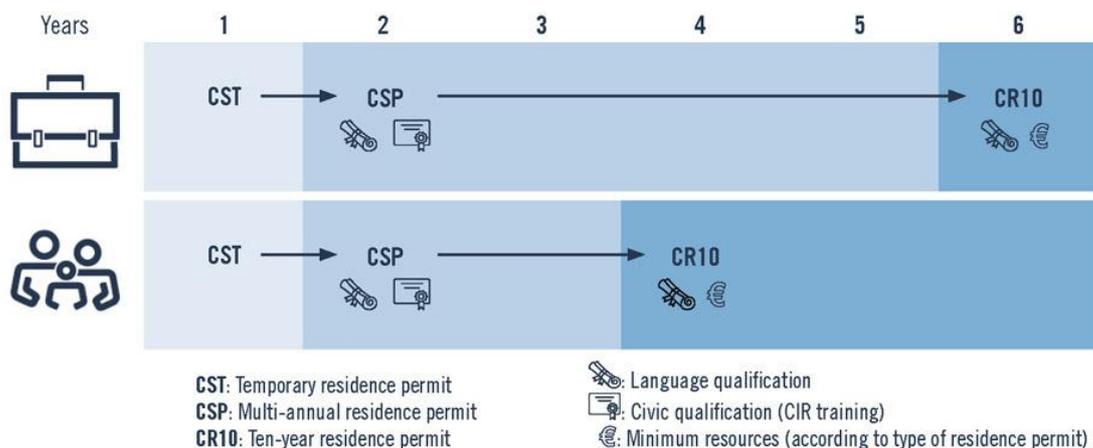
¹⁰⁹ The individuals involved are as follows: family members (spouse or children in the year following their 18th birthday) of a person holding a residence permit, entering France through family reunification, after three years of uninterrupted residence; parents of French children who have held a temporary residence permit or multi-annual residence permit for three years if the conditions on which the permit was granted continue to be met; spouses of French nationals after three years of marriage and three years of regular residence in France; and holders of a multi-annual residence permit who have received subsidiary protection or who have been recognised as stateless, and who can justify four years of regular residence in France.

In the majority of cases, granting of a residence permit or EU long-term residence permit is subject to the condition of “French integration”,¹¹⁰ including signature of the CIR if this has not already been done as well as “sufficient” mastery of the French language.¹¹¹

Finally, applicants for an EU long-stay residence permit must be able to justify “stable, regular, and sufficient resources” which must “amount to at least the minimum wage (SMIC)”¹¹² (€1,801.80 gross per month at 1 November 2024).

In addition to these pre-defined conditions, residence permits are not guaranteed, as a large margin for assessing the foreign national’s integration is left to the administration.¹¹³

To conclude, a foreign national who originally holds a temporary “Employee” or “Private and Family Life” residence permit should, in theory, be able to follow the following administrative pathway:



However, in reality, the “paper career”¹¹⁴ of foreign nationals in France – this succession of administrative statuses restricting their lives and employment in France – is often much longer and more fragmented, as the pathway towards a residence permit is an obstacle course arising from legislative provisions and administrative practices (see Chapter 3).

1.2.4 SPECIFIC PROVISIONS ARISING FROM BILATERAL AGREEMENTS

For nationals of certain countries formerly colonised by France or under French “protectorate”, the right to live and work in France stems partially or totally from bilateral agreements. Each agreement sets out specific provisions which act as exemptions to the standard residence permit regime. As a whole, these bilateral agreements facilitate access to the ten-year residence permit for certain categories of foreign nationals.

Thus, nationals of several countries in sub-Saharan Africa¹¹⁵ can apply for a long-term residence permit after three years of regular residence, rather than five years in the general system. This is also the case of Tunisian¹¹⁶ and Moroccan nationals¹¹⁷, if three years have been completed under an “Employee” residence permit.

The agreement between France and Algeria of 27 December 1968¹¹⁸ covers the movement, residence, and employment of Algerian nationals in France. Common law is, therefore, not applicable to them, with the exception of provisions relating to procedures. These foreign nationals do not have residence permits but

¹¹⁰ The conditions for this “French integration” are defined in Article L.413-7 of the CESEDA.

¹¹¹ The current level required, which has been raised in every law on the rights of foreign nationals since 2016, is B1, the level required for senior high school students in a foreign language.

¹¹² CESEDA, Article L.426-17.

¹¹³ Ten-year residence permits and EU long-stay residence permits can also be withdrawn or not renewed, notably in cases of “serious threat to public order” or the absence of effective and habitual residence in France. CESEDA, Articles L.432-3, L.432-4, and L.432-10.

¹¹⁴ Expression developed by the sociologist Alexis Spire, Op. Cit.

¹¹⁵ Benin, Burkina Faso, Cameroon, the Central African Republic, Congo-Brazzaville, Côte d’Ivoire, Gabon, Mali, Niger, Senegal, and Togo.

¹¹⁶ Agreement between France and Tunisia of 17 March 1988 (modified) regarding residence and employment

¹¹⁷ Agreement between France and Morocco of 9 October 1987 regarding residence and employment

¹¹⁸ Agreement between France and Algeria of 27 December 1968 regarding the circulation, employment, and residence of Algerian nationals and their families.

“residence certificates” which are valid for between one and ten years. An application for a ten-year certificate may be made after three years of regular residence.¹¹⁹

1.3 NON-EUROPEAN MIGRANT WORKERS IN FRANCE IN 2025

IMMIGRANT: A MISLEADING TERM

The term “immigrant”, frequently applied by official bodies in France, refers to a foreign national born abroad and living in France. It encompasses both people born abroad who have acquired French nationality and those who have retained a foreign nationality. However, under international law, people who have acquired the nationality of the country in which they reside are no longer considered as immigrants, but as belonging to the national community. By encompassing both foreign nationals and French nationals, the term “immigrant”, as used in France, could certainly reflect the impact of national origin on the lives of people who have migrated. In doing so, however, it also leads to a biased perception of these citizens, referring to their foreign origin, and leading to ignorance of the effect of administrative status on the rights of foreign nationals. National statistical and demographic analyses use the concept of “immigrant” and do not differentiate between foreign nationals and those who have acquired French nationality (see Methodology). In the absence of more accurate analysis, this overarching data nevertheless provides indicators of the career paths of foreign nationals and those of foreign origin. This section is, therefore, based on these national statistics and addresses the migration pathway generally and the employment of immigrants in France, regardless of their administrative status.

1.3.1 RACIALISED WORKERS, LARGELY ORIGINATING FROM THE GLOBAL SOUTH AND COUNTRIES FORMERLY COLONISED BY FRANCE

In 2023, some 7.3 million immigrants (see definition above), were living in France. Of them, 34.1% (2.5 million), had acquired French nationality. The remaining 4.8 million foreign nationals (Europeans and non-Europeans), represented 7% of the total population.¹²⁰ Previously largely male, 55% of the immigrant population is now composed of women.¹²¹

Thirty-two percent of immigrants were born in Europe, three quarters of them in a European Union country and therefore not requiring a residence permit to live and work in France, if they hold one of these European nationalities.¹²² Of those born outside Europe, representing 68% of the immigrant population, 48% were born in Africa, 14% were born in Asia, and 6% were born in the Americas and Oceania.¹²³

Statistics relating to residence permits published annually by the Ministry of the Interior lack a precise analysis of the administrative pathways of foreign nationals by gender and nationality. They do, however, highlight the significant proportion of people originating from the Global South and, more specifically, from countries formerly colonised by France.¹²⁴ The ten most represented nationalities in the population living with any kind of residence permit in France are Algeria, Morocco, Tunisia, Côte d’Ivoire, Senegal, and Mali, as well as the Democratic Republic of Congo, Turkey, China, and the United Kingdom.¹²⁵

¹¹⁹ This application is automatic after five years of regular residence, if this has taken place under a “Private and Family Life” certificate.

¹²⁰ Of the 7.3 million people who immigrated to France, 2.5 million have acquired French nationality and 4.8 million are still foreign nationals. In addition, 0.8 million people were born as foreign nationals in France, bringing the total population of foreign nationals to 5.6 million. - Source: Institut national de la statistique et des études économiques (INSEE), Estimations de population 2023, Population immigrée et étrangère - https://www.insee.fr/fr/outil-interactif/5367857/tableau/20_DEM/25_ETR (consulted on 27/05/2025).

¹²¹ Ibid.

¹²² Ibid.

¹²³ Ibid.

¹²⁴ Source: Ministry of the Interior, DSED, Chiffres de l’immigration, estimations 2024, 26 June 2025 -

<https://www.immigration.interieur.gouv.fr/Info-ressources/Etudes-et-statistiques/Les-chiffres-de-l-immigration-en-France/Sejour> (in French).

¹²⁵ It should be noted that the proportion of “Student” residence permits is particularly significant in Chinese residents, as is the case for most residence permits for humanitarian reasons for Afghan nationals.

In 2024, 343,024 first residence permits (for all reasons) were issued to non-EU nationals,¹²⁶ including 36,534 “Employee” permits, 12,559 “Temporary Worker” and “Seasonal Worker” permits,¹²⁷ and 90,697 “Private and Family Life” permits. In addition, 871,020 residence permits were renewed, close to 22% of which were for economic reasons,¹²⁸ and around 37% for family reasons.

1.3.2 OVER-REPRESENTATION IN PRECARIOUS EMPLOYMENT AND DIFFICULT WORKING CONDITIONS

Immigrant workers represent 12% of the working population in France. However, these people are over-represented in certain jobs which are considered to be unqualified or low-qualified, low paid, and within sectors where working conditions are notoriously difficult.

Nationally, immigrants represent 38.8% of domestic workers, 28.4% of security guards and caretakers, 27% of unqualified construction and excavation workers, 22% of kitchen staff, 19.3% of hotel and catering staff, and 17.4% of cleaning staff. This imbalance is even greater in the Paris region, where more than half of immigrants live. There, they represent 61.4% of domestic workers, 60.8% of unqualified construction workers, 50% of kitchen staff, 47.3% of security guards, and 45.8% of cleaning staff.¹²⁹ Low-paid, often involving arduous work, atypical hours, and geographically fragmented workplaces, these sectors have particularly difficult working conditions and often struggle to recruit staff. This may explain the massive use of immigrant labour, who continue to carry out the tasks which other workers refuse. **According to an analysis carried out by the Ministry of Labour in 2021, the more difficult the working conditions and the greater the recruitment difficulties, the more likely the job is to be held by an immigrant.**¹³⁰

The Ministry of the Interior data combined with the INSEE’s figures show that the majority of immigrants – and especially among them migrant workers from outside the European Union and therefore needing a residence permit – come from areas and countries where the population is globally racialised (See Methodology and Chap. 1 sec. 1.3.1). Amnesty International observes that the overrepresentation of migrant workers in difficult and precarious jobs means consequently a racial division of labour. An observation confirmed by a Ministry of Labour study showing that the concentration of immigrant workers in certain jobs is particularly significant for people from countries in Africa and Asia – in contrast to people from Europe.¹³¹ Systemic racial discrimination has also been documented within some of these sectors such as racial division of work on construction sites.¹³²

The range of jobs open to female immigrants is even smaller. They are overrepresented in cleaning, domestic work, care assistance, nursery assistance, and sales. Almost a third of them work in these jobs which, although essential to the functioning of society, hold little social value, the arduousness of which is rarely recognised, and which present significant rates of part-time work and atypical hours.¹³³ The persistence of a gendered division of work, which continues to weigh heavily on French society, thus leads to an acute form of professional segregation of female immigrants.¹³⁴

¹²⁶ Ministry of the Interior, DSED, Chiffres de l’immigration, estimations 2024, 26 June 2025 – Op. Cit.

¹²⁷ Unfortunately, the statistics published by the Ministry of the Interior do not differentiate between these two types of residence permits, despite their different terms and conditions.

¹²⁸ Including “Employee”, “Temporary Worker”, “Seasonal Worker”, and “Talent” permits.

¹²⁹ INSEE, Les actifs immigrés en Île-de-France: leurs métiers, diplômes et origines, 2022 - <https://www.insee.fr/fr/statistiques/6546101> (in French).

¹³⁰ Ministère du Travail, Direction de l’Animation de la recherche, des Études et des Statistiques, Les métiers des immigrés, Document d’études No. 254, September 2021, p.26 - https://dares.travail-emploi.gouv.fr/sites/default/files/603e003378fb28cf5870f021de8a0ff4/Document%20d%27%C3%A9tudes_m%C3%A9tiers_immigr%C3%A9s.pdf (in French).

¹³¹ Ibid.

¹³² See notably: Nicolas Jounin, “L’ethnisation en chantiers. Reconstructions des statuts par l’ethnie en milieu de travail”, *Revue européenne des migrations internationales*, Vol. 20, 2004 (in French).

¹³³ See notably: Sénat, Laurence Cohen, Annick Jacquemet, Marie-Pierre Richer, Laurence Rossignol, Rapport d’information No. 780, Santé des femmes au travail: des maux invisibles, under the name Délégation aux droits des femmes, submitted 27 June 2023, Part C. Focus sur quatre secteurs féminisés emblématiques des atteintes à la santé des femmes (in French).

On the cleaning sector, see notably: Julie Valentin and François-Xavier Devetter, Deux millions de travailleurs et des poussières, L’avenir des emplois du nettoyage dans une société juste, *Les Petits Matins*, 2021 (in French).

On the care sector, see notably: François-Xavier Devetter, Annie Dussuet and Emmanuelle Puissant, Aide à domicile, un métier en souffrance, Paris, L’Atelier, 2023 (in French).

¹³⁴ Ministère du Travail, Direction de l’Animation de la recherche, des Études et des Statistiques, Les métiers des immigrés, Document d’études No. 254, September 2021, p.27 – Op. Cit. (in French).

Moreover, immigrant workers often hold precarious jobs (short-term contracts, temp work)¹³⁵ and work part-time. Again, this is particularly the case of female immigrants, 34% of whom work part-time.¹³⁶ According to national statistics from 2019, half of immigrants had an annual income of less than €17,000, or €1,417 per month.¹³⁷ An average standard of living which is 15% less than that of those descended from immigrants and 26% less than that of those without any migrant background.¹³⁸ The standard of living of 31.5% of immigrants was lower than the monetary poverty line,¹³⁹ nearly three times lower than the percentage of French nationals without a migration history in the same situation. The data collected indicate that this situation particularly affects people born in African countries (poverty rate of 39.2%) and Asian countries (36.4%), and less affects immigrants from Europe (poverty rate of 19.5%). Twenty-nine percent of immigrants are in a situation of material and social deprivation, compared to 10% of non-immigrants.¹⁴⁰ People from African countries (43%) are much more affected than those from Europe (14%).¹⁴¹

Finally, immigrants are at disproportionately high risk of unemployment.¹⁴² People from non-European countries and women are particularly affected.¹⁴³ Precarious jobs, low qualifications, racial and gender discrimination, are factors which can strongly affect the employment rate of immigrants.¹⁴⁴ Difficulties relating to the experience of migration, such as partial command of the language and lack of knowledge of how the French labour market works are other factors, as is precarious administrative status, as the following chapters will show.

¹³⁵ Thirteen percent of immigrants hold a temporary contract, compared to only 9% of people who are neither immigrants nor descendants of immigrants. - INSEE, "Caractéristiques des emplois", Immigrés et descendants d'immigrés, Edition 2023, 30/03/2023 - <https://www.insee.fr/fr/statistiques/6793268?sommaire=6793391> (in French).

¹³⁶ Compared to 9% of immigrant men, 27% of women without any direct immigration origin, and 7% of men who are neither immigrants nor descendants of immigrants. - INSEE, "Temps partiel, sous-emplois et horaires atypiques", Immigrés et descendants d'immigrés, Edition 2023, 30/03/2023 - <https://www.insee.fr/fr/statistiques/6793270?sommaire=6793391> (in French).

¹³⁷ Income from employment remains the main source of income for immigrants (73%) and welfare benefits represent an average of 12%. - INSEE, "Niveau de vie et pauvreté monétaire", Immigrés et descendants d'immigrés, Edition 2023, 30/03/2023 - <https://www.insee.fr/fr/statistiques/6793278?sommaire=6793391#consulter> (in French).

¹³⁸ Ibid

¹³⁹ Monetary poverty line established at €1,102 per month – Source: - INSEE, "Niveau de vie et pauvreté monétaire", Immigrés et descendants d'immigrés, Edition 2023, 30/03/2023, Op. Cit. (in French).

¹⁴⁰ The European indicator of material and social deprivation measures the consequences of low income: deprivation, impossibility of acquiring or consuming certain goods or taking part in certain social or leisure activities. - INSEE, "Privation matérielle et sociale et endettement", Immigrés et descendants d'immigrés, Edition 2023, 30/03/2023 - <https://www.insee.fr/fr/statistiques/6793280?sommaire=6793391> (in French).

¹⁴¹ Ibid

¹⁴² The unemployment rate of immigrants is 12.7%, compared to 6.8% for those who are neither immigrants nor descendants of immigrants. - Ministère du Travail, Direction de l'Animation de la recherche, des Études et des Statistiques, Quelles situations sur le marché du travail des immigrés et des descendants d'immigrés en 2021?, Dares analyses No. 15, March 2023 (in French).

¹⁴³ Ibid.

¹⁴⁴ See notably: Brinbaum Y., Meurs D., Primon J.-L., 2015, "Situation sur le marché du travail: statut d'activité, accès à l'emploi et discrimination", in Beauchemin C., Hamel C., Simon P. (eds.), Trajectoires et Origines. Enquête sur la diversité des populations en France, Paris, Ined Éditions, 2016 (in French).

CHAPTER 2. THE EXPLOITATION OF RACIALISED FOREIGN NATIONALS IN THE WORKPLACE

“We are cleaners, it’s hard work, and we are like slaves. We are nothing. We clean up shit.”

Annie¹⁴⁵

This chapter describes the many abuses and violations of their rights that foreign national workers on short-term residence permits suffer in the workplace and explains how their precarious administrative situation fuels these abuses and increases the risk of them recurring. Like the majority of workers on precarious residence permits (See Methodology), the people who spoke to Amnesty International are racialised. Wage theft, extended working hours, additional tasks unconnected to the contract, dangerous working conditions, violence and harassment, particularly on racial grounds, racial discrimination, and discrimination on the grounds of their precarious administrative status. The majority of people Amnesty International spoke to had experienced one or more of these abuses. Their accounts describe coercive working environments, where migrant workers are considered as labour to be exploited at will, disposable and replaceable, and whose rights are insignificant. Racialised foreign nationals are affected by these abuses in all sectors covered by this research. The nature and impact of the abuses may, however, differ depending on the individual, their gender, the colour of their skin, and their national or social origin.

Conditions in the sectors where these individuals work are poor for everyone (see Chapter 1, Section 1.3.2) – French nationals, Europeans, and non-EU nationals, racialised and non-racialised people. But for people originally from a non-EU country – and particularly racialised people, who constitute the majority –run an especially high risk of suffering abuses, due to their precarious administrative situation and the systemic racism and racial structural inequalities they face.

The precariousness of their right of residence, connected to holding short-term residence permits, is at the origin of the violations described in this chapter, either because it is a direct lever for exploitation, providing the opportunity for their rights to be violated, or because it keeps people in jobs where their rights are violated and prevents them from reporting the situation, accessing justice, and seeking compensation. As it stands, the French system thus maintains an entire class of racialised migrant workers in a cycle of short-term residence permits, exposing them to multiple abuses.

Although these abuses may be committed directly by employers or others in the working environment (colleagues, managers, clients), ultimately it is the French state which is accountable. By exposing racialised migrant workers to abuses through its migration policy, the French state is not only failing to protect and fulfil their rights but discriminating against them, thus also violating its commitments under international law.

¹⁴⁵ Interviews with Annie (name changed), 22/10/2024 and 24/06/2025.

INTERNATIONAL AND EUROPEAN LAW AND STANDARDS

Although “exploitation in the workplace” is not defined as such by international texts, the concept refers to working conditions which can negatively affect the rights defined in these texts. The ILO defines “unacceptable forms of work” as “conditions that deny fundamental principles and rights at work, put at risk the lives, health, freedom, human dignity and security of workers or keep households in conditions of poverty.”¹⁴⁶

Exploitation at work should, therefore, be understood as a spectrum of violations and abuses of varying forms.¹⁴⁷ Decent work, freely chosen and exercised in conditions which respect rights, is at one extreme of this spectrum, while the most serious forms of exploitation, such as forced labour, human trafficking for labour exploitation, and slavery are at the other. Between these two extremes lie multiple forms of abuse, which are sometimes experienced in a cumulative way. The seriousness of these various forms of exploitation depends on both the working conditions and the factors of vulnerability of each individual worker, whether these are circumstantial or linked to their identity or belonging to a specific group. The Universal Declaration of Human Rights proclaims the right “to just and favourable conditions of work.”¹⁴⁸

Article 6 of the International Covenant on Economic, Social and Cultural Rights (ICESCR) obliges States Parties to respect, protect and fulfil people’s rights to “gain his living by work which he freely chooses or accepts”.¹⁴⁹ Article 7 of the same Covenant sets out the right of everyone “to the enjoyment of just and favourable conditions of work” which guarantee, in particular, fair wages that allow for a decent living, safe and healthy working conditions, and reasonable limitation of working hours.¹⁵⁰

The Committee on Economic, Social and Cultural Rights recalls that States are under the obligation to respect the right to work, particularly by “refraining from denying or limiting equal access to decent work for all persons”, especially “disadvantaged and marginalized individuals and groups, including migrant workers”.¹⁵¹ The Committee has also recalled that migrant workers are particularly vulnerable to “exploitation, long working hours, unfair wages and dangerous and unhealthy working environments.”¹⁵²

This vulnerability, the Committee adds, is “increased by abusive labour practices that give the employer control over the migrant worker’s residence status or that tie migrant workers to a specific employer”, and by a lack of awareness of their rights, resulting in them being unable to access grievance mechanisms. Consequently, “laws and policies should ensure that migrant workers enjoy treatment that is no less favourable than that of national workers in relation to remuneration and conditions of work”, states the Committee.¹⁵³

Under the ICERD, the Committee on the Elimination of Racial Discrimination also recommends that States Parties remove “obstacles that prevent the enjoyment of economic, social and cultural rights by non-citizens”, notably in the area of employment and take measures “to eliminate discrimination against non-citizens in relation to working conditions and work requirements, including employment rules and practices with discriminatory purposes or effects”.¹⁵⁴

¹⁴⁶ ILO, “Unacceptable forms of work: a global and comparative study”, December 2015 - <https://www.ilo.org/publications/unacceptable-forms-work-global-and-comparative-study>

¹⁴⁷ Klara Skrivankova, “Between decent work and forced labour: examining the continuum of exploitation”, Joseph Rowntree Foundation - <https://humantraffickingsearch.org/wp-content/uploads/2017/06/jrf-between-decent-work-and-forced-labour.pdf>.

¹⁴⁸ Universal Declaration of Human Rights, Article 23.

¹⁴⁹ ICESCR, Article 6.

¹⁵⁰ ICESCR, Article 7.

¹⁵¹ Committee on Economic, Social and Cultural Rights, General Comment No. 18 (2005) on the right to work (Article 6 of the ICESCR), para. 23.

¹⁵² Committee on Economic, Social and Cultural Rights, General Comment No. 23 (2016) on the right to work (Article 7 of the ICESCR), para. 47(e).

¹⁵³ Committee on Economic, Social and Cultural Rights, General Comment No. 23 (2016) on the right to work (Article 7 of the ICESCR), para. 47(e).

¹⁵⁴ Committee on the Elimination of Racial Discrimination, General Recommendation 30 (2005) concerning discrimination against non-citizens, Paras. 29 and 33.

2.1 WAGE THEFT AND UNRELATED REMUNERATION

The concept of “wage theft” refers to several types of non-payment, underpayment, or systematic delayed payment of wages and services (including payment of wages which are below the minimum wage or the amount agreed in the contract, the non-payment of overtime, and illegal deductions).¹⁵⁵

The right to “equal pay for equal work” is set out in Article 23.2 of the Universal Declaration of Human Rights. The right to fair wages and equal remuneration is also defined in Article 7(a) of the ICESCR. The Committee on Economic, Social and Cultural Rights stresses that the minimum criteria for remuneration are fair wages, equal remuneration for work of equal value, and a decent living for workers and their families.¹⁵⁶ It also recalls that wages should be paid in a “regular, timely fashion and in full”.¹⁵⁷

ILO Convention No. 95 states that wages shall be paid regularly¹⁵⁸. The Convention allows wages deductions “only under conditions and to the extent prescribed by national laws or regulations or fixed by collective agreement or arbitration award” and workers shall be informed “of the conditions under which and the extent to which such deductions may be made”.¹⁵⁹ ILO Convention No. 97 requires ratifying States “to apply, without discrimination based on nationality, race, religion or sex, to immigrants lawfully in its territory no less favourable treatment than that which it applies to its own nationals” in remuneration, among other matters.¹⁶⁰

Of the 27 people that Amnesty International interviewed, 16 reported that they had experienced wage theft, notably in the form of unpaid days or hours of work, overtime work and night work which was not paid at an increased rate, or at a rate below the legal minimum, delayed payments, and pay unconnected to the work carried out or with the employee’s level of qualification.¹⁶¹

In one case, wage theft was directly linked to the worker’s administrative situation, with her precarious situation providing the opportunity for the violation.

- Annie,¹⁶² a Comorian cleaner for a specialised multinational cleaning company, saw her monthly salary halved by her employer in the summer of 2024. At the time, Annie was in the process of having her residence permit renewed. While awaiting her new permit, the prefecture had issued her with a provisional document justifying her right to stay and work in France, which she had then handed to her team leader. “When I picked up my pay, I was like ‘What’s this?’ I called [the manager] and said ‘I don’t understand, you’ve paid me €300, what’s that? – Yes, because your residence permit isn’t valid. – Oh yeah? Why isn’t it valid? – Your residence permit was valid until the 17th. After that I can’t pay you. – No, I had an appointment on the 17th, I was told to come back on the 9th. I gave my boss the receipt. – Ah, he didn’t give me that.” Annie noted that this had not stopped the employer from making her work, only from paying the hours she worked. “I asked ‘Why didn’t you check at the time I worked? He said ; Get out’. Because if he’d mentioned that on the 17th, I would have given him [the receipt] for the appointment I had on the 9th [justifying that I was authorised to live and work in France].”

¹⁵⁵ ILO, Guidance Note: Wage protection for migrant workers, 2023.

¹⁵⁶ Committee on Economic, Social and Cultural Rights, General Comment No. 23 (2016) on the right to work (Article 7 of the ICESCR), para. 9.

¹⁵⁷ Committee on Economic, Social and Cultural Rights, General Comment No. 23 (2016) on the right to work (Article 7 of the ICESCR), para. 10.

¹⁵⁸ ILO Protection of wages Convention, 1949 (No. 95), Article 12

¹⁵⁹ ILO Protection of wages Convention, 1949 (No. 95), Article 8

¹⁶⁰ ILO Migration for employment Convention (Revised), 1949 (No. 97), Article 6(1)(a)(i)

¹⁶¹ Interviews with Adra (13/09/2024, 20/02/2025 and 05/09/2025), Ali (12/02/2025), Annie (22/10/2024 and 24/06/2025), Celia (14/01/2025 and 25/06/2025), Dario (21/01/2025 and 10/09/2025), Grace (06/12/2024 and 08/09/2025), Khalil (17/01/2025), Lamiya and Kele (10/02/2025 and 25/06/2025), Laura (30/10/2024), Madou (23/10/2024 and 27/06/2025), Mariette (13/01/2025 and 26/06/2025), Paul (31/01/2025 and 25/06/2025), and Yaro (07/03/2025 and 27/06/2025). Adra. To respect their privacy, all names have been changed. Interview with Abdoul Aziz Sall, who wanted to answer in his own name (04/12/2024 and 08/09/2025). The sixteenth person requested confidentiality.

¹⁶² Interviews with Annie (name changed), 22 October 2024 and 24 June 2025. Amnesty International was able to consult Annie’s wage slips for the first nine months of 2024, which confirm that half of her monthly salary was deducted due to “absence” in the month of June 2024.

In another case, the worker's dependency on their employer taking certain administrative steps to renew their residence permit had prolonged this wage theft for several months. While waiting for his work permit (see Chapter 1, Section 1.2.1.1), the foreign employee continued to work despite not being paid, hoping that the employer would take the necessary steps. (See Paul's account on p.35)

In most cases, the workers that Amnesty International interviewed stressed that the companies counted on the fact that it was difficult for them to complain, due to factors related to their foreign nationality or their precarious administrative situation. These factors included a lack of understanding of their rights, as defined in the French right to work - a complex legal framework in what is often not their first language – as well as the fear of losing their job.

- For four months, Laura,¹⁶³ a Sri Lankan cleaner for another big cleaning company, worked every day for three hours more than the amount written in her contract, without being paid for this additional time. Noting that these three additional hours did not appear on her payslip at the end of the first month, Laura tried to claim what she was owed. “I went to see the team leader about it, who told me I would be paid the following month, and it went on like that for four months. The manager was informed [of the situation].” After four months, she contacted a trade union to apply pressure. Her overtime was ultimately paid. A year later, her employer wanted her to sign a new contract. Laura's French was poor, so she contacted her trade union, who advised her not to sign it because the additional hours had still not been included.
- For more than two years, Yaro,¹⁶⁴ a Malian plumber and heating engineer, tried unsuccessfully to have his salary reviewed to reflect his qualifications. Based on his company's salary scale – which established levels by qualification – he asked for a pay rise during his first year with the company. At the time, however, Yaro was at the end of a long period of administrative difficulties, and he had found himself with no official documents and no income for more than a year. He says that the company knew that he had the necessary skills, as certified by his diploma issued in France, because it assigned him to tasks corresponding to this qualification. But it also knew that he needed to keep his job. “They knew about the difficulties I had with my documents. So, they knew I had no choice. If the company can take advantage of someone, they'll do it.” Although he knew that some of his hours wouldn't be paid, Yaro needed his salary too much to protest.
- Mariette,¹⁶⁵ a Senegalese personal carer working for a specialised agency, noted that her night hours had not been paid at the higher rate specified in the law. In addition, overtime she had worked was only paid several months later, and she was given no information about when she would be paid. Complaints to her line manager and a letter to management remained unanswered. “They think that we don't understand our rights,” she said.

2.2 EXTENDED UNPAID WORKING HOURS, DEMEANING TASKS, AND WORK NOT CONNECTED WITH THE CONTRACT

The right to “rest, leisure and reasonable limitation of working hours and periodic holidays with pay, as well as remuneration for public holidays” is recognised in Article 7(d) of the ICESCR. The Committee on Economic, Social and Cultural Rights recalls that “rest during the day is important for the health and safety of workers” and that “mandatory rest periods” should be included where “workers operate machinery or undertake tasks that can affect the life and health of themselves and others”.

¹⁶³ Interview with Laura (name changed), 30 October 2024. Her account was confirmed by several exchanges with the trade union representative who followed her case between August and November 2024.

¹⁶⁴ Telephone interviews with Yaro (name changed) 7 March 2025 and 27/06/2025.

¹⁶⁵ Interviews with Mariette (name changed) 13/01/2025 and 26/06/2025.

Directive (EU) 2019/1152 of the European Parliament and of the Council estimates that “workers whose work pattern is entirely or mostly unpredictable should benefit from a minimum level of predictability where the work schedule is determined mainly by the employer”.¹⁶⁶

The French Labour Code states that “when the daily working time exceeds six hours, the employee must have a rest period of at least twenty consecutive minutes.”

French law also states that all employees have the right to refuse to perform a task that falls outside their role and qualifications, even if this is a temporary request from the employer. Being dismissed following such a refusal is considered to be without real and serious cause.¹⁶⁷

Nine racialised migrant workers reported having received orders to perform additional tasks, unrelated to their contract, and that they were unable to refuse. In some of these cases, the additional tasks were considered to be degrading.¹⁶⁸

In other situations, workers were asked to perform tasks unrelated to their contract which were physically demanding and/or involved qualifications other than those specified in their contract.¹⁶⁹

Nine people also reported that their working hours had been extended either because they were asked to perform tasks at the last minute at the end of the day, or because their breaks had been interrupted by their line managers giving them other tasks to do immediately.¹⁷⁰

- Boubacar,¹⁷¹ an Ivorian temporary worker in the construction industry, describes being assigned by his temp agency to a metal painting job where he found himself having to do sandblasting,¹⁷² a physically demanding task involving risks to his health (exposure to dust, heightened risk of workplace accidents). He experienced this type of situation on several occasions. He explained that because he only found out when he arrived on site that the tasks required were not related to his contract, it was difficult to protest and that refusing to do the tasks meant he could lose the job and, therefore, the days of work.
- When he prepared sandwiches for a multinational bakery chain, among other tasks which were not set out in his contract, Ali¹⁷³, an Indian national, was also required to take out the bins. “We were forced to take out the bins, which involved additional [unpaid] time,” he said. “Sometimes, [our managers] made us do extra work. Sometimes, we would be taking our lunch break, and they would demand that we stop eating and get back to work.” He explained that it was impossible to refuse. “We could say no, but if we [migrant workers] refused, then they’d shout at us, insult us, or say that they were going to report us. They threatened to fire us.”

2.3 DANGEROUS WORKING CONDITIONS

The right to safe and healthy working conditions is recognised by Article 7(b) of the ICESCR. Workers should be “able to monitor working conditions without fear of reprisal,” writes the Committee on

¹⁶⁶ Directive (EU) 2019/1152 of the European Parliament and of the Council of 20 June 2019 on transparent and predictable working conditions in the European Union, Para.30 (transposed into French law through Decree n° 2023-1004 of October 30, 2023)

¹⁶⁷ Cour de Cassation, Chambre Sociale, 4 April 2001, No. 98-45.934.

¹⁶⁸ Interviews with Ali (12/02/2025), Jean-Louis (14/01/2025 and 08/09/2025), Mariette (13/01/2025 and 26/06/2025), Nadia (19/12/2024 and 30/09/2025), and Sekou (12/03/2025 and 25/09/2025). To respect their privacy, all names have been changed.

Interviews with Abdoul Aziz Sall who wanted to speak under his own name (04/12/2024 and 08/09/2025).

¹⁶⁹ Interviews with Celia (14/01/2025 and 25/06/2025), Paul (31/01/2025 and 25/06/2025), and Boubacar (29/01/2025 and 24/06/2025). To respect their privacy, all names have been changed.

¹⁷⁰ Interviews with Ali (12/02/2025), Annie (22/10/2024 and 24/06/2025), Grace (06/12/2024 and 08/09/2025), Lamiya and Kele (10/02/2025 and 25/06/2025), Laura (30/10/2024), Paul (31/01/2025 and 25/06/2025), Yaro (07/03/2025 and 27/06/2025). To respect their privacy, all names have been changed. Interviews with Abdoul Aziz Sall who wanted to speak under his own name (04/12/2024 and 08/09/2025).

¹⁷¹ Interviews with Boubacar (name changed) 29/01/2025 and 24/06/2025

¹⁷² Industrial technique involving the abrasion and stripping of large surfaces using high-pressure projection of sand.

¹⁷³ Telephone interview with Ali (name changed) 12/02/2025.

Economic, Social and Cultural Rights.¹⁷⁴ “The relationships between the material elements of work and the persons who carry out or supervise the work, and adaptation of machinery, equipment, working time, organisation of work and work processes to the physical and mental capacities of the workers” form an integral part of the working conditions which can affect the health and safety of workers, specifies ILO Convention No. 155.¹⁷⁵

Article 31 of the European Union Charter of Fundamental Rights recalls that “every worker has the right to working conditions which respect his or her health, safety and dignity.”

Article L.4121-1 of the French Labour Code obliges employers to protect the physical and mental health, and security, of employees. Article L.3121-60 recalls that employers must “regularly ensure that employees’ workload is reasonable and well-spread out over their working time.”

Of the 27 people interviewed by Amnesty International, 15 reported having experienced or continued to experience working conditions which were dangerous and/or had a direct effect on their health.¹⁷⁶

For nine of them, these dangerous working conditions were linked to problems with equipment, including protective materials and mechanical devices to assist with their tasks.¹⁷⁷ These were either defective or lacking entirely. In one case, the employee was required to handle material in contravention of safety recommendations.¹⁷⁸

Thirteen people reported having experienced such high work rates that it had a direct impact on their health.¹⁷⁹

The majority of those who reported dangerous working conditions to Amnesty International had also experienced significant problems with equipment and high work rates.

Finally, in one case, a worker was forced by their employer to expose another member of their family to a dangerous situation.¹⁸⁰

- In the nursing home where Grace¹⁸¹, an Angolan national, worked as a care assistant, there was no patient lift. She was therefore obliged to lift elderly patients herself, some of whom were very heavy. “We could ask a colleague to help, but if you asked too often, they’d complain about it. So, I just got on with it.” When she was pregnant, a patient fell on her and Grace had to go to A&E. She has experienced chronic back pain since she worked in that nursing home, that has never been recognized as occupational disease nor taken care of by her employer.
- Grace also reported having to go to work in the nursing home with her ill child, then aged ten. This was in 2020, during the height of the COVID-19 pandemic. “My daughter is asthmatic,” explained Grace. “So, when she gets a cold, it can lead to severe earache.” On this particular day, Grace

¹⁷⁴ Committee on Economic, Social and Cultural Rights, General Comment No. 23 (2016) on the right to work (Article 7 of the ICESCR), para. 26.

¹⁷⁵ ILO Occupational Safety and Health Convention (1981), no. 155, Article 5(b)

¹⁷⁶ Interviews with Adra (13/09/2024, 20/02/2025 and 05/09/2025), Ali (12/02/2025), Annie (22/10/2024 and 24/06/2025), Boubacar (29/01/2025 and 24/06/2025), Dario (21/01/2025 and 10/09/2025), Grace (06/12/2024 and 08/09/2025), Khalil (17/01/2025), Lamiya and Kele (10/02/2025 and 25/06/2025), Laura (30/10/2024), Madou (23/10/2024 and 27/06/2025), Nadia (19/12/2024 and 30/09/2025), Paul (31/01/2025 and 25/06/2025), Sekou (12/03/2025 and 25/09/2025), and Yaro (07/03/2025 and 27/06/2025). To respect their privacy, all names have been changed.

¹⁷⁷ Interviews with Adra (13/09/2024, 20/02/2025 and 05/09/2025), Boubacar (29/01/2025 and 24/06/2025), Dario (21/01/2025 and 10/09/2025), Grace (06/12/2024 and 08/09/2025), Khalil (17/01/2025), Lamiya and Kele (10/02/2025 and 25/06/2025), Paul (31/01/2025 and 25/06/2025), and Sekou (12/03/2025 and 25/09/2025). Adra To respect their privacy, all names have been changed.

¹⁷⁸ Interviews with Lamiya and Kele (names have been changed) 10/02/2025 and 25/06/2025.

¹⁷⁹ Interviews with Adra (13/09/2024 and 20/02/2025), Ali (12/02/2025), Annie (22/10/2024), Boubacar (29/01/2025), Grace (06/12/2024), Lamiya and Kele (10/02/2025), Lia (30/10/2024), Madou (23/10/2024), Nadia (19/12/2024), Paul (31/01/2025), Sekou (12/03/2025), Yaro (07/03/2025). Adra (13/09/2024, 20/02/2025 and 05/09/2025), Ali (12/02/2025), Annie (22/10/2024 and 24/06/2025), Boubacar (29/01/2025 and 24/06/2025), Grace (06/12/2024 and 08/09/2025), Lamiya and Kele (10/02/2025 and 25/06/2025), Laura (30/10/2024), Madou (23/10/2024 and 27/06/2025), Nadia (19/12/2024 and 30/09/2025), Paul (31/01/2025 and 25/06/2025), Sekou (12/03/2025 and 25/09/2025), and Yaro (07/03/2025 and 27/06/2025). To respect their privacy, all names have been changed.

¹⁸⁰ Interview with Grace (name changed), 06/12/2024 and 08/09/2025.

¹⁸¹ Interview with Grace (name changed), 06/12/2024 and 08/09/2025.

called her workplace at 6am to say she would be absent and was taking her daughter to the doctor. Her director quickly called her back and asked her to come in, as other colleagues were absent. When Grace explained that she couldn't leave her daughter alone, her director told her to bring her, leave her at reception, and take care of the residents. "The director was pressurising me, so I got changed and went to work [...] And I worked while my daughter was downstairs, crying." Grace explained that she was afraid of losing her job and thought she did not have the right to refuse. "Some of my colleagues gave me strange looks. I thought [at the time] that they were looking down on me because I'd missed work to take my daughter to the doctor. But it's my right as a single mother. I have the right to take her to the doctor because she's a minor. But I didn't know about that law, then." Grace doesn't know why, of all the employees who were absent that day, she was the only one who was told to come in to work. But she points out that, unlike her, at least two of her absent colleagues were French. "Asking me to work with the little one, who was ill, that's serious. I've come to understand that it was a very serious thing. Especially during covid. Since I'd agreed to come into work that time, I told myself it would happen again. So I quit."

- Lamiya,¹⁸² an Algerian woman who worked in a laundry, explained that she and her colleagues had to clean the machines, without protection. "Usually in a laundry, there are cleaning staff with special masks who do this. But not [in our company]. We had to do it ourselves, with a simple cotton mask." She said she has had asthma attacks since she started work for this company and burned her elbow when following orders from her team leader to clean a machine when it had not yet cooled down. Her colleague, Kele, from the Comoros, was forced to get inside a machine to clean it when it was still scorching hot. "The team leader wanted me to get in, no matter what," Kele says. "You nearly died." Lamiya adds. "I sweated a lot. It was so hot," Kele says, "We couldn't say anything," Lamiya explains. "She said 'You go back in there and you clean' [and you had to do it] and I got burnt." . Neither the burn nor Lamiya's asthma were reported as workplace accidents or occupational diseases. The two employees said they hadn't complained because they didn't know their rights.
- Madou,¹⁸³ a Gambian cleaner, has had back problems for a year and has been taking calcium supplements. These problems began when a new employer accelerated the work rate.¹⁸⁴ "We do everything, from the toilets, to the dusting and mopping. I do six elevators, six toilets, the corridors, two entrance halls, the gym, and the showers. I clean everything in just over three hours." According to Madou, all her colleagues have similar health problems.¹⁸⁵
- For three years, Boubacar,¹⁸⁶ an Ivorian temporary worker in the construction industry, has worked continuously on construction sites without taking any time off, to make ends meet. He says he has permanent headaches and chronic muscle pain. He said his doctor threatened to physically come to pick him up at the building sites if he did not stop, but he said that as a temporary worker, stopping work meant too great an economic risk. Boubacar described dangerous working conditions on the building sites he was assigned to, with equipment often being defective or lacking completely. After reporting equipment problems to his managers on one building site, he said that he was sent to clean a 35m-tall chimney in the rain and the wind, without face protection or waterproof gloves, and with no colleagues to monitor the elevated work platform. "I had foam in my eyes due to the wind and my clothes were soaking," he recalls.

¹⁸² Interviews with Lamiya and Kele (names have been changed), 10/02/2025 and 25/06/2025.

¹⁸³ Interviews with Madou (name changed), 23/10/2024 and 27/06/2025.

¹⁸⁴ In the cleaning sector, service providers often compete to win contracts (private or public premises or spaces). If a new company wins the contract, the Labour Code and collective bargaining agreements state that the contracts of the on-site employees should be transferred to the new company. Employees in the sector, therefore, often change employer. To win a contract, cleaning companies generally offer either the same service as the preceding company but in a shorter period of time and, therefore at a lower cost, or a broader service within the same time and cost. In both cases, this results in an acceleration of workload for the employees who are transferred to the new service provider. For more details, see François-Xavier Devetter, Julie Valentin, Deux millions de travailleurs et des poussières. L'avenir des emplois du nettoyage dans une société juste, Les Petits Matins, 2021, 155p.

¹⁸⁵ Laura and Annie, also cleaners employed by other cleaning companies, report similar health problems, which they link to the acceleration of work rate when a contract is taken over by a new service provider. Source: Interviews with Annie (name changed) 22/10/2024 and 24/06/2025; interview with Laura (name changed) 30/10/2024.

¹⁸⁶ Interviews with Boubacar (name changed) 29 January 2025 and 24/06/2025.

- Khalil,¹⁸⁷ a Moroccan construction worker and joiner, also reported dangerous working conditions on building sites operated by his former employer. He described a lack of safety equipment, as well as no goods lift, which meant that employees had to carry heavy loads themselves. He also said that he was asked to report a workplace accident – a serious cut – as sick leave.

2.4 VIOLENCE AND HARASSMENT IN THE WORKPLACE AND RACIST AND GENDER-BASED VIOLENCE

Article 7 of the ICESCR provides a non-exhaustive list of the elements required to guarantee just and favourable conditions of work. Although the right to live free of violence and harassment is not specifically mentioned, the Committee on Economic, Social and Cultural Rights has underlined its importance.¹⁸⁸

ILO Convention No. 190, which was ratified by France in 2023, expressly forbids workplace violence and harassment, which it defines as “a range of unacceptable behaviours and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm, and includes gender-based violence and harassment.”¹⁸⁹

The ILO Discrimination (Employment and Occupation) Convention No. 111,¹⁹⁰ ratified by France in 1981, forbids “discrimination-based harassment as a serious form of discrimination, particularly racial harassment”.¹⁹¹

Racial discrimination, including violence based on racial biases and prejudices, and gender-based discrimination, including gender-based violence, are also forbidden by the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD, 1971) and the International Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW, 1983), respectively.

Of the 27 people Amnesty International interviewed, 15 reported having experienced violence and harassment at work including insults, shouting, insulting tones from line managers/employers, coercive measures and reprisals regarding work planning and the distribution of missions and tasks, pressure to perform, threats of job loss, refusal to take abuse experienced in the workplace into account and exposure of the employee to this abuse with full knowledge, sequestration, physical violence, and sexual harassment.¹⁹²

Of these 15 people, three reported threats from their managers/employers explicitly linked to their precarious administrative situation.¹⁹³

Eleven people reported having experienced openly racist behaviour in the form of insults, degrading speech and contemptuous tones, orders to speak in French, unfounded allegations, refusal to take into account racist abuse experienced in the workplace and exposing the employee to such abuse, and psychological and physical violence.¹⁹⁴

¹⁸⁷ Interview with Khalil (name changed), 17/01/2025.

¹⁸⁸ Committee on Economic, Social and Cultural Rights, General Comment No. 23 (2016) on the right to work (Article 7 of the ICESCR), para. 6.

¹⁸⁹ ILO Violence and Harassment Convention, 2019 (No. 190), Article 1.

¹⁹⁰ ILO Discrimination (Employment and Occupation) Convention No. 111, 1958.

¹⁹¹ General Observation (CEACR) – adopted 2018, published 108th ILC session (2019). “Racial harassment occurs when a person is subject to physical, verbal or non-verbal conduct or other conduct based on race which undermines their dignity or which creates an intimidating, hostile or humiliating working environment for the recipient.”

¹⁹² Interviews with Adra (13/09/2024, 20/02/2025 et 05/09/2025), Ali (12/02/2025), Alicia (29/11/2024 et 30/09/2025), Boubacar (29/01/2025 et 24/06/2025), Celia (14/01/2025 et 25/06/2025), Dario (21/01/2025 et 10/09/2025), Jean-Louis (14/01/2025 et 08/09/2025), Lamiya et Kele (10/02/2025 et 25/06/2025), Malik (27/01/2025 et 25/06/2025), Mariette (13/01/2025 et 26/06/2025), Paul (31/01/2025 et 25/06/2025), Sekou (12/03/2025 et 25/09/2025), Yaro (07/03/2025 et 27/06/2025) Adra. To respect their privacy, all names have been changed. Interviews with Abdoul Aziz Sall who wanted to speak under his own name (04/12/2024 and 08/09/2025).

¹⁹³ Interviews with Lamiya (10/02/2025 and 25/06/2025), and Paul (31/01/2025 and 25/06/2025). To respect their privacy, all names have been changed. Interviews with Abdoul Aziz Sall who wanted to speak under his own name (04/12/2024 and 08/09/2025).

¹⁹⁴ Interviews with Ali (12/02/2025), Boubacar (29/01/2025 and 24/06/2025), Celia (14/01/2025 and 25/06/2025), Dario (21/01/2025 and 10/09/2025), Jean-Louis (14/01/2025 and 08/09/2025), Lamiya (10/02/2025 and 25/06/2025), Malik (27/01/2025 and 25/06/2025),

However, the majority of people interviewed by Amnesty International reported that they worked in sectors largely composed of racialised workers (See also Chap.1 sec. 1.3.2). Although not explicitly racist, the collective violence and harassment reported, as directed at groups of racialised workers, contributes to systemic racism.

- Lamiya, from Algeria, and Kele, from the Comoros,¹⁹⁵ said that their line managers in the laundry in which they work established a coercive working environment. They described the fact that every morning, the director said to everyone “I can do what I whatever I want to you, and you can’t do anything about it” or “I am God.” They described shouting and intimidation on a daily basis, degrading and racist orders – such as prohibition on speaking any other language than French -, and management through fear aiming to divide and isolate employees. When the majority of the employees decided, on the initiative of one of them, to send a letter to the French labour inspectorate, the pressure mounted. At the end of one working day, Lamiya, Kele, and other employees found the door locked. Leaving by the emergency exit, the employees were blocked behind the site gate by several men, one of whom was identified as the husband of the line manager, who threatened them with violence and death. The employees decided to call the police, and the men left, promising to return. The employees filed a complaint at the police station.
- Shortly before these events unfolded, Lamiya¹⁹⁶ also reported having received constant threats and harassment from her director in connection with her administrative situation. Holding a one-year “Private and Family Life” residence permit and under the terms of bilateral agreements, she applied for a ten-year permit and received a provisional document indicating a favourable opinion. In principle, this document allows her to live and work in France until she receives her residence permit. Her director, however, considered that her right to work was not expressly mentioned in the temporary document, refused it, and when her previous residence permit expired, threatened to dismiss her. This was despite the fact that Lamiya had contacted the prefecture to ensure she had the right to work and had sent her director the online publications by the government confirming this right. “The director summoned me every day, I was not allowed to take my break”, she said. Kele,¹⁹⁷ who was going through the same administrative procedure, hid her situation from the director for fear of experiencing similar harassment and losing her job.
- Dario,¹⁹⁸ a Cape Verdean national and a temporary worker in the construction industry, described high-pressure environments on building sites where the “bosses shouted and insulted workers” endlessly. This was particularly directed at racialised migrant workers, who formed the majority of these employees. “Racism is present in many shapes and forms. It is a way of talking to people and insulting them. Particularly when it comes to bosses talking to migrant workers.”
- Mariette,¹⁹⁹ a Senegalese care worker, was repeatedly subjected to racist remarks from a client to whom the agency continued to send her, despite her raising the alarm. One day, this client arbitrarily accused her of stealing sanitary protection and took her to the gendarmerie, threatening to report her. Although it didn’t come to anything, Mariette still recalls the feelings of humiliation and injustice. “It’s difficult, it can bring you to tears because you can’t do anything,” says Mariette. Later, she reported suffering repeated racism from another client. After several reports to her line managers with no change in the situation, she formally refused to be sent to this client’s home. For more than a year, the agency continued to record ten hours a week at this client’s house in her schedule, indicating Mariette as absent. Her monthly salary was consequently cut by almost half. Her protests to the agency were without effect. “It was a punishment,” says Mariette, who ended up getting in touch with a lawyer.

Mariette (13/01/2025 and 26/06/2025), Nadia (19/12/2024 and 30/09/2025), Sekou (12/03/2025 and 25/09/2025), and Yaro (07/03/2025 and 27/06/2025). To respect their privacy, all names have been changed.

¹⁹⁵ Interviews with Lamiya and Kele (names have been changed), 10/02/2025 and 25/06/2025.

¹⁹⁶ Ibid.

¹⁹⁷ Ibid.

¹⁹⁸ Interviews with Dario (name changed) 21/01/2025 and 10/09/2025.

¹⁹⁹ Interviews with Mariette (name changed) 13/01/2025 and 26/06/2025.

- Sekou,²⁰⁰ a Malian national who works in the construction industry, reported having been attacked by one of his colleagues. He was tied to a rope and suspended in the air, and when he shouted because the rope was hurting him, he was dropped. His boss then shouted at him and when Sekou tried to protest, he was told to “shut his mouth”. Although he says he can’t be sure that the attack was due to his origins and skin colour, he said he had never seen similar treatment inflicted on other members of the team. He noted that he was the only Black man in the team, the rest of whom treated the incident as a “joke”. “Was it because I’m Black? Because he wanted to show me he was my boss? That he could do what he wanted with me? I don’t know,” says Sekou. He still feels that he was treated like “cattle”. However, at the time, he was an apprentice in this company and did not want to take the risk of losing his diploma, so he kept working until his training period came to an end.
- In the bakery chain where he worked preparing sandwiches, Ali²⁰¹ reported working under constant pressure, in the form of shouting, orders to speed up, and repeated remarks from his line manager (see also Chapter 2, Section 2.2). He also said that his team, which consisted entirely of migrant workers, was subject to repeated racist insults from the managers. “At [the bakery], the workload was too much and we had to work very quickly. Sometimes, they’d shout at us to work faster. There was so much pressure for us to work quickly. [The managers] shouted at us, insulted us. Sometimes, they used the word ‘dickhead’, but he insulted us mainly because we were foreign, [because of] the colour of our skin. They said things like ‘you’re ugly’, ‘you come from another country, so you have no rights’, that kind of thing.”

Although only one of the people that was interviewed by Amnesty International reported having been exposed to sexual violence in the workplace (see Nadia, p. 34-36), the prevalence of sexual violence towards female migrant workers is a recognised phenomenon: according to a study carried out by the International Labour Organization and the Lloyd’s Register Foundation,²⁰² female migrants are twice as likely as other women to have suffered sexual violence and sexual harassment in the workplace. In addition to the taboo around the subject and possible psychological mechanisms affecting victims which can hinder reporting the incidents, the precarious administrative status of racialised female migrants makes them more vulnerable to this treatment and dissuades them from reporting it.²⁰³ Although French legislation does allow residence permits to be issued to female victims of domestic violence,²⁰⁴ no similar provisions are in place regarding sexual violence in the workplace.²⁰⁵

2.5 RACIAL DISCRIMINATION AND DISCRIMINATION ON THE GROUNDS OF ADMINISTRATIVE STATUS

Article 2.2 of the ICESCR states that economic, social and cultural rights, including the rights to fair and favourable working conditions, must be exercised “without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status”.

Furthermore, the International Convention on the Elimination All Forms of Racial Discrimination²⁰⁶ recalls the fundamental prohibition of racial discrimination “in all its forms” in the enjoyment of rights and particularly the rights to work, following ILO Discrimination (Employment and Occupation) Convention No. 111.²⁰⁷ The Committee on the elimination of racial discrimination also stresses that “the potential indirect discriminatory effects of certain domestic legislation”, particularly legislation on immigration, penalizing

²⁰⁰ Telephone interviews with Sekou (name changed) 12/03/2025 and 25/09/2025.

²⁰¹ Telephone interview with Ali (name changed) 12/02/2025.

²⁰² Experiences of violence and harassment at work: a global first survey, Geneva: International Labour Office and Lloyd’s Register Foundation, 2023.

²⁰³ Amnesty International, “Rentrez chez vous, ça va passer...” Porter plainte pour violences sexuelles: l’épreuve des femmes migrantes, transgenres et travailleuses du sexe en France, September 2024. (In French)

²⁰⁴ CESEDA, Articles L.425-6 to L.425-8.

²⁰⁵ According to a Ministry of the Interior study from 2021, 38.5% of women – regardless of their nationality or administrative status - have suffered sexist and sexual violence at work in France, compared to 14% of men. Source: Ssmsi-Eurostat, « Panorama des violences en France métropolitaine : enquête Genèse 2021 », novembre 2022. Données Ssmsi-Eurostat, enquête Genèse, 2021 (In French)

²⁰⁶ International Convention on the Elimination of All Forms of Racial Discrimination (ICERD; 1971), Article 5(e1).

²⁰⁷ ILO Discrimination (Employment and Occupation) Convention No. 111, 1958.

certain groups without legitimate grounds should be seen as indicators of racial discrimination.²⁰⁸ It calls for States to ensure that immigration policies do not have the effect of discriminating against persons on the basis of race, colour, descent, or national or ethnic origin.²⁰⁹

The French Labour Code prohibits discrimination in the allocation of tasks.²¹⁰

Of the 27 people interviewed by Amnesty International, seven reported having directly experienced or been witness to discrimination in the workplace, in the form of different tasks and/or missions according to the person's skin colour or national origin; different requirements, notably in terms of scheduling, according to the person's skin colour or national origin or according to their administrative status; and discrimination in the types of contract offered and professional development.²¹¹

- While some of the discrimination reported is explicitly based on racist bias and negative stereotypes, other incidents are linked to the administrative status of individuals — particularly the format and length of their residence permits. Given the overrepresentation of racialised individuals in these precarious immigration categories, these forms of discrimination are not separate but intersecting. They reflect a racialised structure of labour and migration control, shaped by colonial legacies and systemic inequality.
- Mariette,²¹² a Senegalese care worker, reported that her employer allocated the most tiring tasks — those which involved household tasks as well as care to the client — to Black people.
- Nadia,²¹³ an Ivorian national and also care worker, reported that her employer gave the most difficult tasks to people whose administrative status was the most precarious — in particular people with short-term residence permits. Nadia also reported that people in precarious administrative situations were kept on short-term contracts (*contrats à durée déterminée*, CDD) which are generally issued for six months, for several years, while those with long-term residence permits or French nationality were given a permanent contract (*contrat à durée indéterminée*, CDI) after their first short contract, regardless of the date they joined the company. (See also her account, p. 34-36).
- Jean-Louis,²¹⁴ a Senegalese security guard, noted many differences in treatment between him and his French colleagues. “Employers spoke to me badly. When I applied for leave I didn’t get it, while my French colleague did. Sometimes [my colleague] didn’t come to work and they called me to replace him,” he said, stressing that he would never allow himself to be off. The manager of one supermarket he was assigned to by his security firm ordered him to take out the bins — a task outside the scope of his contract. When he and his French colleague refused, the security firm accepted his colleague’s refusal and didn’t send him back to the supermarket. However, Jean-Louis was sent back and told to obey the manager. At the time, Jean-Louis was in the process of changing his administrative status and had applied for an “Employee” residence permit. Because he needed his job and felt that “relationships had to remain good”, he didn’t protest any further. Discrimination he said, “is all-encompassing, we are not treated equally”.

²⁰⁸ Committee on the elimination of racial discrimination, General recommendation No. 31 (2005) on the prevention of racial discrimination in the administration and functioning of the criminal justice system, para. 4(b).

²⁰⁹ Committee on the elimination of racial discrimination, General recommendation No. 30 (2005) on discrimination against non-citizens, para. 9

²¹⁰ French Labour Code, Article L.1132-1.

²¹¹ Interviews with Annie (22/10/2024 and 24/06/2025), Grace (06/12/2024 and 08/09/2025), Jean-Louis (14/01/2025 and 08/09/2025), Mariette (13/01/2025 and 26/06/2025), Nadia (19/12/2024 and 30/09/2025), and Yaro (07/03/2025 and 27/06/2025). To respect their privacy, all names have been changed. Interviews with Abdoul Aziz Sall who wanted to speak under his own name (04/12/2024 and 08/09/2025).

²¹² Interviews with Mariette (name changed) 13/01/2025 and 26/06/2025.

²¹³ Interviews with Nadia (name changed), 19/12/2024 and 30/09/2025.

²¹⁴ Interviews with Jean-Louis (name changed) 14/01/2025 and 08/09/2025.

2.6 ACCESS TO JUSTICE AND COMPENSATION FOR WORKPLACE VIOLENCE

The right to claim and obtain appropriate remedies is recognised in the International Covenant on Civil and Political Rights²¹⁵ as well as in the International Convention on the Elimination of All Forms of Racial Discrimination.²¹⁶ The Committee on Economic, Social and Cultural Rights recalls that “any person who has experienced a violation of the right to just and favourable conditions of work should have access to effective judicial or other appropriate remedies, including adequate reparation, restitution, compensation, satisfaction or guarantees of non-repetition.”²¹⁷ It also states that “in addition to legislation as an indispensable step, States should also ensure the provision of judicial and other effective remedies that include, but are not limited to, administrative, financial, educational and social measures.”²¹⁸

The European Charter of Fundamental Rights (2000) also recognises the “right to an effective remedy and to a fair trial”.²¹⁹

In principle, provisions on access to justice and reparations are open to everyone in France. France has a system whereby complaints and appeals are lodged with industrial, civil, and criminal tribunals, as well as a mechanism of financial support and legal aid for the most disadvantaged. Abuse in the workplace can be reported within the company, to staff representatives and/or trade union representatives, or directly to the French labour inspectorate.

Although these mechanisms exist, however, multiple difficulties prevent racialised migrant workers on precarious residence permits from accessing them. This section will set out how these obstacles begin inside the company, where it can be difficult to report incidents of abuse in the workplace and have them recognised by management, or to complain to staff representatives and trade union representatives and they continue beyond that to difficulties accessing justice and reparations.

The French system certainly takes into account the economic precariousness of potential victims, with the introduction of a legal aid system for people “without the necessary resources to exercise their legal rights”,²²⁰ the most disadvantaged. However, this economic precariousness does not simply mean a lack of resources when it comes to obtaining legal assistance. It is also reflected in a lack of time to engage in anything other than simple survival. For non-European and racialised foreign nationals, these obstacles to accessing justice are heightened by other specific obstacles such as administrative precariousness and the material and temporal nature of the process, a lack of understanding of rights and existing appeal mechanisms, as well as a lack of resources to access this information, and the language barrier. When combined, these obstacles often amount to a failure to use the legal system to report and appeal against abuse.

Consequently, existing appeal mechanisms are not really accessible to many non-European, racialised migrant workers. This is due to the multiple factors of precariousness which render them particularly vulnerable to abuses, which they should be able to report, pursuant to everyone’s right to justice and reparations.

²¹⁵ International Covenant on Civil and Political Rights (1966), Article 2(3).

²¹⁶ International Convention on the Elimination of All Forms of Racial Discrimination.

²¹⁷ Committee on Economic, Social and Cultural Rights, General Comment No. 23 (2016) on the right to work (Article 7 of the ICESCR), para. 57.

²¹⁸ Committee on Economic, Social and Cultural Rights, General Comment No. 23 (2016) on the right to work (Article 7 of the ICESCR), para. 50.

²¹⁹ European Charter on Fundamental Rights (2000), Article 47.

²²⁰ A limited principle of financial assistance to cover legal costs was introduced into the French legal system in 1851. The current system of legal aid was formalised by Law no. 91-647 of 10 July 1991 on legal aid. It is intended for people “without the necessary resources to exercise their legal rights”.

2.6.1 MULTI-FACETED PRECARIOUSNESS AND THE DIFFICULTY OF REPORTING ABUSES

Nineteen of the migrant workers interviewed reported to Amnesty International that they had experienced difficulties or even found it impossible to report abuse and have it recognised.²²¹

In particular, they reported that they were hesitant or did not report these abuses to their management or their employer for fear of reprisals impacting on their job and their administrative situation. The ease with which workers can be replaced in sectors which are considered to be unqualified or low-qualified is a threat often bandied about by employers. Being in work is an important or even essential factor when it comes to renewing a residence permit and the fear of losing the right to live in France is combined, for non-European foreign nationals, with fears around losing their income (see also Chapter 2, Section 2.7.1).

- Lamiya, from Algeria, and Kele, from the Comoros²²² reported that the director of the laundry where they worked told her employees on a daily basis that she had “plenty of applications”, adding that “if they weren’t happy, they knew where the door was”. (See also Chapter 2, Section 2.4).
- Madou,²²³ a Gambian cleaner, said that when she and her colleagues tried to tell management of their difficulties with keeping up the pace of work being demanded of them, they replied that this wouldn’t be changing. “If you say you can’t do it, they’ll fire you and find someone else who agrees to do it.” said Madou. If she protested too much, she feared being fired or transferred to other sites further away,²²⁴ pressuring her to resign for fear of not being able to keep up with the daily rhythm caused by longer commuting times (see also Chapter 2, Section 2.3).

Like Madou, five other workers reported trying to complain about abuse to managers within the company and their complaints being ignored.²²⁵ In two cases, the reports led to formal reprisals from the employer, notably in terms of scheduling and work opportunities.

- Boubacar²²⁶, an Ivorian national, indicated that he had reported dangerous working conditions on a site to his manager at the temp agency that had sent him to the site. Although the manager said he could leave the site, the temp agency has not offered him any work since, he told Amnesty International (see also Chapter 2, Section 2.3).
- Having reported the racist abuse she had experienced at one client’s home to the managers and director of the care workers’ agency, Mariette²²⁷, a Senegalese national, refused to return to this client’s house. Her monthly salary was halved as a result, because the company continued to include the client in her schedule and record the employee as absent (see also Chapter 2, Section 2.4).

Five people reported having turned to a staff representative and/or trade union to try to put an end to the abuse they were experiencing.²²⁸ In three cases, intervention from the representatives led to a partial end to

²²¹ Interviews with Ali (12/02/2025), Alicia (29/11/2024 and 30/09/2025), Annie (22/10/2024 and 24/06/2025), Boubacar (29/01/2025 and 24/06/2025), Celia (14/01/2025 and 25/06/2025), Dario (21/01/2025 and 10/09/2025), Grace (06/12/2024 and 08/09/2025), Jean-Louis (14/01/2025 and 08/09/2025), Lamiya and Kele (10/02/2025 and 25/06/2025), Laura (30/10/2024), Madou (23/10/2024 and 27/06/2025), Malik (27/01/2025 and 25/06/2025), Mariette (13/01/2025 and 26/06/2025), Nadia (19/12/2024 and 30/09/2025), Paul (31/01/2025 and 25/06/2025), Sekou (12/03/2025 and 25/09/2025), and Yaro (07/03/2025 and 27/06/2025). To respect their privacy, all names have been changed. The nineteenth person requested confidentiality.

²²² Interviews with Lamiya and Kele (names have been changed), 10/02/2025 and 25/06/2025.

²²³ Interviews with Madou (name changed), 23/10/2024 and 27/06/2025.

²²⁴ The collective agreement on cleaning includes a mobility clause allowing employers to transfer their employees to other sites within a defined geographic area. This possibility of forced transfer leads to longer commuting times and is often used by companies as a threat or punishment. See François-Xavier Devetter, Julie Valentin, Deux millions de travailleurs et des poussières. L’avenir des emplois du nettoyage dans une société juste, Les Petits Matins, 2021, 155p.

²²⁵ Interviews with Boubacar (29/01/2025 and 24/06/2025), Celia (14/01/2025 and 25/06/2025), Laura (30/10/2024), Madou (23/10/2024 and 27/06/2025), Mariette (13/01/2025 and 26/06/2025), Nadia (19/12/2024 and 30/09/2025). To respect their privacy, all names have been changed.

²²⁶ Interviews with Boubacar (name changed) 29/01/2025 and 24/06/2025.

²²⁷ Interviews with Mariette (name changed), 13/01/2025 and 26/06/2025. Amnesty International has seen the protest email Mariette sent to her managers.

²²⁸ Interviews with Annie (22/10/2024 and 24/06/2025), Lamiya and Kele (10/02/2025 and 25/06/2025), Laura (30/10/2024) and Madou (23/10/2024 and 27/06/2025). All names have been changed.

the abuse.²²⁹ In four cases, faced with inaction from the employer, it led to a procedure at the industrial tribunal, which is ongoing²³⁰ (see also Chapter 2, Section 2.6.2).

We also note that certain sectors and professional situations in which migrant workers are over-represented, such as temp work, cleaning and care work, fragment the workplace, hindering access to staff representatives and/or trade unions.²³¹

2.6.2 ACCESS TO JUSTICE AND THE RISK OF NON-RECOURSE

The risk that racialised migrant workers with precarious residence permits do not access the justice system is particularly high. Lack of understanding about access and support mechanisms, the language barrier, and economic and administrative precariousness are barriers which, when combined with the complexity and length of the procedures, hinder access for many to the justice system and reparations.

Of the people interviewed by Amnesty International, 19 said they lacked understanding of the possible recourse and time it takes to undertake the procedures.²³² In a context of economic and administrative precariousness, the quest for justice and reparations is not seen as a priority.

- Sekou²³³, a Malian national, said that he “knew nothing about the system”. When it came to the violence he had suffered, he preferred to “get on with his life” rather than trying to report it. But he explained that if he had had a ten-year residence permit, he “could defend himself”.

However, six of the 27 people interviewed by Amnesty had taken steps to access justice, essentially by turning to the industrial tribunal with the help of a trade union or lawyer.²³⁴ Two of them have submitted a complaint to the police.²³⁵

However, Amnesty International notes that in three cases, the steps were taken for the first time after several months or even years of abuse, when the individuals’ job or administrative status was directly threatened.²³⁶

In the three other cases, the steps were taken as a result of serious violence threatening the physical integrity of the individuals (death threats, working conditions leading to physical incapacity, and hospitalisation).²³⁷

²²⁹ Interviews with Annie (22/10/2024 and 24/06/2025), Laura (30/10/2024) and Madou (23/10/2024 and 27/06/2025). All names have been changed.

²³⁰ Interviews with Lamiya and Kele (10/02/2025 and 25/06/2025), Laura (30/10/2024) and Paul (31/01/2025 and 25/06/2025). All names have been changed.

²³¹ See notably: François-Xavier Devetter, Julie Valentin, Deux millions de travailleurs et des poussières. L’avenir des emplois du nettoyage dans une société juste, Les Petits Matins, 2021, 155p.; Belkacem, R., Kornig, C., Nosbonne, C. and Michon, F. “Mobiliser, défendre les intérimaires. Les difficultés de l’action syndicale”, La Revue de l’Ires, 83(4), 2014; François-Xavier Devetter, Annie Dussuet and Emmanuelle Puissant, Aide à domicile, un métier en souffrance, Paris, L’Atelier, 2023 (In French)

²³² Interviews with Ali (12/02/2025), Alicia (29/11/2024 and 30/09/2025), Annie (22/10/2024 and 24/06/2025), Boubacar (29/01/2025 and 24/06/2025), Celia (14/01/2025 and 25/06/2025), Dario (21/01/2025 and 10/09/2025), Grace (06/12/2024 and 08/09/2025), Jean-Louis (14/01/2025 and 08/09/2025), Lamiya and Kele (10/02/2025 and 25/06/2025), Khalil (17/01/2025), Laura (30/10/2024), Madou (23/10/2024 and 27/06/2025), Malik (27/01/2025 and 25/06/2025), Mariette (13/01/2025 and 26/06/2025), Nadia (19/12/2024 and 30/09/2025), Sekou (12/03/2025 and 25/09/2025), and Yaro (07/03/2025 and 27/06/2025).. To respect their privacy, all names have been changed. The nineteenth person requested confidentiality.

²³³ Telephone interviews with Sekou (name changed) 12/03/2025 and 25/09/2025.

²³⁴ Interviews with Adra (13/09/2024, 20/02/2025 and 05/09/2025), Lamiya and Kele (10/02/2025 and 25/06/2025), Laura (30/10/2024), Paul (31/01/2025 and 25/06/2025) Adra Abdoul Aziz Sall . All names have been changed. Interviews with Abdoul Aziz Sall who wanted to speak under his own name (04/12/2024 and 08/09/2025).

²³⁵ Interviews with Lamiya and Kele (names have been changed) 10/02/2025 and 25/06/2025.

²³⁶ Interviews with Laura (30/10/2024), and Paul (31/01/2025 and 25/06/2025). All names have been changed. Interviews with Abdoul Aziz Sall who wanted to speak under his own name (04/12/2024 and 08/09/2025).

²³⁷ Interviews with Adra (13/09/2024, 20/02/2025 and 05/09/2025), Lamiya et Kele (10/02/2025 and 25/06/2025 Adra). All names have been changed.

2.7 THE ROLE OF THE STATE IN THE EXPLOITATION AND DISCRIMINATION OF RACIALISED MIGRANT WORKERS: THE IMPACT OF ADMINISTRATIVE STATUS ON WORKING CONDITIONS

Under the terms of the ICESCR, protecting the rights of workers to enjoy fair and favourable working conditions, includes the introduction of “measures to ensure that third parties, such as private sector employers and enterprises, do not interfere with the enjoyment [of this] right” and should take “steps to prevent, investigate, punish and redress abuse through effective laws and policies and adjudication”.²³⁸ States Parties must ensure that this right is exercised without discrimination of any kind and “combat all forms of unequal treatment arising from precarious employment relationships”.²³⁹ Furthermore, the Committee on Economic, Social and Cultural Rights recalls that violation of this right may arise from the direct actions of States parties, notably through “migration policies that increase the vulnerability of migrant workers to exploitation”.²⁴⁰

Under the terms of the ICERD, States are prohibited from enacting or maintaining policies that result in racial discrimination in practice, even if apparently neutral in intent.²⁴¹ The Committee on the elimination of racial discrimination calls for States to ensure that the implementation of any legislation does not have discriminatory effects on non-citizens²⁴² and that immigration policies do not have the effect of discriminating against persons on the basis of race, colour, descent, or national or ethnic origin.²⁴³

The system of short-term residence permits results in significant administrative precariousness, as each application to renew the permit involves conditions, the provision of paperwork, waiting, and uncertainty. Because it specifically and directly impacts upon and fragments the lives and prospects of racialised migrant workers, this administrative precariousness leads to abuses set out in this chapter, which cannot simply be put down to unscrupulous employers. On the one hand, these short-term residence permits and the need to renew them increases the vulnerability of those who hold them, preventing them from reporting abuses they have experienced and locking them into exploitative working conditions. On the other hand, this administrative precariousness is an obstacle to professional development and prevents people from looking for a job with better conditions. It compounds the factors which are intrinsic to the foreign national's situation, such as a lack of knowledge of their rights and the French labour market, as well as possible language barriers and other factors such as gender, race, skin colour, and national or social origin. By aggravating the socio-economic precariousness of migrant workers, this administrative instability opens the door to numerous violations of their human rights, as identified in these pages.

The abuses to which migrant workers are exposed and subjected by managers and employers in the course of their work and described in this chapter are not isolated cases. Most people who spoke to Amnesty International had experienced abuse more than once, at the hands of one or more employers and members of management. Their accounts are corroborated by multiple interviews with heads of associations, lawyers, trades unions, and academics, as well as numerous written sources such as reports from non-governmental organisations, public bodies, academics and press articles (see Methodology²⁴⁴). Taken together, these

²³⁸ Committee on Economic, Social and Cultural Rights, General Comment No. 23 (2016) on the right to work (Article 7 of the ICESCR), para. 59.

²³⁹ Committee on Economic, Social and Cultural Rights, General Comment No. 23 (2016) on the right to work (Article 7 of the ICESCR), para. 53.

²⁴⁰ Committee on Economic, Social and Cultural Rights, General Comment No. 23 (2016) on the right to work (Article 7 of the ICESCR), para. 78.

²⁴¹ ICERD, Article 2.1(c)

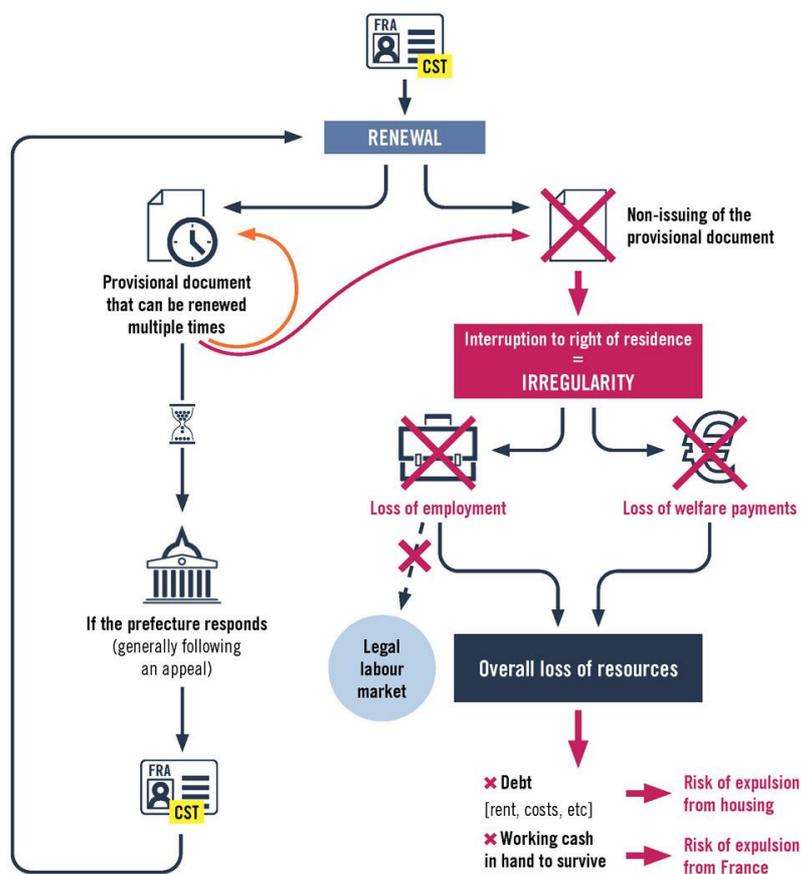
²⁴² Committee on the elimination of racial discrimination, General recommendation No. 30 (2005) on discrimination against non-citizens, para. 7

²⁴³ Committee on the elimination of racial discrimination, General recommendation No. 30 (2005) on discrimination against non-citizens, para. 9

²⁴⁴ See notably : Défenseur des Droits, Les droits fondamentaux des étrangers en France, May 2016 (In French) Commission Nationale Consultative des Droits de l' Homme, Rapport 2023 sur la lutte contre le racisme, l' antisémitisme et la xénophobie, June 2024 (In French)

resources demonstrate the existence of a mechanism of abuse and exploitation rooted in the administrative precariousness caused by the current system of residence permits.

By keeping migrant workers in this multi-faceted precarious situation, the French state is discriminating and encouraging the exploitation of an underclass of racialised workers.



2.7.1 EMPLOYMENT AND RENEWING A SHORT-TERM RESIDENCE PERMIT

For racialised migrant workers on a short-term residence permit, being employed is crucial, not only for their economic survival but also when it comes to renewing their residence permit.

This is particularly the case for individuals who hold a permit for economic reasons – residence permits mentioning “Employee” and “Temporary Worker” – as their employment situation directly impacts on their right to reside in France. When renewing their permit, these workers have to prove they are employed in France, by producing pay slips and employment contracts.²⁴⁵

Although “Private and Family Life” permits are not officially dependent upon the person’s employment situation, applications for renewal take into consideration how well the individual is integrated into France. Although multiple criteria can be used by the administration to estimate the applicant’s integration,²⁴⁶ the individual’s employment situation and having sufficient resources is crucial. Losing their job could thus

Cris Beauchemin, Christelle Hamel et Patrick Simon (eds.), *Trajectoires et Origines, Enquête sur la diversité des populations en France*, Paris, Ined Éditions, collection "Grandes Enquêtes", 2016 (In French)
Ministère du Travail, Direction de l'Animation de la recherche, des Études et des Statistiques, *Les métiers des immigrés*, Document d'études No. 254, September 2021 (In French)

Flora Duffaud Gallici, 'L' action des travailleurs étrangers devant le conseil de prud' hommes. *Le Droit Ouvrier*, 892(12), 2022 (In French)

²⁴⁵ In contrast to the “Temporary Worker” residence permit, the “Employee” permit does open up the right to renewing their permit in the event of losing their job, but only if the job loss is “involuntary”, in other words, if they have been dismissed. If the foreign national has signed a mutually agreed severance document or has resigned, they cannot renew their permit unless they can prove that the severance or resignation was forced. CESEDA, Article L.421-1.

²⁴⁶ Such as involvement in social activities, associations or children’s school life, among other.

impact the application to renew a “Private and Family Life” permit, in particular as the administration could query the individual’s integration into France if they have left their job voluntarily.

The complexity of the residence permit system and the large margin of manoeuvre that is left to prefectural officers through the concepts of involuntary loss of employment and integration thus leads to the fear, among the racialised migrant workers interviewed by Amnesty International, that their applications to renew their residence permit will be refused. This fear hinders them from speaking out against abuse and reporting it. In addition to the need for resources and economic survival, it also locks people into abusive employment situations.

Fourteen migrant workers stated that they had remained in a job with poor working conditions through fear that losing this job would impact upon the possibility of renewing their residence permit.²⁴⁷

- Adra²⁴⁸, an Algerian national who holds a one-year temporary “Private and Family Life” residence permit, took a job in a supermarket warehouse. Suffering from chronic health problems linked to a serious situation of exploitation that she had endured when in an irregular situation, she says she took this job because it had been presented to her as not requiring excessive physical strain. But when the time came to sign the contract, she discovered that she was referred to as a “multi-purpose” worker and that her job could involve carrying heavy loads. As the time to renew her residence permit was approaching, she went ahead and signed the contract, nonetheless. “Even with a one-year ‘Private and Family Life’ permit, you are in limbo,” she said. “If you don’t do everything correctly, you won’t get your permit. Not working is scary. You work despite it all, even if it is a job that causes you pain, because you are scared that your permit won’t be renewed.”
- Celia²⁴⁹, a Colombian national, holds a one-year “Employee” residence permit and explains that she continued to work for a care workers’ agency despite repeated abuses of her rights, notably in the form of wage theft and racist violence, for fear of not having her residence permit renewed. “I want to stop working for them, but I don’t know how I would renew my permit without this job,” she said.
- Ali²⁵⁰, an Indian national who holds a one-year “Private and Family Life” residence permit, stated that he didn’t dare protest against the infringements of his rights that he experienced on a daily basis in his job as a sandwich maker, for fear of losing his job and thus compromising his ability to renew his residence permit. “We could say no, but if we [migrant workers] refused, then they’d shout at us, insult us, or say that they were going to report us. They threatened to fire us. And we needed [that job] to renew our papers.” (see also Chapter 2, Sections 2.2 and 2.4).

2.7.2 THE PARADOX OF ACCESSING STABLE EMPLOYMENT WITH A PRECARIOUS RESIDENCE PERMIT

Holding a permanent contract is necessary to obtain or renew an “Employee” residence permit and ultimately access a multi-year residence permit. However, it is particularly difficult to obtain a contract (particularly a permanent contract) with a temporary permit.

- Emilie²⁵¹, originally from the Indian subcontinent, holds a one-year “Employee” residence permit and when it came to renewing it, she was on a temporary contract as a secretary. With no news on her application after six months, she consulted a lawyer who explained that her permit could only be renewed with a permanent employment contract. “It was my fault [that I didn’t have any news] because I didn’t have the ‘right’ job”, said Emilie. She therefore refused a new temporary contract with her employer, a job she said she loved, and instead signed a permanent contract at a bakery.

²⁴⁷ Interviews with Adra (13/09/2024, 20/02/2025 and 05/09/2025), Ali (12/02/2025), Annie (22/10/2024 and 24/06/2025), Alicia (29/11/2024 and 30/09/2025), Boubacar (29/01/2025 and 24/06/2025), Celia (14/01/2025 and 25/06/2025), Emilie (14/01/2025 and 03/07/2025), Grace (06/12/2024 and 08/09/2025), Jean-Louis (14/01/2025 and 08/09/2025), Laura (30/10/2024), Madou (23/10/2024 and 27/06/2025), Mariette (13/01/2025 and 26/06/2025), Nadia (19/12/2024 and 30/09/2025), and Yaro (07/03/2025 and 27/06/2025) All names have been changed.

²⁴⁸ Telephone interview with Adra (name changed) 20 February 2025.

²⁴⁹ Interview with Célia (name changed) 14 January 2025 and telephone interview 25 June 2025.

²⁵⁰ Telephone interview with Ali (name changed) 12 February 2025.

²⁵¹ Interviews with Emilie (name changed) 14/01/2025 and 03/07/2025.

This job entailed working unsociable hours, which had a significant negative impact on her family life as a single mother and exposed her to dust and chemical products, compounding her allergies. However, Emilie said she wouldn't take the risk of leaving this job "at least" until she has a multi-annual residence permit.

For people who hold a "Private and Family Life" permit, a permanent contract is considered to be a factor of integration which, although not essential, remains crucial in the decision as to whether or not to renew their permit.

However, obtaining a contract with a short-term residence permit is a process strewn with obstacles, particularly when the permit is limited to one year. The accounts given to Amnesty International indicate that the short-term nature of the permit and the risk of it not being renewed are regularly mentioned by employers to justify refusing a contract, particularly if the company has other applicants who can better guarantee that they will remain in their jobs.²⁵² And so, as the job search goes on, the validity of the residence permit dwindles, and refusals increase.

Being granted a residence permit for economic reasons involves the employer requesting a work permit in advance (see Chapter 1, Section 1.2.1.1), an administrative step which can sometimes last a long time and which many employers abandon or refuse to even begin.

- Abdoulaye²⁵³ is a Guinean mechanic and waited for six months for a work permit which had been applied for by an employer who was offering him a permanent job. After six months with no response from the authorities, the employer said he couldn't wait any longer and hired someone else. "I had to try to find another employer and start all over again," says Abdoulaye. But when looking for a job, he had to deal with employers not understanding the situation, refusing to embark on the procedure, and attempts at wage theft. "At one dealership, the boss wanted to hire me, but HR got cold feet when I mentioned the work permit. They thought I was in an irregular situation and refused to prepare the contract," he said. Another employer offered him a permanent contract but changed his mind when he found out he would have to apply for a work permit. Another employer agreed to submit the application but offered him a salary which was below his qualifications and below the salaries paid to other employees on the same level.
- Jean-Louis,²⁵⁴ a Senegalese national who holds a one-year "Employee" residence permit, explained that he experienced multiple refusals from employers over a period of months when seeking employment. Although the procedures for requesting a work permit were not always mentioned to justify the refusal, he noted that refusals were often given after he mentioned this administrative necessity. "Two employers told me openly," he said. Employers talked about "too much paperwork" and having other applicants available. As the months passed and the length of his residence permit reduced, employers questioned the length of his remaining residence permit and the risk that it would not be renewed. "One butcher told me that he would have to train me for six months, when I only had six months left on my residence permit. It's impossible to argue with that."

Access to stable employment is even more complex for people with "Temporary Worker" residence permits, which involve not only being issued with a work permit for each new employer, but which furthermore cannot exceed one year and do not provide access to a multi-annual residence permit.

Only by getting a permanent employment contract can people with these permits apply for a one-year "Employee" permit and, when it next comes to renewing it, if the person has kept their job, they may be issued with a multi-annual permit. A distant prospect, riddled with administrative hurdles which deter many employers as a result of the great uncertainty as to whether or not they will be able to retain the employee.

- For more than ten years, Hicham²⁵⁵, a Malian national, held consecutive one-year "Temporary Worker" residence permits and worked under temporary contracts in the construction industry. When there was a possibility that work on a building site could lead to a permanent contract, it was

²⁵² This information from these accounts was corroborated by the interviews that Amnesty International carried out with several experts, particularly managers of trades unions and NGOs. See Methodology.

²⁵³ Interviews with Aboulaye (name changed) 13/01/2025 and 24/06/2025.

²⁵⁴ Interviews with Jean-Louis (name changed) 14/01/2025 and 08/09/2025.

²⁵⁵ Interview with Hicham (name changed) 5/11/2025.

never him who received it, but those who had more stable residence permits. “When you have a one-year permit, companies don’t take you on permanently,” he said. He spoke about one job in particular at the end of which his colleague – who had a ten-year permit – obtained a permanent contract but he didn’t. A difference of opportunity which he felt was entirely based on his residence permit. “At work, there was one team leader who said I worked well, and he wanted to keep me, but they’d never do it because of my residence permit. [...] I’ve got a lot of experience in construction; I know how to do lots of things. But the bosses and the team leaders, they only look at your documents.” Hicham says he wanted to find a permanent job to escape the series of precarious residence permits, but that he was unable to.

Access to stable employment is particularly complex for people who hold temporary residence permits which, when they are renewed, mean they only have a provisional document while their application is being processed. These provisional documents range from one to six months in length. When added to the lack of any guarantee that the permit will be granted, these documents place racialised migrant workers in administrative precariousness that further hinders their search for employment (see Chapter 3, Section 3.1.2).

2.7.3 ADMINISTRATIVE PRECARIOUSNESS PREVENTING ACCESS TO TRAINING AND CAREER DEVELOPMENT

Of the 27 migrant workers interviewed by Amnesty International, 21 reported that they felt locked into their level of employment and sector due to their administrative situation.²⁵⁶ This feeling of being locked in results from the difficulty, or even impossibility, of following training to access better qualifications in their job or to change careers, the difficulty or impossibility of having skills and qualifications acquired in their country of origin recognised, the difficulty of obtaining a job corresponding to qualifications acquired in France, and the difficulty or impossibility of leaving salaried employment to work as a freelancer or to set up their own company.

- Jean-Louis²⁵⁷, a Senegalese national, holds a Master’s degree in urban development from a French university. He graduated while on a one-year temporary residence permit, initially a “Student” permit and then an “Employee” permit. He explained that he never had the time to look for a job corresponding to his qualifications. The need to work to justify the original “Employee” residence permit and then renew it forced him to look for work in other fields requiring few qualifications, such as security, cleaning, and hospitality, where the constant search for low-cost labour makes it easier to find work.
- Celia,²⁵⁸ is a Colombian personal carer with a one-year “Employee” residence permit. She would like to work in childcare but says she cannot allow herself to leave her current job to undergo training, as renewing her residence permit is dependent on her employment situation.
- Hicham²⁵⁹ is a Malian construction worker with a one-year “Temporary Worker” permit and would like ultimately to set up his own company working for individual clients. However, he explains that this is not possible without first obtaining a long-term residence permit which would allow him to work independently and would provide him with the administrative stability needed to set up his own business.
- Emilie²⁶⁰ holds a degree in fashion and used to study biochemistry in her country of origin. She would like to retrain and leave her job as a sales assistant in a bakery. But she says she can’t think

²⁵⁶ Interviews with Abdoulaye (13/01/2025 and 24/06/2025), Adra (13/09/2024, 20/02/2025 and 05/09/2025), Ali (12/02/2025), Annie (22/10/2024 and 24/06/2025), Alicia (29/11/2024 and 30/09/2025), Boubacar (29/01/2025 and 24/06/2025), Celia (14/01/2025 and 25/06/2025), Dario (21/01/2025 and 10/09/2025), Emilie (14/01/2025 and 03/07/2025), Grace (06/12/2024 and 08/09/2025), Hicham (05/11/2024 and 26/06/2025), Jean-Louis (14/01/2025 and 08/09/2025), Lamiya and Kele (10/02/2025 and 25/06/2025), Laura (30/10/2024), Malik (27/01/2025 and 25/06/2025), Mariette (13/01/2025 and 26/06/2025), Nadia (19/12/2024 and 30/09/2025), Paul (31/01/2025 and 25/06/2025), and Yaro (07/03/2025 and 27/06/2025). All names have been changed. Interviews with Abdoul Aziz Sall who wanted to speak under his own name (04/12/2024 and 08/09/2025).

²⁵⁷ Interview with Jean-Louis (name changed) 14/01/2025 and 08/09/2025.

²⁵⁸ Interview with Célia (name changed) 14/01/2025 and telephone interview 25/06/2025.

²⁵⁹ Interview with Hicham (name changed) 5/11/2025.

²⁶⁰ Interviews with Emilie (name changed) 14/01/2025 and 03/07/2025.

about this while on a one-year “Employee” residence permit, because in addition to the economic necessity of working she has to be employed in order to renew her residence permit.

2.7.4 ADMINISTRATIVE PRECARIOUSNESS WHICH COMPOUNDS OTHER RISK FACTORS CONNECTED TO BEING A FOREIGN NATIONAL

Migrant workers who are racialised foreign nationals, are at the crossroads of multiple risk factors, in addition to the precarious nature of their residence permits.

For those who are unfamiliar with the country, an understanding of their rights, labour standards, and mechanisms for accessing justice is a steep learning curve which their economic and administrative precariousness just does not allow them to embark upon.

The language barrier can also hamper their understanding of this system and their ability to speak out against infringements of their rights. Some people find it difficult to learn and speak French, due to having a mother tongue which may be very different from French, or to living and working conditions which make language learning difficult (unsocial working hours, lack of interaction due to a fragmentation of the workforce, etc.). Others may speak fluent French but find it difficult to write or read, particularly if they had little or no education in their country of origin or if their mother tongue involves a different alphabet.

The language barrier and a lack of understanding of the system in which they are operating are real barriers to ensuring their rights are respected. On the one hand, it prevents them from speaking out against infringements of their rights, and on the other hand, it can be an additional means of exploiting them.

In this context, the administrative precariousness caused by short-term residence permits and renewing them is not only in addition to these risk factors but also compounds them by imposing on individuals a chronic administrative burden which limits the time they have available to overcome these difficulties.

CHAPTER 3. THE IMPACT OF ADMINISTRATIVE DISRUPTIONS ON THE RIGHT TO WORK: THE RESPONSIBILITY OF THE STATE

“All the problems in my life are down to this issue with the [residence] permit. All I can think about right now is this permit. Because if I don’t have it, I can’t work, I can’t eat, I can’t do anything.”

Hicham²⁶¹

This chapter looks at the direct and specific impact of procedures to renew residence permits (and dysfunctions in these procedures) on racialised migrant workers’ right to work and on their right not to be discriminated against, as defined by international law.

Short-term residence permits must be renewed either every year, every two years or, at best, every four years, depending on the category and the reason for the application. Far from being a simple formality, each of these procedures involves meeting conditions, completing forms, producing evidence, sending applications, making appointments with the administration, and a lot of waiting and uncertainty. In addition to the inherent burden of the complicated administrative procedures required by the legal and regulatory framework, they are plagued by multiple dysfunctions. These dysfunctions include excessively long processing times, procedural errors and bugs in the IT system, a dearth of appointments, and the failure to issue or renew provisional residence documents.

This is the result of an unstable legal and regulatory framework, and a proliferation of short-term residence permits, leading to the relevant administrative services becoming overwhelmed. These difficulties are not isolated, but rather are systemic in nature.

They also lead to interruptions to the residence rights of the individuals concerned. The right to work and access regular employment is conditional upon the right of residence, and these failings in the administrative system result in contracts being suspended and people being dismissed, unable to access the labour market, and being marginalised in the informal economy.

The French State is thus directly responsible for violations of the right to work as a result of the legal and regulatory framework and administrative failings. The extent and persistence of these infringements, despite multiple calls from civil society organisations and institutions,²⁶² demonstrate that the steps needed to resolve the issues have not been taken. Although any foreign national whose life and work in France are subject to the possession of a residence permit may be affected by these systemic failures of the

²⁶¹ Interview with Hicham (name changed) 5/11/2025.

²⁶² Since 2016, the French Defender of Rights (Défenseur des droits), an independent administrative authority, has submitted around ten reports and opinions to Parliament indicating multiple failings by the administrative services responsible for issuing residence permits and the disproportionate impact this has on the rights of foreign nationals in France. These issues have also been raised by the Cour des Comptes in three reports since 2020, and by the Conseil d’État in 2018 and 2024 in its opinions on two draft immigration bills. Civil society organisations and groups such as La Cimade, Gisti, Bouge Ta Pref, Nos Services Publics, and the Fédération des Acteurs de la Solidarité have consistently reported human rights violations as a result of administrative failings in reports and press releases which are too numerous to be mentioned.

administration, workers with short-term residence permits are at increased risk of suffering such violations of their rights, due to the short-term nature of their administrative status and the constant need to renew it.

INTERNATIONAL LAW AND STANDARDS

By ratifying the ICESCR, France has agreed to respect, protect, and fulfil the right of all individuals in its territory to gain their living by work that is freely chosen or accepted, without discrimination.²⁶³ The Covenant thus confirms the obligation on States parties to guarantee this right to individuals and, particularly, their right to “not be deprived of work unfairly.”²⁶⁴

The Committee on Economic, Social and Cultural Rights adds that States parties must take the requisite measures to “reduce to the fullest extent possible the number of workers outside the formal economy, workers who as a result of that situation have no protection”.²⁶⁵ The principle of non-discrimination set out in Article 2.2. of the Covenant “should apply in relation to employment opportunities for migrant workers and their families”.²⁶⁶

The right to work is also protected by the International Convention on the Elimination of All Forms of Discrimination Against Women²⁶⁷ and the International Convention on the Elimination of All Forms of Racial Discrimination.²⁶⁸ As such, the Committee for the Elimination of Racial Discrimination recommends that States parties ensure that “the implementation of legislation does not have a discriminatory effect on non-citizens”.²⁶⁹

Article 15 of the Charter of Fundamental Rights of the European Union also protects the right of everyone to “engage in work and to pursue a freely chosen or accepted occupation”.

3.1 INTERRUPTIONS TO THE RIGHT OF RESIDENCE WHEN RENEWING A PERMIT

In many cases, holding a precarious residence permit which has to be constantly renewed means disjointed administrative procedures interspersed with the temporary loss of the right of residence, due to systemic failures when it comes to processing applications and renewing permits.

However, in French legislation, almost all economic and social rights, and first and foremost the right to work, are dependent upon residence.²⁷⁰ An irregular situation with regards to residence and the right to work is therefore considered a valid reason for unilaterally breaking an employment contract.²⁷¹ The law of 26 January 2024 created an administrative fine²⁷² sanctioning employers who continue to retain in their service foreign nationals who are not authorised to work – whether this is due to the lack of a residence permit and/or lack of a work permit.²⁷³ Although legislative and regulatory provisions have been presented as a means of combating the illicit employment of foreign nationals and protecting them against abusive employers,²⁷⁴ the texts have a deleterious effect on racialised workers, who experience interruptions to their

²⁶³ ICESCR, Article 6.

²⁶⁴ Committee on Economic, Social and Cultural Rights, General Comment No. 18 (2005) on the right to work (Article 6 of the ICESCR), para. 4.

²⁶⁵ Committee on Economic, Social and Cultural Rights, General Comment No. 18 (2005) on the right to work (Article 6 of the ICESCR), para. 10.

²⁶⁶ Committee on Economic, Social and Cultural Rights, General Comment No. 18 (2005) on the right to work (Article 6 of the ICESCR), para. 18.

²⁶⁷ ICEDW, Article 11 (1-a).

²⁶⁸ ICERD, Article 5 (e-i).

²⁶⁹ Committee on the Elimination of Racial Discrimination, General Recommendation No. 30 (2005) concerning discrimination against non-citizens, Paras. 7.

²⁷⁰ Article L.8251-1 of the French Labour Code states that: “No-one may directly or indirectly hire, retain in their service, or employ for any period of time a foreign national without a permit authorising them to carry out salaried work in France. It is also forbidden to hire or retain in their service a foreign national in a professional category, profession, or geographic area other than those mentioned, where applicable, in the first paragraph of the permit.”

²⁷¹ Cour de Cassation, Civile, Chambre Sociale, 4 July 2012, No. 11-18.840; Cour de Cassation, Civile, Chambre Sociale, 23 November 2022, No. 21-12.125. (In French)

²⁷² A maximum fine of €20,750 per worker not authorised to work.

²⁷³ Law No. 2024-42 of 26 January 2024, Article 34; Decree No. 2024-814 of 9 July 2024.

²⁷⁴ The explanatory statement of the Law of 26 January 2024 presents the article establishing this administrative fine under the title “Better protecting foreign nationals against abusive employers”.

https://www.legifrance.gouv.fr/dossierlegislatif/JORFDOLE000047079143/?detailType=EXPOSE_MOTIFS&detailId= (in French).

right of residence, and who can thus find themselves from one day to the next out of work and unable to find a new contract for reasons out of their control.

Amnesty International interviewed nineteen migrant workers on short-term residence permits who reported having experienced one or more interruptions in their right to residence linked to administrative failings over the last five years. The consequences included temporary suspensions of employment contracts, dismissals, forced resignations, and the impossibility of finding regular employment.²⁷⁵ These situations led to an immediate loss of income – in some cases for prolonged periods of time – pushing some people to seek work in the informal economy, where the risk of exploitation is heightened. Finally, in six cases, these interruptions also led to foreign nationals finding it impossible to continue or access vocational training.²⁷⁶

Notably, the administrative failings that lead to these interruptions are extended processing times for applications to renew residence permits. For the individuals concerned, this involves prolonged periods with provisional documents, as well as difficulties having these provisional documents issued and renewed.



3.1.1 EXCESSIVELY LONG PROCESSING TIMES

Applications to renew residence permits must be submitted within a tight timeframe, between two and four months before expiry of the previous permit (see Chapter 1, Section 1.2). However, French law does not specify any provisions obliging the prefectures to respect a maximum processing time.

Nevertheless, the lack of a response from the administration within four months (with exceptions), implies a rejection.²⁷⁷ In theory, a migrant worker could, therefore, have their application rejected without any guarantee that it has actually been examined and on no grounds other than the inability of the administration to process the application within four months. As a result, and by the administration's own

²⁷⁵ Interviews with Adra (13/09/2024, 20/02/2025 and 05/09/2025), Ali (12/02/2025), Boubacar (29/01/2025 and 24/06/2025), Dario (21/01/2025 and 10/09/2025), Grace (06/12/2024 and 08/09/2025), Hicham (05/11/2024 and 26/06/2025), Idriss (16/12/2024 and 27/06/2025), Jean-Louis (14/01/2025 and 08/09/2025), Khalil (17/01/2025), Lamiya and Kele (10/02/2025 and 25/06/2025), Laura (30/10/2024), Madou (23/10/2024 and 27/06/2025), Malik (27/01/2025 and 25/06/2025), Nadia (19/12/2024 and 30/09/2025), Paul (31/01/2025 and 25/06/2025), Sekou (12/03/2025 and 25/09/2025), and Yaro (07/03/2025 and 27/06/2025). All names have been changed. Interviews with Abdoul Aziz Sall who wanted to speak under his own name (04/12/2024 and 08/09/2025).

²⁷⁶ Interviews with Adra (13/09/2024, 20/02/2025 and 05/09/2025), Boubacar (29/01/2025 and 24/06/2025), Jean-Louis (14/01/2025 and 08/09/2025), Paul (31/01/2025 and 25/06/2025), and Yaro (07/03/2025 and 27/06/2025). All names have been changed. Interviews with Abdoul Aziz Sall who wanted to speak under his own name (04/12/2024 and 08/09/2025).

²⁷⁷ CESEDA, Articles R.432-1 AND R.432-2.

admission,²⁷⁸ the processing time for many applications can be much longer than four months, even when the residence permit is ultimately renewed.

On the websites of certain prefectures, the average processing times range from around 20 days at best to around a year. It should be noted that these times are, however, only indicative²⁷⁹ and do not represent the realities of the timescales that many foreign nationals experience.

The accounts collated by Amnesty International, as well as interviews conducted with several lawyers and numerous NGO and trades union representatives,²⁸⁰ indicate that processing times can range from two months to nearly three years. This is a period of waiting and uncertainty which, in some cases, may even exceed the duration of the residence permit being applied for. This extended waiting time is all the more uncertain because the right to reside and work in France is dependent upon provisional documents lasting only a few months and the renewal process is riddled with administrative failings.

3.1.2 LIFE WITH PROVISIONAL DOCUMENTS: DISJOINTED ADMINISTRATION AND INTERRUPTED RIGHTS

In theory, when an application to renew a residence permit is submitted, the foreign national is issued with provisional documents, which are supposed to extend their right of residence and right to work while their application is being processed (see Chapter 1, Section 1.2). Faced with extended processing times, migrant workers may, therefore, spend months or even years with provisional documents. However, the validity of these documents is limited – ranging from one to six months – and they need, therefore, to be constantly renewed. Renewal is not automatic and requires an application from the permit holder and action from the prefectural officers.²⁸¹

The short duration of these documents thus involves constant administrative procedures which can directly affect access to the labour market.

- Paul²⁸², a national of the Democratic Republic of Congo, who held provisional documents for nearly two years, explains that several employers refused to hire him or extend his temporary missions when they learned that he held provisional documents (see his account, p. 35).

The constant need to renew these provisional documents involves the risk of the right to residence being interrupted, due to administrative failings.

In some cases, the provisional document is simply not issued when the application to renew the residence permit is submitted and the applicant consequently falls into an irregular situation as soon as their previous permit expires.

- Adra,²⁸³ an Algerian national who held several consecutive one-year “Private and Family Life” permits, fell into an irregular status in this way when applying to renew her second residence permit. She explained that she submitted her application within the correct timeframe, but received no documents, receipt, or any provisional document extending her right of residence and right to work. “My status became irregular once again”, she said. Adra, who was an accountant in her country of origin, began training to have her qualifications recognised in France, with a view to

²⁷⁸ Some prefectures indicate their average processing time online such as the Préfecture du Rhone. Source: <https://www.rhone.gouv.fr/Demarches/Immigration-et-integration-dans-le-Rhone/Informations-generales-Listes-de-pieces-Delais-moyens/Delais-moyens-d-instruction> (consulted on 28/05/2025) Some others gave indications of their average processing time through press release, such as the Préfecture de l’Isère. Source: Préfet de l’ Isère, Communiqué de presse, Accueil des usagers étrangers et délivrance des titres de séjour, 31 October 2024 (In French)

²⁷⁹ There are no public national data on actual processing times for applications to renew residence permits. Our request to the Statistics Department of the Ministry of the Interior to access such data on the national level and broken down by prefecture was unsuccessful. As it involves data broken down by prefecture, the Statistics Department also indicated that this data is not a public statistics document. See Methodology.

²⁸⁰ Interviews with representatives of NGOs and groups including Gisti, Bouge Ta Préf’, La Cimade, the trades unions CGT and Solidaires, as well as four lawyers, conducted between July 2024 and April 2025.

²⁸¹ The ways of renewing this provisional document differ according to whether the type of residence permit being requested falls within the online Administration Nationale des Étrangers en France (ANEF) system and depending upon the prefecture under which the foreign national falls.

²⁸² Telephone interviews with Paul (name changed) 31/01/2025 and 25/06/2025.

²⁸³ Telephone interview with Adra (name changed) 20/02/2025.

ultimately finding a job aligned with her skills. “The training centre stopped me from continuing”, she said. After one month and seven days, she finally received the provisional document by post. It was valid for six months. “I was lucky. I’m a volunteer in an NGO where politicians help us. Someone was able to contact the prefecture for me and send a letter on my behalf. I was supported. But a lot of other people aren’t.”

In other cases, the period between applying online to renew a provisional document and receiving a summons to the prefecture to pick up the new document was so long that the original document had expired.

- Between submitting his application to renew his permit and change his status to “Temporary Worker” in 2023, and receiving his residence permit, Sekou²⁸⁴, a Malian national, has held consecutive three-month provisional documents for almost two years. “I applied to renew the provisional documents online and then the prefecture summoned me to pick them up,” he explained in March 2025. But three times, his provisional document had expired before he finally received the summons to pick up his new provisional document. As a temp worker in the construction sector, his missions were suspended each time, meaning he had periods of between one week and one month without any income.

The provisional document is sometimes not renewed. In some cases, there is no response from the administration to online applications by foreign nationals.

- When Dario²⁸⁵, a Cap Verdean national, applied to renew his one-year “Private and Family Life” residence permit in August 2024, he received a provisional three-month document. But by November, he still had no response to his application to renew the document. “I sent all the necessary photos and documents by registered post, and I’ve had no response. No text message, no letter, nothing.” Dario’s provisional document expired, and his situation became irregular. As a temp worker in the construction industry, his contracts stopped. He lost his work and his income.

In other cases, renewing a provisional document involves an interview at the prefecture. Since the introduction of online applications, in many prefectures it is no longer possible to physically go to the prefecture to make an appointment. Appointments must be made through online modules, with available appointment times being uploaded at regular intervals. But these modules are saturated, and appointment times disappear within minutes of being published. Foreign nationals with expired provisional documents may wait weeks or even months to get an appointment.

- For ten years, Hicham²⁸⁶, a Malian national, held consecutive one-year “Temporary Worker” residence permits interspersed with temporary documents while waiting for his permit to be renewed. However, on several occasions in recent years he was unable to make an appointment to renew his temporary documents before the previous document expired. During our interview in November 2024, his provisional documents expired. He explained that he had been trying to get an appointment for months, but no appointments were even available. Due to his French reading and writing difficulties, he asked a trade union representative to make this appointment for him. In a separate interview, this trade union representative confirmed that he had connected to the module regularly over a period of two months but was never able to get an appointment for Hicham.²⁸⁷ As a temp worker in the construction industry, Hicham explained that without a valid provisional document, his missions were suspended, and he lost all his income until he received new temporary documents.²⁸⁸
- When she first renewed her one-year “Private and Family Life” residence permit, Angolan national Grace²⁸⁹ spent more than a year with three- and six-month provisional documents. “The problem

²⁸⁴ Telephone interviews with Sekou (name changed) 12/03/2025 and 25/09/2025.

²⁸⁵ Interviews with Dario (name changed) 21/01/2025 and 10/09/2025.

²⁸⁶ Interview with Hicham (name changed) 05/11/2025.

²⁸⁷ Telephone interview with this trade union representative from Solidaires on 20 November 2024. For reasons of security, the names of the people involved in supporting foreign nationals who spoke to us as part of this report have been kept confidential.

²⁸⁸ During an additional telephone interview on 24/06/2025, Hicham reported to Amnesty International that his right of residence had effectively been interrupted for around a month between November and December 2024 and his missions had been suspended. He obtained his new “Temporary Worker” permit in December, and it had been valid for over a month. His permit had, therefore, been available in November, but he had not been able to pick it up due to not being able to get an appointment.

²⁸⁹ Interviews with Grace (name changed), 06/12/2024 and 08/09/2025.

is you need to get an appointment at the prefecture each time [to renew the documents]”, she explained. But appointments are few and far between. Grace was unable to get an appointment and found herself through no fault of her own without a valid provisional document for more than a week. Her employer suspended her and threatened to dismiss her.

3.1.3 WHEN ADMINISTRATIVE SILENCE CREATES UNDOCUMENTED PEOPLE

In some cases, racialised foreign nationals face a complete lack of response from the administration to their requests, whether they concern renewal of their residence permit, of a provisional document, or simply a request for information on the status of their application.

Since the gradual introduction of online applications and particularly since the COVID-19 pandemic in 2020, it is no longer possible to access most prefectures without an appointment. And while some prefectures have specific email addresses or telephone numbers for requests for information, applications through these channels are all too often left unanswered.

With no response and no possibility of speaking directly to prefectural staff, some foreign nationals find themselves caught in a situation of irregularity which can last some time.

- Idriss²⁹⁰, a Moroccan national, waited for more than two years for his residence permit to be renewed. Two years during which he received four three-month provisional documents and spent several months-long periods in an irregular situation without any news from the prefecture. As a welder and labourer, he was only sporadically able to take on some temp missions, which were often cut short when his residence document expired.
- In 2023, when Ali²⁹¹, an Indian national, applied to renew his seventh “Private and Family Life” residence permit, he received a provisional six-month document, and then had no more news from the prefecture, either in response to his application for a residence permit nor for renewal of his provisional documents. The provisional document expired, and Ali was forced by his employer to resign from his job. With no income, he worked cash-in-hand in a shop where the manager did not pay all his hours (see Chapter 2, Section 2.1). One year after his last residence permit had expired, and following an appeal to the administrative tribunal, the prefecture finally summoned him to receive his new “Private and Family Life” permit, which had been valid for nearly a year (see also Chapter 3, Section 3.1.4 and 3.2.1).

THE INTERDEPENDENCE BETWEEN THE RIGHT TO WORK AND THE RESIDENCE PERMIT: KHALIL'S STORY

For some racialised foreign nationals, the interdependence between their residence permit for economic reasons and receipt of their work permit and the extended processing times results in them falling into an endless cycle of irregularity.

When Khalil,²⁹² a Moroccan joiner, applied to renew his “Employee” residence permit in June 2023, he received no response. His residence permit expired and his employer suspended his work contract. A few months later, Khalil learned from an acquaintance that since 2021, anyone who holds a residence permit for economic reasons must obtain a new work permit each time they change employer – something that neither Khalil nor his employer had known. Although Khalil did have a work permit, it dated from his first permanent employment contract. Since then, however, Khalil had changed employer, as the former employer was not paying his full salary (see Chapter 2, Section 2.1). He alerted his new company, and in October 2023, they applied for a new work permit in his name. They received no reply. Three months later, Khalil finally received a summons to an appointment at the prefecture where it was once again explained to him that without a work permit, he could not be granted a residence permit. He received a six-month provisional document and contacted his employer so they could make another application for the work permit. The employer did so once again, but months passed with no news from the administration. Khalil's

²⁹⁰ Video interviews with Idriss (name changed) and his social worker 16/12/2024 and telephone interview with Idriss 27/06/2025.

²⁹¹ Telephone interview with Ali (name changed) 12/02/2025.

²⁹² Interview with Khalil (name changed), 17/01/2025. Additional telephone interview with his sister-in-law on 24/06/2025.

provisional documents expired and were not renewed. Two weeks later, the administration contacted the employer. “[The administration wrote that] to get a work permit, you need a valid provisional residence document. That meant they did not send the work permit, because I didn’t have a valid document. When I called the prefecture, they said you need a [work] permit to get the residence permit, and therefore the provisional residence document. But I said I needed a provisional residence document [to obtain a work permit]. And now everything has stalled.” No work permit, no residence permit. No residence permit, no work permit. Khalil borrowed money from friends and occasionally worked cash-in-hand. “I have debts. [I need to pay for] rent, electricity bills, stuff for the baby, nappies...”

A few months later, in spring 2025, he lost his job with his employer who, having grown weary of the situation, had hired someone else. In June 2025, he finally received a provisional three-month document, immediately looked for work and undertook temp missions as he couldn’t find a permanent contract.

3.1.4 OTHER DYSFUNCTIONS NOTED

The interviews carried out by Amnesty International highlighted other dysfunctions and, in particular, residence permits being issued which had been valid for several months.

Seven people reported that their residence permit had been available for several months, when they finally were able to pick it up at the prefecture.²⁹³ Most of them had received no information from the administration indicating that their permit was ready. In some cases, people also waited several weeks or even months to get an appointment to collect their permit. Ultimately, they received permits which were only valid for a few more months. And yet, the duration of the permit is critical, particularly for people who are looking for work. It is a race against the clock before they need to start the renewal process again and risk losing their right of residence. And for people who have experienced prolonged interruptions to their right of residence, it means their entire administrative identity has to be re-established during this period (see Chapter 4).

- After experiencing an interruption of his right of residence of almost two months – due to not being issued with a provisional document – Abdoul Aziz Sall²⁹⁴ finally received a provisional six-month document. But when he applied to have it renewed, the prefecture indicated that it could not be renewed because his residence permit was ready and he had to take a specific appointment to pick it up. Abdoul Aziz had received no information from the administration indicating that his permit was ready. By the time he managed to get an appointment to pick it up, his temporary document had expired, and his temp missions had been suspended. When Abdoul Aziz finally picked up his permit at the prefecture more than four months later, it was only valid for a few more months. “It was only valid for another six months, the same as a temporary document,” he said. “By the time you have spoken to Pôle Emploi [the French employment agency] to inform them of your situation and taken all the right steps with the CAF [the French benefits agency] and the social security services to get your benefits payments and unemployment allowance to pay your rent, [these six months] are already up.”
- When Adra²⁹⁵, an Algerian national, picked up her one-year “Private and Family Life” certificate, it only had nine months of validity remaining. She explained that the administrative steps with the social security services, the CAF, and Pôle Emploi took her nearly six months. Six months she could have spent looking for a job corresponding to her qualifications and her experience. Instead, she took the first job she found on the job seekers’ website, a job which involved standing up for long periods, which was incompatible with her state of health. “But the most important thing is to have the permit renewed with an employment contract”, she said.
- Ali²⁹⁶, an Indian national, received his eighth “Private and Family Life” permit, valid for two years, more than a year after applying for it to be renewed. He had spent six months of that year with no residence documents but noted that the permit had been valid a year previously (see also Section

²⁹³ Interviews with Adra (13/09/2024, 20/02/2025 and 05/09/2025), Ali (12/02/2025), Grace (06/12/2024 and 08/09/2025), Idriss (16/12/2024 and 27/06/2025), Madou (23/10/2024 and 27/06/2025), and Malik (27/01/2025 and 25/06/2025). All names have been changed. Interviews with Abdoul Aziz Sall who wanted to speak under his own name (04/12/2024 and 08/09/2025)

²⁹⁴ Interviews with Abdoul Aziz Sall (name changed) 04/12/2024 and 08/09/2025.

²⁹⁵ Telephone interview with Adra (name changed) 20 February 2025.

²⁹⁶ Telephone interview with Ali (name changed) 12 February 2025.

3.1.3). All that time, his permit had been waiting at the prefecture, which had not informed Ali it was available and had not responded to his multiple requests for information.

3.2 ADMINISTRATIVE TRIBUNALS AND ACCESS TO JUSTICE AND REPARATIONS

3.2.1 EMERGENCY PROCEDURES WITH THE ADMINISTRATIVE TRIBUNAL

In the event of an interruption to the right of residence or other failings by the administration, migrant workers may, through a lawyer, initiate emergency proceedings with the administrative tribunal. This emergency procedure enables the court to order that measures be taken to put an end to the violation of the foreign national's rights. The court can also order the prefecture in question to offer an appointment, issue a provisional document, or issue a residence permit.

Generally ruling on the side of the foreign national, these legal decisions have increased in number in recent years.²⁹⁷ Since 2019, immigration law generally has represented more than 40%²⁹⁸ of cases recorded by the French administrative tribunals each year, making it the leading reason for litigation examined by these courts. Although there is no national data available on the number of cases that specifically referring to failings in the procedure to renew residence permits, multiple sources agree on the fact that this is now a mass litigation issue.²⁹⁹

For many racialised migrant workers, initiating these proceedings is their last resort, when they are faced with an administration which is deaf to their requests. However, the victims of these administrative failings have to be aware of this possibility and have the resources necessary (time, money, language skills) to contact a lawyer.

Of the 19 people who told Amnesty International that they had experienced one or more interruptions to their right of residence due to prefectural service failures, only four had initiated this kind of procedure.³⁰⁰ At the date of this report, for two of them, the procedure has been suspended.³⁰¹ These two people reported lacking funds to pay their lawyers and fearing that this step would not make any real difference to their situation. In the two other cases, the procedure led to a favourable decision from the administrative tribunal.³⁰²

But while decisions from the administrative tribunals often uphold the racialised foreign national's case, the rulings are not always followed in practice, despite being binding in nature.^{303,304} In some cases, the decision by the tribunal may well provoke a reaction from the prefecture in question, but one which only temporarily fixes the failings that have been observed. The concern also remains that, in the intervening period when they are filing their complaint and seeking redress, their rights and well-being are already being

²⁹⁷ An information report from the Senate in 2022 thus noted that “this unprecedented mass litigation differs from the rest in its high success rates, with administrative tribunals upholding with the vast majority of these emergency interim proceedings.” Senate, François-Noël Buffet, Services de l'État et Immigration: retrouver sens et efficacité, Rapport d'Information No. 626 (2021-2022), in the name of the Commission de Lois, submitted 10 May 2022. <https://www.senat.fr/rap/r21-626/r21-626.html> (in French).

²⁹⁸ Immigration law represented 43% of cases registered with the administrative tribunals in 2024. Sources: Conseil d'État, Chiffres clés de l'année 2024.

Conseil d'État, Rapport public des juridictions administratives, éditions 2023, 2022, 2021, 2020, 2019.

²⁹⁹ See notably: Services de l'État et Immigration: retrouver sens et efficacité, Rapport d'Information No. 626 (2021-2022) (op.cit.).

This information was confirmed by Amnesty International during discussions with four lawyers, two university academics, two NGO managers, and one trade union representative.

³⁰⁰ Interviews with Ali (12/02/2025), Dario (21/01/2025 and 10/09/2025), Khalil (17/01/2025), Nadia (19/12/2024 and 30/09/2025).

³⁰¹ Interviews with Dario (21/01/2025 and 10/09/2025) and Khalil (17/01/2025).

³⁰² After more than six months in an irregular situation and silence from the administration, an emergency interim proceeding, and a decision from the administrative tribunal, Ali was finally summoned by the prefecture to pick up his residence permit. Source: telephone interview with Ali (name changed) 12/02/2025.

³⁰³ In its 2023 Annual Activity Report, the Defender of Rights noted that “for many years, the widespread failure to enforce court rulings on [...] access to prefectures for foreign nationals has become commonplace in some regions. For the public authorities, this means disregarding court rulings banning illegal practices.” Defender of Rights, Annual Activity Report 2023.

³⁰⁴ In a report presented in 2023, the Cour des Comptes also noted that financial penalties for failing to enforce court rulings have reached “sometimes significant proportion”, particularly in certain prefectures. It highlighted the case of the Alpes-Maritime prefecture, which accumulated €77,507 in penalties in 2022. (Source: Cour des Comptes, 4th chamber, Observations définitives, La capacité d'action des préfets, Exercices 2016-2022, 19 July 2023) (in French).

harmed due to their legal status, job and income jeopardy and connected housing and health impacts, compounded further if they have care responsibilities in the form of children or other dependents' needs to meet.

- In the spring of 2024, Nadia³⁰⁵, an Ivorian national, contacted a lawyer on the advice of an NGO supporting foreign nationals. She had applied to renew her residence permit more than 18 months previously and, due to a lack of response from the administration, was living in an irregular situation and unable to work. Her lawyer immediately initiated emergency proceedings with the administrative tribunal, which upheld her case. A few weeks later, Nadia was issued with a three-month provisional document while her application was being processed. But when she applied to have the provisional document renewed, she was once again faced with silence from the prefecture. Her provisional documents expired, she fell once again into an irregular situation, and her lawyer initiated emergency proceedings for a second time. The court once again ruled in her favour and a new three-month provisional document was issued. But, once again, it was not renewed. It was only two months after the provisional document had expired that she received a summons to pick up her two-year residence permit. Nearly a year had passed since the first ruling by the court demanding that the prefecture resolve her situation.

3.2.2 CLAIMS FOR COMPENSATION AND REPARATIONS

If the court recognises a fault by the administration, the migrant worker may submit a claim for compensation in order to obtain reparations.

According to French jurisprudence, a fault by the administration – whether this be an illegal decision or a failure to meet one of its obligations – engages the responsibility of the State if it results in direct and certain damage.³⁰⁶ The State may then be ordered to compensate the injured party for the damage suffered.³⁰⁷

In the event of an administrative failure to renew a residence permit, the damage generally recognised is that of the “loss of opportunity”³⁰⁸ to work and thus receive a salary, due to the lack of a residence permit. Although there is no national data on the number of compensation claims upheld in relation to loss of opportunity, several sources agree that this is often recognised and compensated, at a percentage of the salary previously received multiplied by the number of months the person was unable to work.³⁰⁹ Psychological damage as well as “difficulties with living conditions” caused by the unjustified lack of a residence permit are also often recognised and compensated.³¹⁰ In the event of a conviction against the State, payment of compensation must take place within two to four months from the ruling³¹¹ and financial penalties can be imposed on the administration in the event of delays.³¹² The French system therefore does provide for access to justice and reparations in the event of an infringement – by the administration – of the right to work and other economic and social rights of racialised foreign nationals.

However, this mechanism remains little known. It is rare for racialised foreign nationals to know about it and initiate proceedings themselves. It is generally proposed by a lawyer. The lawyers we consulted said that the

³⁰⁵ Interviews with Nadia (name changed), 19/12/2024 and 30/09/2025. Amnesty International interviewed her lawyer several times, who confirmed her account. For reasons of security, the names of the people involved in supporting foreign nationals who spoke to us as and bore witness as part of this report have been kept confidential.

³⁰⁶ See in particular: Administrative Tribunal of Limoges - 2nd Chamber - 18 February 2025 - No. 2201734

³⁰⁷ Article 1240 of the Civil Code: “Any act of a person that causes damage to another person obliges the person at fault to compensate the other person for the damage caused.”

³⁰⁸ The concept of “loss of opportunity” refers to the liability of the State if, through its action or inaction, it blocks an opportunity for the victim. This concept refers to a broader range of disputes than immigration law alone.

³⁰⁹ Interview with a specialist lawyer – 06/02/2025. Amnesty International has also consulted around ten administrative cases on compensation for loss of opportunity to work due to lack of a residence permit as a result of a fault by the administration. In particular, it consulted the following decisions: Administrative Tribunal of Lyon - 2nd Chamber - 8 February 2024 - No. 2208261; Administrative Tribunal of Lille - 5th Chamber - 17 February 2025 - No. 2202422; Administrative Tribunal of Limoges - 2nd Chamber - 18 February 2025 - No. 2201734; Administrative Tribunal of Rouen - 19 November 2024 - No. 2400898.

³¹⁰ Interview with a specialised lawyer – 06/02/2025.

³¹¹ Article L.911-9 of the French Administrative Code of Justice.

³¹² Nevertheless, in a report presented in 2023, the Cour des Comptes noted the inadequacy of funds allocated to certain regions to cover litigation costs relating to foreign nationals, including legal costs, compensation payable in the event of conviction, and penalties for failure to comply with court rulings. A lack of funds which generates a delay in payment of sums due to victims and thus to additional financial penalties. (Source: Cour des Comptes, Fourth Chamber, Observations définitives, La capacité d'action des préfets, Exercices 2016-2022, 19 July 2023) (in French).

number of people using emergency interim proceedings remained low, in comparison with the numbers who are eligible to do so.³¹³ In other words, while access to redress does exist, it remains fraught with obstacles for racialised migrant workers. In addition to the obstacles connected with being a foreign national described earlier in this report, when an individual's right of residence is interrupted, they find themselves in a highly precarious situation. When they finally obtain their residence permit, the priority for most migrant workers is to re-establish their administrative existence and find a job. In this context, initiating new legal proceedings is just one more task to fit into their already strained and precarious lives. Significantly, of the 19 people who reported to Amnesty International that their right of residence had been interrupted and they had lost income due to a failure by the administration, only one was considering taking action with the administrative tribunal to claim compensation.

3.3 SYSTEMIC FAILINGS

The increase in the number of legal cases filed connected to violations of rights, as highlighted by the repeated warnings from the Defender of Rights,³¹⁴ show that the administrative failures described in this chapter and the resulting rights' violations are not isolated and temporary, but systemic and ongoing. These dysfunctions are the result of an unstable and incomprehensible legal and regulatory framework, and a proliferation of short-term residence permits which results in the relevant administrative services being overwhelmed.

3.3.1 LEGISLATIVE EXCESSES AND ILLEGIBLE LAWS

In recent decades, legislation and regulations on the right of residence of nationals of countries outside the European Union has grown considerably. The French Code on the Entry and Residence of Foreign Nationals and the Right of Asylum has been modified around a hundred times since it was enacted in 2005.³¹⁵ In addition, circulars have been issued on the subject of implementation of the law. In 2018, the Conseil d'État observed that since 2005 "the legislator has intervened on average every two years to modify the regulations."³¹⁶ "Tackling such a complex issue at such short intervals renders the task of the services responsible for implementing them more difficult, significantly reduces the legibility of the mechanism, and risks leading in turn to legislative modifications to correct the impact of measures which, due to a lack of time, could not be properly assessed," added the Council.³¹⁷ This is all the more so because, in order to be applied, each law requires a significant number of regulatory measures, which have sometimes only been partially introduced when a new bill is prepared to modify the law once again.

The standards governing the right of residence and the right to work of foreign nationals are thus constantly being modified, leading to an unstable, illegible system which is the source of inequalities and failings in the processing of residence permits.³¹⁸

³¹³ Interview with a specialised lawyer – 06/02/2025.

³¹⁴ Since 2022, immigration law is the primary reason for cases being referred to the Defender of Rights, the independent administrative authority responsible for ensuring respect for rights and liberties. The majority of these cases concern access to the administration in the context of applications for residence permits. On multiple occasions, the Defender has highlighted this form of administrative mistreatment. In March 2025, the Defender revealed that more than one in three complaints it received dealt with the issuance and above all, renewal of residence permits. And the consequences of these administrative failings could rapidly become "catastrophic for individuals and include loss of employment, loss of housing, loss of welfare payments, etc.", the Defender reported. (Sources: Defender of Rights, Annual Activity Report 2024; Defender of Rights, Press Release: Rapport annuel d'activité 2024: la Défenseure des droits appelle à un sursaut collectif face aux ruptures de droits, 25 March 2025 (in French).

³¹⁵ Serge Slama. Calculer le nombre de réformes de l'immigration depuis 1980. *Revue des droits et libertés fondamentaux*, 2024, RDLF 2024, pp.chron. No. 72 (in French).

³¹⁶ Conseil d'Etat, Avis sur un projet de loi pour une immigration maîtrisée et un droit d'asile effectif, Assemblée Générale - Section de l'intérieur, No. 394206, Session of 15 February 2018 - <https://www.conseil-etat.fr/avis-consultatifs/derniers-avis-rendus/au-gouvernement/projet-de-loi-pour-une-immigration-maitrisee-et-un-droit-d-asile-effectif> (in French).

³¹⁷ Ibid.

³¹⁸ Defender of Rights, Contribution à l'examen de la France par le Comité pour l'élimination de la discrimination raciale, 14/11/2022, p.13, para. 16 (in French).

3.3.2 A PROLIFERATION OF SHORT-TERM RESIDENCE PERMITS AND INSUFFICIENT STAFF

Far from clarifying the system and stabilising the residence of foreign nationals, the multiple reforms introduced in recent years have led to a proliferation of short-term residence permits and provisional documents, resulting in the prefectural services responsible for issuing renewals being overwhelmed.³¹⁹

Of the 27 migrant workers who spoke with Amnesty International, 18 had held concurrent short-term residence permits and provisional documents for over five years.³²⁰ Six of them had lived in this precarious administrative situation for more than ten years,³²¹ and two for more than 15 years.³²²

Given the proliferation of these residence documents, which have to be renewed at short intervals, there appears to be too few staff in the prefectural services responsible for issuing them.³²³

The situation as it stands results in excessively long processing times, with some applications not being processed at all and multiple processing errors leading to interruptions in residence rights. This can lead to proceedings and decisions in administrative tribunals which, in turn, increases the workload of these already overloaded services, leading to a failure to implement these legal decisions.³²⁴

3.3.3 THE ADDITIONAL IMPACT OF DIGITALISATION ON THE RIGHTS OF RACIALISED FOREIGN NATIONALS

Since 2019, the French State has progressively digitalised administrative processes regarding applications for residence permits.

This can be seen first and foremost in changes to the way appointments can be made at the prefecture. Appointments are now made via online “modules”, which were soon overwhelmed in many regions, leading to multiple interruptions to individuals’ residence rights (see also Chapter 3, Section 3.1.2).

At the same time, a national online site dedicated to residence permit applications has gradually been rolled out: the Administration Nationale des Étrangers en France (ANEF). Launched in 2015, the project aimed to “use digital technology to simplify procedures for users” and “streamline the process for issuing residence permits”.³²⁵ However, the digitalised system accumulated persistent technical bugs (impossible to select the right category of permit, failure to send connection information, wrong combination of files preventing

³¹⁹ In its Annual Activity Report 2024, the Defender of Rights noted that interruptions to the right of residence are “aggravated by legislation that tends to make it more difficult to grant long-term residence permits”. The institution added that these dysfunctions have “notable repercussions on the overloaded prefectural services”. (Sources: Defender of Rights, Annual Activity Report 2024; Defender of Rights, Press Release: Rapport annuel d’activité 2024: la Défenseure des droits appelle à un sursaut collectif face aux ruptures de droits, 25 March 2025 (in French).

³²⁰ Interviews with Adra (13/09/2024, 20/02/2025 and 05/09/2025), Ali (12/02/2025), Annie (22/10/2024 and 24/06/2025), Dario (21/01/2025 and 10/09/2025), Grace (06/12/2024 and 08/09/2025), Hicham (05/11/2024 and 26/06/2025), Idriss (16/12/2024 and 27/06/2025), Jean-Louis (14/01/2025 and 08/09/2025), Khalil (17/01/2025), Laura (30/10/2024), Madou (23/10/2024 and 27/06/2025), Malik (27/01/2025 and 25/06/2025), Nadia (19/12/2024 and 30/09/2025), Paul (31/01/2025 and 25/06/2025), Sekou (12/03/2025 and 25/09/2025), and Yaro (07/03/2025 and 27/06/2025). To respect their privacy, all names have been changed. Interviews with Abdoul Aziz Sall who wanted to speak under his own name (04/12/2024 and 08/09/2025). The eighteenth person requested confidentiality.

³²¹ Interviews with Ali (12/02/2025), Annie (22/10/2024 and 24/06/2025), Dario (21/01/2025 and 10/09/2025), Hicham (05/11/2024 and 26/06/2025). To respect their privacy, all names have been changed. Interviews with Abdoul Aziz Sall who wanted to speak under his own name (04/12/2024 and 08/09/2025). The sixth person requested confidentiality.

³²² Interviews with Laura (30/10/2024), and Madou (23/10/2024 and 27/06/2025).

³²³ On three occasions, in 2020, 2022, and 2023, the Cour des Comptes warned about insufficient staff numbers in the prefectures responsible for issuing residence permits. In a report submitted in 2023, it wrote: “the observation [made in 2020] that many prefectures, including some of the largest, could no longer receive individuals and process requests relating to immigration in satisfactory conditions, remains relevant,” as noted in indicators on processing times which “deteriorated between 2016 and 2022”. Increases in staff numbers in recent years remain “below the number of applications to be processed, placing the State services responsible for immigration under significant pressure”, wrote the Court. In addition, short-term contract workers represent more than 20% of staff in the immigration services, according to the Cour des Comptes. A genuine “weak point”, it noted, recalling the need to train temporary staff and the difficulty of the tasks of these services, notably linked to the “weight of the decisions to be taken” and the “complexity of the applicable texts which are very frequently modified”. (Sources: Cour des Comptes, 4th Chamber, Observations définitives, La capacité d’action des préfets, Exercices 2016-2022, 19 July 2023; Cour des Comptes, 4th Chamber, Observations définitives, Les effectifs de l’administration territoriale de l’Etat, Exercices 2010-2021, 14 April 2022; Cour des Comptes, L’entrée, le séjour et le premier accueil des personnes étrangères, Rapport public thématique, 2020 (in French).

³²⁴ “The growing number of this type of case creates additional work for the services and their ability to respect processing times decreases even further”, wrote the Cour des Comptes in a report from 2023 (op. cit.). Cases which expose the “State to not only paying non-recurring costs but also, in some prefectures, financial penalties [for failing to implement legal decisions] in sometimes significant proportions”.

³²⁵ Annual performance report 2018 by the Mission de l’immigration, asile et intégration, p.34 - https://www.budget.gouv.fr/sites/performance_publique/files/farandole/ressources/2018/rap/pdf/RAP2018_BG_Immigration_asile_integrati.on.pdf (in French).

applications from being submitted, etc.) and the choice of design made it impossible to conduct certain procedures (impossible to submit several joint applications, impossible to supplement an application once submitted, no history of procedures initiated, etc.).³²⁶ This got to the point that ten associations took the State to court for “culpable negligence” in April 2025, reporting the malfunctions which had turned this digital service into a “tool generating precariousness”.³²⁷

Some provisional documents generated by the digital system could stop foreign nationals from working by not explicitly mentioning their right to work.³²⁸

Furthermore, the roll-out of ANEF, which claims to harmonise prefectures’ practices, remains incomplete – some residence permits have not yet been integrated into the system – adding to confusion among foreign nationals who are faced with already vastly disparate administrative procedures from one prefecture to another. This is all the more true given that information on the roll-out and the residence permits concerned is equally fragmented (no prior information campaigns, no updates on prefectures’ websites, etc.).³²⁹

Finally, although digitalisation may simplify administrative procedures for those who understand the rules and have access to digital services, it can hinder access for those who are deprived of these resources. The complexity of the ANEF site and its lack of translation into languages other than French³³⁰ are other considerable barriers for foreign nationals wanting to access essential procedures.

Nevertheless, the use of ANEF is compulsory for the majority of applications relating to residency and, this will ultimately be the case for all categories of residence permit. In response to the action by several associations, the Conseil d’État ruled in 2022 that although the obligation was not in itself discriminatory, it must be accompanied by a support mechanism and an alternative solution must be available “if some applicants were unable, despite being provided with support, to use the digital service for reasons relating to the design of the tool or how it operates”.³³¹ The High Court also specified that, while awaiting the implementation of such provisions, the prefectures must give users who were faced with malfunctions the opportunity to submit applications in another way. In addition, the Defender of Rights reported having been referred multiple cases in which prefectures had refused applications made other than through ANEF in the months following this decision.³³² As for provisions required by the Conseil d’État, established more than a year later, they were judged “insufficient” by the Defender of Rights, which stressed the multiple additional administrative steps and prolonged exchanges that users trying to demonstrate the impossibility of using the digital service had to engage in. There was also criticism of the disparate introduction of digital information points in prefectures, and a lack of knowledge among staff assigned to them.

Far from facilitating procedures for racialised foreign nationals, the digitalisation of applications for residence permits has thus aggravated pre-existing problems, including the overloaded prefectural services, and added additional dysfunctions and delays, thus increasing the number of people whose right to residence is interrupted and whose rights are being infringed.

³²⁶ Defender of Rights, L’Administration numérique pour les étrangers en France (ANEF): une dématérialisation à l’origine d’atteintes massives aux droits des usagers, 11 December 2024 (in French).

³²⁷ Julia Pascual, Droit des étrangers: Dix associations attaquent l’Etat pour “carence fautive”, Le Monde.fr, 8 April 2025 - https://www.lemonde.fr/societe/article/2025/04/08/droit-des-etrangers-dix-associations-attaquent-l-etat-pour-carence-fautive_6592554_3224.html (in French).

³²⁸ Lamiya was harassed and threatened with dismissal by some of her managers because the favourable provisional document she had been issued with while her resident permit was being prepared did not explicitly mention her right to work. Interviews with Lamiya (name changed) 10/02/2025 and 25/06/2025.

³²⁹ Defender of Rights, L’Administration numérique pour les étrangers en France (ANEF): une dématérialisation à l’origine d’atteintes massives aux droits des usagers, 11 December 2024 (in French).

³³⁰ Although the “languages” tab on the ANEF site appears to offer version in English and Chinese, these are fragmentary, and the majority of pages and forms remain in French. (Checked 07/05/2025).

³³¹ Conseil d’Etat, Section, 3 June 2022, Conseil national des barreaux et La Cimade et autres, No. 452798 (in French).

³³² Defender of Rights, L’Administration numérique pour les étrangers en France (ANEF): une dématérialisation à l’origine d’atteintes massives aux droits des usagers, 11 December 2024 (in French).

CHAPTER 4. MULTIPLE VIOLATIONS OF OTHER ECONOMIC AND SOCIAL RIGHTS: THE IMPACT OF ADMINISTRATIVE PRECARIOUSNESS ON QUALITY OF LIFE

“I couldn’t cope. I had no money to buy clothes for my daughter or to feed her. We depended on donations from charity. I was afraid of being kicked out my apartment because I couldn’t pay the rent. The electricity supply was almost cut several times, but thankfully friends paid the bills for me. I have always managed on my own. The [prefecture] made me dependent on welfare.”

Nadia³³³

Under French law but contrary to international law which France is bound by such as ICESCR, nearly all economic and social rights are conditional upon holding regular residence status, in some cases for a certain length of time. Regular residency is, therefore, key to certain social benefits, such as unemployment benefit, family allowance, housing benefit, and minimum allowances, which enable individuals to live in decent conditions, including in the event of extreme economic precariousness due, in particular, to loss of employment.

However, the interruptions to the right of residence described in the previous chapter also have the consequence of depriving racialised migrant workers of the benefit of these welfare payments at the very time when they are most in need. Deprived of their employment, income, and the welfare services to which they had been or would have been eligible, the victims of these interruptions in their rights fall into great social and economic vulnerability. They may have their water and electricity cut off and some can be evicted from their homes. Most of them tumble into a spiral of debt to cover their essential needs and those of their families. Some people spoke about having to choose between feeding themselves properly and keeping a roof over their heads.

Because these legislative provisions and the dysfunctions in the administrative services responsible for issuing residence permits are at the origin of the interruption of these rights, the French State is failing to respect, and fulfil the rights of racialised migrant workers to social security and an adequate standard of living.

As described in the previous chapter, workers on short-term residence permits run a greater risk of suffering these abuses of their rights, including their right to non-discrimination, due to the constant need to renew their administrative status.

³³³ Interviews with Nadia (name changed), 19/12/2024 and 30/09/2025.

The administrative vulnerability caused by short-term residence permits and extended periods fragmented by temporary documents and interruptions to residence rights also prevent migrant workers from accessing to social housing and from improving their living conditions.

INTERNATIONAL LAW AND STANDARDS

Articles 9 and 11 of the ICESCR, respectively, confirm the responsibility of States parties to recognise “the right of everyone to social security, including social insurance”³³⁴ and “the right of everyone to an adequate standard of living for [themselves] and [their] family, including adequate food, clothing and housing, and to the continuous improvement of living conditions”.³³⁵

The Committee on Economic, Social and Culture Rights reiterated the “immediate” obligation on States parties to the Covenant to guarantee all rights without discrimination:³³⁶ “Whatever measures [the State] does adopt should, however, not lead to discrimination. Any distinction, exclusion, restriction or preference, or other differential treatment on grounds of nationality or legal status should therefore be in accordance with the law, pursue a legitimate aim and remain proportionate to the aim pursued. A difference in treatment that does not satisfy such conditions should be seen as unlawful discrimination.”³³⁷

Similarly, the Committee on the Elimination of Racial Discrimination stresses that “differential treatment based on citizenship or immigration status will constitute discrimination if the criteria for such differentiation, judged in the light of the objectives and purposes of the Convention, are not applied pursuant to a legitimate aim, and are not proportional to the achievement of this aim.”³³⁸

4.1 RIGHT TO SOCIAL SECURITY

The right to social security set out in Article 9 of the ICESCR encompasses the “right to access and maintain benefits, whether in cash or in kind, without discrimination in order to secure protection, inter alia, from (a) lack of work-related income [...]; (b) unaffordable access to health care; (c) insufficient family support, particularly for children and adult dependants.”³³⁹ It is, therefore “of central importance in guaranteeing human dignity for all persons when they are faced with circumstances that deprive them of their capacity to fully realize their Covenant rights,”³⁴⁰ stresses the Committee on Economic, Social and Cultural Rights, which also says that this must be exercised without discrimination “whether in law or in fact, whether direct or indirect”.³⁴¹

States parties are also obliged to “provide benefits to cover the loss or lack of earnings due to the inability to obtain or maintain suitable employment,”³⁴² as well as benefits for families covering “food, clothing, water and sanitation, or other rights as appropriate”.³⁴³

The conditions for qualifying for such benefits “must be reasonable, proportionate and transparent” and the withdrawal, reduction or suspension of benefits must be “circumscribed” and “based on grounds that are reasonable”.³⁴⁴ ILO Convention No. 168 on the Employment Promotion and Protection against

³³⁴ ICESCR, Article 9.

³³⁵ ICESCR, Article 11.

³³⁶ Committee on Economic, Social and Culture Rights, Statement: Duties of States towards refugees and migrants under the International Covenant on Economic, Social and Cultural Rights (2017), Para. 5

³³⁷ Ibid.

³³⁸ Committee on the Elimination of Racial Discrimination, General Recommendation 30 (2005) concerning discrimination against non-citizens, Para. 4.

³³⁹ Committee on Economic, Social and Cultural Rights, General Comment No. 19 (2007) on the right to work (Article 9 of the ICESCR), para. 2.

³⁴⁰ Committee on Economic, Social and Cultural Rights, General Comment No. 19 (2007) on the right to work (Article 9 of the ICESCR), para. 1.

³⁴¹ Committee on Economic, Social and Cultural Rights, General Comment No. 19 (2007) on the right to work (Article 9 of the ICESCR), para. 29.

³⁴² Committee on Economic, Social and Cultural Rights, General Comment No. 19 (2007) on the right to work (Article 9 of the ICESCR), para. 16.

³⁴³ Committee on Economic, Social and Cultural Rights, General Comment No. 19 (2007) on the right to work (Article 9 of the ICESCR), para. 18.

³⁴⁴ Committee on Economic, Social and Cultural Rights, General Comment No. 19 (2007) on the right to work (Article 9 of the ICESCR), para. 24.

Unemployment, which has not been ratified by France, limits this type of measures to certain specific circumstances. Loss of administrative status does not fall within these circumstances.³⁴⁵

Access for racialised migrant workers to a certain number of social benefits is conditional upon holding valid residence documents. These benefits include unemployment benefit,³⁴⁶ family allowances,³⁴⁷ minimum allowances such as income support (*revenue de solidarité active*, RSA),³⁴⁸ and housing benefit.³⁴⁹ In addition, in some cases, these benefits are subject to a requirement of more than five years legal residency in the country.³⁵⁰

Interruptions to residency linked to the administrative dysfunctions described in the previous chapter, therefore have a direct impact on access to these social benefits, depriving racialised migrant workers of resources which are all the more necessary for survival when these same dysfunctions deprive them of work and the income they derive from it. Furthermore, these interruptions to the right of residence may lead to them being deregistered from the records of certain bodies providing these social benefits or, at least, their files being frozen. When they finally obtain their residence document, racialised foreign nationals must therefore re-establish their entire administrative existence in order to once again receive their social benefits. An additional task in their daily lives which are already saturated by the constraints relating to their residence and work.

Of the 27 people who spoke to Amnesty International, 13 reported having their social benefits refused or suspended due to a lack of residence documents resulting from dysfunctions in the prefectural administrative services.³⁵¹

- Hicham,³⁵² a Malian temp worker in the construction industry, had been renewing his one-year “Temporary Worker” permit for over a decade and explains that each year he receives a letter from France Travail [the French agency responsible for employment support and the distribution of unemployment benefit]. “Every year, when there’s a month of validity left on my permit, if I don’t send a residence document or a new permit, [France Travail] says I will be removed from the register.” In 2020, when his temporary document was not renewed, he suffered an interruption to his residence rights of more than four months (see also Chapter 3, Section 3.1.2). He was removed from the register and lost all his rights to unemployment benefit – benefits towards which he had contributed since 2010, through consecutive contracts in the construction industry, and which were then crucial to his economic survival because without a valid residence permit, his temp work had been suspended. When he finally received a new residence document, he had to register all over again with France Travail, another time-consuming procedure, before being able to receive his welfare payments. “Sometimes I have the permit, but they don’t register it. [In 2023], I had taken my new residence permit to [France Travail] and then I went on holiday. When I got back, it was blocked. I went to see them and they told me they had forgotten to register the new permit. I lost three month’s unemployment benefit like that.”

³⁴⁵ The Convention restricts the circumstances justifying the withdrawal, suspension or reduction in benefit to absence “from the territory of the member; when it has been determined by the competent authority that the person concerned has deliberately contributed to his or her own dismissal; when the person concerned has left employment voluntarily without just cause; when the person has stopped work due to a labour dispute; when the person has attempted to obtain or has obtained benefits fraudulently; when the person has failed without just cause to use the facilities available for placement, vocational guidance, training, retraining or redeployment in suitable work; as long as the person is in receipt of another income maintenance benefit provided for in the legislation of the Member concerned, except a family benefit, provided that the part of the benefit which is suspended does not exceed that other benefit.” – ILO, Convention No. 168 (1988) Employment Promotion and Protection against Unemployment, 1988, Article 20.

³⁴⁶ French Labour Code, Article R.5221-48.

³⁴⁷ French Social Security Code, Article L.512-2.

³⁴⁸ French Social Action and Families Code, Article L.262-4.

³⁴⁹ French Construction and Housing Code, Article L.822-2.

³⁵⁰ Access to RSA is thus subject to holding a residence permit with authorisation to work for at least five years – Social Action and Families Code, Article L.262-4, op. cit.

³⁵¹ Interviews with Adra (13/09/2024, 20/02/2025 and 05/09/2025), Ali (12/02/2025), Boubacar (29/01/2025 and 24/06/2025), Dario (21/01/2025 and 10/09/2025), Grace (06/12/2024 and 08/09/2025), Hicham (05/11/2024 and 26/06/2025), Idriss (16/12/2024 and 27/06/2025), Jean-Louis (14/01/2025 et 08/09/2025), Khalil (17/01/2025), Nadia (19/12/2024 et 30/09/2025), Paul (31/01/2025 et 25/06/2025), and Sekou (12/03/2025 and 25/09/2025). To respect their privacy, all names have been changed. Interviews with Abdoul Aziz Sall who wanted to speak under his own name (04/12/2024 and 08/09/2025).

³⁵² Interview with Hicham (name changed) 5/11/2025

- Adra,³⁵³ an accountant in Algeria and mother of two, fell back into irregularity when renewing her second one-year “Private and Family Life” residence permit, when the prefecture failed to issue her with a temporary document extending her right of residence while her application was being processed. “When my [residence] permit expired, the family allowance agency [*Caisse d’allocations familiales*, CAF] sent me several reminders,” she said, “Because I had no permit, they blocked everything.” For more than a month, Adra contacted the prefecture and waited to obtain her temporary residence document. When she finally received it, she sent it to the CAF and tried to recover the benefits to which she was entitled. But it took more than three months for her new document to be taken into account and for her benefits to be paid. In the meantime, with no income, Adra explained how she survived on food donations from the charity Restos du Coeur and loans from friends. “I had debts,” she said, “I was able to pay them back, but it was hard to ask for help.”

Like the interruptions in the right to residence which cause them, the withdrawal of social benefits is not isolated but systemic,³⁵⁴ and their harmful consequences on the rights, well-being and survival of the victims and their loved ones are immense.

4.2 THE RIGHT TO AN ADEQUATE STANDARD OF LIVING

The right to an adequate standard of living, set out in Article 11 of the ICESCR, includes the right to “adequate food, clothing and housing” and the “continuous improvement of living conditions”.³⁵⁵

On the right to adequate food, the Committee on Economic, Social and Cultural Rights considers that this implies “economic access” to this food “at all times”.³⁵⁶ This means that “the personal or household financial costs associated with the acquisition of food for an adequate diet should be at a level such that the attainment and satisfaction of other basic needs are not threatened or compromised”.³⁵⁷

The right to adequate housing should be interpreted as the right to “live somewhere in security, peace and dignity”.³⁵⁸ Adequate housing should, notably, allow for “sustainable access to natural and common resources” such as “safe drinking water, energy for cooking, heating and lighting, sanitation and washing facilities, means of food storage”.³⁵⁹

While the Committee is aware that “external factors can affect the right to continuous improvement of living conditions”, it considers that a “general decline in living and housing conditions, directly attributable to policy and legislative decisions by States parties, and in the absence of accompanying compensatory measures, would be inconsistent with the obligations under the Covenant”.³⁶⁰

4.2.1 PEOPLE PUSHED INTO POVERTY BY ADMINISTRATIVE FAILINGS

By depriving foreign nationals of income from employment and welfare benefits (see Chapter 3 and Chapter 4, Section 4.1), regular and prolonged interruptions to their right of residence exacerbate structural inequalities and directly threaten their access to an adequate standard of living. These people who work (in difficult working conditions), who earn an income (which rarely allows them to save), who contribute and participate in the French welfare system, can thus fall from one day to the next into significant economic precariousness. Without resources, racialised migrant workers face immense difficulties paying their rent

³⁵³ Telephone interview with Adra (name changed) 20/02/2025.

³⁵⁴ See notably: Antoine Math, *Les conséquences de la précarisation du séjour sur l’accès aux droits économiques et sociaux*. In: GISTI, *Précarisation du séjour, régression des droits*, (p. 83-91). 2016 (in French).

³⁵⁵ ICESCR, Article 11.

³⁵⁶ Committee on Economic, Social and Cultural Rights, General Comment No. 12 (1999) on the right to adequate food (Article 11 of the ICESCR), para. 8.

³⁵⁷ Committee on Economic, Social and Cultural Rights, General Comment No. 12 (1999) on the right to adequate food (Article 11 of the ICESCR), para. 13.

³⁵⁸ Committee on Economic, Social and Cultural Rights, General Comment No. 4 (1991) on the right to adequate housing (Article 11(1) of the ICESCR), para. 7.

³⁵⁹ Committee on Economic, Social and Cultural Rights, General Comment No. 4 (1991) on the right to adequate housing (Article 11(1) of the ICESCR), para. 8.

³⁶⁰ Committee on Economic, Social and Cultural Rights, General Comment No. 4 (1991) on the right to adequate housing (Article 11 (1) of the ICESCR), para. 11.

and bills, and accessing essential goods such as food, clothing and supplies for their children. They may have their water and electricity cut off and some can be evicted from their homes. Most of them ration their resources, depending on donations from charities or emergency welfare assistance, and tumble into a spiral of debt with their landlords, electricity and telephone companies, and friends who lend them money to survive.

Twelve people told Amnesty International of the brutal loss of income resulting from an interruption to their right of residence and the impact this had on their access to adequate housing and essential goods.³⁶¹

- In November 2024, Dario³⁶², a Cap Verdean national, saw his provisional residence document, which he had received when he submitted his application to renew his permit, expire. As a temp worker in the construction industry, his contracts stopped. He lost his work and his income (see also Chapter 3, Section 3.1.2). His wife's salary was not enough to support their household and ten-year-old child, and he fell into debt with friends, working occasionally cash-in-hand to pay the rent at the end of the month. During our interview in January 2025, he explained that the little money he had been able to save helped them survive, but these resources were soon depleted. In the meantime, he rationed his expenditure and said: "I'd rather not eat than have my family evicted" He also said he didn't know how to explain to his child that he was unable to buy him a new toy.
- Abdoul Aziz Sall³⁶³, a Senegalese national, experienced repeated interruptions to his right of residence, leading to several months with no income. "If you don't have documents, you can't get work," he said. "When you no longer have the right documents, housing benefit [*aide personnelles au logement*, APL], unemployment benefit, everything stops. [...] You can't feed yourself or pay your rent. Your home is your personal space where you can sleep, eat and rest [and you can no longer pay the rent]." Abdoul Aziz explained that since he moved to this individual accommodation, he had put aside enough money for two months' rent "just in case", but that he was never able to save more than that. He said he had to borrow from friends to survive and then repay his debts several months later.
- For over two years, Nadia, an Ivorian national, found herself in an irregular situation due the prefecture's failure to respond to her residence permit renewal application. This administrative disfunction cost her her job – from which she was fired – and the benefits she received for her ten-year-old daughter. Without resources, Nadia fell into debt, particularly with rent. When, at last, after two appeals to the administrative courts, Nadia obtained a response from the prefecture which led to two provisional residence documents, her benefits were provisionally reinstated. With these, Nadia tried to repay part of her overdue rent, while waiting for her administrative situation to be stable enough to allow her to find a job. In April 2025, Nadia finally received her new residence permit. In the months that followed, she reestablished her administrative existence, looked for a new job and signed a new employment contract as a care assistant. But at the time of writing this report, Nadia and her daughter risk being evicted from their social housing, due to unpaid rent. (See her testimony, p.)

4.2.2 WHEN IT BECOMES IMPOSSIBLE TO IMPROVE LIVING CONDITIONS

Aside from these situations where people can fall into irregularity, the short-term nature of their documents and residence permits also has an impact on the opportunity that racialised workers, who have particularly low incomes, have to improve their living conditions.

³⁶¹ Interviews with Adra (13/09/2024, 20/02/2025 and 05/09/2025), Ali (12/02/2025), Boubacar (29/01/2025 and 24/06/2025), Dario (21/01/2025 and 10/09/2025), Idriss (16/12/2024 and 27/06/2025), Jean-Louis (14/01/2025 and 08/09/2025), Khalil (17/01/2025), Nadia (19/12/2024 and 30/09/2025), Paul (31/01/2025 and 25/06/2025), Sekou (12/03/2025 and 25/09/2025), and Yaro (07/03/2025 and 27/06/2025).. To respect their privacy, all names have been changed. Interviews with Abdoul Aziz Sall who wanted to speak under his own name (04/12/2024 and 08/09/2025).

³⁶² Interviews with Dario (name changed) 21/01/2025 and 10/09/2025.

³⁶³ Interviews with Souleymane (name changed) 4/12/2024 and 08/09/2025.

Seven people mentioned difficulties in accessing better housing or the impossibility of paying for something in instalments.³⁶⁴ One person also mentioned that it was impossible to access small consumer loans, which would have allowed them to follow a training course to improve their job prospects. These difficulties are directly linked to the short-term nature of their residence permits.

- Laura³⁶⁵, a Sri Lankan national, explained that she was unable to replace her faulty refrigerator because sales staff refused her the option of paying in instalments, as her residence permit did not cover the entire length of the repayments. She had to wait several months to save enough to buy a new fridge.
- Yaro³⁶⁶, a Malian national, spoke about having lost two opportunities to access social housing, because he was living on a provisional document. Without a residence permit, he was refused the accommodation. Now with a four-year residence permit, he has finally been able to leave his 14m² former home and get a loan to sit his driving test and thus access new employment opportunities. This loan, he said, would have been inaccessible when he only had, at best, a one-year residence permit.
- Hicham³⁶⁷, a Malian national, held consecutive “Temporary Worker” residence permits and provisional documents for a decade and lived for years on a friend’s sofa in exchange for part of the rent. He explained that the short-term nature of his permits, the long periods he spent on provisional documents, and interruptions to the right of residence prevented him from renting an apartment. His application for social housing has been unsuccessful so far. The one time he was offered an apartment, his residence permit had expired. By the time he had received and sent his new permit to the administration, the accommodation had been given to someone else.

³⁶⁴ Interviews with Adra (13/09/2024, 20/02/2025 and 05/09/2025), Celia (14/01/2025 and 25/06/2025), Grace (06/12/2024 and 08/09/2025), Hicham (05/11/2024 and 26/06/2025), Laura (30/10/2024), Sekou (12/03/2025 and 25/09/2025), and Yaro (07/03/2025 et 27/06/2025)..

³⁶⁵ Interview with Laura (name changed) 30/10/2024.

³⁶⁶ Telephone interviews with Yaro (name changed) 07/03/2025 and 27/06/2025.

³⁶⁷ Interview with Hicham (name changed) 05/11/2025.

CHAPTER 5. DISCRIMINATION IN ACCESS TO A STABLE RESIDENCE PERMIT AND HOW IT HEIGHTENS RISK OF ABUSE FOR RACIALISED FOREIGN NATIONALS

“I have been living and working in France for more than twenty years. Every time I have renewed my permit since 2012, I have applied for a long-term residence permit but have only ever been granted a one- or two-year permit.”

Laura³⁶⁸

In recent decades, and particularly since 2016, various immigration laws have successively increased the evidence required to prove integration in order to access a ten-year residence permit. These prerequisites are marked, notably, by the need to master a certain level of French as well as a condition of minimum resources. These provisions, which are seemingly neutral, have a disproportionate impact on certain foreign nationals, in particular racialised foreign nationals, women, people in precarious economic situations, those who speak French as a foreign language, and those who have had limited access to formal education in their countries of origin. These situations are far from being mutually exclusive. Women in particular are likely to be impacted by multiple factors of vulnerability. Because they don't have sufficient financial, temporal, educational, and linguistic resources, they can never access a long-term residence permit granting them real administrative stability in France. They are kept in a permanent cycle of short-term residence permits and thus find themselves over-exposed to a higher risk of experiencing violations of their rights, as set out in the previous chapters.

As such, French legislation on residence and employment is discriminatory because its impact on the lives of these people is disproportionate.

Far from questioning the disproportionate impacts of such a policy, over the years the French State has continued to accentuate and extend these barriers to the equal enjoyment of rights.

The immigration law of 26 January 2024 thus not only increased the level of French required to be eligible for a long-term residence permit but also imposed new restrictions on access to a multi-annual residence permit. By making residence permits with a duration of more than one year conditional upon obtaining a French language certificate and civic qualification, this law imposes unrealistic requirements, given the unfavourable and discriminatory conditions precarious workers are forced to live in and work under. This provision therefore contradicts the ambitions of integration to which it lays claim and exposes racialised migrant workers to significant administrative instability with all the consequences presented in this report. In addition, this law limits the number of temporary residence permits which can be granted for the same reason to three, with the ultimate risk of sending many vulnerable people into an irregular situation, exposing them to considerable violations of their rights.

³⁶⁸ Interview with Laura (name changed) 30/10/2024.

INTERNATIONAL LAW AND STANDARDS

Discrimination is forbidden under Article 2 of the ICESCR, whereby States parties undertake to guarantee that the rights set out in the Covenant – including the right to work, to just and favourable working conditions, to social security and an adequate standard of living – “will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status”.³⁶⁹

Non-discrimination is an “immediate and cross-cutting” obligation, recalls the Committee on Economic, Social and Cultural Rights.³⁷⁰ It also stresses that discrimination can be indirect in the case of “laws, policies or practices which appear neutral at face value, but have disproportionate impact on the exercise of Covenant rights as distinguished by prohibited grounds”.³⁷¹

Some people may experience multiple forms of discrimination based on different grounds. “This cumulative discrimination has a unique and specific impact on individuals and merits particular consideration and remedying.”³⁷²

This is notably the case of migrants and female migrants in particular. Female migrant workers who are in “low-paid jobs, may be at high risk of abuse and discrimination and who may never acquire eligibility for permanent stay or citizenship, unlike professional workers in the country of employment”, stresses the Committee on the Elimination of Discrimination against Women.³⁷³

However, the Convention on the Elimination of All Forms of Discrimination against Women obliges States parties “to refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation”³⁷⁴ as well as to “take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women”.³⁷⁵

By becoming a party to the Convention on the elimination of all forms of racial discrimination, France undertook the commitment to “take effective measures to review governmental, national and local policies, and to amend, rescind or nullify any laws and regulations which have the effect of creating or perpetuating racial discrimination wherever it exists”.³⁷⁶ The Committee on the elimination of racial discrimination also stresses that “the potential indirect discriminatory effects of certain domestic legislation, particularly legislation on terrorism, immigration, nationality, banning or deportation of non-citizens from a country, as well as legislation that has the effect of penalizing without legitimate grounds certain groups” should be seen as indicators of racial discrimination.³⁷⁷ Therefore, it calls for States to ensure that immigration policies do not have the effect of discriminating against persons on the basis of race, colour, descent, or national or ethnic origin.³⁷⁸

³⁶⁹ ICESCR, Article 2(2).

³⁷⁰ Committee on Economic, Social and Cultural Rights, General Comment No. 20 (2009) on non-discrimination in economic, social and cultural rights (Article 2(2) of the ICESCR), para. 7.

³⁷¹ Committee on Economic, Social and Cultural Rights, General Comment No. 20 (2009) on non-discrimination in economic, social and cultural rights (Article 2(2) of the ICESCR), para. 10.

³⁷² Committee on Economic, Social and Cultural Rights, General Comment No. 20 (2009) on non-discrimination in economic, social and cultural rights (Article 2(2) of the ICESCR), para. 17.

³⁷³ CEDAW Committee, General Recommendation No. 26 (2008) on women migrant workers, para. 4.

³⁷⁴ CEDAW, Article 2(d)

³⁷⁵ CEDAW, Article 2(f).

³⁷⁶ ICERD, Article 2.1(c)

³⁷⁷ Committee on the elimination of racial discrimination, General recommendation No. 31 (2005) on the prevention of racial discrimination in the administration and functioning of the criminal justice system”, para. 4(b).

³⁷⁸ Committee on the elimination of racial discrimination, General recommendation No. 30 (2005) on discrimination against non-citizens, para. 9

5.1 FRENCH LANGUAGE ABILITY AS A CONDITION FOR ACCESSING ADMINISTRATIVE STABILITY RESULTS IN DISCRIMINATORY OUTCOMES

Foreign nationals wishing to obtain an initial multi-annual permit are obliged to sign a French integration contract (*contrat d'intégration républicaine*, CIR),³⁷⁹ by which they are bound to following civic training and, depending on their French language skills, language classes.³⁸⁰ Their ability in French is assessed and, depending on the result, a number of hours of training is prescribed by the Office Français de l'Immigration et de l'Intégration (OFII). Previously, attending the classes was the only condition to be met to honour the CIR and the language level required was a beginner's level, A1. However, since the law on immigration of 26 January 2024, these classes must be accredited by a certificate and the language level required is now A2, the foreign language level required in junior high school.

The level required to be eligible for a ten-year residence permit has gone from A2 to B1, the foreign language level required in senior high school.

To be eligible for a multi-annual residence permit or long-term residence permit, a foreign national must thus obtain the corresponding language certificate (issued by State-approved bodies), attesting to their oral and written ability in French.

Foreign nationals do not all have the same resources when it comes to meeting this language requirement. Multiple factors can affect their success rate, the first being a lack of or limited access to formal education for some individuals in their country of origin.

At least 754 million adults around the world do not know how to read or write.³⁸¹ OFII notes that 10.1% of signatories of the CIR in 2023 reported having received no formal education in their country of origin and 11.9% had only attended primary school.³⁸²

For people who have had access to limited education, mastering junior and senior high school levels of reading and writing in a language which is not necessarily their native tongue requires considerable time and effort under often precarious circumstances.

Moreover, even those who have received a formal education in their country of origin can experience specific difficulties learning French, if their mother tongue uses a totally different alphabet and grammatical system.³⁸³

Training courses organised by OFII as part of the CIR are certainly supposed to be adapted to the students' initial level, with the number of hours being adapted to their needs. But in practical terms, these hundreds of hours of training can be particularly complex to integrate into an already overloaded daily routine. Learning French and acquiring the necessary certificates requires time and a peace of mind which some people just don't have. This is particularly the case with people working in precarious jobs, with anti-social hours, in places far from their homes. Those caring for family members and juggling significant family responsibilities – the majority of whom are women³⁸⁴ – also face significant difficulties.

³⁷⁹ See also Chapter 1, Section 1.2.2.

³⁸⁰ Foreign nationals covered by certain bilateral agreements are not required to sign this contract or to follow this training. See Chapter 1, Section 1.2.4.

³⁸¹ Unesco.org, Global Alliance for Literacy, <https://www.uil.unesco.org/en/literacy/global-alliance> - Last consulted 15/05/2025.

³⁸² OFII, Rapport annuel d'activité 2023 - <https://www.ofii.fr/wp-content/uploads/2024/12/Rapport-annuel-OFII-2023.pdf> (in French).

³⁸³ OFII noted that in 2023, 34.9% of signatories of the CIR who reported having been educated to secondary school level were prescribed more than 400 hours of language training courses. This was also the case of 25.9% of people who had been through higher education. For OFII, this is due to "notably the fact that these signatories were educated in a mother tongue far removed from French". OFII, Rapport annuel d'activité 2023, op. cit.

³⁸⁴ Fifteen percent of female immigrants in France are single parents, compared to only 2% of male immigrants. This situation concerns 12% of immigrants from Africa and 5% of those from Asia. –Source: INSEE, Immigrés et descendants d'immigrés, Edition 2023, "Configuration familiale actuelle", 30/03/2023, <https://www.insee.fr/fr/statistiques/6793236?sommaire=6793391> (in French).

Of the 27 people who spoke to Amnesty International, 15 worked on temporary or temp contracts.³⁸⁵ Of the 12 workers with a permanent contract, six had part-time contracts³⁸⁶ and three worked for several employers.³⁸⁷ Nineteen people worked in multiple locations, which could be more than an hour from their homes.³⁸⁸ Finally, 11 people lived with dependant family, whether this be their children, partners, or parents.³⁸⁹ Of them, four people, all women, were alone in shouldering these family responsibilities while working to earn a living.³⁹⁰

Racialised migrant workers on short-term residence permits thus face specific structural barriers when it comes to meeting the language requirements set by the French State.³⁹¹ The barriers imposed by the law have significant consequences on the lives and rights of racialised migrant workers, and besides the practical limitations imposed, they also contribute to mental and emotional stress in terms of availability, mental load and organisational burden.

Because their previous and present living conditions do not provide them with sufficient resources, these workers often remain locked into a cycle of precarious residence permits, which can exacerbate the barriers in learning the language to the levels required. They are also more exposed to violations of their economic and social rights, as presented in the preceding chapters. The law of 26 January 2024 limited the number of temporary residence permits that can be granted for the same reason to three. As a result, workers unable to achieve the required language level for a multi-year residence permit risk falling into irregularity.

By restricting access to administrative stability enabling an equal enjoyment of their rights, this French language condition constitutes discrimination, particularly on the grounds of social and national origin and language. According to UNESCO, women constitute the majority of individuals with limited literacy.³⁹² As they are also the majority of single parents³⁹³, they are therefore disproportionately affected.

³⁸⁵ Interviews with Adra (13/09/2024, 20/02/2025 and 05/09/2025), Ali (12/02/2025), Alicia (29/11/2024 and 30/09/2025), Boubacar (29/01/2025 and 24/06/2025), Dario (21/01/2025 and 10/09/2025), Hicham (05/11/2024 and 26/06/2025), Idriss (16/12/2024 and 27/06/2025), Jean-Louis (14/01/2025 and 08/09/2025), Khalil (17/01/2025), Malik (27/01/2025 and 25/06/2025), Moussa (05/09/2024 and 27/06/2025), Nadia (19/12/2024 and 30/09/2025), Paul (31/01/2025 and 25/06/2025), and Sekou (12/03/2025 and 25/09/2025). To respect their privacy, all names have been changed. Interviews with Abdoul Aziz Sall who wanted to speak under his own name (04/12/2024 and 08/09/2025).

³⁸⁶ Interviews with Annie (22/10/2024 and 24/06/2025), Celia (14/01/2025 and 25/06/2025), Laura (30/10/2024), Madou (23/10/2024 and 27/06/2025), and Mariette (13/01/2025 and 26/06/2025). The sixth person requested confidentiality.

³⁸⁷ Interviews with Annie (22/10/2024 and 24/06/2025), Madou (23/10/2024 and 27/06/2025), and Mariette (13/01/2025 and 26/06/2025).

³⁸⁸ Interviews with Ali (12/02/2025), Alicia (29/11/2024 and 30/09/2025), Annie (22/10/2024 and 24/06/2025), Boubacar (29/01/2025 and 24/06/2025), Celia (14/01/2025 and 25/06/2025), Dario (21/01/2025 et 10/09/2025), Hicham (05/11/2024 et 26/06/2025), Idriss (16/12/2024 et 27/06/2025), Jean-Louis (14/01/2025 and 08/09/2025), Khalil (17/01/2025), Laura (30/10/2024), Madou (23/10/2024 and 27/06/2025), Malik (27/01/2025 and 25/06/2025), Mariette (13/01/2025 and 26/06/2025), Nadia (19/12/2024 and 30/09/2025), Paul (31/01/2025 and 25/06/2025), Sekou (12/03/2025 and 25/09/2025), and Yaro (07/03/2025 and 27/06/2025). To respect their privacy, all names have been changed. Interviews with Abdoul Aziz Sall who wanted to speak under his own name (04/12/2024 and 08/09/2025).

³⁸⁹ Interviews with Adra (13/09/2024, 20/02/2025 and 05/09/2025), Celia (14/01/2025 and 25/06/2025), Dario (21/01/2025 and 10/09/2025), Emilie (14/01/2025 and 03/07/2025), Grace (06/12/2024 and 08/09/2025), Khalil (17/01/2025), Lamiya (10/02/2025 and 25/06/2025), Laura (30/10/2024), Madou (23/10/2024 and 27/06/2025), Moussa (05/09/2024 and 27/06/2025), and Nadia (19/12/2024 and 30/09/2025). In addition, while some people may not live directly with financially dependent relatives, this does not mean they have no family responsibilities. Three people reported having minor children in France or in their country of origin and paying them maintenance. The majority of people Amnesty International spoke to also mentioned sending money to their country of origin to support their parents and families.

³⁹⁰ Interviews with Celia (14/01/2025 and 25/06/2025), Laura (30/10/2024), Madou (23/10/2024 and 27/06/2025), Nadia (19/12/2024 and 30/09/2025).

³⁹¹ According to OFII, nearly all students make significant progress during the language training they follow as part of the CIR, which now enables them to obtain a multi-annual residence permit. However, the new legal provisions making this permit conditional not only upon following the course and making progress but on obtaining an A2 level of French, risks this progress not being sufficient to enable many migrant workers escape administrative precariousness. Source: OFII, Rapport annuel d'activité 2023, op. cit.

³⁹² Unesco.org, Global Alliance for Literacy, <https://www.uil.unesco.org/en/literacy/global-alliance> - Last consulted 15/05/2025.

³⁹³ Fifteen percent of female immigrants in France are single parents, compared to only 2% of male immigrants. This situation concerns 12% of immigrants from Africa and 5% of those from Asia. -Source: INSEE, Immigrés et descendants d'immigrés, Edition 2023, "Configuration familiale actuelle", 30/03/2023, <https://www.insee.fr/fr/statistiques/6793236?sommaire=6793391> (in French).

5.2 THE CONDITION OF RESOURCES ON RESIDENCE PERMITS: DISCRIMINATION ON THE GROUNDS OF CLASS AND GENDER DISCRIMINATION

To be eligible for a “Long-term EU resident” permit, most racialised foreign nationals³⁹⁴ must justify “stable, regular and adequate” income, which must amount to “at least the minimum wage”.^{395,396}

This condition of minimum resources effectively discriminates against low-income workers. A particularly large proportion of racialised foreign nationals from outside the European Union do not meet the threshold for a sufficient income,³⁹⁷ particularly because they work part-time in low-paid jobs. Women form a majority of these workers: 34% of female immigrants in France work part-time, compared to 9% of men.³⁹⁸ 37% of them explain that they have not been able to find a full-time job, while 25% say they are obliged to work part-time for family reasons or because they are caring for a relative.³⁹⁹ Finally, 42% of racialised immigrants from outside the European Union work in low-paid, low-skilled jobs.⁴⁰⁰

While partners’ incomes are taken into account when calculating “sufficient income”, because this refers to household income, welfare and family benefits⁴⁰¹ are excluded. Single mothers are thus particularly impacted by this provision, as they can only rely on their own income and, specifically their earned income, which, as previously mentioned, is often impacted by their family responsibilities.

By making access to a permanent residence permit conditional on income which is equal to or higher than the monthly SMIC, and by excluding family allowances in particular, French legislation discriminates against people who have neither stable and full-time employment, or other personal income. This provision, which is on the surface neutral, has a particular impact on racialised women who are over-represented in part-time work and often burdened with care roles and other familial responsibilities.

AN ACCUMULATION OF VULNERABILITIES: THE CASES OF MADOU AND LAURA

Due to insufficient income, language resources and time, the lives of many people in France are determined by an interminable cycle of precarious residence permits and violations of their economic and social rights.

Madou⁴⁰², a Gambian national, arrived in France in 1995 to join her husband. Entering the country on a tourist visa, she stayed for many years without a residence permit. She worked as a housekeeper, cleaning more than 24 rooms every day in a hotel spread over five floors without a lift. In 2003, Madou finally received a one-year “Private and Family Life” residence permit, which she renewed the following year, and the year after that, until the law of 7 March 2016 finally allowed her to apply for a multi-annual residence permit. However, because she obtained this permit for reasons of “Private and Family Life”, as the wife of a resident, it could only be issued for two years. That meant that for the past 24 years, every twelve months then every 24 months, Madou has prepared her application to renew her residence permit, requested a ten-year residence permit, and has not yet received it. “I’ve applied for a ten-year permit several times, but they’ve never given me one. At first, it was the resources blocking it. [At the prefecture they told me:] “You don’t earn much.” When I asked, the person said “You don’t earn enough. You don’t

³⁹⁴ In some situations, these minimum resources are not required. See Chapter 1, Section 1.2.3.

³⁹⁵ CESEDA, Article L.426-17.

³⁹⁶ This is the minimum monthly wage (*salair minimum de croissance*, SMIC), which was €1,801.80 gross on 1 November 2024.

³⁹⁷ See also Chapter 1, Section 1.3.2. In 2019, half of immigrants had an annual income of less than €17,000, or €1,417 per month. This average standard of living is 15% lower than that of those descended from immigrants (€19,970) and 26% lower than those without any migrant background (€22,880). Some 31.5% of immigrants have a standard of living which is below the monetary poverty line, which is €1,102 a month. This rate of monetary poverty is nearly three times higher than that of people with no migratory ancestry (11.1%). This situation particularly affects people born in Africa (poverty rate of 39.2%) and Asia (36.4%) and less affects immigrants originating from Europe (poverty rate of 19.5%). Income from employment remains the main source of income for immigrants (73%) and welfare benefits represent an average of 12%. INSEE, “Niveau de vie et pauvreté monétaire”, Immigrés et descendants d’immigrés, Edition 2023, 30/03/2023, <https://www.insee.fr/fr/statistiques/6793278?sommaire=6793391#consulter> (in French).

³⁹⁸ INSEE, “Temps partiel, sous-emplois et horaires atypiques”, Immigrés et descendants d’immigrés, Edition 2023, 30/03/2023, <https://www.insee.fr/fr/statistiques/6793270?sommaire=6793391> (in French).

³⁹⁹ Ibid.

⁴⁰⁰ INSEE, “Caractéristiques des emplois”, Immigrés et descendants d’immigrés, Edition 2023, 30/03/2023, <https://www.insee.fr/fr/statistiques/6793268?sommaire=6793391> (in French).

⁴⁰¹ With the exception of disabled adults allowance and additional invalidity allowance.

⁴⁰² Interviews with Madou (name changed), 23/10/2024 and 27/06/2025.

earn 11,000 euros, 12,000 euros.” Every year, [the amount of resources demanded for the ten-year permit] goes up.”

Madou may have two permanent contracts, but they are part-time and the income from her cleaning work does not exceed the minimum hourly wage. With six hours and 45 minutes of work each day, she does not reach the 35 hours per week required to enable her to reach “sufficient resources” to be eligible for a ten-year residence permit. Madou has asked her employers many times to extend her working hours, particularly as the workload is very difficult for her to manage in the time given and it is continuing to take a significant toll on her health (see also her account in Chapter 2, Section 2.3). But her requests have always been ignored.

“In 2023, when I went, [the person at the prefecture] said ‘Yes, yes, with your husband’s resources, it’s okay, you meet the threshold.’ [Until then] they only counted my share in the taxes, not my husband’s resources, and they told me that I wasn’t earning enough. But then she said ‘But the problem is that you need a [French language] certificate.’ I said ‘Now you’ve taken away the old problems and replaced them with a certificate.’”

Madou’s oral French skills were well beyond the A2 level required, but her written skills were not. Because Madou did not receive any formal education in her country of origin, she found reading and writing difficult. She is trying to follow French courses as best she can in order to take the test to be issued the certificate, but said that because of work and familial responsibilities, she finds it difficult to find enough time to follow more than one hour of classes a week. Between the three hours commuting to and from work each day, the six hours and 45 minutes spent cleaning the different public premises where she works, the time spent caring for her disabled husband, the grocery shopping, managing the household, and administrative tasks, Madou’s days start at 5am and finish well into the night.

Laura⁴⁰³ can read and write. She was a teacher in her country of origin, Sri Lanka. But in a language with a completely different grammar and alphabet. Learning French takes time, something of which she has little due to her work and familial responsibilities. She arrived in France in 1999 and obtained her first “Private and Family Life” residence permit in 2006. A one-year permit, renewable each year until 2016 when, like Madou, she received her first two-year permit. “I’ve lived and worked in France for over twenty years,” she says. Since 2012, I’ve been applying for a residence permit every time it needs to be renewed but they only give me a one- or two-year permit.”

Although no-one at the prefecture ever explained to her why her application was repeatedly refused, for a long time this could have been due to insufficient resources. As a cleaner, Laura also worked part-time. Her income was low, particularly because she was not paid for all the hours she worked (see also her account Chapter 2, Section 2.1). But Laura also knew that since the introduction of the law on 7 March 2016, she did not meet the French language condition. In 2023, she was unable to meet the requirement for her A2 certificate by just five points. Since her husband passed away in 2009, she has lived alone with her two daughters and struggles to find classes that she can fit into her schedule between her anti-social working hours, commute, and managing her household. And yet, for nearly twenty years, every twelve and then every twenty-four months, Laura has paid her €225 stamp duty to keep her right of residence, until the next renewal is due.

⁴⁰³ Interview with Laura (name changed) 30/10/2024.

CONCLUSIONS

This report documents a wide range of human rights violations and abuses which affect racialised migrant workers on precarious residence permits including wage theft, extended working hours, dangerous working conditions, and multiple instances of violence particularly based on racist bias. Analysed collectively, these abuses reveal coercive working environments where these workers are considered as manpower to be endlessly exploited with negligible rights.

Far from being isolated or simply down to a few unscrupulous employers, these attacks on human rights are widespread and systemic, based as they are on the precariousness of these migrant workers' administrative status. A precarious status created, maintained and aggravated by the French migration policies implemented over the past decades. Responsibility, therefore, lies with the French State.

On the one hand, the precariousness of these residence permits contributes significantly to locking racialised foreign nationals into jobs and professional sectors facing labour shortages, with notoriously difficult working conditions. And on the other, although working conditions in these sectors are generally poor for everyone, their administrative status places these non-European Union nationals in a particularly precarious situation. This is a lever for exploitation which makes them particularly vulnerable to multiple abuses, unable to either escape them or access effective recourse. Far from protecting the rights of migrant workers, the French system of precarious residence permits aggravates intersectional risk factors, notably linked to their status as racialised foreign nationals and the probability of experiencing violations based on their gender, race, religion, skin colour or ethnic, national and social origin.

This is all the more the case as this system is marked by multiple dysfunctions which lead to interruptions in administrative status related to residence and push many racialised migrant workers into irregularity. Without documents, these individuals lose their employment, their income, and their social benefits. Without resources, many fall into poverty. And even if their status is ultimately restored, the risk of losing it again is high, with every renewal of their residence permit. By triggering multiple interruptions in their rights and fragmenting the professional and personal lives of these workers, the structural failings of the administration not only directly affect the human rights of racialised foreign nationals but also increase their exposure to abusive working conditions.

The authorities are aware of these violations, as they have been warned several times of the deleterious effects of the French migration policy with regard to the residence and employment of racialised migrant workers. Individuals, civil society organisations, national institutions, universities, the media, and other stakeholders have widely documented these violations over the years, bringing them to the State's attention. Despite this, the system of precarious residence permits has never been fundamentally questioned. Although legislators have sometimes questioned the impact of this administrative precariousness, this has only ever been founded on concerns over the "integration" of foreign nationals into French society, rather than respect for their human rights and obligations under international law. The few attempts to limit this precarious residence status have thus instantly been counteracted by other legal provisions ultimately over-exposing racialised foreign nationals to violations of their rights.

In many respects, the legislative provisions developed in recent years have been rooted in previous policies of exploitation and control over a foreign labour force largely originating from countries formerly colonised by France. They thus extend a legacy of discrimination and violation of rights.

Amnesty International therefore concludes that, in its current form, the French system of precarious residence permits reinforces and perpetuates the exploitation of and discrimination against a class of migrant workers who are, for the majority, racialised. The State is thus violating the obligations binding on it to respect, protect, and fulfil the right to work and just and favourable working conditions without discrimination, notably by virtue of Articles 6 and 7 of the ICESCR. Amnesty International also notes that this system of precarious residence permits and the failings in the administration lead to multiple structural interruptions in people's rights. As such, the French State is also failing to respect, protect, and fulfil the rights of racialised migrant workers, in particular their right to work, to social security, and to an adequate standard of living as defined in Articles 6, 9, and 11 of the ICESCR.

Amnesty International also finds that the system of residence permits is discriminatory, as it disproportionately exposes racialised migrant workers to exploitation and violation of their rights. Moreover, the conditions for accessing a stable residence permit have a disproportionately discriminatory effect on certain categories of racialised workers, in particular women, people who are economically vulnerable,

speakers of other languages, and those who have received little or no education in their country of origin. Because they don't have sufficient financial, temporal, educational, and linguistic resources, they can never access a long-term residence permit granting them real administrative stability in France. Many workers, particularly female workers are likely to be impacted by all of these factors of structural and social exclusion. Far from preventing such discrimination, the French State has, on the contrary, law after law, continued to reinforce these barriers to the equal enjoyment of these rights. Kept in a precarious situation as a result of their short-term residence permits, these foreign nationals find themselves over-exposed to exploitation and to interruptions in their rights.

Amnesty International concludes that the French State is violating the prohibition of discrimination as set out, notably, in Article 2 of the ICESCR, in Article 2 and 5 of the CERD and Article 2, 11 and 13 of the CEDAW. The short-term nature and precariousness of temporary and multi-annual "Employee", Temporary Worker", and "Private and Family Life" residence permits are the source of the exploitation of racialised migrant workers holding them, as well as of multiple attacks on their rights. Consequently, the system which governs them must be urgently transformed to end these repeated violations and prevent any future infringements.

RECOMMENDATIONS

TO THE STATE

Ensure that the system of residence permits respects, protects, and fulfils the rights of all migrant workers without discrimination on the grounds of class, gender, nationality, race and ethnic origin.

Strengthen provisions for protection against abuses and discrimination against racialised migrant workers in a professional environment, and guarantee fair access to justice and reparations for all racialised migrant workers, regardless of their administrative status,

Take urgent steps to acknowledge and address the systems and structures which uphold race, class, gender and other hierarchies and perpetuate racism within its labour and immigration policies.

TO THE GOVERNMENT

- Undertake a reform of the system of temporary and multi-annual residence permits, particularly those allowing employment as a salaried worker. This reform should be developed in partnership with the individuals concerned and civil society organisations. It must include, as a minimum:
 - The creation of a single multi-annual residence permit for workers, valid for at least 4 years, allowing the full enjoyment of all fundamental rights, including the right to work and access to employment market, which can be issued from the initial application.
 - Repeal of the “Temporary Worker” and “Employee” residence permits.
 - An extension to the duration of the “Private and Family Life” residence permit to at least four years, issued from the initial application.
 - Changes to the legislative provisions regarding work permits, making it possible for the employee to submit the application. Once the work permit has been obtained, it should enable them to access the labour market, without being dependent on a single employer.
 - Training on employment rights as well as on channels of redress that can be accessed in the event of these rights being violated, to be integrated into the training as part of the CIR.
 - Repeal of the legislative provision imposing A2 certification in French language as a requirement in order to access a multi-annual residence permit.
 - Maintenance of social benefits in the event of the right to residence being interrupted.
- Undertake a reform of access to long-term residence permits.

This should include, as a minimum:

 - The abolition of the requirement to have independent, stable, and sufficient resources to obtain a long-term residence permit.
 - The limitation of the French language requirement to A2-level in speaking without any requirement for written proficiency
- Adopt monitoring and evaluation mechanisms to measure and prevent disproportionate impacts and discriminatory effects of the residence and work permits system.
- Invite the UN Special Rapporteur on the human rights of migrants to France.

- Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

TO THE MINISTRY OF THE INTERIOR

- Ensure the harmonised implementation by all prefectures in France of practices to protect the rights of workers holding temporary residence permits.
- Integrate awareness-raising on the right to just and favourable working conditions, reporting mechanisms and recourse against violations into the CIR civic training, including information on access to legal aid and support through the relevant procedures.
- Collate and analyse statistical data on initial applications for temporary and multi-annual residence permits and their renewal, disaggregated by the national origin, race, and ethnic origin of the applicants, as well as by gender and nationality. Include these statistical data in the annual publication on immigration figures.
- While awaiting reform of the system of temporary and multi-annual residence permits,
 - Collate and analyse statistical data communicated by prefectures on the methods and processing times for applications to have temporary residence permits renewed, disaggregated by reason for issue and prefecture,
 - Include these statistical data in the annual publication on immigration figures.

TO THE MINISTRIES OF LABOUR AND JUSTICE

- Review, increase, and strengthen the means of enforcing and resources of labour inspections.
- Guarantee the careful consideration of all complaints submitted by migrant workers, regardless of their status,
- Guarantee that migrant workers who have suffered from exploitation at work and other violations of their human rights can access free legal aid to assist with legal and labour tribunal proceedings.

TO THE OFFICE FRANÇAIS DE L'IMMIGRATION ET DE L'INTEGRATION

- Improve access for all workers to information on their social rights, and provide translations of this information in the relevant languages to guarantee accessibility.

TO THE PREFECTURES

- Ensure, across the whole of France, practices which protect the rights of workers holding temporary and multi-annual residence permits, in particular:
 - Case-by-case processing of applications to renew permits within a reasonable timeframe, while guaranteeing residence status during this time,
 - Guarantee the effective exercise of the right to appeal against removal decisions, and the suspensive nature of the appeals procedure against removal decisions,
 - Ensure equal treatment of migrant workers at all stages of the procedures,

- Take concrete steps to eliminate racial and gender discrimination and guarantee substantive equality,
- Improve access for all workers to information on the right to work, justice, and reparations,
- Improve access for all workers to information on their social rights.
- While awaiting reform of the system of temporary and multi-annual residence permits:
 - Ensure the issuance of a multi-annual residence permit from the first renewal of a temporary residence permit, even in the event of the situation changing (change of residence permit type, employer, professional sector, or family situation).
 - Ensure an exhaustive examination of all possible reasons for issuing a residence permit presented in the context of an initial application. In the event that the main ground cited by the applicant is not the most protective, offer them the possibility of obtaining a residence permit on another ground.
 - Ensure that all new applications for a residence permit are, in principle, declared admissible, including those made following an initial unfavourable decision.
 - Always guarantee the possibility of providing supplementary evidence, in the context of an initial application or renewal of a residence permit,

TO THE CAISSE NATIONALE DES ALLOCATIONS FAMILIALES AND THE ASSURANCE MALADIE

- Ensure the maintenance of welfare payments for migrant workers, including when their right of residence has been interrupted.

TO THE INSTITUT NATIONAL DE LA STATISTIQUE ET DES ETUDES ECONOMIQUES AND THE INSTITUT NATIONAL D'ETUDES DEMOGRAPHIQUES

In all statistical analyses produced on the immigrant population, ensure that data are presented by sub-category:

- Distinction between those who have acquired French nationality and those who have not,
- Distinction between foreign nationals covered by agreements on freedom of movement (including EU nationals) and others.

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