

DESERVING YET DEPORTED

The Paradox of Integration under France's OQTF Regime

By Éléonore Cribaillet

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In France, many migrants who have been living in the country for several years, often arrived as minors, attended French schools and are professionally integrated, are nevertheless issued with Obligations de Quitter le Territoire Français (OQTF). These administrative decisions, taken by the prefectures, often ignore the successful integration pathways of these individuals, who have mastered the language, followed a training course and even obtained stable employment. This phenomenon reveals a profound paradox within French migration policy. How can the State promote integration, present it as a major republican objective, while at the same time punishing those who respect its codes and expectations? This blog sets out to analyse the discrepancy between de facto integration through education, work and social participation and the lack of legal recognition, symbolised by the OQTF. Using concrete examples, legal elements and a European perspective, the aim is to show how this paradox reflects a structural tension between the rhetoric of inclusion and the administrative logic of exclusion.

They've learned the language, found work, built connections, fully integrated, yet still undocumented.

For several years now, the French authorities have been promoting a republican vision of integration based on merit, effort and adherence to national values. Learning French, going to school, finding a job or making a contribution to society are systematically presented as legitimate ways of participating in the national community. Integration is often approached from the angle of « republican meritocracy », an idea widely echoed by politicians on both the right and the left. In 2018, Edouard Philippe first minister of France declared: « Basically, successful integration is based on active participation. Active participation by the person being welcomed. Active participation by the host society. »



Liri's testimonial (France TV, 2023)

Many migrants who arrived on French soil at a young age are the perfect example of these highly valued integration trajectories. They spend several years on French soil, learn French, do well in school, obtain diplomas and sometimes even sign work contracts. However, when they try to have their situation regularised, they are often issued with an OQTF when they reach the age of majority, as if they were considered to be simply recently arrived « undocumented migrants ». A particularly striking example is presented in a France Télévisions report (2023), in which we follow Liri, a young woman from Kosovo who arrived in France as a minor, was perfectly integrated and had taken a vocational training course, but was issued with an OQTF after applying for a residence permit. In this case, the simple fact of applying for regularisation triggers a repressive response. This case illustrates an administrative system that, far from rewarding efforts to integrate, tends to ignore or even discourage them.

The Code on the Entry and Residence of Foreigners and the Right of Asylum (CESEDA) sets out the conditions for regularisation. In order to obtain a residence permit, foreign nationals must prove that they have been present in France for a certain length of time, that they have entered the labour market or that they have family ties, according to complex and variable criteria. The Prefect has considerable discretionary powers, and the assessment of individual situations is often very formal, or even automated. For example, even a young person of legal age who has obtained a vocational diploma or signed an apprenticeship contract may be refused regularisation if they do not meet all the required criteria (proof of stable accommodation, proof of continuous presence, sufficient resources, etc.). This formalism does not take into account the human and social reality of integration, and results in decisions that seem unfair.

In practice, the OQTF is often used as a deterrent. It is used after refusal to issue or renew a residence permit. Its use has become commonplace in recent years, as part of a policy to combat illegal immigration. However, as in the case of Liri mentioned above, these expulsions are aimed at people who do not represent a danger, but who have, on the contrary, tried to become legal. Paradoxically, individuals who attempt to regularise their status-a step aligned with state expectations-are instead penalised for doing so. The government's approach to social integration is purely legal, ignoring the complexity of people's lives. In this sense, the OQTF not only responds to an offence, it acts as a sanction against the administrative autonomy of foreign nationals. Amira, a PhD holder who went through a similar ordeal, recounts how the experience took a heavy toll on her mental health: "I eventually fell into depression. It deeply, deeply affected me".

Legal appeals against OQTFs do exist, but they are difficult to access and not very effective. The time limits for challenging a decision are very short (15 days under the normal procedure, 48 hours under the accelerated procedure), and appeals to the administrative courts often result in the prefectoral decision being validated. In addition, the administrative courts adopt widely varying interpretations depending on the region, which creates considerable legal uncertainty for migrants. Associations such as GISTI and Cimade regularly denounce these practices. They point out that the prefecture often acts on the basis of figures rather than individual justice. The French Human Rights Defender has also expressed concern at this trend, noting the increasing precariousness of migratory paths, including those that are part of an integration process.

This is a structural paradox in European migration policy

The European Union regularly demonstrates its desire to coordinate migration policies and to show solidarity between Member States. However, this solidarity remains essentially rhetorical. The European Pact on Migration and Asylum, which is supposed to harmonise responses to migratory flows, maintains a system of national responsibilities dominated by the "first country of entry" principle (Dublin Regulation). In practice, Member States remain free to tighten or relax their regularisation policies. Furthermore, the coordination instruments do not create any concrete obligation to integrate. The emphasis is on external border controls, readmission agreements with third countries and the strengthening of Frontex . The rights of people present on European territory, even those who are well integrated, take second place to the logic of sorting, dissuasion and return.

Each State retains sovereignty over regularisation, which creates major disparities from one country to another. In France, this is reflected in a highly variable application from one prefecture to another, and in the extensive use of the OQTF. Yet these practices are sometimes incompatible with the fundamental rights guaranteed by the European Convention on Human Rights. National and European courts have on several occasions pointed out that the expulsion of well integrated individuals and particularly those who have built their lives in the host country since childhood that could constitute a violation of their right to private and family life. Despite this, these decisions only have a one off corrective effect, without calling into question the structural logic.

In the face of these policies, grassroots forms of solidarity are emerging. In France, groups such as the Réseau Éducation Sans Frontières (RESF), teachers, trade unions and host families are organising to protect young people threatened with deportation once they come of age. They are developing a rationale of citizenship of residence, where social integration and local ties take precedence over administrative status. This mobilisation takes the form of petitions, occupations of public places, media campaigns and legal action. It highlights a profound discrepancy between what society considers to be “successful integration” and what the State legally recognises. This citizen resistance reveals a form of humanist counter power that is essential if norms are to evolve.



At-risk youth - La Cimade

The situation of OQTFs issued to integrated individuals reflects a deep contradiction. While the French state encourages integration through education, work and civic engagement, it often penalizes those who meet these expectations. Legal status depends on rigid administrative criteria that fail to reflect personal efforts or social realities. This gap between real integration and legal recognition raises serious doubts about the coherence of current immigration policies. It also reflects a broader tension within Europe, where official speeches promote inclusion but practices reinforce exclusion. If integration is to carry real meaning, it must move beyond symbolic value and be reflected in enforceable rights. Foreigners who build their lives in the host country should be treated as members of the community, not as temporary presences constantly under threat.



Eléonore Cribaillet

Master's student in european and international studies at Aix - Marseille University

miGoSur

**Jean Monnet Chair of Migration Governance for
Sustainability and Resilience**