

Clarification 1. Rationale for counting in-donor refugee costs as ODA

Q1/ Describe in a nutshell the asylum procedure in your country.

As all EU members, France follows the Dublin procedure. The asylum seekers under the Dublin procedure (i.e. for which the examination of the asylum request is done by another EU member state) are taken in charge by France until their transfer. This transfer must be done before a certain period: 6 months, 12 months, 18 months. Before the transfer, asylum seekers are granted the same conditions as others (accommodation, allowance), so it is counted as ODA.

The asylum request is made at the OFPRA (*office français de protection des réfugiés et apatrides*), which will examine the request. There is an accelerate procedure for “safe countries of origin”. The asylum seekers receive a temporary residence permit for 1 month, during which they have to do a request at OFPRA (the French office for asylum request in first instance). Then, OFPRA has theoretically 15 days to decide, but it is in practice much longer (6.5 months). If its request is rejected, the asylum seeker can appeal the sentence at the CNDA (*cour nationale du droit d’asile*).

During this time, the asylum seeker earns an **allowance** to cover his basic needs as food, clothing among others (ADA, *allocation pour demandeur d’asile*), has the right to **healthcare** and is provided with an **accommodation** in reception centres (CADA, *centre d’accueil de demandeurs d’asile*) or in emergency shelter (HUDA, *hébergement d’urgence pour demandeur d’asile*).

Budgetary credit for ADA and accommodation are covered by the action 2 of the **program 303**, monitored by the Asylum policies financing department at the Ministry of domestic affairs.

In 2018, the asylum requests at the OFPRA increased by 22 %. From January to June 2019, the asylum requests has continued to increase by 16 % at the Prefectures (GUDA – Guichets uniques des demandeurs d’asile).

In 2018 the main countries of asylum seekers were Afghanistan, Albania, Georgia and some countries of West Africa such as Mali, Guinea and Côte d’Ivoire.

In June 2019, the main countries of asylum seekers are still Afghanistan, Albania and Georgia.

Clarification 2. Meaning of the term “refugees”

Q2/ Indicate the categories of refugees for which costs are included in your ODA reporting: asylum seekers, recognised refugees, persons granted temporary or subsidiary protection.

For the time being, **France has not split the in-donor refugee costs in several categories**. France will try to change this for the final questionnaire on 2018 flows. The rate of asylum seekers coming from ODA eligible countries is 88.1%.

France has **no costs allocated to recognised refugees**, as the average duration of the asylum request procedure is 12 month.

In 2018, the protection rate at the OFPRA was 26.6 %. After the sentences at the CNDA, the protection rate was 35.9 %.

France has quota of refugees in the framework of the resettlement procedure for refugees identified by the United Nations High Commissioner for Refugees¹. The resettlement costs of refugees are taken in charge by Europeans funds (AMIF - Asylum, Migration and Integration Fund), and in consequences, are not reported in ODA.

¹ <https://www.interieur.gouv.fr/Le-ministre/Communiqués/La-reinstallation-des-refugiés>

In first instance, at OFPRA, the rate of discontinued applications is around 1% of total decisions (1 094 cases). The costs are included during the procedure and stop with the closing of the case.

Clarification 3. Twelve-month rule

Q3/ When does the twelve-month rule start (date of application, date of entry into the country, date of start of support)?

The twelve-month rule starts when the first asylum request is made. Nevertheless, France does not calculate the costs at an individual level so this duration is not looked at and individual but aggregate level. The average duration for asylum procedure in France is **twelve months**, taken into account the first request to OFPRA and the appeal process to the CNDA.

Clarification 4. Eligibility of specific cost items

Q4/ Provide the list of cost items included in ODA for each category of refugee and a justification for their inclusion.

The expenses included are:

- Emergency shelters (accommodation) ;
- Reception centres (accommodation);
- Asylum-seeker allowance (elementary needs such as food, clothes, cf. Q1).

CADA (reception centres) are permanent structures to host and accompany asylum seekers. Emergency shelter (also called temporary accommodation or HUDA) have been developed due to the lack of room in reception centres. They also host and accompany asylum seeker but for a lower cost.

These two categories refer to different budget of the program 303 "immigration and asylum".

The standard hosting is through reception centres (CADA) (43 602 places in 2019 in more than 350 places). Nevertheless, due to the lack of space, emergency shelter (HUDA) have been developed on a regional basis (around 32 051 places in 2018). There are for asylum seeker who: are waiting for a place in reception centre (CADA) or who cannot be admit in reception centre (priority procedure, re-examination, Dublin III procedure).

Unfortunately, France does not split the cost of reception centre between the various types of expenses. Thus, the costs reported include staff involved in management and / or human resources. Nevertheless, other eligible costs related to reception centre, such as staff directly in charge of supporting asylum seekers (for administrative request etc) are not included as there are external actors. In a balanced approach, France does the assumption that both are compensating. The average daily cost varies depending on the structure (for CADA 19.5 € by day by place)

The accommodation is part of "material reception conditions" mentioned in the European directive and are detailed in the "Code de l'entrée et du séjour des étrangers et du droit d'asile". The accommodation is required only during the request examination period (more or less one year). So there is no double counting. Until 2018, France **does not include healthcare cost** in the ODA. Starting with 2019 data, France is going to add health expenses, after some discussions between the French Treasury and the Ministry of Health. The Ministry of Health computes the cost of the "couverture maladie universelle" (CMU)² starting from the total cost of the CMU corrected by many hypothesis: (utilization rate of CMU by asylum seekers, average cost by users, duration of their asylum seekers status ...). For 2019, the health expenses related to asylum seekers eligible to ODA are up to 175 M€

² <https://www.complementaire-sante-solidaire.gouv.fr>

for 130 000 asylum seekers.

Others future changes may concern the addition of refugee costs if the duration gets shorter than 12 months for asylum seekers.

France does **not include the costs for voluntary resettlements**, as the duration period of the request is 12 months.

Clarification 5. Methodology for assessing costs

Q5/ Describe the methodology used for assessing ODA-eligible costs and provide the actual data points and detailed calculations used to reach the figures reported as ODA.

France needs to compute imputed costs and **does not have a system to track expenditures at the level of individual asylum seeker / refugee**, at least not with all the information (the payment system is individual but do not have data on nationality for instance).

France counts the totality of ADA, nevertheless an average of 12 month implies that there are over and under estimations. To illustrate the logic of this calculation, France can say that:

- some beneficiaries get ADA for **more than** 12 months, for instance 14 months (A);
- some beneficiaries get ADA for **less than** 12 months, for instance 10 months (B).

At the end, both are compensating. France sees it as similar to count A and B, as to count two hypothetical C who get ADA for exactly 12 months.

France counts cost until the final instance. Nevertheless, for people protected in first instance, the duration is above 12 months (150 days for OFPRA in 2018³). With addition of those who need an appeal at CNDA, the weighted duration is 375 days in 2018.

France takes the amount of credit in action 2 of the program 303 and correct it by the percentage of asylum seekers coming from ODA eligible countries. As long as the average duration of an asylum request is 12 months, France can sum up the calculation of the eligible costs by the following formula: share of the seekers coming from ODA eligible countries (approx. 88%) x budget of the eligible programme.

Include responses to the following questions in your description:

Is the same methodology used to assess costs for different categories of refugees?

Yes, France will **only use a ratio of request rejected** to differentiate asylum seeker ultimately rejected / accepted.

How does your methodology ensure there is no double-counting (e.g. counting the costs for the same person for 12 months as an asylum seeker and another 12 months as a refugee granted status)?

France does not track individual record, so an asylum seeker whose request takes a long time to be examined can be counted two years in a row. However, France also may have asylum seekers for whom the decision is very quickly taken (less than 12 month) and France does not count the expenses (voluntary resettlement, allowance etc.) associated which are in another program. In conclusion, our method based on the average request length seems fair,

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as it takes into account the variety of situations in a balanced manner.

Do you use imputations when refugees benefit from the services available to all citizens (e.g. education or health)? How do you clearly define the estimate of the number of refugees/asylum seekers benefiting from a particular service for up to 12 months?

No, for the time being, France **does not include these kind of expenses**.

What estimates do you use? What is their source and their frequency of updating?

France uses data on budgetary credit, updated annually in the budgetary report going with the finance act.

How do you assess the share of rejected asylum seekers: based on real data, estimates, well founded expectations? Based on first instance or final rejection?

The share of rejected is based on the decisions taken by the OFPRA and the CNDA in case of an appeal.

Thus, this rate is evaluated at two different stages of the asylum procedure:

- After the OFPRA's decision ;
- After the CNDA's decision in case of an appeal.

In 2018, the protection rate at the OFPRA was 26.6 %. After the sentences at the CNDA, the protection rate was 35.9 %. These data are from the OFPRA's activity report of 2018 available online (<https://www.ofpra.gouv.fr/>).

Provide data on the number of refugees and per capita costs (included in ODA), the average time to get a decision on status, the average time on support, the share of rejected asylum seekers.

- number of refugees and per capita costs (included in ODA): 92 338 first requests in 2018 (excluding accompanying minors);
- average time to get a decision on status: 12 months;
- average time on support: it is the time of the procedure (about 12 months);
- share of rejected asylum seekers: in 2018, it was 64.1 % after the CNDA.

The ministry of domestic affairs, which is in charge of producing data, provides information about this average estimate. In the future, if this average is far under 12 months, France will count a part of refugee cost.

For the CRS on 2018 flows, France has declared 612 830 000 € and there have been 92 338 first requests (France excludes minors and re-examination requests who do not benefit from ADA – this figure does not include asylum seekers under Dublin procedure but it should not change a lot⁴). So the average ODA declared by asylum seeker is roughly 6 637 €.

ODA costs in 2018

<u>Cost Category</u>	<u>Amount reported as ODA</u>
Temporary accommodation	171,402 €
Costs in reception centres	181,624 €
Asylum seeker allowance	259,804 €
Total ODA reported in 2018	612 830 000 €

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⁴ Number of request under Dublin procedure is not yet part of official statistics for Eurostat. One part of asylum seeker under Dublin procedure will then be to OFPRA

