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## Article

# Asylum, Racism, and the Structural Production of Sexual Violence against Racialised Women in Exile in Paris

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**Abstract:** The recent arrival of refugees from Ukraine has thrown into sharp focus the racialised colonial underpinnings of the French asylum and refugee system, as the open-door welcome afforded to Ukrainians, supposedly “closer” to the French population, highlights the rejection and marginalisation of “others” who seek refuge in the country. The current situation lays bare not only the “double standards” applied to refugees depending on their country of origin and race, but also the colonial foundations of the French asylum system as a whole. This might be seen as particularly significant in a country where even within academic research on asylum and refugees the racial and colonial foundations of the current system are rarely mentioned, and where the principle of Republican universalism has been consistently used to both hide and justify racialised and gendered forms of inequality and discrimination. In this contribution we wish to explore the ways in which the coloniality of the French asylum system works to deny exiled women access to welfare and social services, creating systems of racialised and gendered violence against them. We highlight the ways in which the State not only neglects these women, but actively contributes to violence through its racialised neo-liberal policies. The withdrawal of access to welfare and social services, including housing, welfare payments or health services, all form a part of this system of structural violence which leads to increasing levels of harm. Based on ethnographic research carried out in the Paris region, our article aims to emphasise that the structural production of gendered violence, particularly sexual violence against racialised exiled women, illustrates the coloniality of the asylum system and more broadly of the migration regime, which manifests itself in policies of exclusion, neglect and endangerment—including death.

**Keywords:** gender; race; violence; coloniality; asylum; France; Paris

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## 1. Introduction

*“When we are afraid of migratory phenomena, I think that here too we must defend our DNA, that is to say our duty to welcome those who are fleeing a country at war, like the Ukrainians today, but at the same time to know how to fight against illegal immigration. By demanding this clarity, I think, we can respond to fears and at the same time provide a Republican response.”* (Emmanuel Macron, 4 April 2022, on Radio France Inter<sup>1</sup>, translation by the authors)

“How must we keep ourselves together  
when the universal patterns of migration  
make themselves hosts to our agency to stay still  
and we are blown apart by gusts of wind  
laden with dust  
laden with wails  
smelling faintly of gunpowder and famine  
forcing us into hostile places

that transform us into number sequences printed in cards  
and A4 pieces of paper  
barcodes with details  
of our unwanted migrant histories  
and criminal records  
when the crime committed is reaching for safety”  
Aaiùn Nin, *Broken Halves of a Milky Sun*, 2022, pp. 34–35

The statement by Emmanuel Macron, the French president, on French radio on the eve of the last presidential elections, illustrates how asylum and migration policies are used to define and defend the purity of the French race with reference to a supposed French DNA, compatible with welcoming Ukrainians but not other exiles whose arrivals must be prevented. In other words, Macron is performing the defence of a white French Republic (Cohen and Mazouz 2021). It is interesting to note that there was little outrage at this statement. This illustrates the banality of state violence emanating from the intertwining of migration, asylum and white supremacy in political discourse and practice. As Bonds and Inwood (2016) have written, white supremacy should be understood not as an artefact of history or as an extreme position, but rather as the basis for the continuing development of practices of race and racism within colonial—and we add postcolonial-states (Wekker 2016). The words of Angolan poet Aaiùn Nin, whose asylum application was rejected in Denmark, name this racist violence whereby impersonal bureaucracies produce multifold deprivations through the criminalization of migration. We shall highlight in this article how as a result, racialised women seeking asylum in Paris face systematic sexual and gendered violence.

The recent arrival of refugees from Ukraine has thrown into sharp focus the racialised colonial underpinnings of the French asylum and refugee system, as the open door welcome afforded to Ukrainians, supposedly “closer” to the French population, highlights the rejection and marginalisation of “others” who seek refuge in the country. Importantly, French politicians have emphasised the welcoming spirit of the policies concerning Ukrainian refugees, asking state representatives for a benevolent and compassionate application of the law. In a radio interview on France Info on 8 March 2022, Marlène Schiappa, Minister attached to the Minister of the Interior and responsible for Citizenship, answered the journalist’s questions about what would happen for those who couldn’t take their passports before leaving Ukraine by saying “There is flexibility, obviously we have given instructions, with Gérard Darmanin [the Interior Minister], to the Prefects [state representative at the regional level]. . . ” adding that “when you see that in a family there are people who have their passport and then one of the members of the family who doesn’t have his or her passport, it’s people who are fleeing from war, so I believe that humanity is also not to add formalities to formalities”<sup>2</sup>. Besides the very different legal dispositions that were either activated or designed specifically for Ukrainian refugees, politicians’ attitudes revealed the racialised undertone of this double standard at various governance levels. In the Calais region for instance, where for years all humanitarian activities towards refugees have been increasingly criminalised in the context of the ‘zero-fixing’ policy, Mayor Natacha Bouchart publicly welcomed a Ukrainian refugee family to display her support and express her shock at the refoulement of Ukrainians by the British authorities. Meanwhile, other refugees trying to reach England have been refouled for years by both the French and British authorities (Freedman 2018). We do not wish of course to minimise the suffering of Ukrainian refugees or the violence that they have suffered, including sexual and gender-based violence against Ukrainian women (Boesten 2022; Mannell 2022). The points we make should also not conceal hierarchies along the West/East divide within Europe with the existence of discourses that sexualise Ukrainian women’s bodies through the construction of the figure of the “Eastern European woman”. But we feel that the statements of French politicians are telling in revealing underlying racist and colonialist preferences for refugees who are perceived as white and thus assumed to be more worthy of welcome.

The current situation lays bare not only the “double standards” applied to refugees depending on country of origin and race, but also the colonial foundations of the French asylum system as a whole. As [Camiscioli \(2009\)](#) argues, the elaboration of the idea of the “French race” was intimately linked to colonial expansion with the production of a national identity that was made intelligible through reference to white authority and “civilized culture”, and which integrated gendered and racialised hierarchies. The colonial period in Africa and the Americas led to the emergence of racist stereotypes of black populations and more particularly of black women, whose bodies are sexualised and bestialised ([Dorlin 2006](#)). Colonial legacies traverse French society to date ([Blanchard et al. 2013](#)) and this hierarchization is fundamental to all migration and asylum policies. This might be seen as particularly significant in a country where even within academic research on asylum and refugees the racial and colonial foundations of the current system are rarely mentioned ([Cosquer et al. 2022](#)), and where the principle of Republican universalism has been consistently used to both hide and justify racialised and gendered forms of inequality and discrimination ([Cohen and Mazouz 2021](#)). In the current contribution we wish to explore the ways in which the coloniality of the French asylum system works to deny exiled women access to welfare and social services, creating systems of racialised and gendered violence against them. By coloniality of power, Anibal [Quijano \(2000\)](#) understands the West’s enterprise of racialising the world and hierarchising humanity from 1492 and the first conquests of ‘America’ to the contemporary forms of capitalism’s hold on globalisation. The instrument of this racialised coloniality is the institution of a double standard that applies to the various populations in the world, in the societies of the global North and the global South, according to whether they belong—to quote Frantz [Fanon \(2011\)](#)—to zones of ‘being’ (with rights, expectations, norms) or to zones of ‘non-being’ (without rights, without places, without names). These racialised patterns of exclusion are at work today within French migration and asylum policies. In this article, we highlight the ways in which the State not only neglects non-white exiled women, but actively contributes to violence through its marginalizing neo-liberal policies.

Since 2015, Paris and its immediate suburbs have seen a regular process of creation and destruction of informal camps of displaced persons ([Makaremi 2018](#)) highlighting the processes of marginalization and neglect enacted against non-citizen “others” by the French authorities in the context of racial and colonialist neoliberalism ([Bhagat 2021](#); [Davies and Isakjee 2019](#)). Various NGOs and media reports, as well as academic articles, have highlighted the violent police action to dismantle these camps and disperse their residents ([Barnier et al. 2019](#); [Katz 2019](#); [Tazzioli 2020](#)), but these reports and studies did not address the gendered composition of the camps, which tend to be established and occupied principally by men whilst women seek other forms of shelter. Thus, the gendered and racialised forms of violence against women in exile have been invisibilised both in policy and in research. Rather than staying in camps, women in exile often “choose”/are forced—in a form of bounded agency ([Mai 2016](#))—to live in the street, in stations, or in other places of precarious accommodation where their existences and experiences are hidden. In this article we show how Paris can be considered as a major, and from the perspective of the women we met to some extent unexpected, site of violence. This violence is frequently invisibilised, but is nonetheless ever present in a variety of forms. Starting from the experience of Patricia D.<sup>3</sup>, a woman from the Democratic Republic of Congo, and relating her story to those of other women we met, we examine the ongoing and multiple forms of gendered and racialised violence to which non-white women in exile are subjected. We argue that these experiences demonstrate the ways in which their precariousness is intentionally created and maintained by local and national political authorities, and in some cases reinforced by the practices of the humanitarian organisations which purport to “help” them.

Our article aims to emphasise that the structural production of gendered violence, particularly sexual violence, against racialised exiled women illustrates the coloniality of the asylum system and more broadly of the migration regime, which manifests itself in policies

of exclusion, neglect and endangerment—including death. We analyse, at all institutional stages, a systematic relativisation or even denial of the sexual violence experienced by women in countries of origin and on migration routes, as well as the invisibilisation of the risk of violence<sup>4</sup> and of the actual violence experienced by women in the context of non-/mis-accommodation in Paris.

## 2. Methodology

This article is based on research carried out in various locations in and around Paris in 2020 and 2021. Elsa Tyszler carried out participant observation in retention areas at airports (*zones d'attente*), notably Paris-Charles-de-Gaulle, for 9 months<sup>5</sup> and Jane Freedman and Nina Sahraoui conducted participant observation and interviews in a refugee accommodation centre for women and families in the Paris suburbs (Centre d'Hébergement d'Urgence pour Migrants, CHUM) for 3 months. We also conducted interviews with a range of actors involved in working with people in exile—NGOs, health service personnel, volunteers and activists-, and discussions with officers of the asylum system, lawyers, interpreters and border police (in the framework of the air border research). Spending relatively long periods of time in these locations, and working with NGOs engaged in the support of exiles, facilitated our access to a wide range of actors for interviews, including some who might be perceived as harder to reach, such as border police. Because we believe that it was essential to hear the views of those primarily concerned, we decided to talk to/interview women in exile in the different research sites. Discussions and interviews with seventy exiled women from a wide range of different countries in the Global South (Ivory Coast, Mali, DRC, Guinea-Conakry, Nigeria, Mali, Senegal, Congo, Brazil, Colombia, Venezuela, Peru, Honduras, Dominican Republic, Haiti) were carried out in French, English or Spanish and were recorded when the interviewee gave permission. The interviews were conducted by us without the presence of interpreters in the languages that were common to us and these women. As part of the investigation at the French air border, women were met at legal aid clinics to which they came themselves. Discussions about the violence experienced were spontaneous. Elsa Tyszler, who was working in the field as both an NGO volunteer and a researcher, sometimes suggested that some women record or write down their stories in order to feed the advocacy work of the NGO and the research. In general, the women were keen to denounce the violence endured at the border. They simply required that the researcher/NGO would keep the story anonymous. At the accommodation centre, we first met exiled women in the context of support activities for an NGO, e.g., accompanying them to medical appointments. We then asked whether they would agree to be interviewed about their migration journey and their experiences of arrival and life in France. Again, the violence they had experienced was central in the interviews. In some cases, we have kept in contact with these women and thus have been able to understand the various experiences at different moments over the time they have been in France. This is the case, for example, of Patricia D. with whom we have been in contact since February 2020, and whose story provides a guiding thread to our article. Her story is typical of the experiences of many of the other women we met.

We are committed to conducting our research fields as feminists (Clair 2016), abandoning the idea of the objectivity of a distant and neutral scientific method, to make explicit our positionality<sup>6</sup>. We approach our research from a feminist intersectional perspective, seeking to make visible and highlight systems of domination based on race, class, gender, sexual orientation, amongst other categorisations. As European women of diverse heritage but often read as white<sup>7</sup>, with legal status to live and work freely in France, we are aware of the unequal power relations that exist between us and the exiled women who we met, and of the fact that 'reciprocity' is not possible within such power asymmetric relationships. However, we believe that the "messiness" (Hyndman 2004) and ethical challenges involved in such research do not outweigh the importance of rendering visible these women's experiences and exposing the structures of violence and intentional neglect to which they are

subject. And we hope that we can make some contribution towards this in our research and in this article.

### 3. Racist Foundations and Neoliberal Development of Asylum Policies

Colonialism has been shown to be central to the development of modern welfare states (Bhambra and Holmwood 2018) but accounts of development of these welfare states most frequently omit discussion of colonialism and racialisation through a separation of the “economic” sphere from “political” or “social” issues. However, we need to understand the centrality of colonialism to understand current debates on race, asylum and immigration and to see that these are not “new” questions raised by recent migration “crises” but rather continuations of historical debates over who is a “legitimate” or “deserving” member of this welfare state. As others have done previously, we do not understand asylum as an ad-hoc reality but as part of a broader management of migration, against the background of racialised migrants being construed as a threat to post-modern Europe (Jubany 2020). One way to attend to the coloniality at the crossroads of the welfare state and the asylum system is to render visible the imperialist assumptions that underpin contemporary border politics (Rodriguez Gutierrez 2018; Hernandez 2018; Walia 2021). In *Undoing Border Imperialism*, Walia (2014) analyses how the history of settler colonialism fails to be critically connected to contemporary migrations which reproduces an imperialist and Western-centric understanding of global mobilities. She contends that the notion of border imperialism encapsulates:

“First, the mass displacement of impoverished and colonized communities resulting from asymmetrical relations of global power, and the simultaneous securitization of the border against those migrants whom capitalism and empire have displaced; second, the criminalization of migration with severe punishment and discipline of those deemed ‘alien’ or ‘illegal’; third, the entrenchment of a racialized hierarchy of citizenship by arbitrating who legitimately constitutes the nation-state; and fourth, the state-mediated exploitation of migrant labor, akin to conditions of slavery and servitude, by capitalist interests” (Walia 2014, p. 4).

In our article we seek to acknowledge that contemporary Western asylum policies are anchored in the modern histories of human mobilities that have been fundamentally unequal and racialised. Following the invitation of connected sociologies to historicize sociology (Bhambra 2014), we share the conviction that ‘if colonially derived conceptions of differential humanity are vital in understanding the history of the right to asylum, contemporary critique of exclusionary and punitive asylum policies must also include some consideration of these histories’ (Mayblin 2017, p. 114). Mayblin thus warns us that reading contemporary restrictions on asylum in Europe as a new phenomenon that would depart from the Convention’s universalist spirit actually conceals the fact that a racialized understanding of humanity shaped its founding negotiations. Drawing on archival research, she demonstrates indeed that the British understanding of the right to asylum is anchored in an exclusionary definition of who gets to be a ‘Man’ and bearer of rights with populations outside of Europe being deemed unworthy of these rights in the post-war era. During the negotiations that led to the adoption of the 1951 Geneva Convention, the British delegation to the UN sustainably advocated for an exclusion of the colonies from the realm of the Convention’s applicability. These racist logics underpin the workings of asylum to date, as argued by Olga Jubany, ‘the racialisation of the “other” is not only present in the obscure legacy of asylum, but it is also critical in today’s processes of asylum constructions, asylum policies and social exclusion’ (Jubany 2020, p. 364). However, in French historiography of the asylum system, such historical continuities are rarely foregrounded.

“Why are some foreigners more legitimate than others?” “What is the basis for the distinction between ‘political refugees’ and ‘economic migrants’?” (Akoka 2020). In her pioneering work on the social history of the administration of asylum in France, Karen Akoka examines the practices of categorisation of asylum applications by the agents of

the French Office for the Protection of Refugees and Stateless Persons (Ofpra). She shows that, far from being neutral responses to objective needs, definitions of the refugee, since the construction of the international category between the two world wars, have been politically situated. The understanding of this category changes according to political priorities, and shifts in the international balance of power and the specific ideological stakes of a period. Her work highlights how the politicisation of asylum in France is expressed differently in different historical contexts, depending on whether it was subordinated to diplomatic policies during the Cold War or whether it was aligned with immigration control policies from the 1980s. Despite the richness of her study, Akoka does not mobilise the concept of race, which could be brought to centre-stage to analyse the French asylum system. Indeed, although she points out the distinction made between certain asylum seekers (particularly through the example of the colonial categories of “Indochinese”<sup>8</sup> and “Zairians”<sup>9</sup> applications, the former embodying legitimate refugees and the latter fraudulent asylum seekers), the word racism only appears once: to say that we need to look beyond processes of racialisation to understand what is at stake in the “differential treatment” (Akoka 2020, p. 337) of asylum seekers. But Akoka does not propose any analysis in terms of race relations. In contrast, other researchers working in France do not hesitate to point out “the continuities between the contemporary set-up of asylum regimes and the ongoing racial oppression at the hands of states and institutions to which the majority of refugees are exposed” (Giametta and Havkin 2021, p. 109).

Following a historicized and critical approach we contend that asylum seekers, as a position and category, are produced by specific policies and that their legal precariousness and material deprivation result from political choices that have inscribed asylum into the realm of assistance and dependency (for instance through the absence of a right to work for varied but most often prolonged periods of time). Picozza argues in this regard that “refugeeness” is socially produced through practices of management and humanitarian assistance, variously led by the state, NGOs and self-organised support groups that inscribe refugees in repressive, instrumental or disempowering relationships’ (Picozza 2021, p. 7). We depart from accounts that portray asylum seeking women as intrinsically vulnerable and explore how vulnerabilities are produced by the dispossession that asylum policies enact. In this perspective, the notion of coloniality of asylum reveals how the figure of the racialised refugee is fundamentally constructed as Other:

“The concept of the coloniality of asylum illuminates the racialising border-work of the ‘refugee’ category, which naturalises some people on the move as objects of European management, charity or, at best, political engagement. This fundamental objectification at the heart of the coloniality of asylum is predicated upon the purported incompatibility of ‘Europeanness’ and ‘refugeeness’ as conditions that, spatially, temporally and socially, are utterly Other.” (Picozza 2021, p. 6)

Other authors also propose a reading of the asylum system based on feminist and queer theories, (Danisi et al. 2021) and highlight the femonationalist (Farris 2017) and homonationalist (Puar 2007) logics at work in assigning protections based on criteria of gender and sexuality. Calogero Giametta (2018), for instance, elaborates on the discrepancy between the widening of refugee protection, through the inclusion of gender identity and sexual orientation as grounds for asylum, and the increasingly restrictive practices that define the refugee granting process in France and the UK. In a more recent article with Shira Havkin, they highlight the double-bind in which queer asylum seekers in France are situated, “namely, having to tell a seemingly genuine story about themselves and fitting into preconceived ideas about identities and places. In doing so, they are made to reinforce the flattening picture of France as a homogenous safe space for queers, and of their countries of origin as inherently and culturally homo/transphobic” (Giametta and Havkin 2021). The authors equally point out that for many of the respondents they met during their fieldworks, finding a job and decent housing turned out to be “particularly difficult for (often racialized) migrants who are structurally positioned in the lowest ranks of a society organized through hierarchies of nation, race, sex and gender expression” (Giametta

and Havkin 2021). Feminist research on gender in the asylum process highlights similar challenges for racialized women asylum seekers who often struggle to find protection despite the promises of EU countries to defend the rights of women faced with gender-based violence (Canning 2019; Freedman 2015; Gerard 2014).

The analysis of the material situation of asylum seekers in France supports these arguments. When seeking asylum in France, applicants are not allowed to work for a period of 6 months, after which they can apply for a work permit if their application has not yet been treated. However, they are given no information about this right and the procedure of application for a work permit is so complicated that it remains a right on paper only. Most of our interviewees were only able to work in informal jobs where they risked exploitation, or remained dependent on state welfare payments which as we explain further below, are not sufficient to cover their essential needs. Asylum seekers are in theory entitled to a small financial benefit to be able to sustain themselves, the *Allocation pour Demandeur d'Asile* (ADA), that amounts to 6.80 euros per day and 14.20 euros if no accommodation is provided. Yet, in practice many of the women we met had received neither accommodation nor financial support. Some of them did receive financial support without accommodation or were able to find temporary emergency accommodation while not receiving any benefits. Social workers highlighted that financial support payments were regularly suspended for many asylum applicants, for instance after missing an official appointment, which was often caused by the lack of a stable address. This withholding of payments is another way of rendering life “unlivable” for asylum seekers, part of a system which provides a mirage of welfare support which is never obtainable on a sustainable and long-term basis (Coddington et al. 2020).

Within racial neoliberalism’s structures of discipline and control, immigration is presented as a “threat” to the welfare state as a part of neo-imperial structures of exclusion (Kapoor 2013). This then is used to justify the withdrawal of welfare services for refugees who, if they are allowed to stay, must turn themselves into “productive members of society” (Bhagat 2020) in order to survive. We can understand this exclusion of refugees from welfare provision as part of the logics of racial capitalism (Shilliam 2018) which establishes and reinforces divisions between the “deserving” and the “undeserving”, where the “undeserving” include racialised subjects and colonial “natives” (Bird and Schmid 2021). As Bhagat argues: “Refugee governance takes place in a raced market that is largely distinguished by exclusion; however, even when refugees are accepted their survival falls outside the purview of state welfare” (Bhagat 2020, p. 2). In the case of France, neoliberal restructuring of the State must also be understood in conjunction with the (re)assertion of a particular form of Republican universalism, which foregrounds citizens’ equality within the nation, one that supposedly transcends any other form of belonging or affiliation to any group or community. Anyone who is perceived to threaten this unity is then cast as a “danger” to the very existence of the Republic itself and thus becomes a legitimate target for State violence and neglect.

The withdrawal of welfare for refugees forms part of what Canning (2017) calls a “degradation by design”, the creation of a hostile and indeed dangerous environment which produces various forms of racial and gendered violence. Similarly to the use of social policies as a means of migration control (Ataç and Rosenberger 2018; Ratzmann and Sahraoui 2021), social welfare has also become an instrument of regulation of refugee protection (Billings 2022). We stress here that the State plays an active role in creating violence, a role which has previously been described as institutional abandonment (Pinelli 2018) or deliberate indifference (Davies et al. 2017). The withdrawal of access to welfare and social services, including housing, welfare payments or health services, all form a part of this system of structural violence which leads to increasing levels of harm or even death for refugees.

Furthermore, the violence engendered by contemporary migration and asylum policies is inherently gendered. Previous research has shown the gendered nature of necropolitical governance of borders manifest in the disproportionate death of women at these borders



(Pickering and Cochrane 2013). In the early 2000s, Jane Freedman warned of the gendered effects of European asylum policies, accentuating the vulnerability of exiled women:

“Women who are granted asylum face many obstacles—from their journey to reach a European state, to the difficult conditions imposed by internal reforms of the asylum system. These difficulties are only compounded by the continuing desire of European governments to reduce the number of asylum seekers reaching their countries, and the number of those applicants who are ultimately granted refugee status. If European states continue to pursue stringent policies to reduce the number of refugees on their territory, then it is likely that the situation of these women will only get worse.” (Freedman 2004, pp. 13–14)

Nearly 20 years later, this hypothesis is certainly borne out, as the rest of this article shows. In this context, racialised exiled women have increasingly become a target of State repression. In the following sections of the article we point to the gendered nature and effects of the racialised violence exercised by the French State against women in exile, refusing to protect them and exposing them to physical harm through the refusal of access to welfare and social services.

#### 4. On (Refused) Entry to France. The Onset of State Violence at the Border

In February 2020, one of us met Patricia D., a 25-year-old Congolese asylum seeker, while she was detained at the Paris Orly airport. She had arrived from Athens and was placed in the “zone d’attente” at the airport by the French border police. The *zones d’attente*, set up in airports and at internal borders in France are areas of deprivation of liberty for foreigners who are refused admission to the national territory. They serve the purpose of migration control through the tools of confinement and deportation (Makaremi 2010; Frétiigny 2013). Initially an informal practice of the French administration based on the idea that the persons concerned were not yet on French territory, administrative confinement at the border was ratified by a law of 1992. The *zone d’attente* was defined as an area that “extends from the points of embarkation and disembarkation to those where checks on persons are carried out” and which “may include, on the port or airport premises, one or more places of accommodation providing hotel-type services to the foreigners concerned”. This definition has been extended ever since, showing the elasticity of the border. The gendered dimension of border control and the experiences of women at air borders remain underexplored. Yet they are affected by racialised and gendered policing practices that produce different figures of “migration risk” to combat at the border (Tyszler, forthcoming). But the “combat” is not only led by the police. The research conducted shows that the violence experienced by women who are illegalized at the air border also emanates from the asylum system, and this is particularly true for women claiming protection on the grounds of gender-based violence.

The research carried out shows that the specific asylum system at the border leads to the almost systematic failure of applications related to gender-based violence. This “border asylum system” is characterised by ultra-rapid interviews and response procedures. OFPRA “Protection officers” working for the border asylum mission<sup>10</sup> have 48 h to organise an interview with a person and issue an opinion. “At the border, it is not a question of examining the asylum application on its substance but only of identifying the claims that are manifestly unfounded” explained the head of mission in an interview in 2021. The interviews last on average 30 to 45 min (not exceeding one hour) and are conducted in person, by phone or videoconference according to facilities available at each of the airports<sup>11</sup>. The OFPRA staff is often poorly trained in gender issues as we witnessed when accompanying people during these interviews, and only certain forms of gender-based violence are recognised (see Freedman et al. 2022). Moreover, the interpreting service during the asylum interview is often of abysmal quality, particularly with regard to accounts of gender-based violence—as for example on one occasion, when a woman said that she had been “enslaved” in the house where she was confined and sexually abused, and the interpreter (English/French) translated this as: “she was doing the housework”<sup>12</sup>. As

former and current OFPRA protection officers told us in interviews, the border asylum mission is often considered, internally, to be a “makeshift” system, lacking adequate resources and investment compared to the main OFPRA services established within France. The women we met in the zones d’attente who had fled sexual violence had generally been re-traumatised by their experience at the air border. The vast majority of them had their application for asylum rejected at first instance, and often experienced their visit to the administrative court for their appeal as yet another act of violence due to the expeditious hearings, the contemptuous, disdainful or accusatory behaviour of lawyers and judges, or due to poorly trained interpreters who are uncomfortable with translating accounts of the sexual violence they recount, as we were able to observe at hearings at the administrative court in Paris.

“Mrs S.’s hearing begins. As the interpreter—a man in his sixties—translates what the judge is saying to her, Mrs S. (who is Nigerian) says that she does not understand his English well. The interpreter, visibly offended, retorts that he speaks perfectly normal English, and that people usually understand him. He ends up saying that he will do what he can, that he will speak slowly. (...) As the woman begins her story, the interpreter becomes irritated because he has difficulty understanding her. The judge suggests that she speaks into the microphone herself, as he can understand English. But Mrs S. speaks very softly, the interpreter becomes annoyed and very intimidating towards Mrs S., to the point of saying out loud, into the microphone, “I don’t understand anything! You’re mixing everything up! It’s not clear at all” (in English). The judge then retorts that the man is going beyond his role as an interpreter and asks him to stick to his role. It doesn’t get any better, the interpreter is very aggressive towards her, to the point that, sitting right behind and outraged by the interpreter’s behaviour, I let out a “stop intimidating her!” (Elsa Tyszler’s fieldnotes, Paris Administrative Court, 17 February 2020)

This example shows that interpreting at hearings can be yet another obstacle and even a form of violence—in this case—for women victims of sexual and gender-based violence. After an OFPRA interview where the quality of the interpreting had already completely skewed Ms. S. story, she found herself at the court with an interpreter who “doesn’t like” having this kind of cases (as he later confided to the researcher), not at all comfortable translating the words of a victim of sexual violence. The asylum application of this woman, who was forced to make public the sexual violence she had experienced for a long time, was therefore completely distorted by the words of an interpreter, for the second time. Her appeal was rejected and she was forced by the border police to board a plane from Paris CDG to return to the place she had fled.

When we met Patricia in the zone d’attente of Orly airport, she was six months pregnant. She explained that she fled the DRC in 2019 because of sexual violence and other political reasons related to her family. She travelled to Europe through Turkey and spent two months in “terrible conditions” in the Samos camp in Greece. After escaping from this camp, she was forced to live on the streets of Athens for six months and was, again, sexually abused. She then sought to flee Greece and asked for help to go to France. This is how she arrived at Orly airport in 2020 and asked for asylum. When we spoke with her, she had just had her interview with the border asylum mission. She talked about the poor conditions in which this interview was carried out. She had to tell her story via video conference, sitting in front of a computer in a tiny room in the *zone d’attente* guarded by police officers. The video connection frequently cut out, making it hard to hear the questions put to her, and hard to tell her story in a fluid manner. Her first request was rejected as “manifestly unfounded”. She therefore lodged an appeal and ended up in the Paris Administrative Court, a hearing that we could observe:

“During the very short hearing of Ms D., her experiences as a victim of sexual violence from a very young age, in a family setting, then in a religious setting, then in the course of her exile, are made public, stated at the microphone, in a context

in which Ms D. is surrounded by unknown people and mainly men: civilians and police officers. Then, these experiences of sexual violence are publicly questioned with a very explicit challenge to their potential veracity by the administration's (male) lawyer, who thus accuses Ms D. of being a possible liar. The victim of sexual violence becomes the accused: she is accused of not giving enough details about her multiple aggressors and of never having tried to file a complaint (whether she was a minor or an adult) in DRC, and therefore of possibly lying and not having really experienced the violence." (Elsa Tyszler's fieldnotes, Paris Administrative Court, 2020)

Patricia's appeal was rejected by the judge. The day after, in tears, she said that she was shocked by the fact that the sexual violence she had experienced had been called into question, and that she was truly offended by the words of the administration's lawyer against her. The violence of this hearing, for Patricia, also owes to the fact that she could not answer for herself to the allegations of lies and to the denial of her experiences and her suffering, since she was reduced to silence. It was her (male) court-appointed lawyer who responded, briefly, to the attacks of the (male) lawyer of the administration, before the (male) judge.

Patricia's case illustrates how women's experience of the border can be experienced as a constant questioning of the sexual violence they have suffered. The research revealed various places and different actors involved in this violence, a violence played out through casting doubt on the veracity and existence of the sexual violence that women have experienced. This violence occurs during the OFPRA interview, in the decision by the Ministry of the Interior to reject the asylum application, during the hearing at the administrative court, and it can also occur in the framework of interpreting services when the women do not speak French.

After her appeal was rejected, Patricia was threatened with deportation by the border police at Orly airport. While visiting the detention area, we asked a senior border police officer about Patricia, and her risk of being deported despite her advanced pregnancy. He replied that:

"Pregnant women come by plane. So why, after twelve days in the Zone d'Attente, can't they leave by plane? If they came by plane, they can leave by plane. (...) Some come pregnant, it's a strategy". (Interview with Border Police, Orly airport zone d'attente, 2020)

The comments of this police officer show that pregnant women are not exempted from the repressive policy of confinement and deportation implemented at the border, but moreover, they are suspected of using their pregnant bodies for strategic purposes, which would reinforce their categorisation as a reprehensible "migratory risk". Many women claiming asylum on the basis of gender-based violence are eventually forcibly put on planes by the police, after their asylum claim is deemed "manifestly unfounded" at the border. Some of them are also physically abused by the border police during their forced boarding, as several women testified—survivors of violence, beaten again, symbolically and materially—, this time by the French asylum system and the police dealing with those rejected.

After several refusals to embark on her deportation plane from Paris Orly, Patricia was finally transferred to police custody and then to prison, as refusing to board is an offence under French law governing the *zone d'attente*. After a few days in the Frêne prison (near Paris), a judge "took pity on her"—as Patricia tells us—and let her out. Patricia began a period of forced wandering in the streets of the French capital, seven months pregnant. As we have argued elsewhere (Freedman et al. 2022), our observations at the air border, as well as those carried out in the Parisian region, show deeply anchored but highly problematic patterns within the French State's position regarding the rights of non-white migrant women and their implementation: "protection through detention and deportation, emancipation through street life". In the following section, we explore the circumstances in

which exiled women find themselves living on the streets and shed light on the gendered violence that these situations entail.

### **5. Surviving on the Streets of Paris: The Gendered Violence of Institutional Abandonment**

During our study we found that even pregnant women asylum seekers or women with young children had experienced homelessness and had slept on the streets. The only recourse that they have to find accommodation is to go through the 115 emergency accommodation system. The emergency accommodation system run by the Samu Social consists of the 115 phone line which those in urgent need of accommodation must call in the hope of being allocated a place in an accommodation centre or “social hotel”. However it is very difficult to get through on the phone to speak to someone and people report spending many hours waiting for someone to pick up the line. Even when they do get through there is such a paucity of accommodation available that their request is likely to be unsuccessful for several weeks or months.

Like many others, Patricia lived on the streets of Paris for a month despite making daily calls to the 115 emergency housing line. After spending days calling with no response, she eventually managed to get through to speak to someone. After having listened to her request, the person on the other end of the line asked her to fax proof of her pregnancy to prove her situation. It was only thanks to her contacts in migrant support associations that she managed to provide the required document. But even once she had done this, Patricia was not allocated accommodation. It was only on the eve of the first lockdown in France during the COVID-19 pandemic that she was eventually housed—like many homeless people at the time—in a dilapidated and dirty hotel. During the month she spent as a pregnant woman living in the streets, she slept mostly in the corners of Parisian train stations. She was also occasionally housed for a night in evangelical churches. Despite the extreme precariousness in which she was left, Patricia struggled to start her application for asylum in France and to seek ante-natal care at the hospital.

As Patricia’s experience illustrates, when exiled women do manage to arrive in France, a major form of violence is the lack of sufficient or adequate accommodation. Patricia’s homelessness is not uncommon, but rather a normal situation for asylum seekers in Paris. A former employee of the Samu Social who coordinated the 115 emergency housing service telephone line, explained to us that often after a whole day of responding to phone calls, she had not been able to find accommodation for a single person due to lack of available space.<sup>13</sup> She also explained that the places available were divided between various “groups” of homeless people, and that “local” Parisian homeless people, directed to the 115 by the Paris municipality, would have priority over “migrants” who found themselves living in the streets. This according to a clearly assumed policy of prioritising those who are assumed to be most “deserving” of accommodation i.e., “native” French citizens, demonstrating the racist/colonialist logic of housing allocations. The lack of accommodation thus produces a particularly important form of gendered “vulnerabilisation” for asylum seeking women (Freedman 2017, 2019; Grotti et al. 2018). This institutional neglect is anchored in the racist foundations of European asylum in that the abandonment of certain lives, certain bodies—those othered by their state of racialised refugeeness—is politically acceptable and has in fact become the norm.

France received around 138,000 first time asylum applications in 2019, and around 81,000 in 2020 (a figure which was reduced because of the COVID-19 pandemic and the added difficulties of arriving in Europe when borders were largely closed to third country nationals). However, only a minority of these asylum applicants are able to access some kind of official accommodation. La Cimade, one of the main NGOs working with asylum seekers and refugees, states in its annual report on the reception conditions for asylum seekers that only two fifths of asylum seekers get a place in any kind of accommodation centre. This means that around 70,000 people are trying to find accommodation for the 7.40 euros a day which they are officially allocated as an asylum seeker to cover for accommodation expenses, whilst around another 30,000 people have no accommodation

and receive no financial benefits at all<sup>14</sup>. Within this system, families, single women and women with children should be prioritised for allocation of accommodation according to NGOs operating on the ground, but due to the huge lack of places, many still find themselves sleeping on the streets, which engenders a high risk of physical and sexual violence. A psychiatrist at the CHUM (emergency accommodation center) recounted for instance the case of a woman who had been raped whilst sleeping at the Gare du Nord railway station, and had arrived at the Centre pregnant and HIV positive.<sup>15</sup>

The women we met inside this emergency accommodation centre had generally experienced living on the streets in Paris before being housed in the centre, and for them this represented an ultimate form of violence after journeys that were all systematically imbued with several forms of gender-based violence. “I didn’t know that people were sleeping outside in France”. This sentence was pronounced by Inaya who came from Guinea Conakry. A political activist, Inaya fled when her fellow opposition members began to be persecuted. Inaya spent her first night in Paris at the Gare du Nord train station, she called 115 but no one picked up. Her suitcase was stolen. The next day she managed to get someone on the phone but was told that there was no possibility for any emergency accommodation. Finding herself in the streets in France was a shock: “Here it’s worse because you don’t expect it”. Surviving very difficult material conditions is something that Inaya had to face throughout her journey, but always with the hope of a significant improvement once she would be able to file her asylum application. Inaya had for instance spent several months in the forest camps in the north of Morocco, near the Spanish enclave of Melilla (for a gendered analysis of life in these camps, see [Tyszler 2019](#)). Once in the enclave, Inaya was housed in a centre with collective rooms (7 people were staying in hers) and strict regulations (for a gendered study of life inside this centre, see [Sahraoui 2020](#)): “I thought that in France I would have this at least, something like a CETI [Temporary residence centre for immigrants]”. But in France, she had nothing for many weeks and was only given a place in an emergency accommodation centre 6 months after her arrival when she was already in an advanced state of pregnancy. Aissata, aged 26, from Mali, was also homeless for several months. She spoke of it in terms similar to Inaya’s words: “Being on the street when I arrived was a shock, it is part of my hardest story”. This life on the streets in France can have deleterious effects on the mental health of asylum-seeking women, and the NGO actors witnessed daily the detrimental consequences on mental health when the hope of an improvement of their living conditions fades away. It is necessary to perceive not only the violence directly caused by the lack of accommodation and food, but also the symbolic violence—and its material consequences—of the social indifference that women asylum seekers encounter when they reach the French capital. The lived experiences of exiled women in Paris demonstrate that institutional abandonment paves the way for multiple forms of violence that life in the street unavoidably engenders.

All migrant support organisations we met unanimously highlighted that the lack of accommodation represented the greatest emergency for asylum seeking women. Indeed, the lack of shelter engendered a series of risky situations for these women: whether they found themselves in the streets or in precarious accommodation arrangements, these situations exposed them to sexual violence every day. All NGOs, those long established and those recently created, observed that the failures of the reception system produced institutional violence in that the shortcomings were structural and continuously reproduced. The *Comité pour la santé des exilés* (Committee for the health of exiles, Comede) noted that the accommodation situation had clearly deteriorated, judging that at the beginning of the 2010s there were some possibilities for emergency shelter, whereas for the last 4–5 years the situation has become very difficult, even for pregnant women. Among Comede’s patients in 2019, out of 144 cases, 15% of the rapes were suffered in France. The lack of accommodation is such that some associations are forced to take in a few people in their premises for emergency shelter on certain winter evenings. Several of the women we met at the emergency accommodation centre had found themselves on the streets while pregnant, some for several months. Healthcare professionals at public health services, such as the free

Information, Screening and Diagnostic Centre (*Centre Gratuit d'Information, de Dépistage et de Diagnostic*, CeGIDD), also noted a “massive” exposure to sexual violence on arrival in France for women, with many instances of this violence unfolding in the context of becoming dependent on men to have a roof over their heads or some food. This denial of rights leads indeed to situations of “transactional sex” for asylum seeking women (Freedman 2016) who are accommodated “in exchange” for sexual services. Our interviewees at the CeGIDD and the Samu Social emphasised that women who suffer this type of violence are also subject to a strong feeling of guilt which can aggravate these spirals and increase their vulnerability. These situations of precarious housing are inscribed within a strong power relationship between the host, often a man, and the woman being “hosted”, leading to multiple forms of exploitation. In the context of the specific care pathway for sexual health at Avicenne hospital in the Paris region, the women who consulted also reported forced domestic work and very poor housing conditions. A healthcare professional recounted for instance that one of the patients suffered rat bites leaving scars on her body because she was living in a cellar.

Volunteers, NGO employees and healthcare workers often tried to use the 115 phone line to secure shelter, with little success. The Ecological Laboratory (LEO), an association which provides shelter for women with young children informally, also observes daily that very few requests are successful. They foreground furthermore that overnight stays may be offered in the evening and involve long journeys for young women and their newborns. This permanent mobility is problematic in several respects: on the one hand, transport in the Paris and Ile-de-France region is expensive and on the other hand, the health of women who have just given birth may be affected. For example, one woman accompanied by LEO had received an offer of a place in temporary accommodation by text message at 9.30 p.m. one evening, another had been sent across the city to a hotel which turned out to have been closed for several days. Further, the living conditions in many of these social hotels are inadequate—dirty and dangerous—and with no cooking facilities provided in the rooms. A former SAMU employee explained to us that they have little control over the managers of the hotels and that even when there have been reports of sexual violence committed by managers or other hotel staff, no action is taken, other than perhaps moving the complainant to another hotel.

For some women, there is the possibility of obtaining a place in an emergency accommodation centre such as the CHUM. But even for these “lucky” ones, there is no possibility of stability or any form of permanence. The dispersal system put in place by the French State entails moving asylum seekers away from Paris and its surrounding areas. So those accommodated in an emergency centre will normally be relocated to another area of France (often away from a large city or metropolitan area) within a short time. For many this relocation can prove traumatic and difficult, especially if they have started medical treatment or have made contacts with social services in Paris. But as interviewees working in the CHUM explained to us, it is impossible to refuse this relocation. If any asylum seeker does refuse then they will again find themselves homeless, and in addition, their welfare benefits will immediately be stopped.

In addition to lack of accommodation, women face destitution due to the withholding of State welfare benefits. Patricia spent several months with no income before eventually obtaining the basic asylum benefit (ADA). But then this aid was suddenly stopped after her initial asylum claim was rejected, even though she had appealed this decision, leaving her again with nothing. She was involved in a permanent struggle to obtain the benefits officially due to her, and for months had no income or resources, other than money donated by friends or solidarity networks. Managing to feed herself and her baby daughter, to buy baby milk or nappies, was a daily struggle. Patricia’s experience is in no way unique and again demonstrates the normalisation of racialised politics of withholding welfare and pushing asylum seekers into poverty and destitution (Mayblin et al. 2019; Vickers 2021) with their only source of support coming from NGOs—caught up to varied degrees in

the State's politics of destitution and often relying on hierarchical relations of dependency between helpers and beneficiaries—and/or individuals in solidarity.

## 6. Conclusions

More than two years after her arrival in France, Patricia is living in a “social” hotel with her two-year-old daughter, in a small room, with no cooking facilities and no place for her daughter to play. Her asylum claim having been refused both in the first instance and at appeal she has no access to any financial support from the French State and no money to buy food or other necessities for herself and her child. She will have to wait at least five years before having any chance of even applying for a legal residence status in France.

As a pregnant woman, who fled her country because of sexual violence and persecution related to the political activities of her family, Patricia should have embodied the paradigmatic figure of the female asylum seeker who France protects in virtue of its position as a supposed pro-women's rights democracy and land of asylum. But Patricia has never received protection from any part of the French State. She and her child have been constantly (re)placed in danger in France. She survives and manages to bring up her daughter thanks to her strength and determination in the face of the State's policy of deliberate neglect and harm of racialised exiles like her.

The experiences of women asylum seekers we have met in Paris, both at the air border and in an emergency accommodation centre, demonstrate a deliberate institutional abandonment anchored in racist understandings of whose lives matter and are worth protecting. Welfare in the context of asylum is thus weaponized as a deterrence mechanism, whereby minimal biopolitical protection is enshrined in law but in practice is not complied with, as experienced by racialised exiled women and as witnessed everyday by numerous NGOs.

In June 2022 a group of women of West African origin, many with young children, held a demonstration in front of the Paris Town Hall to protest against the lack of accommodation for asylum seekers in the capital<sup>16</sup>. The demonstration was triggered by a refusal to house them in a new accommodation centre established for Ukrainian refugees, which was at the time, nearly empty. Despite the availability of nearly 600 accommodation places in this centre, the French Government refused to accommodate these women and their families there, arguing that this was “reserved” for Ukrainians. The French State had clearly decided that there were two categories of refugees: white and “European” Ukrainians for whom places must be held open even if these places were to remain empty, and racialised “others” who were not “deserving” of these places and should thus be left to sleep in the streets. This clear demonstration of the racist-colonialist nature of the French welfare system is contested by the women demonstrators who mobilised to defend their rights in the face of this State violence.

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## Notes

- 1 Source: [https://www.francetvinfo.fr/politique/emmanuel-macron/montee-de-l-extreme-droite-en-france-je-n-ai-pas-reussi-a-l-endiguer-reconnait-emmanuel-macron\\_5061631.html#xtor=CS2-765-](https://www.francetvinfo.fr/politique/emmanuel-macron/montee-de-l-extreme-droite-en-france-je-n-ai-pas-reussi-a-l-endiguer-reconnait-emmanuel-macron_5061631.html#xtor=CS2-765-) (accessed on 12 July 2022).
- 2 Source: <https://www.vie-publique.fr/discours/284397-marlene-schiappa-08032022-refugies-ukrainiens> (accessed on 12 July 2022).
- 3 All names have been changed.
- 4 With the exception of certain very specific forms of violence such as FGM or forced marriage which are highlighted and mobilised within culturalist frames in official discourse (see Freedman et al. 2022).
- 5 Research at the air border involved engaging in legal accompaniment work inside detention areas on behalf of an NGO supporting foreigners detained at the border. See NGO website: [www.anafe.org](http://www.anafe.org). Our work with this NGO facilitated observation and interviews with border officials and others working in these spaces.
- 6 In this respect, we are inspired by the work of Lila Abu-Lughod, Sandra Harding, Donna Haraway, among others.
- 7 Nina Sahraoui is French-Polish-Moroccan. Jane Freedman is British-French, Elsa Tyszler is French and they both have Ashkenazi Jewish backgrounds.
- 8 French Indochina is the name of the territory of the former French colonial empire, which included—between 1887 and 1954—present-day Vietnam, Laos and Cambodia, as well as a portion of Chinese territory located in Guangdong province.
- 9 Zaire or the Republic of Zaire is the name given to the current Democratic Republic of Congo between 1971 and 1997.
- 10 The border asylum mission is a specific division of the OFPRA designed to process applications for access to the territory on the basis of asylum. It is not supposed to be an examination of the asylum application on its substance, as a person who obtains access to the territory on the basis of asylum at the border will have to start the asylum application process once they have entered the territory.
- 11 The border asylum mission is only physically present in the Paris CDG detention centre.
- 12 Observation by Elsa Tyszler while accompanying Ms. A., a Nigerian national, to her asylum interview as part of the border asylum mission, in the Roissy CDG waiting zone, February 2020.
- 13 Interview 14 January 2022.
- 14 Source: <https://www.lacimade.org/schemas-regionaux-daccueil-des-demandeurs-dasile-quel-etat-des-lieux/> (accessed on 12 July 2022).
- 15 Interview 18 September 2020.
- 16 <https://www.infomigrants.net/fr/post/41233/apres-une-manifestation-devant-la-mairie-de-paris-des-familles-africaines-a-la-rue-obtiennent-un-hebergement-temporaire> (accessed on 12 July 2022).

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