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**Images of Sangatte: Political representations of
asylum seeking in France and the UK**

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Abstract

This paper analyses how politicians in the UK and France have represented asylum seeking. The Sangatte reception centre in north-east France, a facility opened in September 1999 to provide food and shelter to homeless migrants in the region, provides the case study for this analysis. Because migrants from the centre frequently attempted to illegally travel to the UK where they would claim asylum, the centre became a source of controversy between the two countries. It is argued that negotiations between the two countries were constructed in ways to achieve the particular aims of the governments of the UK and France; respectively, the closure of the centre and the introduction of tighter asylum policies in the UK. Through an analysis of political discourse, the paper examines how politicians represented the centre and its residents, and relates these findings to concerns that asylum policy in Europe is becoming increasingly more restrictive.

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1. Introduction

Research in the 1990s often highlighted, explicitly or by implication, the role of the media in forming public perceptions of asylum seekers in Europe (Coleman, 1995; Kaye, 1998; Le Lohé, 1992). These studies invariably started with the concern that the media was misrepresenting refugees or asylum seekers, as well as the scale of the 'asylum problem', and underlined fears that the media was to some degree responsible for a growing public intolerance that occasionally found its expression in violent attacks against asylum seekers (see, for example, Brosius & Eps, 1995; Krell *et al.*, 1996).

The question of responsibility becomes more problematic, however, when the media is understood to shape government policy on immigration and asylum matters as a result of its influence over public opinion. If, as Rosello (1998) suggests, the process of policy-making begins to reflect how newspapers and television portray immigrants, then the media not only plays a key role in framing the news, but also the political agenda. Framing, in this sense, is not a passive act but involves selecting material and then presenting it in a way that actively promotes certain solutions to the issue or problem at hand (Entman, 1993: 52).

Yet research does not entirely support the thesis that the media actually frames policy-making. Research findings have sometimes indicated that media reports reflect, whilst reporting on, the dominant political discourses of leading politicians (Billig & Golding, 1992; Le Lohé, 1992), a conclusion that has been reached most explicitly by Kaye (1998) in his research into the media portrayal of asylum seekers in the United Kingdom (UK). Even when a newspaper article criticised politicians for denigrating some refugees as 'bogus', Kaye (*ibid.*: 178) points out that the article actually reinforced the language and themes that it sought to negate by framing the issue as the politicians had done so; that is, in terms of the validity of asylum claims.

This paper builds on these research findings with reference to the Sangatte reception centre in north-east France, and applies ideas about framing language to a discourse analysis of political texts that discussed the centre. The focus on political texts alone does not, however, indicate that UK and French politicians had complete autonomy to set the terms of the debates about the centre. Indeed, as will be explored more fully in the next section, democratic politicians are ultimately accountable to their electorate. And whilst public opinion is certainly shaped by the media, whose coverage of events surrounding the Sangatte reception centre seemed at times ubiquitous, politicians as policymakers remain in the unique and privileged position to be able to influence public opinion through advocating and voting on policy reforms.

The Sangatte reception centre was opened in September 1999 to provide food and shelter for homeless migrants who had arrived in Calais in the hope of travelling on to the UK where they would claim asylum (Schuster, 2002). Originally a storage warehouse for the equipment used to dig the Channel Tunnel between the UK and France, the facilities within the centre were very basic with no heating, few showers and only tents or metal cabins for accommodation (AISF, 2002; Carrère, 2002; Le Gisti, 2000). Despite being intended for only 700 people, the centre soon accommodated up to 1,800 causing conditions to deteriorate to the extent that a report by the International Federation of Human Rights Leagues (FIDH) described the noise and stench there as unbearable (in Schuster, 2002).

The fact that more people continued to arrive in the centre, despite its poor conditions, quickly persuaded many politicians that the centre was not only housing genuine refugees fleeing from persecution, but was also attracting economic migrants intent on illegally entering, then claiming asylum in the United Kingdom. The Channel Tunnel, situated just a mile from Sangatte and through which passenger and freight trains frequently ran, offered an obvious route into the UK.

For those who considered the centre to pose a security risk by acting as a 'magnet' for potential illegal immigrants to the UK, the preferred solution was its closure, despite fears that migrants in the region would once again be made homeless. The political negotiations between the UK and France over Sangatte, as the centre became known, were nonetheless conducted within this framework, offering its closure (achieved at the end of 2002) as the most equitable, long-term solution.

These negotiations, along with the domestic parliamentary debates on Sangatte, provide an opportunity to examine the links between political discourse and policy outcomes. Given that the closure of the centre seemed to be predicated on the UK addressing its relatively 'attractive' asylum policies¹, Sangatte also offers an insight into the political process that leads to more restrictive asylum policies in member states of the European Union (EU) (ECRE, 2001).

Although writers on European asylum issues have analysed and commented on the increasingly restrictive legislative measures taken by EU member states to ostensibly combat illegal immigration (see, *inter alia*, Collinson, 1996; Freeman, 1992; Guiraudon, 2003), less attention has been paid to the actual political process and dynamics behind these measures.² That the political elite frame issues in ways to offer particular explanations for their cause, and subsequently to justify or defend legislation, has been recognised (Entman, 1993; Young, 1998). Yet beyond anecdotal evidence, this has rarely been translated into a more systematic analysis of *how* leading politicians construct images of asylum seeking to advance specific policy responses to the so-called 'asylum problem'.³ Given that asylum and immigration policies appear increasingly to affect electoral support for

political parties (see following section), a study into how politicians approach the issue of asylum would seem appropriate.

With this in mind, the research objectives of this paper are two-fold. Firstly, to explore how respective politicians in the UK and France discussed Sangatte. Consistent with ideas about framing language as outlined above, it is felt that during these discussions politicians would have interpreted problems associated with the reception centre in ways that promoted desired solutions to those problems. This research is therefore more interested in *how* problems such as illegal immigration or overcrowding in the centre were interpreted, as opposed to simply *why* politicians interpreted them in a particular way. Given that the UK government consistently requested the closure of the centre from September 2001, the interest in researching Sangatte lies moreover in how politicians represented the centre and its residents in order to promote this stated objective. Furthermore, the fact that the French government refused to acquiesce to the UK government's wishes until June 2002⁴ indicates that policy-makers in France may have framed Sangatte in different ways. A comparative discourse analysis of speeches by leading UK and French politicians should provide insights into these questions.

The second and broader objective of this paper aims at understanding how politicians justify more restrictive asylum policies. Because the bilateral agreement to close the centre seems to have only been reached because the UK agreed to make its territory less 'attractive' to asylum seekers rather than France raising its own standards of reception, it is important that organisations working on behalf of refugees and asylum seekers understand exactly how national politicians are framing asylum issues in ways that sanction tighter controls on asylum seekers. This research may in the end support claims by many of these organisations that EU member states tend to reach agreements on asylum policies at

¹ 'Le territoire britannique devient moins attractif pour l'immigration', Le Ministère de l'Intérieur, Actualité, 8 November 2002

² A particularly good exception can be found in Young (1998). Also see Dunstan (1998).

³ For a historical overview of 'the political construction of asylum', see Joly (1996, Ch. 2).

⁴ Parliamentary elections in June 2002 had brought about a change in government. This partly explained the change in policy over Sangatte.

the lowest common denominator (see, for example, ECRE, 2001: 21).

The following section will discuss the development of more restrictive asylum and immigration policies in Europe, using the cases of France and the UK to explore the extent to which civil society can be considered to influence changes to these policies. This discussion will then be linked to ideas about framing language as described above before proceeding to address the methodology used in my own research about Sangatte in light of these conclusions.

2. Theoretical and Methodological Approaches

Sciortino (2000: 224) argues that the politics of immigration, instead of being understood within the political economy tradition where policies respond to the basic interests of society, should be considered as a 'free-floating issue'. Proposed changes to immigration (including asylum) policy⁵, he suggests, will not threaten 'underlying societal interests' (*ibid.*: 220), unlike proposals to reform economic policy or the welfare state. Consequently, policy-makers advocating either a stricter or more liberal approach to immigration matters are unlikely to risk any significant political or electoral backlash, and may indeed benefit from having a recognised stance on immigration. This proposition, whilst being theoretically attractive, does require empirical qualification if we are to avoid seeing all immigration and asylum proposals in isolation from the domestic interests of society. The two countries that are the subject of the present research, France and the UK, provide sufficient opportunity to assess Sciortino's theory, having both proposed a series of immigration and asylum reforms from the 1980s onwards (see Appendices 1 and 2).

Immigration and Asylum Policies in France

A review of the literature on France emphasises the need to distinguish between two types of immigration control; that is, between internal and external controls (see, *inter alia*, Geddes, 2003; Hollifield, 2000). External immigration controls, such as fines on transport companies to discourage them from carrying undocumented passengers or common visa requirements for non-EU nationals, began to be coordinated at the

intergovernmental level from the mid-1980s. France was a key participant in the 1985 Schengen Agreement, which proposed the removal of border controls between the five signatory countries⁶ by 1 January 1990, and the 1986 Ad Hoc Group on Immigration in which common immigration and asylum policies were discussed.

The secrecy of these intergovernmental negotiations, which invoked much criticism from the European Parliament and Court of Justice, the UNHCR and NGOs (see Joly, 1996: Ch. 2), has led scholars like Hollifield (2000) to conclude that France preferred to externalise its immigration controls as a means to circumvent national-level, legal and political constraints (see also Geddes, 2003). Guiraudon (2000 & 2003) offers a more qualified interpretation of this approach to immigration policy. She explains that officials responsible for law and order used the 'venues' in which European immigration policy was developing to bypass constraints on migration control imposed at the national level by the 'high courts, other ministries and migrant-aid organisations' (2000: 251). Nonetheless, this distinct preference for external immigration controls in France, most notably by various Socialist-led governments, does indicate that reform of domestic immigration and asylum policies was believed to be potentially contentious. The following analysis of the impact of reforms by governing parties of the right in France also supports this belief.

That immigration and asylum reforms could be contentious was illustrated by the outcry in France over the *internal* controls proposed by the infamous Pasqua and Debré laws⁷ (see Appendix 1), both of which explicitly advocated a policy of 'zero immigration' (Hollifield, 2000). The Pasqua laws of 1986 and 1993, for example, proposed measures that severely affected the rights of asylum seekers to claim asylum (both laws gave greater powers to the police to detain and deport

⁵ Although legally distinct, it is difficult to distinguish between the two here because contemporary European politics has tended to treat asylum policy as an immigration matter. Most importantly, asylum seekers are subject to the consequences of immigration controls; e.g., restrictions on flight from persecution (visa requirements, carrier sanctions), detention upon arrival if lacking required documentation (passports, visas (Bank, 2000; Collinson, 1996), whilst asylum seekers are often bracketed with immigrants in public and media discourse (see Le Lohé, 1992).

⁶ France, Germany, Belgium, the Netherlands and Luxembourg. Internal border controls were not in fact removed between these countries until the mid-1990s.

⁷ Named after the Interior Ministers responsible for the laws, Charles Pasqua and Jean-Louis Debré.

undocumented immigrants), and to appeal a negative asylum decision (the second Pasqua law effectively removed the right of appeal). It would be misleading though to attribute public demonstrations against these laws to restrictions on asylum alone, given that the laws did not only deal with asylum seekers, but also affected the rights of French citizens and resident foreigners.

In fact, asylum policies have not been widely discussed in France as a distinct issue from the politics of immigration (Delouvin, 2000). The consequence of this, at least until the 1998 Chevènement law introduced the concepts of territorial and constitutional asylum into French law⁸, was to treat asylum seeking as a part of immigration policy rather than from a human rights perspective (Collyer, 1998). Furthermore, a form of 'clandestine asylum' (*asile au noir*) has persisted in France because of the country's strict asylum policies as detailed above and because it has not recognised 'non-state' persecution as grounds for full refugee status under the 1951 Geneva Convention (Brachet, 1997). People afraid that they will not be granted refugee status have often remained without official permission or *sans papiers*, adding to the numbers officially 'tolerated' in France. As a signatory country to the European Convention on Human Rights, France is unable to forcibly return many of these people because this could expose them to torture, inhuman or degrading treatment in the countries from which they fled (Collyer, 1998).

The strength of feeling against the Pasqua laws related moreover to proposals to end automatic citizenship as a birthright for children born in France of foreign parents. Furthermore, Hollifield (2000) attributes the public and political outcry at changes to citizenship rights in France to the high degree of institutional and civic attachment to the principle of birthright citizenship (*jus soli*) that is seen to embody the French 'republican model' (see also Favell, 1998). This conclusion

must therefore qualify Sciortino's argument that immigration proposals can be seen in isolation from the underlying interests of society. Similarly, the demonstrations against the provision in the Debré law, which required French citizens who received non-EU nationals in their homes to report their stay to the local authorities⁹, again exposes the empirical limitations of his argument as well as a theoretical weakness. Namely, it assumes that society collectively agrees on its underlying interests, whereas the public were clearly divided over the Debré laws with opinion polls showing that 59 per cent of people actually supported the government's position (Hollifield, 2000: 127).

Framing Asylum Policy in the UK

In contrast, immigration and asylum reform in the UK has not been as divisive although policies have become equally if not more restrictive. Unlike in France where sections of society have mobilised to defend their perceived interests against immigration laws, the public in the UK appears to have been much more susceptible to political rhetoric on immigration matters. The high profile of the specific issue of asylum since the early 1990s might explain this.

Asylum is a particularly abstract issue that is often perceived to offer few tangible benefits to the domestic interests of a country. For this reason, the issue of asylum is especially vulnerable to manipulation by political parties. As the UK case illustrates well, political capital can be made by framing asylum seeking in a negative way. For instance, it has been argued that the 'race card' played by the Conservatives was decisive in the party's unexpected election victory in 1992 since this had the effect of labelling the opposition Labour Party as too 'soft' on immigration and asylum (Billig & Golding, 1992). The hard-line stance against 'non-genuine' refugees, adopted by the Conservative government in the run-up to

⁸ Minister of the Interior, Jean-Pierre Chevènement. See Appendix 1 for further detail of these reforms, but it should be noted that both concepts have had limited application (Liebaut, 2000).

⁹ Given the public outcry and warnings from the *Conseil d'Etat* that the provision might be unconstitutional, the law was amended to require foreigners to register their own movements (Hollifield, 2000: 127).

this election, was justified by portraying asylum seekers as a potential threat. Previously, in the late 1980s, external immigration controls on asylum seeking, such as carrier sanctions and visa requirements on 'refugee-producing' countries, had imposed a security narrative on discussions about asylum. The Conservatives in the early 1990s subsequently extended the logic of this narrative to emphasise how 'non-genuine' refugees undermined race relations in the UK, frequently made fraudulent and costly asylum claims, and consequently prevented genuine cases from being properly dealt with (Le Lohé, 1992).

In this way, the UK case seemingly fits in quite well with Sciortino's theory that policy-makers can benefit from advocating certain immigration policies. However, by maintaining that immigration works as a 'free-floating issue' the theory neglects to take into account the effects of political discourse on people's views about immigration and asylum. If the Labour Party lost the 1992 general election because their immigration and asylum policies were deemed to be too liberal, then we must see these issues not as 'free-floating' but as shaped by previous political discourses that had portrayed asylum seekers as a potential threat. To paraphrase Entman (1993: 55), these political representations of asylum seekers can be self-reinforcing. Any discussion on immigration that transcends accepted or dominant discourses about asylum seeking, as it is suggested the Labour Party did in 1992, risks losing political credibility with voters and the political elite alike (*ibid.*).

In a series of attempts to show that they had a credible political response to 'non-genuine' refugees, both the Labour and Conservative parties increasingly used internal immigration controls in the 1990s to curtail the rights of asylum seekers. Most notably, in-country asylum applicants¹⁰ were deprived of welfare benefits in 1996, whilst a voucher scheme was introduced in 1999 to replace cash payments – a policy condemned for

¹⁰ Applicants who have claimed asylum only after having officially entering the UK, in contrast to those who apply 'at port'.

publicly stigmatising asylum seekers (Eagle *et al.*, 2002). These domestic measures followed on in a similar vein from what one commentator believes was 'an orchestrated government campaign [in the early 1990s] to downgrade the public perception of refugees [and] control the numbers entering the UK' (Kaye, 1998: 177-8). That this campaign was effective, despite the best efforts of the courts to temper the most restrictive tendencies of governments¹¹, was illustrated by an opinion poll conducted in 2002 that found that only 26 per cent of British adults interviewed 'would be welcoming to asylum seekers or refugees in their community', whilst on average the poll's respondents estimated that the UK hosted 23 per cent of the world's refugees against the real figure of 1.98 per cent (MORI, 2002).

If ever asylum policy in the UK had worked as a 'free-floating issue', these figures indicate that since the 1990s at least asylum has become an important electoral issue. Although we must not forget that government policy can still frame public opinion on asylum matters, it is equally important to consider how public opinion informed by the media may shape political responses to asylum seeking.

Framing and Its Applications to the Case Study of Sangatte

It is clear from empirical studies from the UK and France that asylum and immigration policies have the potential to become important political and electoral issues. Whether politicians or political parties raise these issues not only depends on how strongly they believe in a particular policy, but also on how confident they are that advocating or even addressing certain policy issues will bring them public support. Whereas the UK Conservative Party in the early 1990s was rightly confident that playing the 'race

¹¹ The UK Court of Appeal ruled that the withdrawal of welfare payments for in-country asylum applicants in 1996 was *ultra vires*, in that the destitution it caused to some asylum seekers could not have conceivably been the intention of Parliament. Under the 1948 National Assistance Act, local authorities had been required to provide for the welfare of asylum seekers deprived of state benefits (Geddes, 2000: 137).

card' would win them votes, the situation in France has been complicated by the success of an anti-immigrant political party, the *Front National* (FN) under the leadership of Jean-Marie Le Pen.

Since winning the municipal elections in Dreux near Paris in 1983, the FN has caused and taken advantage of growing feelings of insecurity in France (Feldblum, 1999). Le Pen's second place with 17 percent of the national votes in the first round of the 2002 presidential elections again reminded mainstream political parties that the politics of immigration mattered.¹² Some commentators believe that the FN's success has forced the mainstream parties of the right to address the issue of immigration in an attempt to win back support from the FN (Hollifield, 2000). Although both the Pasqua and Debré laws can be seen in this light, it is also felt that political parties have been reluctant to explicitly promote the rights of asylum seekers in particular for fear of losing electoral support (Collyer, 1998). Indeed, the preliminary findings of this research do indicate that, before the presidential and parliamentary elections in April/May and June 2002 respectively, the governing Socialist Party were wary of discussing the plight of the residents in the reception centre at Sangatte, asserting that there was nothing they could do since the immigrants did not want to claim asylum in France, but in the UK.

In this way it is important to see political discussions about Sangatte as framed themselves by both the policy environment and by previous policy responses to immigration and asylum matters. Adopting this approach means that we understand 'truths' to be only performative (Crang, 1997); i.e. that politicians portrayed the 'reality' of Sangatte to fit the policy frames established by earlier legislation on asylum, and according to how key audiences expected Sangatte to be represented. In other words, fellow politicians or the electorate evaluated the 'truth' of what they heard by how well it

¹² The level of support for Le Pen can, however, also been explained by allegations of corruption against his presidential rival, Jacques Chirac (Geddes, 2003: 58).

"hook[ed]" into normative ideas and common-sense notions [about asylum]' (Carabine, 2001: 269). If they disagreed with how Sangatte had been represented, then other counter-discourses emerged to give alternative representations of the centre.

Yet it is clear that not all discourses are equally compelling or acceptable (Rein & Schon, 1991). Similarly, some politicians are considered to be more persuasive as well as more influential than others. Echoing the work of Michel Foucault (1971, 1979) on the links between power, discourse and knowledge, it is important to note that what people consider to be 'true' should also be understood as the power outcomes of a struggle over the construction of knowledge (Carabine, 2001). Language in this way should not only be seen to reflect the 'truth', but also understood to produce it by constructing meanings and effects in the real world (Carabine, 2001). It is through this process of negotiating and constructing the 'truth' that particular images of Sangatte emerged, along with specific solutions to problems associated with the centre.

Methodology

What this paper aims to explore, using Sangatte as a case study, are the links between dominant political discourses and policy outcomes. As set out in the paper's introduction, the value of this research lies in studying *how* a specific political process led to what is recognised as a wider phenomenon in Europe; i.e. more restrictive asylum policies within EU member states. The research used a combination of primary sources available on the Internet that discussed Sangatte (see Figure 1 in Appendix 3).

Key UK and French government webpages were consulted as a means of access to these sources. Relevant website addresses are detailed in Appendix 4. All political debates in both countries' lower houses, the UK's Houses of Commons and the *Assemblée Nationale* in France, are available online. Similarly, press releases were accessed from two websites dedicated to communicating government policy, namely the *Government News*

Network in the UK and France's *La Documentation Française*. Additional French press releases were obtained from the Ministry of the Interior's webpages. Whilst interviews with French politicians were available from *La Documentation Française*, with the exception of one with the French newspaper *Le Monde* accessed via its website, interviews with UK politicians were obtained online from the BBC's *Today* radio programme and from the newspaper *The Guardian*. The two speeches given by French politicians were again accessed via *La Documentation Française*.

By running a search within these webpages for the keyword 'Sangatte', the results highlighted parliamentary debates, press releases, interviews and political speeches relating to events or issues associated with the centre. Searching under quite broad criteria (only 'Sangatte') did return a considerable number of political texts. Because a significant amount of this material referred to Sangatte very briefly, it was important to select only those texts for analysis that contributed to shaping perceptions of Sangatte through promoting certain images of the centre and its residents. This does not indicate, however, that texts referring to Sangatte only in passing were considered less relevant. A dismissive remark by a politician about the centre often revealed, for example, a great deal about his or her feelings towards the immigrants there.

Closer reading of the selected material revealed three recurring themes in the debates about Sangatte in both countries. Politicians frequently discussed: (1) the migrants in the centre; (2) the centre itself and specifically its location near to the entrance of the Channel Tunnel between the UK and France; and (3) the increasing presence and influence of people smugglers in and around Sangatte. In order to identify more systematically how these discussions potentially shaped perceptions of Sangatte, these three themes were subsequently analysed with the aid of the computer software package, 'NUD·IST'. By representing any one or all of these themes in a particular way, it was felt that politicians could use a speech or interview to construct images of Sangatte

and promote a desired solution to problems associated with the centre. These themes were also considered to overlap to produce multiple but connected political representations of Sangatte. For example, the presence of organised people smugglers in Sangatte linked with security concerns about the location of the centre to emphasise how important its closure was.

The timeframe of the research was from March 2001 to December 2002. These dates encompassed the first parliamentary debates that discussed Sangatte through to the centre's final closure on 30 December 2002. Over this time period, there was a corresponding increase in political texts in line with the frequency of diplomatic negotiations about the centre. Accordingly, the timescale included key meetings between the UK and French political representatives, as well as the French parliamentary and presidential elections, which allowed the analysis to consider whether leading politicians changed the way they framed the issue of Sangatte to fit the political climate of the time (see Appendix 5). Bearing in mind how intractable the problems associated with the centre initially appeared – closing Sangatte would again make immigrants homeless in the area whilst its location near the entrance to the Channel Tunnel continued to pose security concerns for the UK – it was interesting to see if French and UK politicians came to agree on common political frames to justify the closure of the centre at the end of December 2002.

Whilst the research conducted an analysis of political texts alone, other material was used to provide the research with a wider and more representative picture of Sangatte. For example, both the French Section of Amnesty International (AISF) and Le Gisti, an organisation working on behalf of immigrants in France, wrote reports¹³ cited in the bibliography about the centre. The Red Cross, in charge of running the centre, also asked the sociologist Smäin Laacher (2002) to write about the issues emerging from Sangatte. His report offered a detailed survey of the

¹³ Report written for Le Gisti by Violaine Carrère (2002).

characteristics and motives of the migrants in the centre.

All the material consulted in this research was in the original language, either in French or English. Translations into English of quotes taken from the French sources are the author's.

3. Findings

The findings will be organised into the following three sections: the concept of choice and asylum seeking; the impact of policy on asylum flows; and the reception of asylum seekers. These sections reflect the changing focus of discussions on Sangatte during the timeframe researched. The three 'NUD·IST' themes outlined at the end of the previous section, which were used to analyse how politicians constructed images of Sangatte, will be used to support the findings presented in each of these sections.

The Concept of Choice and Asylum Seeking (March 2001 – April 2002)

The time period studied here, from March 2001 to April 2002, begins with the first UK parliamentary debates about Sangatte through to the first round in the French presidential elections that would eventually unseat the Socialist government. During this period the French Socialist government and the UK Labour government met twice to discuss Sangatte. Meanwhile Eurotunnel, the British-French company that operated the Channel Tunnel, would launch two unsuccessful legal bids to close the reception centre. The backdrop to these events was the increasingly desperate, and sometimes fatal, attempts by some of the centre's residents to cross through the Channel Tunnel into the UK either on foot or by jumping on the trains entering the tunnel (Carrère, 2002).¹⁴

In light of previous discussions about framing language, the following analysis will show how politicians in the UK and France began to represent both the reception centre in Sangatte and the migrants there¹⁵ in ways that promoted desired 'solutions' to problems associated with the centre.

¹⁴ In 2001, ten people from Sangatte died attempting to get to the UK via the Channel Tunnel (AISF, 2002). By mid-April 2002, eleven had already been killed (Borel, 2002).

¹⁵ The representation of both the centre and the migrants were analysed, as noted in the previous section, with the aid of a qualitative data software package. The findings here are the result of this analysis.

During 2001, parliamentary debates in the UK and France about Sangatte often explored why the centre's residents preferred to claim asylum in the UK. As one prominent Conservative politician in the UK explained after visiting the centre:

I asked that question of those whom I met at the Red Cross centre at Sangatte. Their answers were illuminating. They listed three factors – the English language, more money and better accommodation ... The truth is that the arrangements that exist in this country for asylum seekers are significantly more favourable to them than those that exist in other member states of the European Union.¹⁶

Shortly after this speech, a French committee set up to examine immigration controls between France and the UK concurred. France, it reported, was effectively becoming a 'transit country' for illegal immigrants because asylum policy in the UK was too 'attractive' (Lengagne, 2001). In late August 2001, France's Interior Minister Daniel Vaillant also added to the pressure on the UK government to offer a political response to these accusations. The presence of illegal migrants in and around Sangatte, he stated, was creating serious security and public concerns for France (Vaillant, 2001).

The response by the UK Home Office, however, was to reiterate that Eurotunnel alone was responsible for 'putting in place effective measures to prevent people travelling to the UK illegally' (O'Hara, 2001). Since 1987 carriers had been subject to fines if they were found to be carrying undocumented passengers, and so the UK government clearly saw 'no reason why Eurotunnel should be treated any differently to anyone else' (*ibid.*). Privatising immigration control has long been recognised as a way for governments to prevent unwanted asylum claims (Nicholson, 1997), yet criticism of the UK government's stance related less to their failure to meet international

¹⁶ H.C. Hansard, Vol. 365, Col. 570, 22/3/2001, Michael Howard (Con)

obligations to refugees, and more to a failure on their part to offer a satisfactory legislative solution to the problems associated with Sangatte.

The political controversy surrounding Sangatte at that time stemmed from differences in the way these problems were framed. Both the French government and the Conservative Party used Sangatte as a symbol to illustrate the potential scale of the 'asylum influx' into the UK. The UK government, in contrast, tried to emphasise how Sangatte was not indicative of a wider 'asylum problem', but simply an isolated case. For example, the government sought to put Sangatte in perspective by stating, in March 2001, that the number of asylum applications in the UK, per head of the population, was lower than in many other EU countries.¹⁷ In support of this, the Home Office's asylum figures indicated that changes in the numbers applying for asylum in 2000 and 2001 certainly did not justify calls for tighter asylum policies (see Table 1).

Table 1 – Number of Asylum Applications Received per Quarter in the UK

2000			
Q1	Q2	Q3	Q4
18,900	20,125	20,435	20,855
2001			
Q1	Q2	Q3	Q4
17,710	15,590	18,855	19,210

Source: Quoted in Schuster (2002: 64)

Despite the accuracy of these asylum figures, this attempt by the Labour government to defuse the situation was unlikely to work. Because previous asylum reforms in the 1990s had emphasised the need to control the numbers entering the UK (see Geddes, 2003), calls for a rational debate on asylum simply fell on deaf ears. Much of the UK electorate, informed by the media and used to politicians framing asylum as a security problem (Huymans, 1995), would not countenance political discourses other than those that fitted into established ideas about asylum. In this way, appeals from both the Conservative Party and the French government for the

UK government to take responsibility for the 'asylum influx' from Sangatte seem to have made more sense to the electorate. During the summer of 2001 these appeals were subsequently echoed in much of the UK press (Schuster, 2002), adding to the pressure on the Labour government to take decisive action.

David Blunkett, the UK Home Secretary, did so in early September 2001, requesting that the French government close Sangatte. The UK government needed to try and regain political ground lost to the opposition Conservatives by offering a response that could be considered proportionate to the perceived 'reality' of events in and around Sangatte. Although the French government refused to close Sangatte because of the risk that its residents would be made homeless¹⁸, the joint statement issued after the two countries first met on 13 September 2001 indicated that the governments had reached a common understanding as to why migrants from Sangatte preferred to claim asylum in the UK instead of in France. It proposed (Home Office, 2001):

common minimum standards which will reduce the disparities between EU members and inhibit 'asylum shopping' in the EU

In this way, both governments framed the issue of Sangatte within a wider discourse that emphasised how people were exploiting differences in asylum policies across the EU. By situating Sangatte within this wider discourse about asylum, certain solutions to problems associated with the centre were highlighted, specifically those that would address what was attracting migrants to Sangatte; i.e. the 'pull' factors. The joint statement then proceeded to represent the migrants in Sangatte in ways that could be considered to justify tackling these pull factors. Some of those who chose the UK as their country of asylum, the statement implied, were not in fact genuine refugees fleeing persecution in their countries of origin (*ibid.*):

¹⁷ H.C. Hansard, Vol. 365, Col. 572, 22/3/2001, Barbara Roche (Lab)

¹⁸ The fact that this had been the UK government's position until then did weaken their claim that closing Sangatte would help the situation.

Britain is prepared to send officials to Sangatte ... to provide realistic information [about asylum in the UK] to deter would-be economic migrants

Whilst organisations working on behalf of refugees insist that exercising a choice over a preferred country of asylum should in no way detract from the substantive parts of an asylum claim (ECRE, 2002), these extracts from the first joint statement indicate that some European governments at least continue to presume that some claims for refugee status are not genuine when a choice of asylum country has been made (Collyer, 2003; Versted-Hansen, 1999).

Indeed, the degree of choice in the decision-making process of asylum seekers has long been a focus of political debate. Most debates, however, have highlighted the reasons that asylum seekers leave their countries of origin as a way of distinguishing genuine refugees from economic migrants (Koser, 2000: 93). That politicians have associated forced movements with refugees, and subsequently characterised those who exercise some choice over their departure as labour migrants, has been a source of criticism. It has been claimed that, by promoting oversimplified and rigid criteria as grounds for refugee status (Faist, 2000), those who do not fulfil these criteria could be left without sufficient protection (Black, 1994; Richmond, 1993).

Political discussions about Sangatte, though, paid little attention to why migrants had originally left, and focused almost exclusively on their decision to claim asylum in the UK. The effect of this, nonetheless, was to ignore the needs of the migrants as potential refugees, the majority of whom as Iraqi Kurds and Afghans had lived under regimes guilty of documented human rights abuses (Human Rights Watch, 1994 & 2001). In an interview shortly before the first meeting with his French counterpart, Blunkett adopted what was becoming familiar rhetoric about Sangatte:

I think we need to work with the French, not just bilaterally as we will do, but also to work

internationally to try and get a grip of this because clearly this country on its own can't stop people coming across the whole of the continent to try and get through the [Channel] tunnel. (The Today Programme, 2001b)

Although the UK government had asserted their 'legal and moral duty to those fleeing oppression' only a few months earlier¹⁹, this statement by the Home Secretary in September 2001 firmly established Sangatte as a security concern as opposed to a humanitarian one. In line with previous discourses since the 1990s that had emphasised the potential threat posed by rising asylum claims, a security narrative appeared to develop around debates about Sangatte. Instead of emphasising how the centre was simply a response to a humanitarian need, Sangatte began to be portrayed by some politicians in the UK as actually causing these security concerns. In an attempt to justify the centre's closure, one Conservative politician asserted that the very location of the centre 'on the doorstep of the Channel Tunnel [made] it possible for dozens of would-be economic migrants, literally nightly, to mount assaults on the defences ... of the entrance to the Channel Tunnel'²⁰. Although admittedly quite alarmist, these sentiments were no doubt understood by the UK Home Secretary following his second meeting with the French government on 21 January 2002. Once again his request for Sangatte to be closed had been refused because of the risk that migrants in the region would be made homeless.

Lending support to attempts to get Sangatte closed, politicians in the UK frequently invoked the Dublin Convention in order to question the legitimacy of some asylum claims to the UK. Although the stated objective of the Convention is to determine which EU member state is responsible for examining an asylum application, the political interpretation has invariably been that it is instead the

¹⁹ H.C. Hansard, Vol. 365, Col. 572, 22/3/2001, Barbara Roche (Lab)

²⁰ H.C. Hansard, Vol. 379, Col. 11WH, 29/1/2002, Roger Gale (Con)

asylum seeker's responsibility to claim asylum in the proper state; that is, in the first safe country in which they arrive within the European Union. As one parliamentary under-secretary for the Labour government made clear:

That Convention does not give them a choice of country in which to claim asylum. If people are in France – I assume France is a safe country – why on earth should they not claim asylum in that country? Is the hon. Gentleman suggesting that people should be allowed to choose the European country in which they claim asylum? That would be the end of the Dublin Convention²¹

It should be noted, however, that France does receive tens of thousands of asylum applications every year, and has again started to receive more than ten percent of all applications lodged in the EU (see Figure 2 in Appendix 3).

Furthermore, as Schuster (2002) points out, the migrants in Sangatte may have been there precisely because they had little reason to claim asylum in France. Daniel Vaillant, France's Interior Minister, followed this line of thought, once again reiterating the arguments of the opposition Conservative Party in the UK. People not only preferred to claim asylum in the UK because of its more liberal asylum policies, but also because they spoke English, not French.²² Echoing findings by Hovy (1993) that people are more likely to seek asylum in countries with which their country of origin has historical, cultural or linguistic ties, research by Böcker and Havinga (1998) has similarly highlighted the colonial pasts of European countries as a significant factor determining asylum flows into France and the UK. Indeed, the number of people applying for asylum in the UK from Iraq and Afghanistan, both former UK protectorates and the two countries most highly represented in Sangatte, was respectively 6,710 and 9,095 in 2001 (UNHCR, 2003). In contrast, figures for

Iraqi and Afghan asylum seekers in France were significantly lower, respectively at 265 and 269 in the same year (*ibid.*).

Böcker and Havinga (1997: 80) were at pains, however, to stress that the 'choice of a particular country of destination [was] often a choice to join a family member, friend or acquaintance and not for the country itself'. This distinction was rarely made during political discussions about Sangatte. Despite the frequency of debates about the Dublin Convention in the UK parliament, no politician specifically mentioned that the Convention recognises reunion with a family member in an EU member state as a valid reason for an asylum applicant to have their claim heard by that particular country²³. Simon Hughes, then Shadow Home Secretary for the Liberal Democrats²⁴, did call for an approach that would 'take account of people's community, family and linguistic ties'²⁵, yet his appeal for a more rational debate seemed to make little impression on subsequent discussions about Sangatte. The emphasis remained on the supposed desirability of the UK itself as a destination country. Politicians, especially in the UK, continued to represent the migrants in Sangatte as an essentially abstract problem; that is, people without families or, as discussed before, without traumatic pasts.

Smāin Laacher's (2002) report into the reception centre, on behalf of the Red Cross, may, however, help explore in more detail why its residents preferred to claim asylum in the UK. From his questionnaires and in-depth interviews in Sangatte with the migrants, it appears that some did have family members (or

²¹ H.C. Hansard, Vol. 373, Col. 102WH, 24/10/2001, Angela Eagle

²² Assemblée Nationale, 1st séance, 24 October 2001

²³ Article 4 of the Convention reads: 'If the applicant for asylum has a family member who has been recognised as having refugee status within the meaning of the Geneva Convention in a Member State, and is legally resident there, that state will be responsible, provided the person concerned so desires'.

²⁴ The Liberal Democrats are the third largest party in the UK, holding 53 seats in the House of Commons (Parliament's lower house) out of a total of 659.

²⁵ H.C. Hansard, Vol. 373, Col. 104WH, 24/10/2001, Simon Hughes (Lib)

friends)²⁶ in the UK who they had hoped to join *upon leaving their country of origin*. His findings indicate that a little over 64 per cent of this particular group of respondents had initially planned to travel to the UK (*ibid.*, 67). In contrast, although nearly 52 per cent of those without family or friends in the UK declared that they had initially intended to go there, Laacher strongly believes this figure to be quite misleading. As will be explained below, this figure is also certainly indicative of the migrants' desire to leave Sangatte and start rebuilding their lives. Whereas those with family in the UK gave precise reasons as to why they wanted to go to the UK, many others appear to have only decided to go there once they had arrived in France or at the reception centre in Sangatte (*ibid.*, see Ch. 5).

Similar to a study by Koser (1997) into Iranian asylum seekers in the Netherlands, the interest therefore lies in explaining why *some* people may end up claiming asylum in countries where they have no family ties or to which they had no prior intention of going when they left their country of origin. Laacher's report, completed in April 2002, was however the first objective study into the reasons that people were in Sangatte. The explanations by politicians as to why the migrants sought to claim asylum in the UK instead of in France, at least before the report was finished, must therefore be seen as highly partisan because of this lack of objective research.

The argument here is that political discourse in both the UK and France essentially paid attention only to pull factors; i.e. those factors that potentially attracted migrants to the UK, whether they related to UK asylum policy, the country's colonial legacy or, more controversially, to the location of the reception centre at Sangatte. The advantage of framing debates in this way was that both governments avoided taking responsibility for the welfare of the migrants in the centre, the majority of

whom had *a priori* justified claims for asylum. By focusing on those factors that attracted the migrants to the UK, the residents in Sangatte were portrayed as exercising a high degree of freedom of choice over their preferred country of asylum. Consequently, little attention was paid to either country's responsibility to help potential refugees to obtain asylum. This was particularly true for France. As Ann Widdecombe, the UK shadow Home Secretary, neatly summarised:

It isn't that France is refusing to consider asylum applications. It is that people don't want to apply there, they want to get here even if it is illegal (The Today Programme, 2001a)

It has already been noted, however, that governing parties in France have avoided promoting the rights of asylum seekers for fear of losing electoral support to the anti-immigrant *Front National* (Collyer, 1998). With no heating, few showers and the lack of privacy for its residents, conditions in Sangatte were certainly poor and made worse by the problem of overcrowding (AISF, 2002)²⁷. Despite attempts by Elisabeth Guigou, the French government minister whose department financed the provision of food and shelter in Sangatte, to address the problem of overcrowding, the response by her colleague in the Interior Ministry in early September 2001 was to reject any 'second Sangatte'. The UK/French meeting in January 2002, this time between Guigou and Blunkett, indicated that France wanted to contain the potentially contentious issue of asylum by not addressing the living conditions in Sangatte. As Blunkett reported:

Elisabeth Guigou ... accepts, and indicated publicly that she had not advocated, and will not advocate, a further Sangatte in the Pas-de-Calais area, and that the long-term objective must be to close Sangatte²⁸

²⁶ Laacher (*ibid.*, 67) found that 151 people had family or friends in the UK out of a total of 261 respondents. Family members were uncles, brothers, sisters and near cousins.

²⁷ The centre had a capacity for 700 people, but frequently accommodated more than twice that number.

²⁸ H.C. Hansard, Vol. 379, Col. 613, 4/2/2002, David Blunkett (Lab)

Furthermore, Laacher's findings illustrate that less than 11 per cent of his respondents from the centre knew of their right to claim asylum in France (2002: 61). An article by Violaine Carrère (2002) on Sangatte similarly reports that information given to its residents was aimed more at dissuading them from claiming asylum in the UK than explaining how to claim it in France. There were also reports that the police at the entrance to the centre had prevented information on asylum in France, translated into several different languages, from being distributed to its residents (*ibid.*). Conditions in the centre further deteriorated during 2002 when tensions between its residents increasingly led to fighting. One incident on 15 April ended in the death of a Kurdish man (Borel, 2002). Subsequent incursions by the police into the centre, with frequent searches of people's belongings (Carrère, 2002), simply added to the impression that the centre was there to contain rather than address the issue of asylum in France.

As Carrère (*ibid.*, 20) suggests, the real or supposed attraction of UK asylum policy allowed France to justify doing little for the migrants in Sangatte. In contrast, the extent to which people in Sangatte chose the UK is moreover indicative of their hope that they would be afforded better treatment in the UK. Morrison (1998: 24) has indicated that many asylum seekers to the UK perceive the country as committed to protecting human rights. The sentiments of one migrant from Sangatte illustrate this well:

I would like to go in Britain because ... I love the merciful and kind people of England, and ... they are going to help us. They [will] look after us. And here [there] is no other country to help us, either the Arab countries or any other (The Today Programme, 2001b)

By April 2002, political debates about resolving the problem of illegal immigration from France into the UK therefore appeared to be framed around two related policy measures – making the UK less attractive to asylum seekers, and

closing the reception centre at Sangatte. The effect of framing debates in this way was that both governments avoided discussing the welfare of the migrants in Sangatte, with politicians in the UK frequently treating them as simply an abstract problem. Although France appeared to address the humanitarian needs of the migrants by resisting calls to close Sangatte, it should be noted that the centre's closure might have created an even greater political problem for the governing Socialists if its residents had once again been made homeless in and around the nearby town of Calais. The reception centre at Sangatte at least contained the problem, rendering it less visible and potentially less controversial. It would, however, be left to the centre-right in France to finally resolve the issue of Sangatte as subsequent presidential and parliamentary elections removed the Socialist Party from government.

*The Impact of Policy on Asylum Flows
(May 2002 – mid-October 2002)*

This shorter time period begins with a change in the French government, and saw renewed efforts by both countries to close Sangatte. Three meetings between David Blunkett and Nicolas Sarkozy, the new Interior Minister in France, took place during these months. Joint statements by the two ministers established a timetable for the closure of the reception centre. Meanwhile, the UK government announced two policy measures during this period that would, in the words of the Home Office, 'tackle the pull factors which might draw those with unfounded asylum claims to the UK' (Home Office, 2002).

The joint statements by the French and UK governments principally framed the issue of Sangatte as a security concern. The indication was that the new government in France had adopted the view of many UK politicians that Sangatte represented a security problem, irrespective of whether it was responding to a humanitarian need in the region or not. Security measures announced included technology in Calais to detect the presence of illegal immigrants, high-tech scanning equipment to help identify forged documents, and longer and higher fencing around preferred illegal entrance points to the Channel Tunnel.

A speech by Nicolas Sarkozy just a month after the new government had officially taken office illustrated changes in the way the Interior Ministry in France portrayed the centre at Sangatte and its residents:

I went to Sangatte, which is a focal point for concerns [about illegal immigration] but which has rarely been visited. Who would reproach me for wanting to close this centre, which incites people to attempt illegal entry [into the UK] in the most dangerous of ways?²⁹

Sarkozy's implied concern for the safety of the migrants was certainly intended to criticise the previous government's failure to address the dangers the migrants ran

trying to get to the UK, as well as their poor living conditions in Sangatte. It would be incorrect, however, to conclude that Sarkozy's approach to Sangatte represented a radical departure from the policy frames established by the previous bilateral meetings before the elections in France. Whilst both governments now agreed that the centre was contributing to attempts to illegally enter the UK, political discussions remained focused on reducing those pull factors that attracted asylum seekers to the UK. Shortly after David Blunkett had secured a timetable for the closure of Sangatte on 12 July 2002, the UK Home Office announced that asylum seekers would no longer be permitted to work at any stage during their asylum claim.

In a most tangible way, it is possible to see how previous political statements relating *only* to Sangatte contributed to more restrictive asylum policy in the UK. Many of the political texts researched, as the previous section illustrated, proposed the view that migrants into Europe often engaged in what has disparagingly been called 'asylum shopping'. Relating this to the specific case of migrants in Sangatte, politicians from France and the UK proceeded to imply that at least some of those in the reception centre were economic migrants, and not genuine refugees. The assumption here was that they were therefore coming to the UK for work, or possibly to claim benefits. As France had abrogated in 1991 the right of asylum seekers to work, one policy measure to combat illegal immigration, both from Sangatte and elsewhere, was for the UK government to prevent all asylum seekers from working. A subsequent policy measure, announced on 7 October 2002 by the Home Office, aimed at cutting welfare payments to many 'in-country' asylum seekers.

Recent research for the UK Home Office, however, found little evidence that asylum seekers had detailed knowledge of UK asylum policy, and even less understanding of how it compared to policy features in other European countries (Robinson & Segrott, 2002). It is also noteworthy that this research found that most of their respondents actually preferred to work rather than be

²⁹ Assemblée Nationale, 1st séance, 16 July 2002

dependent on the state for welfare support.

Given that asylum seekers to Europe might lack any detailed knowledge of asylum policy in EU member states, research has subsequently questioned the extent to which changes to policy are effective in controlling asylum flows into a particular country. Böcker and Havinga (1998) concluded that whilst some of the most significant shifts in asylum flows can be related to policy changes, many policy measures had little or no effect. Furthermore, they claimed that it was often difficult to relate shifts in asylum numbers to specific policy measures because many European countries had introduced tighter policies across the board. For example, France implemented a series of policy measures in the early 1990s that appeared to cut the numbers applying for asylum. Despite tighter asylum policies, however, numbers again started to rise from the late 1990s (see Figure 3 in Appendix 3).

The evidence that changes to asylum policy can directly affect the number of asylum applications, especially in the long-run, appears inconclusive. Holzer *et al.* (2000), who similarly looked at the impact of policy on asylum flows, concluded that it may be equally appropriate to understand changes to policy as an essentially political response to asylum seeking. Because politicians had framed Sangatte as indicative of a wider 'asylum problem' in the UK, the Labour government needed to be seen to be offering an appropriate legislative response even if legislation could not be proved to reduce pull factors to the UK. Truths are understood in this way to be performative (Crang, 1997); that is, fellow politicians and the electorate assess the 'truth' of what the government says by how well it fits into an established policy framework. People simply believed that legislation would tackle unwanted asylum flows into the UK.

Although Schuster (2002) rightly considers Sangatte to represent a 'false crisis', in the sense that politicians failed to address the real problems associated with undocumented migration such as people risking their lives to cross the

Channel, it also became a political crisis that ultimately required suitable legislative responses by the UK government.

These legislative responses, cutting welfare benefits to 'in-country' asylum applicants and removing their right to work, formed part of the Labour government's 'Nationality, Asylum and Immigration Act' (which passed into law at the beginning of November 2002). If the political crisis that was Sangatte had not occurred, it is reasonable to say that the Act would not have contained such restrictive policy measures. These measures were largely justified by how politicians in the UK had framed the issue of Sangatte, and how they had in turn represented the migrants in Sangatte and the centre itself. Yet without pressure from the French government on the UK to tighten its asylum policy, it is also reasonable to believe that the UK might have been satisfied with the improved security arrangements at the entrance to the Channel Tunnel, and not introduced such restrictive asylum reforms. Pressure from the French government, however, was not simply of a diplomatic nature, but involved publicly representing the migrants in Sangatte in ways that shifted responsibility for addressing immigration and asylum matters from France on to the UK. Shortly before leaving office, the former French Prime Minister Lionel Jospin summed up the situation well:

It's a paradox. France has to host asylum seekers who want to settle in the UK ... This situation cannot continue indefinitely ... We are working with the UK government, and I have on several occasions mentioned the issue to Tony Blair³⁰ who envisages a change in the country's asylum legislation in order to make it less attractive [to asylum seekers]³¹

The diplomatic and public negotiations between the UK and France over Sangatte therefore illustrate how a political process can lead to tighter asylum policies across the EU. European governments, though,

³⁰ UK Prime Minister from 1997 to the present.

³¹ Interview in "La Voix du Nord", 7 March 2002. See: <http://www.ladocumentationfrancaise.fr/>

prefer not to recognise that more restrictive asylum policies make claiming asylum in an EU country an increasingly difficult and dangerous task for potential refugees. Because tighter asylum policies are often accompanied by tighter security arrangements³², it has become necessary for refugees to rely on people smugglers or agents who can facilitate travel to Europe (Morrison, 1998). In turn, there is growing evidence that more restrictive asylum policy in Europe has encouraged the growth of people smuggling and trafficking³³ into a 'global migration business' (Salt & Stein, 1997; see also Koser, 2000). It appears that the heightened security arrangements around the Channel Tunnel did effectively mean that migrants in Sangatte turned to people smugglers, who by that time had established a permanent presence within the centre itself (Carrère, 2002).

This research also analysed how politicians represented people smugglers in the centre. By comparing these findings with how the migrants had been portrayed by UK and French politicians, the analysis revealed some contradictions. Whilst politicians had previously emphasised how migrants from Sangatte exercised a choice over their preferred country of asylum, smuggling or trafficking was frequently described as an 'evil' or 'barbaric' trade³⁴ that fully controlled and exploited migrants³⁵. The timing of discussions about people smugglers, though, explains these apparent contradictions. When migrants in Sangatte were invariably portrayed as 'economic migrants', because they

ostensibly *chose* to claim asylum in the UK, the desired effect of this from the point of view of the UK was to justify calls for the closure of the centre. Once agreement to close Sangatte had been reached, however, the subsequent emphasis on dismantling smuggling networks in the centre was designed to give urgency to the task of closing the centre. Contradictions were not obvious precisely because different political representations of the migrants and smugglers were applied to different policy environments.

Politicians, in this way, have avoided looking at the real impact of policy changes on asylum seekers. As Koser (2001) points out, there has been little official recognition that restrictive asylum policies may lead to a growth in trafficking or smuggling of asylum seekers (cf. Home Office, 1997: 10-11). Furthermore, government attempts to break trafficking and smuggling networks have led Morrison & Crosland (2001) to question whether the right of asylum in Europe will remain within the reach of those most in need of protection.

³² This is most clearly shown by the stationing of Airline Liaison Officers (ALOs) by EU states in 'refugee-producing' countries in order to prevent undocumented passengers from travelling to the EU and claiming asylum there (see Refugee Council, 2000).

³³ At a fundamental level, trafficking implies either the use or threat of force to coerce a person into acting in a way that is contrary to his/her wishes. Smuggling implies that migrants have freely chosen to procure the services of a smuggler in order to facilitate a clandestine entry into another country (UN, 2001). Others, however, have included an element of choice in the definition of trafficking (see Salt & Stein, 1997: 470-1).

³⁴ H.C. Hansard, Vol. 387, Col. 879, 26/6/2002, David Blunkett (Lab)

³⁵ TV interview with President Jacques Chirac, 14 July 2002 - <http://www.ladocumentationfrancaise.fr/>

The Reception of Asylum Seekers (mid-October 2002 – December 2002)

During these last months of political negotiations, France and the UK finally addressed the question of how to deal with the migrants in Sangatte after the closure of the centre. Following previous discussions with the UNHCR and the International Organization for Migration (IOM), both organisations were given formal roles to provide support and advice to the migrants. For example, as part of the programme to facilitate voluntary repatriation to Afghanistan, the IOM assisted five of Sangatte's residents to become the first to return to their country of origin on 16 October 2002. Once the centre had been closed to new arrivals on 5 November 2002, the UNHCR then began interviewing the residents in order to find specific solutions to their individual cases. On 2 December, the UK agreed to take two hundred Afghans from Sangatte who had strong family links in the UK. The UK also offered four-year work visas to nearly one thousand Iraqi Kurds. France agreed to take responsibility for the remaining three hundred migrants still in the reception centre.

This final section argues that the framing of Sangatte, intended in the first place to secure the closure of the reception centre, subsequently fed into solutions proposed for dealing with the migrants there. This was particularly true in the UK where the effect of focusing on closing Sangatte, and therefore representing its residents in ways to justify the centre's closure, appeared to preclude offering the migrants the chance to claim asylum in the UK. Because politicians had portrayed them as 'economic migrants', it might have been politically contentious for the UK government to have then treated them as asylum seekers. As the Home Secretary asserted, he had no intention of 'confus[ing] asylum claims with economic migration routes'.³⁶

Yet, in the view of the UK Refugee Council (2002c), the proposal to offer Iraqi Kurds work visas did blur the distinction between economic migrants and refugees

because many were indeed fleeing from a regime with documented human rights abuses (see Human Rights Watch, 1994). Nonetheless, given the scale of political and public interest in Sangatte, many people had already formed an image of its residents before the UK government agreed to offer some of them work visas. Consistent with ideas about framing language, politicians had first contributed to shaping public perceptions of migrants in Sangatte, through their debates and statements, but then worked within the dominant or accepted images of Sangatte after the centre was closed. Because its residents had been portrayed as 'economic migrants', it was equally important for the government to justify along these lines why they were being accepted into the UK:

The right hon. Gentleman asks why we chose to grant permits to Iraqis ... if we do not allow entry in an ordered and managed way, they will come into our country clandestinely, claim asylum, be a burden on the support system and clog up the works of the immigration programme. We are lifting the burden on taxpayers, organising the system properly and providing for our economic needs by giving people the opportunity to work.³⁷

What is most disturbing is the *way* that the UK government justified granting work visas to the Iraqi Kurds. The justification appears to have been based on portraying 'spontaneous asylum seekers' (Koser, 1996) as a 'burden', precisely because they do not arrive through officially sanctioned channels. The effect of this is to frame the institution of asylum as a system that can and should be managed, but in the interests of the country of asylum. The needs of the asylum seeker are subsequently ignored. In this way, the offer of work visas to Iraqi Kurds from Sangatte essentially treated them as an economic resource, but did not take into account their needs as potential refugees who had fled from persecution in Iraq.

³⁶ H.C. Hansard, Vol. 395, Col. 615, 2/12/2002, David Blunkett (Lab)

³⁷ H.C. Hansard, Vol. 395, Col. 614, 2/12/2002, David Blunkett (Lab)

In France, politicians took the opportunity during discussions on the closure of Sangatte to consider the future reception of asylum seekers. Sangatte, however, was shown as indicative of the potential burden of future asylum flows into France, with Prime Minister Jean-Pierre Raffarin warning that France could not 'take in all the world's suffering'³⁸. Nicolas Sarkozy echoed the sentiments of his colleague in a radio interview on the closure of Sangatte:

There must only be two categories of foreigners in France, those who wish to stay and integrate ... and those who will be accompanied back home. Isn't it normal that France should control who is on its territory?³⁹

Sarkozy's comments evidently referred to the migrants in Sangatte who had remained in France. Although the Interior Minister confirmed that they were being given the opportunity to claim asylum in France, his assertion that it was their responsibility to integrate avoided addressing more pressing concerns about French asylum policy. As the previous government had failed to deal with French asylum issues arising out of Sangatte by focusing debate on how the centre's residents actively chose to claim asylum in the UK, Sarkozy also framed the subject of integration as simply a question of migrant choices. Either they chose to stay and integrate, or they would be returned to their country of origin.

The process of obtaining asylum in France, however, is frequently long and difficult. Most notably, there is a shortage of accommodation for asylum applicants in centres designated for them (Forum Réfugiés, 2003). A report by Amnesty International (2002) pointed out that some asylum seekers were arriving in Sangatte because they had been left homeless due to the lack of accommodation in France. Since the closure of the centre, there have been periodic reports indicating that Iraqi Kurds

are still arriving in France – without Sangatte, many have been moved on by the police and found to be sleeping rough in Paris (Webster, 2003). Such a situation clearly does not encourage potential refugees to claim asylum in France. People may wish to stay and integrate, but it is first of all imperative that the French government receives asylum seekers in a more humane way.

³⁸ 'Chronologie du 5 novembre 2002 au 14 novembre 2002', <http://www.ladocumentationfrancaise.fr/>

³⁹ RTL Interview with Nicolas Sarkozy, 12 November 2002. See: <http://www.interieur.gouv.fr/>

4. Conclusions

This paper has sought to answer two research questions by analysing how politicians discussed the reception centre at Sangatte. The first question related to the political negotiations between France and the UK, and looked specifically at the ways the two countries resolved to deal with problems associated with the centre. Particular attention was paid to how politicians framed the issue of Sangatte in ways that promoted desired solutions to those problems, and then to whether there were any significant differences in the way that UK and French governments framed their respective discussions about Sangatte. The second research question aimed at understanding how politicians, through negotiations over Sangatte, justified the introduction of more restrictive asylum policies. In answering these questions, this paper explored political representations of the migrants in the centre, the centre itself, as well as the role of people smugglers in Sangatte.

Initially Sangatte did not figure very highly on the political agenda of the UK government. During the first half of 2001, the Labour government appeared content to hold Eurotunnel solely responsible for resolving the issue of clandestine entry into the UK. Whilst statements by the government aimed to put Sangatte in perspective, the French government nonetheless stepped up the pressure on the UK to offer an appropriate legislative response by identifying a causal link between UK asylum policy and immigrant flows into the north-east region of France. Not only did this lend credence to how the opposition Conservative Party was framing the issue of illegal immigration into the UK, but it also fitted into the prevailing view that tighter asylum policies discourage unfounded asylum claims from economic migrants.

This paper has argued that this view is misleading, being posited on an assumption that only economic migrants will exercise a degree of choice over where they claim asylum. Where politicians recognised that some migrants from Sangatte had genuine asylum claims, few disputed the assertion that these

claims should be made in France in accordance with the much-cited Dublin Convention. Underlying discussions about this Convention was the suggestion that exercising a degree of choice over a preferred country of asylum detracted from the asylum claim despite pleas by a minority of UK politicians for an asylum policy that would take into account applicants' community and linguistic ties. These discussions failed to acknowledge that neither the living conditions in Sangatte nor the French government itself encouraged the centre's residents to claim asylum in France. Instead, Sangatte appeared as a seemingly intractable problem with politicians in the UK declaring the centre itself to be a contributing factor in drawing migrants to the UK whilst their French counterparts insisted that Sangatte was simply responding to a humanitarian need. The desired effect by the French government of framing the centre as simply a humanitarian response, although living conditions inside were indeed poor, was undoubtedly to shift attention back on UK asylum policy and away from the centre.

The subsequent focus on possible pull factors that attracted migrants to the UK dominated political discussions up until legislative measures curtailing some of the rights of asylum seekers were introduced in the UK. Where research has been conducted on the effectiveness of asylum reforms in controlling asylum flows, their findings seem to indicate that such legislative changes are a blunt instrument largely because migrants lack detailed knowledge of how asylum policy differs across EU member states. The prevailing belief that many migrants engage in 'asylum shopping' arguably owes more to political expediency than to objective research – Sangatte, I have suggested, was indicative of a political crisis to which the UK government had to be seen to be responding. Yet the very nature of the changes to the UK's asylum policy, ending the right to work for asylum seekers and removing welfare payments to 'in-country' asylum applicants, simply reinforced the message that migrants to the UK had previously been engaging in 'asylum shopping'.

Focusing on preventing 'asylum shopping' through legislative changes does not address the root causes behind a person's decision to leave their country of origin. Indeed, there is ample evidence to show that asylum seekers are consequently turning to people smugglers and traffickers as a means to enter EU member states. Yet whilst governments are keen to break trafficking and smuggling networks, there is little official recognition that the introduction of tighter asylum policies contributes to the prevalence of these networks and to clandestine immigrants exposing themselves to ever greater dangers.

The decision to close Sangatte, following proposed changes to the UK's asylum policy, may have been heralded as a diplomatic success but the continued presence of homeless migrants in France does not suggest that the reception of asylum seekers there has improved. Similarly, the denial of welfare payments to 'in-country' asylum applicants in the UK has once again exposed some asylum seekers to possible destitution. The restrictive asylum policies that resulted from negotiations over Sangatte do seem to bear out claims that agreements between states tend to be reached at the lowest common denominator (ECRE, 2001). This paper therefore welcomes recent proposals by the European Commission on minimum standards of reception for asylum seekers. These proposals, although in many ways 'watered down' during negotiations between EU member states in the Council of the EU, formed much of the Directive adopted by the Council and as such are binding on most member states.⁴⁰ The Directive explicitly mentions 'destitute asylum seekers', who will be entitled under EU law to housing, food, clothing and a small daily allowance. It is to be hoped that similar initiatives at the EU level will provide further protection for asylum seekers in Europe.

⁴⁰ With the exception of Denmark and Ireland who have opted out. See: http://www.feantsa.org/news/flash/flash_january_2003.htm#directive

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Appendix 1 – Immigration and Asylum Reforms in France

<i>Year</i>	<i>Main Policy Reforms</i>
1981	Employer sanctions introduced to prevent illegal use of undocumented workers ^(a)
1986	First <u>Pasqua Law</u> ^(a) <ul style="list-style-type: none"> – Powers given to the Border Police to detain and immediately deport any person without proper papers; – Random checks by the police to verify the identity of foreign or suspicious-looking individuals; – Children born in France of foreign parents to lose automatic right to French citizenship at age 18; to request French nationality and take an oath of allegiance (Proposal withdrawn after widespread protests)
1990-92	Policy measures implemented as ‘a result of pressure from the European context’ ^(b) <ul style="list-style-type: none"> – Establishes the notion of manifestly unfounded claims by asylum seekers from countries deemed to be safe – Carrier sanctions imposed on airlines if found carrying undocumented passengers – Readmission agreements to ‘facilitate the return of asylum seekers to countries of origin or transit’ ^(c)
1991	Automatic right to work abolished for asylum seekers. Transit visas introduced for refugee-producing countries, in particular Angola ^(b)
1992	Attempt to detain all asylum seekers in airport ‘transit zones’ ruled unconstitutional by the <i>Conseil Constitutionnel</i> . France only permitted to detain asylum seekers making manifestly unfounded applications ^(d)
1993	Second <u>Pasqua Law</u> – objective of ‘zero immigration’ ^(a) (many of which ruled unconstitutional by the <i>Conseil Constitutionnel</i> although pushed through by a constitutional amendment) <ul style="list-style-type: none"> – Restrictions on the right of appeal for asylum seekers, on family reunification for foreign workers and students, and marriage restrictions to prevent marriages of convenience (<i>mariage blanc</i>) – Greater powers to the police to detain and deport foreigners (with a one-year exclusion from France) – Foreigners denied access to social security benefits, in particular health care – Children born in France of foreign parents required to formally request naturalisation between the ages of 16 and 21
1996	<u>Debré Law</u> ^(a) <ul style="list-style-type: none"> – Requirement on all private French citizens to notify local authorities if receiving any non-EU foreigner in their homes (Law amended to require foreign visitors to report themselves to the local authorities)
1998	<u>Chevènement Law</u> ^(e) <ul style="list-style-type: none"> – Introduced the categories of ‘Territorial Asylum’ (for foreigners ‘whose life or liberty is threatened’ or who have been exposed to ‘inhuman or degrading treatment’) and ‘Constitutional Asylum’ (people persecuted because of their actions for freedom) into French asylum law
2003	<u>Sarkozy Law</u> ^(f) <ul style="list-style-type: none"> – Established the notion of ‘safe countries’ into French asylum law, and the notion of ‘internal asylum’ where claims refused if applicants could have sought protection within their country of origin

^(a) See Hollifield (2000) and Geddes (2003: Ch. 3)

^(b) See Wihtol de Wenden (1997) and Böcker & Havinga (1998)

^(c) See Collinson (1996: 85-7)

^(d) See Bank (2000)

^(e) See Liebaut (2000), Delouvin (2000) and Collyer (1998)

^(f) See CFDA (2003)

Appendix 2 – Immigration and Asylum Reforms in the UK

Year	Main Policy Reforms
1981	<u>British Nationality Act</u> ^(b) restricts British citizenship rights to 'patrials', or people with a British parent or grandparent
1987	<u>Immigration Carriers' Liability Act</u> ^{(a) (b)} imposes sanctions on airlines and shipping companies if found carrying undocumented passengers (fines doubled in 1991 to £2000 per passenger)
1990	UK signs <u>Dublin Convention</u> ^(b) though did not enter into force until 1997, replacing the 1995 ' <u>Gentleman's Agreement</u> ' between the UK and France (see below)
1993	<u>Asylum and Immigration Appeals Act</u> ^(b) <ul style="list-style-type: none"> – Extension of right of appeal to all asylum seekers – Compulsory fingerprinting of asylum seekers – 'Fast-track' procedures introduced, in particular for asylum seekers having travelled through 'safe third countries' (all EU member states). No right of further appeal to the Immigration Appeal Tribunal
1995	Bilateral agreement (' <u>Gentleman's Agreement</u> ') negotiated between France and the UK. France agrees to process asylum claims of asylum seekers coming to the UK from France
1996	<u>Immigration and Asylum Act 1996</u> ^{(b) (c)} <ul style="list-style-type: none"> – Entitlement to welfare benefits removed for people claiming asylum 'in-country'; i.e. after entry into the UK (Subsequent court hearings nullified this by ruling that destitute asylum seekers must be supported by their local authorities in line with the 1948 National Assistance Act) – Application of 'fast-track' procedures extended in case of appeals – 'White list' introduced identifying 'safe' countries whose nationals would be subject to the 'fast-track' appeals procedure – Sanctions against employers recruiting those without permission to work in the UK
1999	<u>Immigration and Asylum Act 1999</u> ^(d) <ul style="list-style-type: none"> – A voucher-based welfare scheme introduced to replace cash benefits paid to asylum seekers – Dispersal of asylum seekers away from London and the south-east
2002	<u>Nationality, Asylum and Immigration Act</u> ^(e) <ul style="list-style-type: none"> – Expanding legal routes for labour migration into the UK; e.g., the <i>Highly-Skilled Migrant Programme</i> – Asylum seekers no longer permitted to work after six months from the date of their initial asylum application – Proposal to set up a national network of induction centres to provide a comprehensive initial reception service for all asylum seekers. Four new accommodation centres proposed to open on a trial basis to provide for all the needs (nutrition, health care, education) of asylum seekers (750 in each) – Cash support to replace the failed voucher scheme established in 1999

^(a) See Lambert (1995)

^(b) See Hayter (2000: 56, 59-60 & 76-95) and Joppke (1997)

^(c) See Refugee Council (1996) and Young (1998)

^(d) See Geddes (2000: 141-5)

^(e) See Refugee Council (2002a & 2002b)

Appendix 3

Figure 1 – Breakdown of Primary Sources

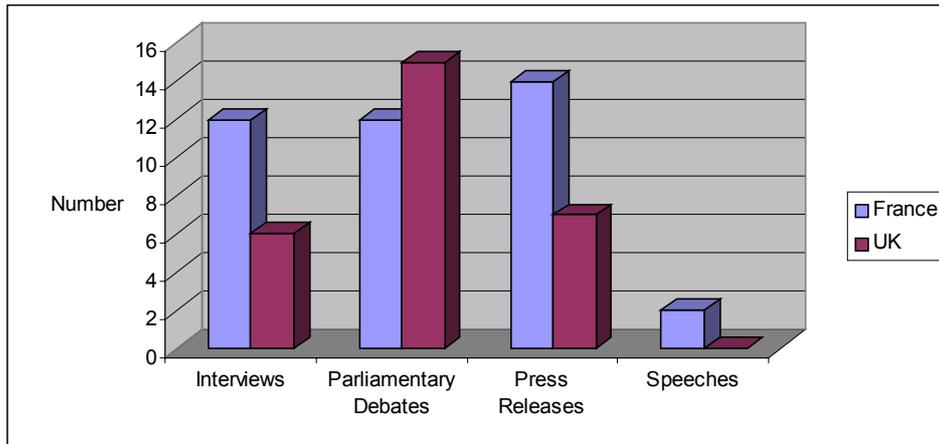
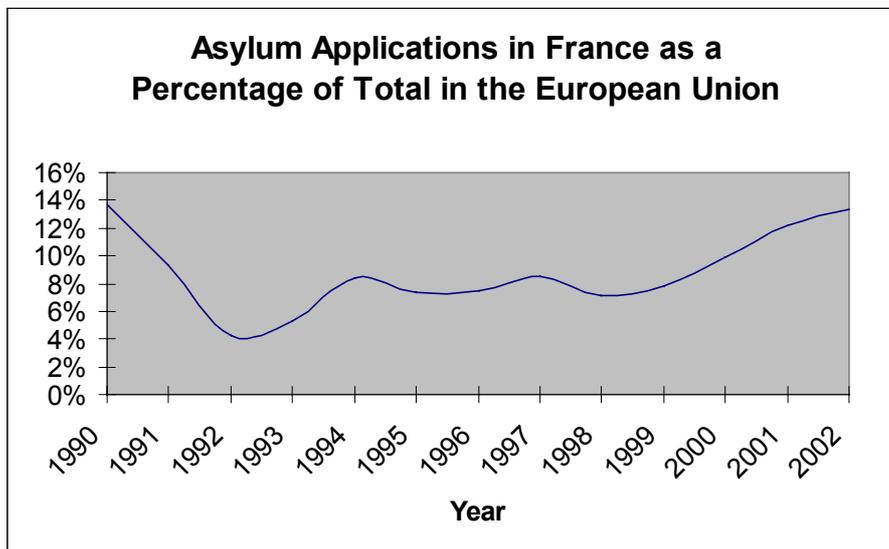
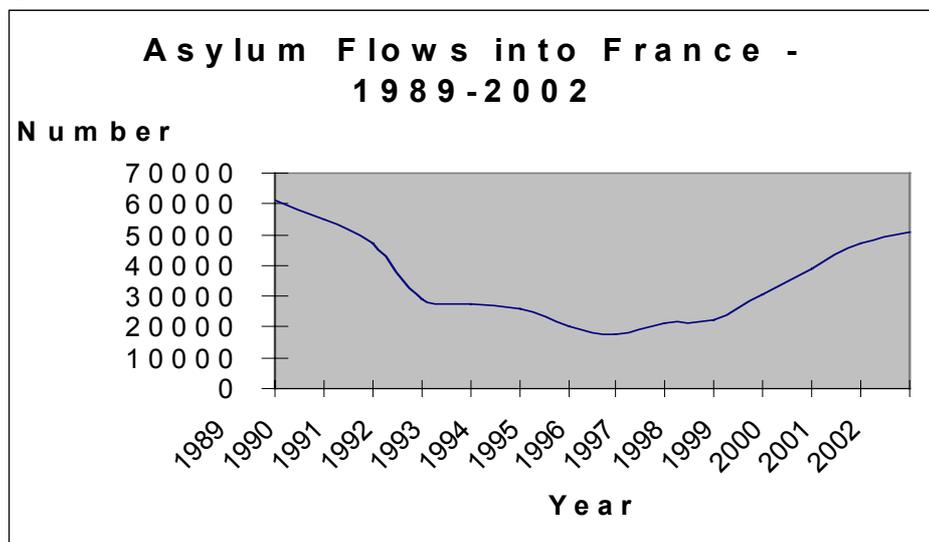


Figure 2



Source: Compiled from ECRE (2003)

Figure 3



Appendix 4 – Sources of the Research Material

French sources

Interviews, Press Releases & Speeches: <http://www.ladocumentationfrancaise.fr/>
<http://www.lemonde.fr/>⁴¹

Parliamentary Debates: <http://www.assemblee-nat.fr/>

Ministry of the Interior Press Releases: <http://www.interieur.gouv.fr/>

UK sources

Parliamentary Debates: <http://www.parliament.the-stationery-office.co.uk/>

Press Releases: <http://www.gnn.gov.uk/>

Radio Interviews: <http://www.bbc.co.uk/radio4/today/>

Newspaper Interviews: <http://www.guardian.co.uk/>

⁴¹ Interview with Nicolas Sarkozy, the French Interior Minister – ‘Il faut porter le fer dans les zones de non-droit’, *Le Monde*, 31 May 2002

Appendix 5 – History of Sangatte⁴²

<i>Date</i>	
24 Sep 1999	The Red Cross centre at Sangatte is opened to provide food and shelter to homeless migrants in Calais. The centre, owned by Eurotunnel to store digging equipment for the Channel Tunnel, was requisitioned by the French government
30 Aug 2001	Forty-four people picked up inside Channel Tunnel and returned to Sangatte. Tunnel closed overnight
2 Sep 2001	David Blunkett, UK Home Secretary, telephones Daniel Vaillant, France's Interior Minister, to arrange meeting between ministers, and requests that France considers closing the Sangatte reception centre
10 Sep 2001	Eurotunnel loses a legal bid to shut Sangatte
13 Sep 2001	David Blunkett and Daniel Vaillant issue joint statement on Sangatte and new security measures to prevent illegal immigration between France and the UK. Vaillant confirms that France has no intention of opening another centre to deal with the overcrowding in Sangatte
25 Dec 2001	One hundred and thirty people enter the Channel Tunnel in an attempt to cross into the UK on foot. Forty arrested whilst others returned to Sangatte
28 Dec 2001	Michel Meriaux, deputy director of the camp at Sangatte, causes British politicians to call for his dismissal after he admitted that he considered it likely that people would attempt to cross the Channel Tunnel over the Christmas period (see 25 Dec 2001)
19 Jan 2002	Afghan from Sangatte electrocuted whilst hiding on top of a freight train heading towards the Channel Tunnel
21 Jan 2002	David Blunkett meets Elizabeth Guigou, French Minister of Employment and Solidarity, to discuss Sangatte. Guigou excludes the centre's closure in the immediate future
1 Feb 2002	Eurotunnel's second legal bid to shut Sangatte rejected by French court
7 Feb 2002	UK government publishes White Paper 'Secure Borders, Safe Haven' to address UK asylum policy
15 Apr 2002	Kurdish man dies after being stabbed in the centre during an incident in which two others were injured
21 Apr 2002	Jean-Marie Le Pen, leader of the anti-immigrant <i>Front National</i> (FN), wins 17 per cent of the first-round vote in France's presidential elections. His second place, ahead of the then Socialist prime minister, Lionel Jospin, took him to a second-round run-off with Jacques Chirac
5 May 2002	Jacques Chirac receives 82 per cent of the second-round presidential votes to remain French president
6 May 2002	Socialist prime minister Lionel Jospin resigns. President Jacques Chirac names Jean-Pierre Raffarin, a moderate conservative, as the interim prime minister who appoints new ministers in interim government, including Nicolas Sarkozy as Minister of the Interior
17 May 2002	25-year-old Kurd dies following fighting in Sangatte. French use tear gas to control residents
23 May 2002	Nicolas Sarkozy first French minister to visit Sangatte. Declares its closure an objective
24 May 2002	Iain Duncan Smith, leader of the opposition Conservative Party in the UK, writes an article in the <i>Daily Mail</i> following rumours that the UK would accept up to one thousand three hundred of Sangatte's residents
16 Jun 2002	French parties of the moderate right win 399 out of the 577 seats in the National Assembly. Interim government under Jean-Pierre Raffarin confirmed as the new centre-right government, including Nicolas Sarkozy as Interior Minister

⁴² Compiled from the research's primary sources (see Appendix 3). Also from articles appearing in the French daily newspapers, *Le Monde* and *Le Figaro*, and in the UK daily newspapers, the *Guardian*, the *Daily Telegraph*, and the *Daily Mail*. Information on the role of the UNHCR and IOM obtained from the UNHCR's Briefing Notes available online at <http://www.unhcr.ch/>.

25 Jun 2002	David Blunkett and Nicolas Sarkozy meet to discuss Sangatte. Sarkozy agrees that closing Sangatte is a joint objective
4 Jul 2002	UN High Commissioner for Refugees (UNHCR) Ruud Lubbers offers to help resolve the situation in Sangatte
12 Jul 2002	David Blunkett and Nicolas Sarkozy meet for a second time to discuss Sangatte, indicating that the UNHCR will be given a role to help 'create a more controlled environment in the camp'
23 Jul 2002	UK Home Office announces the end to the right for asylum seekers to apply for permission to work six months after their initial asylum claim
26 Sep 2002	Joint statement by David Blunkett and Nicolas Sarkozy agreeing to close Sangatte by 15 November 2002, to engage the UNHCR in an advisory capacity in the closure programme, and to introduce a joint French/UK programme of voluntary returns involving the UNHCR and IOM
27 Sep 2002	IOM to assist in the voluntary return and reintegration of Afghans currently living in Sangatte
7 Oct 2002	UK Home Secretary, David Blunkett, announces an end to the presumption of welfare support for those who apply for asylum in-country, outside airports or ports, without valid reasons
16 Oct 2002	First five Afghans to accept the French government's offer of voluntary repatriation from Sangatte arrived in Kabul. Each of the five provided with a 2,000 Euro reintegration grant by the French authorities. IOM to provide temporary accommodation in Kabul, then transportation to the returnees' places of origin.
18 Oct 2002	UNHCR establishes permanent presence in Sangatte to compile a profile of the centre's residents and provide one-to-one legal counselling and advice
5 Nov 2002	Sangatte reception centre closed to new arrivals, ten days earlier than anticipated
7 Nov 2002	The 2002 Nationality, Asylum and Immigration Act receives Royal Assent
8 Nov 2002	Nicolas Sarkozy issues statement praising the UK parliament for passing the Nationality, Asylum and Immigration Act, claiming that its adoption was an integral part of the agreement to close Sangatte
9 Nov 2002	Jacky Hénin, mayor of Calais, opens the Saint-Pierre Saint-Paul church to around 150 homeless Iraqis and Afghans unable to enter Sangatte since its closure
12 Nov 2002	Nicolas Sarkozy issues a statement condemning criticism by the <i>Ligue des Droits de l'Homme</i> that the closure of Sangatte effectively denied its residents the right to claim asylum in France
13 Nov 2002	UNHCR staff begin one-on-one interviews with residents to find specific solutions to individual cases
14 Nov 2002	French police evict Iraqis and Afghans from the Saint-Pierre Saint-Paul church
1 Dec 2002	Nicolas Sarkozy arrives in the UK to finalise deal over Sangatte with David Blunkett
2 Dec 2002	UK government issues statement announcing that Sangatte would officially be closed by 30 December 2002, and handed back to its owners, Eurotunnel. UK to take responsibility for just under 1,000 Iraqi Kurds and around 200 Afghans from the centre.
5 Dec 2002	First group of Iraqi Kurds from Sangatte, along with two Afghan families, arrive in the UK