

**Questioning,**

**Regularization:**



**THE GUIDE**

**« GOOD REFLEXES »**

# La Cimade

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**Outre-Mer**

**L'humanité passe par l'autre**



1

## -> Organize your file

**Keep all documents that carry your name and a date; they will be proof of your stay in French Guiana**  
Organize them year by year (2015/2014/2013/2012/2011...)

**If you change your address, you HAVE TO send a tracked letter or inform all administrations in person**

**Be careful:** you must have the same address as your partner and children if you all live together



### These documents may concern:

**Family members** (residence permits, birth certificates...)

**Children** (birth certificates, school attendance certificates, vaccine records, purchase receipts, postal money orders, CAF paperwork)

**Housing, lodging** (certificates of residence, electricity bills, insurance receipts)

**Job, work** (proof of salary, contracts, job offers)

**French tax forms**

**Health** « sécurité sociale/CGSS » social security certificates, medical prescriptions, AME, CMU

**Issues you encountered in your own country** asylum request in France/French Guiana (OFPRA, CNDA forms)

**Préfecture/Administrative center requests** (tracked letters, convocations, email responses, notifications)

-> **Keep copies of your most important documents on you at all times, and copies of ALL of your documents ready at home, or at a friend's place that is safe. Someone has to be able to bring you these documents whenever you need them.**



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## -> Request for a residence permit



**It is important to find someone able to help you prepare your file:**

- a lawyer specialized in immigrant rights
- immigrant aid associations the Justice branch,
- the "Access to your Rights" office at the Administrative Court (le Conseil Départemental de l'Accès aux Droits, CDAD)
- a social worker in your town or at the Conseil Général



**It is crucial to carefully prepare your file and to have an objective, impartial overview of your chances of getting a resident certificate, instead of receiving endless rejections/refusal decisions. Most importantly:**

- Verify you have enough proof documenting your stay in French Guiana before applying for the residence permit
- Choose the type of residence permit that best applies to your situation (private life, work, health, etc...)



**Go to the Prefecture with a French speaking person or someone with a legal status, in order to be supported if you encounter difficulties; this person may be able to contact your relatives, a lawyer or an association if you get arrested.**

**ALWAYS mail your documents or letters to the Prefecture as TRACKED mail, and keep a COPY as well as all envelopes (as envelopes have the date stamped on them)**

## Useful contacts

### Cimade DETENTION

GUYANE  
-> 0694 456 458 / 05 94 280 261  
GUADELOUPE  
-> 0694 247 444 / 05 90 46 14 21  
RÉUNION  
-> 0693 908 421

SOLIDARITÉ MAYOTTE  
-> 06 39 21 64 81

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## -> What is a mandatory departure from French territory?



**The OQTF (mandatory departure from France or French Guiana) is a document issued by the Prefecture, ordering you to leave France/French Guiana**

**It may be given to you:**

- Delivered in person at the Prefecture or sent through tracked mail, following your resident permit request.
- At the police station ("gendarmerie" or "commissariat") or at the airport, following an identity check/control.

**If you disagree with the decision of the Prefecture, you can appeal to the Administrative Court (TA)**

- You have 2 MONTHS to send in your plea. As soon as you get the OQTF, immediately contact a lawyer or association to help you.

- You can also ask for legal aid at the Administrative Court (Tribunal de Grande Instance) during those 2 months. You need to go to the Administrative Court with a copy of the OQTF letter, and file a legal aid request (you MUST leave the Court with a copy of your request with the date as proof). A lawyer, free of charge, can be assigned to individuals with low incomes.

**If you are called for a hearing at the Administrative Court, it is crucial to go there.**

**It is SAFE, NOBODY is allowed to arrest you during your hearing.**

**Even if you asked for a lawyer or if you have written to the Court, you can be arrested and detained at the detention facility (CRA). Appealing does not prevent you from being deported back to your country by the authorities.**





## 4 -> If you are stopped by the authorities



Police forces are allowed to check your legal status:

without a valid resident permit or temporary receipt ("récépissé"), you may be taken to the police station and sent to the detention facility (CRA) for up to 16 hours maximum.

— Show the documents you have with you, or ask for permission to get them (having someone who can bring you them)

— If you have just arrived in France/French Guiana to ask for ASYLUM, SAY THIS to the police and explain your fear of persecution in your own country

— Give an address for which you can show proof of accommodations (your own bills or a certification from the person who lodges you, with a copy of this person's ID or resident permit and the latest bill (electricity, phone, gas etc...))

— It is best to correctly answer all questions by the police concerning your identity and legal status

— You have the right to ask for a translator, a lawyer (yours or a designated one for free), and to see a doctor

— You have the right to call your family, your consulate, your lawyer or any other person you choose, at anytime

— Policemen CANNOT handcuff you, unless you resist

If the police forces get your PASSPORT, they can DEPORT you very quickly, within less than 24 hours (DO NOT carry your passport with you when you walk around)



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## 5 -> When you are released from detention

The police will give you the administrative decision related to your situation which can:

1° Certify that you have a right to be in France/French Guiana and release you

2° Order you to leave the territory in 30 days and release you

3° Order you to leave the territory immediately and take you to a detention center to plan your deportation

4° Order to leave the territory immediately and deport you straight away



## BE CAREFUL:

Several decisions can go along with the OQTF ordering you to leave the territory:

• Re-entry into French territory is banned for several years (IRTF). This decision forbids you both from entering France again and from getting a resident permit during this period.

• House arrest. Your deportation is planned but you are allowed to stay in your house or a friend's house until your scheduled

departure. During this time, you have to go to the police station every day to sign a register.

In all situations, go see a lawyer or an association as soon as possible.

It is crucial to understand and check that all official reports/letters/decisions related to your situation are true and accurate. NO ONE can force you to sign any documents you don't want to.

## YOU'RE A MIGRANT ?



THIS GUIDE IS MADE FOR YOU.

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THIS GUIDE IS FOR YOU.



TO KNOW YOUR RIGHTS.

La Cimade



## 6 -> At the immigration detention center (CRA):

When you enter the CRA, you are allowed to:



— Contact your personal lawyer or the designated lawyer provided free of charge by the court for legal aid; your consulate to support you during the administrative process; and the person who will be able to bring you your file of documents

— File an appeal against the deportation decision with the support of a lawyer or an association. You can also ask the court's administration service representative at the detention center to send this appeal express to the court

— Make an asylum request (or ask for your original request to be reexamined)

— Go and see the French Immigration and Integration Office (OFII) : people there can give you psychological support, help to contact your family, buy a phone card, get some money and your luggage

— Visit the medical unit for any type of health issue

— Receive visitors



Go and see the association dedicated to helping you assert your rights, who will explain the situation to you and support you as much as possible

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