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# Expulsion of a foreigner from France

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Deportation is an administrative police measure aimed at removing a foreigner from France. It is pronounced in very serious situations, related to the protection of the environmentpublic policy or in the event of a breach of State security. It is taken by the prefect or by the minister of the interior. The foreigner may be forcibly returned to his country of origin or to another country. What are the grounds and how are the deportation proceedings going? We're doing an update on the regulations.

## In what cases can a foreigner be expelled from France? ^

You may be deported from France if you are a foreigner and pose a grave threat to national security or thepublic policy. You can be deported even if you are legally resident in France.

The threat is assessed by the administration according to your behavior: violence, drug trafficking, incitement to terrorism, etc. It is not necessary to have been subjected to a criminal conviction.

Exceptions exist for certain categories of nationals, who may benefit from relative protection.

Your private and family ties in France or your state of health may prevent you from being deported. But your private and family ties in France or your medical condition do not fully protect you from expulsion. It's still possible, and it's proportionate to the threat you represent.

The reasons for your expulsion vary depending on the combination of different parameters, including how long you have been in France.

## You arrived in France before the age of 13

If you arrived in France before the age of 13 and reside there usually, you have so-called *almost absolute*. But that protection can be taken away.

This is because you can be deported in the following cases:

- Conduct that is terrorist or that undermines the fundamental interests of the State
- Acts of deliberate provocation to discrimination, hatred or violence against 1 person or group of persons
- Deliberate and particularly serious violation of the principles of the Republic.

Or in the following cases:

- You've already been convicted once and for all for crimes or offenses punishable by at least 5 years in prison or 3 years for repeat offenses punishable by the same penalty
- You committed the acts that led to the decision to deport an elected official or public official
- You committed the acts that led to the decision to deport your family
- You live in France in a state of polygamy
- You are in an irregular situation with regard to your stay in France (unless this irregularity results from the withdrawal of the residence permit for threatening public order).

## You have resided in France for more than 10 years

The reasons for expulsion vary according to your family situation.

### General case

If you have been present in France for more than 10 years with a valid residence permit (unless this permit is a student residence card), you benefit from a protection called *relative*. But that protection can be taken away.

You can be expelled if there is an imperative need for state security or public safety. Or in any of the following cases:

- You've been convicted once and for all for crimes or offenses punishable by imprisonment for 3 years or more
- You committed the acts that led to the decision to deport an elected official or public official
- You committed the acts that led to the decision to deport your family
- You live in France in a state of polygamy
- You are in an irregular situation with regard to your stay in France (unless this irregularity results from the withdrawal of the residence permit for threatening public order).

### **You're married to a Frenchman**

If you have resided regularly in France for more than 10 years and have been married to a Frenchman for at least 4 years, you benefit from a so-called *almost absolute*. Your husband must have retained French nationality. The community of life must always be effective.

But that protection can be taken away.

This is because you can be deported in the following cases:

- Conduct that is terrorist or that undermines the fundamental interests of the State
- Acts of deliberate provocation to discrimination, hatred or violence against 1 person or group of persons
- Deliberate and particularly serious violation of the principles of the Republic.

Or in the following cases:

- You've already been convicted once and for all for crimes or offenses punishable by at least 5 years in prison or 3 years for repeat offenses punishable by the same penalty
- You committed the acts that led to the decision to deport an elected official or public official
- You committed the acts that led to the decision to deport your family
- You live in France in a state of polygamy
- You are in an irregular situation with regard to your stay in France (unless this irregularity results from the withdrawal of the residence permit for threatening public order).

### **You are married to a foreigner who has resided in France since the age of 13**

If you have been legally resident in France for more than 10 years and have been married for at least 4 years to a foreigner residing in France since reaching the age of 13, you are entitled to protection *almost absolute*. The community of life must always be effective.

But that protection can be taken away.

This is because you can be deported in the following cases:

- Conduct that is terrorist or that undermines the fundamental interests of the State
- Acts of deliberate provocation to discrimination, hatred or violence against 1 person or group of persons
- Deliberate and particularly serious violation of the principles of the Republic.

Or in the following cases:

- You've already been convicted once and for all for crimes or offenses punishable by at least 5 years in prison or 3 years for repeat offenses punishable by the same penalty
- You committed the acts that led to the decision to deport an elected official or public official
- You committed the acts that led to the decision to deport your family
- You live in France in a state of polygamy
- You are in an irregular situation with regard to your stay in France (unless this irregularity results from the withdrawal of the residence permit for threatening public order).

### **You are the parent of a French child**

If you have been a regular resident in France for more than 10 years and are the father or mother of a minor French child residing in France, you are entitled to protection *almost absolute*. You must be a non-polygamist and have contributed to the upkeep and education of your child since birth or for at least 1 year.

But that protection can be taken away.

This is because you can be deported in the following cases:

- Conduct that is terrorist or that undermines the fundamental interests of the State
- Acts of deliberate provocation to discrimination, hatred or violence against 1 person or group of persons
- Deliberate and particularly serious violation of the principles of the Republic.

Or in the following cases:

- You've already been convicted once and for all for crimes or offenses punishable by at least 5 years in prison or 3 years for repeat offenses punishable by the same penalty
- You committed the acts that led to the decision to deport an elected official or public official
- You committed the acts that led to the decision to deport your family
- You live in France in a state of polygamy
- You are in an irregular situation with regard to your stay in France (unless this irregularity results from the withdrawal of the residence permit for threatening public order).

## **You have resided in France for more than 20 years**

If you have been a regular resident in France for more than 20 years, you are entitled to so-called *almost absolute*.

But that protection can be taken away.

This is because you can be deported in the following cases:

- Conduct that is terrorist or that undermines the fundamental interests of the State
- Acts of deliberate provocation to discrimination, hatred or violence against 1 person or group of persons
- Deliberate and particularly serious violation of the principles of the Republic.

Or in the following cases:

- You've already been convicted once and for all for crimes or offenses punishable by at least 5 years in prison or 3 years for repeat offenses punishable by the same penalty
- You committed the acts that led to the decision to deport an elected official or public official
- You committed the acts that led to the decision to deport your family
- You live in France in a state of polygamy
- You are in an irregular situation with regard to your stay in France (unless this irregularity results from the withdrawal of the residence permit for threatening public order).

## **You have been residing in France for less than 10 years**

Reasons vary depending on your family situation or health status.

### **You're married to a Frenchman**

If you have been married for at least 3 years to a Frenchman who has retained French nationality, you are entitled to so-called *relative*. The community of life between spouses must always be effective.

But that protection can be taken away.

You can be expelled if there is an imperative need for state security or public safety. Or in any of the following cases:

- You've been convicted once and for all for crimes or offenses punishable by imprisonment for 3 years or more
- You committed the acts that led to the decision to deport an elected official or public official
- You committed the acts that led to the decision to deport your family
- You live in France in a state of polygamy
- You are in an irregular situation with regard to your stay in France (unless this irregularity results from the withdrawal of the residence permit for threatening public order).

### **You are the parent of a French child**

If you are the father or mother of a minor French child residing in France, you benefit from so-called protection *relative*. You must contribute to the maintenance and education of your child since birth or for at least 1 year.

But that protection can be taken away.

You can be expelled if there is an imperative need for state security or public safety. Or in any of the following cases:

- You've been convicted once and for all for crimes or offenses punishable by imprisonment for 3 years or more
- You committed the acts that led to the decision to deport an elected official or public official
- You committed the acts that led to the decision to deport your family
- You live in France in a state of polygamy
- You are in an irregular situation with regard to your stay in France (unless this irregularity results from the withdrawal of the residence permit for threatening public order).

## You are sick or injured at work

### You have an untreatable disease in the country of origin

If you usually reside in France and have a serious illness that cannot be treated in your country of origin, you benefit from so-called protection *almost absolute*.

But that protection can be taken away.

This is because you can be deported in the following cases:

- Conduct that is terrorist or that undermines the fundamental interests of the State
- Acts of deliberate provocation to discrimination, hatred or violence against 1 person or group of persons
- Deliberate and particularly serious violation of the principles of the Republic.

Or in the following cases:

- You've already been convicted once and for all for crimes or offenses punishable by at least 5 years in prison or 3 years for repeat offenses punishable by the same penalty
- You committed the acts that led to the decision to deport an elected official or public official
- You committed the acts that led to the decision to deport your family
- You live in France in a state of polygamy
- You are in an irregular situation with regard to your stay in France (unless this irregularity results from the withdrawal of the residence permit for threatening public order).

### You are injured at work or have an occupational disease

Accident at work If you are a beneficiary of a French pension from a person with an occupational disease, whose rate of permanent incapacity is at least **20%**, you have so-called *relative*.

But that protection can be taken away.

You can be expelled if there is an imperative need for state security or public safety. Or in any of the following cases:

- You've been convicted once and for all for crimes or offenses punishable by imprisonment for 3 years or more
- You committed the acts that led to the decision to deport an elected official or public official
- You committed the acts that led to the decision to deport your family
- You live in France in a state of polygamy
- You are in an irregular situation with regard to your stay in France (unless this irregularity results from the withdrawal of the residence permit for threatening public order).

#### Please note

A minor cannot be subject to expulsion. However, he may be removed with his parents if they are both deported.

## Who decides to expel a foreigner from France? ^

The decision shall be taken by the prefect of the foreigner's place of residence or, if the latter is detained in a penal institution, by the prefect of the department in which that institution is located. In Paris, the competent prefect is the police prefect. We're talking about *prefectural expulsion order (EPA)*.

In some cases, however, only the Minister of the Interior is competent, so it is called *ministerial expulsion order (AME)*. These cases include:

- Expulsion of a sheltered foreigner which constitutes a necessity for the security of the State or public security
- Expulsion of a sheltered foreigner in the event of particularly serious conduct (such as damage to the fundamental interests of the State, violation of the principles of the Republic, terrorist activities)
- Expulsion in the event of a serious threat to public order and absolute urgency.

## What is the procedure for the expulsion of a foreigner from France? ^

Except in cases of absolute urgency, the prefect of your department of residence or the minister of the interior must summon you before a commission before taking his decision. In Paris, the competent prefect is the police prefect.

You must be informed by a *special bulletin* summoning you to be heard before an expulsion board (Comex).

This newsletter is notified at least 15 days before the commission meeting, either by a policeman at your home or in prison. You must acknowledge receipt of this invitation. If the newsletter could not be delivered to you, your invitation will be sent to your last known address in registered letter with notice of receipt, confirmed the same day by simple letter.

The following information shall be communicated to you:

- Facts on which your expulsion procedure is based
- Date, time and place of the meeting of the eviction board to which you are summoned
- Possibility of presenting yourself alone or assisted by a counsel (lawyer or any person of your choice)
- Opportunity to be heard with an interpreter before the commission
- Possibility to ask legal aid (<https://www.service-public.gouv.fr/particuliers/vosdroits/F18074?lang=en>)
- Possibility to request the postponement of the meeting of the expulsion committee on a legitimate basis
- Right to communication of your file and to submit a defense
- Remedies against the order, if it is issued.

You're heard by Comex. The debates are public and will focus on **the facts alleged against you, the characterization of the threat to public order and your personal, family, social and professional situation**. You can give all the reasons to oppose your deportation.

If you don't appear personally before the eviction board on the scheduled date, the board gives its opinion.

Comex must give its opinion on the case within one month of the date of the summons. This notice must be accompanied by a detailed explanation, it is said that it must be *motivated*, therefore made explicit in law and in fact.

When you or your lawyer request the postponement of the meeting for a legitimate reason, Comex extends this period by a maximum of one additional month, starting from the decision granting the postponement.

At the end of the one-month period or, if the committee has extended it, at the end of the additional period which it has laid down, the formalities for consulting the committee shall be considered to have been completed.

The opinion of Comex is communicated to you. A report recording your explanations and the commission's reasoned opinion is also sent to the prefect or the interior minister. This notice does not bind them in their decision (they are not obliged to follow it).

If an expulsion decision is taken, you can be forcibly returned from France, unless a court order prohibits it. The expulsion decision specifies whether it is an immediate expulsion or a deferred expulsion. At the end of this measure, your residence permit is withdrawn. You will not have the right to return to France unless the measure is annulled by the administrative court or revoked by the administrative authority, in case of appeal.

#### Please note

If Comex has not delivered its opinion within the deadline, the prefect or the minister must inform you. However, the prefect or the minister may make his decision, even if Comex does not give his opinion.

## How is the expulsion of a foreigner from France carried out? ^

If an expulsion decision is taken, the foreigner may be forcibly returned from France. The decision shall specify whether the expulsion is immediate or deferred with house arrest.

### Immediate expulsion

The expulsion order can be applied immediately, even if an appeal is lodged. For example, you may be deported as soon as you leave prison or after being arrested at home.

You may be forced to board a means of transport (plane, train, boat, etc.) and be under police escort for the duration of the journey.

You can also be placed in a detention center (<https://www.service-public.gouv.fr/particuliers/vosdroits/F2780?lang=en>) while you are organizing your return.

Your residence permit is withdrawn.

If you are incarcerated, you are deported at the end of your prison term.

### House arrest pending deportation order

In some cases, instead of being directly deported, you may be placed under house arrest at your expense, in a place in France designated by the administration.

2 situations are possible:

- House arrest **awaiting the removal decision**
- House arrest in the event of **postponement of removal**.

Deferred deportation with house arrest applies, for example, in one of the following cases:

- Threat to your life or freedom in your country of origin (e.g. application of the death penalty) or if you are exposed in your country of origin to torture, inhuman or degrading treatment or punishment. The summons is issued until expulsion is possible.
- Inability to travel to your country (ongoing conflict) or to another country (no admission agreement in the requested countries). The summons is then issued until expulsion is possible.
- When you are seriously ill and without appropriate treatment in your country of return, there is no time limit for this house arrest.
- When you have so-called relative protection, you can then benefit from a provisional work authorization. The assignment can be canceled at any time if you commit new disorders to the Public policy. You will then be directly evictable.

**House arrest, pending removal order**, may not exceed a period of **45 days**. It is renewable twice within the same time limit.

House arrest in case of postponement of removal does not provide for a maximum period.

In any case, you should report regularly to the police or gendarmerie.

## In which countries can a foreigner expelled from France be returned? ^

The administrative authority shall determine, by a decision distinct from the removal decision, the country to which you may be returned.

You can be returned to the country:

- Of which you are a national, unless you are recognized as a refugee or a beneficiary of subsidiary protection or if your application for asylum is pending
- Or who issued you a valid travel document
- Or, with your consent, to any other country in which you are legally eligible and in which your life and liberty are not threatened.

However, you cannot be deported to a country where:

- Your life or your freedom is threatened
- Or you are exposed to torture, inhuman or degrading treatment or punishment.

## What are the effects of the decision to expel a foreigner from France? ^

The deportation order has the effect of to prohibit return to France (<https://www.service-public.gouv.fr/particuliers/vosdroits/F2782?lang=en>) foreigner.

You will only be able to return to France in one of the following situations:

- Cancellation of the measurement from a given date
- Cancellation of the measure as if it had never existed (in this case, we are talking about a *abrogation*).

## What remedies are available against the decision to expel a foreigner from France? ^

Remedies against the expulsion order are possible, but they do not prevent the expulsion from being carried out.

You can appeal to the administrative judge for annulment. You can also directly ask the administration to end its decision for the future.

The measure will also be automatically reviewed every 5 years by the administration.

## Actions for annulment before the Administrative Court

The expulsion order can be challenged before the territorially competent administrative court. The period of time to challenge varies depending on whether you are in France or abroad:

### You're abroad

The administrative court competent for your appeal is different depending on the authority responsible for the expulsion decision (prefect or interior minister).

### Expulsion ordered by the prefect

You must file your appeal in a **maximum period of 4 months** after the notification of the expulsion order, before the administrative court of your former place of residence or imprisonment.

## Who shall I contact

### Administrative Tribunal [↗](#)

<https://www.conseil-etat.fr/qui-sommes-nous/tribunaux-et-cours/la-carte-des-juridictions-administratives>

You can file your appeal on your own or have a lawyer assist you.

## Who shall I contact

### Lawyer [↗](#) (<https://www.cnb.avocat.fr/annuaire-des-avocats-de-france>)

You may, under certain conditions, benefit from legal aid (<https://www.service-public.gouv.fr/particuliers/vosdroits/F18074?lang=en>).

If your appeal is rejected by the court, you can appeal to the administrative court of appeal (<https://www.service-public.gouv.fr/particuliers/vosdroits/F2494?lang=en>) within a maximum of **4 months** following the notification of the judgment.

## Expulsion ordered by the Minister of the Interior

You must file your appeal, in a **maximum period of 4 months** after the notification of the expulsion order, before the Paris Administrative Court.

## Who shall I contact

### Administrative Court of Paris [↗](#) (<http://paris.tribunal-administratif.fr/Informations-pratiques/Acces-et-coordonnees>)

You can file your appeal on your own or have a lawyer assist you.

## Who shall I contact

### Lawyer [↗](#) (<https://www.cnb.avocat.fr/annuaire-des-avocats-de-france>)

You may, under certain conditions, benefit from legal aid (<https://www.service-public.gouv.fr/particuliers/vosdroits/F18074?lang=en>).

If your appeal is rejected by the court, you can appeal to the administrative court of appeal (<https://www.service-public.gouv.fr/particuliers/vosdroits/F2494?lang=en>) within a maximum of **2 months** following the notification of the judgment.

## You are in France

The administrative court competent for your appeal is different depending on the authority responsible for the expulsion decision (prefect or interior minister).

## Expulsion ordered by the prefect

You must file your appeal, in a **maximum period of 2 months** after the notification of the expulsion order, before the administrative court of your place of residence or imprisonment.

## Who shall I contact

### Administrative Tribunal [↗](#)

<https://www.conseil-etat.fr/qui-sommes-nous/tribunaux-et-cours/la-carte-des-juridictions-administratives>

You can file your appeal on your own or have a lawyer assist you.

## Who shall I contact

### Lawyer [↗](#) (<https://www.cnb.avocat.fr/annuaire-des-avocats-de-france>)

You may, under certain conditions, benefit from legal aid (<https://www.service-public.gouv.fr/particuliers/vosdroits/F18074?lang=en>).

If your appeal is rejected by the court, you can appeal to the administrative court of appeal (<https://www.service-public.gouv.fr/particuliers/vosdroits/F2494?lang=en>) within a maximum of **2 months** following the notification of the judgment.

## Expulsion ordered by the Minister of the Interior

You must file your appeal, in a **maximum period of 2 months** after the notification of the expulsion order, before the Paris Administrative Court.

### Who shall I contact

**Administrative Court of Paris** [↗ \(http://paris.tribunal-administratif.fr/Informations-pratiques/Acces-et-coordonnees\)](http://paris.tribunal-administratif.fr/Informations-pratiques/Acces-et-coordonnees)

You can file your appeal on your own or have a lawyer assist you.

### Who shall I contact

**Lawyer** [↗ \(https://www.cnb.avocat.fr/annuaire-des-avocats-de-france\)](https://www.cnb.avocat.fr/annuaire-des-avocats-de-france)

You may, under certain conditions, benefit from legal aid (<https://www.service-public.gouv.fr/particuliers/vosdroits/F18074?lang=en>) .

If your appeal is rejected by the court, you can appeal to the administrative court of appeal (<https://www.service-public.gouv.fr/particuliers/vosdroits/F2494?lang=en>) within a maximum of **2 months** following the notification of the judgment.

## Actions for abrogation before the administration

You can also request that the deportation order be rescinded in the future. That's what we call it *repeal*. This is possible even if you have already filed an appeal before the administrative tribunal and it has failed.

You must send a written request to the authority that issued the measure.

If you file your application more than 5 years after your expulsion, the administration must refer the case to the expulsion commission (Comex). You can get a lawyer to represent you.

## You're abroad

The administrative authority competent for your appeal for abrogation is the one that is the origin of the expulsion decision (prefect or interior minister).

### Expulsion ordered by the prefect of the department

You must send a written request to the prefect.

Your request is refused if the administration has not replied within 4 months or if the administration so requests notify. In this case, the expulsion is upheld, you can not return to France.

Your request is accepted if the administration notifies you.

If your deportation order is canceled for the future, you can apply for a visa to return to France in order to obtain a residence card.

### Who shall I contact

**Prefecture** [↗ \(http://www.interieur.gouv.fr/Le-ministere/Prefectures\)](http://www.interieur.gouv.fr/Le-ministere/Prefectures)

In case of refusal, you can file an appeal before the administrative court of your former place of residence or imprisonment.

### Who shall I contact

**Administrative Tribunal** [↗](https://www.conseil-etat.fr/qui-sommes-nous/tribunaux-et-cours/la-carte-des-juridictions-administratives)

(<https://www.conseil-etat.fr/qui-sommes-nous/tribunaux-et-cours/la-carte-des-juridictions-administratives>)

### Expulsion ordered by the Paris Police Commissioner

You must send a written request to the prefect.

Your request is refused if the administration has not replied within 4 months or if the administration so requests notify. In this case, the expulsion is upheld, you can not return to France.

Your request is accepted if the administration notifies you.

If your deportation order is canceled for the future, you can apply for a visa to return to France in order to obtain a residence card.

## Who shall I contact

**Prefecture de police de Paris - Service of residence permits** [↗](#)

<https://www.prefecturedepolice.interieur.gouv.fr/demarches/titres-de-sejour-nous-contacter>

In case of refusal, you can file an appeal before the administrative court of your former place of residence or imprisonment.

## Who shall I contact

**Administrative Tribunal** [↗](#)

<https://www.conseil-etat.fr/qui-sommes-nous/tribunaux-et-cours/la-carte-des-juridictions-administratives>

## Expulsion ordered by the Minister of the Interior

You must send a written request to the Minister of the Interior.

Your request is refused if the administration has not replied within 4 months or if the administration so requests notify. In this case, the expulsion is upheld, you can not return to France.

Your request is accepted if the administration notifies you.

If your deportation order is canceled for the future, you can apply for a visa to return to France in order to obtain a residence card.

## Who shall I contact

**Ministry of the Interior** [↗](#) (<https://lannuaire.service-public.fr/gouvernement/fa33b07a-3f71-46d4-b682-569c9faf211e>)

In case of refusal, you can file an appeal before the administrative court of Paris.

## Who shall I contact

**Administrative Court of Paris** [↗](#) (<http://paris.tribunal-administratif.fr/Informations-pratiques/Acces-et-coordonnees>)

Except in case of threat to the public policy. However, if you reside outside France and have obtained the repeal of the expulsion decision against you, you can apply for a visa to return to France if at the date of the expulsion decision:

- You had a residence card for private and family life, husband of French
- Or you had a residence card private and family life father or mother of a minor French child residing in France.

If you have been convicted in France of violence or threats against one of your ascendants, spouse or children living in France, your right to a visa depends on their agreement.

### Warning

To be eligible for this return visa to France, your expulsion order must have been issued before November 27, 2003.

## You are in France

If you are at large, you must file your appeal in a **maximum period of 2 months** following the notification of the deportation order.

If you're in prison or under house arrest, you don't have a time limit.

## Expulsion ordered by the prefect of the department

You must send a written request to the prefect.

Your request is refused if the administration has not replied within 4 months or if the administration so requests notify. In this case, the expulsion is upheld, you can not return to France.

Your request is accepted if the administration notifies you.

If your deportation order is rescinded for the future, you will not be forcibly deported. However, you must obtain a residence permit (<https://www.service-public.gouv.fr/particuliers/vosdroits/F39?lang=en>) to stay in France for a long time.

## Who shall I contact

**Prefecture** [↗](#) (<http://www.interieur.gouv.fr/Le-ministere/Prefectures>)

In case of refusal, you can appeal to the administrative court of your place of residence.

### Who shall I contact

**Administrative Tribunal** [↗](#)

<https://www.conseil-etat.fr/qui-sommes-nous/tribunaux-et-cours/la-carte-des-juridictions-administratives>

### Expulsion ordered by the Paris Police Commissioner

You must send a written request to the prefect.

Your request is refused if the administration has not replied within 4 months or if the administration so requests notify. In this case, the expulsion is upheld, you can not return to France.

Your request is accepted if the administration notifies you.

If your deportation order is rescinded for the future, you will not be forcibly deported. However, you must obtain a residence permit (<https://www.service-public.gouv.fr/particuliers/vosdroits/F39?lang=en>) to stay in France for a long time.

### Who shall I contact

**Prefecture de police de Paris - Service of residence permits** [↗](#)

<https://www.prefecturedepolice.interieur.gouv.fr/demarches/titres-de-sejour-nous-contacter>

In case of refusal, you can appeal to the administrative court of your place of residence.

### Who shall I contact

**Administrative Tribunal** [↗](#)

<https://www.conseil-etat.fr/qui-sommes-nous/tribunaux-et-cours/la-carte-des-juridictions-administratives>

### Expulsion ordered by the Minister of the Interior

You have to send a written request to the minister.

Your request is refused if the administration has not replied within 4 months or if the administration so requests notify. In this case, the expulsion is upheld, you can not return to France.

Your request is accepted if the administration notifies you.

If your deportation order is rescinded for the future, you will not be forcibly deported. However, you must obtain a residence permit (<https://www.service-public.gouv.fr/particuliers/vosdroits/F39?lang=en>) to stay in France for a long time.

### Who shall I contact

**Ministry of the Interior** [↗](#) (<https://lannuaire.service-public.fr/gouvernement/fa33b07a-3f71-46d4-b682-569c9faf211e>)

In case of refusal, you can file an appeal before the administrative court of Paris.

### Who shall I contact

**Administrative Court of Paris** [↗](#) (<http://paris.tribunal-administratif.fr/Informations-pratiques/Acces-et-coordonnees>)

## Automatic review of expulsion order

The administration must systematically review your deportation order every 5 years. The administration must do so on its own without any action on your part, even if you have already filed actions for abrogation or annulment.

Where the request for repeal is submitted after a period of five years from the effective implementation of the expulsion decision, it may be rejected only after the opinion of the expulsion commission (Comex). Comex must be consulted by the authority issuing the expulsion order. You can get a lawyer to represent you.

The review shall take into account the following:

- Evolution of the threat to the public order that you represent
- Changes in your personal situation

- Your guarantees of professional or social reintegration.

If you do not receive a decision to repeal, within 2 months, the deportation order is upheld (implicit refusal).

The refusal can also be explicit: you then receive a decision clearly indicating that the administration will not repeal your expulsion order.

You can seek annulment of a refusal to repeal an express or implied decision by bringing the matter before the administrative court.

### Who can help me?

Find who can answer your questions in your region

Lawyer [🔗 \(https://www.cnb.avocat.fr/annuaire-des-avocats-de-france\)](https://www.cnb.avocat.fr/annuaire-des-avocats-de-france)

## Statute and miscellaneous references ^

Code of entry and residence of foreigners and right of asylum: Articles L631-1 to L631-4

[\(https://www.legifrance.gouv.fr/codes/section\\_lc/LEGITEXT000006070158/LEGISCTA000042772922/?lang=en\)](https://www.legifrance.gouv.fr/codes/section_lc/LEGITEXT000006070158/LEGISCTA000042772922/?lang=en)

Cases in which a foreigner may be expelled

Code of entry and residence of foreigners and right of asylum: Articles L632-1 to L632-2

[\(https://www.legifrance.gouv.fr/codes/section\\_lc/LEGITEXT000006070158/LEGISCTA000042772934/?lang=en\)](https://www.legifrance.gouv.fr/codes/section_lc/LEGITEXT000006070158/LEGISCTA000042772934/?lang=en)

Expulsion procedure

Code of entry and residence of foreigners and right of asylum: Articles L632-3 to L632-7

[\(https://www.legifrance.gouv.fr/codes/section\\_lc/LEGITEXT000006070158/LEGISCTA000042772940/?lang=en\)](https://www.legifrance.gouv.fr/codes/section_lc/LEGITEXT000006070158/LEGISCTA000042772940/?lang=en)

Repeal of expulsion orders

Code of entry and residence of foreigners and right of asylum: Articles R632-3 to R632-8

[\(https://www.legifrance.gouv.fr/codes/section\\_lc/LEGITEXT000006070158/LEGISCTA000042802562/?lang=en\)](https://www.legifrance.gouv.fr/codes/section_lc/LEGITEXT000006070158/LEGISCTA000042802562/?lang=en)

Notification of expulsion

Code of entry and residence of foreigners and right of asylum: Articles R721-2 to R\*721-3

[\(https://www.legifrance.gouv.fr/codes/section\\_lc/LEGITEXT000006070158/LEGISCTA000042802700/?lang=en\)](https://www.legifrance.gouv.fr/codes/section_lc/LEGITEXT000006070158/LEGISCTA000042802700/?lang=en)

Decision fixing the country of return

Code of entry and residence of foreigners and right of asylum: Article L721-4

[\(https://www.legifrance.gouv.fr/codes/article\\_lc/LEGIARTI000042775250/?lang=en\)](https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000042775250/?lang=en)

Designation of the country of return

Code of entry and residence of foreigners and right of asylum: Articles R732-1 to R732-6

[\(https://www.legifrance.gouv.fr/codes/section\\_lc/LEGITEXT000006070158/LEGISCTA000042802736/?lang=en\)](https://www.legifrance.gouv.fr/codes/section_lc/LEGITEXT000006070158/LEGISCTA000042802736/?lang=en)

House arrest

Code of entry and residence of foreigners and right of asylum: Articles R632-9 to R632-10

[\(https://www.legifrance.gouv.fr/codes/section\\_lc/LEGITEXT000006070158/LEGISCTA000042802576/?lang=en\)](https://www.legifrance.gouv.fr/codes/section_lc/LEGITEXT000006070158/LEGISCTA000042802576/?lang=en)

Rejection of a request for repeal

Direction for the Deportation and Removal of Offender foreigners

[\(https://www.legifrance.gouv.fr/download/pdf/circ?id=45518?lang=en\)](https://www.legifrance.gouv.fr/download/pdf/circ?id=45518?lang=en)

Instruction of 6 February 2024 following the publication of Law 2024-42 of 26 January 2024 to control immigration and improve integration

Instruction of 19 October 2013 on the prohibition of the intervention of police and gendarmerie forces in the school setting during removal proceedings (PDF - 460.1 KB)  [\(https://www.legifrance.gouv.fr/download/pdf/circ?id=37566?lang=en\)](https://www.legifrance.gouv.fr/download/pdf/circ?id=37566?lang=en)

## FAQ

What is withholding tax for verifying a foreigner's right of residence?

[\(https://www.service-public.gouv.fr/particuliers/vosdroits/F31136?lang=en\)](https://www.service-public.gouv.fr/particuliers/vosdroits/F31136?lang=en)

## Additional topics ^

Application for asylum (refugee, subsidiary protection, stateless)

[\(https://www.service-public.gouv.fr/particuliers/vosdroits/N106?lang=en\)](https://www.service-public.gouv.fr/particuliers/vosdroits/N106?lang=en)

Service Public

Appeals to the Administrative Judge  [\(https://www.service-public.gouv.fr/particuliers/vosdroits/F2026?lang=en\)](https://www.service-public.gouv.fr/particuliers/vosdroits/F2026?lang=en)

Service Public