

COUNTRY FACTSHEET: SPAIN 2012

EUROPEAN MIGRATION NETWORK

1. Introduction

This EMN Country Factsheet provides a factual overview of the main policy developments in migration and international protection in Spain during 2012, including latest statistics. It has been prepared in conjunction with the European Commission's 4th Annual Report on Migration and Asylum (2012).

2. Legal Migration and Mobility

2.1. PROMOTING LEGAL MIGRATION CHANNELS

In 2012, the immigration policy was based on two focal points. First, on the decisive option for a legal, well organised, responsible and work-related immigration and; second, on a two way integration policy based on recognising the same rights and obligations focusing on the most vulnerable groups. In addition, in order to conceive the immigration policy as an element of competitiveness, **an inter-ministerial task force** was established in order **to create a new visa and authorisation system to attract investment and foster business internationalisation.**

Also, to provide wider information of legal entry in Spain, in 2012 the General Secretariat for Immigration and Emigration website was updated. Factsheets providing information on the requirements and procedures to apply for permits are now available in the website, in addition to information brochures providing information on the main types of permits.¹ The EU Immigration Portal content was also updated.

A. ECONOMIC MIGRATION

During 2012, migratory flows have been influenced by the economic situation. The resident population of third country nationals has decreased from 3.33 million in 2011 to 3.21 million in 2012. The **number of postings** in the 2012 **Catalogue of Hard-To-Fill**

¹ Information is available in the website:
<http://extranjerios.empleo.gob.es/es/index.html>.

Positions and in the **Collective Management of Hiring in the Countries of Origin also decreased.**

Regarding the latter, the introduction of Order ESS/2825/2012 limits itself to the effects of hiring workers for seasonal agricultural campaigns and preferably with countries having regulated signed agreements on migration flows with Spain.

The unemployment rate of the foreign population in the fourth quarter of 2012 was of 36.53% while for the Spanish citizens it was 24.23%. Nevertheless, third-country workers are beneficiaries of active employment policies as resident workers and under equal conditions as Spanish citizens. Furthermore, in order to reorient the active employment policies, the **assessment and accreditation processes continued during 2012**, with regards to the professional competences acquired by professional experience and informal training methods.

2.3. FAMILY REUNIFICATION

During 2012 no new legislative provisions were introduced regarding family reunification. However, actions regarding the reinforcement of the integration of reunified families were developed. For example: subsidies to local institutions and NGOs, as well as to local municipalities, associations of municipalities and districts were provided for innovative programmes to facilitate family reunification and their integration. Also, subsidies funded by the European Refugee Fund and the European Social Fund included family reunification actions for international protection beneficiaries and asylum seekers.

2.4. INTEGRATION

The integration of immigrants is one of the key elements of Spain's migration policy.

Within this framework a number of initiatives are carried out, aiming, among other purposes, at the understanding and information of the rights and obligations of migrants, knowledge of cultural and

social customs of the host societies, focusing specially on vulnerable groups, such as unaccompanied minors, women and families with children.

During 2012, **integration policies and programmes were also developed**, for which funding provided by the different **EU Migration funds**², in addition to the EU Solidarity Programme and the European Social Fund **proved to be essential**.

In 2012, a comprehensive review of the annual subsidy announcements for integration to ensure a greater impact and to improve management efficiency and effectiveness was undertaken. Some of the integration actions developed included: the Red Cross project "Building integration through employment" aimed to examine immigrants' socio-labour reality, equal treatment and social dialogue, together with awareness raising campaigns. In addition, the Spanish Observatory on Racism and Xenophobia (Oberaxe) carried out awareness-raising and training actions such as: the drafting of the 2012 Annual Report for "Racism and Xenophobia in Spain"; the European project FIRIR (training for identifying and recording racist incidents) for law enforcement bodies and agencies. The FIRIR project provided training to a total of 2,690 specialists from different authorities (e.g. Civil Guard, National Police Force, etc.); the European Project "Joined-Up Governance Toolkit" (2011-2012) which developed knowledge about methods to reinforce the implementation of fundamental rights through different government levels.

Furthermore, the Ministry of Employment and Social Security **approved** the granting of **subsidies** to municipalities, their associations and districts **for the development of innovative programmes for immigrant integration**. Cooperation with key stakeholders at all levels (local, national, EU and international) also continued, mainly through the Forum for the Social Integration of Immigrants, the Tripartite Labour Commission, Oberaxe and the Sector Conference on Immigration and Emigration.

2.5 MANAGING MIGRATION AND MOBILITY³

The Visa Information System was implemented in the second and third region⁴ in 2012. Moreover, bilateral technical meetings were held with Mexico and Brazil regarding consular and migration issues. Also, **mechanisms for detection of false tourists have been reinforced** and the new Automated Border

² European Integration Fund, European Refugee Fund, and European Return Fund.

³ "Managing migration and mobility" refers to the following themes: visa policy, Schengen governance and border monitoring.

⁴ Second region: Israel, Lebanon, Jordan and Syria and third region: Afghanistan, Bahrain, Iran, Iraq, Kuwait, Oman, Qatar, Saudi Arabia, United Arab Emirates and Yemen.

Control (ABC) system establishment in the external Spanish land borders is currently being studied.

Two new Police and customs Cooperation Centres were also opened **with Portugal**.

Spain has participated in eleven Frontex operations and undertaken three Frontex operations in addition to the Focal points. Joint returns were also organised by Spain under Frontex coordination.

3. International Protection and Asylum

There were no significant legislative changes introduced during 2012. The Asylum and Refugee Office continues to actively participate in the negotiations for the culmination of CEAS. The latter is expected to be soon completed in order to approve the Regulation Implementing Act 12/2009.

A collaboration agreement with the Spanish Committee for the United Nations High Commissioner for Refugees (UNHCR) was signed in 2012 by the Spanish Ministry of the Interior. The agreement guarantees UNHCR's participation in the procedures for determining the status of refugees and granting the right to asylum, as well as the provision of a nominative subsidy.

During 2012, a total of 820 people were transferred from other EU Member States to Spain under the Dublin regulation.

Also, **the first group of refugees**, under the context of the Asylum Act establishing a refugee resettlement programme, in collaboration with the Spanish Office of the UNHCR, **was resettled in July 2012 with 80 refugees**. Finally, the new resettlement programme for 2013 and 2014 was approved in December 2012.

4. Unaccompanied Minors and other Vulnerable Groups

A Framework Protocol for Unaccompanied Minors (UAMs) is being currently drafted. The Protocol aims to coordinate the participation of all institutions and administrations involved during the different processes such as: identification, location and protection of UAMs. Regarding **other vulnerable groups**, the **gender violence prevention plan among the immigrant population** continued during 2012. Also, the **Common Protocol for Healthcare Assistance due to Gender Violence was updated** in 2012. The Protocol takes especially into account both the vulnerability of immigrant women and trafficking in human beings.

Finally, a **Bill for Free Legal Assistance** aimed at improving the assistance provided **to victims of gender violence and human trafficking** and enabling women to break away from the violence, has been drafted.

5. Actions against Trafficking in Human Beings

During 2012, the **Framework Protocol for Protecting Victims of Trafficking in Human Beings was implemented**. Overall, the Protocol establishes a secure internal cooperation system between the various agents (e.g. specialised institutions and organisations) involved in pursuing human trafficking and protecting the victims. In order **to monitor** the functioning of **the Protocol, a Commission has been created** under the direction of the Government Delegate against Gender Violence.

Also, at the end of 2012, the update of the **Guide on the Resources Existing for Dealing with Victims of Trafficking in Human Beings for Sexual Exploitation Purposes** represented an improvement on the efficiency of the support provided to victims. The Spanish Ombudsman's report on "Trafficking in persons in Spain: invisible victims" was also presented. The report provides a number of recommendations to improve procedures and results of the Law enforcement Bodies and Agencies combating trafficking in human beings. Several awareness and information campaigns were also organised during 2012, to foster and develop good practices concerning the identification and protection of victims of trafficking and exploitation.

The **Criminal Code was reformed** in 2012 in order to **fully transpose Directive 2011/36/EU** on preventing and combating trafficking in human beings and protecting its victims.

6. External Dimension of EU Migration Policy

Diaspora support is carried out through subsidies provided to relevant associations. Regarding **remittances**, Spain continues to participate in the subgroup on remittances of the G20 development working group, where it advocates for the cost reduction of transfers for migrants. Similarly, permit applications from highly qualified workers with an EU Blue Card, might be denied when their country of origin is experiencing a professional shortage, in accordance with the provisions of an international agreement on this matter.

7. Irregular Migration

Spain is directly affected by irregular immigration flows both as a transit country and as a destination country. The effort to combat irregular immigration continues and it is reflected on the figures which show a sustained decrease in the number of irregular immigrants reaching the Spanish coastline on boats.

For example, a significant decrease was registered in the Canary Islands, where between 2006 and 2012 the number of irregular immigrants fell from 31,618 to 173.

The **fight against irregular immigration is based on EU's Action Plan on migratory pressure** as well as on the Global Approach to Migration and Mobility (GAMM). Also, external action in the fight against irregular immigration was developed in 2012 through Spanish operational resources, in coordination with the EU on the Atlantic seaboard and Mediterranean coast of Africa, in order to control and intercept illegal boats and counteract illegal attempts to enter the country through Ceuta and Melilla. Cooperation activities included: training, creation of Police Cooperation Centres (PCC) and memorandums of police cooperation amongst others. The countries in which external action is carried out are: Morocco, Algeria, Mauritania, Gambia, Senegal, Mali and Niger.

The implementation of the **EU Readmission Agreement protocol** with Bosnia-Herzegovina and Moldova is currently under negotiation.

Regarding **return measures**, Spain implements both voluntary and forced returned programmes. (See *Table 8 in Statistical Annex*)

8. Provision and Exchange of Information to support Policy Development

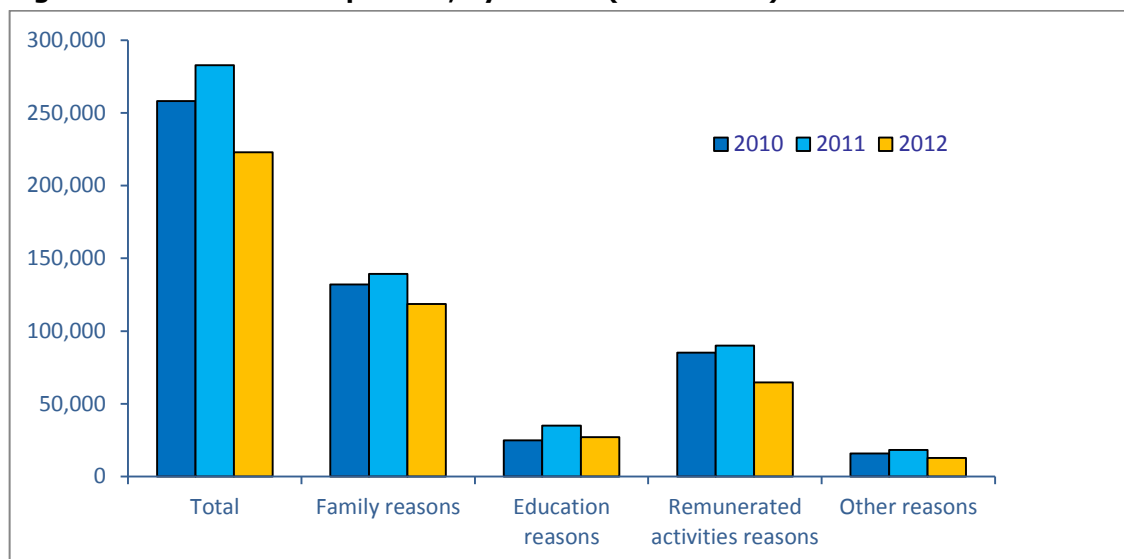
The Spanish Asylum and Refuge Office (OAR) continues to contribute to the exchange of information on international protection in the European Union. The General Secretariat for Immigration and Emigration also contributes to information exchange.

STATISTICAL ANNEX

The Statistical Annex provides an overview of the latest available statistics for Spain on aspects of migration and asylum (2010-2012), including residence, asylum, unaccompanied minors, irregular migration, return and visas. Where statistics are not yet available, this is indicated in the Annex as "N/A".

Statistical Annex: Immigration and Asylum in Spain (2010-2012)

Figure 1: First residence permits, by reason (2010-2012)



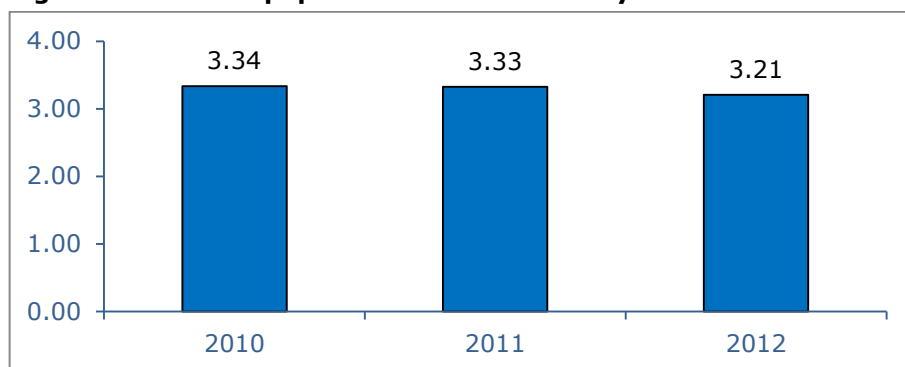
Source: Eurostat migration statistics (migr_resfirst)

Table 1: First residence permits: Top 5 nationalities (2010-2011)

2010	2011	2012
1. Morocco – 52,257	1. Morocco – 50,586	1. Morocco – 42,119
2. Bolivia – 26,658	2. Bolivia – 24,646	2. Bolivia – 15,526
3. Colombia – 17,442	3. Colombia – 17,930	3. Colombia – 12,850
4. China – 13,257	4. China – 14,865	4. China – 12,210
5. Ecuador – 12,247	5. Ecuador – 12,910	5. Dominican Republic – 10,569

Source: Eurostat migration statistics (migr_resfirst)

Figure 2: Resident population of third-country nationals in millions (2010-2012)



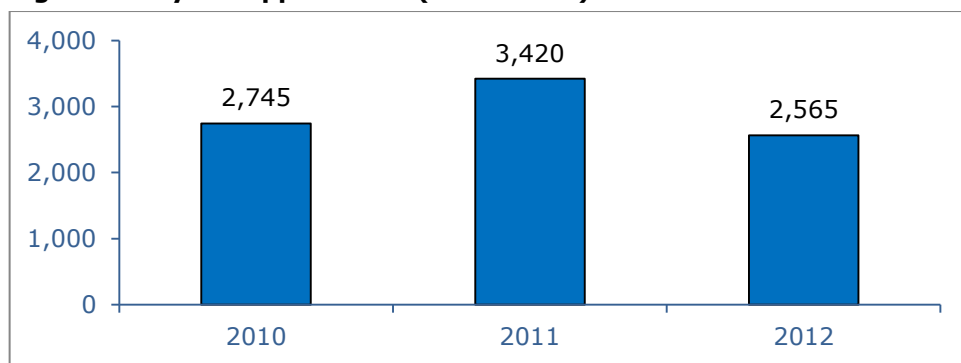
Source: Eurostat migration statistics (migr_pop1ctz)

Table 2: Resident population: Top 5 nationalities (2010-2012)

2010	2011	2012
1. Morocco – 761,161	1. Morocco – 774,243	1. Morocco – 771,637
2. Ecuador – 399,379	2. Ecuador – 350,313	2. Ecuador – 309,778
3. Colombia – 288,839	3. Colombia – 265,763	3. Colombia – 245,834
4. Bolivia – 213,263	4. Bolivia – 196,843	4. Bolivia – 180,683
5. China – 160,412	5. China – 167,574	5. China – 170,843

Source: Eurostat migration statistics (migr_pop1ctz)

Figure 3: Asylum applications (2010-2012)



Source: Eurostat migration statistics (migr_asyappctza)

Table 3: Asylum applications: Top 5 nationalities (2010-2012)

2010	2011	2012
1. Cuba – 405	1. Cote d’Ivoire – 550	1. Syria – 255
2. Nigeria – 240	2. Cuba – 445	2. Nigeria – 205
3. Algeria – 175	3. Nigeria – 260	3. Algeria – 200
4. Guinea – 165	4. Guinea – 150	4. Cameroon – 120
5. Cameroon – 155	5. Palestine – 135	5. Cote d’Ivoire – 105

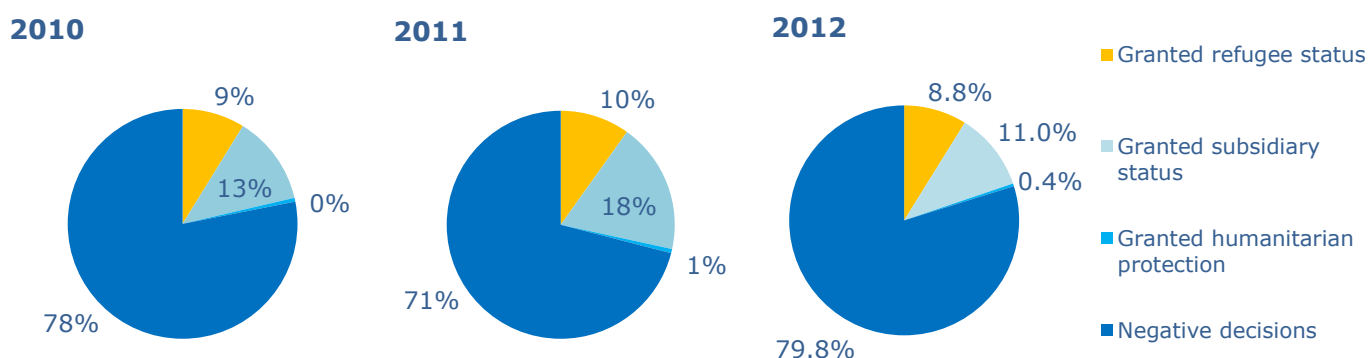
Source: Eurostat migration statistics (migr_asyappctza)

Table 4: Asylum applications - First instance decisions by outcome (2010-2012)

	Total decisions	Positive decisions	Of which:			Negative decisions
			Refugee status	Subsidiary protection	Humanitarian reasons	
2010	2,785	610	245	350	15	2,175
2011	3,400	990	335	630	20	2,410
2012	2,605	525	230	285	10	2,075

Source: Eurostat migration statistics (migr_asydcfsta)

Figures 4-6: Asylum applications - First instance decisions by outcome (2010-2012)

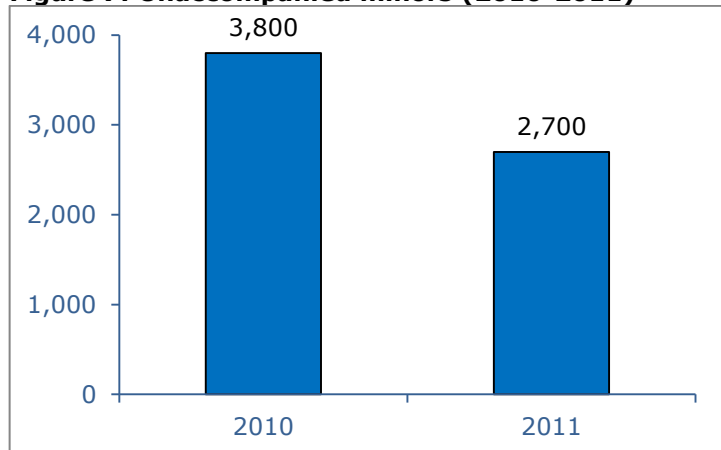


Source: Eurostat migration statistics (migr_asydcfsta)

Table 5: Third-country nationals relocated and resettled (2012)

	2010	2011	2012
Third-country nationals relocated	N/A	N/A	0
Third-country nationals resettled	N/A	N/A	80

Source: Eurostat migration statistics (migr_asyresa) and National contributions to EMN Annual Policy Report

Figure 7: Unaccompanied minors (2010-2011)

Source: National contributions to EMN Annual Policy Report

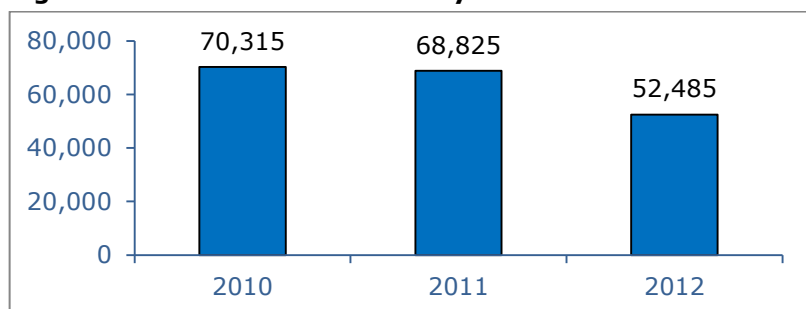
Table 6: Unaccompanied minors (2010-2012)

	2010	2011	2012
Unaccompanied minors (total)	3,800	2,700	N/A
Unaccompanied minors not applying for asylum	N/A	N/A	2,319
Unaccompanied minor asylum applicants	15	N/A	15

Table 7: Number of third-country nationals refused entry at external borders (2010-2012)

	2010	2011	2012
Third-country nationals refused entry at external borders	290,045	227,655	199,830

Source: Eurostat migration statistics (migr_eirfs)

Figure 8: Number of third-country nationals found to be illegally present (2010-2012)

Source: Eurostat migration statistics (migr_eipre)

Table 8: Third-country nationals returned (2010-2012)

	Third-country nationals ordered to leave	Returned as part of forced return measures	Returned voluntarily	Returned through an Assisted Voluntary Return Programme
2010	78,920	N/A	N/A	6,780
2011	73,220	21,955*	N/A	6,768
2012	60,880	18,863*	N/A	*2,930

Source: Eurostat migration statistics (migr_eiord) and *2012 National contributions to EMN Annual Policy Report

Table 9: Number of visas issued by type (2010-2012)

	2010	2011	2012
Total visas	N/A	N/A	N/A
Schengen visa (short-stay visas)	992,583	1,338,912	1,635,515
National visa	N/A	N/A	N/A

Source: *DG HOME Statistics on Visa Policy website http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/borders-and-visas/visa-policy/index_en.htm