

COUNTRY FACTSHEET: SPAIN 2013

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 2013, including latest statistics.

2. Legal Migration and Mobility

2.1 . PROMOTING LEGAL MIGRATION CHANNELS

Spanish migration policy is overall structured by **three principles**:

- ★ Managing migration flows taking into account the labour market needs and the contributions of immigrants to economic growth and competitiveness;
- ★ Promoting the integration of migrants;
- ★ Enhancing the fight against irregular migration in a comprehensive approach and promoting the cooperation with the countries of origin and transit.

2.2 . ECONOMIC MIGRATION

On 27th September 2013, Spain approved its **Entrepreneurial Support and Internationalisation Act** (Law 14/2013). The law aims to promote economic growth by internationalising Spanish business, as well as to encourage the entry of investment by applying streamlined procedures and specialist channels to **promote sustainable and smart economic growth**. Overall, the Law will **facilitate the entry** of the following categories **for reasons of economic interest**: investors, entrepreneurs, highly qualified professionals, researchers and workers engaged in intra-corporate transfers.

Following the adoption of the **2013 Annual Employment Policy Plan**, in their capacity as workers and as a priority group due to their increased risk of social exclusion, third-country nationals may benefit from the measures developed by the Plan in order to improve their employability. The Plan is an

instrument of coordination of the National Employment System, which encompasses both the National Public Employment Service and the Public Employment Services of the Autonomous Communities.

In 2013, efforts also continued to focus on **implementing the procedure for the recognition of acquired professional skills** (RECEX). This procedure overall aims to allow the recognition of professional skills acquired through work experience or non-formal training means, in order to promote employability and mobility, lifelong learning and social cohesion, especially among groups without recognised qualifications.

2.3 . FAMILY REUNIFICATION

As a result of the **adoption of the Entrepreneurial Support and Internationalisation Act** (Law 14/2013) family reunification will be possible and characterised by the combined processing (for joint and simultaneous or subsequent applications) of the visas and permits of the third-country national and those of his/her family. In addition, the spouse will also have free access to the labour market.

2.4 . INTEGRATION

The overall aim of the integration programmes is to provide third-country nationals with the tools to be able to achieve sufficient autonomy and self-empowerment, as well as to exercise their rights and fulfilment of duties on an equal footing with the native population.

During 2013 the Spanish Integration Policy particularly focused on **integrated reception programmes** designed to meet basic needs and **support the integration of socially vulnerable foreign nationals or those at risk of social exclusion**.

Several actions were also carried out towards the training of members of the Security Forces on xenophobia and racism in Spain, extending training

into two new areas: education and justice. Also, a register of racist acts has been developed. In addition, a **draft law** was also elaborated **to reform the Criminal Code to combat hate crimes of any nature**. The Criminal Statistics System was also changed with the aim to collect and publish statistics on racist incidents.

2.5 . MANAGING MIGRATION AND MOBILITY¹

The **Integrated External Surveillance System (SIVE)** project, based along the Spanish coastline, has contributed to the control of maritime borders since its initial deployment in December 2002. In 2013, SIVE was **updated to increase its technical capabilities** in three different locations: Malaga, Granada and Ceuta. The updates focused on software and hardware elements to allow new capabilities in terms of border surveillance and integration with similar systems.

3. International Protection and Asylum

Spain overall played an active role during the negotiations of the completion of the Common European Asylum System (CEAS) during 2013. The transposing regulations on international protection were reported to be at a parliamentary stage in 2013, specifically, the draft Royal Decree approving the regulations of the Asylum and Subsidiary Protection Act of 30 October (Ley 12/2009), which will transpose the second phase of the legal instruments forming part of the CEAS. In 2013, the EU **Directive extending the scope to beneficiaries of international protection** (2011/51/EU) was **transposed into Spanish law**.

In order to continue to guarantee the participation of the United Nations High Commissioner for Refugees (UNHCR) in the procedure for determining refugee status and granting the right of asylum, a cooperation agreement was signed between the Spanish Delegation of the UNHCR and the Ministry of the Interior. Also during 2013, several training activities took place to improve the quality and preparation of the various actors involved in the international protection procedure, such as the Immigration Office staff and Asylum and Refugee Office. The latter also continued to participate actively in EASO activities.

On 13th December 2013, the Council of Ministers adopted a **new National Resettlement Programme**. The latter envisaged the reception in Spain of up to 100 refugees, in addition to the 30 refugees from the previous quota. **Beneficiaries comprise refugees**

from the Syrian conflict in the neighbouring countries of the region.

4. Unaccompanied Minors and other Vulnerable Groups

The development of a Framework Protocol for Action with Unaccompanied Foreign Minors was urged in 2013. The Protocol would be intended to coordinate the intervention of all institutions and administrations involved at every stage of the process, from the location of the minor -or suspected minor- to the minor's identification, age determination, handing over to the public child protection services and documentation.

5. Actions against Trafficking in Human Beings

In order to improve the information and assistance to victims of trafficking, in 2013 the **Royal Decree-Law 3/2013** was adopted. The **law modified the fee system of the administration of justice and the legal aid system**. It particularly established the victims' right to legal aid, regardless of their resources. Previously, victims of trafficking who filed a complaint had to prove they had "insufficient resources" in order to receive free assistance from a lawyer.

The **IV Monitoring Report on the Comprehensive Plan to Combat Trafficking in Human Beings for Sexual Exploitation** for 2012 was presented in September 2013. The report highlights the positive developments noting a reduction in the numbers of victims since 2011.

Finally, a **Police Plan to Combat Trafficking in Human Beings for Sexual Exploitation** was adopted in 2013. Overall, the Plan aimed to: enhance cooperation with other relevant institutions; strengthen prevention, identification and protection of victims; intensify actions against criminal groups and; increase the use of technology and databases to collect and process information, intelligence and indicators.

6. External Dimension of EU Migration Policy

Throughout 2013, Spain stepped up its efforts to **encourage and promote the importance of immigration in development policies**. In addition, in 2013, the research services of the Bank of Spain conducted a series of studies on remittances, which showed an overall increase during 2013 in the remittances made by migrants, when compared to 2012.

¹ "Managing migration and mobility" refers to the following themes: visa policy, Schengen governance and border monitoring.

7. Irregular Migration

During 2013 Spain continued to **maintain its high standards on border control**, despite the strong pressures, in particular at **Ceuta and Melilla**. Also, in order to maintain the high border control standards, cooperation with third countries such as Senegal, Mauritania and Morocco has been developed. Frontex cooperation has also proved essential. In this regard, Spain participated within 11 Frontex operations in 2013.

The Spanish Government also continued to actively work with the relevant authorities of third countries to prevent and combat illegal immigration. Cooperation activities included training and assistance mainly in West Africa and South America.

A Protocol regarding an **EU Readmission Agreement with Moldova** was signed on 22nd October 2013. Also in 2013, two **Memoranda of Understanding** were signed with **Mauritania and Senegal**. These aimed the operational and humanitarian cooperation required **to manage illegal immigration into Europe**, for which training operations are also envisaged. Similarly, a **Memorandum of Collaboration** was also signed with **Morocco** to establish the basis for the operational and humanitarian cooperation required **to prevent illegal migration through Ceuta and Melilla**, allowing the Civil Guard to deploy joint patrols in conjunction with the relevant Moroccan security forces.

As from 2013, Spain also participates within the **Mediterranean Seahorse Project**, together with another six Member States² and Libya, the project aims to join forces through an agreement **to reduce illegal immigration between countries of the Mediterranean**. Cooperation has so far focused on the Atlantic Ocean area.

Regarding **return measures**, Spain continued to organise joint return flights coordinated by FRONTEX, particularly in **repatriation flights** bound for Ecuador, Colombia, Georgia, Ukraine, Serbia and Albania. During 2013, Spain continued its efforts to **improve the management of detention centres** for foreigners, as well as their infrastructure and services. In relation to voluntary return, Spain continued to develop **voluntary return programmes** subsidised by the Ministry of Employment and Social Security and co-financed by the European Return Fund. Productive voluntary return programmes, associated with setting up an economic or business activity in the country of origin, have also been boosted. Voluntary return, particularly of unemployed third-country nationals, was encouraged in 2013.

² Those are: Cyprus, Greece, Italy, France, Malta and Portugal.

8. Provision and Exchange of Information to support Policy Development

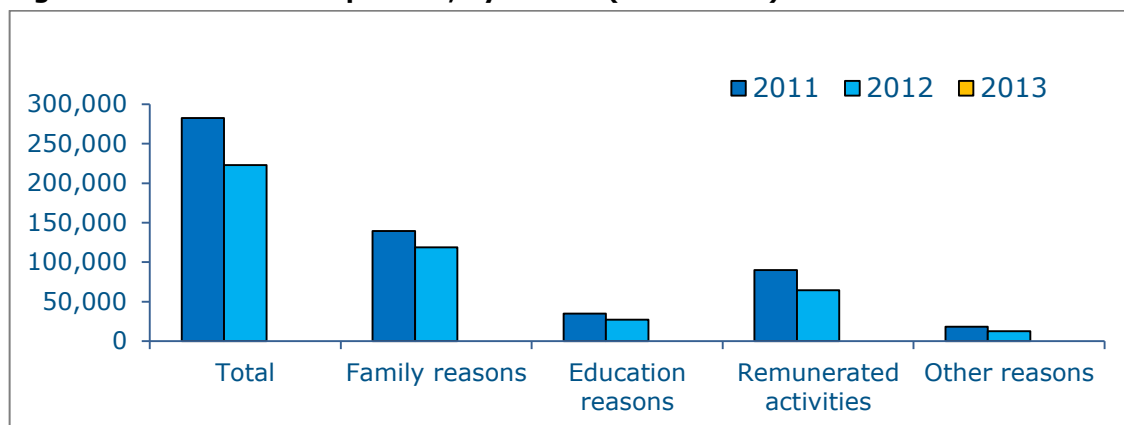
The Spanish Asylum and Refugee Office (OAR) continued to exchange information on international protection in the EU. In addition, Spain actively takes part in EU level activities aiming at exchanging information, particularly through the European Migration Network (EMN).

STATISTICAL ANNEX

The Statistical Annex provides an overview of the latest available statistics for Spain on aspects of migration and asylum (2011-2013), 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 (2011-2013)

Figure 1: First residence permits, by reason (2011-2012)



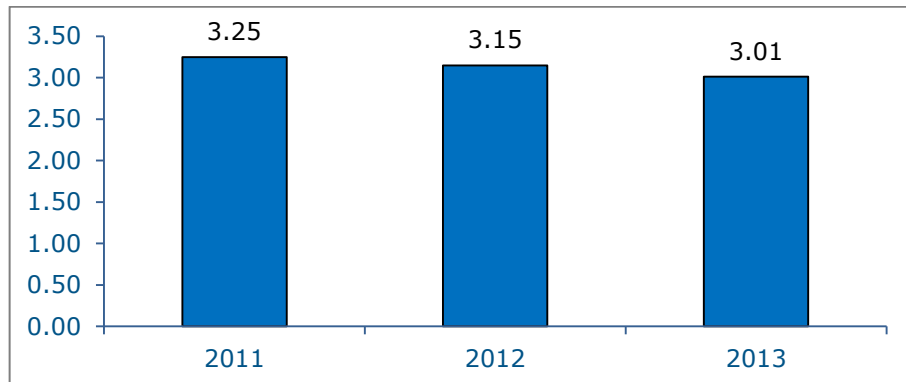
Source: Eurostat migration statistics (migr_resfirst), extracted 4 June 2014

Table 1: First residence permits: Top five third-country nationalities (2010-2012)

2011	2012	2013
1. Morocco – 50,586	1. Morocco – 42,119	N/A
2. Bolivia – 24,646	2. Bolivia – 15,526	N/A
3. Colombia – 17,930	3. Colombia – 12,850	N/A
4. China – 14,865	4. China – 12,210	N/A
5. Ecuador – 12,910	5. Dominican Republic – 10,569	N/A

Source: Eurostat migration statistics (migr_resfirst), extracted 4 June 2014

Figure 2: Resident population of third-country nationals in millions (2011-2013)



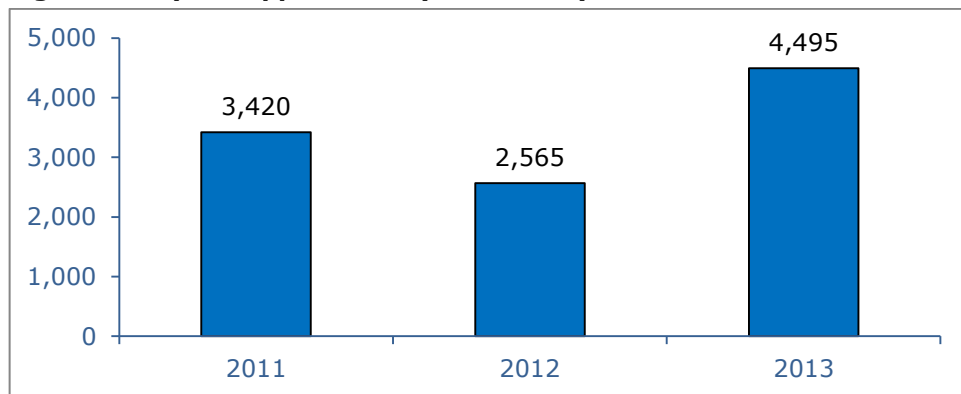
Source: Eurostat migration statistics (migr_pop1ctz), extracted 4 June 2014

Table 2: Resident population: Top five third-country nationalities (2011-2013)

2011	2012	2013
1. Morocco – 774,243	1. Morocco – 771,637	1. Morocco – 759,274
2. Ecuador – 350,313	2. Ecuador – 309,778	2. Ecuador – 269,437
3. Colombia – 265,763	3. Colombia – 245,834	3. Colombia – 223,141
4. Bolivia – 196,843	4. Bolivia – 180,683	4. China – 169,647
5. China – 167,574	5. China – 170,843	5. Bolivia – 162,541

Source: Eurostat migration statistics (migr_pop1ctz), extracted 4 June 2014

Figure 3: Asylum applications (2011-2013)



Source: Eurostat migration statistics (migr_asyappctza), extracted 4 June 2014

Table 3: Asylum applications: Top five third-country nationalities (2011-2013)

2011	2012	2013
1. Cote d'Ivoire – 550	1. Syria – 255	1. Mali – 1,470
2. Cuba – 445	2. Nigeria – 205	2. Syria – 725
3. Nigeria – 260	3. Algeria – 200	3. Algeria – 350
4. Guinea – 150	4. Cameroon – 120	4. Nigeria – 180
5. Palestine – 135	5. Cote d'Ivoire – 105	5. Somalia – 130

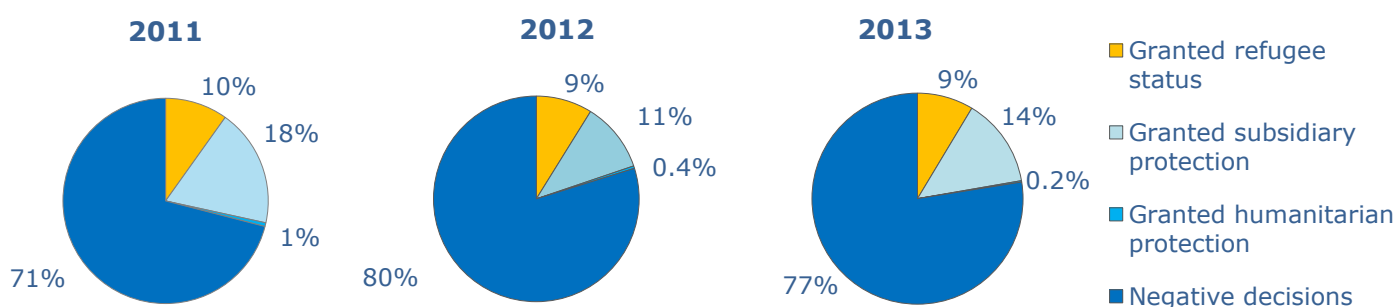
Source: Eurostat migration statistics (migr_asyappctza), extracted 4 June 2014

Table 4: Asylum applications - First instance decisions by outcome (2011-2013)

	Total decisions	Positive decisions	Of which:			Negative decisions
			Refugee status	Subsidiary protection	Humanitarian reasons	
2011	3,400	990	335	630	20	2,410
2012	2,605	525	230	285	10	2,075
2013	2,380	535	205	325	5	1,845

Source: Eurostat migration statistics (migr_asydcfstz), extracted 4 June 2014

Figures 4-6: Asylum applications - First instance decisions by outcome (2011-2013)

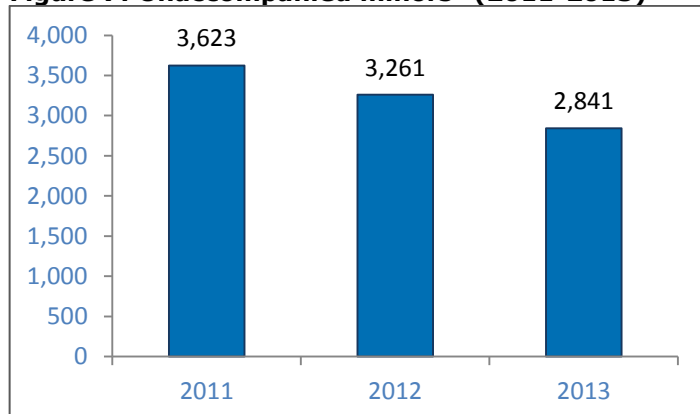


Source: Eurostat migration statistics (migr_asydcfstz), extracted 4 June 2014

Table 5: Third-country nationals relocated and resettled (2012-2013)

	2011	2012	2013
Third-country nationals relocated	N/A	0	N/A
Third-country nationals resettled	N/A	80	0

Source: Eurostat migration statistics (migr_asyresa), extracted 6 June 2014 and Commission Staff Working Document -Accompanying the 5th Annual Report on Immigration and Asylum 2013

Figure 7: Unaccompanied minors³ (2011-2013)

Source: Data provided by the EMN ES National Contact point; *Data shows the total figures at the end of each year, according to figures of the Register "Adextra".

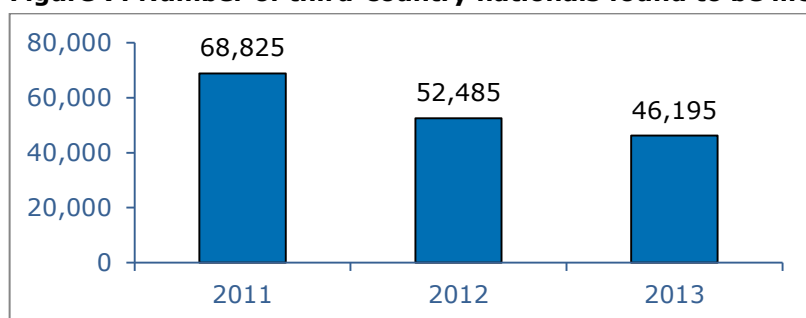
Table 6: Unaccompanied minors* (2011-2013)

	2011	2012	2013
Unaccompanied minors (total)*	3,623	3,261	2,841
Unaccompanied minors not applying for asylum	N/A	N/A	N/A
Unaccompanied minor asylum applicants	10	15	10

Table 7: Number of third-country nationals refused entry at external borders (2011-2013)

	2011	2012	2013
Third-country nationals refused entry at external borders	227,655	199,830	192,775

Source: Eurostat migration statistics (migr_eirfs), extracted 4 June 2014

Figure 7: Number of third-country nationals found to be illegally present (2011-2013)

Source: Eurostat migration statistics (migr_eipre), extracted 4 June 2014

Table 8: Third-country nationals returned (2011-2013)

	Third-country nationals ordered to leave	Returned as part of forced return measures	Returned voluntarily	Returned through an Assisted Voluntary Return Programme
2011	73,220	21,955*	N/A	6,768
2012	60,880	18,863*	N/A	2,930*
2013	32,915	17,286	N/A	2,767

Source: Eurostat migration statistics (migr_eiord), extracted 4 June 2014 and Commission Staff Working Document - Accompanying the 5th Annual Report on Immigration and Asylum 2013; and *2012 National contributions to EMN Annual Policy Report

Table 9: Number of visas issued by type (2011-2013)

	2011	2012	2013
Total visas	N/A	N/A	N/A
Schengen visa (short-stay visas)	1,347,754*	1,645,541*	1,898,745
National visa	N/A	N/A	91,820

Source: EMN, A Descriptive Analysis of the Impacts of the Stockholm Programme 2010-2013; * Data provided by EMN ES National Contact point, which shows the total number of A, C and LTV visas issued.

³ Data shows the total figures at the end of each year, according to figures of the Register "Adextra".