WP5

THE IMPACT OF ADMISSION POLICIES AND ADMISSION-RELATED INTEGRATION POLICIES ON THE LABOUR MARKET INTEGRATION OF NEWCOMERS IN SPAIN

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About the Project

While integration policies as such are not new, and in some countries date back to the 1980s and beyond, there have been important shifts in the debates on integration and in related re-configurations of integration policymaking in the past decade or so. One of the main recent trends is the linkage of integration policy with admission policy and the related focus on recent immigrants. A second trend is the increasing use of obligatory integration measures and integration conditions in admission policy, and third, integration policymaking is increasingly influenced by European developments, both through vertical (more or less binding regulations, directives etc.) and through horizontal processes (policy learning between states) of policy convergence.

An increasing number of EU Member States have, in fact, adopted integration related measures as part of their admission policy, while the impact of such measures on integration processes of immigrants is far less clear. In addition, Member States’ policies follow different, partly contradictory logics, in integration policy shifts by conceptualising (1) integration as rights based inclusion, (2) as a prerequisite for admission residence rights, with rights interpreted as conditional, and (3) integration as commitment to values and certain cultural traits of the host society.

The objective of PROSINT is to evaluate the impact of admission related integration policies on the integration of newcomers, to analyse the different logics underlying integration policymaking and to investigate the main target groups of compulsory and voluntary integration measures.

The project investigated different aspects of these questions along five distinct workpackages. These analysed (1) the European policy framework on migrant integration (WP1), (2) the different national policy frameworks for the integration of newcomers in the 9 countries covered by the research (WP2), the admission-integration nexus at the local level in studied in 13 localities across the 9 countries covered by the research (WP3), the perception and impacts of mandatory pre-arrival measures in four of the nine countries covered (WP4) and a methodologically oriented study of the impact of admission related integration measures (WP5).

The countries covered by the project were Austria, the Czech Republic, Germany, Italy, the Netherlands, Spain, Sweden, Switzerland and the United Kingdom. Apart from individual cases project reports generally cover the period until end of 2010.

For more information about the project visit http://research.icmpd.org/1429.html.
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I Introduction

In Spain, the link between admission and integration policies is still very weak both at the legal and policy level, although it is becoming increasingly stronger. New clauses within the latest immigration law (LOEX 2/2009) mention integration as a positive aspect or an added value when renewing residence permits or reuniting a family member. The civil code has also been modified in regards to nationality including integration elements related to “good conduct”. At the regional level, Catalonia and the Comunitat Valenciana are said to be the leading regions in incorporating elements of integration within immigration law, policy and debate. This can be seen in laws recently approved by the respective governments: the “Llei d’Acollida” (2010) in Catalonia and the “Ley de Integración” 15/2008 in Comunitat Valenciana. Both place much emphasis on the learning of Catalan (in Catalonia) and Valencian and Spanish (in Comunitat Valenciana) and on awareness of Catalan and/or Spanish culture. However, the implementation of both the LOEX and the Llei d’Acollida (the reglamento, stipulating how the law must be applied in practice) is still underway.

Parallel to the approval of these laws there have been political debates between the main political forces at all levels. The People’s Party (PP, right wing) have been at the forefront in proposing initiatives such as an ‘integration contract’ similar to the French one or the need for migrants to learn Spanish language and culture. In this sense, Fernández Díaz, the leader of the PP in Barcelona, proposed the introduction of a work or residence permit to the holding of a certificate of ‘good conduct, which was rejected by the rest of the political forces.

However, we can find similar positions within the regional nationalist parties in Catalonia, such as ERC (the pro-independence party) which has designed the Llei d’Acollida and has placed much emphasis on the preferential character of the Catalan language. Also at the local level, the Catalan Socialist Party (not especially nationalist) sometimes in coalition with other left-wing parties has suggested in some municipalities to consideration of civic conduct in different legal immigration processes.

1 LOEX is the acronym for Ley Orgánica de Extranjería
2 RD 2393/2004, article 72: “Requirements of social integration can be asked to renew a residence permit”. However, it is not clear which requirements are and into what extent they are necessary. This has also been included in the article 31.7 of the LOEX 2/2009 as “In order to renew the permit, the efforts of integration of the foreigner will be especially valued through a positive report of the regional government that certifies the assistance to those training actions considered in the article 2 of the same law”.
3 LOEX 2/2009, article 18: “The public administration will promote the participation of the reunited migrants in programs of language and socio-cultural integration”. Also, the article 18.2 relates to the need of migrants of having adequate housing conditions in order to get a positive report from the regional (or local) government and reunite a family member.
4 “Disposición Adicional Quinta” of the LOEX 2/2009 is refers to a change of the article 22 of the Civil Code: “a well civic behaviour and a high degree of integration in the Spanish society will be required through the provision of a certificate”.
5 ‘Acollida’ (in Catalan) or ‘acogida’ (in Spanish) refers to the term of ‘introduction’ or ‘first welcome’ once the immigrants have arrived in the host society. The Llei d’Acollida is a law that regulates the rights, services, and duties of migrants and of the society.
6 “Barcelona rechaza el ‘carnet’ para inmigrantes que propone el PP” (El País, 30/10/2010)
Thus, across the political spectrum, there have been initiatives from left-leaning and right-leaning organisations (although more emphasised by the latter) that point to the establishment of a connection between admission, integration and civic behaviour. The rationale of these initiatives appears to reinforce the distinction between the ‘good’ and the ‘bad’ migrant. However, according to an expert, this does not take place at a general policy level, but within some local governments which have led these kinds of initiatives.

Within the debates around the introduction of integration measures, it must be borne in mind that in Spain there is an identity debate on nationalism which runs parallel to the phenomenon of immigration. As Zapata has affirmed, the debate on integration has yet not begun, as this would imply exploring questions such as – integration to what? In Spain it appears to be more difficult than in other European countries to enter into the argument of what it may mean to be Spanish, as there seems to be a reluctance to talk about it. This is why this debate is taking place much more at the level of autonomous communities, such as in Catalonia, where immigration poses some challenges to the Catalan identity and where there is a mainly Spanish-speaking immigration. For the rest of Spain, the issues are focused more on socio-economic integration and less on issues of identity (including debate around language).

According to various experts, immigration policies in Spain have generally been predominantly labour market oriented. Before 2005 many difficulties were involved around legal entry to Spain, with the only way to be legally recognised involving overstaying, finding employment and seeking a process of regularisation (often through the “social rooting” or arraigo social). This meant that you had to be in Spain for at least three years before gaining a residence permit.

A formal job is required when renewing a residence permit for the first five years. Although this may be not understood as an admission policy, it has a direct impact, as many migrants may fall into irregularity due to the difficulties in finding a formal job and in being for more than six months in the social security system. Yet, another key issue should be borne in mind in relation to family reunification, which has been the impossibility of family migrants to work until the latest changes to the legal framework.

Admission has been determined to socio-economic integration. According to an expert, “the link between integration and migration has already been established since the 1980s, as in order to stay in Spain you need a job offer”. She believes that this link will now not only be related to socio-economic integration, but increasingly to cultural integration, which relates to a fear of immigration threatening identity and national culture, which is very clear in some EU countries, such as the Netherlands.

According to her, this has had effects on the overall integration of migrants and on their impossibility to exercise social and political rights. From the perspective of gender, this has affected more women than men, as foreign women work mostly in the informal economy and this restricts their ability for regularisation. At the same time, women caregivers may be able to obtain a job offer more easily than men working in the construction sector, but domestic work is not as regulated as other sectors.
After introducing some of the key issues related to the conceptual link between admission and integration within the labour market framework, we will focus this report on designing a theoretical impact model and on highlighting some of the actual impacts of such policies with available data. However, it is important to mention that the lack of clear and formal admission-related integration policies and the lack of implementation of the LOEX 2/2009 and the Llei d’Acollida means that the impact of these laws and policies cannot be properly assessed. This is why the last part of the report includes some methodological discussions on what the impacts could be and how they could be measured.

II Theoretical impact model adapted to the national situation

In designing the theoretical impact model for Spain, admission and integration policies can be approached jointly if we consider the recent changes in the legal framework, but as the last LOEX or the Llei d’Acollida has not yet been implemented, the assessment of such policies becomes difficult to measure. Thus, we have understood admission and integration policies in a broad sense and have also treated them separately in order to explore potential linkages from different perspectives including current debates and initiatives from administrations. In order to place emphasis on the labour market, active employment policies have been considered for the purposes of this report.7

Following the order of the table in pages 9-12, we refer to general integration policies with the strategic goal of promoting migrant integration. Although various experts agree that migration policies in Spain have focused more on the increase and control of immigration flows than on integration, it is worth mentioning PECI8 at the national level and several programmes at the regional and local levels. The latter have been developed as the State provided specific funds for integration programmes in 2004. Yet, if the municipality does not design a specific plan, the State does not provide any funding for integration. These policies refer to integration measures with the aim of fostering migrants’ self autonomy and of facilitating access to goods and services in all areas (e.g. employment, health, education, culture).

Within specific integration policies (A), we differentiate between the first reception policies emphasising language courses and the reception sessions and the “social rooting” (arraigo social).9 This is likely the current initiative in which the link of admission and integration clearest, as a certain level of language along with participation in associations are required in order to gain the “social rooting” certificate. However, it is important to mention that as stated in the table, the

7 Please note that the various policies refer to different administrative levels and more references have been made to those of Catalonia and Barcelona, as these have been the most studied areas in the project.
8 Strategic Plan on Citizenship and Integration 2007-2010 (Plan Estratégico de Ciudadanía e Integración). The concept of integration that this plan uses is gathered from the “Common Basic Principles for Immigrant Integration Policy in the European Union” based on a holistic approach and a bidirectional process.
9 The ‘social rooting’ provides a means for regularisation which appears to be unique to Spain and it is therefore a distinctive characteristic of the Spanish legal framework.
The rationale behind the establishment of “social rooting” in 2004 was to regularise large numbers of migrants who had been in the country illegally for long periods of time, but not to restrict admission by including measures of integration. It is now that the importance of the language and the civic participation has increased under this initiative.

We have also included those policies directly related to the labour market (B) comprising both active policies of employment at the regional level and the catalogue of high demand occupations at the national level. Whilst the former would better fit under the general goal of promoting the integration of migrants, the latter would do so in the selection of migrant workers. However, the active policies of employment do not seem targeted to migrants as a specific category but rather, addressed to anyone following the general criteria applied in public policies. As an academic in the Universitat Pompeu Fabra (UPF) affirmed, “in Spain policies are always oriented towards the population in general and are not towards specific groups, in comparison to the Netherlands. The aim is to guarantee equal access to services following the criteria of normalisation”. On the other hand, the catalogue might be the most important measure in terms of selection of migrants, but this is not made under criteria of language or civic issues, but of skills and occupational training. However, we have considered it as worth adding in the table, as it refers directly to the labour market, it is an important channel of entry and appears to be a more unique characteristic not existing in many other countries.

As mentioned in the introduction, the recent changes in the LOEX 2/2009 point to an increasing nexus between integration and admission (C). Article 2 refers to the obligations of migrants in terms of integration:

“training actions, the knowledge and respect to the constitutional and statutory values of Spain and of the EU, as well as of the human rights, public freedoms, democracy, tolerance and equality between men and women, and specific measures to promote the inclusion in the educational system guaranteeing in any case the schooling in the obligatory ages, and the learning of the official languages”.

This article seems to be in tune with the European Pact on Immigration and Asylum which refers to the “double will” of the integration process involving both the country of origin and the country of arrival. However, the reciprocity fails when the same document affirms that a “selected immigration” should be promoted, according to the labour market needs of the host country (SOS Racismo, 2010).

Article 31.7 refers to the assessment of the “effort of integration” when renewing the residence permit or when applying for a “social rooting”. In similar words it expresses the same when reuniting a family member (art. 18) and applying for Spanish nationality (Disposición Adicional Quinta).

The law plans to assess the levels of integration through different reports of different natures to be produced mainly by the regional government. In regard to nationality, immigrants can ask for a report or a certificate of integration in order to assess their integration, as a voluntary action when applying for the nationality per residence. This has an optional character, provided exclusively by regional
governments. Moreover, personal interviews may remain in existence and may be extended to the general practice of all civil judges.

Considering the renewal of all residence permits (excluding those of long term residence), the regional governments will be able to deliver optional reports that certify the attendance to training activities. In this sense, García Juan (2011) states that it is of vital importance that the actual possibility to access these activities exists.

Within the “social rooting” processes, the law envisages reports on social integration as compulsory. This entails a change from the last immigration law, as currently there is the possibility not to have the report if a familial nexus with other foreign residents can be assessed. This will also involve a shift within competences from the local to the regional level unless the contrary is established.

In this context, the ‘certificate of reception’ that the regional government of Catalonia is planning to produce once the Llei d’Acollida is implemented could have a juridical value in the ‘social rooting’, the renewal of residence permits or in nationality. However, according to Pajares it remains in question whether the State will account for this, as Catalonia and the Comunitat Valenciana are the only regions with this law and apparently that would produce such certificates, so the State could not demand more from some regions than others. This may have to wait until all regional governments deliver such certificates or rather use other reports or certificates to ‘prove’ integration.

Regarding family reunification, the government must promote the participation of the reunited in training programs and in language courses. Those migrants willing to reunite a member must certify appropriate housing conditions through a report which is foreseen to be produced by the regional governments unless this assigns competences to the local level.

Finally, we have added in the table the most recent debate related to admission and integration based on the civic conduct of migrants (D). In this sense, some City Halls (e.g. Hospitalet del Llobregat, Salt, Badalona or Tarragona) within Catalonia have suggested including it as a new variable to be considered in the provision of the ‘social rooting’ and the family reunification reports (both at their responsibility)\(^\text{10}\). As a result, prohibited actions like consuming alcohol in the street, hawking or making too much noise would contribute to a negative report.\(^\text{11}\)

These local governments have proposed these reports to be binding at the national level, so that a negative report from them would imply an automatic rejection of residence permit.\(^\text{12}\) So far, the national government has refused these initiatives.

\(^\text{10}\) The requirements for the ‘social rooting’ report are i) the holding of a one-year work contract or a proof of having adequate economic resources, ii) a certain level of language proficiency and iii) proof of membership of any associations, networks or organisations showing an individual to be socially established in their locality. The housing report within the process of family reunification assesses housing conditions in accordance with the number of family members, the number of rooms, type of contract and living standards.

\(^\text{11}\) These actions are just examples of those included in the municipal ordinances of civic conduct of different local governments (e.g. “Mesures per fomentar i garantir la convivència ciutadana a l’espai públic de Barcelona”).
This must be contextualised in a frame in which local governments are putting pressure on the national government, as the *reglamento* of the LOEX is currently being developed and they want them to include such items. The mayoress of Salt affirmed that “antisocial behaviour is incompatible with integration”. She has also asked to have access to all available data (including that of the police) to elaborate the reports, which has raised much criticism from social organisations for being a racist action. However, the position from the national government has so far been unfavourable to the approval of such measures.

In the following table shows more detailed description of the expected impacts at the short and long term and the unexpected effects, all of which are affected by external factors, placed in the final column.

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12 These reports are not currently binding. However, it is worth noting that they play an important role within the process of regularisation, as if they are negative, the national government is likely to reject the permit.

13 “SALT pide al Gobierno que deniegue la residencia a los inmigrantes incívicos” (EL País, 21/12/2010)
<table>
<thead>
<tr>
<th>OBJECTIVES</th>
<th>POLICIES</th>
<th>EXPECTED OUTCOMES / IMPACTS</th>
<th>EXTERNAL FACTORS</th>
</tr>
</thead>
</table>
| **Strategic goals** | (1) To control and limit immigration  
(2) To improve the migrant population’s integration into society | **Immediate effects** (intended) | **Long-term effects** (intended) | **Unintended effects** | **EXTERNAL FACTORS** |
| | **General integration policies:**  
- national level: PECI 2007-2010  
- regional level: fewer  
- local level: since 2005, as special funding from State | Improvement in cultural, social and identificative integration | | | |

<table>
<thead>
<tr>
<th>OBJECTIVES</th>
<th>POLICIES</th>
<th>EXPECTED OUTCOMES / IMPACTS</th>
<th>EXTERNAL FACTORS</th>
</tr>
</thead>
</table>
| **Operative goals** | - To provide measures and programs for integration in all areas (employment, health...) targeted at all kind of migrants  
- To provide measures and | **A Specific integration policies:**  
1. **First reception**  
Post-arrival free and voluntary integration courses comprising a language course (aiming at CEFR level A1) and a reception session which is supposed to provide the | | **Llei d’Acollida – awaiting reglamento** (regulation of how to implement the law) |
| | - Increase of language skills  
- Increase of participation in social networks (with local people and other immigrants) | - Increased level of qualification (in terms of language) of the total migrant population | | |

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14 First reception policies are framed at the local level. Although those policies shown in the table belong to Barcelona, similar policies are adopted in other municipalities.
The Llei d'Acollida of Catalonia has introduced the concept of 'reception in origin' through SILO\textsuperscript{15} abroad offices: provision of language courses and occupational training before immigrating.

2. 'social rooting' (arraigo social)

- Illegal immigrants are

As

language

Potential further development and implementation of the concept, as this law has already been influenced by the trends in Europe to foster the link between admission and integration.

\textsuperscript{15} Labour Intermediation and Training Services in Origin (Serveis d'Intermediació i Formació Laboral en Origen)
Establishment of 'social rooting' in 2004 was to regularise large numbers of migrants who had been illegal in the country for long periods of time, but not to restrict the admission by including measures of integration. However, now the importance of the language and the participation in associations has increased.

- Criteria of integration set up by each municipality to obtain the report on 'social rooting', necessary for the residence permit (just for illegal migrants).
- Here language certificates are more requisite, as they are valued positively in the report, but they are formally not compulsory.

The courses on occupational training offer the possibility for migrants to better access other economic sectors of the labour market
- Increased labour market participation
- Reduced unemployment rates and dependence on social benefits

The economic crisis obliges many migrants to change the sector of employment (e.g. from construction to hospitality)

<table>
<thead>
<tr>
<th>B. Policies affecting the labour market</th>
<th>- To facilitate the integration of migrants in the labour market</th>
<th>- To select highly-skilled migrants</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Active policies of employment at the regional level</td>
<td>- not targeted at migrants as a specific category</td>
<td>- method of selection of working migrants in origin</td>
</tr>
<tr>
<td>- courses on occupational training to foster integration in the labour market</td>
<td>The courses on occupational training offer the possibility for migrants to better access other economic sectors of the labour market</td>
<td>- Inclusion of highly-skilled migrants in the labour market</td>
</tr>
<tr>
<td>- Increased labour market participation</td>
<td>- Reduction of the shortage of (highly) qualified work force in the Spanish labour market, as once the effects of economic crisis decrease, the catalogue will offer more occupations again and might become a requirement.</td>
<td>- Shifts in the country of origin of migrants, according to changes in the type of occupations and requirements of the catalogue</td>
</tr>
</tbody>
</table>
| The economic crisis 
the number of occupations within the catalogue has been reduced | Economic crisis 
the number of occupations within the catalogue has been reduced | Economic crisis 
the number of occupations within the catalogue has been reduced |
|--------------------------|----------------------------|-------------------------------------| | **- Increased difficulties for migrants to renew a residence permit, reunit a family member or obtain nationality** |
| - Step forward towards linkage between admission and integration through introduction of integration related conditions for family migrants and other migrants to renew a residence permit or to obtain Spanish nationality | | **- Potential increase of illegal immigration** |
| - In the short-term, not many impacts expected | **Rejection from organisations in support for migrants towards the increasing compulsory character of integration** | | **LOEX 2/2009 – awaiting reglamento. Thus, not yet implemented** |

- To introduce mechanisms of selection and qualification (in terms of language) to remain in the country

- To punish those migrants with an antisocial behaviour in their legal processes of immigration

- To win votes in the next elections

- **C. Changes in LOEX 2/2009**

  - Step forward towards linkage between admission and integration through introduction of integration related conditions for family migrants and other migrants to renew a residence permit or to obtain Spanish nationality

  - In the short-term, not many impacts expected

- **D. Current debate on civic conduct**

  - Initiatives of some local governments within Catalonia to include civic conduct as a new variable to be considered in the provision of the ‘social rooting’ and housing conditions report, both at their responsibility

  - Hardly any impact on immigration legal processes as there are few migrants with antisocial behaviours and there is a lack of open files to prove it

- **In the short-term, not many impacts expected**

  - Potential increase of illegal immigration

- Rejection from organisations in support for migrants towards the increasing compulsory character of integration

- **LOEX 2/2009 – awaiting reglamento. Thus, not yet implemented**

- **It is doubtful to what extent effects are intended or unintended.**
|                  | positions against | migrants to gain votes. |
III Actual impacts of admission policies: Selection effects and labour market effects

III.1 Impacts with regard to a change in migrant characteristics and migration patterns

III.1.1 Change in the total number of immigrants from third countries / change in the number of TCN-migrants from specific countries of origin since the implementation of certain policies

From the policies included in the table in the first section, we can only partly assess the impacts of the catalogue of high demand occupations policy in terms of migrant characteristics. Although the catalogue is not classified as per origin (unlike the contingent), the shifts in the kind of occupations affects the inflow of the migrant workers’ country of origin. For example, medical doctors come mainly from Latin America, whereas other positions which require high skills within industry, such as specialised welders, are filled mainly by Eastern Europeans and less by Moroccans. In this sense, those from more economically developed countries, the population of which present higher levels of education, are generally more in demand. This is especially true of the current context of economic recession which plays an important role as the total number of occupations within the catalogue has been reduced and currently only high-skilled migrants are demanded, above all medical doctors. This can be observed by contrasting the catalogues of the first trimester of 2010\(^{17}\) and of the third trimester of 2005\(^{18}\).

Yet, this is an unintended effect which cannot be measured with statistical figures or by making a direct correlation between the shifts in the catalogue and the shifts of migrants’ ethnic origin and may only be observed as a general trend. As stated above, the requirements of the catalogue are not directly related to issues of integration, although indirectly it is understood that the higher the level of education, the better integration will be achieved. In this sense, a lawyer interviewed for WP2 affirmed that “currently we are not interested in the stronger migrants anymore, but in the wiser”.

The contingent is another method of selection of migrant workers in their country of origin, but unlike the catalogue of high demand occupations, the State is responsible for the selection. This has not been added in the table of the first section, as its relevance has decreased more and more throughout time and it currently does not represent an important figure in terms of the number of migrant workers entering Spain.

\(^{17}\) [http://www.parainmigrantes.info/catalago-ocupaciones-dificil-cobertura-2010-primer-trimestre/](http://www.parainmigrantes.info/catalago-ocupaciones-dificil-cobertura-2010-primer-trimestre/)

III.1.2  **Shift in the significance of certain motives for migration**

We cannot observe changes in the motives for migration due to the admission-related integration policies, as these have not yet been implemented. However, we felt it useful to add some information related to the context of Spain regarding the most important factors in the migration process so that they can give us an indication of what the tendencies could be in the future.

Economic reasons and employment have been by far the first push factors to leave the country in order to look for a better future with more labour opportunities, increased chances for upward mobility and improved economic and social security. In recent years, the family has also become an important motive for migration, as family reunification has become one of the key means of entry into Spain (Díez Nicolás, 2005). The reduction of labour opportunities for migrants due to the recession has probably had an effect on the decrease of immigration due to employment reasons as well.

As we can see in the table below, more than two thirds of people immigrated from 2000 to 2004 for economic reasons (second line) and much less so for family reasons (fourth line), although this could be higher now.

![Table showing the reasons for migration](image)

**Source:** Las dos caras de la inmigración (Díez Nicolás, J.), 2005

For ethnic origin, there are no big differences between migrant groups, but we can see how Asians mention the family more frequently as a reason to immigrate, and for North Africans and Eastern Europeans, the economy. Also, Sub-Saharan Africans mention political reasons more than other groups. However, sometimes migrants tend to establish a relationship between different grounds such as politics and the economy, as these are often mixed in the country of origin.
In the picture below, we can see how the family (yellow line) is the main pull factor towards Spain. The increase of the purple line also indicates that migrants have also chosen Spain as a destination because it was the most attractive country to them. It is also significant how the reason of being the most nearby country (blue line) has decreased from the second position in 2000 to the last one in 2004. The relative decrease in the inflows of Moroccans in comparison to the increase of Latin Americans and Asians might partly explain this tendency.

Source: Las dos caras de la inmigración (Díez Nicolás, J.), 2005
III.1.3 Change in the level of qualification of newcomers, their age, or other characteristics

Immigration policies tend to prioritise highly-skilled migrants, as they are perceived as more productive for the labour market, more autonomous and easier to integrate into society, according to different experts. In this section, we will consider qualifications as broadly conceptualised including professional skills and occupational training, the level of education and language skills.

In regard to the level of qualification considering professional skills and occupational training, we can refer to the catalogue of high demand occupations. This has a selective effect of those more qualified migrants in origin, but there is no available data to know which migrants have entered the country thanks to their skills.

On the other hand, there is no data on into what extent the level of qualification of illegal migrants (in terms of language skills) has been increased as a result of the ‘social rooting’ policies and of the need to certify certain knowledge of Spanish (and/or Catalan in the case of Catalonia) either.

However, there are studies that show that migrants with higher levels of education tend to integrate easier, as they do not depend as much on their family and friends of the country of origin to find a job (Samper i Moreno, 2008). In fact, the tendency to look for support from people of the same country of origin is inversely proportional to the level of studies: the lower the level of education is, more important the role of the family and of the friends of the country of origin.

As we can see in the graph below, the third set of columns show that more than 40% of the migrants with higher levels of education (dark grey) have not received any help from anyone when looking for a job in contrast with the 35% of the people with primary education that have found a job through their family (dark green of first set of columns).

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19 This was a study made in Barcelona in three different waves between 2005 and 2007 with more than 1200 surveys focused on the analysis of the migration trajectories and of the subjective integration of migrants.
This tendency is even more pronounced from a gender perspective. According to the authors, the role of social networks is very important (and varied) between women and men, as even when we compare them despite having the same level of qualifications, family support in the migration process of women is always greater.

The graph below shows the channels used to find a job, according to level of education. We can see how in the last set of columns, more than 40% of migrants with higher levels of education have found a job for themselves, through the newspaper, Internet or public institutions and less through the support of their family and friends (around 20%).

Source: “Integració i interculturalitat: anàlisi de les trajectòries migratòries i de la integració subjectiva de la població estrangera extracmuinitària a la ciutat de Barcelona” (Samper i Moreno), 2008
III.2 Impacts with regard to a change in TCN-newcomers’ socio-economic integration situation; focus on labour market impact

III.2.1 What are the expectations of the experts about the impact of recently introduced admission policies on TCN-newcomers’ labour market participation, unemployment and dependence on social benefits?

The catalogue has a direct impact on the labour market, as those migrants selected in their country of origin arrive with a job position. Although the economic crisis has incurred a decrease in the offer, the catalogue is, according to Pajares, an important tool for migrant workers’ selection and socio-economic integration.

In regard to language courses, these are voluntary and targeted at all migrants. However, undocumented migrants that apply for the ‘social rooting’ are more bound to take these, as it is positively valued by the City Hall. The extent to which these courses help them in accessing the labour market and in finding a job could constitute a valuable study. There is no data to measure this correlation specifically under ‘social rooting’. However, some statistics explore the importance of the language in finding or looking for a job.

A National Statistics Institute survey shows data for people who are employed, are looking for a job or would like to have one and their need of improving their Spanish, according to their nationality. Whilst 69.18% of the EU-27 migrants affirm that they don't need to have a better level of language for employment or to look for a job, 43.50% of the migrants of the rest of Europe affirm that do need it. In contrast, 96.9% of people with Spanish nationality do not consider that have to improve their knowledge. But if we look at the ‘rest of the world’ category, half affirm their need of further learning and half don't. Thus, nationality can have an effect on the perception of the need to learn a language or not to be employed or to find a job, especially for third country nationals, but it does not appear to be a strong relationship, as the data for ‘the rest of the world’ shows.

The same survey shows that only 7.25% of migrants have used attention services of integration in the labour market within the ten years after arriving in Spain. From these, those who have been more assisted have double nationality (14.85%) or come from outside the EU-27 (11.84%). In any case, these percentages show that very few migrants are using public resources to enter the labour market.

In what regards to the relationship between the level of education and access to the labour market, there are different positions. Whilst some studies affirm that a high level of education might increase the chances to enter the labour market and to get qualified jobs (Samper i Moreno, 2008), there are some experts that highlight further variables affecting this correlation. According to Pajares, the job position, the kind of labour contract and the working conditions have a more important effect on the degree of integration of an immigrant than the level of studies that migrants bring from their country of origin.

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21 Foreign born or born in Spain with foreign nationality
The European project SMILING\textsuperscript{22} analyses how highly-skilled migrants often present difficulties when accessing the labour market and occupy positions which are not correlated with their skills. Institutional, informal and individual barriers prevent migrants to hold good positions. These are, amongst others, i) restrictive immigration laws, ii) a too complex process of recognition of qualifications from non-EU countries, iii) institutional discrimination, iv) a lack of support structures for newly arrived qualified immigrants (which forces them to rely on informal networks), v) problems of upward labour mobility for those qualified immigrants entering the labour market at lower levels and vi) lengthy periods out of the labour market and under-employment which harm the self-esteem of qualified immigrants and create ‘deskilling’.

Samper i Moreno (2008) also point out that the time of residence of migrants might be a relevant factor in achieving better working conditions, a labour contract and more qualified jobs.

As we can see in this diagram (Gràfic 3), three quarters of foreigners interviewed that have lived in Barcelona less than 5 years work in the hospitality, cleaning and private services, construction and commerce (green in the second diagram). In contrast, after 5 years of residence, half of migrants keep working in the same sectors, but the other half are occupied in other activities, such as the industry, the security, the management of own or alien companies (grey in first diagram).

The fact that the range of occupations widens for people living in the host country for more than five years has to do with their possibility to regularise their legal situation.

The authors also point out that during their first years, migrants’ wages are quite similar, as many work in economic sectors where higher skills are not required. However, after five years, those migrants with higher education are able to earn better wages and move upward in the social scale.

\textbf{Source:} "Integració i interculturalitat: anàlisi de les trajectòries migratòries i de la integració subjective de la població estrangera extracomunitària a la ciutat de Barcelona" (Samper i Moreno), 2008

In contrast to some of the data shown above, the MIPEX study\textsuperscript{23} gives quite a high score to Spain in terms of immigrants access to the labour market within the European framework.

As we can see above, Spain has attained the highest ranking on security of employment and rights associated amongst the 28 MIPEX countries. Most work permits are renewable and migrants can stay in Spain to look for a new job if their contract is terminated. They can join a trade union and quickly change their job, employer, profession or permit status. According to the authors, Spain could meet best practice on labour market access with slight improvements to its eligibility rules and labour market integration measures, which both receive the second highest score of the 28 MIPEX countries. One such improvement would involve the State setting policy targets to reduce migrants’ unemployment and promote their language skills. If migrants’ qualifications were recognised under the same procedures as those enjoyed by EEA nationals, and migrants were informed of this through agencies and information centres, Spain’s score would climb further.

In regard to labour market integration measures, Spain has a high percentage (83%). Nevertheless, it is interesting to look more specifically at the different variables included within this. In terms of equal access to vocational training and study grants, Spain has been rated with best practice, as there is no distinction between EU and non-EU. However, in regard to the measures to further the integration of third-country nationals into the labour market, Spain is halfway to best practice, as it does not carry out all measures (national policy targets to reduce unemployment of third country nationals; national policy targets to promote vocational training for third country nationals and national policy targets to improve employability through language programmes). Finally, as mentioned above, the State does not always facilitate the recognition of skills and qualifications obtained outside the EU. Again, it is halfway to best practice in terms of existence of clear national guidelines on fair procedures, timelines and fees for assessments by professional, governmental, and non-governmental organisations and state agencies/information centres that promote the recognition of skills and qualifications or the provision of information on conversion courses/profession-based language courses and on procedures for assessment of skills and qualifications.

\textsuperscript{23} The Migrant Integration Policy Index (MIPEX) is a unique long-term project which evaluates and compares what governments are doing to promote the integration of migrants in all EU Member States and several non-EU countries. It uses over 100 policy indicators to create a rich, multi-dimensional picture of migrants’ opportunities to participate in European societies.
Considering employment security, Spain has achieved best practice in the renewal of work permits, as it is possible for all permits except for seasonal ones.

III.2.2 Are there any observations about admission policies causing unintended effects or negative side-effects?

As stated in the table of the first section, it is important to mention that the shifts in the catalogue of high demand occupations produce changes in migrants’ country of origin as certain requirements for certain jobs might be better fulfilled by individuals coming from more developed countries or Spanish-speaking countries.

On the other hand, the Commissioner on Immigration in the City Hall of Barcelona affirmed that as the language requirements are more due in the ‘social rooting’ process, undocumented migrants may be learning more than other migrants (e.g. family migrants) who are not being asked to have a knowledge of it at any stage of their legal migration process. In this context, he expressed his favourable opinion to the introduction of reception programs emphasising the learning of Catalan and Spanish in the country of origin “if there were enough resources and under certain conditions of justice that made possible the guarantee of migrants’ rights, such as family reunification”. Moreover, he would support language requirements for the newcomers that don’t apply for the ‘social rooting’, but for other immigration legal proceedings once they are in the host country. These statements are relevant, as they are in accordance with admission-related integration policies that other EU member States are adopting (both pre-entry and post-arrival measures) and because they can have a relative big influence in their achievement due to his job position.

Finally, the changes introduced in the LOEX 2/2009 and the recent debate on including issues of civic conduct in legal proceedings have important effects on the social construction of ‘integration’ as something compulsory, objectifiable and demonstrable as well as on the fostering of racism and stereotypes against immigrants.
IV Methodological discussion and Conclusion

As the post-arrival admission-related integration measures of the latest immigration law have not yet been implemented and we can only foresee possible directions towards the fostering of the linkage between admission and integration, it is difficult to suggest which would be the most appropriate methods to measure their impacts. However, in this section we have tried to use the above information and outline future trends, as well as to outline how these could be assessed with different research tools and perspectives.

The recent changes in the LOEX 2/2009 can affect, as already mentioned, the processes of family reunification, the ‘social rooting’, the renewal of residence (and residence and work) permits and nationality. Once the reglamento is approved, it will be fundamental to explore into what extent issues of integration are required in these processes when it comes to the implementation of the law. Some examples of the indicators that could be explored to measure the impact could be i) how many renewals of residence permits have been denied due to a lack of or a negative integration report, ii) how many people start asking for voluntary reports on integration for the nationality and for the renewal of a residence permit, iv) observe the evolution of the production of the reports from public institutions throughout the years or v) how many people is enrolled in language courses after the immigration law is implemented.

Yet, the political context is an external factor that needs to be taken into consideration. If the People’s Party (right-wing oriented) win the next general elections (2012), it is likely that the ‘efforts of integration’ will be more requisite through more compulsory and specific integration measures, according to different experts. Also in Catalonia, the situation could change after the implementation of the Llei d’Acollida in terms of more requirements for migrants to learn Catalan (the hours increase to 135) and to take the civic education courses.

The fact that legislators are giving much relevance to proof of integration in almost all administrative proceedings through different kinds of integration reports can have a large impact on their demand and production (García Juan, 2011). This is especially true as two are compulsory (in the ‘social rooting’ and in family reunification) and the remaining two are optional but highly recommended (in the renewal of residence permits and for nationality). Therefore, the author highlights the significance of building effective coordination between the different departments and levels of administration in order to ensure the fulfilling of all proceedings. It is worth noting that without the previous actions of the regional government, the national government will not be able to go on with proceedings. Thus, an increase of the material and staff responsible for the production of such reports, the training sessions and the management of the new competences within the regional (and local) governments will be needed. For this, García Juan points out that the officers and professionals should be trained especially for this subject in order to ensure the quality of the courses and activities, as well as having common criteria of action.
IV.1 ‘social rooting’

We would like to emphasise the study of the ‘social rooting’ within the current context of Spain, as today it is the proceeding that better encompasses the nexus between admission and integration before the other legal measures are implemented and as it appears to be unique in Europe.

Access to data from the City Hall of Barcelona in regard to the ‘social rooting’ has been denied, as well as for the possibility to conduct an interview with the rooting officer. As a consequence, it cannot be assessed to what extent the issue of language has become more important within the criteria to obtain a positive rooting report. A forthcoming publication from the City Hall could be significant in finding out more about recent trends of the current situation with the provision of statistical data, but so far no information has been advanced. However, various experts interviewed have agreed in affirming that the issue of the language (especially Catalan) is being a priority from many local governments in Catalonia, as it is perceived to be a key indicator of social integration.

Possible methods to measure the impact of the integration issues (e.g. language and participation in associations and civic life) in the ‘social rooting’ would be by trying to get access to other ‘social rooting’ offices of other municipalities or by conducting a survey of migrants. In this case, surveys with semi-open questions would be preferable to in-depth interviews to reach a wider range of the population and to have a more representative sample. Key questions to be included would be around the motives for doing language courses embracing legal, labour or social issues. What is the main purpose of doing the course? What are the strategies and interests behind decision-making processes? How do these change throughout time, according to the benefits and further experiences in the migration process?

There might be more than one reason to take a course and these could be interrelated, as was affirmed by a language course teacher stating that “the majority of migrants come to the course out of necessity, but then they take advantage of it. They are not there just attending and losing their time”. In this sense, a survey of the teachers of the language courses could also be conducted and contrasted to the migrants’ one.

The impact of language courses to access the labour market would be another field to be raised especially for the subject of this WP. To what extent have these courses been useful for finding a job? Are there any differences, according to the level of studies, gender, ethnic origin, age or to the knowledge of both languages (Spanish and Catalan) or just of one of them? For example, do Latin Americans have no problems in getting the ‘social rooting’ in regards to language, or in this case does the City Hall ask for a certain level of Catalan whilst for other migrants only Spanish is enough?

Under the criteria to get the ‘social rooting’ there is a work contract of at least one year signed by the migrants themselves as well as their employer or a proof of having adequate economic resources (medios de vida suficientes). Some migrants might have a work contract whilst taking language courses and some might not. In the affirmative case, we could explore if there have been any improvements in the job position after the course, although it is likely that the upward mobility due to
the language would be noticeable once there is a big domain of it which is quite higher than the requested level for the ‘social rooting’ (around A1, according to the CEFR).

Other interesting fields to be explored could be the impact of the Llei d’Acollida in terms of more requirements of Catalan in all local governments or possible conflicts of competences between administrations and agents providing the necessary courses. On the other hand, it could be investigated which role the economic crisis plays in the socio-demographic changes of migrants applying for the ‘social rooting’ assuming that the overall percentage of individuals applying has decreased in accordance with the reduction of both the general inflow of immigration24 and of the illegal migrants.

The reduction of illegal immigration can be studied with the exemption of those migrants registered in the civil register (padrón) and legal residents. However, according to Pajares, this would just provide an estimation, as migrants who are in the process of renewing residence permits, students and seasonal worker migrants are all legal, but do not appear in the list of legal residents. Further, there are some migrants who are registered in more than one municipality’s padrón.

IV.2 Active employment policies

In regard to active employment activities, further data displaying how migrants participate in specific integration activities for the labour market than the described earlier does not seem to exist. In this sense, more efforts should be made to elaborate data sources in order to deepen in the understanding of the phenomenon and to better recognise the impacts of these policies in the socio-economic integration of migrants. Moreover, the administration should implement further measures for the active inclusion of migrant workers in the labour market with the provision of adequate tools (e.g. specific courses, training sessions).

An in-depth analysis of the catalogue of high demand occupations can be made to observe how the migration characteristics change, according to the needs of the labour market reflected in the catalogue. The methodology would consist of classifying and codifying all kinds of occupations and on examining the shifts throughout the period of study. When doing the interpretation, key external factors, such as the economic recession should be borne in mind. In this sense, this could affect the motives for migration, as if the employment offer is reduced, there might be fewer migrants that come due to labour reasons.

In conclusion, Spain is currently within a shifting process in relation to the increase of linkages between immigration and integration. Cultural and identity issues are being added to already existing socio-economic conditions, such as a job contract, in many legal proceedings related to different ‘phases’ of admission. Observing the current debates and political and legal initiatives, we can see how Spain is moving in the direction of many European countries in the adoption of post-arrival

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24 Looking at general figures provided by the National Statistic Institute, the rate of migrants with residence permits has decreased from a 31.68% in 2007 to a 7.10% in 2009 and the number of visas have fallen from 1.046.776 in 2007 to 920.284 in 2009 which represents a difference of 126.429 visas (-12.1%).
admission-related integration policies. Yet, the fact that these measures are still to be implemented and further developed leaves many opened questions that will need to be answered in future research studies. Spanish immigration policies’ rationale could start a transition in moving from a fundamentally socio-economic to a socio-cultural character. If so, this will involve an added element in the challenges arising from the definition and management of the Spanish state.
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