

FRANET

**Migrants and their Descendants:
Social Inclusion and
Participation in Society**

Spain, 2015

FRANET contractor: Universidad Pontificia Comillas
Authors: Aparicio, J.M., Caro, R., Castaño, M.J., Eguren, J.,
Fernández, M., Iglesias, J.
Reviewed by: Echart, E., Gortázar, C.

DISCLAIMER: This document was commissioned under contract as background material for a comparative analysis by the European Union Agency for Fundamental Rights (FRA) for the project [‘Social Inclusion and Migrant Participation in Society’](#). The information and views contained in the document do not necessarily reflect the views or the official position of the FRA. The document is made publicly available for transparency and information purposes only and does not constitute legal advice or legal opinion.

Table of Contents

Executive summary	4
1.Legal and policy instruments for migrant integration	8
1.1.Description of existing instruments and target groups	8
1.2.Drivers & barriers in developing, implementing and assessing legal and policy instruments	13
1.2.1.Drivers.....	14
1.2.2.Barriers.....	17
1.2.3.Language learning and integration tests.....	18
1.2.4.Monitoring and assessment – Use of indicators	20
1.2.5.Funding integration policies (EIF, ERF, EMIF)	22
2.Promoting equal treatment and non-discrimination	22
2.1.The implementation of anti-discrimination legislation and equal treatment	22
2.2.Implementation of equal treatment of various permit holders	33
2.2.1.Long Term Residence (LTR) status holders (Art.11 of the Directive 2003/109/EC)	33
2.2.2.Single-permit procedure permit holders (Art.12 and 13 of the Directive 2011/98/EU)	33
2.2.3.Blue card holders (Art.14 and 12 of the Directive 2009/50/EC)	33
2.2.4.Family reunification permit holders (specifically in terms of access to labour market - Art. 14 of Directive 2003/86/EC.....	33
2.2.5.Beneficiaries of international protection long term residence status holders	34
2.3.Key developments and trends	34
3.Participation of migrants and their descendants in society	37
3.1.Political rights at national level	37
3.1.1.Citizenship acquisition	37
3.1.2.	45
National elections voting rights - turnout.....	45
3.1.3.National level election – representation	47
3.2.Political rights at regional/local level	48
3.2.1.Regional/Local elections voting rights – turnout.....	48
3.2.2.Regional/local level election – representation.....	51
3.3.Consultation	53
3.3.1.Consultative bodies at national/regional/local level	53
3.4.Participation in trade-unions and professional association	68
3.5.Participation in social, cultural and public life	79
3.5.1.Diversity in the public sector	83
3.6.Political activity – active citizenship	87
3.7.Civic and citizenship education	97
3.8.Drivers, barriers for the implementation, monitoring and assessment of legislation & policy measures	101
3.9.Use of funding instruments (EIF, ERF, EMIF)	106

3.10.Key legal and policy developments, and relevant case law	107
4.Social cohesion and community relations	110
4.1.Social cohesion policies	110
4.2.Combatting racism and intolerance	119
4.3.Mixed marriages	123
Annex 2: National and regional level action plans on integration.....	126
ANNEX 2 BIS.....	129
Annex 4: Indicators monitoring migrant integration - social inclusion/cohesion	132
Annex 5: Use of funding instruments.....	137
Table 1 - European Integration Fund (EIF).....	137
Table 2 - European Refugee Fund (ERF) aiming at integration of beneficiaries of international protection.....	138
Annex 7: Promising practices	140
Annex 8: Discrimination complaints submitted to Equality Bodies.....	146
Annex 9: Case law – max 5 leading cases.....	147

Executive summary

1 Legal and policy instruments for migrant integration; drivers and barriers

The target group of the National Plan 2011-2014 is the general population: Spanish nationals, EU-population and non-EU population. If we focus only on immigration, the National Plan, according to the Organic Law 2/2009 of 11 December, establishes the difference between legal (integration) and illegal (combatting) immigration¹.

Spanish National PECI 2011-2014 (Strategic Plan for Citizenship and Integration) contained key drivers for successful integration policies as the *participatory design* of the integration strategy and the promotion of *social cohesion* policies and *diversity management*. Moreover, the PECI, 2011-2014 mainstreamed in other public policies as employment, education, housing, etc.²

Nevertheless, the PECI 2011-2014 has not been substituted by any other similar programme for 2015-2018 and for the moment there is not available evaluation of the Strategic Plan as a whole

What is more; forecasts of action and funding under the PECI 2011-2014 have not been conducted, mainly due to budgetary adjustments suffered by the Spanish administration during those last years of crisis. In 2009 the budget allocated for the Directorate General for the Integration of Immigrants totaled 308.5 million Euros..³

Having said that, it is important to point out that a *National Action Plan on Social Inclusion* (2013-2016)⁴ was adopted by the Spanish Council of Ministers on 13 December 2013. This Plan backed by 136,600 million Euros. Although the Plan is focus on vulnerable families and children in general, it proposes a number of measures to meet the basic social needs of the migrant population and their descendants, improving the effectiveness of their protection system. For instance, measures such as actions for the awareness and promotion of equal treatment and non discrimination of the immigrant population (measure N. 202) or improving management and quality systems in the implementation of programmes to integrate immigrants (measure N. 205). In all cases, it would be necessary to wait for implementation of these actions to assess the impact of this Plan.

On the other hand, in June 2014 the Department of Migration of the Ministry of Employment and Social Security officially convoked subsidies in connection with the integration of migrants. This is Spain's only call for proposals presented under the European Social Fund. No specific information is available so far in relation to the final beneficiaries⁵.

2. Promoting equal treatment and non-discrimination

¹ MINISTERIO DE TRABAJO E INMIGRACIÓN, (2011), *Plan estratégico de ciudadanía e integración* 2011-2014. Madrid. Spanish Ministry of Employment and Immigration. (2011), Strategic Plan for Citizenship and Integration 2011-2014. Available at: extranjeros.empleo.gob.es/es/Programmeas_Integracion/Plan_estrategico2011/pdf/PECI-2011-2014.pdf. Accessed on 13 May 2015.

² extranjeros.empleo.gob.es/es/Programmes_Integracion/Plan_estrategico2011/pdf/PECI-2011-2014.pdf

³ FORO PARA LA INTEGRACIÓN SOCIAL DE LOS INMIGRANTES. *Informe sobre la situación de la integración de los inmigrantes y refugiados en España*. September 2013. (Aprobado en Pleno de 30 de septiembre de 2013).

⁴ www.msssi.gob.es/ssi/familiasInfancia/inclusionSocial/docs/PlanNacionalAccionInclusionSocial_2013_2016.pdf. Accessed on 13 May 2015.

⁵ The Resolution of 18 June 2014 was published in the Official State Gazette on 23rd April 2001 and is available at: extranjeros.empleo.gob.es/es/Fondos_comunitarios/programmea_solidaridad/integracion/pdf/Resolucion_convocatoria_2014_BOE_11_julio_2014.pdf. Accessed on 13 May 2014.

The extension of the economic crisis has not been reflected in the creation of a political party with a racist or xenophobic ideology, although between 16 % and 20 % of the Spanish population reveal a high or average acceptance of a political party with a racist or xenophobic ideology. Moreover, a number of social discourses are gaining ground and are becoming accepted by a large number of the Spanish people, such as the discourse which gives Spanish people preferential access to basic social services and the labour market, the discourse on the responsibility of immigrants in the deterioration of the labour market in Spain, and the discourse on immigrants and the native population in the competition for jobs.. ”⁶ In addition, there is a relevant report on police racial/ethnic profiling in Spain that confirms the existence in Spain of daily identifications by the Police who follow a pattern of ethnic profile⁷.

In 2013 the Council for the Elimination of racial or Ethnic Discrimination has created the Victims of Racial or Ethnic Discrimination Support Service, which is a free, state support service for possible victims of racial or ethnic discrimination. The service offers support and independent assistance to those who are or have been discriminated against, based on their racial or ethnic origin, in any context (education, health, housing, job, etc.)⁸.

In the year 2014 the Minister for the Interior has recorded a total number of 1.273 cases of hate crimes, 72.0 % of which were committed by Spaniards (917). The remaining incidents involved foreigners (28.0 %)⁹.

Regarding equal treatment of migrant workers, the General Union of Workers (*Unión General de Trabajadores (UGT)*) claims that “the foreign worker’s salary in Spain is 35.9 % lower than the salary of a Spanish worker”¹⁰.

In respect to social protection (including social security and healthcare) it is worth mentioning the new model of health care from Royal Decree 16/2012 started up in 2013. This project excludes illegal migrants from the right to health (except on urgent cases)¹¹.

Finally, it is to be emphasised that currently in Spain, no integration exams are to be passed to obtain or renew any residence permit.

3. Participation of migrants and their descendants in society

3.1 Acquisition of Spanish nationality by residence and the “sufficient degree of integration in Spanish society”

In Spain, in order to acquire nationality by residence, an applicant needs to prove¹²:

- Good citizenship/good civic conduct and
- Sufficient degree of integration in Spanish society. The assessment of the level of integration is left to the discretion of the Officer in Charge of the Civil Registry and

⁶ http://explotacion.mtin.gob.es/oberaxe/inicio_descargaFichero?bibliotecaDatoId=4056. Hyperlink accessed on 8 May 2015

⁷ http://uv.es/garciaj/pub/2013_perfil_etnico.pdf. Hyperlink accessed on 8 May 2015

⁸ See section 2.1. Link available at <http://www.igualdadynodiscriminacion.msssi.es/home.do>. Accessed on 13 May 2015.

⁹ <http://www.interior.gob.es/documents/10180/1643559/Estudio+Incidentes+Delitos+de+Odio+2014.pdf/70073437-795d-4ce1-acfc-ed92b02cf1a6>. Hyperlink was accessed on 1 May 2015

¹⁰ <http://www.interior.gob.es/documents/10180/1643559/Estudio+Incidentes+Delitos+de+Odio+2014.pdf/70073437-795d-4ce1-acfc-ed92b02cf1a6>. Hyperlink was accessed on 1 May 2015

¹¹ 22 Spain, Ministry of the Presidency (Ministerio de la Presidencia), Royal Decree 576/2013, of 26 July establishing the basic essentials for health care provision for those non-insured persons, available at: www.boe.es/diario_boe/txt.php?id=BOE-A-2013-8190

¹² Spanish Civil Code (Código Civil), article 22.

substantially differs from one officer (that might just be focused on language competences) to another (who might ask for Spanish medieval history¹³).

For this reason, the Conservative Popular Party, (*Partido Popular, (PP)*) have proposed the institutionalisation of national exams in order to fulfill the requirement of having a "sufficient degree of integration in Spanish society". That is, the aspirant will be required to pass two tests. The first one will assess the knowledge of the language (providing exemption for nationals of countries where Spanish is an official language). The second test is targeted at evaluating the basic knowledge and commitment of the applicant with Spanish constitutional values and democratic principles.

3.2 Immigrant population and political rights

According to the Spanish Constitution neither EU citizens, nor third country nationals are allowed to vote in national or regional elections¹⁴.

Regarding local elections the foreigners able to vote in Spain are

- nationals of the European Union
- nationals of other countries with agreements that recognise this right for Spaniards (reciprocity condition¹⁵).

The third countries with agreements currently in force are: Bolivia , Cape Verde, Chile, Colombia, South Korea, Ecuador, Iceland, Norway , New Zealand , Paraguay , Peru and Trinidad and Tobago. in respect to passive voting rights, third country nationals are not allowed to stand as candidates in local elections.

3.3 Consultative bodies at national / local level

At national level the Forum for the Social Integration of Immigrants ¹⁶is the organ of consultation, information and advice on immigrant integration. The aim of the Forum is to promote the participation and integration of immigrants into Spanish society, proposing, informing and carrying out actions to those purposes. This is a very active Forum, as detailed in section 3.3.1 of this report.

The Council for the Elimination of Racial or Ethnic Discrimination ¹⁷is a consultative body formed by the State, regional and local administrations, business and representative trade unions, and non profit organisations working in the field of discrimination because of racial or ethnic origin. However, at the Council website we only can read reports until 2011. Those last years (2012-2014) it seems not to have much activity, or at least there are not available reports

At local level, there are only two consolidated consultative local bodies: Municipal Immigration Council of Barcelona (Consejo municipal de inmigración de Barcelona, (CMBI)) and The Madrid Forum for Dialogue and Coexistence. Both bodies are quite active. CMBI

¹³ Ruiz de Huidobro, J.M. (2014). 'Social Integration of third country nationals and Spanish Nationality Law' in Guild, E., Gortázar, C. and Kostakopoulou, D. (eds) *The Reconceptualization of European Union Citizenship*. Boston: Brill Nijhoff Forum for the Social Integration of Immigrants (2014) Report on immigrant and refugee integration in Spain www.foroinmigracion.es/es/MANDATO-FORO-2010-2013/DocumentosAprobados/Informes/Documento_N_4_Informe_2014.pdf . (Foro para la Integración de los inmigrantes (2014) *Informe sobre la situación de la integración de los inmigrantes y refugiados en España*).

¹⁴ Article 13.2 of the Spanish Constitution

¹⁵ Both Norway and Iceland have signed reciprocity agreements with Spain, so their citizens are entitled to vote. This is not the case of Liechtenstein, who does not allow foreigners to vote; thus, Liechtenstein's nationals are not allowed to vote in Spain.

¹⁶ <http://www.foroinmigracion.es/es/index.htm>

¹⁷ www.igualdadynodiscriminacion.msssi.es/home.do

has issued 2012-2015 Working Plan of Municipal Immigration Council of Barcelona while the Madrid Forum promotes New Madrid Plan for Social and Intercultural Coexistence.

3.4 Membership and association

It is really difficult for a third country national to become a representative of an official professional or scientific association. The main legal and practical limitations are recognition of diplomas and professional practice, restrictions imposed by the professional bodies and positive discrimination in favour of Spanish nationality (the case of lawyers) or Spanish speakers (the case of physicians). Anyhow, there is a draft bill on professional services and professional bodies¹⁸ (that has not yet come into force) that loosens, in a broad sense, the conditions of professional practice.

The Entrepreneurs' Act ¹⁹contemplates benefits for those third country nationals that are entrepreneurs or start business.

3.5 Political activity – active citizenship

The integration of immigrants in Spain, and especially the so-called "second generation" can be considered as satisfactory and high levels of identification with society²⁰. In addition there is a high number of active immigrant association that have a very important involvement in the society of origin ²¹. Anyhow, participation levels generally in Spain, are low and have dramatically decreased during the economic turndown.

3.6 Civic education

According to the Ministry of Education, Culture and Sport, at all levels issues of racism, xenophobia and intolerance must be introduced into the curriculum. The schools are required to offer an inclusive and intercultural education²². On a practical level, the application and implementation of these intercultural programmes depends on how each centre applies the general regulations in its school curriculum and, in turn, each teacher must also adapt these to their subject and tutoring.

There is a difficulty for parents of immigrant origin to participate in school and extracurricular activities of their children is expressed, but this is often not very different to the difficulties Spanish parents experience²³.

4. Social cohesion and community relations

¹⁸ http://www.redaccionmedica.com/contenido/images/anteproyecto_lev_colegios_11N.pdf

¹⁹ Law 14/2013 of 27 September supporting entrepreneurs and their internationalization. www.boe.es/diario_boe/txt.php?id=BOE-A-2013-10074

²⁰ Aparicio, R. y Portes, A. (2014), (Instituto Universitario Ortega y Gasset. Universidad Princeton). *Creer en España. La integración de los hijos de inmigrantes*. Obra Social "La Caixa", Barcelona. Aparicio, R. and Portes, A. (2014), *Growing up in Spain. The integration of immigrant children*. La Caixa Bank Social Foundation, Barcelona. https://obrasocial.lacaixa.es/deployedfiles/obrasocial/Estaticos/pdf/Estudios_sociales/vol38_es.pdf

²¹ Aparicio, R., Tornos, A. (2010), *Las asociaciones de inmigrantes en España. Una visión de conjunto*, Ministerio de Trabajo e Inmigración, Madrid.

Aparicio, R., Tornos, A. (2010), *Immigrant associations in Spain. An overview*, Spanish Ministry of Employment and Immigration, Madrid.

Available at:

extranjeros.empleo.gob.es/es/ObservatorioPermanenteInmigracion/Publicaciones/fichas/archivos/Las_asociaciones_de_inmigrantes_en_Espana_Una_vision_de_conjunto.pdf

²² Education Act, 2006 (*Ley Orgánica 2/2006, de 3 de mayo, de Educación*). www.boe.es/buscar/doc.php?id=BOE-A-2006-7899

²³ IOM (2014) Best Practices in Extracurricular Education Programmes (*Programas educativos extra-curriculares (PEE)*) and the Promotion of Equal Treatment and Non-Discrimination in the Host Society (*Promoción de la igualdad de trato y no discriminación en la sociedad de acogida (PITNOD)*). www.spain.iom.int/index.php/proyectos/410-iec-identificacion-de-experiencias-de-calidad-en-integracion

The theoretical concept of social cohesion involves three major aspects: cultural, redistribution of resources and relational (social capital). The analysis of the Spanish political plans of migration leads to the conclusion that the concept of social cohesion is not clearly defined.

According to recent research²⁴, young second generation are moving through the educational system with similar to those of the Spaniards, without serious difficulties.

In 2013 the UN Special Rapporteur²⁵ issued an assessment report on the fight against racism and xenophobia in Spain. The establishment of the Council for the Care of Victims was welcomed while the budget cuts were denounced as they obstruct the implementation of the proposed measures. The Forum for the Social Integration of Migrants conducted a follow-up report on strategy against racism, xenophobia and related intolerance²⁶ where incorporated the Rapporteur suggestions.

Regarding specific ethical rules concerning the language used by media or journalists, the 2014 report "Study on journalism and immigration. *Inmigracionalismo* Permit self-criticism: free the media of xenophobia"²⁷ was targeted to promote the training of professionals in the media on equal treatment and non-discrimination against migrants.

In the field of promising practices, a catalogue of best practice in the field of migrants social integration was created by the CEPAIM Foundation²⁸. The project was developed in the context of the *Programme for the transfer of good practices on integration of immigrants through the promotion of participation and promoting coexistence locally*. This programme is funded by the Spanish Ministry of Employment and Social Security through the Secretariat General Secretariat for Immigration and Emigration and Migration Board and funded by the European Integration Fund (EIF).

1. Legal and policy instruments for migrant integration

1.1. Description of existing instruments and target groups

This section should present the overall state of play concerning national and, where applicable, regional legal and policy instruments focusing on how they address fundamental rights, core EU values and principles, as well as international legal

²⁴ Aparicio, R. y Portes, A. (2014), *Creecer en España. La integración de los hijos de inmigrantes*. Obra Social "La Caixa", Barcelona (Aparicio, R. and Portes, A. (2014), *Growing up in Spain. The integration of immigrant children*. La Caixa Bank Social Foundation, Barcelona). Available at:

https://obrasocial.lacaixa.es/deployedfiles/obrasocial/Estaticos/pdf/Estudios_sociales/vol38_es.pdf

²⁵ Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Mutuma Ruteere. Available at:

www.acnur.es/PDF/informe_mision_relatorespecial_racismo_2013_20130806150757.pdf

²⁶ FORO PARA LA INTEGRACIÓN SOCIAL DE LOS INMIGRANTES, *Informe de evaluación y seguimiento de la "Estrategia integral contra el racismo, la xenofobia y otras formas conexas de intolerancia"*. Aprobado en pleno extraordinario de 27 de noviembre de 2014 (FORUM FOR THE SOCIAL INTEGRATION OF IMMIGRANTS, *Report Evaluation, and Monitoring of "Comprehensive Strategy Against Racism, Xenophobia and Related Intolerance"*. Approved in Extraordinary Plenary Session of 27 November 2014). Available at: www.foroinmigracion.es/es/MANDATO-FORO-2010-2013/DocumentosAprobados/Informes/index.htm

²⁷ www.redacoge.org/mm/file/InformeInmigracionismo-RedAcoge.pdf

²⁸ "Catalogue of good practices" by the CEPAIM Foundation available at: cepaim.org/wp-content/uploads/2014/01/cat%20de-buenas-pr%20practicas.pdf

Links accessed on 13 May 2015.

	<p>standards and related EU law and policies, such as the Common Basic Principles and the Common Agenda on integration of migrants. Please complete the template in Annex 2.²⁹</p> <p>Please make sure the brief information you provide in the table includes the following aspects:</p>
	<p>Does the national strategy on migrant integration contain a definition of integration? If so, please include it in the original language and full English translation.</p> <p>La integración social es entendida como un proceso bidireccional, de adaptación mutua y de acomodación, que afecta al conjunto de la ciudadanía, tanto a los españoles como a los de origen extranjero, es un proceso multidimensional y complejo que plantea desafíos políticos y prácticos que es preciso afrontar. Esta concepción se contrapone a la idea de que la "integración" es solo responsabilidad de las minorías. (National Plan 2011-2014, 2011: 92)</p> <p>Social integration is understood as a two-way process of mutual adaptation and accommodation, which affects all citizens, both native and foreign. Social integration is a multidimensional and complex process presenting political and practical challenges that must be faced. This conception is opposed to the idea that "integration" is solely the responsibility of minorities. (Strategic Plan 2011-2014)³⁰</p>
	<p>Are there specific references in the national strategy or relevant legal or policy instruments to fundamental rights in relation to migrants?</p> <p>YES, in the following parts:</p> <ul style="list-style-type: none"> - Equality of opportunities and access of all people to fundamental rights, such as the Spanish Constitution and the Treaty of Lisbon of the European Union as stated in the Strategic Plan 2011-2014³¹: - Part I of the Strategic Plan, Section 3, "Legal and Regulatory Framework of Immigration and Diversity Management", where the evolution of national legislation is presented, taking into account the developments of the European Union in this field. In this section the five reforms that were included in Law 4/2000 of 11 January on the rights and freedoms of foreigners in Spain and their social integration are presented. The first three reforms are Laws 8/2000 of 22 December, Law 11/2003 of 29 September and Law 14/2003 of 20 November. The fourth reform is Law 2/2009 of 11 December on the rights and freedoms of foreigners in Spain and their social integration, amending Law 4/2000 of 11 January. This reform includes the jurisprudence of the Constitutional Court, by giving it a new drafting in line with the Spanish Constitution, to articles of the same that have been declared unconstitutional. The Constitutional Court in its judgments 236/2007 of 7 November and 259/2007 of 19 December, acknowledged that the requirement for legal residence that Law 4/2000, of January 11 imposed on foreigners for the exercise of the fundamental rights of assembly, association, union and strike, was not justified and was therefore contrary to the

²⁹ You can use and update the information as in the Table 1.7 of the FRA Annual Report 2012 (pp.62-63). You should add more detail, for example, instead of identifying 'education' under the category 'focus area' be more specific, e.g. review of curriculum in secondary education to address integration issues, etc, provided this level of detail is specifically mentioned in the relevant policy instruments

³⁰Ministerio de Trabajo e Inmigración, (2011), *Plan estratégico de ciudadanía e integración* 2011-2014, Madrid, p. 92. Available at: extranjeros.empleo.gob.es/es/Programmeas_Integracion/Plan_estrategico2011/pdf/PECI-2011-2014.pdf . Accessed 13 May 2015

³¹ Ministerio de Trabajo e Inmigración, (2011), *Plan estratégico de ciudadanía e integración* 2011-2014, Madrid, p. 32.

		<p>Constitution. The fifth and final reform was approved by Law 10/2011, of 27 July, amending Articles 31a and 59a of Law 4/2000 of 11 January. The first objective of the reform is to establish a framework of rights and freedoms of foreigners to ensure the full exercise of their fundamental rights. (Strategic Plan 2011-2014)³²</p> <ul style="list-style-type: none"> - Part I of the Strategic Plan, point 4: "European Policies on Immigration and Asylum" where the development of European policy in this area from the European Council in Tampere in 1999 –"Common Immigration and Asylum Policy"- is transposed, and how these developments have been implemented in national legislation (Strategic Plan 2011-2014)³³ - Part I of the Strategic Plan, Section 5: "Assumptions, Principles, Focus, Objectives and Programmes Plan", where it is stated that the Strategic Plan promotes the social integration and designs a set of measures aimed at recognising and enforcing the same rights and obligations of the Spanish population, for immigrants. The Strategic Plan pursues the logic of equal treatment and the fight against discrimination along the lines established by Directive 2000/43/EC of 29 June 2000, on the application of the principle of equal treatment for people, regardless of their racial or ethnic origin; and by Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation. These directives have been described by the European Parliament, in its resolution of 14 January 2009, as a "minimum standard", and crucial for a "comprehensive policy against discrimination". Emphasising the need to take into account the recommendations of the European Agency for Fundamental Rights of 2008 and the Framework Decision 2008/913/JHA Council Decision of 28 November (Strategic Plan 2011-2014)³⁴. Finally, the Strategic Plan upholds the principle of interculturalism, since the practice of diverse cultures and religions is guaranteed under the Charter of Fundamental Rights, and must be safeguarded, unless such practices conflict with other inviolable European rights or with national law. (Strategic Plan 2011-2014)³⁵.
	<p>Which are the target groups of the national integration strategy? Please provide any</p>	<p>Strategic Plan 2011-2014: EU nationals and third-country nationals</p> <p>The target group of the Strategic Plan 2011-2014 is the general population, both Spanish nationals and foreign EU and non-EU population. (Strategic Plan 2011-2014)³⁶. If we focus only on</p>

³² Ministerio de Trabajo e Inmigración, (2011), *Plan estratégico de ciudadanía e integración* 2011-2014, Madrid, pp. 71-82.

³³ Ministerio de Trabajo e Inmigración, (2011), *Plan estratégico de ciudadanía e integración* 2011-2014, Madrid, pp. 83-92.

³⁴ Ministerio de Trabajo e Inmigración, (2011), *Plan estratégico de ciudadanía e integración* 2011-2014, Madrid, pp. 92-109.

³⁵ Ministerio de Trabajo e Inmigración, (2011), *Plan estratégico de ciudadanía e integración* 2011-2014, Madrid, p. 110. Accessed on 13 May 2015 and available at:

extranjeros.empleo.gob.es/es/Programmeas_Integracion/Plan_estrategico2011/pdf/PECI-2011-2014.pdf

³⁶ Ministerio de Trabajo e Inmigración, (2011), *Plan estratégico de ciudadanía e integración* 2011-2014, Madrid, p. 92.

	<p>definitions relevant or the determination of the persons that are entitled to or beneficiaries of the relevant action plans and policy measures (e.g. 'integration agreements': who signs them and what do they contain). Please specify any residence requirements (e.g. which migrant and/or residence status counts or not for "legally residing third country nationals" that eventually would be covered by these policies) for persons to be considered members of the targeted groups.</p>	<p>immigration, the Strategic Plan, according to Law 2/2009 of 11 December on the rights and freedoms of foreigners in Spain and their social integration, highlights the integration of legal immigration, combatting illegal immigration, and legal and orderly migration management in line with the needs of the labour market. (Strategic Plan 2011-2014)³⁷.</p> <p>Law 2/2009 of 11 December on the rights and freedoms of foreigners in Spain and their social integration amending Law 4/2000 of 11 January is available in Spanish³⁸. In the Preamble it emphasises:</p> <p><i>"It is necessary to highlight the signing of the European Pact on Immigration and Asylum countersigned by the European Council of 16 October 2008, by the 27 member countries of the European Union. This Pact establishes as its main objectives the achieving of a legal and orderly immigration, the combatting of illegal immigration and the promoting of an integration of legal immigrants through a balance of rights and duties</i></p> <ul style="list-style-type: none"> - At the same time in its Article 2a: immigration policy, section 2c, it speaks about immigrants without specifying their condition, when specifying recipients of social integration policies. "Social integration of immigrants through horizontal policies directed to all citizens".
	<p>In reference to the CBP 1³⁹ 'Integration is a dynamic, two-way process of mutual accommodation by all immigrants and residents of Member States': please specify if and how the majority population is explicitly targeted; distinguish, if</p>	<p>YES⁴⁰</p> <ul style="list-style-type: none"> - La integración social es entendida como un proceso bidireccional, de adaptación mutua y de acomodación, que afecta al conjunto de la ciudadanía, tanto a los españoles como a los de origen extranjero, es un proceso multidimensional y complejo que plantea desafíos políticos y prácticos que es preciso afrontar. Esta concepción se contraponen a la idea de que la "integración" es solo responsabilidad de las minorías. (National Plan 2011-2014, 2011: 92) - Social integration is understood as a two-way process of mutual adaptation and accommodation which affects all citizens, both native and foreign. Social integration is a multidimensional and complex process presenting political and practical challenges that must be faced. This concept is

³⁷Ministerio de Trabajo e Inmigración, (2011), Plan estratégico de ciudadanía e integración 2011-2014, Madrid, p. 73. Available at: extranjeros.empleo.gob.es/es/Programmeas_Integracion/Plan_estrategico2011/pdf/PECI-2011-2014.pdf

³⁸ Available at: www.boe.es/boe/dias/2009/12/12/pdfs/BOE-A-2009-19949.pdf

³⁹ Common Basic Principles for Migrant Integration Policy in the EU (2004) available at www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/jha/82745.pdf

⁴⁰ One of the basic premises of the plan is, "The idea that integration policies, equality and diversity management are aimed at all citizens, and that public action must be oriented to promoting and ensuring normal access for all the population, regardless of their origin or nationality, to public and private services in general" (Ministerio de Trabajo e Inmigración, (2011), Plan estratégico de ciudadanía e integración 2011-2014, Madrid, p. 94.

	<p>possible, between policies or measures targeting the general population and specific target groups, such as public authorities, e.g. teachers, police, judiciary, etc.; outline the objectives of such policies and measures, and their duration.</p>	<p>contrary to the idea that “integration” is solely the responsibility of minorities. (Strategic Plan 2011-2014)⁴¹.</p> <ul style="list-style-type: none"> - Integration equality and diversity management policies are aimed at all citizens. (Strategic Plan 2011-2014)⁴². The general and specific measures targeting the majority population are particularly developed within the cross-sectional areas of action (Strategic Plan 2011-2014)⁴³. <p>Measures aimed at the majority population within the area of living together are proposed:</p> <ul style="list-style-type: none"> - Information campaigns on the need to ensure and promote living together. - Promoting attitudes of respect and tolerance - Promoting recognition and prizes for initiatives or behaviours that respond to those attitudes of respect. - Elaboration and dissemination of intercultural handbooks and guides on living together. - Working in cultural diversity neighbourhoods with the local population, because it is the space where everyday living together develops. - Information activities, training and awareness aimed at all those involved in positions of responsibility, officials, technicians, social leaders and neighbours in general. - Training of local police corps in intercultural mediation and attention to diversity. <p>Measures aimed at the majority population within the area of equal treatment and combatting discrimination are proposed:</p> <ul style="list-style-type: none"> - Training of students in order to prevent cases of racism and xenophobia. - Combatting racism and discrimination in the labour market and enterprises. For example, diversity management in companies and in access to employment offices. - Action against discrimination and action against the promotion of hatred through the Internet. - Encouraging greater involvement in this matter of certain bodies and services: labour inspection, educational inspection, consumer and user organisations, bar associations, etc. - Raising awareness about discrimination on racial or ethnic origin, aimed at the general population. - Training public employees and professionals involved in the field of social intervention, on non-discrimination and equal treatment issues. Inclusion of contents of equal treatment and non-discrimination on racial or ethnic origin in the entrance examinations to the civil service. - Training for officials of the Administration of Justice and Security Forces of the State on the adequate compilation of racist and xenophobic incidents.
--	--	--

⁴¹ Ministerio de Trabajo e Inmigración, (2011), Plan estratégico de ciudadanía e integración 2011-2014, Madrid, p. 92.

⁴² Ministerio de Trabajo e Inmigración, (2011), Plan estratégico de ciudadanía e integración 2011-2014, Madrid, p. 94.

⁴³ Ministerio de Trabajo e Inmigración, (2011), Plan estratégico de ciudadanía e integración 2011-2014, Madrid, p. 189. Available at: extranjeros.empleo.gob.es/es/Programmeas_Integracion/Plan_estrategico2011/pdf/PECI-2011-2014.pdf Hyperlink was accessed on 13 May 2015.

		<p>Within the transversal area of gender, promoting education and awareness activities on gender violence aimed at the whole population who live in contexts of cultural diversity.</p> <p>Measures aimed at the majority population within the area of Participation and Civic Education are proposed:</p> <ul style="list-style-type: none"> - Improving the public perception of immigration and diversity. - Dissemination of codes of conduct regarding the treatment of immigration and diversity, addressed to the media and their professionals. - Actions aimed at improving the treatment of migration in political organisations. - Improving communication skills of social organisations related to migration.
--	--	---

1.2. Drivers & barriers in developing, implementing and assessing legal and policy instruments

	<p>On the basis of material collected, including past research, studies, assessments, evaluation and contacts with the authorities, public officials and key actors for social inclusion and participation of migrants, outline the main drivers and barriers for social inclusion and integration policies in general. Please mention also any important differences at regional level. A more detailed</p>	<p>There is some consensus on the quality of the Strategic Plan 2011-2014 due to, among other reasons, the participation of the different agents involved in these policies (public administration, immigrant associations, pro-immigrant organisations, etc.) and in their design. The Strategic Plan succeeds in promoting social cohesion through transversal public policy, management of diversity and fighting against discrimination and racism. In addition, it is considered as a driver of social integration, and of the promotion of the rooting and naturalisation processes of the immigrant population, and the neighbourhood as a key area for action. At the same time, the main obstacles to integration that have been detected are: the lack of a stable financing of the integration policies derived from the budgetary adjustments and a certain lack of political will, together with the lack of mechanisms and platforms which offer a more stable coordination between public and private actors at national, regional and local levels⁴⁴.</p>
--	---	--

⁴⁴ Ministerio de Trabajo e Inmigración, (Plan estratégico de ciudadanía e integración (PECI)) 2011-2014, Madrid; Foro por la integración social de los inmigrantes, (2013), Informe anual sobre el estado de la integración social de inmigrantes y refugiados en España, Septiembre 2013, accessed on 13 May 2015 and available at: www.foroinmigracion.es/es/MANDATO-FORO-2010-2013/DocumentosAprobados/Informes/INFORME_ESTADO_SITUACION_2013_6_noviembre_2013.pdf; Arango, J., Moya, D. and Oliver, J. (2013), Annual report of immigration in Spain. 2013. CIDOB, Barcelona; OIM, (2015) Best practices on social Integration. Madrid; OIM, (2015), Buenas prácticas en Integración social, Madrid, available at: www.spain.iom.int/index.php/proyectos/410-iec-identificacion-de-experiencias-de-calidad-en-integracion Colectivo IOE, (2012), Impacts of the crisis on immigrants, OIM, Madrid.

	outline of specific drivers and barriers for specific policy areas will be required in the following sections.	
1.2.1. Drivers		
	The key drivers for successful integration policies, therefore factors that are considered to contribute positively in the design, development, implementation, assessment and accomplishment of policy goals and in strengthening social inclusion and participation of migrants and their descendants. For example, are these policies mainstreamed in other public policies, for example in employment,	<p>The key drivers for successful integration policies that arise from the literature review would be:</p> <p>a) The participatory design of the strategy and plans of integration. The Strategic Plan 2011-2014 is backed by a process of elaboration based on consensus and participation of all actors involved in the management of integration policies: central administration, regional governments, municipalities, social organisations, immigrant associations, academic experts and other advisory bodies on Immigrant Integration: the Forum for Social Integration of Immigrants⁴⁵, the Council for the Promotion of Equal Treatment and Non-Discrimination on Racial or Ethnic Origin⁴⁶, etc. (Strategic Plan 2011-2014)⁴⁷. This participatory design has been replicated at regional and local level. For instance the III Integral Plan for Immigration in Andalusia, Horizon 2016 (2014-2016).</p> <p>b) In the design of the Strategic Plan, the promotion of social cohesion policies and diversity management as key aspects of public policies for social inclusion. The Strategic Plan (<i>Plan español de ciudadanía e integración (PECI)</i>) intends to carry out integration measures to combat both the risk of racism, xenophobia and discrimination, as well as the processes of social and labour segmentation⁴⁸. The transverse lines of action that develop both goals in the Strategic Plan 2011-2014 are:</p> <ul style="list-style-type: none"> - Guaranteeing the exercise of rights and access to public systems of social protection and welfare under the same conditions.

⁴⁵ Immigrant associations which participate in the Forum for the social Integration of Immigrants are: Cooperación y Desarrollo con el Norte de África ([CODENAF](#)); Fundación IBN BATTUTA; Asociación Rumiñahui Hispano-Ecuatoriana para la colaboración al desarrollo; Fundación ACOBE; Asociación Iberoamericana para la Cooperación, el Desarrollo y los Derechos Humanos (AICODE); Asociación de Ciudadanos Peruanos en España (ARI-PERÚ asociación); Asociación de Chinos en España (ACHE). Available at www.foroinmigracion.es/es/Organigrama/VocAsociacionesInmigrantesyRefugiados/index.htm

⁴⁶ The Council for the elimination of racial or ethnic discrimination has 10 members representing organisations and associations whose activities are related to the promotion of equal treatment and non-discrimination of people because of their racial or ethnic origin. At this time, there is only one immigrant association. Available at: www.igualdadynodiscriminacion.msssi.es/elConsejo/composicion/home.htm

⁴⁷ Ministerio de Trabajo e Inmigración, (2011), Plan estratégico de ciudadanía e integración 2011-2014, Madrid, p. 55. Available at: extranjeros.empleo.gob.es/es/Programmeas_Integracion/Plan_estrategico2011/pdf/PECI-2011-2014.pdf

⁴⁸ In the annual report 2013 of the Forum for the social integration of immigrants both aspects are detailed as one of the key actions of the public policies of social integration. Forum for the social integration of immigrants (2013) Annual report on the state of social integration of immigrants and refugees in Spain, September 2013, p. 104. Available at: www.foroinmigracion.es/es/MANDATO-FORO-2010-2013/DocumentosAprobados/Informes/INFORME_ESTADO_SITUACION_2013_6_noviembre_2013.pdf
All hyperlinks were accessed on 13 May 2015.

	<p>education, housing, etc. and how is this achieved?</p>	<ul style="list-style-type: none"> - Positive management of cultural, ethnic, linguistic and religious diversity. - Fighting against discrimination. Promoting equal treatment and combatting racism, xenophobia and discrimination. - Inclusion: Promoting educational equity, social inclusion and quality of life. - Local development: Positive engagement between local development and immigration. Impulse to generating wealth, employment and economic development locally. Promotion of associations in the municipalities. - Development of intercultural living together in the various fields of social life. - Neighbourhoods as key areas to promote social cohesion and living together. - Citizen participation and partnership. Incorporation of immigrants into the broad areas of participation, with special emphasis on voting rights. - Training of all institutional and social actors for proper performance of their duties on immigration, asylum and management of diversity. - Multilevel governance: cooperation and shared management of the Strategic Plan 2011-2014 with all the authorities and the social partners. Participation in the design, implementation, monitoring and evaluation of the Strategic Plan. <p>c) The national strategy of integration (Strategic Plan for Citizenship and Integration (<i>Plan español de ciudadanía y integración (PECI, 2011-2014)</i>) has been incorporated into other public policies (employment, education, housing, etc.). In this sense, the plan provides specific mechanisms to incorporate the issue of integration of the immigrant population in terms of social cohesion and managing cultural diversity within the larger public social policies. These specific mechanisms are:</p> <ul style="list-style-type: none"> - The Secretary of State for Immigration and Emigration (<i>Secretaría General de Inmigración y Emigración</i>), through the Directorate of Integration of Immigrants (<i>Subdirección General de Integración de los Inmigrantes</i>) will coordinate the integration measures of the various bodies of the General State Administration. The instrument for the specific coordination in this area is the Interministerial Commission on Immigration. - The coordination of actions on social integration with the regional governments will be the Sector Conference on immigration. Another coordinating body of management on integration will be the Superior Council on Immigration Policy⁴⁹ <p>d) The Intensive Nationality Plan (Plan intensivo de nacionalidad)- Management of Nationality Records (Proyecto GEN (Gestión de expedientes de nacionalidad) of</p>
--	---	--

⁴⁹ Ministerio de Trabajo e Inmigración, (2011), *Plan estratégico de ciudadanía e integración 2011-2014*, Madrid, Part III, p. 61ff and pp. 269-293.

		<p>25 June 2012⁵⁰. This Intensive Nationality Plan was launched in 2012 by the Spanish Ministry of Justice (to conclude over 500,000 nationality requests which had been accumulating since 1995 at the General Directorate of Registries and Notaries (Dirección General de los Registros y del Notariado).</p> <p>The Plan, which was valid until 31 December 2013, entrusted Spanish registrars (around a thousand, who did not perceive any economic reward) with their collaboration in the resolution of the pending “nationality by residence” applications. In addition, an agreement with the General Council of Notaries was signed, through which the notaries would, free of charge, cooperate in performing the oaths or promises of fidelity to the King and obedience to the Constitution and laws, essential for the acquisition of Spanish citizenship (Article 23, Spanish Civil Code). Four out of every five of these applications have seen a favourable and positive resolution.</p> <p>e) Promoting living together and integration processes at the local level through integrated pilot action plans in neighbourhoods with a significant presence of immigrants and other populations at risk of social exclusion^{51 52}. The declaration of Zaragoza, in section II, under the heading “Comprehensive participation: diversity in the neighbourhood”, highlights the local perspective as a key action of integration policies, particularly in the case of segregated neighbourhoods. Two pilot programmes have been carried out in the regions of Andalusia (since 2009) and Catalonia (since 2010) and included a series of 20 districts in 10 municipalities. Pilot projects in neighbourhoods were developed from agreements signed between the Ministry of Employment and Immigration and the Regional Councils of Andalusia, and Catalonia (<i>Generalitat</i>).⁵³</p> <ul style="list-style-type: none"> - A pilot project of integral action in those neighbourhoods of Andalusia with a significant presence of immigrants⁵⁴. - A pilot project to reinforce living together and social cohesion in those neighbourhoods with a significant presence of immigrants (Catalunya)⁵⁵.
--	--	---

⁵⁰Intensive Nationality Plan (Plan intensivo de nacionalidad) and Management of Nationality Records (Proyecto GEN (Gestión de expedientes de nacionalidad) 25 June 2012. Available at: www.mjusticia.gob.es/cs/Satellite/Portal/en/areas-tematicas/nacionalidad/plan-intensivo-tramitacion

⁵¹Ministerio de Trabajo e Inmigración, (2011), *Plan estratégico de ciudadanía e integración 2011-2014*, Madrid, p. 92. Available at: extranjeros.empleo.gob.es/es/Programmeas_Integracion/Plan_estrategico2011/pdf/PECI-2011-2014.pdf

⁵² In the annual report 2013 of the Forum for the social integration of immigrants, these plans are detailed as one of the key actions of the public policies of social integration. Forum for the social integration of immigrants, (2013), *Annual report on the state of social integration of immigrants and refugees in Spain*. September 2013, pp. 129-131. Available at: www.foroinmigracion.es/es/MANDATO-FORO-2010-2013/DocumentosAprobados/Informes/index.htm

⁵³ Declaration from the European Ministerial Conference on Integration, Zaragoza, 15-16 April 2013, during the Spanish presidency of the European Union (EU). “*Dado que las ciudades y sus barrios son zonas privilegiadas para impulsar el diálogo intercultural y promover la diversidad cultural y la cohesión social, es importante que las autoridades municipales creen y obtengan capacidades para gestionar mejor la diversidad y luchar contra el racismo, la xenofobia y todas las formas de discriminación. Para ello, tendrían que intentar poner a punto herramientas que les ayuden a elaborar políticas públicas adaptadas a las diversas necesidades de la población. En este contexto, hay que tener presente los aspectos espaciales de los retos de la integración, como son los barrios segregados. Para luchar contra la desigualdad, es preciso invertir en los barrios con una alta concentración de inmigrante*” (Declaración de Zaragoza, 2013, p. 7)

⁵⁴Available at:

www.juntadeandalucia.es/justiciaeinterior/opencms/portal/PoliticMigratorias/ContenidosEspecificos/Financiacion/plandeb-arriosandalucia?entrada=tematica&tematica=63

⁵⁵ Available at:

www.seap.minhap.gob.es/gl/ministerio/delegaciones_gobierno/delegaciones/catalunya/actualidad/notas_de_prensa/notas/2010/10/2010_10_20b.html

		<p>f) Finally, we should emphasise the fight against discrimination and racism as one of the drivers of social integration policies in Spain and which has been widely noted in the Strategic Plan (Strategic Plan 2011-2014⁵⁶, and which has been developed, evaluated and promoted by different public, social, academic institutions, etc.⁵⁷. A line of action that has taken shape in recent years, for example, in the development and promotion through the Council for the elimination of racial or ethnic discrimination (<i>Consejo para la Eliminación de la Discriminación Racial o Étnica</i> of a service for victims of discrimination made by NGOs at State level, but with a high degree of regional and local presence (Spanish Red Cross (<i>Cruz Roja Española</i>), <i>Fundación CEPAIM</i>, <i>Fundación Secretariado Gitano</i>, <i>Movimiento contra la Intolerancia</i>, <i>Movimiento por la Paz</i>, <i>el Desarme y la Libertad</i>, <i>Red Acoge y Unión Romaní</i>). A service aimed at giving assistance to victims of discrimination, raising awareness of equal treatment and non-discrimination on racial or ethnic origin (campaigns, press releases, diffusion through new technologies, etc.), and training public and private social agents working in the care of cases of discrimination on racial or ethnic origin.</p>
--	--	---

1.2.2.Barriers

	<p>Barriers, limitations, constraints or resistance faced in designing, developing and implementing such policies and measures, therefore factors that may hinder their</p>	<p>The first obstacle of public policy integration has been that forecasts of action and funding under the Strategic Plan (<i>Plan español de ciudadanía e integración (PECI)</i>) 2011-2014 have not been conducted, mainly due to budgetary adjustments suffered by the state administration during the years of the economic crisis⁵⁸ and a lack of political initiative⁵⁹. The budget allocated for the Directorate General for the Integration of Immigrants (<i>Subdirección General de Integración de los Inmigrantes</i>) totalled € 308.5 million in 2009, falling to € 166 million in 2010, to € 141 million in 2011, to € 53,958,000 in 2012 and, in 2013, they only received € 50.167 million. In this sense, the Fund for the support, reception and integration of immigrants and the educational effort (FAIIRE)⁶⁰</p>
--	---	--

⁵⁶Ministerio de Trabajo e Inmigración, (2011), *Plan estratégico de ciudadanía e integración 2011-2014*, Madrid, pp. 203-222. Available at: extranjeros.empleo.gob.es/es/Programmeas_Integracion/Plan_estrategico2011/pdf/PECI-2011-2014.pdf Hyperlinks were accessed on 13 May 2015.

⁵⁷Ministerio de Trabajo e Inmigración, (*Plan estratégico de ciudadanía e integración (PECI)*) 2011-2014, Madrid; Foro por la integración social de los inmigrantes, (2013), *Informe anual sobre el estado de la integración social de inmigrantes y refugiados en España, Septiembre 2013*; Arango, J., Moya, D. and Oliver, J. (2013), *Annual report of immigration in Spain. 2013*. CIDOB, Barcelona; OIM, (2015) *Best practices on social Integration*. Madrid; OIM, (2015), *Buenas prácticas en Integración social*, Madrid; Ministerio de Empleo y Seguridad Social, (2013), *Evolution of racism, xenophobia and related intolerance in Spain*, Report, Madrid.

⁵⁸ A report on social integration was made by the International Organisation for Migration and the University Institute of Migration Studies in 2014, through survey and focus groups, which included the response of organisations, professionals and experts working in the field of social integration in Spain. The report highlighted the lack of stable lifestyle and insufficient financing for any intervention as the main problems of social intervention with migrants; IOM, (2015), *Good Practices in social integration*, Madrid; This lack of financing as an obstacle to the development of integration policies in Spain is also targeted by the report of the Forum for the social integration of immigrants in its annual report for 2013, Forum for the social integration of immigrants, (2013), *Annual report on the state of social integration of immigrants and refugees in Spain. September 2013*. A view which is expressed likewise by the Annual Report on Immigration in Spain, Arango, J., Moya, D. and Oliver, J. (2013), *Anuario de la inmigración en España, Edición 2013*, CIDOB, Barcelona.

⁵⁹ "Finally, a certain amount of slackness in legislation and planning, both for immigration and integration, and by the central government and the regional governments is noted". ("*Se mantienen, finalmente, una cierta atonía legislativa y de planificación, tanto en materia de inmigración como de integración, tanto por parte del Gobierno central como de los de las comunidades autónomas*"). (Arango et al, 2014, p. 14).

Arango, J., Moya, D. and Oliver, J. (2014), *Anuario de la inmigración en España, Edición 2013*, CIDOB, Barcelona.

⁶⁰ Fund for the support, reception and integration of immigrants and the educational effort (FAIIRE) was created in 2005 as a financial instrument that formalised the collaboration between the central government and the 17 regions. The Fund aims to

	<p>effectiveness and influence negatively their outcomes. For example, budgetary limitations, or problems of coordination of governance levels, priority of interventions, lack of training or lack of mainstreaming of relevant policies, lack of action by competent actors or limited data about the interested population, could be factors that may function as obstacles or affect negatively the implementation of selected migrant integration measures.</p>	<p>has been declining since 2010 until complete elimination from the State Budget during the years 2012, 2013 and 2014. An adjustment which has had a negative effect on the plans and actions of the regional governments and local corporations, since the Fund was the primary source of financing at local level.</p> <p>Thus, in the evaluation and monitoring report of the Forum for the Social Integration of Immigrants of the "comprehensive strategy against racism, racial discrimination, xenophobia and related intolerance" (2011-2013), it is stated that the main obstacle found to the implementing of measures and actions included in the Strategic Plan by the state and regional governments is the suspension of Article 2 of the LOEX ter. 4 that supported the FAIIRE, namely the main budgetary instrument that allowed many of the objectives and measures of the <i>PECI</i> to be implemented (Forum for the social integration of immigrants)⁶¹.</p> <p>During 2014 research on best practices in the field of social integration with immigrants led by the International Organisation for Migration (IOM) was performed. The research was conducted through a survey of professionals responsible for social integration programmes from social organisations and public administration⁶². These professionals responded that the main obstacles that policies and integration programmes with immigrants in Spain faced were, in order of importance, the following:</p> <ul style="list-style-type: none"> ▪ The lack of stable and adequate funding, especially of public funding. ▪ The disproportion between the growing needs of the immigrant population during the crisis and the lack of means and resources to serve them. ▪ The lack of community work and integral actions at the local level bringing together the different actors involved in social integration: families, schools, teachers, organizations, etc. ▪ The lack of coordination between the various actors involved in political and social integration programmes. Especially the absence of local coordination platforms between public administration, social organisations and other actors.
--	--	---

1.2.3. Language learning and integration tests

	Please provide information about:	
	Main language learning support programmes and courses. Provide	In Spain there are not language and integration tests required to access to any legal status except for the acquisition of the Spanish nationality. In the case of nationality, the level of Spanish language

strengthen the work carried out by the regions through their immigration plans, complementing and strengthening their public funds and actions. The Fund was removed from the State Budget in 2012, 2013 and 2014, thus suspending Article 2.4 of Law 4/2000 of rights and freedoms of foreigners in Spain and social integration. Removal has had a very negative reflection on the action of the regional and local governments, as it was geographically distributed. Forum for the social integration of immigrants, (2013), *Annual Report on the status of the integration of immigrants and refugees in Spain*. September 2013; Arango, J., Moya, D. and Oliver, J. (2013), *Yearbook of Immigration in Spain, 2013*. CIDOB Edition, Barcelona; Carrasco, M. C. (2008), *Synthesis Report*, FAIIRE, accessed on 13 May 2015 and available at: <http://ec.europa.eu/social/BlobServlet?docId=8193&langId=es>.

⁶¹ Forum for the social integration of immigrants, (2014), p. 31, Evaluation and monitoring report of the "comprehensive strategy against racism, racial discrimination, xenophobia and intolerance" (2011-2013). Available at:

⁶² IOM (*OIM*), (2015), *Best practices on social integration*, Madrid. Available at: www.spain.iom.int/index.php/proyectos/410-iec-identificacion-de-experiencias-de-calidad-en-integracion. Accessed on 13 May 2015.

	<p>details about organisation of such programmes and actors implementing them, funding support, location, duration, frequency, numbers of beneficiaries, entitlements and limitations for accessing courses.</p>	<p>and the level of knowledge of Spanish culture is currently up to the discretionary criteria of the responsible person at the register.</p> <p>According the Extracurricular Education Programs (PEE) and the Promotion of Equal Treatment and Non-Discrimination in the Host Society (PITNOD), the Spanish educational system provides learning support to pupils of migrant backgrounds coming from non-Spanish language countries through specific help in Spanish language. Please see more detailed information in section 3.7.</p>
	<p>Knowledge level of the language achieved through such programmes (please use the <u>Common European Framework Reference levels - CEFR</u>)</p>	
	<p>Language tests required for migrants to access residence or other legal status affecting equal treatment and access to rights. Please provide information about their content and character, level of knowledge required, numbers of participants, and rates of success/failure</p>	<p>Not applicable</p> <p>We cannot still answer your question because we still don't know the features of the test that will be designing by Cervantes Institute. Please see more detailed information on this subject in section 3.1.1, Nationality acquisition.</p>
	<p>Integration tests for access to residence or other status affecting equal treatment and access to rights. Please provide information about their</p>	<p>Not applicable</p>

	content and character, range of knowledge required, numbers of participants, and rates of success/failure.	
	Mother tongue learning programmes for children of migrants	So far, no mother tongue learning programmes for children of migrants have been found. Information sources that were referred to in the section 3.7.
	Please provide insights about key issues, debates, challenges or problems related to the implementation of the above measures and policies. The findings should be substantiated through existing assessments, research or studies and case law (use template in Annex 9).	Regarding acquisition of Spanish nationality on grounds of residence, the lack of an integration tests standard has been a key matter of debate amongst NGOs and professional stakeholders working in the migration field. On integration exams discretionary character See case Law Annex 9 and on novelties regarding a legislative proposal to introduce a standard National Test on Spanish language and culture in order to acquire Spanish nationality on grounds of residence see section 3.1.1.2

1.2.4. Monitoring and assessment – Use of indicators

	In this section please outline monitoring and evaluation procedures applied by public authorities at national and regional level, as applicable, for migrant integration. In particular, please present any indicators used for the monitoring, assessment and review of	<p>Following the Common Basic Principle number eleven and the recommendations contained in the Declaration of Zaragoza April 2010, the National Strategy of integration (PECI 2011-2014) includes the development of an Indicator System Integration, Coexistence and Citizenship. A matrix of indicators developed in coordination between the different actors of integration policies: European, national, regional and local government, social organisations and immigrant associations, companies, unions, etc. A set of common indicators whose objective would be monitoring and evaluating the real impact of social integration policies⁶³.</p> <p>The indicator system proposed by PECI 2011-2014 distinguishes between common and specific indicators. Common indicators allow observing the differences and similarities between the foreign population and the Spanish population. These common indicators would focus on the areas of Employment and Economic Development; education; Health and Social Services and inclusion. The second indicator would focus on specific aspects of the integration processes of immigrant population in the areas of:</p>
--	--	--

⁶³ “Sistema de indicadores del Plan” PECI 2011-2014; pp. 288 y ss.

<p>integration policies in the areas of political and social participation, social cohesion, and intolerance, inclusive and welcoming society. Please make sure to report here the link of such indicators with fundamental rights and the way their use reflects to the review of such policies.</p>	<p>reception; mobility and development; social and intercultural coexistence; equal treatment and combating discrimination; children, youth and families; gender and participation and civic education.</p> <p>However, this system of indicators has not been developed because of the budget adjustments occurring in Spain in the context of the economic crisis.</p> <p>It should be mentioned that a book which analyses different indicators of social integration was published within the permanent collection of studies of the General Secretariat for Immigration and Emigration in 2015. The report was conducted by four Regional Observatories of Immigration (Andalusia, Navarra, Tenerife and the Basque Country) and was financed by the General Secretariat itself. The report after summarising the various initiatives in this field at political and technical level, introduces different indicators in four key areas of social integration (employment, citizenship, social relations and social welfare) from available statistical sources. The report could be a good starting point to promote the development of an official system of shared indicators that could be useful for the design and evaluation of public policies for social integration.</p> <p>However, this is only a purely academic reflection without any official status, and has no connection with the process of developing a formal system of indicators of social integration that allows for the monitoring, assessment and review of integration policies in general and particularly in the areas of political and social participation, social cohesion, fight against racism and intolerance, and promotion of inclusive and welcoming society⁶⁴.</p>	
<p>Provide full wording and translation in English of each indicator used per area and dimension covered as well as its full definition, legal basis, rationale, and link with fundamental rights or EU law (use table in the Annex 4).</p>		
<p>Please provide data and evidence about the adoption of related Zaragoza indicators, especially in the dimensions of active citizenship and welcoming society. Please consult the publication <u>Using EU Indicators of Immigrant Integration</u> (ESN, MPG) and report more detailed and</p>		<p>In Spain, there has been no formal institutional development of a set of common indicators, whose objective would be monitoring and evaluating the real impact of social integration policies. The Strategic Plan 2011-2014 noted the need to develop these following the Common Basic Principle number eleven indicators and the Recommendations contained in the Declaration of Zaragoza April 2010, but no official system of indicators has been developed so far.</p>

⁶⁴ Godenau, D., Rinken, S., Martínez de Lizarrondo Artola, A. and Moreno, G. (2015), *La integración de los inmigrantes en España: una propuesta de medición a escala regional*, Documentos No. 30, Madrid. Observatorio permanente de la Inmigración, Accessed on 13 May 2015 and available at: http://extranjeros.empleo.gob.es/es/ObservatorioPermanenteInmigracion/Publicaciones/fichas/archivos/OPI_30.pdf.

	updated specific descriptions and mapping of indicators used in the Member States.	
1.2.5. Funding integration policies (EIF, ERF, EMIF)		
	Please provide information about the distribution of funds for integration of migrants, as well as their social inclusion and participation. In particular, provide specific breakdown of funding per general area of integration policies – with particular focus on active citizenship, participation, welcoming society, social cohesion - in the last year and for the period 2010-2014 if available. (Use the table in the Annex 5).	The information has been obtained from the data published by the General Secretariat for Immigration and Emigration. ⁶⁵ There is no further information available about funds distribution by thematic areas. We have inquired directly to the General Secretariat on this matter and we are still awaiting a response European Integration Fund (EIF) 2010: € 14,284,794.26; 2011: € 17,815,509.05; 2012: € 22,039,481.00; 2013: € 23,542,717.00; 2014: No figures are available Own funds: 2010: € 4,428,254.75; 2011: € 2,161,731.01, 2012: € 2,585,679.04; 2013: € 1,185,947.83; 2014: No figures are available

2. Promoting equal treatment and non-discrimination

2.1. The implementation of anti-discrimination legislation and equal treatment

	Briefly provide information on the following:	
	Outreach and awareness raising campaigns,	➤ Training schemes During 2014 two different types of training were conducted:

⁶⁵ Accessed on 12 May 2015 and available at: extranjeros.empleo.gob.es/es/Fondos_comunitarios/programmea_solidaridad/integracion/

<p>training schemes, etc. undertaken by national or regional public authorities (including national equality bodies) targeting migrants and their descendants on the national anti-discrimination legal framework.</p>	<p>A. Within the Project “Training for cross-application of the principle of equal treatment and non-discrimination in public policy”, funded by the PROGRESS programme of the European Union 2007-2013 (JUST / 2012 / PROG / AG / AD). Project led by the Directorate General for Equal Opportunities, through the Subdirector General for Equal treatment and non-discrimination in collaboration with the National Institute of Public Administration (INAP)</p> <p>Two training initiatives:</p> <ul style="list-style-type: none"> - First course “Investing in Equality: more efficient and inclusive public policies.” From 17 March to 23 April 2014 Available at: www.msssi.gob.es/en/ssi/igualdadOportunidades/noDiscriminacion/formacion.htm <p>The course goal is targeted to public officials - especially those with competences directly or indirectly linked to the transversal implementation of the principle of equality and non discrimination (on grounds of nationality, sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation) in the planning the design, implementation, and evaluation of public policies, programmes and projects. The first edition of this course offered 40 hours of instruction and was given through blended learning from 17 March to 23 April 2014. The classroom sessions took place in Madrid at the Headquarters of the National Institute for Public Administration (Calle Atocha,106). Information about the programme and activities was available on the official <i>INAP</i> website: www.inap.es/direccion-publica. However, at least for the present, there is no information available regarding a second edition of this course in 2015.</p> <ul style="list-style-type: none"> - Training handbook “Investing in equality and non-discrimination: towards more efficient and inclusive public policy”. It was published on 25 April 2014. This training handbook has been published by the Subdirector General for Equal Treatment and Non-Discrimination (Spanish Ministry of Health, Social Services and Equality) and supported by the EU’s PROGRESS (2007–2013) programme. This training handbook aims to mainstream the principle of equality and non- discrimination in public policy design, implementation and assessment. This publication is available in English at: www.msssi.gob.es/ssi/igualdadOportunidades/noDiscriminacion/documentos/Manual_ingles_invertir_igualdad.pdf <p>Both the course and the training handbook transversely contain legislative references, guidelines and practical tools to manage and control the ESI Funds in the fields of European Union anti-discrimination law and policy.</p> <p>B.- The Subdirector General for Equal Treatment and Non-Discrimination of the Spanish Ministry of Health, Social Services and Equality, which performs the duties of Secretariat of the</p>
--	--

		<p>Council, is currently developing a training guide with guidelines addressed to national bodies in charge of anti-discrimination, about the inclusion of the principle of equality and non-discrimination in 2014-2020 EIE Funds. This guide, whose draft is currently being discussed by the various public bodies with expertise in the management of funds, will probably be entitled: "Promoting equality and non-discrimination through the Structural Funds and European Investment 2014-2020". Currently there is no reference nor source available for this guide (Information obtained directly from the Subdirectorate, we are waiting for the guide)</p> <p>➤ Awareness raising campaigns</p> <p>The Equal Opportunities Directorate of the Secretary of State for Social Services and Equal has <u>implemented an initiative</u>, published in November 2013, with the name of "Yo soy tú #mezclate", meaning: "I am you, mix with people) and is intended to contribute to the positive recognition of difference and to promote the values of tolerance and non-discrimination. The project's official video is available in English (www.mezclate.es/herramientas/videos/item/47-spot-ingles) on the official website of the Project: http://mezclate.es, where the activities' proposals are published: posters; activities for educational institutions, associations, social entities and art academies; and a free online competition⁶⁶. The program is aimed to teenagers and young people between 13 and 20 years old and its main goal is to promote tolerance, equal treatment and non-discrimination as well as enabling the improvement of knowledge and recognition of diversity as a social asset. The project has a website http://yosoytuidiversidad.es, this website provides graphic and information materials on equal treatment, non-discrimination and diverse society, as well as several proposals to work in the classroom. Included among these is an online art competition for younger generation can express their ideas about being "different but equal" in a diverse society.</p>
	<p>Evidence through polls, surveys, academic research, etc. on the awareness of migrants and/or their descendants concerning the right to equal treatment. Please indicate differences between ethnic/migrant groups, living in different geographic areas, gender and age, as</p>	<p>➤ Polls</p> <p>- The Annual Report on the development of racism, xenophobia and related intolerance in Spain was published in 2014 by the Spanish Monitoring Centre on Racism & Xenophobia (OBERAXE)⁶⁷. OBERAXE depends on the Spanish Secretary General of Immigration and Emigration of the Spanish Ministry of Employment and Social Security (<i>Ministerio de Empleo y de Seguridad Social (MEYSS)</i>). Content: In Spain, a majority percentage of the population accept the reality of living together with immigrant people and that immigrants have rights and have access to the social services. This majority percentage consider immigration as a positive or very positive phenomenon that contributes to the economic development of the country. The extension of the economic crisis has not been reflected in the creation of a political party with a racist or xenophobic ideology, although between 16 % and 20 % of the population reveal a high or average acceptance of a political party with a racist or</p>

⁶⁶ Available at: <http://www.mssi.gob.es/va/ssi/igualdadOportunidades/noDiscriminacion/novedades.htm>

⁶⁷ Available at: http://explotacion.mtin.gob.es/oberaxe/inicio_descargaFichero?bibliotecaDatoid=4056. Both hyperlinks were accessed on 8 May 2015.

<p>well as trends in time.</p>	<p>xenophobic ideology. Moreover, a number of social discourses are gaining ground and are becoming accepted by a large number of the Spanish people, such as the discourse which gives Spanish people preferential access to basic social services and the labour market, the discourse on the responsibility of immigrants in the deterioration of the labour market in Spain, and the discourse on immigrants and the native population in the competition for jobs.</p> <p>For instance, between 57 % and 70 % of Spaniards considered very acceptable (21 % -31 %), or quite acceptable (36 % - 39 %), that, when it comes to hired work, a Spanish person is given preference over an immigrant. Between 54 % and 60 % of Spaniards strongly agree (24 % -29 %), or agree (30 % -31 %), to Spaniards being given preference over migrants, when choosing a school for their children. Between 69 % and 77 % of Spanish respondents say that immigrants drive down wages by accepting lower wages. Finally, between 46 % and 62 % of Spanish respondents say that immigrants take jobs from the Spanish.</p> <p>There is no further analysis in the report about who is promoting this sort of discourse among the Spanish population. Although it is said in the survey that a majority of Spaniards think that the media convey a negative image of immigration.</p> <p>This report is based on a National Survey carried out of the Spanish population of both sexes, 18 years and over 18s, in order to meet the changing perceptions and attitudes of Spaniards towards a foreign population. The sample comprised 2,464 people who were randomly selected in 46 provinces and 239 municipalities.</p> <p>- A report, "Incidents and Islamophobia", (Special Report J/2013) published by the Andalusian Observatory on 19 September 2014, compiles extensive information on different Islamophobic incidents occurring in Spain during 2014: institutional discrimination, racist attacks, reproduction of stereotypes in the media. The report was drafted using information from secondary sources collected by volunteers. The main results are:</p> <ul style="list-style-type: none"> - The existence of a sector among the native population that still maintains strong reluctance to public and external manifestations of Islamic worship, such as the visibility of temples and cemeteries. - There has been no increase in the number of Islamic religion teachers hired by the Administration since the 2008-2009 academic year, despite the fact that the demand by students and parents has increased during this period. - Although more prudence is observed in the media when mentioning Muslim-related concepts, some media continue to make an abusive and indiscriminate use of the term "Islamist". <p>This publication is available at: ucide.org/sites/default/files/revistas/isj13.pdf</p>
--------------------------------	---

		<p>-The Federation of SOS Racism presented their Annual Report 2014 on racism in the Spanish State on 5 December 2014⁶⁸. SOS Racism collected a total of 397 complaints through its Office of Information and Reporting (OID) in 2013. In areas of discrimination, institutional racism ranks first, encompassing those complaints that deal with the procedural situation of detention centres for foreigners, nationality and immigration, etc. Complaints gathered under the term public security came second with 83 cases and included arbitrary arrests, insults, etc. The refusal of access to public benefits and services (access to healthcare, census registration, public housing, etc.), ranks third with 68 cases. Assaults and neighbourhood conflicts, family, etc., appear in fourth place with 66 cases. Employment discrimination, especially in domestic service, takes fifth place with a total of 47 complaints. The refusal of access to facilities and private services (access to housing, entertainment, banking, etc.) ranks sixth, with a total of 29 registered complaints. The report states that the data presented do not offer a complete picture of ethnic discrimination that occurs in Spain since, in general, it is estimated that over 80 % of cases of discrimination are unreported.</p> <p>➤ Surveys</p> <p>-Public opinion poll published by the Centre for Sociological Research (CIS)⁶⁹ in July 2014. Content: In line with the trends presented by previous opinion polls⁷⁰, the Spanish population does not perceive either immigration or racism as part of the 10 most important social problems facing the country. Only 2.8 % of the population would see immigration as a major problem for the Spanish society. National survey aimed at Spanish population of both sexes, 18 and older. The sample comprised 2,471 people, who were randomly selected in 17 regions.</p> <p>➤ Academic Research</p> <p>-There is a report on police racial/ethnic profiling in Spain which was also mentioned in the <i>Spanish 2014 Annual Report</i> entitled Police identification for ethnic profiling in Spain.⁷¹ This report published in 2013 and produced by researchers at the Human Rights Institute of the University of Valencia and the University of Oxford, confirms the existence in Spain of daily identifications by the Police who follow this pattern or ethnic profile. The Roma are identified by the police ten times more than Spaniards with Caucasian features (white skin); Maghrebi citizens 7.5 times more, and Sub-Saharan and Afro-Latin Americans, 6.5 times more. 60 % of Roma respondents, 45 % of Maghrebi, 39 % of sub-Saharan people and 22 % of Andean people had been</p>
--	--	---

⁶⁸ Available at: <http://sosracismomadrid.es/web/blog/2014/12/05/informe-anual-2014/>

⁶⁹ BARÓMETRO DE JULIO 2014, Estudio No. 3033, pp. 4-5. Available at: [www.cis.es/cis/export/sites/default/Archivos/Marginales/3020_3039/3033/es3033mar.pdf\(12-11-2014\)](http://www.cis.es/cis/export/sites/default/Archivos/Marginales/3020_3039/3033/es3033mar.pdf(12-11-2014)) Both hyperlinks were accessed on 8 May 2015.

⁷⁰ For further information about the evolution of these opinion surveys, see graph 1, p. 5 on 2013 Report on the evolution of hate crimes in Spain. Available at: [www.interior.gob.es/documents/10180/1207668/Informe+sobre+los+delitos+de+odio+en+Espa%C3%B1a+2013.pdf\(17-11-2014\)](http://www.interior.gob.es/documents/10180/1207668/Informe+sobre+los+delitos+de+odio+en+Espa%C3%B1a+2013.pdf(17-11-2014))

⁷¹ Available at: http://uv.es/garciaj/pub/2013_perfil_etnico.pdf.

		<p>identified by the police at some point in the past two years. An identification that has only happened to 6 % of Caucasian respondents. The report was prepared by a survey company, Metroscopia from a sample of 2,800 people (2,000 Spaniards and 800 persons belonging to such minorities). The report also warns about the ineffectiveness of police identifications by ethnic profiling. www.uv.es/garciaj/pub/2013_perfil_etnico.pdf</p> <p>-In this sense, it has to be noted the Diagnosis study on secondary sources relating to discrimination in Spain (Estudio diagnóstico de fuentes secundarias sobre la discriminación en España) published in July 2013⁷². This work is the first study of the "Spanish Discrimination Map" project and has been co-financed by the European Social Fund (2007ES05UPO003). The aim of the study is provide a comprehensive review and a critical view of information secondary sources available. In addition, the study identifies the major producing entities for statistics and researches concerning discrimination in Spain. Finally, the study included gaps analysis identifying the issues that could be further explored.</p> <p>In that respect, this report contains important recommendations for dealing with the right to equal treatment of migrants and/or their descendants:</p> <ul style="list-style-type: none"> • the prevalence and weight in our society of recurrent manifestations of discrimination related to sex and ethnicity, the low visibility of certain minority religious groups in our country; • the public authorities have become a fundamental agent in collecting complaints of discrimination; • the lack of studies about the discrimination that occurs in the school environment makes a thorough, more qualitative analysis desirable, which analyzes the manifestations of discrimination that occur during childhood, related to ethnicity and religion or beliefs of the people; • it would be interesting to fill this information gap with an in-depth analysis of the manifestations of discrimination in access to housing and neighbourhood environment, paying special attention to the religion or beliefs of the people and their sexual orientation and identity.
	<p>Evidence of complaints lodged by migrants and/or their descendants - % of total complaints to equality bodies, % of admissible</p>	<p>In order to answer this question, we tried to contact the Foundation for the Gypsy Secretariat (<i>Fundación Secretariado Gitano</i>), as they are responsible for the coordination of eight organisations specialising in giving assistance to victims of discrimination, and they are all part of the Victims of Racial or Ethnic Discrimination Support Service, (<i>Servicio de Asistencia a Víctimas de Discriminación Racial o Étnica</i>). For this purpose, we sent them an e-mail on 14 April 2015 to the following</p>

⁷² The full study can be downloaded here:

http://msssi.gob.es/ssi/igualdadOportunidades/noDiscriminacion/documentos/r_Castellano_vf.pdf. An executive summary is available in English at:

http://msssi.gob.es/ssi/igualdadOportunidades/noDiscriminacion/documentos/resum_ingles_discrim.pdf All hyperlinks were accessed on 8 May 2015.

<p>complaints, statistics about outcomes of investigation, % of cases establishing discrimination. Please indicate differences between ethnic/ migrant groups, geographic areas, gender and age, as well as trends in time.</p>	<p>address sara.gimenez@gitanos.org, but so far we have not received any reply.</p> <p>Furthermore, we tried to contact Mr. Ignacio Sola Barleycorn, Deputy Assistant Director-General for the Equal Opportunity Directorate (<i>Dirección General de Igualdad de Oportunidades</i>) of the Spanish Ministry of Health, Social Services and Equality (<i>Ministerio de Sanidad, Servicios Sociales e Igualdad</i>), by sending an e-mail on 14 April 2015 to the following address: sgigualdadtrato@msssi.es and we received an answer on 21 April 2015. We were told that they had been delayed in the update of the corresponding on-line page but that they were now resolving the problem. After this e-mail, we have remained in touch with Mr. Ignacio Sola Barleycorn.</p> <p>On the basis of the information provided by the Equal Opportunity Directorate (<i>Dirección General de Igualdad de Oportunidades</i>), the information relating the complaints lodged by migrants and/or their descendants comes from the data related to crimes and incidents motivated by racial hatred or "hate crimes" collected by the Spanish Ministry of the Interior (<i>Ministerio del Interior</i>); the quality of discrimination incident data received by the Council for the Elimination of Racial or Ethnic Discrimination (<i>Consejo para la Eliminación de la Discriminación Racial o Étnica</i>); and, finally, certain statistics produced by the Equal Opportunity Directorate (<i>Dirección General de Igualdad de Oportunidades</i>) and the Council for the Elimination of Racial or Ethnic Discrimination .</p> <p>Information relating to crimes and incidents motivated by "hate crimes" collected by the Ministry of the Interior.</p> <p>Although of criminal scope, the information relating to crimes and incidents motivated by racial hatred or "hate crimes" collected by the Spanish Ministry of the Interior also includes a number of administrative incidents, such as those related to the world of sport. All this information is available in the 2013 Annual Report on Hate Crimes in Spain⁷³, which has been published for public consultation alongside other balances and reports on the website of the Ministry of the Interior, together with the Report on incidents motivated by "hate crimes"⁷⁴, which was published on 14 April 2015 by the Spanish Minister for the Interior. The latter report is more comprehensive and includes distribution of the victims and aggressors by nationality, territorial distribution of the incidents, etc.</p> <p>The Minister for the Interior recorded a total number of 1,273 cases of hate crimes in 2014, 72.0 % of which were committed by Spaniards (917). The remaining incidents involved foreigners (28.0 %): specifically, 13.6 % of the aggressors were from Africa (Morocco 8.1 %; Senegal 1.5 %; the rest of the African countries, 4.0 %); 7.8 % Colombia 1.8% Bolivia 13 1.0% Rest 63 4.9% ; 7.8 % of the aggressors come from South and Central America (1.8% Colombia; 1.0 % Bolivia; and 4.9 % the</p>
---	---

⁷³ Available at : www.interior.gob.es/web/interior/prensa/balances-e-informes/2013

⁷⁴ Available at: www.interior.gob.es/documents/10180/1643559/Estudio+Incidentes+Delitos+de+Odio+2014.pdf/70073437-795d-4ce1-acfc-ed92b02cf1a6

Both hyperlinks were accessed on 1 May 2015.

		<p>rest); 4.1 % of the perpetrators are from Europe (1.8 % Romania; 0.5 % the UK; 0.4 % Italy; and 1.4 % the rest); 1.8 % of the aggressors come from Asia (0.6 % China; 0.5% India and 0.6 % the rest). 0.7 % of the perpetrators come from other countries.</p> <p>Data received by the Council for the Elimination of Racial or Ethnic Discrimination. The quality of discrimination incident data received by the Council for the Elimination of Racial or Ethnic Discrimination (<i>Consejo para la Eliminación de la Discriminación Racial o Étnica</i>) are found in the 2013 Annual Report of Results of the Victims of Racial or Ethnic Discrimination Support Service and was sent by the Equal Opportunity Directorate. According to the information provided this should also be available on the website: igualdadynodiscriminacion.org</p> <p>According to the 2013 Annual Report of Results, the ethnic groups most affected by discrimination are as follows: Maghreb population (27 %); Spanish Gypsies (21 %); Sub-Saharanans (20 %) and people from the Andean region (15 %). It has to be noted, however, that these figures are not official data.</p> <p>Statistics produced by the Equal Opportunity Directorate (Dirección General de Igualdad de Oportunidades) and the Council for the Elimination of Racial or Ethnic Discrimination (Consejo para la Eliminación de la Discriminación Racial o Étnica).</p> <p>This body conducts preparatory research for understanding the perceptions that underlie discriminatory attitudes. In this respect, the Equal Opportunity Directorate has pointed out two publications: Discrimination profiling in Spain: Community Innovation Survey (CIS 3000) Analysis⁷⁵, and Perceptions of discrimination on the basis of potential victims’ racial or ethnic origin in 2013 which is yet to be published.</p> <p>By geographical areas, it is noted that a direct correlation exists between the size of the municipality and/or the Regional Community and the concentration of the vulnerable population in these regions (migrants, the gypsy population and Spanish nationals of foreign origin). For instance, it is worth mentioning that there is an increased presence of Victims of Racial or Ethnic Discrimination Support Services in this areas.</p> <p>Regarding the trends in time, there has been an increase in the number of reported incidents. However, according to the Equal Opportunity Directorate, this is probably due to the improvement of the collection data.</p>
	<p>Tools, measures and positive initiatives aiming at facilitating</p>	<ul style="list-style-type: none"> • Victims of Racial or Ethnic Discrimination Support Service

⁷⁵ Available at: <http://.msssi.gob.es/ssi/igualdad Oportunidades/Discriminación/documentos/Perfiles Discriminacion.pdf>
Hyperlink was accessed on 3 May 2015.

<p>reporting incidents of discrimination – e.g. translation facilities to report and submit complaints in multiple languages – and tackling under-reporting and low rights-awareness.</p>	<p>Victims of Racial or Ethnic Discrimination Support Service⁷⁶ is a free, state support service for possible victims of racial or ethnic discrimination, given by the Council for the Promotion of Equal Treatment and Non Discrimination Against Racial or Ethnic Origin, an organ affiliated with the Spanish Ministry of Health, Social Services and Equality, through the General Directorate for Equal Opportunities. Victims of Racial or Ethnic Discrimination Support Service was set up to facilitate reporting incidents of discrimination and come to light in November 2013.</p> <p>The service offers support and independent assistance to those who are or have been discriminated against, based on their racial or ethnic origin, in any context (education, health, housing, job, etc.). The Council provides its services through an office network of eight organisations specialising in assistance to victims of discrimination: Accem; CEAR; Spanish Red Cross; CEPAIM Foundation; Fundación Secretariado Gitano; Movement against Intolerance; Movement for Peace, Disarmament and Freedom (MPDL); and Red Acoge.</p> <p>At these offices, there are professionals with high experience in assistance and guidance to victims of discrimination.</p> <p>Professionals specialising in assistance and guidance to victims of discrimination have been gradually extended to all the network offices (21 offices nationwide), information available at: asistenciavictimasdiscriminacion.org/la-red/oficinas/ in which the personalised support is conducted: information, advice, accompaniment, mediation, conciliation, handling of complaints, etc.</p> <p>In addition, the potential victims of discrimination are also supported by calling free on 900203041, the Service email address (info@asistenciavictimasdiscriminacion.org) and the service website: www.asistenciavictimasdiscriminacion.org .</p> <p>The information sheet has been translated into 6 languages (Spanish, English, French, Chinese, Arabic and Romanian) is accessible at the website: asistenciavictimasdiscriminacion.org/wp-content/uploads/2013/10/TRIPTICO-Folleto-Servicio-de-atencio%CC%81n-INGLES-web1.pdf</p> <ul style="list-style-type: none"> • Protocol on the Conduct of the Security Forces in response to hate crimes. <p>This Protocol was presented by the Spanish Ministry of Interior on 15 September 2014⁷⁷. The objectives of the project are the following: to support efforts to revise criminal behaviours related to hate crimes in order to facilitate the process of charging those responsible with these crimes; to establish a support website for victims of hate crime on</p>
--	---

⁷⁶ Available at: <http://asistenciavictimasdiscriminacion.org/>. Hyperlink was accessed on 5 May 2015.

⁷⁷ Available at: www.interior.gob.es/documents/10180/2905215/Presentaci%C3%B3n+Delitos+de+Oidio.pdf/85865401-572d-49ac-a650-b1c18fb661ae

		<p>the website of the Spanish Ministry of Interior; and to design and print triptych brochures to help with the identifying and reporting of such offences⁷⁸.</p>
	<p>In particular, provide information about any legal protection on grounds of nationality, which is not covered by the EU anti-discrimination Directives,⁷⁹ but is a prohibited ground in several Member States. Please explain how unequal treatment on the basis of nationality is treated and provide exemplary cases, if any. Please provide information on the relevant practice and case law (use template in Annex 9)</p>	<p>So far no legal protection on grounds of nationality, which is not covered by the EU anti-discrimination Directives, has been found.</p> <p>But, regarding how unequal treatment on the basis of nationality is treated in Spain, it is important to mention that the Spanish courts have stressed in their judgments that detention for irregular migrants should not obstruct the process of integration of immigrants and their descendants in Spain. This is the case with the detention in internment centres. In accordance with Spanish case-law, detention shall be in line with the principle of necessity and proportionality. In this sense, there exists jurisprudence which stipulates that detention is revoked if the appellant's address is known and has family, economic or social ties in Spain. According to this case law, the competent authorities may opt to take alternative measures in the circumstances referred. In this context, Resolution nº 19/2013 of the Lleida Regional Court (Section 1) of 11 January 2013 address the following circumstances: the person concerned has held a Long Term Residence status (which renewal was turned down in 2011), has a fixed address and a daughter who is legally resident in Spain. In this case, the Regional Court also states that the appellant has a severe illness and is subject to medical monitoring and needs medication continuously. In line with that case law, the Resolution nº 565/2012 of the Madrid Regional Court (Section 16) of 6 July 2012 estimates that stable cohabitation with a Spanish person and official registration in Registered Partnerships should be considered an indicator of social integration and therefore his detention is not only regrettable but marks a retrograde step in his integration in Spanish society.</p> <p>The (UN) Human Rights Committee has established -in Rosalind Williams vs Spain- that identity checks cannot be conducted solely based on a person's physical or ethnic characteristics and that such characteristics cannot be considered indicators of someone's immigration status. (Communication 1493/2006. Rosalind Williams vs. Spain. UN Human Rights Committee. July 27, 2009). Nevertheless, a research entitled <i>Police identification for ethnic profiling in Spain</i> (2013) and produced by researchers at the Human Rights Institute of the University of Valencia and the University of Oxford, confirms the existence in Spain of daily identifications by the Police who follow this pattern or ethnic profile. The report also warns about the ineffectiveness of police identifications by ethnic profiling.www.uv.es/garciaj/pub/2013_perfil_etnico.pdf</p>
	<p>Please provide information about the application of the legislation</p>	<p>The Spanish Supreme Court has established that in certain circumstances a fine is the "main penalty" for illegally residing in Spain (that is, for breaking Article 53 (a) of Spanish Aliens Act) The Spanish Supreme Court (Res. nº 25/2013 of 11 January ,</p>

⁷⁸ Available at: www.interior.gob.es/documents/10180/2905215/triptico.pdf/5a59e363-a128-451e-9cc1-ba9b36451314. Both hyperlinks were accessed on 8 May 2015.

⁷⁹ As of Art. 3.2 of the Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin.

<p>concerning discrimination against migrants – on any ground – in accessing law enforcement and judiciary services. In particular please clarify whether and when the latter are considered and treated, or not, as services available to the public, therefore falling within the scope of the directives and the jurisdiction of Equality Bodies.⁸⁰</p>	<p>Contentious-Administrative Chamber, Section 7) summarises the grounds by which the expulsion can't be applied by Spanish courts in exceptional cases and need to be substituted by a fine. In this context, the fact that the appellant's expulsion seriously damages the interests of his minor daughter (who was born and lives in Spain) is one of the strongest arguments of the sentence.</p> <p>Although this practice could be in infringement of the Return Directive (see CJEU, Zaizune, 23 April 2015), the Spanish judges continue applying this jurisprudence in very recent cases: in the Castilla La Mancha High Court of Justice 10018/2015 of 2 February (Contentious-Administrative Chamber, Section 2), a compulsory exit from Spanish territory sentence is suspended because the appellant was father of a long-term resident minor girl; in Res.nº 1/2015 of the Santa Cruz Regional Court (Contentious-Administrative Chamber, Section 2) of 12 January, the expulsion decision of a long-term residence is suspended; and the ruling of the Barcelona High Court of Justice 37/2014 of 15 October (Contentious-Administrative Chamber, Section 11) replaces expulsion by a fine on the basis of the balance of the principle of proportionality.</p> <p>With the most recent Criminal Code reform, adopted by Law 1/2015, of 30 March 2015 and amending Law 10/1995, of 23 November 1995 regarding the Criminal Code⁸¹. The Spanish Government wants to ensure Council Framework Decision 2008/913/JHA of 28 November 2008 on combatting certain forms and expressions of racism and xenophobia by means of criminal law. In this sense, the reform of Article 510 of the Criminal Code includes, on the one hand, increasing the penalties for such acts (prison terms of up to four years can be imposed) and, on the other hand, criminalising not just provocation, but also the incitement and promotion of hate, hostility, racism, discrimination or violence.</p> <p>Finally, in connection with the migrants in an irregular situation, and according to the explanations presented by the Spanish Ombudsman, it is important to put on record the situation by which a large number of children (under 16-year-olds) are residing irregularly in Spain. The difficulty of these minors in accessing to resources (e.g. scholarships and grants) constitutes a possible scenario for discrimination. (Elena Arce Jiménez (Head of the Area of Migration and Equal Treatment of the Spanish Ombudsman's Board) "Integration of minor migrants", II International Seminar of the ASSESS Project (European Integration Fund) organised by the Accem, the Spanish Catholic Association Commission for Migration, (<i>Asociación Comisión Católica Española de Migración (Accem)</i>) at the Delegation of the European Commission in Madrid on 26 March 2015.) In this sense, but in relation to the new model of healthcare, see the report, <i>Emergency Services in the Spanish</i></p>
--	---

⁸⁰ Please note that these are considered non-economic services by the EU Commission (Services of general interest, including social services of general interest: a new European commitment, COMM 725 (2007) of 20 November 2007, yet not always they are considered by Equality Bodies to fall in the areas of application of the anti-discrimination directives.

⁸¹ Spain, Ministry of the Presidency (*Ministerio de la Presidencia*), Law 1/2015, of 30 March 2015 amending Law 10/1995, 23 November 1995 regarding the Criminal Code. Press release, 31 March 2015, available at: www.boe.es/boe/dias/2015/03/31/pdfs/BOE-A-2015-3439.pdf Hyperlink was accessed on 12 May 2015.

	<p><i>Health Service: rights and guarantees of the patients</i>⁸², published by the Andalusian Ombudsman, which reports the difficulties in accessing care for these minors in the health system.</p>
	<p>Please provide statistical data about numbers of discrimination cases/complaints submitted to competent bodies (Equality Bodies, Administrative Courts), as well as about their outcomes (use the tables in the Annex 8)</p>
<h2>2.2.Implementation of equal treatment of various permit holders</h2>	
	<p>Please summarize <u>briefly</u> in this section any key issues affecting the implementation of equal treatment of permit holders, as defined by the following EU legislation; these could be, for example, practical issues and bottlenecks, administrative delays, coordination and cooperation of public authorities, etc.</p> <p>Please substantiate findings, as far as possible, through formal evaluations, as well as research or studies and case law (use template in Annex 9). Please bear in mind that no assessment of the legal transposition process is required. In regard to the five categories below, please provide <u>statistical data</u> issued in 2014 or valid on 31.12.14. (use annex 3)</p>
<p>2.2.1.<u>Long Term Residence</u> (LTR) status holders (Art.11 of the Directive <u>2003/109/EC</u>)</p>	<p>So far, there are no particular information issues listed in Article 11 of Directive 2003/109/EC affecting the implementation of equal treatment of long-term residence holders.</p> <p>It is interesting in this connection to note the judgment of the High Court of Castilla La Mancha (Case 138/2015,Contentious-Administrative Chamber, Section 2) of 2 February relating to the integration, and ensuring equality of treatment, of minors on long-term leave. This decision orders to stop the deportation of an illegal immigrant who is the father of a child with a long-term residence status and establishes that expulsion through Article 57 (2) of the Aliens Act should not be implemented.</p>
<p>2.2.2.<u>Single-permit procedure</u> permit holders (Art.12 and 13 of the Directive <u>2011/98/EU</u>)</p>	<p>So far, specific information on permit procedure permit holders' rights of Articles 12 and 13 of Directive 2011/98/EU has not been found.</p> <p>However, another important point in this context is that the General Union of Workers (<i>Unión General de Trabajadores (UGT)</i>) claims that "the foreign worker's salary in Spain is 35.9 % lower than the salary of a Spanish worker" Secretary for Equality of UGT, "The escape effect", International Day for the Elimination of Racial Discrimination (21 March), 17 March 2015. The report is available at: www.ugt.es/Publicaciones/informe_discriminacion_racial_efecto_huida_UGT.pdf</p>
<p>2.2.3.<u>Blue card</u> holders (Art.14 and 12 of the Directive <u>2009/50/EC</u>)</p>	<p>Information on this matter has not been found.</p>
<p>2.2.4.<u>Family reunification permit holders</u> (specifically in terms of access to labour market - Art. 14 of Directive <u>2003/86/EC</u>)</p>	<p>So far, there is no particular information about access to the labour market of reunification permit holders. In any case, considering Spanish case law, key issues can also affect the implementation of equal treatment of reunification permit holders are:</p>

⁸² Available at: www.defensordelpuebloandaluz.es/sites/default/files/SUH_Resumen_Ejecutivo_Prensa.pdf . Hyperlink was accessed on 11 May 2015.

	<p>-Laying down criteria on the applicants' livelihoods commensurate with the living standards in Spain. Thus, the sufficient financial resources requirement is the core for the preliminary ruling made by the Higher Court of Justice of the Basque Country regional government of 5 December 2014 (C-558/14). In this regard, Administrative Court judgment 93/2013 No. 2 of Bilbao, of 16 December establishes that "an individual tax return (<i>Impuesto sobre la Renta de las Personas Físicas (IRPF)</i>) is not the only means of proof" as required by the Spanish Government's Delegation in Biscay (<i>Vizcaya</i>). According to the Court, other equivalent means of proof - such as employment contracts, payslips or contribution certificates from the social insurance department- shall be also accepted.</p> <p>-Duly justifying family link between the sponsor's residence permit and the reunification permit applicant. In that respect, there exist rulings such as the Spanish Supreme Court 25/2013 (Contentious-Administrative Chamber 3, Section 3) on 6 July failing to recognise the right to family reunification due to the formal irregularities in the documents lodged. On the other hand, Spanish Supreme Court 8175/2011 (Contentious-Administrative Chamber 3, Section 3) on 9 December accepts the use of the "kafala" document for granting the reunification permit to Moroccan minors.</p>
2.2.5. Beneficiaries of international protection long term residence status holders ⁸³	Information on this matter has not been found.
<h2>2.3. Key developments and trends</h2>	
<p>Please include in this section key developments in the area of equal treatment and anti-discrimination that concern only migrants and/or their descendants. Key developments may be new legislation or policies, abolition, update, improvement or reform of existing ones, as well as important case</p>	<p>➤ National policies and measures</p> <p>It is important to point out here, that the <i>National Action Plan on Social Inclusion (2013-2016)</i> was adopted by the Spanish Council of Ministers on 13 December 2013. This Plan backed by 136,600 million euros, proposes a number of measures to meet the basic social needs of the population, improving the effectiveness of the protection system in order to protect the most vulnerable groups. Here we should make special reference to measures such as actions for the awareness and promotion of equal treatment and non discrimination of the immigrant population (measure N. 202) or improving management and quality systems in the implementation of programmes to integrate immigrants (measure N. 205). In all cases, it would be necessary to wait for implementation of these actions to assess the impact of this Plan.</p> <p>Moreover, an agreement by the Spanish Council of Ministers was adopted on 19 December 2014 for the resettlement of 130 Syrian refugees who are in neighbouring countries to Syria. The</p>

⁸³ As per recitals 6 and 7 of Directive [2011/51/EU](#) of the European Parliament and of the Council of 11 May 2011 amending Council Directive 2003/109/EC to extend its scope to beneficiaries of international protection Text with EEA relevance

<p>law, court, equality body or administrative cases, that have had or may have an impact on the implementation of the anti-discrimination legislation and equal treatment policies that related to the rights of migrants and/or their descendants (for presentation of case law, use template in Annex 9). Such developments may also affect the actual situation on the ground, including public debates and perceptions among the native population and migrants.</p>	<p>estimated costs are €2,595,253.97 and these will be paid for by the Ministry of Employment and Social Security. On the other hand, in June 2014 the Department of Migration of the Ministry of Employment and Social Security officially convoked subsidies in connection with the integration of migrants. This is Spain's only call for proposals presented under the European Social Fund. No specific information is available so far in relation to the final beneficiaries. The Resolution of 18 June 2014 was published in the Official State Gazette on 23rd April 2001 and is available at: (extranjeros.empleo.gob.es/es/Fondos_comunitarios/programme_a_solidaridad/integracion/pdf/Resolucion_convocatoria_2014_BOE_11_julio_2014.pdf).</p> <p>Finally, the Project "Managing Cultural Diversity in Small and Medium Enterprises" (GESDIMEP, October 2013 – March 2014)⁸⁴ has developed for the State Secretary for Immigration and Expatriate Affairs of the Spanish Ministry of Employment and Social Security (<i>Ministerio de Empleo y Seguridad Social</i>) through the Spanish Observatory for Racism and Xenophobia within the PROGRESS programmeme of the European Commission 2007-2013 (JUST/2012/PROG/AG/AD). The GESDIMEP project specifically targets workers and owners of small and medium businesses, which make up the majority of Spain's business community. It also targets business organisations, trade unions, NGOs and other civil society institutions, immigrants' associations, universities, business schools, business incubation centres and any other professional environments that are involved in managing cultural diversity. The project GESDIMEP has sought to obtain an analysis on cultural diversity in small and medium businesses (such as the "Mezcladis" company or ARED Foundation) and in municipal areas with a higher immigrant population (such as Mataró Council Employment Service or Catalanian trade union, Workers Commissions (<i>Comisiones obreras (CCOO)</i>)). This project has identified transferable actions that can help to improve the management of cultural diversity in the workplace, strengthening the positive image of integrating immigrants and ethnic minorities in small and medium businesses.</p> <p>Finally, the Project "Managing Cultural Diversity in Small and Medium Enterprises" (GESDIMEP, October 2013 – March 2014)⁸⁵ has developed for the State Secretary for Immigration and Expatriate Affairs of the Spanish Ministry of Employment and Social Security (<i>Ministerio de Empleo y Seguridad Social</i>) through the Spanish Observatory for Racism and Xenophobia within the PROGRESS programmeme of the European Commission 2007-2013 (JUST/2012/PROG/AG/AD). The GESDIMEP project specifically targets workers and owners of small and medium businesses, which make up the majority of Spain's business community. It also targets business organisations, trade unions, NGOs and other civil society institutions, immigrants' associations, universities, business schools, business incubation centres and any other professional</p>
--	--

⁸⁴ Available at: explotacion.mtin.gob.es/oberaxe/documentacion_descargaFichero?bibliotecaDatoId=4053. Hyperlink was accessed on 8 May 2015.

⁸⁵ The full GESDIMEP report is available in PDF format at: explotacion.mtin.gob.es/oberaxe/documentacion_descargaFichero?bibliotecaDatoId=4053. Accessed 12 May 2015.

		<p>environments that are involved in managing cultural diversity. The project GESDIMEP has sought to obtain an analysis on cultural diversity in small and medium businesses (such as the “Mezcladis” company or ARED Foundation) and in municipal areas with a higher immigrant population (such as Mataró Council Employment Service or Catalanian trade union, Workers Commissions (<i>Comisiones obreras</i> (CCOO)). This project has identified transferable actions that can help to improve the management of cultural diversity in the workplace, strengthening the positive image of integrating immigrants and ethnic minorities in small and medium businesses.</p> <p>➤ New Legislation</p> <p>New legislation has been adopted in relation to conditions for access to employment, to self-employment; to access vocational guidance or training; employment and working conditions, including dismissals and pay; membership of and involvement in an organisation of workers or employers; social protection (including social security and healthcare); social advantages; education; and access to and supply of goods and services which are available to the public, including housing.</p> <p>Regarding access to employment, to self-employment, with the aim of promoting economic recovery and increase in employment, Law 14/2013 on support for entrepreneurs and their internationalization⁸⁶ was adopted in 2013. This rule is of interest primarily to those foreigners whose entry and stay has an economic interest for Spain.</p> <p>Regarding social protection (including social security and healthcare) the new model of health care from Royal Decree 16/2012 adopting urgent measures to guarantee the National Health System sustainability and improve the quality and safety of its performance⁸⁷ was started up in 2013. This project excludes illegal migrants from the right to health. Thus, Royal Decree 576/2013, of 26 July, implements the special convention on provision of health care for non-insured persons.⁸⁸</p> <p>Moreover, in relation to social protection, the Official State Gazette (<i>Boletín Oficial del Estado (BOE)</i>) published Act 15/2014 of 16 September on the rationalisation of the public sector and various measures of administrative reform on 17 September 2014. Among other things, this law created the Institute for Women and Equal Opportunities. The Institute for Women and Equal Opportunities embraced the former Council for the Promotion of Equal Treatment and Non-discrimination of</p>
--	--	--

⁸⁶ Spain, Ministry of the Presidency (*Ministerio de la Presidencia*), Law 14/2013, supporting business entrepreneurs and their internationalisation. Press release, 28 September 2013, available at: www.boe.es/diario_boe/txt.php?id=BOE-A-2013-10074

⁸⁷ Spain, Ministry of the Presidency (*Ministerio de la Presidencia*), Royal Decree 16/2012, of 20 April passing urgent measures to guarantee the sustainability of the Spanish National Health Service and improve the quality of its services. Press release, 24 April 2012, available at: www.boe.es/diario_boe/txt.php?id=BOE-A-2012-5403

⁸⁸ Spain, Ministry of the Presidency (*Ministerio de la Presidencia*), Royal Decree 576/2013, of 26 July establishing the basic essentials for health care provision for those non-insured persons and Royal Decree 1192/2012, of 3 August is modified, regulating the condition of the insured and any beneficiaries for health care access in Spain, paid for out of public funds, and within the National Health Service. Press release, 27 July 2013, available at: www.boe.es/diario_boe/txt.php?id=BOE-A-2013-8190

	persons due to Racial or Ethnic Origin which is now called the Council for the Elimination of Racial and Ethnic Discrimination. The law took effect on 18 September 2014. These changes are contained in Articles 17 and 18 of the Act. ⁸⁹ The fundamental objectives of these changes in the Council are to adapt the Council to the new administrative organisation where the Institute for Women and Equal Opportunities will play a central role, to simplify its name in order to promote a better and easier access to their services, and to clarify their areas of activity, giving it greater independence in the exercise of its functions.
--	--

3. Participation of migrants and their descendants in society

3.1. Political rights at national level

3.1.1. Citizenship acquisition

	In this section please provide information about the specific requirements and criteria for citizenship acquisition, if any, that relate to the applicants active participation in society, genuine links or bond to the society or the country, schooling period or other 'socialization' requirements. -Path to citizenship for foreign born third country nationals (the so-called '1st generation')	
	Please provide information about the specific requirements and criteria for citizenship acquisition, if any, that relate to the applicants active participation in society, genuine links or bond to the society or the country, schooling period or other 'socialization' requirements. -Path to citizenship for country-born (so-called '2nd generation') and country-grown migrant children	<p>CITIZENSHIP ACQUISITION</p> <p><u>FIRST GENERATION</u></p> <p>The granting of Spanish nationality is regulated by the Spanish Civil Code (<i>Código Civil</i>). Article 22 sets out the terms and conditions to acquire Spanish nationality by residence, that "must be legal, continuous⁹⁰ and immediately prior to the application". Apart from proving residence, applicants must also prove:</p> <ol style="list-style-type: none"> 1. <u>Good citizenship/good civic conduct (Civil Code, Article 22)</u> <p>The term, "good civic conduct", as stated in the Civil Code, turns out to be an indeterminate legal concept, which must be assessed by the Administration in the circumstances of the case, assessing it as a whole and with reference to a longer period of time so as to demonstrate that the applicant has observed an "average standard of conduct that would be assumed by any culture and by any individual" (the quotes are taken from Prof. Ruiz de Huidobro, an expert on nationality law⁹¹). However, administrative practice and jurisprudence show an increasing strictness when considering the interpretation of what "good citizenship" is; thus, simply by having a police or prosecution</p>

⁸⁹ Accessed on 17 November 2014 at: https://www.boe.es/diario_boe/txt.php?id=BOE-A-2014-9467

⁹⁰ Ten years, or five years in the case of refugees, or two years for nationals from Latin America, Andorra, the Philippines, Equatorial Guinea, Portugal, or the Sephardi Jews.

⁹¹ Prof Ruiz de Huidobro is Associate Professor of Civil Law at Comillas Pontifical University. I had three short interviews with him on 10th, 16th and 25th February 2015.

<p>(so-called '1,5 generation')</p>	<p>history, even one which ends in acquittal, can be used to refute good citizenship.</p> <p>In the same vein, see, among others, the Supreme Court judgments 7755/2010 of 29 October and 7751/2010 of 29 October.</p> <p>In order to specify the concept of good civic conduct, a Resolution of 30 June 2014 from the Directorate General for Registers and Notaries (Dirección General de los Registros y del Notariado) of the Spanish Ministry of Justice (Ministerio de Justicia) has put forward a number of arguments regarding the application of Spanish jurisprudence to the proportional application of the good civic conduct concept (See Annex 9).</p> <p>Below are some of the points listed which show certain behaviours that prevent the Spanish authorities and judges from considering good civic conduct. That is, such behaviours can serve as barriers to acquiring citizenship.</p> <p>-Having been convicted criminally, repeatedly. In this respect, the decisions provide that "it reflects an anti-social behaviour and is not at all an isolated incident". See, among others, Spanish Supreme Court judgment 5579/2011 (Contentious-Administrative Chamber, Section 6) of 27 June and Spanish Supreme Court judgment 8220/2011 (Contentious-Administrative Chamber, Section 5) of 27 October.</p> <p>-Opting for polygamy. See Resolution of the Directorate General for Registers and Notaries of the Spanish Ministry of Justice of 13 May 2014 and Supreme Court judgment 7652/2012 (Contentious-Administrative Chamber, Section 6) of 10 October.</p> <p>- Having been convicted for processing and trafficking of drugs. See Spanish Supreme Court judgment 4820/2011 (Contentious-Administrative Chamber, Section 6) of 30 May.</p> <p>-Having been convicted for crimes against road safety under the influence of alcohol. In this connection the Courts noted that driving under the influence of alcohol is not in line with the standard behaviour of an "average citizen". See Spanish High Court judgment 119261/2013 (Contentious-Administrative Chamber, Section 3) of 12 March.</p> <p>-Having been convicted for injuries concerning gender-based violence. In this connection, see Spanish High Court judgment 1347/2013 (Contentious-Administrative Chamber, Section 3) of 14 March and Spanish Supreme Court judgment 4581/2011 (Contentious-Administrative Chamber, Section 6) of 23 May.</p> <p>-Having been in a sham marriage because "this practice is not covered by the law". See, in this sense, Spanish High Court judgment 287/2013 of 31 January (Contentious-Administrative Chamber, Section 3) and Spanish Supreme Court judgment 2161/2011 (Contentious-Administrative Chamber, Section 6) of 14 November.</p> <p>- Having been convicted for injuries concerning neighbourhood disputes because according to the Supreme</p>
-------------------------------------	--

		<p>Court and Supreme Court judgment 6199/2007 (Contentious-Administrative Chamber, Section 6) of 12 June, this “shows a lack of good citizenship”.</p> <p>2. <u>Sufficient degree of integration in Spanish society (Civil Code, Article 22).</u></p> <p>This second requirement is covered in more detail by the Civil Registry Regulation⁹² in the Royal Decree of 14 November 1958 approving the application of the Civil Registry Law, and modified on 10 March 2007 (Articles 220/5 and 221, and Instruction of 26 July 2007) by the Directorate General of Registries and Notaries on the processing of applications for the acquisition of Spanish nationality (Article 2). The above mentioned Instruction says:</p> <p>“The Official in Charge of the Civil Registry shall check and record the degree of integration of the applicant observed during personal interview”.</p> <p>The above mentioned regulations equate integration with the “adaptation to the Spanish culture and lifestyle”, a term also used in Article 220, paragraph 5 of the regulations that requires the application for citizenship to mention, among other items, “... if the applicant speaks Castilian or another Spanish language; any details that prove adaptation to the Spanish culture and lifestyle, such as studies, or social activities, and any other circumstances, deemed appropriate”.</p> <p>In Case Law, in order to determine the sufficient level of integration into Spanish society, the following indicators have been considered: Firstly, knowledge of the Spanish language, with the proviso that it is not essential to read or write in this language, should the age and the educational level of the applicant justify the lack of such skill. Secondly, an assessment is made in respect of whether the applicant’s habits or beliefs are so disassociated from the Spanish ones as to question the basic principles of Spanish society, or they directly contradict public order or indeed the terms of the Spanish Constitution (for instance, the practice of polygamy, using the burka or membership of the “Tabligh” movement); Finally, a lack of basic knowledge of Spanish institutions, culture and history is also considered an indicator of not sufficient integration. Requiring the applicants for Spanish nationality to have a basic knowledge of Spanish institutions becomes a type of tacit examination of citizenship⁹³.</p> <p>Thus, the assessment of the level of integration is left to the discretion of the Officer in Charge of the Civil Registry and substantially differs from one officer (that might just be focused on language competences) to another (who might ask for Spanish medieval history⁹⁴).</p>
--	--	--

⁹² Accessed on 12 May 2015 and available at: www.boe.es/boe/dias/2007/03/09/pdfs/A10107-10109.pdf

⁹³ Ruiz de Huidobro, J.M. (2014), Social Integration of third country nationals and Spanish Nationality Law’ in Guild, E., Gortázar, C. and Kostakopoulou, D. (eds.), *The Reconceptualization of European Union Citizenship*. Boston, Brill Nijhoff.

⁹⁴ This statement is substantiated through a previous footnote. A recent report of the Forum for the Social Integration of Immigrants, dealing with immigrant and refugee integration in Spain, also substantiates these assertions (*Foro para la Integración de los inmigrantes* (2014), *Informe sobre la situación de la integración de los inmigrantes y refugiados en España*) and is available at: www.foroinmigracion.es/es/MANDATO-FORO-2010-

		<p>In this regard, the Spanish High Court judgment 4736/2014 of 27 November (Contentious-Administrative Chamber, Section 3) stating that ignorance of the name of FC Barcelona Stadium is not crucial information and does not constitute an acceptable reason for refusing naturalisation is noteworthy. (See Annex 9) In opposition to this, the Courts have confirmed the denial of acquisition of nationality because of having difficulty in writing in Spanish, (Spanish High Court judgment 4462/2014 of 18 November, Contentious-Administrative Chamber, Section 3), and not knowing flagship places in Spain, (Spanish High Court judgment 4450/2014 of 13 November, Contentious-Administrative Chamber, Section 3).</p> <p>For this reason, the Conservative Popular Party, (<i>Partido Popular, (PP)</i>) have proposed the institutionalisation of having a “sufficient degree of integration in Spanish society”, that is, the aspirant will be required to pass two tests. The first one will assess the knowledge of the language (providing exemption for nationals of countries where Spanish is an official language). The second test is targeted at evaluating the basic knowledge and commitment of the applicant with Spanish constitutional values and democratic principles. A bill has been proposed to amend Article 23 of the Spanish Civil Code on the granting of Spanish nationality to those that prove to be Sephardi and to have a special relationship with Spain, and sets a rate for certain procedures in the acquisition of Spanish nationality, Official Gazette of the Spanish Parliament (<i>Boletín Oficial de las Cortes Generales</i>) Series A, Number 99-1 of 3 June 2014, electronic identification code <i>BOCG-10-A-99-1</i>.</p> <p><u>SECOND GENERATION (those born in Spain)</u></p> <p>A) According to Article 17.1. c) of the Spanish Civil Code⁹⁵, those <u>born in Spain of foreign parents</u> if both of them should be without nationality (i.e. are stateless), or if the legislation of <u>neither can grant their children their nationality</u>, are considered Spaniards by birth. This is the case of Argentinians, Brazilians, Colombian, Costa Ricans, Cubans, Guineans (Guinea-Bissau), Moroccans (with Moroccan mother and known father who is stateless or whose nationality is not granted to his children), Palestinians (when stateless), Peruvians, Saharawi (when stateless), Swiss (when Swiss father is not married to the mother), Sao Tomean, Venezuelan (when only one of the parents is Venezuelan). According to Prof. Ruiz de Huidobro, an expert on Spanish nationality law, it is supposed that the legal hypothesis implies sufficient integration, so no additional path on citizenship is required.</p>
--	--	--

[2013/DocumentosAprobados/Informes/Documento N 4 Informe 2014.pdf](#). In addition there are numerous law firms that have analysed this issue, available at: <http://borjamartinabogadogirona.blogspot.com.es/2014/01/denegacion-de-nacionalidad-espanola-por.html> and www.pmfadvocats.com/es/espanol-nacionalidad-espanola-analisis-jurisprudencial-del-requisito-de-buena-conducta-civica/03/08/

All hyperlinks were accessed on 12 May 2015.

⁹⁵An English translation of the Spanish Civil Code is available at:

www.mjusticia.gob.es/cs/Satellite/Portal/1292427177941?blobheader=application%2Fpdf&blobheadername1=Content-Disposition&blobheadervalue1=attachment%3B+filename%3DSpanish+Civil+Code+%28Codigo+Civil%29.PDF This hyperlink was accessed on 12 May 2015.

		<p>B) <u>One of the minor's parents has acquired the Spanish nationality</u> while he or she is subject to the parental authority. Then he or she can acquire Spanish nationality on the basis of the sole declaration (option) as set out in Article 20.1. b) of the Spanish Civil Code. It is supposed that the legal hypothesis implies sufficient integration, so no additional path on citizenship is required.</p> <p>C) <u>Children born in Spain of foreign parents. They can acquire Spanish nationality by residence of one year</u>, (see Article 22.2. a: one year's residence shall be sufficient for a person born within Spanish territory); <u>the residence must be</u> legal, continuous and immediately prior to the application as set out in Article 22.3 of the Civil Code. Obviously, the minor's regular residence must be requested usually on the ground of the parent's regular status.</p> <p>Applicants:</p> <ul style="list-style-type: none"> - Legal representative of minors under 14. In this case, it is not necessary to justify good civic conduct and a sufficient level of integration into Spanish society, as having spent one's childhood in Spain is considered sufficient to demonstrate proper integration. - Those minors who are over 14, assisted by their legal representative. According to Article 22.4 of the Spanish Civil Code, the interested party must evidence good civic conduct and a sufficient degree of integration in Spanish society in the proceedings regulated by the Civil Registry legislation. This being the case, the fulfilment of compulsory education is considered a sign of integration. <p><u>1.5 country-grown migrant children (so-called '1.5 GENERATION')</u></p> <p>A) <u>One of the minor's parents has acquired Spanish nationality</u> while the child who has been born and brought up in Spain is subject to parental authority. Then he or she can acquire Spanish nationality on the basis of the sole declaration (option) as set out in Article 20.1. b) of the Civil Code. It is supposed that the legal hypothesis implies sufficient integration.</p> <p>B) <u>Children of foreign parents in regular status brought up in Spain. They can acquire Spanish nationality by residence</u>⁹⁶ (see Article 22.1 Civil Code); <u>the residence must be</u> legal, continuous and immediately prior to the application as set out in Article 22.3 of the Civil Code. Obviously, the minor's regular residence must be requested usually on the ground of parent's regular</p>
--	--	--

⁹⁶ Ten years, or five years in the case of refugees, or two years for nationals from Latin America, Andorra, the Philippines, Equatorial Guinea, Portugal, or Sephardi Jews.

		<p>status. If children come to Spain under irregular status, then firstly the minor's regular residence must be requested usually on the ground of parent's regular status.</p> <p>Applicants:</p> <ul style="list-style-type: none"> - Legal representative of minors under 14. In this case it is not necessary to justify good civic conduct and a sufficient level of integration into Spanish society, as having spent one's childhood in Spain is considered enough to demonstrate a proper integration. <p>Those who are over 14, assisted by their legal representative. According to Article 22.4 of the Civil Code the interested party must evidence good civic conduct and a sufficient degree of integration in Spanish society in the proceedings regulated by the Civil Registry legislation. Anyhow, according to interviews with Prof. Ruíz de Huidobro, the fulfilment of compulsory education is considered a sign of integration.</p>
	<p>Debates, issues and challenges concerning the implementation of citizenship policies</p>	<p>Javier de Lucas (2014)⁹⁷ questions the formulation of human rights that were built from the recognition of state structures at the expense of human dignity. Migration expresses this serious political paradox in a particularly significant way.</p> <p>Alternatively, he suggests that the granting of civil and political rights could be related to residence and not to nationality, considering it as part of the right to emigration.</p>
	<p>Key developments and trends – case law (please use the template in the Annex 9 to provide information about the cases – here only a simple reference to the case name is required) or new provisions and reforms.</p>	<p>In this part, it is interesting to note the resolution of the Directorate General for Registers and Notaries (Dirección General de los Registros y del Notariado) of the Spanish Ministry of Justice (Ministerio de Justicia) of 7 February 2015 accepting the appeal in which Spanish citizenship is awarded to persons who do not have a valid passport.</p> <p>This verdict is particularly relevant because key issues such as the "duty of sufficiently justifying " that the applicant consistently fulfils the requirements before nationality may be granted or not. Thus, a valid passport is not a key element in applying for nationality on the basis of residence, whether the applicant can be identified by the authorization of residence, a work permit and birth certificate- is one of the most fundamental issues analysed in this resolution. (See Annex 9).</p> <p>Regarding new provisions and reforms, it is noteworthy that the Conservative Popular Party (<i>Partido Popular (PP)</i>) have proposed the institutionalisation of a "sufficient degree of integration in Spanish society", that is, the aspirant to obtain Spanish nationality will be required to pass two tests. The first one will assess the knowledge of the language (providing exemption for nationals of countries where Spanish is an official language). The second test is targeted at evaluating the basic knowledge and commitment of the applicant with Spanish constitutional values</p>

⁹⁷ De Lucas, J. (2014), 'Políticas migratorias sin libertad de circulación. La UE, en guerra frente a la inmigración y el asilo' in L.L. Hierro, (ed.), *Autonomía individual frente a autonomía colectiva. Derechos en conflicto*, Pons, Barcelona, pp. 173-192. *Migratory policies lacking free movement. EU's war against immigration and Asylum.*

		<p>and democratic principles. A bill⁹⁸ has been proposed to amend Article 23 of the Spanish Civil Code on granting of Spanish nationality to those that prove to be Sephardic and to have a special relationship with Spain and sets a rate for certain procedures for the acquisition of Spanish nationality. Though the amendment is originally targeted to Sephardic people, tests will be compulsory to all aspirants. In addition, the processing of the nationality acquisition should be exclusively exercised by the Civil Registration and will allow for complete electronic processing. The Civil Registry official responsible has one month to notify acceptance/refusal and within 180 working days, the applicant shall take the Oath of Allegiance to the King, and obedience to the Constitution and the laws of Spain.</p>
<p>Please indicate key and/or milestone dates – e.g. of major reforms - regarding citizenship acquisition for migrants and/or their descendants.</p>		<p>In the period 2010-2014 there are three milestones regarding citizenship acquisition for migrants on the grounds of residence in Spanish territory and their descendants:</p> <p>Historical memory law. Law 52/2007 of 26 December recognising and extending rights and establishing measures favouring those who suffered persecution or violence during the Spanish Civil War and subsequent Dictatorship⁹⁹, opened up a new route to Spanish nationality by offering it to the grandchildren of those who lost their nationality as a consequence of being exiled during the Civil War or the post-war period, and to the children of those who had Spanish nationality but lost it for a particular reason. The period within which Spanish nationality could be acquired started on 27 December 2008, and concluded on 26 December 2011. The law's application has resulted in 503,000 requests for Spanish nationality, 90 % of them from Latin America, and around 300,000 have so far been settled favourably. The rest are still being processed. A meagre 6 % of these requests relate to the grandchildren of those exiled, the majority of applications corresponding to sons or daughters of former Spanish nationals¹⁰⁰.</p> <p>1. Intensive Nationality Plan (<i>Plan intensivo de nacionalidad</i>) and Management of Nationality Records (<i>Proyecto GEN (Gestión de expedientes de nacionalidad-)</i> 25 June 2012. Available at: www.mjusticia.gob.es/cs/Satellite/Portal/en/areas-tematicas/nacionalidad/plan-intensivo-tramitacion The Intensive Nationality Plan which was launched in 2012 by the Spanish Ministry of Justice to conclude over 500,000 nationality requests which had accumulated since 1995 at the General Directorate of Registries and Notaries.</p>

⁹⁸ Official Gazette of the Spanish Parliament (*Boletín Oficial de las Cortes Generales*) Series A, Number 99-1 of 3 June 2014, electronic identification code *BOCG-10-A-99-1* available at:

www.congreso.es/public_oficiales/L10/CONG/BOCG/A/BOCG-10-A-99-4.PDF

⁹⁹ Available at: <http://ley memoria.mjusticia.gob.es/cs/Satellite/LeyMemoria/es/memoria-historica-522007> Both hyperlinks were accessed on 12 May 2015.

¹⁰⁰ González Enríquez, C. (2014), *The Price of Spanish and European Citizenship*. Real Instituto Elcano ARI 4/2014, available at: [www.realinstitutoelcano.org/wps/wcm/connect/a175338042cc32dd8b5cff21e143ff92/ARI4-](http://www.realinstitutoelcano.org/wps/wcm/connect/a175338042cc32dd8b5cff21e143ff92/ARI4-2014_Gonzalez_Enriquez_price_spanish_and_european_citizenship.pdf?MOD=AJPERES&CACHEID=a175338042cc32dd8b5cff21e143ff92)

[2014_Gonzalez_Enriquez_price_spanish_and_european_citizenship.pdf?MOD=AJPERES&CACHEID=a175338042cc32dd8b5cff21e143ff92](http://www.realinstitutoelcano.org/wps/wcm/connect/a175338042cc32dd8b5cff21e143ff92/ARI4-2014_Gonzalez_Enriquez_price_spanish_and_european_citizenship.pdf?MOD=AJPERES&CACHEID=a175338042cc32dd8b5cff21e143ff92)

http://politica.elpais.com/politica/2012/01/02/actualidad/1325519010_191178.html

<http://www.periodistadigital.com/inmigrantes/legislacion-y-documentos/2012/03/31/la-ley-de-nietos-convierte-en-espanoles-a-250-000-latinoamericanos.shtml>

		<p>The Plan, which was valid until 31 December 2013, entrusted Spanish registrars (around a thousand and who did not perceive any economic reward) with the task of collaborating in the resolution of the pending “nationality by residence” applications. In addition, an agreement with the General Council of Notaries was signed, through which the notaries would, free of charge, cooperate in performing the oaths or promises of fidelity to the King, and obedience to the Constitution and laws, essential for the acquisition of Spanish citizenship (Article 23, Spanish Civil Code).</p> <p>In addition, the Ministry of Justice has improved its website, where updated information on the procedure at a general level is provided, along with statistics and landmarks regularly and within the section, “How is my application?”, where one can check the status of each record in particular.</p> <p>Regrettably, the plan has not continued since 2014, so presumably the Ministry will face new delays¹⁰¹.</p> <p>2. A bill has been proposed to amend Article 23 of the Spanish Civil Code on granting Spanish nationality to those that prove to be Sephardi and to have a special relationship with Spain, and sets a rate for certain procedures for the acquisition of Spanish nationality¹⁰². Three issues may arise from this amendment:</p> <ol style="list-style-type: none"> a. This bill allows the acquisition of Spanish citizenship by a naturalisation charter for Sephardic Jews. This Naturalisation Charter (<i>Carta de naturaleza</i>) is a traditional process stated in Spanish Law for granting Spanish citizenship by means of a previous declaration from the Council of Ministers, when exceptional circumstances justify the measure (Article 21.1 of the Civil Code states that: “Spanish Citizenship is granted by the Council of Ministers via naturalisation should special circumstances justify it”). Thus, the concurrence of these exceptional circumstances will be assessed by the Council of Ministers on a case-by-case basis. The aim of the new bill is to recognise the exceptional circumstances of the Sephardic Jews for acquiring Spanish nationality by the Naturalisation Charter. Applicants of Sephardic origin will be required to prove their Sephardic condition by providing a Certificate from the <u>Jewish Communities’ Federation</u> in Spain (<i>Federación de Comunidades Judías de España</i>). b. The Conservative Popular Party (<i>Partido Popular, (PP)</i>) have proposed the institutionalisation of a “sufficient degree of integration in Spanish society”, that is, all the aspirants (not only Sephardic
--	--	--

¹⁰¹ Available at: www.aireg.es/necesitamos-otro-plan-intensivo-de-nacionalidad-en-2015/

All hyperlinks accessed on 12 May 2015.

¹⁰² Official Gazette of the Spanish Parliament (Boletín Oficial de las Cortes Generales) Series A, Number 99-1 of 3 June 2014, electronic identification code BOCG-10-A-99-1, available at: www.congreso.es/public_oficiales/L10/CONG/BOCG/A/BOCG-10-A-99-4.PDF

		<p>ones) will be required to pass two tests. The first one will assess the knowledge of the language (providing exemption for nationals of countries where Spanish is an official language). The second test is targeted at evaluating the basic knowledge and commitment of the applicant with Spanish constitutional values and democratic principles.</p> <p>c. However, the most important novelty is the introduction of a fee (tax) in certain procedures of the acquisition of Spanish nationality (acquisition by residence, among others).</p> <p>The draft bill is expected to come into force by mid 2015, so none of these measures is yet effective.</p>
	<p>Naturalisation rate - % of migrants that have been naturalized compared to migrant stock and to general population – listing the most numerous groups on the basis of their previous nationality, by gender and age-group if available. <u>Please provide the latest available data.</u> The most recent data provided by <u>Eurostat</u> concern the year 2012.</p>	<p>There are no public figures related to naturalisation rates. The most recent available statistics on naturalisations by residence granted come from 2013, but do not compare the figures with cancellations of residence permits¹⁰³. According to the above-mentioned statistics, provided by the Ministry of Employment and Social Security (<i>Ministerio de Empleo y Seguridad Social (MEYSS)</i>), Spanish citizenship was granted to 261,295 immigrants in 2013, 65 % of whom belonged to five sending countries (Moroccans 18 %, Ecuadorians 16 %, Colombians 15 %, Bolivians, 9 % and Peruvians, 8 %).</p>
	<p>Numbers of naturalisations and citizenship acquisitions in the last 2 years (in 2013 and in 2014) by mode of acquisition, by gender and age-group if available, and for the 10 most numerous groups on the basis of their previous nationality <i>Please provide the latest available statistics - (please use the relevant table in the Annex 6)</i></p>	
3.1.	<p>National elections¹⁰⁴ voting rights - turnout</p>	
	<p>Third country nationals are allowed in exceptional cases to vote in national elections. In this section please provide the specific requirements and criteria for participation of citizens of migrant background (and</p>	<p>1. Active voting rights</p> <ul style="list-style-type: none"> - National elections: the right to vote is <u>restricted to Spaniards</u> who are over eighteen (resident in Spain or abroad). So both European and third country nationals have to become Spanish nationals in order to vote in national elections. - European Elections: the right to vote is restricted to <u>Spanish citizens</u> over eighteen and European citizens over eighteen, resident in Spain, that are registered in the electoral census. In addition, <u>European citizens</u> have to make a formal statement of the intention to exercise the right to suffrage in Spain in European elections. So <u>third country nationals</u> have to become Spanish or

¹⁰³ Accessed on 12 May 2015 and available at:

<http://extranjeros.empleo.gob.es/es/estadisticas/operaciones/concesiones/index.html>

¹⁰⁴ Regulated by Directive 94/80/EC, art. 13 and 23 of the Spanish Constitution (*Constitución Española*), art. 6 of Aliens Law 4/2000 of 11 January, on the rights and freedoms of foreign citizens in Spain and their social integration and the General Electoral System Law 5/1985 (*LOREG*) of 19 June, whose most recent reform was carried out in 2011

<p>third country nationals in the very few cases where this is foreseen) in national elections, as well as any available data on their voting turnout. Please specify any differences in different geographic areas or by type of national level voting circumstances (e.g. parliament, referendum, president of the republic etc.). In addition to official data and also if such data are not available, make reference to any relevant quantitative or qualitative academic research concerning the exercise of the right to vote and related drivers and barriers.</p>	<p>European citizens in order to exercise their right to vote in European Elections.</p> <p>2. Passive voting rights</p> <ul style="list-style-type: none"> - National elections: Every <u>Spanish citizen</u> who enjoys voting rights in national elections also enjoy eligibility rights, provided that no cause of ineligibility (as regulated by Article 6 LOREG) are applicable. Ineligibility may be due to occupying a high public or judicial office, serving a prison sentence or incapacitation due to mental insanity. <u>Foreigners</u> (both European citizens and third-country nationals) <u>should be naturalised</u> in order to enjoy passive voting rights. - European Elections: As stated before, <u>EU citizens</u> must expressly state their desire to exercise their voting rights in Spain. Once that desire is declared, voting and eligibility rights are exercised in the same way as <u>nationals</u>. Anyhow, they have to certify that they are not standing as candidates in any other EU country <p>Relevant academic research concerning the right to vote: Rodríguez, A. (2013) <i>Access to Electoral Rights Spain</i>. EUDO Citizenship Observatory. Robert Schuman Centre for Advanced Studies¹⁰⁵ Offers an overview of the rules and regulations of active and passive voting rights. The document comprehends both, Spaniards (resident or not) and foreigners (EU and Third country nationals). It is mainly focused on the 2011 reform of LOREG¹⁰⁶, which forbid the vote of Spanish nationals living abroad in local elections. However, and although these and other reforms have achieved some degree of popularity in legal literature, the question of electoral rights of nationals living abroad, and of foreigners living in Spain, has not been so far a major issue of political debate in Spain since the restoration of democracy in the late seventies. Unlike the vote of European citizens, the vote of non-residents nationals had been politically relevant in previous local elections in some small towns. In some cases, non-resident nationals were key to deciding the outcome of elections due to the large number of emigrants (and of sons or grandsons of emigrants, thanks to the generosity of Spanish law on nationality) who were allowed to vote. This was clearly the reason for the reform of the electoral law passed in 2011, which made it a requirement to reside in Spain in order to have electoral rights in local elections.</p> <p>Foro para la Integración Social de los Inmigrantes (2011) <i>la participación política de las personas inmigrantes</i>. Informe anual sobre la situación de la integración social de los inmigrantes y refugiados¹⁰⁷ <i>Political Participation of Immigrants</i> Analyses the recognition, guarantee and exercise of political rights for immigrants: the right to vote and liabilities and the</p>
--	---

¹⁰⁵ Accessed on 12 May 2015 and available at eudo-citizenship.eu/admin/?p=file&appl=countryProfiles&f=1315-Spain-FRACIT.pdf

¹⁰⁶ General Electoral System Law 5/1985 (LOREG) of 19 June

¹⁰⁷ Accessed on 12 May 2015 and available at www.foroinmigracion.es/es/MANDATO-FORO-2010-2013/DocumentosAprobados/Informes/INFORME-FORO2011-MONOGRAFIA-PARTICIPACION-POLITICA.pdf

		possibilities of participatory fundamental rights: association, assembly, demonstration, local assemblies. It also analyses strengths and weaknesses of the Spanish participation model.
Please indicate any programmes or information campaigns aiming at informing citizens of migrant background about their political rights and encouraging the exercise of the right to vote.		<p>ANDALUCÍA ACOGE, <i>Declaración con motivo de la Jornada Mundial del Migrante</i>. (18_02_14)¹⁰⁸.</p> <p>International Migrant's Day: Manifiesto <i>Andalucía Acoge (Andalucia Hosts)</i> is an NGO with greater presence in the Spanish public sphere. Its work is especially significant because of the proximity to the problem of the southern border, and the high percentage of immigrants in the region. In this manifesto, the ninth point demands the extension of access to voting, linking it to the residence.</p> <p>DISTINTOS COLECTIVOS SOCIALES, "<i>iAquí vivo, aquí voto!</i>" <i>iPOR EL DERECHO AL VOTO DE LAS PERSONAS MIGRANTES!</i> (11_2011).¹⁰⁹</p> <p>Distintos Colectivos Sociales, "Here I live, here I vote!" Claiming immigrants' right to vote!¹¹⁰</p> <p>A set of social groups issue a manifesto claiming the need for reform of the constitution and laws that prevent access to vote, in all its expressions, for migrants.</p> <p>They rely, for this claim, on the value of dignity and political translation into voting rights.</p>

3.1.3.National level election – representation

The number of candidates with migrant background (where available, specify own or parent's country of birth) at the latest national level elections (specify date)		There were very few candidates with migrant background in the general elections of November 2011. According to some inquiries made by the newspaper <i>El País</i> to the political parties in 2011, there were a total of 8 immigrant background candidates: Conservative Popular Party (<i>Partido Popular, (PP)</i>), one (Colombian); Socialist Party (<i>Partido Socialista Obrero Español, (PSOE)</i>), four (one Colombian, one Ecuadorian and two Moroccans); the centre party, Union, Progress and Democracy (<i>Unión, Progreso y Democracia, (UPyD)</i>) two, (one Cuban and one Ukrainian); and the Green Party (<i>EQUO</i>), one (Colombian) ¹¹¹ .
The number of elected representatives with migrant background at national level (e.g. parliament, senate)		We have checked the list of elected representatives thoroughly and none of them currently has an immigrant background. ¹¹²
Those appointed to public office (e.g. ministers,		None (information obtained from the websites of the 13 existing ministries)

¹⁰⁸ Accessed on 12 May 2015 and available at acoge.org/wp-content/uploads/2014/12/D%8D%8DA-INTERNACIONAL-DEL-MIGRANTE-FORO-ANDALUZ-DE-LA-INMIGRACION.pdf

¹⁰⁹ www.acsur.org/IMG/pdf/Manifiesto_Por_el_derecho_al_voto_de_los_migrantes_def.pdf

¹¹⁰ www.acsur.org/IMG/pdf/Manifiesto_Por_el_derecho_al_voto_de_los_migrantes_def.pdf

¹¹¹ politica.elpais.com/politica/2011/11/11/actualidad/1321037719_287301.html

¹¹² www.congreso.es/portal/page/portal/Congreso/Congreso/Diputados

All links were accessed on 12 May 2015

	secretaries of state, etc.) by end of 2014.	
3.2. Political rights at regional/local level		
3.2.1. Regional/Local elections voting rights – turnout		
	Specify what regional/local voting rights are given to third country nationals and any different entitlements according to residence status, permit type or length of stay etc	<p>Article 13.2 of the Spanish Constitution only permits the extension of electoral rights to non-nationals in the case of municipal elections, and EU citizens in the case of European Parliamentary elections as explained above. Therefore, neither EU citizens, nor any other category of person who does not hold Spanish nationality are allowed to vote in national or regional elections.</p> <p>1. Active voting rights in local elections</p> <p>Those foreigners able to vote in Spanish local elections are citizens who are of legal age on polling day, are resident in Spain and</p> <ul style="list-style-type: none"> - are nationals of the European Union - are nationals of other countries with agreements that recognise this right for Spaniards (reciprocity condition). <p>The third countries with agreements currently in force are: Bolivia (2009), Cape Verde (2009), Chile (2009), Colombia (2009), South Korea (2011), Ecuador (2009), Iceland (2009), Norway (1990), New Zealand (2009), Paraguay (2009), Peru (2009) and Trinidad and Tobago (2011). This list could be extended with other countries with which future agreements are established.</p> <p>The following are required:</p> <ol style="list-style-type: none"> 1. submit the <u>request for registration</u> in the electoral census for the municipal elections, 2. <u>fulfil the remainder of the conditions</u> of the Agreements. <p>2. Passive voting rights in local elections</p> <p>Third country nationals are not allowed to stand as candidates in local elections. All the bilateral electoral agreements signed up to today concern active voting rights only.</p>
	Key and/or milestone dates regarding the voting and/or election rights for migrants and/or their descendants at regional/local level	<p>2011:</p> <ol style="list-style-type: none"> 1. Reform of Article 2 <i>LOREG</i>¹¹³ established that living in Spain (although not in a specific municipality) is compulsory either to vote or to run as a candidate in local elections. 2. Municipal elections May 2011. This was the first time that third country nationals were entitled to vote in municipal elections, due to the signing of reciprocity agreements. Currently, nationals of Bolivia, Cape Verde,

¹¹³ General Electoral System Law 5/1985 (*LOREG*) of 19 June

		<p>Chile, Colombia, South Korea, Ecuador, Iceland, Norway, New Zealand, Paraguay, Peru and Trinidad and Tobago are entitled to vote.</p> <p>Municipal elections of May 2015 might also become a landmark date, as a large number of immigrants have acquired Spanish nationality (114,599 in 2011, 115,557 in 2012 and 261,295 in 2013), which implies an increase in the number of Spanish citizens of immigrant background able to vote.</p>
<p>Please indicate any programmes or information campaigns aiming at informing citizens of migrant background about their political rights and encouraging the exercise of the right to vote.</p>		<p>COMUNIDAD DE MADRID. <i>Información práctica sobre la participación de ciudadanos extranjeros en las elecciones municipales del 24 de mayo de 2015.</i></p> <p>Useful information on the participation of foreign citizens in the municipal elections of 24 May 2015. Available at: www.madrid.org/cs/Satellite?blobcol=urldata&blobheader=application%2Fpdf&blobheadername1=Content-disposition&blobheadername2=cadena&blobheadervalue1=filename%3DElecciones+municipales+2015+pa%C3%ADses+con+acuerdo.pdf&blobheadervalue2=language%3Des%26site%3DPortalInmigrante&blobkey=id&blobtable=MungoBlobs&blobwhere=1352861950094&ssbinary=true</p> <p>Prospectus example, issued by Madrid regional government, including information about voting procedures in local elections.</p> <p>Specifies the countries with bilateral agreements for participation in the elections.</p> <p>COMUNIDAD DE MADRID. <i>Elecciones municipales mayo 2015. Información para el voto de extranjeros.</i></p> <p>Municipal elections in May 2015. Information for foreign voters. Available at: www.madrid.org/cs/Satellite?blobcol=urldata&blobheader=application%2Fpdf&blobheadername1=Content-disposition&blobheadername2=cadena&blobheadervalue1=filename%3DFolleto+Elecciones+Municipales+2015+en+espa%C3%B1ol.pdf&blobheadervalue2=language%3Des%26site%3DPortalInmigrante&blobkey=id&blobtable=MungoBlobs&blobwhere=1352862178931&ssbinary=true</p> <p>Informative booklet that gives the legal specifications.</p> <p>SOCIALIST PARTY (PARTIDO SOCIALISTA OBRERO ESPAÑOL, (PSOE)) IN CASTILLA AND LEON REGION , <i>Nota de prensa sobre la campaña: "Con tu voto, ganamos todos".</i> Press release from the campaign: "With your vote we all win!" Available at: www.psoecyl.com/web/archivos/not/documento_20141201123543doc.pdf</p> <p>Press release reporting the campaign encouraging the application of voting by emigrants from countries with a bilateral voting agreement. The campaign includes an informative dimension as well as a motivation for participation.</p>

		<p>Partido X. <i>Voto extranjero.</i></p> <p><i>Foreign voters</i></p> <p>Available at: partidox.org/voto-extranjero-2015/ Information campaign and proposed amendment bill to facilitate access for residents to vote, eliminating the process of applying to register their wish to vote, which is considered anti-constitutional.</p>
<p>In addition to official data and also if such data are not available, make reference to any relevant quantitative or qualitative academic research concerning the exercise of the right to vote and related drivers and barriers.</p>		<p>Relevant academic research concerning the right to vote:</p> <p>Pérez-Nievas, S., Vintila, C., Morales, L., Paradés, M. (2014). <i>La representación política de los inmigrantes en elecciones municipales. Un análisis empírico.</i> Madrid, CSIC (Centro superior de investigaciones científicas), The Spanish National Research Council.</p> <p><i>Political representation of immigrants in local elections. An empirical approach</i></p> <p>Available at: libreria.cis.es/static/pdf/OA72acc.pdf This document, mainly focuses on the local level, describes patterns of political representation of people of immigrant origin in Spain. The analysis relies on two surveys, conducted in municipalities with more than 15 % of foreign population, and covers local elections since 2003. The first survey deals with immigrant candidates of national or regional parties and was conducted in municipalities in which Romanians, Bulgarians, Moroccans and Latin Americans constitute more than 15 % of the population. The second sample analyses only the 2011 elections in the Madrid Region and is focused on local political parties in all municipalities where people of immigrant origin exceed 15 % of the population. The results highlight a clear pattern of under-representation of immigrant councillors. However, Latin Americans, with a higher cultural and linguistic proximity and a longer stay in Spain, turn out to be the most successful ones. Local and regional political parties offer immigrant candidates' inclusion rates above the average (of national scope political parties). Finally, immigrant representation increases in those municipalities with a higher number of political parties.</p> <p>Moya, D. and Viñas, A. (2011). <i>El sufragio de los extranjeros en las elecciones municipales de 2011 en España</i>, Barcelona, CIDOB (Centro de estudios y documentación internacionales de Barcelona) Barcelona Centre for International Affairs).</p> <p><i>Voting Rights for Foreigners in Spain</i></p> <p>Available at: www.cidob.org/es/publicacions/articulos/anuario_de_la_inmigracion_en_espana/2011/el_sufragio_de_los_extranjeros_en_las_elecciones_municipales_de_2011_en_espana</p> <p>It is a comprehensive study of suffrage for foreigners in the municipal elections of May 2011 in Spain, from the analysis of the Spanish constitutional framework and the prerequisites for the electoral participation of different groups of foreigners. From official statistics, the authors carefully analyse the numbers of potential voters by nationality and region, to evaluate a final participation in the elections with a low turnout, indicating that a</p>

		<p>long road lies ahead. In view of the forthcoming municipal election in 2015, a projection on a predictable increase in the census of foreigners allowed to vote, together with a set of proposals to facilitate greater participation is made. Finally, the text stresses the importance of political participation as a factor of immigrant integration.</p> <p>Guild, E., Gortázar Rotaeché, C.J. and Kostakopoulou, D. (eds.). (2014). <i>The Reconceptualization of European Union Citizenship</i>, Leiden/Boston: Martinus Nijhoff. Using the celebration of the 20th anniversary of EU citizenship as a <i>leitmotif</i>, the book is divided into three parts: the relationship between EU citizenship and the development of a European identity; the entitlement to solidarity for E U mobile citizens; and the concept of equality as the building blocks of the EU project.</p> <p>The section EU citizenship and identity, examines the transition from foreigner to citizen of a particular polity. Here we find examples of the fragmented status of the category of foreigner in Europe and the different hierarchies of citizenship. Three chapters should be highlighted, as they deal with the acquisition of Spanish nationality: Gortázar Rotaeché, Ruiz de Huidobro, and Martín Pérez and Moreno Fuentes, analyse the ways in which certain third country nationals may obtain citizenship from an EU Member State, and consequently, EU citizenship as well. Being a national competence, the three chapters enlighten us on various naturalisation practices depending on the particular historical and social circumstances in each Member State. The way in which countries legislate on access to citizenship has obvious consequences on European integration and identity-building.</p>
--	--	--

3.2.2.Regional/local level election – representation

	<p>The number of candidates that were third country nationals and/or with migrant background at the latest regional/local level elections (specify date)</p>	<p>According to the surveys conducted by Pérez-Nievas <i>et al.</i> (2014), and taking into account all the local elections that have taken place since 2003 in municipalities with more than 15 % of immigrant population, 1.2 % of 6,497 candidates (that is, 79 people) have an immigrant background. Most numerous groups are Latin Americans and Others (chiefly EU).</p> <table border="1" data-bbox="564 1435 1331 1738"> <thead> <tr> <th></th> <th>Candidatos</th> <th>Inmigr</th> <th>Lat</th> <th>Marr</th> <th>Búl</th> <th>Rum</th> <th>Otros inmigr.</th> </tr> </thead> <tbody> <tr> <td>Nº candidatos total</td> <td>6497</td> <td>79</td> <td>37</td> <td>1</td> <td>0</td> <td>21</td> <td>20</td> </tr> <tr> <td>Nº candidatos 2003</td> <td>2073</td> <td>15</td> <td>6</td> <td>0</td> <td>0</td> <td>0</td> <td>9</td> </tr> <tr> <td>Nº candidatos 2007</td> <td>2152</td> <td>17</td> <td>9</td> <td>0</td> <td>0</td> <td>6</td> <td>2</td> </tr> <tr> <td>Nº candidatos 2011</td> <td>2272</td> <td>47</td> <td>22</td> <td>1</td> <td>0</td> <td>15</td> <td>9</td> </tr> <tr> <td>% candidatos – todas las elecciones</td> <td>100</td> <td>1,2</td> <td>0,57</td> <td>0,02</td> <td>0</td> <td>0,32</td> <td>0,32</td> </tr> <tr> <td>Nº candidatos total</td> <td>2068</td> <td>9</td> <td>7</td> <td>0</td> <td>0</td> <td>0</td> <td>2</td> </tr> <tr> <td>% concejales - todas las elecciones</td> <td>100.0</td> <td>0.4</td> <td>0.3</td> <td>0</td> <td>0</td> <td>0</td> <td>0.1</td> </tr> <tr> <td>% concejales inmigrantes de total candidatos inmigrantes</td> <td></td> <td>11.4</td> <td>8.9</td> <td>0</td> <td>0</td> <td>0</td> <td>2.5</td> </tr> </tbody> </table>		Candidatos	Inmigr	Lat	Marr	Búl	Rum	Otros inmigr.	Nº candidatos total	6497	79	37	1	0	21	20	Nº candidatos 2003	2073	15	6	0	0	0	9	Nº candidatos 2007	2152	17	9	0	0	6	2	Nº candidatos 2011	2272	47	22	1	0	15	9	% candidatos – todas las elecciones	100	1,2	0,57	0,02	0	0,32	0,32	Nº candidatos total	2068	9	7	0	0	0	2	% concejales - todas las elecciones	100.0	0.4	0.3	0	0	0	0.1	% concejales inmigrantes de total candidatos inmigrantes		11.4	8.9	0	0	0	2.5
	Candidatos	Inmigr	Lat	Marr	Búl	Rum	Otros inmigr.																																																																			
Nº candidatos total	6497	79	37	1	0	21	20																																																																			
Nº candidatos 2003	2073	15	6	0	0	0	9																																																																			
Nº candidatos 2007	2152	17	9	0	0	6	2																																																																			
Nº candidatos 2011	2272	47	22	1	0	15	9																																																																			
% candidatos – todas las elecciones	100	1,2	0,57	0,02	0	0,32	0,32																																																																			
Nº candidatos total	2068	9	7	0	0	0	2																																																																			
% concejales - todas las elecciones	100.0	0.4	0.3	0	0	0	0.1																																																																			
% concejales inmigrantes de total candidatos inmigrantes		11.4	8.9	0	0	0	2.5																																																																			
	<p>The number and % of elected representatives with migrant background at regional/local level (e.g. municipalities,</p>	<p>7</p>																																																																								

	regions, prefectures etc.)	
	Those who were elected or appointed to a high public office (e.g. mayor, vice mayor etc.) by end of 2014.	<p>We have not been able to find any data for the 2011 elections. The most recent information comes from 2009. In a press release, The Ministry of Finance and Public Administration provided information about mayors and town councillors of foreign background. Two mayors from the 8,112 Spanish municipalities are foreigners (one French, and one Belgian), as recorded by the Register of Local Authorities, which brings together data on 8,416 mayors.</p> <p>Available at: www.seap.minhap.gob.es/es/prensa/notas_de_prensa/notas/2009/08/20090807.html</p>
	Please identify related limitations and challenges or public debates, as well as relevant research, studies and assessments.	<p>FORO PARA LA INTEGRACIÓN SOCIAL DE LOS INMIGRANTES, La participación política de las personas emigrantes. (Informe anual sobre la situación de la integración social de los inmigrantes y refugiados en 2011).</p> <p>FORUM FOR THE SOCIAL INTEGRATION OF IMMIGRANTS¹¹⁴, The political participation of migrants. (An annual report on the state of social integration of immigrants and refugees in 2011.</p> <p>The second chapter explains the legislative framework of immigrants in the European Union.</p> <p>The third chapter develops the implications of social participation for the achievement of civil and political integration.</p> <p>The fourth chapter reviews the conditions for the vote of immigrants in Spain.</p> <p>The fifth looks at “indirect” social participation, that is, participation but not linked to voting rights.</p> <p>The sixth chapter focuses on the set of best practices that have allowed for the consultation of immigrants in public affairs, without an obligation to monitoring resolutions, and opening up participatory spaces.</p> <p>The seventh chapter focuses on the association as a fundamental experience for the participation of immigrants. Finally, an analysis of the strengths and weaknesses of the Spanish association is provided in general terms in order to assess the possible incorporation of immigrant associations.</p> <p>The forumt is not limited to integration policy in the strict sense. It can address any policy and thus any ministry that affects immigrants. Their diverse objectives often go beyond promoting immigrants’ participation and informing/improving policy. In fact, the Forum cooperates with other similar bodies in international, regional or local level in order to coordinate and improve any actions that benefit the social integration of immigrants and refugees</p>

¹¹⁴ Accessed on 11 May 2015 and available at: www.foroinmigracion.es/es/Normativa/index.htm

3.3.Consultation

3.3.1.Consultative bodies at national/regional/local level

	<p>Are there any migrants' consultative bodies in place at national / regional/ local level foreseen and/or operational in practice? Since when and on which legal basis (please provide reference). Please specify whether migrants' consultative/advisor y/representative bodies are established by law or other type of normative regulation, policy or practice.</p>	<p>The political participation of immigrants in the consultative bodies is being increasingly promoted both locally and nationally</p> <p>1.- At national level: The Forum for the Social Integration of Immigrants¹¹⁵</p> <ul style="list-style-type: none"> - In 2006, the Spanish government increased the possibility of consultation and participation through the Forum for the Social Integration of Immigrants -This is operational in practice to promote and develop studies and related initiatives social integration of immigrant; to promote reports based on proposals, plans and programmes related to immigration, not only when the central administration being asked but also on its own initiative. -The Forum for the Social Integration of Immigrants is the organ of consultation, information and advice on immigrant integration. The aim of the Forum is to promote the participation and integration of immigrants into Spanish society, proposing, informing and carrying out actions to those purposes. - It is regulated by Article 70 of Law 4/2000 of 11 January on the rights and freedoms of foreigners in Spain and their social integration and Royal Decree 557/2011, of 20 April. -The National Forum was introduced as part of Spain's basic governance structure on integration in the pivotal 1994 Plan for Social Integration of Immigrants. Royal Decree 3/2006 defined the body as an organ for consultation, information and advice on integration under the Ministry of Labour and Immigration. -Members must be regularly consulted according to a clear legal framework¹¹⁶ The Council for the Elimination of Racial or Ethnic Discrimination is currently attached to the Ministry of Health (Institute for Women and Equal Opportunities). This is a consultative body formed by the state, regional and local administrations, business and representative trade unions, and non profit organisations working in the field of discrimination because of racial or ethnic origin. <p>However, at the Council web site we only can read reports until 2011. Those last years (2012-2014) it seems not to have much activity, or at least there are not available reports¹¹⁷</p>
--	--	---

¹¹⁵ Available at: www.foroinmigracion.es/es/Normativa/index.htm

¹¹⁶ (Available at: www.boe.es/buscar/act.php?id=BOE-A-2006-625)

¹¹⁷ Ibid. See at the site last more recent documents only until 2011 :

1“Estudio anual sobre la discriminación por el origen racial o étnico: la percepción de las potenciales víctimas 2011. Archivo pdf”

2 “El papel de los organismos de igualdad en la lucha contra la discriminación étnica y racial Archivo pdf.: documento de conclusiones y retos clave”

3 “The role of equality Bodies in the fight against Ethnic and Racial discrimination Archivo pdf : summary of conclusions and key challenges”.

4 “Informe anual sobre la situación de la discriminación Archivo pdf. y la aplicación del principio de igualdad de trato por origen racial o étnico en España 2010”.

All them available at: www.igualdadynodiscriminacion.org/

Law 15/2004, of 16 September as published in the Spanish Official Gazette, (*Boletín Oficial del Estado, BOE*)), covers the rationalisation of the public sector and other measures of administrative reform. This law created the Institute for Women and Equality of Opportunity, where the Council for the Promotion of Equal Treatment and Non-Discrimination of Persons Racial or Ethnic Origin is assigned; which was renamed the Council for the Elimination of Racial and Ethnic Discrimination. The law came into force on 18 September 2014. These changes are contained in Articles 17 and 18 of the Act.

2.- Regional and/or Local consultative bodies

There are only two consolidated consultative local bodies: Municipal Immigration Council of Barcelona (*Consejo municipal de inmigración de Barcelona, (CMBI)*) and The Madrid Forum for Dialogue and Coexistence.

aThe Council of the City of Barcelona planned to promote immigrant associations and increase the capacity of this association when presenting and defending their interests for 2011¹¹⁸.

- Municipal Immigration Council of Barcelona (CMBI): it is a consultative and participatory organ of the City of Barcelona voluntarily composed of entities and associations of immigrant groups, social partners, local political groups and observers, who want to influence the social, cultural and political environment to ensure the realization of full citizenship of immigrants. The Municipal Immigration Council was created in 1997 with 16 entities (today 58) by the Barcelona City Council contributing to compliance mandate contained in Articles 9.2 and 43.1 of the Spanish Constitution and the Statute of the Region of Barcelona.

The City Council created this consultative and participation body, such as jurisdiction, as one of the mechanisms necessary to make Barcelona a plural and inclusive city with immigrants, ethnic minorities, indeed, with all cultures.

Operational in practice: **2012-2015 Working Plan of Municipal Immigration Council of Barcelona:** This Plan is structured in four areas, each of which consists of some objectives and their corresponding actions: full citizenship, interculture and development and support of associations.

a) The Madrid Forum for Dialogue and Coexistence, a consultative body of the Madrid Council (Sectorial Council of the City of Madrid in the field of migration and intercultural diversity), is making great efforts to promote dialogue and coexistence between immigrant associations of the city and various public and private actors.

- operational in practice: New Madrid Plan for Social and Intercultural Coexistence that is defined as a space for dialogue

¹¹⁸Available at: www.bcn.cat/novaciudadania/arees/es/consell_municipal/consell_municipal.html and www.bcn.cat/novaciudadania/pdf/ca/participacio/plans/reglament.CMIB.es.pdf

		<p>between the entities, but not as a forum for representation of immigrants, nor a place for them to defend their interests and propose policies to improve integration and quality of life.</p> <p>The Basic Regulation of Citizen Participation (<i>Reglamento de participación ciudadana (ROPC)</i>) regulates Title IV, Chapter 2, the so-called sectorial councils as bodies of participation; these are consultative, with the participation of residents and their associations in large sectors or areas of municipal action.¹¹⁹</p>
	<p>What is the mandate of the body – duration and procedures? In particular specify if and by which modalities these bodies are competent to participate in consultations only on migration or integration issues or if they participate also in consultations on other issues? How do these bodies work in practice?</p>	<p>The Forum for the Social Integration of Immigrants¹²⁰</p> <p>The national consultative system in Spain is structural and has its objectives set out in legal mandates. It is not limited to integration policy in the strict sense. It can address any policy and thus any ministry that affects immigrants. Their diverse objectives often go beyond promoting immigrants' participation and informing/improving policy. For example: To develop an annual report on the social situation of immigrants</p> <p>Specific objectives and Work in practice:</p> <ul style="list-style-type: none"> - Proposals and recommendations aimed at promoting the integration of immigrants and refugees in Spanish society: the social integration of immigrants on freedom of movement for Romanian workers - Receive information on programmes and activities carried out by the General State Administration, the Administration of the Autonomous Communities and Local Government on social integration of immigrants; monitoring report of application RD 1192/2012. - Prepare an annual report on the work and activities undertaken: report of the forum for social integration, immigrants in connection with the situation migration flows in the southern border cities of Ceuta and Melilla and Spanish coast - Prepare an annual report on the state of social integration of immigrants and refugees, prepare reports on proposals, plans and programmes that can affect the social integration of immigrants, on its own initiative or when they are required by the competent bodies of the General State Administration: report of situation of the integration of immigrants and refugees in Spain (2011-2014), effects of the crisis and unemployment - Promote or undertake studies and initiatives on issues related to social integration of immigrants and refugees: political participation of immigrants; Public policies of integration and civic engagement

¹¹⁹ Available at: www.madrid.es/portales/munimadrid/es/Inicio/El-Ayuntamiento/Servicios-Sociales/Inmigracion/Foro-Madrid-de-Dialogo-y-Convivencia?vgnextfmt=default&vgnextoid=5d7e1f8d0d449210VgnVCM1000000b205a0aRCRD&vgnextchannel=d33d9ad016e07010VgnVCM100000dc0ca8c0RCRD

and: www.madrid.es/UnidadesDescentralizadas/Inmigracion/EspInformativos/MadridConvive/Present/Ficheros/II%20Plan%20Madrid%2009%20WEB.pdf

¹²⁰ Accessed on 11 May 2015 and available at: www.foroinmigracion.es/es/Normativa/index.htm

- Cooperate with other similar bodies in international, regional or local level in order to coordinate and improve any actions that benefit the social integration of immigrants and refugees people: **MADRID FORUM FOR DIALOGUE AND COEXISTENCE**

Municipal Immigration Council of Barcelona (*Consejo municipal de inmigración de Barcelona (CMBI)*)

The Council's mission is to promote the principle of equal treatment and non-discrimination against people because of their racial or ethnic origin in different areas of life, such as education, health, housing, employment or access to any type of good or service.

Lines of work and examples of practices of the Council are:

1. To provide independent assistance to victims of direct or indirect discrimination on racial or ethnic origin, in pursuing their claims: **Proposals to encourage the inclusion of immigrants in the context of immigration law**
2. Perform an autonomous and independent analysis and studies and publish independent reports on discrimination against persons on grounds of racial or ethnic origin: **67 Proposals of Barcelona Municipal Immigration Council, July 2014**
3. To promote measures that contribute to equal treatment and the elimination of discrimination formulating recommendations and proposals as appropriate: **Jornada Immigració, Formació i Inserció laboral, 11 de julio de 2014, (Immigration, Training and Job placement Seminar, 11 July 2014)**
4. Develop and adopt the Annual Report of Council activities and raise it with the Secretary of State for Social Services and Equality: **Health Working Group; Women and Immigration Conference, Report of the working session 1 June 2012; Working Group for the Code of Regulations; Working group for members of the City Council for Immigration and the Federation of Students' Parents of Catalonia (Federació d'Associacions de Mares i Pares d'Alumnes de Catalunya (FAPAC)); the Parents' Association (Asociación de madres y padres de alumnus (AMPA)); Migrants' Day Work Group; CMIB's Work Plan Working Group.**

To carry out the first of these functions, a service for the assistance to victims of discrimination in collaboration with social entities was created in 2010.

The Madrid Forum for Dialogue and Coexistence

Objectives and Work in practice:

- Encourage the protection and promotion of social and intercultural coexistence: **The Migration and Intercultural Coexistence Observatory; Línea Madrid; Website for Information on Immigration Matters; Information and Guidance Offices for Integration; Legal Advisory Service on Foreigner Matters; Translation and Interpreting Service; Documentation Centre for Immigration Matters**
- Advise and consult with the various bodies of the City in cohabitation social intercultural, diversity and migration, Promote the implementation of policies aimed at defending the rights of individuals, non-discrimination and the fight against

	<p>racism and xenophobia: Emergency Centre Programme; Campaign Against Cold; Emergency Shelter Project; Day Centres and Social Canteens; Training Municipal Programme for Internal Training in Immigration and Interculturality; Training in The Spanish Language; Training For Associations; Counselling for social and job market integration; Information and Guidance Service for Integration in the Labour Market; Service for Integration in the Labour Market for Young Immigrants; Support Service for Immigrant Families through Employment; Social integration and coexistence; Outreach Service in Public Areas; Neighbourhood Outreach Service; Programme, Let's Meet after Class; Open Centres Programme; Awareness campaign and fight against racism; Cooperation with Social Organisations in projects for awareness campaigns and for fighting racism; Legal Advisory in matters of fighting against racism; Programmeme for Awareness Campaigns Against Racism in the university</p> <ul style="list-style-type: none"> • Promote studies, reports and actions on matters within its area of competence. • Consider and submit proposals and queries for District Dialogue and Coexistence Boards to municipal entities (Plenary district, municipal Government Areas, Plenary Council of Madrid); perform its monitoring and reporting on resolving them: San Blas Temporary Shelter for Immigrants; Ciudad Lineal Shelter; Moncloa Shelter for Families; Socio-community Intervention Project for Immigrant Families; Shelter Apartments for Immigrant Population; Programme for Temporary Shelter and Attention to Sub-Saharan People; Global Programme for Prevention of Social Exclusion of Young Immigrants.
<p>Frequency of convening of the body/-ies/ meetings with competent public authorities. What is foreseen and how is it implemented in practice?</p>	<p>The Forum for the Social Integration of Immigrants Meetings</p> <p>The Forum had 25 plenary meetings between 2010 and 2014, 40 standing committee meetings, and many others for its four commissions.</p> <p>All agreements are approved by regular or extraordinary plenary meetings</p> <p>SESSIONS OF THE COMMITTEE ON EDUCATION AND AWARENESS</p> <p>Summary of meetings held 2010: 2 Central themes of the meeting: Summary of meetings held 2011: 7 Summary of meetings held 2012: 4 Summary of meetings held 2013: 7 Summary of meetings held 2014: 5</p> <p>For example. Central themes of the meeting : situation of the integration of immigrants, effects of the crisis</p> <p>Available at: <u>www.foroinmigracion.es/es/MANDATO-FORO-2010-2013/DocumentosAprobados/Informes/index.htm</u></p> <p>SESSIONS OF THE COMMISSION FOR EMPLOYMENT AND TRAINING</p> <p>Summary of meetings held 2010: 3</p>

	<p>Central themes of the meeting: Summary of meetings held 2011:7 Summary of meetings held 2012:11 Summary of meetings held 2013: 4 Summary of meetings held 2014:1 For example: Central themes of the meeting : situation of the integration of immigrants, effects of the crisis and unemployment¹²¹</p> <p>SESSIONS OF THE COMMISSION ON INTEGRATION, PARTICIPATION AND INTERCULTURAL POLICIES Summary of meetings held 2010: 2 Central theme of the meeting: Summary of meetings held 2011:9 Summary of meetings held 2012:12 Summary of meetings held 2013:4 Summary of meetings held 2014: 4 For example. Central theme of the meeting: political participation of immigrants; Public policies of integration and civic engagement</p> <p>SESSIONS OF THE LAW COMMISSION, EUROPEAN UNION AND INTERNATIONAL AFFAIRS Summary of meetings held 2010: 2 Summary of meetings held 2011:11 Summary of meetings held 2012:8 Summary of meetings held 2013:5 Summary of meetings held 2014:6 For example: Central theme of the meeting : situation migration flows¹²²</p> <p>Municipal Immigration Council Barcelona (CMBI)</p> <p>It is constituted by the organs of the council presidency and vice-presidencies, the plenary council and the standing committee, the emergency review committee and secretariat.</p> <p>The plenary council is the highest representative body of the Municipal Immigration Council and has at least two regular sessions each year. Chaired by the Mayor or a Councillor for all members of the Municipal Immigration Council.</p> <p>The standing committee is the body of continuity in the Municipal Immigration Council of Barcelona and has regular meetings every two months. This body is responsible for articulating the mechanisms that facilitate achieving the functions entrusted to the Council. It consists of the chairperson, first vice chairperson and a second member that has served as vice chair in the previous period, representatives of the two trade union organisations with the largest membership in the city, seven members representing member institutions and a secretary.</p>
--	---

¹²¹ Available at:

www.foroinmigracion.es/es/MANDATO-FORO-2010-2013/DocumentosAprobados/Informes/index.htm

¹²² www.foroinmigracion.es/es/MANDATO-FORO-2010-2013/DocumentosAprobados/Informes/index.htm

	<p>The Commission issues statements on situations or exceptional occurrences affecting the rights or interests of immigrants or applicants for international protection. A proposal may be made by the Chair, by agreement of the Plenary Council or the Standing Committee, or at the request of at least eight member institutions of the Council.</p> <p>Moreover the working groups that are created on a proposal from the Standing Committee or the Chair are created to work on a specific topic.</p> <p>The Council has a Technical Secretariat whose function is to support, promote and revitalise the Council bodies¹²³.</p> <ul style="list-style-type: none"> - Council plenary sessions may be ordinary or extraordinary. Two ordinary meetings will be held annually. Special sessions shall be convened by the Chair, on his or her own initiative or at the request of at least a quarter of the members of the plenary council. - The standing committee sessions may be ordinary or extraordinary. Ordinary sessions are held every two months, with a total of six per year. - July 2014: 67 Proposals to favour the inclusion of immigrants in the framework of the immigration law, to help overcome the impairments in processing immigration records, which can lead many people to overstay situations or inability to access the regularisation. <p>The Madrid Forum for Dialogue and Coexistence</p> <p>Plenary sessions</p> <p>The plenary is the highest decision making body of the Forum. Meetings may be ordinary, once a quarter, and special meetings when requested by a quarter of the members, or when the Chair deems these necessary.</p> <p>The main functions of the plenary of the Forum are:</p> <ul style="list-style-type: none"> -Decide the general lines of the Madrid Forum and approve, if appropriate, proposals emanating from the standing committee -Create the working committees as it deems necessary -Know the Municipal Plan of action on social and intercultural coexistence, as well as monitor and evaluate specific programmes in this area <p>It can create working committees or unsubscribe them, cover specific issues and provide for a limited time, producing a final report submitted to the plenary and currently there are five working committees. The most current sessions of meetings are dated in 2012. In 2013 working committees are related to preparation of III Madrid Plan of Social and Intercultural Affairs¹²⁴</p> <ul style="list-style-type: none"> - Antidiscrimination Commission
--	--

¹²³ Available at: www.bcn.cat/novaciudadania/pdf/es/home/67.propuestas.CMIB.pdf

¹²⁴ Available at: www.madrid.es/portales/munimadrid/es/Inicio/El-Ayuntamiento/Servicios-sociales/Inmigracion/Foro-Madrid-de-Dialogo-y-Convivencia?vgnextfmt=default&vgnextoid=5d7e1f8d0d449210VgnVCM1000000b205a0aRCRD&vgnextchannel=d33d9ad016e07010VgnVCM100000dc0ca8c0RCRD&idCapitulo=5763628

	<p>In 2012: 3 sessions of meetings have addressed different aspects of discrimination: housing, security and coexistence in public spaces, but has not addressed employment and health. .Proposal in plenary session (2013): A greater supply of public housing in co-ownership with the State.</p> <ul style="list-style-type: none"> - Monitoring Committee of Exclusion <p>For example in 2012: performing a study or analysis to produce a report on risk factors affecting the social exclusion in the field of immigration, drawing up preventive proposals and action planning to address this exclusion., analysis has been proposed from their perspective, issues such as economic capacity, housing, health, education, employment and citizenship.</p> <ul style="list-style-type: none"> - Committee on Political Participation and Civic <p>For example in 2012: compiling a survey to introduce the people into a political, associative and social life</p> <ul style="list-style-type: none"> - Committee on Employment <p>For example in 2012: several reports from entities in relation to access to employment of immigrants have been submitted.</p> <ul style="list-style-type: none"> - Committee on Equal Opportunities <p>For example in 2012: providing information on specific demands, types of housing, selling, renting and income in the city of Madrid. In particular: 1. Accompanying programme for people at risk of social exclusion in the framework of the Law of Minimum Income Inclusion. 2. Draft Lodging with no Institutionalised lodging</p> <ul style="list-style-type: none"> - Social Accompaniment (ANI). Three subprogrammes are distinguished: A) Emergency Care; B) People in shared flats; C) People on pensions. <p>3- Housing Solidarity</p>
<p>Role in relation to other public or private bodies. Is there a statutory role of coordination and cooperation with other public or private stakeholders foreseen? How is this implemented in practice?</p>	<p>There is only one consultative public body in relation with other public or private bodies: it is The Madrid Forum for Dialogue and Coexistence</p> <ul style="list-style-type: none"> - Madrid Plan for Social and Intercultural Coexistence Intercultural <p>COLLABORATION WITH THE SOCIAL INITIATIVE¹²⁵</p> <p>Definition Set of measures aimed at strengthening the institutional structure of the City of Madrid through participation in meeting spaces and financing of projects and actions related to coexistence.</p> <p>Objectives Strengthen collaboration between the city of Madrid and nonprofit social entities to ensure a coherent and coordinated work in the actions carried out in cohabitation and to bring the administration closer to its citizens.</p> <p>Recipients Social non-profit entities whose activities take place in the territory of the municipality of Madrid.</p> <p>Methodology and content Annually, the City of Madrid publishes a call for grants to finance projects of social initiative whose objectives coincide with the</p>

¹²⁵ www.munimadrid.es/

		<p>principles and complement the lines of action of this Plan. In order to optimise the effectiveness of this measure, training activities are set to target social organisations to provide tools that allow the initiative to optimise the subsidised social activities. Moreover, these training activities are meeting spaces that are configured as the best means to strengthen the synergies of working with District Dialogue and Coexistence Boards.</p> <p>Coordination and mainstreaming Projects funded develop the activities complementing the action lines contemplated in this plan. The Directorate General of Immigration and Development Cooperation, as the managing body, will be responsible for coordinating the actions taken by social initiative. In project evaluation, the adequacy of the project will be considered by professionals in the municipal social services and members of the District Dialogue and Coexistence Boards.</p> <p>- MADRID FORUM FOR DIALOGUE AND COEXISTENCE The Madrid Forum for Dialogue and Coexistence, Advisory Board of the Madrid City Council in the scope of migrations and intercultural diversity, is comprised of plenary meetings, permanent committees and temporary working committees. The plenary meeting is the highest decision entity that expresses the will of the forum. The permanent committee implements the agreements of the plenary meeting and promotes coordination with the working committees and with the District Dialogue and Coexistence Boards. The plenary meeting and the permanent committee have the power to create temporary working committees to deal with specific or emergency matters.</p> <p>Cooperation Implemented in practice: To study and to present the proposals and consultations made by the District Dialogue and Coexistence Boards and the District Territorial Councils to the corresponding municipal authorities (District Plenary meetings, Municipal Government Secretariats, Plenary meeting of the Madrid City Council).</p> <p>- DISTRICT DIALOGUE AND COEXISTENCE BOARDS The District Dialogue and Coexistence Boards, ascribed to the Madrid Forum for Dialogue and Coexistence, are collective bodies of neighbourhood participation in matters of interculturality. Their scope of action is by district.</p> <p>Cooperation Implemented in practice AWARENESS CAMPAIGN AND FIGHT AGAINST RACISM: Intercultural awareness is conceived to promote the values of respect, mutual acceptance and neighbourly coexistence between all Madrid citizens. The object is to create common experiences that favour becoming acquainted with each other, promote a suitable perception of immigration and the idea of a shared responsibility in achieving a harmonious coexistence in their neighbourhood. Cooperation with private stakeholders: The Madrid City Council actively participates in the European Coalition of Cities Against Racism (ECCAR) and in the URBACT Opencities project.</p>
	Participation in decision-making (consultative,	The Forum for the Social Integration of Immigrants is the only competent body to participate in decision-making at national level

<p>observer status, voting right etc.). Are such bodies competent to participate in decision-making at national/regional/local level in regard to the design, implementation, assessment and/or review of integration-specific, migration or other policies of general interest? Are such bodies and/or their representatives participating in any way to allocation, distribution, monitoring, evaluation or management of funding social inclusion and integration policies, measures and programmes at national level?</p>	<ul style="list-style-type: none"> - The national consultative system reacts to government requests for consultation on laws, policies, and proposals as part of its legal obligations. Beyond this, it has the formal right to initiate its own reports and recommendations, even when not consulted. In Spain it has a right to a response from government. A response can help bodies to better assess their impact and improve their own work. <p>Government requests to the chair that the Forum issue opinions or reports on any drafts affecting social integration. The Forum has the right to prepare reports, plans, programmes on request, or its own initiative, and to formulate its own proposals and recommendations. Members participate extensively on reports and resolutions and secure much government consensus around their recommendations.</p>
<p>What are the modalities for representation and participation of migrants, e.g. elections, designation etc.? What is foreseen and how is it implemented in practice?</p>	<p>The Forum for the Social Integration of Immigrants To have a plural representation and facilitate coordination among stakeholders, The national consultative body in Spain, only partly composed of foreign residents, mixes democratic and technocratic approaches to consultation. It brings together representatives of different ministries in order to better “mainstream” integration into different policies. Mixed bodies must guarantee that immigrants are not politically marginalised. The Forum aims to be tripartite and balanced: six officials from different national ministries, two from regional governments, two from local administrations, ten immigrant associations and ten social support organisations.</p> <p>Delegationships</p> <p>Delegationships of Public Administration: The Spanish Ministry of Foreign Affairs and Cooperation (<i>Ministerio de Asuntos Exteriores y de Cooperación (MAEC)</i>)¹²⁶, The Spanish Ministry of the Interior (<i>Ministerio del Interior</i>)¹²⁷, The Spanish Ministry of Education (<i>Ministerio de Educación, Cultura y Deporte</i>), The Spanish Ministry of Employment and Social Security (<i>Ministerio de Empleo y Seguridad Social (MEYSS)</i>)¹²⁸, The Spanish Ministry of Health (<i>Ministerio de Sanidad, Servicios</i></p>

¹²⁶ Available at: www.exteriores.gob.es/Portal/es/Paginas/inicio.aspx

¹²⁷ Available at: www.interior.gob.es/web/servicios-al-ciudadano/asociaciones

¹²⁸ Available at: www.empleo.gob.es/es/organizacion/inmigracion/contenido/OM15.htm

	<p><i>Sociales e Igualdad (MSSSI)), The Spanish Ministry of Finance and Public Administration (Ministerio de Hacienda y Administraciones Públicas), The Regional Government of Andalusia, the Regional Government of Murcia, and the Spanish Federation of Municipalities and Provinces (Federación Española de municipios y provincias (FEMP))¹²⁹.</i></p> <p>Delegation and Associations of Immigrants and Refugees: Latin America-Spain Solidarity and Cooperation (<i>América-España Solidaridad y Cooperación (AESCO)¹³⁰</i>; Bolivia-Spain Association for Cooperation (<i>Asociación de Cooperación Bolivia-España (ACOBEE)</i>); Association of Peruvian Citizens (<i>Asociación de Ciudadanos Peruanos (ARI-PERÚ)</i>), Ibn Batuta Socio-Cultural Association (<i>Fundación IBN BATUTA</i>), Rumiñahui Hispanic-Ecuadorian Association for the collaboration and development (<i>Asociación Rumiñahui Hispano-Ecuatoriana para la colaboración al desarrollo</i>), Association of Chinese Residents in Spain (<i>Asociación de Chinos en España (ACHE)</i>), Association of Bulgarian Immigrants in Spain (<i>Asociación de Inmigrantes Búlgaros en España (AIBE BALCAN)</i>), Federation of Romanian Immigrant Associations in Spain (<i>Federación de Asociaciones de Inmigrantes Rumanos en España (FEDROM)</i>) and Federation of Ecuadorian Associations in Spain (<i>Federación nacional de Asociaciones de Ecuatorianos en España (FENADEE)</i>).</p> <p>Delegationships of Social Support Organisations: Spanish Red Cross (<i>Cruz Roja Española</i>)¹³¹, , Various groups working together on Integrated Action with Immigrants (<i>Consortio de Entidades para la Acción Integral con Inmigrantes (CEPAIM)</i>)¹³², Caritas Spain, (<i>Caritas Española</i>)¹³³, Spanish Catholic Commission Association for Migration (<i>Asociación Comisión Católica Española de Migración (ACCEM)</i>), Welcome Movement (<i>Red Acoge</i>), Peace, Disarmament and Freedom Movement (<i>Movimiento por la Paz, el Desarme y la Libertad (MPDL)</i>), Spanish General Workers' Union (<i>Unión General de Trabajadores (UGT)</i>)¹³⁴, Spanish Workers' Commission (<i>Comisiones Obreras (CC.OO)</i>)¹³⁵, Confederation of Spanish Businesses (<i>Confederación Española de Organizaciones Empresariales (CEOE)</i>)¹³⁶, and Confederation of Small and Medium-Sized Spanish Enterprises (<i>Confederación Española de la Pequeña y Mediana Empresa (CEPYME)</i>)¹³⁷.</p> <p>Observers: Spanish Confederation of Parents' Associations (<i>Confederación Española de Asociaciones de Padres y Madres de Alumnos (CEAPA)</i>)¹³⁸, Spanish Commission for Refugee Aid (<i>Comisión Española de Ayuda al Refugiado (CEAR)</i>)¹³⁹,</p>
--	---

¹²⁹ Available at: www.femp.es All hyperlinks were accessed on 11 May 2015.

¹³⁰ Available at: www.ong-aesco.org/

¹³¹ Available at: www.cruzroja.es/principal/web/cruz-roja/inicio

¹³² Available at: <http://cepaim.org/>

¹³³ Available at: www.caritas.es/

¹³⁴ Available at: www.ugt.es/default.aspx

¹³⁵ Available at: www.ccoo.es/cscceo/menu.do

¹³⁶ Available at: www.ceoe.es

¹³⁷ Available at: www.cepyme.es/es/portada/ All hyperlinks were accessed on 11 May 2015.

¹³⁸ Available at: www.ceapa.es

¹³⁹ Available at: www.cear.es

	<p>Consortium of Migration Secretariats (<i>Consortio de Secretariado de Migraciones</i>)¹⁴⁰.</p> <p>Experts</p> <ul style="list-style-type: none"> - Participate in the working committees. - Their appointment is linked to the specific job for which they are called. - They have speaking rights but no voting rights. <p>Guests</p> <p>They may attend plenary meetings at their own request, or at the request of any member of the Forum.</p> <p>Standing Committee (Office/Name)</p> <p>Chairperson First Vice President Second Vice President Secretary: Subdirector General of Immigrant Integration Presidency Chairman of the Committee on Education and Awareness: President's Committee on Employment and Training: UGT President's Commission on Integration, Participation and Intercultural Policy: CEPAIM and CEPAIM President of the Law Commission, EU and International Affairs: ACCEM and ACCEM Member ACOBE: ACOBE Member FEMP</p> <p>Selection process</p> <p>Elections are organised, according to the Council of Europe Convention. Its explanatory note states that members should either be directly elected by foreign residents or freely nominated by immigrant associations, with chairs and members renewed every three years (latest 2014).</p> <p>Council of City of Barcelona (CMIB)¹⁴¹</p> <p>To have a plural representation and facilitate coordination among stakeholders. The composition for representation and participation of migrants are Council members and entities and associations of immigrants.</p> <p>Council members are: The Presidency The Vice Presidency: First Vice President (assumed by a representative of the voluntary sector) Second Vice President (commissioner or mayor Commissioner for Immigration) Members: A councillor or councillor representing each of the municipal groups (non-voting)</p>
--	---

¹⁴⁰ Available at: www.empleo.gob.es/es/organizacion/inmigracion/contenido/OM15.htm All hyperlinks were accessed on 11 May 2015.

¹⁴¹ Accessed on 11 May 2015 and available at: www.bcn.cat/novaciutadania/arees/es/consell_municipal/consell_municipal.html

	<p>A representative of each of the entities and immigrant associations members A representative of each neighbourhood, civic, cultural and trade institutions city area A representative of the host institutions and working for asylum seekers Experts and personalities of recognised standing (with speaking rights but no voting rights) The following are also involved: Council Secretariat (non-voting) People in the service of the City of Barcelona (with speaking rights but no voting rights)</p> <p>Entities and associations of immigrants: Professionals from municipal corporations, host entities and associations and workers for applicants of welcome selection processes in practice.</p> <p>The secretariat shall be chaired by a member of the Board or a person serving the City Council. In the latter case, they may attend sessions with speaking rights but no voting rights. Participation in Council meetings, with speaking rights but no voting rights up to a total of ten persons in the service of the City of Barcelona, designated for the presidency.</p> <p>The Forum is a tripartite consultative body made up of representatives of major nongovernmental organisations (NGOs), immigrant associations, and public authorities. It is made up of 30 members, plus a President and a secretary:</p> <ul style="list-style-type: none"> • ten members are representatives of immigrant and refugees' associations. They are supposed to adequately represent the diversity of the immigrant population in the country, i.e. securing the presence of the major communities from key countries and regions of origin; • ten members represent major NGOs and organisations of civil society, of which two come from the employers' federations and two from the most representative trade unions (according to the results of the trade unions elections); • six members are officers appointed by ministries of the national government that have a close relationship with immigration and integration issues; • two members represent the regions (called: <i>comunidades autónomas</i>); • two members represent local governments. <p>In addition, the Forum can invite up to three observers representing associations which are deemed of interest for integration matters.</p> <p>Members of the Forum are appointed for three years. The President of the Forum is appointed by the Minister and selected from among candidates who have recognised public reputation in matters of immigration or integration. The organisations representing immigrants and refugees as well as other integration NGOs can apply for Forum positions through a call issued by the ministry.</p> <p>The organisations to be represented in the Forum are then selected through a process based on the following strict criteria:</p> <ul style="list-style-type: none"> • their statutory objectives, in accordance with the goal of integration;
--	---

	<ul style="list-style-type: none"> • a sizable presence in the whole country, or at least in a number of relevant regions; • experience with projects in matters of integration; • efficacy and evidence of good management in the case of publicly funded projects; • adequate structure and management capacity; • in the case of immigrant and refugee associations, their representativeness taking into account both their weight in the immigrant communities and the pluralism and diversity of the latter. <p>Organisations themselves appoint their representatives to the Forum if selected.</p> <p>The Madrid Forum for Dialogue and Coexistence¹⁴²</p> <p>To have a plural representation and facilitate coordination among stakeholders the Madrid Forum is composed of 64 members, distributed as follows:</p> <ul style="list-style-type: none"> • Up to nine representing the City of Madrid • One on behalf of the Madrid Regional Government • One representing the State • One representing the Regional Forum and the other representing the National Forum • Twenty representatives of social organisations (ten of immigrants and ten support) • Twelve members representing social organisations (political parties, trade unions, employers, neighbours' federations, parents' federations) • The twenty representatives of District Dialogue and Coexistence Boards. <p>Elections are held every 3 years</p> <p>Recipients</p> <p>Immigrant associations, NGOs and institutions supporting nonprofit performing activities in the field of immigration, as stated in Royal Decree 14 of October 2014, the Deputy Government Department of Family, Social Services and Citizen Participation establishing the electoral process, published in the Official Gazette for Madrid Town Council (<i>Boletín oficial del Ayuntamiento de Madrid (BOAM)</i>) dated 3 November 2014.</p> <p>Participation Requirements</p> <ol style="list-style-type: none"> 1. Entities wishing to participate as voters or as voters and candidates in accordance with and regulated by Articles 3 and 4 of the Royal Decree 14 October 2014 establishing the process of choosing the members, must formalise their request using the model attached to this Decree. 2. The entities applying to participate in the election process, both as voters and as electors and candidates must prove their legal capacity by signing the application, which will necessarily allow them to exercise the voting rights corresponding to the entity. To meet this requirement the annexed document must be
--	---

¹⁴² Available at: www.madrid.es/portales/munimadrid/es/Inicio/El-Ayuntamiento/Servicios-sociales/Inmigracion/Foro-Madrid-de-Dialogo-y-Convivencia?vgnextfint=default&vgnextoid=5d7e1f8d0d449210VgnVCM1000000b205a0aRCRD&vgnextchannel=d33d9ad016e07010VgnVCM100000dc0ca8c0RCRD&idCapitulo=7839420

		<p>completed</p> <p>3. Associative entities with legal capacity must be legally constituted and registered in the Municipal Register of Citizen Entities.</p>
	<p>On which criterion are migrant groups represented (migrant status, foreign-born, foreign nationality etc.)? What is foreseen and how is it implemented in practice?</p>	<p>Representativeness in the Forum for the Social Integration of Immigrants</p> <p>In Spain, Immigrant NGOs applying for the Forum must meet certain objective state criteria: statutory objectives, geographical presence, experience, publicly funded programmes and management capacity. If they represent a specific nationality, the criteria also take into account their relative size in the population across Spain.</p> <p>Foreign resident members of consultative bodies are supposed to be “representative” of the diversity of foreign residents in the country.</p> <p>Conditions to become a member in CMIB</p> <p>Representatives of immigrant organisations: Prove continued activity of at least two years (otherwise they can join the board with observer status and speaking rights but no voting rights until fulfillment of these two years).</p> <p>Neighbourhood, civic, cultural and trade union: have specific immigration members, a member institution of the Council should be proposed</p> <p>Host institutions and working for asylum seekers: Prove activity in the city for at least five years.</p> <p>The number of representatives shall not exceed 25 % of the total immigrant organisations.</p>
	<p>Is there any evidence through formal evaluations or academic research on awareness about such national level consultative bodies among migrants and their descendants, and among the general public?</p>	<p>1. In November 2014 the Forum for the social integration of immigrants issued a draft document where started the evaluation of the strategy against racism, racial discrimination, xenophobia and other forms related to intolerance (2011-2013)¹⁴³.</p> <p>At present, public (national and regional) authorities and public bodies have been consulted. The second stage of the process, where civil society representatives are going to be consulted, is now starting.</p> <p>2. Evaluation process for the Spanish Strategic Plan for Citizenship and Integration for the years 2011-2014¹⁴⁴.</p> <p>The evaluation process of the Strategic Plan should have been implemented in two phases: an interim evaluation after the year 2012 and an overall evaluation of the Plan, as a whole, after the year 2014. The Directorate of Integration of Immigrants prepares the interim evaluation report and at the end of the period of the implementation of the Strategic Plan, there is an external evaluation and the Directorate General of Integration of Immigrants will prepare the Final Evaluation Report.</p>

¹⁴³ Document available at www.foroinmigracion.es/es/MANDATO-FORO-2010-2013/DocumentosAprobados/Informes/Doc_1_INFORME_APROBADO_PLENO_27-11-14_x2x.pdf

¹⁴⁴ Accessed on 11 May 2015 and available at: www.femp.es/files/566-1367-archivo/PLAN%20ESTRAT%C3%89GICO%20CIUDADAN%C3%8DA%20E%20INTEGRACI%C3%93N%202011-2014.pdf

		<p>a. Report on the interim evaluation of the Strategic Plan. Not yet available. The Directorate of Integration of Immigrants prepares the interim evaluation report and submits it for consideration by the Forum for the Social Integration of Immigrants. The Report is developed by the Directorate of Integration of Immigrants in the second quarter of 2013, based on the assessments made available to it throughout the first quarter from the regional governments, local authorities and NGOs which have been working on this area. In it the approved indicators system will be used, and information about user satisfaction and suggestions received will be analysed. From the mid-term evaluation report, the Forum for the Social Integration of Immigrants may make recommendations for the reorientation of the Strategic Plan.</p> <p>b. External Evaluation of the Strategic Plan 2011-2014. Not yet available. In the last stage of implementation of the Strategic Plan, a comprehensive external evaluation of the Strategic Plan will be carried out. The main conclusions of this evaluation will be announced to the Immigration Sector Conference, Interministerial Commission, and the Forum for the Social Integration of Immigrants.</p> <p>c. Final evaluation (post) of the Strategic Plan 2011-2014. Not yet available. The Directorate of Integration of Immigrants are preparing the final evaluation of the Strategic Plan 2011-2014. For this, the Directorate of Integration of Immigrants shall consider, in addition to the interim evaluation, assessments referred by the regional governments, local bodies and NGOs which have collaborated, and an external evaluation of the Strategic Plan 2011- 2014, the indicators of the Strategic Plan and the information on user satisfaction and suggestions received by the system. Using all this information, the Directorate of Integration of Immigrants prepares an interim report to be submitted to the consideration of the Sectorial Conference of the Interministerial Commission and the Forum for the Social Integration of Immigrants. Following the reports of these bodies on the interim evaluation, the Directorate of Integration of Immigrants prepares the final evaluation of the Strategic Plan 2011-2014 final, incorporating the comments received.</p>
--	--	---

3.4.Participation in trade-unions and professional association

<p>In this section based on available data, research, surveys, studies, etc. please provide information about:</p>	
<p>Membership and participation of migrant workers in <u>workers' unions and craft associations</u>:</p>	
<p>Are there any legal or practical limitations or barriers for the membership of migrant workers in</p>	<p>Apparently there are <u>no legal limitations</u> for the membership of Migrant workers in trade unions and craft associations: The right to affiliate is contemplated in Articles 8 and 11.1 of the reform (Law 4/2000 of 11 January) of the Aliens Act 2/2009 of 11 December on the rights and freedoms of foreign citizens</p>

trade unions and craft associations?	<p>in Spain and their social integration¹⁴⁵ and is extensive to both regular and irregular workers. The legal age to be enrolled is 16, which is the legal working age.</p> <p>According to the Workers' Statute (a Royal Decree 1/1995 of 24 March approved the redrafting of the Workers' Statute (<i>Real Decreto Legislativo 1/1995, de 24 de marzo, por el que se aprueba el texto refundido de la Ley del Estatuto de los Trabajadores</i>)) both Spanish and foreign workers, over 18, who enjoy an employment contract (whether temporary or permanent), are entitled to become trade union representatives.</p> <p><u>Practical limitations:</u> We have found three.</p> <p>The labour environment: Immigrant workers face a much more precarious situation than Spanish workers. They might be comparable to other groups that encounter more challenges in the Spanish labour market, such as young people or women. Insofar as immigrants have worse labour perspectives, their affiliation rate is much lower than that for Spanish workers. In fact, traditionally, the highest affiliation rates have been found in <i>stable and secure sectors</i>, (which are not so subject to the black economy nor to outsourcing) where workers (the so-called <i>insiders</i>) can be protected and have much more bargaining capacity¹⁴⁶.</p> <p>In fact, according Miguélez <i>et al.</i> (2011) in their study "Labour trajectories of immigrants in Spain" (<i>Trayectorias laborales de los inmigrantes en España</i>) the rate of foreign workers employed in a sector or company that favours collective bargaining (big or medium size companies, belonging to the industrial or the public sector) is 21.4 % against 52.6 % of native workers.</p> <p>The dependence of immigrant workers: The primary labour market generally consists of high-wage paying jobs, social security, and longer-lasting employment. It contrasts with the secondary labour market, which usually consists of low-wage paying jobs, limited mobility within jobs, and temporary employment. The primary and secondary labour markets are intended for a division of the standard of jobs within the labour (heavy work) services. The insertion in the secondary labour market (smaller companies, less protection, less information, and so on) makes immigrants more dependent on their employers and, therefore, ignorant of the union activities.</p>
--------------------------------------	---

145 Ley Orgánica 2/2009, de 11 de diciembre, de reforma de la Ley Orgánica 4/2000, de 11 de enero, sobre derechos y libertades de los extranjeros en España y su integración social.

146 Miguélez, F. and López-Roldán, P. (coord.), (2014), Crisis, empleo e inmigración en España, Universidad Autónoma de Barcelona, Barcelona, (Crisis, employment and immigration to Spain), available at: http://s01.s3c.es/imag/doc/2015-01-21/Informe_ParoInmigrantes.pdf

Cilleros, R. (2011), Las consecuencias de las nuevas características del trabajo en la afiliación sindical, (Consequences of the new labour ways in the trade-union membership), available at: www.encrucijadas.org.

[file:///C:/Users/mercedes/Downloads/DialnetLasConsecuenciasDeLasNuevasCaracteristicasDelTraba-3720465%20\(4\).pdf](file:///C:/Users/mercedes/Downloads/DialnetLasConsecuenciasDeLasNuevasCaracteristicasDelTraba-3720465%20(4).pdf)

González Enríquez, C. (2008), Los sindicatos ante la inmigración, Ministerio de Trabajo y Asuntos Sociales, Madrid (Trade Unions and Immigration, Ministry of Employment and Social Services, Madrid, available at:

http://extranjeros.empleo.gob.es/es/ObservatorioPermanenteInmigracion/Publicaciones/fichas/archivos/Los_sindicatos_ante_la_inmigracion.pdf

All hyperlinks accessed on 12 May 2015.

	<p>Sometimes, a language barrier contributes to the problem. (González Enríquez, 2008; Miguélez <i>et al</i>, 2011).</p> <p>The unions themselves: Too focused on the defence of nationals, unions have traditionally passed over immigrant workers. The underlying reason is the profile of the standard Spanish affiliate: a low-skilled manual worker that perceives newcomers as competitors. On occasions, underskilled migrant workers accept lower salaries and more precarious working conditions, which could have a negative impact on union representatives' attitude. In other words, low-skilled Spanish workers, who constitute the major part of the union's affiliate, see immigrants who accept low salaries and worse working conditions as unfair competitors. As a result, trade union representatives have traditionally set their focus on the defence of Spanish workers' rights. (Jódar, 2014).</p>
<p>Do workers' associations encourage and support membership and participation of migrant workers? E.g. through information and raising awareness initiatives in more languages, translation and language support services etc.</p>	<p>In the past, trade union activity in favour of immigrants was mainly focused on individual advisory help through CITEs (<i>Centros de Información a los Trabajadores inmigrantes</i>, Immigrant Information Centres) created by CCOO (Comisiones Obreras), or its UGT (Unión General de Trabajadores) variant, the Centres for Immigrants (<i>Centros de Atención al Inmigrante</i>). The CITEs started in the eighties in Catalonia, when there were very few NGOs or associations devoted to immigration, and later spread to all immigrant-receiving regions. The main goal of these Centres was to provide legal assistance to irregular immigrants in order to acquire the residence permit, or help legal immigrants in family reunification processes.</p> <p>Although this type of work continues, its weight in union activity has decreased overall by the emergence of new activities for legal immigrants (who are now the majority in Spain). Moreover, the emergence of numerous NGOs and law offices that deal with helping irregular immigrants has also contributed. Today, unions are beginning to worry about other dimensions of integration other than the documentation processes, such as promoting their participation in union activities, offering courses targeted to their needs (for example: language learning or labour rights), editing information in their own languages. Thus, both UGT and CCOO are currently dealing with issues such as the desirability of extending some rights for immigrants; for example: to have more days off to attend the funeral of a relative in their home country, or the inclusion of the feast of the lamb (<i>fiesta del cordero</i>) as a day of unpaid leave for Muslims, or how to deal with the problem of work for Ramadan in hazardous sectors such as construction. Some of these items are already included in labour agreements, such as agriculture in Almeria, and several sectors in Ceuta and Melilla. (González Enríquez, 2008)</p> <p>In line with Jódar (2014), CCOO reached its peak in 2008 and 2009, when diversity plans along with equal opportunity measures were implemented in many Spanish companies and within the Union. The strategy was very successful in terms of growth of foreign affiliation, though moderate when considering migrant representation. However, as also revealed by Pajares and Jubany (2011), the subsequent economic downturn quickly mitigated these positive effects.</p>

		<p>Concrete and updated information about programmes and campaigns targeted to migrant workers is available under the 'migration' section, on UGT and CCOO websites¹⁴⁷.</p> <p>In the European arena, UnionMigrantNet is a network promoted by European trade unions. Their contact points provide information and assistance to migrants and would-be migrants that are in Europe or wish to come to Europe. The search assistant allows the user to get in touch with European countries' contact points. UGT and CCOO are participating in this initiative www.unionmigrantnet.eu/Pages/SelectLanguage.aspx</p>																																																															
	<p>What is the rate of participation (figures and % of association members, figures and % of migrant professionals as members, or descriptive data if statistical data is not available) of migrant workers in the most representative workers' unions and associations? Please specify the geographic and workforce range/type of associations (referring to national, regional, local and to the range of workers represented and degree of association).</p>	<p>There are very few statistical data on participation.</p> <p>1. Data on affiliation to Workers' Commission (Comisiones obreras (CCOO), Spanish and foreign workers (Catalonia))</p> <p>Information has been extracted from Jódar, P., Alós, R. Boso, A. Guiu, J., and Garrell, J. (2014). "La afiliación sindical de la población inmigrante." <i>El caso de CCOO Cataluña. Cuadernos de Relaciones Laborales</i> 32, 1, pp. 135-163 (<i>Union Affiliation of Foreign Workers. CCOO Catalonia</i>).</p> <p>Table 1. Total salaried workers, total CCOO affiliates and CCOO foreign affiliates in Catalonia, 2002-2009.</p> <p>Tabla 1. Evolución de la población asalariada en Cataluña, de la afiliación total y extranjera a CCOO</p> <table border="1"> <thead> <tr> <th></th> <th>2002</th> <th>2003</th> <th>2004</th> <th>2005</th> <th>2006</th> <th>2007</th> <th>2008</th> <th>2009</th> </tr> </thead> <tbody> <tr> <td>Asalariados en Cataluña (miles)</td> <td>2.383,7</td> <td>2.528,6</td> <td>2590,4</td> <td>2781,2</td> <td>2.859,1</td> <td>2.952,7</td> <td>2.814,9</td> <td>2.627,5</td> </tr> <tr> <td>Extranjeros afiliados a la Seguridad Social (miles)</td> <td>--</td> <td>200,0</td> <td>235,0</td> <td>330,0</td> <td>414,6</td> <td>440,2</td> <td>462,8</td> <td>419,5</td> </tr> <tr> <td>Afiliados a CCOO (miles)</td> <td>152,3</td> <td>157,3</td> <td>164,3</td> <td>170,3</td> <td>175,7</td> <td>181,4</td> <td>185,7</td> <td>187,1</td> </tr> <tr> <td>Afiliados extranjeros CCOO</td> <td>3.866</td> <td>4.722</td> <td>6.013</td> <td>8.152</td> <td>9.992</td> <td>11.881</td> <td>12.907</td> <td>12.346</td> </tr> <tr> <td>Tasa afiliación CCOO (%)</td> <td>6,39</td> <td>6,22</td> <td>6,34</td> <td>6,12</td> <td>6,15</td> <td>6,14</td> <td>6,60</td> <td>7,12</td> </tr> <tr> <td>Afiliación extranjera/ total afiliados CCOO (%)</td> <td>2,6</td> <td>3</td> <td>3,7</td> <td>4,8</td> <td>5,7</td> <td>6,6</td> <td>7,1</td> <td>6,6</td> </tr> </tbody> </table> <p>Fuentes: elaboración propia con microdatos de la EPA y registro de afiliación de CCOO Cataluña.</p> <p>According to the table, only 6.6 % of the total affiliates to CCOO in 2009 were foreigners; that is, the percentage of total foreign workers affiliated to CCOO was around 3 %, quite distant from the 7 % overall affiliation rate.</p> <p>Table 2 Percentage distribution, by nationality and business sector (Catalonia CCOO affiliates 31 December 2009)</p>		2002	2003	2004	2005	2006	2007	2008	2009	Asalariados en Cataluña (miles)	2.383,7	2.528,6	2590,4	2781,2	2.859,1	2.952,7	2.814,9	2.627,5	Extranjeros afiliados a la Seguridad Social (miles)	--	200,0	235,0	330,0	414,6	440,2	462,8	419,5	Afiliados a CCOO (miles)	152,3	157,3	164,3	170,3	175,7	181,4	185,7	187,1	Afiliados extranjeros CCOO	3.866	4.722	6.013	8.152	9.992	11.881	12.907	12.346	Tasa afiliación CCOO (%)	6,39	6,22	6,34	6,12	6,15	6,14	6,60	7,12	Afiliación extranjera/ total afiliados CCOO (%)	2,6	3	3,7	4,8	5,7	6,6	7,1	6,6
	2002	2003	2004	2005	2006	2007	2008	2009																																																									
Asalariados en Cataluña (miles)	2.383,7	2.528,6	2590,4	2781,2	2.859,1	2.952,7	2.814,9	2.627,5																																																									
Extranjeros afiliados a la Seguridad Social (miles)	--	200,0	235,0	330,0	414,6	440,2	462,8	419,5																																																									
Afiliados a CCOO (miles)	152,3	157,3	164,3	170,3	175,7	181,4	185,7	187,1																																																									
Afiliados extranjeros CCOO	3.866	4.722	6.013	8.152	9.992	11.881	12.907	12.346																																																									
Tasa afiliación CCOO (%)	6,39	6,22	6,34	6,12	6,15	6,14	6,60	7,12																																																									
Afiliación extranjera/ total afiliados CCOO (%)	2,6	3	3,7	4,8	5,7	6,6	7,1	6,6																																																									

¹⁴⁷ Accessed on 12 May 2015 and available at: www.ccoo.es/cscoco/Areas:Migraciones and www.fesugt.es/migraciones/

Tabla 2. Distribución porcentual según nacionalidad por federación sindical (afiliados a CCOO de Cataluña, 31/12/2009)

	% afiliación por origen y federación sindical		% de cada nacionalidad por federación sindical	
	Extranjeros	Españoles	Extranjeros	Españoles
Actividades Diversas	13,4%	6,1%	13,2%	83,6%
Agroalimentaria	9,7%	3,6%	16,2%	82,4%
Servicios Financieros y Administrativos	5,0%	14,7%	2,4%	97,4%
Construcción y Madera	24,0%	5,1%	24,7%	72,4%
Enseñanza	2,0%	7,0%	2,0%	96,6%
Comercio, Hostelería y Turismo	19,8%	7,7%	15,1%	81,4%
Textil y Químicas	4,0%	10,0%	2,7%	96,0%
Administración Pública y Transportes	9,1%	20,9%	3,0%	95,8%
Industria	9,9%	17,5%	3,9%	95,3%
Pensionistas y Jubilados	0,2%	2,4%	0,6%	98,8%
Sanidad	2,9%	4,7%	4,2%	92,9%
% Total	100%	100%	6,6%	91,8%

Fuente: elaboración propia sobre Registro de Afiliación de CCOO de Cataluña.

As far as activity is concerned, foreigners are overrepresented in agriculture, construction, commerce, hostelry and tourism, while services, transport and industry gather Spanish affiliates at a much higher rate.

Table 3 Differences between Spanish and foreign affiliates to CCOO Catalonia, 2009

Tabla 3. Diferencias entre españoles y extranjeros afiliados a CCOO de Cataluña (2009)

Diferencias afiliados españoles y extranjeros 2009	Españoles (100%)	Extranjeros (100%)
Afiliados hombres	61,7%	70,6%
Afiliadas mujeres	38,3%	29,4%
Media de edad afiliados (en años)	44,9--	38,6 --
Usuarios Gabinete Jurídico	22,5%	22,7%
Formación profesional (CEPR.OM)	18,8%	7,6%
Tasa de altas (2009)	13,5%	42,8%
Tasa de bajas (2009)	13,1%	47,3%
Afiliados menos de 1 año al sindicato	12,4%	35,4%
Afiliados más de 10 años al sindicato	29,3%	1,8%
Responsabilidades sindicales (100%)⁽¹⁾:		
Delegados sindicales	96,8%	2,0%
Delegados de prevención	98,5%	0,7%
Cargos estructura	99,3%	0,7%
Total afiliados	91,8%	6,6%
Encuesta de Calidad de Vida en el Trabajo, datos de Cataluña		
Tasa de afiliación sindical	18,7%	6,9%
Asalariados que desconocen totalmente la actividad sindical en su empresa	37,8%	71,3%
Asalariados que conocen la existencia de estructura que facilita la negociación colectiva en su empresa	60,0%	24,2%
Asalariados cubiertos por un convenio colectivo	45,0%	16,7%

Fuente: elaboración propia a partir del Registro de Afiliación de CCOO de Cataluña y la ECVT 2009.

(1) El porcentaje que resta hasta completar el 100% corresponde a extranjeros nacionalizados no incorporados al análisis.

Regarding affiliated workers' personal features, immigrant males are overrepresented (71 % vs. 61 % native males), are younger (39 years old vs. 45 years old for native males), present higher turnover rate (45 % vs 13 % in natives) and could be considered newcomers (only 2 % have been affiliated for more than 10 years in contrast with 30 % of natives). Affiliation rate is 19 % for natives and 7 % for immigrants. Immigrants make up 1-2 % of the union representatives.

2. Data at national level

		<p>The Forum for the Social Integraton of Immigrants (<i>Foro para la integración social de los inmigrantes</i>) (2011), quoting the research conducted by professor González Enríquez (2008) "Trade Unions' Stance on Immigration" (<i>Los sindicatos ante la inmigración</i>), highlights the lower foreign affiliation rate, 1.9 %, compared to 7.4 % of Spanish workers. Miguélez et al. (2011), quoting The Quality of Life at Work Survey 2010, set immigrant enrollment rate at 7.3 % in comparison with 19.5 % for Spanish workers.</p>
	<p>Are migrant workers elected as representatives of trade unions and workers' or craft associations? Please provide figures if available, and report the related legal or practical limitations or barriers, eventually faced by migrant workers.</p>	<p>The Workers' Statute (a Royal Decree 1/1995 of 24 March approved the redrafting of the Workers' Statue) states that both Spanish and foreign workers, over 18, who enjoy a work contract (whether temporary or permanent) are entitled to become trade union representatives. So there are two <u>legal limitations</u>: 1) affiliated under 18s are not illegible, 2) nor are irregular migrants, as they will not hold a work contract.</p> <p>As mentioned above, immigrants are around 1.5 % of union representatives.</p> <p><u>Practical limitations</u>: the same three that were mentioned in the enrollment section.</p> <p>The labour environment.</p> <p>The dependence of immigrant workers.</p> <p>The unions themselves</p>
	<p>Are there differences between associations for high and low skill workers, different industries and trades, and/or different geographic area of country of origin, citizenship or birth or gender?</p>	<p>In Spain there are mainly two types of workers' associations:¹⁴⁸</p> <ol style="list-style-type: none"> 1. Trade unions, whose most common purpose is maintaining or improving the working conditions of their members. This may include the negotiation of wages, work rules, complaint procedures, rules governing hiring, firing and promotion of workers, benefits, workplace safety and policies. In Spain the most important trade unions are the General Union of Workers (<i>Unión General de Trabajadores (UGT)</i>) and Workers' Commission (<i>Comisiones Obreras (CCOO)</i>), operating at a national level. In fact, these two organisations consume around 78 % of the total €9 million trade-union public-funding budget. 2. Craft associations and professional unions: These institutions seek to defend a professional group, employees of a particular company, or a particular sector. These consume around 6 % of the total trade-union

¹⁴⁸Palomeque, M.C. (2011), *Una caracterización del sistema sindical español (2010). Trade Unions in Spain*, available at: <http://manuelcarlospalomeque.blogspot.com.es/2011/02/una-caracterizacion-del-sistema.html>

Rodríguez Fernández, G. (2011), *Sindicalismo corporativo y profesional versus sindicalismo de clase, la alternativa de la aristocracia obrera. (Class-based trade unions versus profesional associations)*, available at: www.joserodriguez.info/bloc/sindicalismo-corporativo-y-profesional-versus-sindicalismo-de-clase-la-alternativa-de-la-aristocracia-obrera/comment-page-1/

Available at: www.encyclopedia-juridica.biz14.com/d/sindicato/sindicato.htm

Available at: www.dmoz.org/World/Espa%C3%B1ol/Regional/Europa/Espa%C3%B1a/Sociedad/Asociaciones/Sindicatos/

Available at: http://im-pulso.blogspot.com.es/p/blog-page_25.html

All hyperlinks were accessed on 12May 2015.

		<p>public-funding budget. In Spain they can be classified as follows:</p> <ul style="list-style-type: none"> - Highly-skilled professionals with a large bargaining power usually within the same company or sector: pilots, doctors, nurses, journalists. - Professionals from public or strategic sectors that have lobbying power: farmers, teachers, railway workers and police are the most relevant. <p>These second type of associations operate at national and/or regional level and seldom have immigrant representatives.</p> <p>The following link provides information of the public 2014 fund allocation for 54 institutions (among trade and professional unions). www.boe.es/boe/dias/2014/08/14/pdfs/BOE-A-2014-8727.pdf</p>
<p>Membership and participation of migrant entrepreneurs and expert professionals to professional and scientific associations:</p>		
	<p>Are there any legal or practical limitations or barriers for the membership of migrant workers in professional, employer and scientific associations (such as medical, engineer, bar associations)?</p>	<p>We should differentiate between two categories:</p> <p>1. Employers.</p> <p>The Entrepreneurs' Act (Law 14/2013 of 27 September supporting entrepreneurs and their internationalisation) contemplates benefits for those third-country nationals that are entrepreneurs or start business activities¹⁴⁹. Such benefits are extensive to the spouse and children under 18 years of age or to elderly family members, who are not able to provide for themselves due to their state of health, when they unite with or accompany applicants.</p> <p>Insofar as a third-country national's entrepreneurial activity is being promoted, no partial or legal barriers exist for participation in employer associations.</p> <p>2. Scientists and professionals.</p> <p><u>Regulated professions</u>¹⁵⁰.</p> <p>Many scientists and professionals have to demonstrate their ability to exercise the so-called regulated professions.</p> <p>In this case we can face the following limitations:</p> <ol style="list-style-type: none"> 1. Need of professional qualification/degree recognition (all third-country nationals): Regulated in the Royal Decree 967/2014 of 21 November of Recognition of

¹⁴⁹ Provided that they have no criminal records, they have public insurance or private health insurance, and have sufficient financial resources for themselves and their families (€2.130monthly for oneself and €532 for every dependent family member)

¹⁵⁰ A profession is said to be regulated when access and exercise is subject to the possession of a specific professional qualification. There are currently 36 university diplomas that provide access to regulated professions in Spain. Besides which, there are 80 regulated professions in which professional practice requires prior registration in a professional association.

foreign Higher Education (H E) qualifications **as equivalent** to Spanish university degrees or post-graduate degrees **giving access to a regulated profession in Spain**. (*Real Decreto 967/2014, de 21 de noviembre, por el que se establecen los requisitos y el procedimiento para la homologación y declaración de equivalencia a titulación y a nivel académico universitario oficial y para la convalidación de estudios extranjeros de educación superior, y el procedimiento para determinar la correspondencia a los niveles del marco español de cualificaciones para la educación superior de los títulos oficiales de Arquitecto, Ingeniero, Licenciado, Arquitecto Técnico, Ingeniero Técnico y Diplomado.*) Available at: www.boe.es/boe/dias/2014/11/22/pdfs/BOE-A-2014-12098.pdf

By means of this recognition procedure, one can apply for recognition (**homologación**) of university degrees awarded by foreign Higher Education Institutions (H E I) as equivalent to those in Spain which give access to regulated professions. It is addressed to university graduates whose degrees have been awarded by a foreign H E I, and the payment of a €160 fee is required in order to initiate the procedure.

2. Non-EU **lawyers**, additionally, have to fulfil the dispensation of nationality requirement (regulated by Royal Decree 285/2004, RD 658/2001, RD 1879/1994, RD 240/2007). That is, they have to write a letter, addressed to the Spanish Minister of Justice, applying for **dispensation from the requirement of having Spanish nationality**, set forth in the Spanish Lawyers General Statute.

3. **Physicians (medical practitioners)**

- **With previous experience** (that is, they already hold a specialist's qualification). They need to demonstrate their previous professional experience and to **prove a B2 level of Spanish**, as stated in the Royal Decree that regulates the conditions for the recognition of professional effects to foreign qualifications in Health Sciences (*Real Decreto 459/2010, de 16 de abril, por el que se regulan las condiciones para el reconocimiento de efectos profesionales a títulos extranjeros de especialista en Ciencias de la Salud, obtenidos en Estados no miembros de la Unión Europea*). The **recognition procedure** is centrally regulated and carried out by an evaluation commission of specialists whose members are chosen by the Spanish Ministry of Health. Several observers agree that specialty recognition was more time-consuming than degree recognition (around 18-24 months); the general tendency is to reject the application of non

		<p>E U citizens if their specialisation is not equivalent to European standards¹⁵¹.</p> <ul style="list-style-type: none"> - Without previous experience (they do not possess a specialist's qualification): In this case, physicians have to take a national exam in their specialisation (<i>examen Médico Interno Residente (MIR)</i>) in order to be admitted to the residency with a hospital of up to 5 additional years; this is a prerequisite to work as a specialist physician. There is a limited number of training places for non E U citizens that has been constantly decreasing since 2010 (4 % of all the available places in 2013)¹⁵². This cap on the number of places also applies to third-country nationals who obtained their medical degree at a Spanish university. In addition, since 2011, physicians from a country whose official language is not Spanish must demonstrate sufficient knowledge of Spanish (Level C1 or C2). <p>Nonetheless, many third-country nationals accepted for specialist training (<i>MIR</i>) have to face multiple <i>de facto</i> barriers to work as specialists in Spain. Among others, the impossibility to change from student to residence and work permit from the interpretation that "no such permission is necessary to fulfil MIR contract requirements".</p> <p><u>Non regulated professions</u> (also by Royal Decree 967/2014)</p> <p>In the case of non-regulated professions, the recognition of foreign H E qualifications as equivalent to official Spanish university qualifications and the academic degree (<i>Grado</i>) or post-graduate degree (<i>Máster</i>) in a branch of knowledge and a specific field, is required.</p> <p>By means of this procedure, one can apply for equivalence (<i>equivalencia</i>) of H E qualifications awarded by foreign Higher Education Institutions as corresponding to official Spanish university qualifications and the academic level of degree or post-graduate degree in a branch of knowledge and a specific field. This is addressed to graduates whose qualifications have been awarded by a foreign H E I and gives the foreign qualification official validity all over Spain, excluding professional effects with respect to those which can be obtained by recognition. The payment of a €160 fee is required in order to initiate the procedure.</p>
	Do professional associations encourage and support membership and participation of	As set forth in the Law of Professional Bodies (<i>Ley 2/1974, de 13 de febrero, sobre Colegios Profesionales</i> , and successive amendments), there are 80 regulated professions in which professional practice requires prior registration in a professional association In addition, there is a geographic constraint, as

¹⁵¹ Finotelli, C. (2014) "In the Name of Human Capital: the International Recruitment of Physicians in Germany and Spain". *Comparative Migration Studies*, 2, (4), pp. 493-517.

¹⁵² In fact, as a consequence of the economic downturn, the need for doctors has been removed from the Catalogue-of-Hard-to-Find-Occupations (*Catálogo de ocupaciones de difícil cobertura*).

	<p>migrant professionals? E.g. through information and raising awareness initiatives in more languages, translation and language support services etc.</p>	<p>professional practice is only allowed in the region where the professional body is located.</p> <p>There is a draft bill on professional services and professional bodies (that has not yet come into force), the most recent version dated 11 November 2014, that loosens, in a broad sense, the conditions of professional practice. First of all, regulated professions that need prior registration in the official body decrease from 80 to 34. Secondly, the geographic constraint disappears, so registration in a determined province enables professional practice in the whole country. Finally, a €240 maximum annual charge is established. Undoubtedly, these measures will encourage the membership and participation of more professionals who are third country nationals.</p> <p>As far as initiatives coming from professional associations are concerned, we have not been able to find any targeted to raising awareness or to giving translation or language support services to third country nationals. Moreover, in two of the most relevant regulated professions, medicine and law, there is positive discrimination in favour of Spanish nationality (the case of lawyers) or Spanish speakers (the case of physicians).</p>
	<p>What is the rate of participation and membership (figures and % of association members, figures and % of migrant professionals as members, or descriptive data if statistical data is not available) of migrant professionals in the most representative professional, employers' and scientific unions and associations? Please specify the geographic and workforce range/type of associations (referring to national, regional, local and to the range of professional represented and degree of association)</p>	<p>In Spain, the Registered Health Professionals Statistic has been developed by the I N E since 1953 and refers to doctors, dentists, pharmacists, veterinarians, psychologists, physicists, opticians and optometrists, chiropodists, physiotherapists, dental technicians and qualified nurses. For all these groups, information on sex, age and professional situation is collected and national, regional and provincial results are published. Regrettably, figures are not broken down by nationality.</p> <p>We have been able to find some (poor and not very updated) statistical data produced for private organisations or professional colleges.</p> <p>According to the association SEMEX, in 2009 there were 25,000 foreign doctors in Spain, 12 % of which are foreigners (they do not specify origin). 85 % of foreign specialists (12,000) come from Latin America. In Madrid, one out in three registered professionals is a foreigner (they do not specify origin). The weight of foreigners in new records in professional bodies (2009) is: 57 % Barcelona, 37 % Murcia and 42 % Albacete. New foreign <i>MIR</i> residents 45 % of the total. Available at: es.slideshare.net/Edgardok/semex-sociedad-espaola-de-mdicos-extranjeros</p> <p>The National Association of Pharmacists reports that by 2013, 720 members had been born abroad, that is a 1.1 % of all professionals. They do not differentiate between E U and third-country nationals. Available at: static.correofarmaceutico.com/docs/2014/05/13/informe_consejo.pdf</p> <p>According to the report, The Law Profession in Spain: facts and figures (<i>La abogacía Española en datos y cifras</i>) in 2008 (most</p>

		<p>recent available data) foreigners represented 0.7 % of lawyers registered in the professional bodies. 160 out of 847 foreign lawyers came from the E U.</p>
	<p>Are migrants elected as representatives of professional, employers' and/or scientific associations? Please provide figures if available, and report the related legal or practical limitations or barriers, eventually faced.</p>	<p>As can be inferred from the data collected in this section, it is really difficult for a third country national to become a representative of an official professional or scientific association. The main legal and practical limitations are the difficulties foreign professionals face when getting recognition of their qualifications and professional practice, or the obstacles found in the domestic labour market.</p>
	<p>Are there differences between associations for different professions, different skill levels and/or types of enterprise, different industries and trades, and/or different geographic area of country of origin, citizenship or birth or gender?</p>	<p>In Spain we have found three types of associations. First, we have those that gather professionals (mainly doctors), secondly, those that provide advice to all types of professionals and, finally, those devoted to entrepreneurs and traders (which in turn are segmented by nationality).</p> <p>Physicians:</p> <p>Physicians' associations mainly aim to defend foreign professionals' labour rights. The most important ones are:</p> <ul style="list-style-type: none"> - AMIREX (www.amirex.es/) was established in 2013 to promote the welfare and defend the rights of third-country nationals who are Intern doctors (<i>médicos residentes</i>) in Spain. - ASOMEX (www.asomex.es/) is a not-for-profit organisation that brings together foreign (mostly third-country nationals) and Spanish doctors living in Spain. It is focused on the removal of existing legal barriers for the exercise of medicine in Spain. - SEMEX (es.slideshare.net/Edgardok/semex-sociedad-espaola-de-mdicos-extranjeros). Established in 2009, it had around 600 members in 2011. It aims to promote the integration and the professional practice of third-country nationals who are doctors. <p>Consulting-coaching-advise</p> <p>Association for Immigrant Professional Integration (<i>Asociación por la Integración de Profesionales Inmigrantes (IMPROIN)</i>) established in 2005, (www.inproin.org/index.php) aims to assist skilled and semi-skilled third-country nationals in the areas of qualification recognition, counselling and coaching, entrepreneurship and training.</p> <p>The National Federation of Self-Employed Immigrants (<i>Federación Nacional de Asociaciones y Trabajadores Autónomos Inmigrantes de España (FEPAIN)</i>) established in 2009, (fepain.webnode.es/), is a state-level organisation composed of self-employed immigrant associations that provides advice, training and access to credit. This organisation is closely linked to the Self-Employed Professionals' Union (<i>Unión de Profesionales y Trabajadores Autónomos (UPTA)</i>), a Spanish</p>

		<p>organisation that encompasses all kinds of self-employed workers, including immigrants</p> <p>Entrepreneurs/traders, grouped by nationality</p> <p>There are two main groups of traders and/or entrepreneurs that have set up associations.</p> <p>-Latin-Americans Their main aim is to foster entrepreneurship, commerce and investment.</p> <p>Latin American Traders' Association (<i>Asociación Latinoamericana de Comerciantes y Empresarios (ALCE)</i>) www.empresarioslatinos.es/. Established in 2007, it has more than 400 members.</p> <p>Iberoamerican Federation of Traders in Spain (<i>Federación Iberoamericana de Empresarios y Comerciantes en España (FIBECE)</i>), fibece.org/. Established in 2013, it operates jointly in Spain and Portugal.</p> <p>-Chinese Chinese entrepreneurs have been operating in Spain for decades. In fact, they have a thick web of business and entrepreneurial associations that operate at national, regional and even local levels. china.globalasia.com/negocios-en-china/asociaciones-chinas-en-espana/</p>
--	--	---

3.5.Participation in social, cultural and public life

	<p>In this section based on available data, research, studies, etc. provide information about the membership and participation of migrants and their descendants in media, cultural organisations and public life:</p> <p>Are there any legal or practical limitations or barriers for the membership of migrants in professional associations related to the media, sports and culture?</p>	<p>We have consulted 5 associations from different media, journalists, online, etc. -Spanish Association of Media Online, Spanish Association of Professional Women in the Media (AMECO), International Press Centre, Spanish Association of Professional Social Media and the Federation of Associations of Journalists of Spain (<i>Federación de Asociaciones de Periodistas de España (FAPE)</i>)- and only one has answered our consultations. Despite repeatedly try to contact <i>Todonoticiaslatinas</i> they have not answered us.</p> <p>The only information received is from the Federation of Journalists of Spain (<i>FAPE</i>), noting that immigrants who are journalists, and after having validated their degrees in Spain, can join any of their member associations, with equal rights and conditions as the other partners, automatically joining the Federation of Journalists of Spain (<i>FAPE</i>) and being listed in the Register of Professional Journalists in Spain. Regarding culture we consulted a couple of them, including the Coordinator of Cultural Associations of Madrid. We have not received a reply todate.</p>
--	--	--

	<p>There are reports that many programmes were conducted, such as the intercultural World Club Cup Championship in Madrid, but these have been removed due to the economic cuts.</p> <p>There is very little information at national level and it is also difficult to obtain regional information given the diversity of regional actions and the lack of centralisation. We have not received any response from the Ministry of Education and Culture and Sports about these items.</p>
<p>Do media, sports, culture professional associations encourage and support membership and participation of third country nationals as members? E.g. through information and raising awareness initiatives in more languages, translation and language support services etc.</p>	<p>In general terms, sports and cultural professional associations do not discriminate because of the origin of professionals. However, they do not encourage or support membership and participation of third-country nationals as members. These associations have assumed in general the principle of caring for third country nationals as equal to the Spaniards but there has been no affirmative action and this is less likely since 2011, with the policy of cutbacks.</p>
<p>What is the rate of participation in the most representative professional associations? (figures and % of association members, figures and % of migrant professionals as members, or descriptive data if statistical data is not available)</p>	<p>No statistics of this nature.</p>
<p>Are migrants elected as representatives of professional associations related to the media, sports and culture? Please provide figures if available, and report the related legal or practical limitations or barriers, eventually faced.</p>	<p>There is no barrier, as to the origin or nationality, to electing representatives of associations. No statistics of this kind and no research in this area.</p>
<p>Is there a visible or notable presence (or absence) of migrants and their descendants as media professionals?</p>	<p>There is no notable presence of immigrants and their descendants as professionals in the Social Media.</p> <p>Some of them are to be found working in the media with a particular ethnic or national origin. For example, there are some newspapers, magazines, radios or TV channels from Latin America, such as "Todonoticiaslatinas" (an online radio:</p>

		<p>http://todonoticiaslatinas.com/wp-content/uploads/2013/11/tn-banner-ok.png, "El Periódico Latino" (http://elperiodicolatino.com.es/); Bolivia.es; Lazo Latino or Ocio Latino reviews; Hispan TV; Canal Latino TV; or Pueblo Nuevo radio, among others.</p> <p>Muslims in Spain have a TV channel called "Córdoba International TV"; it is not exactly intended for immigrants but given that the vast majority of Muslims are of foreign origin it does have professional immigrants and their descendants working there. Some of them are native Spaniards converted to Islam, but the majority of Muslims come from Morocco, Algeria, Syria, Mauritania... Some of this majority are children and young people who are descendants of these nationalities and many of them have Spanish citizenship. Romanians also have a Journal called, <i>Román in Lume</i>.</p> <p>However, immigrants and their descendants have no visibility as professionals in the media on mainstream television, newspapers, etc. Moreover, the economic crisis has made countless newspapers disappear and has increased layoffs of national journalists. These facts influence the lack of any policy to support immigrants and their descendants in the media so as to not create tensions with native Spaniards.</p>
	<p>Are migrants and/or their descendants present, visible and actively participating in public? (E.g. in public events, TV and electronic media, cultural events). Please substantiate on the basis of existing data or contacts with relevant authorities, actors and stakeholders, making sure to cover a wide spectrum and obtain as much as possible objective information.</p>	<p>According to the Federation of Associations of Journalists of Spain (<i>Federación de Asociaciones de Periodistas de España (FAPE)</i>), there is no limitation or discrimination. It is true that no explicit barriers are detected but a real absence is noticed in the public cultural programmes, TV competitions. Nevertheless, no more information or evidence was found in this matter. Most of the campaigns and demands in this area focus more on the migrant's image transmitted by the media instead of on their own participation.</p>
	<p>Are there legal or practical limitations for the media, culture or other type of public events by migrants and/or their descendants? (E.g. are there national language requirements for TV or radio stations, bureaucratic and</p>	<p>As in the media of the different Spanish regions they use their own language, this kind of limitation is not only about migrants and descendants but affects all Spanish people. In this sense, for example, in the Basque Country only people who have learnt Euskera (Basque language) can work, which is less than 30 % of this population. Descendants of migrants who have attended school in Basque Country can access the media, culture and other type of public events. This applies also in the regions of Galicia and Catalonia.</p>

representation requirements, etc.)	
<p>Are there positive measures for promoting or restrictions/barriers to the operation of migrant and ethnic minority (owned, directed or audience specific) media?</p>	<p>According to different professional associations such as: the Spanish Association of Media Online, the Spanish Association of Professional Women in the Media (<i>Asociación Española de Mujeres Profesionales de los Medios de Comunicación (AMECO)</i>), the International Press Centre, the Spanish Association of Professional Social Media and the Federation of Associations of Journalists of Spain (<i>Federación de Asociaciones de Periodistas de España (FAPE)</i>), there is no positive nor negative discrimination (such as promoting measures or explicit barriers) regarding this issue. It is sometimes addressed in seminars or conferences, but no more information has been facilitated.</p> <p>Strategic Immigrant Integration Plan 2012-14 (<i>Plan estratégico de ciudadanía e integración (PECI)</i>) defined some lines and criteria for work in the media and professional associations but these have not been implemented by the current Government. The National Integration Strategy 2011-2014 was unable to be developed due to budgetary constraints (see also point 4.2. for further information)</p> <p>The crisis also has imposed constraint's on the development of this kind of issues. The current national government and some regional governments have argued that the lack of a budget has imposed constraints. However, there are suspicions that there may be ideological decisions behind the refusal to give migrants assistance¹⁵³.</p>
<p>Are there practical measures encouraging and promoting the visibility, voice and public presence of migrants and/or their descendants in the media, culture or other type of public events? (E.g. are there programmes and information provided by the media in other than the country official language, and migrants' languages, quotas for journalists and public programmes reflecting the diversity in society etc.?)</p>	<p>According to the Federation of Associations of Journalists of Spain (<i>Federación de Asociaciones de Periodistas de España (FAPE)</i>), this issue is addressed and is discussed in acts of journalists' associations, but no more information has been facilitated on this matter.</p> <p>There have been no answers from other associations.</p>

¹⁵³ Available at: http://politica.elpais.com/politica/2015/03/16/actualidad/1426535560_383528.html . Accessed on 15 May 2015.

3.5.1. Diversity in the public sector

In this section based on available data, research, studies, etc. please provide information about recruitment of migrants and their descendants in the public sector:

Please describe how legal provisions allow or prevent the recruitment of third country nationals in the public sector. Please indicate specific areas, requirements, quotas if any, upward mobility and promotion limitations if any, as well as if and how these provisions are applied in practice.

The Organic Law 4/2000 of rights and freedoms of foreigners in Spain, provides in Article 10.2 that "foreigners will have access to public employment in the terms established by Law 7/2007 of April 12 of the Basic Statute of the Public Employee".

The Basic Statute of Public Employees, which applies to both civil servants and the workforce of General Administration, Administration of the Autonomous Communities and Cities of Ceuta and Melilla, Administration of Local Government, Public Institutions, Agencies and other public entities and public universities, and local police bodies except set for them by the Organic Law of Security Forces, provides in Article 57 on access to public employment of nationals of other states that:

A) The nationals of Member States of the European Union may access as civil servants, equal to the Spanish public jobs except those that directly or indirectly involve participation in the exercise of public authority or the functions aimed at safeguarding the interests of the state or government. Are the governing bodies of the Public Administrations which determined that posts can not access nationals of other Member States of the EU. This same provision extends to spouses of Spanish and EU citizens (of whatever nationality) provided they are not legally separated and their descendants and your spouse provided they are not legally separated, are under 21 years or seniors. It also extends to countries with free movement agreements with the European Union and ratified by Spain.

B) Foreign (all noted above), as well as foreigners legally residing in Spain may access the Public Administrations and employees on equal terms the Spaniards.

Royal Decree 543/2001 on access to public employment of the General State Administration and its Public Bodies nationals of other states which applies the right to free movement of workers, to all categories we saw above applies with the exception of foreigners legally resident in Spain (non-EU subject to the rules of Aliens). Specifically Royal Decree regards access to jobs in the General State Administration and its public agencies, administrative entities and common services of the Social Security Administration of the health institutions of the National System Greetings and excluded, Armed Forces, Forces of State Security, constitutional bodies, Bank of Spain, and Superior Center for Defense Information. However, also in the Administrations to which EU citizens have access, no bodies and excluded scales (annexed to this standard) and excluded positions and jobs involve the exercise of public power or being related functions interests I state.

Consequently, there is a general limitation on access to public service for non-EU citizens (can only be workforce), and as for the community, but prime the principle of equality exists an exclusion from access to certain bodies and scales or positions and jobs.

	<p>Please indicate if citizens of migrant descent can also be affected by limitation – e.g on the basis of their ethnic origin or migrant background or naturalisation - in public sector recruitment, for example in education, law enforcement, judiciary, etc.</p>	<p>Law 4/2000 of rights and freedoms of foreigners in Spain¹⁵⁴, provides in Article 10.2 that “foreigners will have access to public employment under the terms established by Law 7/2007 of 12 April of the Basic Statute of the Public Employee”¹⁵⁵. The Basic Statute of Public Employees, which applies to both civil servants and the workforce of General Administration, Administration of the Regional Communities and Cities of Ceuta and Melilla, Administration of Local Government, Public Institutions, Agencies and other public entities and public universities, and local police bodies except set for them by the Organic Law of Security Forces¹⁵⁶, provides in Article 57 on access to public employment of nationals of other states that:</p> <p>A) The nationals of Member States of the European Union may access as civil servants, equal to the Spanish public jobs except those that directly or indirectly involve participation in the exercise of public authority or the functions aimed at safeguarding the interests of the state or government. Are the governing bodies of the Public Administrations which determined that posts can not access nationals of other Member States of the EU. This same provision extends to spouses of Spanish and EU citizens (of whatever nationality) provided they are not legally separated and their descendants and your spouse provided they are not legally separated, are under 21 years or seniors. It also extends to countries with free movement agreements with the European Union and ratified by Spain.</p> <p>B) Foreign citizens (all as noted above), as well as foreigners legally residing in Spain may be recruited by the Public Administrations and be employees on equal terms the Spaniards.</p> <p>Royal Decree 543/2001¹⁵⁷ on access for nationals of other states which apply the right to free movement of workers to public employment within the General State Administration and its public bodies, applies to all categories we saw above with the exception of foreigners legally resident in Spain (non-EU citizens subject to the Aliens regulations) . Specifically the Royal Decree refers only to access to jobs within the General State Administration and its public agencies, the administrative entities and common services of the Social Security and the Spanish National Health System, but excludes employment with the Armed Forces, the Forces of State Security, institutional bodies, the Bank of Spain, and the Spanish Centre for Defence Information. However, there are certain levels, bodies and positions whose access is available to EU nationals but from which foreign nationals are excluded. These levels or positions involve the exercise of public power or relate to State interests. (This appears in an annex to the clause). Consequently, there is a general limitation on non-EU citizens (including those from Norway, Switzerland and Iceland) being recruited by the public service (they can only be contracted staff but not as civil servants), and even EU nationals, despite the existence of the principle of equality, face an exclusion from access to certain bodies and scales or positions and jobs.</p>
--	---	--

¹⁵⁴ Available at: www.boe.es/buscar/pdf/2000/BOE-A-2000-544-consolidado.pdf

¹⁵⁵ Available at: www.boe.es/boe/dias/2007/04/13/pdfs/A16270-16299.pdf

¹⁵⁶ Available at: www.boe.es/boe/dias/2007/04/13/pdfs/A16270-16299.pdf All hyperlinks were accessed on 12 May 2015.

¹⁵⁷ Available at: www.boe.es/boe/dias/2001/05/31/pdfs/A19087-19089.pdf

	<p>Please indicate proportion of recruitment (% on the total of posts for this category or service) for the interested categories of third country nationals, if any.</p>	<p>With reference to those staff who have their own specific legislation and which is specified in the Statute of Public Employees:</p> <p>-Personnel in the Spanish Parliament and the Legislative Assemblies of the Regional Governments: Article 9 of the Statute for Personnel in the Spanish Parliament (<i>Estatuto del personal de las Cortes Generales</i>) specifies that one requirement to be admitted to the selection process is having Spanish nationality¹⁵⁸. Although this is not specified in the collective agreements applicable to the workforce of Congress and Senate, it is the case that when employment opportunities arise for contracted personnel, having Spanish nationality is one of the requirements. With regard to temporary staff, staff appointed to directly assist the members of parliament and with the confidence of parliament, the Statute specifies that the normal civil service regime shall apply.</p> <p>-Judges, magistrates, prosecutors and other official personnel working for the Administration of Justice: Law of the Judiciary and Royal Decree 1451/2005¹⁵⁹; states that if a magistrate-judge, prosecutor, or court clerk loses their Spanish nationality, they shall forfeit their position. Officials who had lost their employment status because of losing their Spanish nationality, will be rehabilitated after the cause that motivated this loss is removed (in this case, once their Spanish nationality has been recovered) or if they acquire another condition which permits their being reinstated. It seems therefore, although not explicit in any rules as other officials and workforce, that the general rule shall be applied.</p> <p>- Military personnel of the armed forces: The access of foreigners to the status of professional in the Spanish army and navy is limited. In the 2014 call-up, reference was made to the need for 79,000 recruits by 31 December with a maximum of 7,110 foreign recruits. Two thousand recruitment vacancies for the first selection process were made available and for these vacancies, with provision made to permit 45% of foreign nationals to apply. However, access was only allowed to the following nationalities: Argentina, Bolivia, Costa Rica, Colombia, Chile, Ecuador, El Salvador, Guatemala, Equatorial Guinea, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Dominican Republic, Uruguay, and Venezuela. These nationals had to have a either temporary or long-term residency permit. There is a limit to the type of unit that foreign nationals can be recruited to and their sole rank is that of private (in the army) or seaman (in the navy) with the possibility of becoming a first-class private or a first-class seaman depending on their military record. Their commitment to stay in the army lasts six years (with a 3-year extension if they have applied for Spanish nationality). If they have not acquired Spanish nationality at the end of this period, they will have to leave the army. If they do acquire</p>
--	---	---

¹⁵⁸ Available at: www.senado.es/web/composicionorganizacion/administracionparlamentaria/normasorganizacion/estatutopersonalcortesgenerales/index.html

Both hyperlinks were accessed on 12 May 2015.

¹⁵⁹ Available at: www.boe.es/buscar/pdf/2005/BOE-A-2005-21264-consolidado.pdf

	<p>Spanish citizenship, they can continue their career in the same conditions as Spaniards.</p> <p>-Personnel in the state security forces. Law 2/1986 of the Forces of State Security (National Police, Civil Guard, Regional and Local Police), does not indicate anything specifically about nationality¹⁶⁰ but each body is regulated by its own specific laws. Royal Decree 614/95 requires the candidate to possess Spanish nationality in order to participate in the selection and training processes of the National Police and Law 29/2014 of the Staff of the Civil Guard requires Spanish nationality¹⁶¹).</p> <p>The rules governing admission to the various local and regional police forces and also establish the requirement of Spanish nationality).</p> <p>-Personal Remunerated by tariff, including notaries. The law of 28 May 1862 (and subsequent amendments) includes among the requirements having Spanish nationality and, nowadays, it extends to having a nationality of any of the member states of the European Union.</p> <p>-Personal of National Intelligence Centre (<i>Centro nacional de inteligencia (CNI)</i>). Royal Decree 240/2013, amending the Statute for <i>CNI</i> personnel, states that civil servants must have Spanish nationality and in Article 8 it states that the principle of equal access of EU nationals to public employment does not apply here since the functions of the <i>CNI</i> are to safeguard the interests of the Spanish State. Regarding the selection process, the same conditions and requirements for participation in the selection process of civil servants apply to the other workforce personnel.</p> <p>Losing one's Spanish nationality or using one's previous nationality (referring to those who acquired Spanish nationality by option, naturalisation or residence) shall cause a person to lose their post as a civil servant. The Secretary General of the <i>CNI</i> may however, for justified reasons, permit the use of another nationality. Temporary staff¹⁶² are also employed by the <i>CNI</i>.</p> <p>-Personnel in the State Postal and Telegraph Company: According to the Civil Service Statute for this administration, foreign nationals fall under the regime established in the Statute of the Public Employee and immigration regulations.</p> <p>Regarding the bodies that have a specific regulation, the case of the Armed Forces is striking. Foreign nationals have access, but only as lowest-ranking soldiers and sailors, and, depending on one's nationality (South America and Equatorial Guinea), not to all the national units, and they have a time limit because unless they start procedures to access Spanish nationality or they</p>
--	---

¹⁶⁰ Available at: www.boe.es/buscar/pdf/1986/BOE-A-1986-6859-consolidado.pdf

¹⁶¹ Available at: <http://legislacion.derecho.com/ley-29-2014-de-regimen-del-personal-de-la-guardia-civil> All hyperlinks were accessed on 13 May 2015.

¹⁶² Available at: www.boe.es/buscar/pdf/2013/BOE-A-2013-3907-consolidado.pdf Hyperlinks were accessed on 12 May 2015.

	acquire it. In this sense, it is striking that once their six-year commitment is over, their recruitment will be extended for a further 3 years, if they have applied for Spanish nationality. It is particularly paradoxical because, unfortunately, that is the time it usually takes to resolve an application for citizenship. The case of the Armed Forces is the most curious of all, not only for the countries selected, but for the limitations imposed.
Please indicate any affirmative action and positive action either for third country nationals or citizens with a migrant background, if any, e.g. quotas, reserved posts for people of migrant background etc. as well as promising practices in this area. Please provide information specifically for law enforcement, judiciary, and education.	There is limited access of foreigners to the status of professional in the Spanish army and navy (they can only be recruited as lowest-ranking soldiers or sailors). The National recruitment call-up ¹⁶³ for 2015, referring to the selection process stated that recruitment should include only candidates coming from 17 countries: Argentina, Bolivia, Costa Rica, Colombia, Chile, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, the Dominican Republic, Uruguay, Venezuela, and Equatorial Guinea.

3.6. Political activity – active citizenship

Membership and participation of migrants in migrant and/or diaspora organisations and associations:	
Are there any legal or practical limitations or barriers for the self-organisation membership of migrants in migrant and or diaspora associations and organisations?	<p>The association in Spain is governed by specific legislation which only restricts the right to those associations of a criminal nature. The standard also governs foreign associations operating in Spain (Preamble IX). When they want to act in Spain, they are required to establish an office in the country, although this must be by order of the European Union¹⁶⁴.</p> <p>Some researches also address this issue: Aparicio, R., Tornos, A. (2010), <i>Las asociaciones de inmigrantes en España. Una visión de conjunto</i>, Ministerio de Trabajo e Inmigración, Madrid.¹⁶⁵</p> <p>Aparicio, R., Tornos, A. (2010), <i>Immigrant associations in Spain. An overview</i>, Spanish Ministry of Employment and Immigration, Madrid.</p>

¹⁶³ Accessed on 12 May 2015 and available at:

www.reclutamiento.defensa.gob.es/plazas/pdfs/2015/15_01_22_Convocatoria_de_MTM_2015.pdf

¹⁶⁴ Available at: www.boe.es/buscar/doc.php?id=BOE-A-2002-5852

¹⁶⁵ Available at:

extranjeros.empleo.gob.es/es/ObservatorioPermanenteInmigracion/Publicaciones/fichas/archivos/Las_asociaciones_de_inmigrantes_en_Espana_Una_vision_de_conjunto.pdf

	<p>The conclusions indicated that the association depends on the region and corresponds with the region's migration rates.</p> <p>This especially affects the associative cultures in the countries of origin. In Spain attention is drawn to the high number among sub-Saharanans.</p> <p>In any case, the association rate is very low (17/100,000) compared to national, and this already very numerous.</p> <p>Moreover, the type of association does not provide access to joining the civil society, since most are aimed at promoting the group itself.</p> <p>Moncusí, A., Albert, M^a. (2013), <i>El rol del asociacionismo de inmigrantes africanos en la construcción de cohesión social y la convivencia en Cataluña, Navarra y la Comunidad Valenciana. Miradas cruzadas: Revista Internacional de Sociología</i>. 71.</p> <p>Moncusí, A., Albert, M^a. (2013), <i>The role of the association of African immigrants in building social cohesion and coexistence in Catalonia, Navarra and Valencia. Miradas cruzadas: Revista Internacional de Sociología</i> 71.</p> <p>The study highlights the difficulties of partnerships to be relevant in a context characterized by clientelism with the state, as well as the difficulty of accessing the associative experience of women. They also reflect the lack of cultural activities that would be especially interesting for integration initiatives.</p> <p>From the point of view of the administration, it is an association that lacks the necessary structure and planning. (p .60s).</p>
<p>Are there notable cases of active migrant and/or diaspora associations and organisations? Please indicate the most known, active or representative ones on the basis of existing data about membership – please include size/numbers of members - and through contacts with competent actors and stakeholders. Please specify their character and eventual differences, including aspects concerning their</p>	<p>Main active migrant associations act as migrants representatives in the Forum for Social integration of Immigrants and have been named in point 3.3.1. All of them have geographical presence, experience, publicly funded programmes and management capacity.</p> <p>These are the following; Latin America-Spain Solidarity and Cooperation (<i>América-España Solidaridad y Cooperación (AESCO)</i>); Bolivia-Spain Association for Cooperation (<i>Asociación de Cooperación Bolivia-España (ACOB)</i>); Association of Peruvian Citizens (<i>Asociación de Ciudadanos Peruanos (ARI-PERÚ)</i>), Ibn Batuta Socio-Cultural Association (<i>Fundación IBN BATUTA</i>), Rumiñahui Hispanic-Ecuadorian Association for the collaboration and development (<i>Asociación Rumiñahui Hispano-Ecuatoriana para la colaboración al desarrollo</i>), Association of Chinese Residents in Spain (<i>Asociación de Chinos en España (ACHE)</i>), Association of Bulgarian Immigrants in Spain (<i>Asociación de Inmigrantes Búlgaros en España (AIBE BALCAN)</i>), Federation of Romanian Immigrant Associations in Spain (<i>Federación de Asociaciones de Inmigrantes Rumanos en España (FEDROM)</i>) and Federation of Ecuadorian Associations in Spain (<i>Federación nacional de Asociaciones de Ecuatorianos en España (FENADEE)</i>).</p> <p>Quantitative data are only provided by ACULCO and AESCO and available at their website.</p> <p>More info on these associations is detaild in Annex 10.</p>

<p>religious, culture or geographic scope.</p>	<p>Other relevant associations are the following:</p> <p>Federación de Asociaciones de Inmigrantes y Refugiados (Ferine) (Federation of the Associations of Immigrants and Refugees)¹⁶⁶. Start data 2003 / Nationwide.</p> <p>To generate broad participatory processes that influence better organisation of immigrants and / or refugees that allows them to bear the processes of positive integration into Spanish society and citizenship through knowledge and practice of the rights and duties arising from both Spanish and international legislation .</p> <p>Asociación de Mujeres Saharauis en España. (AMSE)¹⁶⁷. (Association of Saharawi women in Spain). Start date 2004 /Nationwide.</p> <p>To develop an awareness campaign about the Saharawi gender cause, making visible the work and struggle of Saharawi women in their society.</p> <p>Asociación Marroquí de Derechos Humanos¹⁶⁸. (Moroccan Association of Human Rights). Start date 1979 / Nationwide</p> <p>Social and political organization that seeks to protect the collective whose human rights may be violated and denounce these situations.</p>
<p>Please provide any data on the participation of migrants and their descendants in the most representative migrant and/or diaspora organisations and associations? (figures and % of migrants and/or persons with the specific ethnic or other background as members, or descriptive data if statistical data is not available).</p>	<p>There are no official databases on these associations. Data protection Act does not allow to disclose ethnic background, so it is not possible to know race-based participation rates. Anyhow, the indications given in the following sub-section of this report "Membership and participation of migrants in civil society organisations and voluntary work" may serve as guidance.</p> <p>Please note the following headlines:</p> <p>Spanish legislation is quite permissive and provides the same rights and duties for nationals and foreign residents.</p> <p>Associations and volunteering as practices that enable the exercise of citizenship.</p> <p>However, in practice there are a number of difficulties: low participation rates, school failure, lack of information among young immigrants who question the effectiveness of some of the measures.</p>
<p>Are such associations and organisations encouraged and/or supported financially or in other means</p>	<p>All legally registered associations, may participate in the official applications for grants, according to the Law of Associations 1/2002 of 22 March. (<i>Ley Orgánica 1/2002, de 22 de marzo, reguladora del Derecho de Asociación</i>)¹⁶⁹.</p>

¹⁶⁶ Available at: www.fferine.org

¹⁶⁷ Available at: www.mujaresaharauis.es/

¹⁶⁸ Available at: www.amdh.org.ma/sp/inicio

¹⁶⁹ Accessed 12 May 2015 and Available at: www.boe.es/buscar/doc.php?id=BOE-A-2002-5852 (Preamble VI).

(e.g. offices) by the national, regional or local authorities? Is there in place a mechanism linking such associations at national level? (e.g. network of migrant associations).

The book *Immigrant Associations in Spain*¹⁷⁰. An overview provides detailed information on Immigrant associations

Information on fee income and public subsidies.

Table 1. Associations that charge a membership fee to its members

TABLA 16
ASOCIACIONES QUE COBRAN UNA CUOTA DE PERTENENCIA A SUS SOCIOS

Bolivianas	1 de 3 encuestadas
Colombianas	No cobra la única encuestada
Ecuatoriana	9 de 13 encuestadas
Dominicanas	0 de 1 encuestada
Marroquíes	5 de 10 encuestadas
Peruanas	3 de 4 encuestadas
Rumanas	2 de 4 encuestadas
Otra nacionalidad	23 de 30 encuestadas
Varias nacionalidades latinoamericanas	5 de 9 encuestadas
Varias nacionalidades del Magreb	1 de 2 encuestadas
Varias nacionalidades subsaharianas	8 de 9 encuestadas
De todo tipo de nacionalidad	11 de 14 encuestadas

Elaboración propia.

PORCENTAJE DE ASOCIACIONES POR COBERTURA DE SU PRESUPUESTO

CANTIDAD DEL PRESUPUESTO CUBIERTO	100%	76-99%	51-75%	26-50%	1-25%	0%
Por subvenciones nacionales	0	0	1	1	5	92
Por subvenciones autonómicas	2	10	2	8	5	73
Por subvenciones municipales	1	2	3	7	13	73
Por fuentes privadas	59	4	4	8	17	8

Elaboración propia.

Table 2. Percentage of budget hedge associations

By national subsidies
By regional subsidies
By municipal subsidies
By private financing

Data on public funding related to immigration are available at available at:
extranjeros.empleo.gob.es/es/Subvenciones/index.html

There are many collaborative projects between state institutions and immigrant associations and here are some examples:

ROMIÑAHUI ASSOCIATION¹⁷¹:

There is not an organisation which gathers together all immigrant associations in Spain. The powers of association are derived, so some work at the state level, others at the regional level, and others at municipal level. Different registers allow registration in order to work in public life with all the protection of the law.

¹⁷⁰ Aparicio, R. and Tornos, A. (2010), *Las asociaciones de inmigrantes en España. Una visión de conjunto*, Ministerio de Trabajo e Inmigración, Madrid.

Immigrant associations in Spain. An Overview, Spanish Ministry of Employment and Immigration, Madrid. Accessed on 12 May 2015 and available at

extranjeros.empleo.gob.es/es/ObservatorioPermanenteInmigracion/Publicaciones/fichas/archivos/Las_asociaciones_de_inmi_grantes_en_Espana_Una_vision_de_conjunto.pdf

¹⁷¹ www.ruminahui.org/index.php/convenios

		<p>A general approach according to a report funded by the Spanish State.</p> <p>ASOCIACIÓN ACCEM¹⁷²</p>
<p>Are there any legal or practical limitations or barriers for the membership of migrants in civil society organisations?</p>		<p>Membership and participation of migrants in civil society organisations and voluntary work:</p>
		<p>Association is permitted for all persons in a regular situation and is seen as a channel for integration and social cohesion.</p> <p>GOBIERNO DE ESPAÑA, <i>Ley Orgánica 1/2002, de 22 de marzo, reguladora del Derecho de Asociación.</i></p> <p>SPANISH GOVERNMENT, Law 1/2002 of 22 March regulating the Right of Association.</p> <p>GOBIERNO DE ESPAÑA, <i>Ley 49/2002, de 23 de diciembre, de régimen fiscal de las entidades sin fines lucrativos y de los incentivos fiscales al mecenazgo.</i></p> <p>SPANISH GOVERNMENT, Law 49/2002 of 23 December on the taxation of non-profit entities and tax incentives for patronage.</p> <p>GOBIERNO DE ESPAÑA, <i>Ley 6/1996, de 15 de enero, de voluntariado.</i></p> <p>SPANISH GOVERNMENT, Law 6/1996, of 15 January on volunteer work.</p> <p>It is understood that through social participation migrants can interact with the host society and the state, constituting a kind of practice of citizenship, although they do not enjoy such status.</p> <p>FORO PARA LA INTEGRACIÓN SOCIAL DE LOS INMIGRANTES, <i>La participación política de las personas emigrantes. (Informe anual sobre la situación de la integración social de los inmigrantes y refugiados en 2011).</i></p> <p>FORUM FOR THE SOCIAL INTEGRATION OF IMMIGRANTS, <i>The Political Participation of Emigrants. (Annual report on the state of social integration of immigrants and refugees in 2011)</i>¹⁷³.</p> <p>Especially chapters 5 and 6.</p> <p>The legislation exposed raises the difficulty of illegal immigrants who have no access to a recognised participation in the defence of their rights.</p> <p>This would be the same situation for those whose residence permit has expired after losing their job and the expiry of the deadline for finding a new one.</p>

¹⁷² : www.accem.es/es/atencirn-y-acogida-a-inmigrantes-p80

¹⁷³ Available at: www.foroinmigracion.es/es/MANDATO-FORO-2010-2013/DocumentosAprobados/Informes/INFORME-FORO2011-MONOGRAFIA-PARTICIPACION-POLITICA.pdf

		<p>YOUTH COUNCIL OF SPAIN, Intercultural Encounters and active citizenship¹⁷⁴.</p> <p>The lack of research on the associations and school failure is very high among immigrants; and lack of knowledge of the culture, seem to appear as objective difficulties.</p>
	<p>Do civil society organisations encourage and support membership and participation of migrants and/or their descendants? E.g. through information and raising awareness initiatives in more languages, translation and language support services etc.</p>	<p>This is one of the main lines with which the State seeks integration and social cohesion of migrants.</p> <p>CONSEJO DE LA JUVENTUD DE ESPAÑA, <i>Guía de Participación Asociativa Intercultural</i>, Consejo de la Juventud de España, Madrid, 2011.</p> <p>YOUTH COUNCIL OF SPAIN, <i>Intercultural Voluntary Participation Guide</i>. Madrid, 2011¹⁷⁵.</p> <p>The first three chapters of the guide provide a theoretical framework on the principles of participation and the need for the consolidation of associations of civil society. (pp. 7-13). They are indispensable tools for building democratic systems and become especially important for the integration of citizens.</p> <p>The fourth chapter defines multicultural associations within the youth field, (pp. 14-17). The fifth describes the process of its creation (pp.19-26) and the sixth explains the legal framework in Spain (pp. 27-28). The last three chapters explain the associations, national and European networks in which these groups can be inserted.</p> <p>Definition used is: "Intercultural youth associations are entities that integrate diversity in their operation and management. This means being open to differences and characteristics of young people of different ethnic and cultural backgrounds, and incorporating otherness as an added value, exceeding the unchanging concept of culture, hinders communication and relationship between multicultural groups." (p.14)</p> <p>CONSEJO DE LA JUVENTUD DE ESPAÑA, <i>Encuentro ciudadanía activa e Intercultural</i>, Santoña (Santander), 2011.</p> <p>YOUTH COUNCIL OF SPAIN, Intercultural Encounters and active citizenship¹⁷⁶.</p> <p>The Youth Council of Spain held a series of meetings between young Spaniards and immigrants to assess the difficulties and alternative strategies that allow the participation of immigrants in the associations.</p> <p>In these forums, the limited knowledge that this population has about these partnerships and their limited representation in the governing bodies comes to light.</p>

¹⁷⁴

Available at: www.cje.org/gl/sala-de-prensa/notas-de-prensa/el-consejo-de-la-juventud-de-espana-aboga-por-promover-la-participacion-de-jovenes-migrantes-en-la-vida-social-y-politica/

¹⁷⁵ Available at: www.cje.org/descargas/cje184.pdf

¹⁷⁶ Available at: www.cje.org/gl/sala-de-prensa/notas-de-prensa/el-consejo-de-la-juventud-de-espana-aboga-por-promover-la-participacion-de-jovenes-migrantes-en-la-vida-social-y-politica/

Please provide any data on the participation and membership of migrants and their descendants in the most representative civil society organisations? (figures or % of organisation members, % of migrants and/or with migrant background as members, or descriptive data if statistical data is not available).

There is no official data on the number of partners in these organisations. Nor is there data on the origin since this type of information is protected under the Data Protection Act.

For an estimate approach, it is necessary to apply to academic research. Garreta y Llevot

Garreta, J. y Llevot, N. (2013), *Las asociaciones de inmigrantes africanos*: Revista Internacional de Sociología. 71. Pp. 15-38.

Garreta, J. and Llevot, N. (2013), *Associations of African Immigrants*: Revista Internacional de Sociología. 71. Pp. 15-38. (p. 21) Table 1. Date of creation of the association.

Location.

Area of origin of partners.

Tabla 1.
Año de creación de la asociación

	TOTAL	COMUNIDAD AUTÓNOMA			ZONA ORIGEN ASOCIADOS *		
		Cataluña	Comunidad Valenciana	Navarra	Norte África	Mixta	Subsáhara
Antes de 1990	6,3%	8,7%	1,9%	-	-	8,8%	9,2%
1990 - 1995	11,2%	12,3%	3,7%	28,6%	8,1%	22,1%	3,9%
1996 - 2000	20,9%	21%	24,1%	7,1%	27,4%	16,2%	19,7%
2001 - 2005	38,3%	36,2%	46,3%	28,6%	38,7%	23,5%	51,3%
2006 - 2009	23,3%	21,7%	24,1%	35,7%	25,8%	29,4%	15,8%
Total	100%	100%	100%	100%	100%	100%	100%

* La zona de origen de los asociados se ha construido a partir de la pregunta: "¿De qué países de origen son los asociados de su asociación?" Los que tienen solo asociados de países del norte de África (Marruecos, Argelia, Mauritania, Túnez y Egipto) pertenecen a esta categoría (30,1% de la muestra), los que solo los tienen del resto de países de África se han considerado subsaharianos (36,9%) y, en tercer lugar, los que tienen asociados de ambos territorios se han ubicado dentro de la categoría mixta (33%). Concretando más la categoría "mixta", hallamos que no solo se trata de asociaciones que tienen personas del norte de África y subsaharianas, sino que también aparecen en la asociación españoles (lo más frecuente) o ciudadanos europeos, asiáticos y latinoamericanos. Es decir, se trata de asociaciones de africanos en sentido amplio pero que también incorporan a personas de otros orígenes aunque, por cómo se ha elegido el perfil de las asociaciones que se considerarían, la población de estudio (los "no africanos") debe ser de menos del 25% de los asociados.
Fuente: Elaboración propia a partir de los datos del proyecto CSO2008-01122/SOCI.

The table analyses the origin of partners and the evolution of the implementation in different regions.

Information on associations of African migrants.¹⁷⁷

Aparicio, R. and Tornos, A (2010), *Las asociaciones de inmigrantes en España. Una visión de conjunto*, Ministerio de Trabajo e Inmigración, Madrid. *Immigrant Associations in Spain. An Overview*¹⁷⁸

The book devotes the first two chapters to establishing a scientific methodology and giving a review of the literature published in this field. The third chapter describes the official sources and difficulties since the association is transferred to the regional and municipal governments. For this reason, the last two chapters focus on qualitative research, using surveys for mapping associations.

¹⁷⁷ Available at revintsociologia.revistas.csic.es/index.php/revintsociologia/article/view/533/555

¹⁷⁸ Available at:

extranjeros.empleo.gob.es/es/ObservatorioPermanenteInmigracion/Publicaciones/fichas/archivos/Las_asociaciones_de_inmigrantes_en_Espana_Una_vision_de_conjunto.pdf. Accessed 12 May 2015

The conclusions indicated that the associations depend on the regions and correspond with the migration rates in the region.

This especially affects the associative culture in the countries of origin. In Spain attention is drawn to the high number among sub-Saharanans.

In any case, the association rate is very low (17/100,000) compared to the national rate.

Moreover, the type of association does not provide access for joining the civil society, since most are aimed at promoting the group itself.

(p. 52) Table 3. Associations of foreigners in the National Register of migrant associations attending to the members geographic origin.

Origin

Number of associations

Number of immigrants

Percentage of associations for every 100,000 people.

TABLA 3
ASOCIACIONES DE EXTRANJEROS EN EL REGISTRO NACIONAL DE ASOCIACIONES SEGÚN LOS SISTEMAS MIGRATORIOS DE SUS PATROCINADORES Y EL VOLUMEN DE LA POBLACIÓN LLEGADA EN FUNCIÓN DE ESTOS A LOS TERRITORIOS EXPLORADOS

COLECTIVOS DE REFERENCIA	NÚMERO DE ASOCIACIONES EN LOS TERRITORIOS CONSIDERADOS	INMIGRADOS A ESPAÑA DE DICHS COLECTIVOS Y TERRITORIOS ¹	ASOCIACIONES POR CADA 100.000 INMIGRADOS
Total	488	2.723.513	17,92
De EUROPA 15	11	587.487	1,87
Del Magreb	41	354.217	11,57
De Latinoamérica	150	993.408	15,10
De Europa Este	58	531.202	10,92
De África Subsahariana	126	97.247	129,57
De Asia	47	159.952	29,38
No territoriales	55	-	-

NOTA: Bajo la denominación Magreb se han incluido Argelia, Marruecos, República Saharaui y Túnez. Bajo la denominación Europa del Este, Bulgaria, Estonia, Georgia, Hungría, Letonia, Lituania, Moldavia, Polonia, República Checa, República Eslovaca, Rumanía, Rusia, Ucrania. En Latinoamérica se ha incluido México. Se ha prescindido de Etiopía, no contabilizándose ni en Magreb ni en África Subsahariana.

¹ FUENTE: Padrón Municipal I-I-2007.

Table analyses the participation rate, by area of origin.

(p. 58) Table 7. Associative density of various groups in the territories concerned

Collectives.

Immigrant population in the territories explored.

Number of associations.

Associations for every 100,000 immigrants.

TABLA 7
DENSIDAD ASOCIATIVA DE DIVERSOS COLECTIVOS EN LOS TERRITORIOS CONSIDERADOS

COLECTIVOS	POBLACIÓN INMIGRANTE EN LOS TERRITORIOS EXPLORADOS ¹	NÚMERO DE ASOCIACIONES	ASOCIACIONES POR CADA 100.000 INMIGRADOS
Total	1.485.095	340	22,9
Bolivianos	152.169	23	15,1
Colombianos	158.622	33	20,8
Dominicanos	44.432	28	63,0
Ecuatorianos	335.727	89	26,5
Marroquíes	383.894	83	21,6
Peruanos	82.477	35	42,4
Rumanos	327.574	49	15,0

Elaboración propia.

¹ FUENTE: Padrón Municipal I-I-2007.

The table analyses associations from the perspective of the countries with the highest percentage of presence.

(p. 71) Table 12. Activities of associations split by funders' geographic origin.

Promoting own culture.
 Services to groups of people.
 Activities with political intention.
 Promotion of own national collective.
 Recreational activities.
 Cooperation with original country.
 Religious activities.

TABLA 12
 ACTIVIDADES REALIZADAS POR LAS ASOCIACIONES SEGÚN LOS COLECTIVOS QUE LAS SUSTENTAN

	BOLIVIANAS	COLOMBIANAS	DOMINICANAS	ECUATORIANAS	MARROQUÍES	PERUANAS	RUMANAS	SUBSAHARIANAS	DE OTROS O VARIOS PAÍSES
Número de asociaciones	3	1	1	13	10	4	5	17	46
Mantenimiento/difusión propia cultura	1	1	1	11	10	3	3	9	23
Servicios a colectivos de personas	3	1	0	12	9	4	4	7	43
Actividades de intención política	2	0	1	9	10	3	3	6	41
Promoción propio colectivo nacional	1	0	1	10	9	2	2	3	34
Actividades recreativas	3	0	1	7	4	1	0	4	34
Cooperación con país de origen	2	0	0	10	4	1	1	6	4
Actividades religiosas	0	0	0	2	2	2	3	1	7

Elaboración propia.

The table presents the different activities of the associations, split by funders' geographic origin.

(p. 74) Table 14. Members' profile

Features
 20-30 years.
 More than 30 years.
 Higher education.
 Legal status
 More than five years of residence.
 Women.
 Spanish people.

TABLA 14
 NÚMERO DE ASOCIACIONES A CUYOS MIEMBROS SE ATRIBUYEN LOS RASGOS INDICADOS, SEGÚN LAS PROPORCIONES EN QUE SE LES ATRIBUYEN DICHS RASGOS

ATRIBUTOS	LA MAYORÍA	BASTANTES	LA MITAD	POCOS	NINGUNO	NS/NC
20-30 años	19	20	21	31	5	4
Más de 30 años	37	29	20	9	—	5
Estudios superiores	14	13	23	39	5	6
Regularización en regla	63	17	8	8	0	4
Más de cinco años de estancia	45	20	17	14	0	4
Son mujeres	14	25	26	25	4	6
Son españoles	1	5	5	52	32	5

Elaboración propia.

NOTA: Para esta tabla se contabilizaron las respuestas de 100 asociaciones.

The table analyses the typology of migrant partners.

Membership and participation of migrants in political parties:

Are there any legal or practical limitations or barriers for the membership of

All immigrants with residence permits are allowed political and social rights but not voting rights. These are only allowed for people from those countries with which there exists a bilateral agreement: the European Union, Bolivia, Cape Verde, Chile, Colombia, Korea, Ecuador, Iceland, Norway, New Zealand,

<p>migrants in political parties, initiatives (e.g. petitions, signature collections) and movements?</p>	<p>Paraguay, Peru and, Trinidad and Tobago. Thus they can participate in associations, movements, local initiatives and affiliate in political parties in the same conditions as Spanish nationals.</p> <p>Gobierno de España, <i>Ley Orgánica 4/2000, de 11 de enero, sobre derechos y libertades de los extranjeros en España y su integración social.</i></p> <p>SPANISH GOVERNMENT, Law 4/2000 of 11 January on the rights and freedoms of foreigners in Spain and their social integration.</p> <p>Available at: www.boe.es/buscar/act.php?id=BOE-A-2000-544</p> <p>Difficulties are similar to those described above in the corresponding participation in civic associations and associations in general.</p>
<p>Do political parties encourage and support membership and participation of migrants and/or their descendants in their activities? E.g. through information and raising awareness initiatives in more languages, translation and language support services etc.</p>	<p>There are private initiatives on civil, political and social rights information; and the latest developments.</p> <p>The pages listed are the most representative:</p> <p>https://inmigrantesvotan.wordpress.com/acerca-de/</p> <p>www.derecho.com/legislacion/boe/categorias/281/Inmigrantes.html</p> <p>www.parainmigrantes.info/category/nacionalidad-y-ciudadania-espanola/</p> <p>These websites attempt to store all information relating to legal immigration and the parliamentary debates on the new regulations.</p> <p>They also provide information on the most important citizens' initiatives.</p> <p>More information can be found on point 3.1.3.</p>
<p>Please provide any data on the participation and membership of migrants and their descendants in the political parties, initiatives and movements? (figures or % of party members, % of migrants and/or with migrant background as members, or descriptive data if statistical data is not available)</p>	<p>Information is not available since the Data Protection Act does not allow access to this information and this is not considered to constitute a risk of discrimination.</p> <p>However, it is possible to access to some data through a few researches, public statistics and publications, as seen in point 3.2.2)</p>

	<p>Are migrants elected as representatives of political parties, initiatives and movements? Please provide figures if available, and report the related legal or practical limitations or barriers, eventually faced.</p>	<p>It is difficult to access this kind of information since the Data Protection Act does not allow access to this information and this is not considered to constitute a risk of discrimination.</p> <p>Nevertheless, there are some parties that focus on this issue:</p> <ol style="list-style-type: none"> 1. There is a party constituted only by migrants, since December 2011, but its development is still very little and the only contact is through twitter. Saleh <p>Saleh, S., EL PAÍS, <i>Un partido 100% emigrante. (25 de enero de 2011)</i>¹⁷⁹.</p> <p>Saleh, S., EL PAÍS, <i>A 100% Emigrant Political Party. (25 January 2011).</i></p> <p>Available at: elpais.com/diario/2011/01/25/madrid/1295958273_850215.html</p> <p>and: https://twitter.com/partidocoem</p> <ol style="list-style-type: none"> 2. <i>Partido Multicultural por la Justicia Social. (Multicultural Party for Social Justice)</i>¹⁸⁰ <p>This party is presented as a political platform for immigrants although membership for Spanish nationals is not precluded. They support the right to immigration and the construction of multicultural societies.</p> <ol style="list-style-type: none"> 3. A Romanian woman presents her candidacy for mayor of a municipality in the province of Huelva¹⁸¹.
--	---	--

3.7.Civic and citizenship education

<p>The participation of migrants and their descendants (with a distinct linguistic, cultural background) in education:</p>	
<p>Have teachers of migrant background equal access to employment in education, as teachers? If yes, what is the rate of participation (% of teachers with migrant background at national level)? Are they represented in</p>	<p>Teachers from immigrant backgrounds wishing to access public employment in education must have Spanish nationality and have passed the national competitive selection process. The situation for those who want to be teachers in private and grant-aided schools is different. Nonetheless, they must have their degree validated in Spain.</p> <p>The Spanish Ministry of Education, Culture and Sports has been consulted in various ways but it has not been possible to obtain any information.</p> <p>Law 4/2000 of rights and freedoms of foreigners in Spain, provides in Article 10.2 that "foreigners will have access to public employment" in the terms established by Law 7/2007 of</p>

¹⁷⁹ Available at: elpais.com/diario/2011/01/25/madrid/1295958273_850215.html

and: <https://twitter.com/partidocoem>

¹⁸⁰ Available at: www.mjs.es/2014/03/programmea.html

¹⁸¹ Available at: <https://inmigrantesvotan.wordpress.com/2011/05/07/emanuela-popa-candidata-de-origen-rumano-a-la-alcaldia-de-cartaya-huelva/>

	<p>professional teacher associations? Please identify limitations, challenges and promising practice.</p>	<p>12 April of the Basic Statute of the Public Employee. There is no specific law or regulation concerning teachers from immigrant backgrounds.</p>
	<p>Are there any particular gender issues?</p>	<p>There are no particular gender issues except those established in general for all students. None exist particularly relating to immigrant students nor teachers of foreign origin.</p>
	<p>Are parents of migrant background actively participating in the school life? Please provide evidence concerning their participation in parents associations, school and community events and extracurricular activities, consultations etc.¹⁸²</p>	<p>Since participation of families in the bodies of the centres is voluntary, there is very difficult to know the percentage of participation of immigrant families in associations without some research. This aspect also depends more on the regional governments and the centres themselves.</p> <p>We didn't find information on this issue, and the Ministry of Education doesn't provide it.</p> <p>It is essential to note that the powers in education have been devolved to the regional governments according to Law 9/1992, of 23 December, with the various regional administrations agreeing to this autonomy through Article 143 of the Constitution. For this reason, the information should come from the different administrations. Therefore there is no aggregate, but only rather disparate information related to this request. Extracurricular Education Programmes are aimed at improving the integration and educational success of children and young immigrants through extra-curricular support. Only 1 in 10 extracurricular educational programmes are aimed at the education community, including parents and families. Specifically regarding extracurricular activities, the study Best Practices in Extracurricular Education Programmes (<i>Programas educativos extra-curriculares (PEE)</i>) and the Promotion of Equal Treatment and Non-Discrimination in the Host Society (<i>Promoción de la igualdad de trato y no discriminación en la sociedad de acogida (PITNOD)</i>) conducted by the International Organisation for Migration on Andalusia, Catalonia and Madrid said that, in general, a difficulty for parents of immigrant origin to participate in school and extracurricular activities of their children is expressed, but this is often not very different to the difficulties Spanish parents experience.</p>
	<p>Are there extracurricular activities involving and engaging with children and parents of migrant background and/or focussing on civic and citizenship education? Please identify limitations, challenges and promising practice.</p>	<p>Spanish regulations do not distinguish between immigrant and native pupils, because we live under an inclusion law. But in practice, it will depend on the capacity of each centre to be inclusive, especially with parents of immigrant pupils. For example, learning support difficulties, reinforcing the Spanish language, sports, dance, regional dances ... This depends also on what parents ask for and they pay through the Parents' Associations, or on the council finances activities such as school support and Spanish language reinforcement. There are also the mentioned Extracurricular Education Programmes that try to improve this integration. In general, a difficulty for migrant parents to participate in school and extracurricular activities of their children is expressed but in a similar way to the difficulty Spanish parents have.</p>

¹⁸² For more information about involving the community in the school life and vice versa please refer also to the findings of the SIRIUS Network www.sirius-migrationeducation.org/

<p>Are there provisions for bilingual education? If yes, is it supported by trained teachers and training programmes, curriculum provisions and dedicated school manuals and books?</p>	<p>There are regulations regarding bilingual schools in English, for those having English as their first foreign language. French or other languages (German, Italian) must be offered among the electives. The Ministry of Education in its Action Plan 2010-11 incorporates a specific objective in this area, namely, number 6: "Multilingualism. Language learning momentum." A set of measures to ensure that all pupils in our country express themselves correctly and adequately, at least in one foreign language, preferably in English, is promoted in it, with immediate effect¹⁸³. There are no provisions affecting immigrant pupils' native languages.</p>
<p>Is there evidence of school segregation and/or policies of separate/distinct schooling of migrants?</p>	<p>On a practical level, this depends on how each centre applies the general regulations in its school curriculum and, in turn, each teacher must also adapt these to their subject and tutoring. The admission of pupils to state schools is established by some criteria, such as living inside the catchment area, the number of siblings at the school, and the family's social risk. These processes are monitored by the Education Inspectorate in each territorial delegation, and through school committees composed of representatives of the administration and parents. Part of the curriculum is determined by the central government, another by the administration of the regional government and, finally, by the school itself.</p>
<p>Is there evidence of modifying school curricula and teaching materials can be modified to reflect the diversity of the school population? Is the teacher regular curricula/training dealing with specific reference to immigrants or ethnic minorities and respect/promotion of diversity?</p>	<p>The Spanish Ministry of Education, Culture and Sport (<i>Ministerio de educación, deporte y cultura (MECD)</i>) since the enactment of Law 2/2006 of Education on 3 May, has been developing curriculum content of all the subjects that make up the educational system. At all levels issues of racism, xenophobia and intolerance must be introduced into the curriculum. This horizontal approach requires all teachers, regardless of discipline to impart, instill and reinforce the values of tolerance and non-discrimination in their pupils. According to the norm and the process mentioned, that should be the case, but not all the schools meet the standards. Nevertheless, we don't have further information on concrete cases.</p>
<p>Are all students – not only of migrant background – targeted and/involved by civic education and activities related to migrant integration at schools?</p>	<p>The legislation and activities focus on the whole educational community</p>
<p>The implementation of specific measures and initiatives aiming at (the following possible practices on the left is an indicative and non-exhaustive list):</p>	
<p>Please use the following as indicative list of</p>	<p>The schools are required to offer an inclusive and intercultural education, whether or not there are immigrant pupils, but not with any specific programme, rather through the educational and pedagogical principles of their own curricular project, with</p>

¹⁸³ www.mecd.gob.es/dctm/ministerio/horizontales/prensa/documentos/2011/03/programa-integral-aprendizaje-lenguas-ce-23-03-11.pdf?documentId=0901e72b80a2a58a .

<p>possible practices to report on:</p> <p>Improving the way civic and citizenship education reflect diversity in society through curricular and extracurricular activities. Are there specific programmes helping young people to learn how to live in a society with people from different cultures and religions?</p>	<p>its objectives and content etc ... helping to experience the diversity of cultures, religions... There is a Resolution of 26 November 2014, from the Directorate General for Evaluation and Territorial Cooperation, which has published the Islamic Religious Education curriculum for primary education. This is not yet applied nationwide but depends on which regions, schools and parents request it.</p> <p>The Spanish Ministry of Education, Culture and Sports has been consulted through various contacts and repeatedly, but we have not received any answer to this and other issues related to education. This is the institution that would be able to give national information and not piecemeal information as in the case of the Departments of Education in each of the regional governments.</p> <p>There are other practices, such as the Intercultural Community Project implemented by "la Caixa" Foundation, which aims to Develop a social intervention in education (formal and informal) for promoting intercultural coexistence, through the participation of teachers, families and students, connecting school time and leisure education (see Annex 7)</p>
<p>Improving the way formal curriculum subjects, e.g. literature, history, etc. promote mutual understanding, respect for ethnic and religious diversity and the common democratic and pluralist values?</p>	<p>This is the purpose of the intercultural curricular approach established by the rules of the Ministry of Education, Sport and Culture.</p>
<p>Facilitating equal opportunities in education for children with migrant background?</p>	<p>According to the Constitution and active Educational laws such as the Law on the Education System (<i>Ley orgánica general del sistema educativo (LOGSE)</i>), Law on Education (<i>Ley orgánica de educación (LOE)</i>), and the Law on Improving Educational Quality (<i>Ley orgánica de mejora de la calidad educativa (LOMCE)</i>), Spain must facilitate equal opportunities in education for children of migrant backgrounds .</p> <p>That also the aim of the Extracurricular Education Programs (PEE) and the Promotion of Equal Treatment and Non-Discrimination in the Host Society (PITNOD), but the implementation, as said before, depends on each center.</p>
<p>Facilitating the involvement, participation and support of parents with migrant background in the educational system and in the school activities?</p>	<p>The Spanish educational system does not differentiate between Spanish parents and those of immigrant origins, but there are some activities (as the Extracurricular Education Programs). In practice there is general difficulty for parents of immigrant origin to participate in school and extracurricular activities of their children (although not so different from Spanish parents).</p>
<p>Providing language learning support to</p>	<p>According to the preceding information, the Spanish educational system provides learning support to pupils of migrant</p>

students of migrant background?	backgrounds coming from non-Spanish language countries through specific help in Spanish language, but again, the implementation depends on each school.
Improving attendance and reducing drop-out of students with migrant background?	The Spanish educational system does not admit to establishing differences between migrant pupils and native pupils.
Improving school and teachers' capacity to embrace, build on and/or manage diversity?	As part of the proposal of the intercultural curricular approach, inclusive and intercultural education should promote the development of managing diversity in the classroom and diversity training for teachers.
Other	

3.8. Drivers, barriers for the implementation, monitoring and assessment of legislation & policy measures

<p>Previous paragraphs indicated in detail aspects about the actual implementation of participation policies, normative framework and measures. In this section briefly summarize the most important drivers, positive factors and the barriers, resistance or negative factors that have been identified regarding the design, implementation, monitoring and assessment of policy measures and normative framework for the political and social</p>	<p>Citizenship acquisition</p> <p><i>Drivers/Positive factors</i></p> <ul style="list-style-type: none"> • Historical memory Law (broadens the access to Spanish citizenship)¹⁸⁴ • Plan intensivo de nacionalidad (Intensive Nationality Plan)- Proyecto GEN (Gestión de expedientes de nacionalidad- Management of Nationality Records) 25 June 2012. It permitted to speed th process of acquisition (increasing 500.000 requests in a year)¹⁸⁵ <p><i>Barriers/Negative factors</i></p> <ul style="list-style-type: none"> • Lack of consensus in the requirements to prove Good citizenship/good civic conduct and Sufficient degree of integration in Spanish society, so it admits different interpretations¹⁸⁶ <p>Voting rights at national level.</p> <p><i>Drivers/Positive factors</i></p> <ul style="list-style-type: none"> • No boosters have been found at this respect¹⁸⁷. <p><i>Barriers/Negative factors</i></p> <ul style="list-style-type: none"> • The law impedes non naturalized citizens to exercise both active and passive suffrage in national elections¹⁸⁸. • The relatively 'young? Immigrant population in Spain: there
---	--

¹⁸⁴ See section 3.1.1 Citizenship acquisition, available at:

<http://ley memoria.mjusticia.gob.es/cs/Satellite/LeyMemoria/es/memoria-historica-522007>

¹⁸⁵ See section 3.1.1 Citizenship acquisition, available at: www.mjusticia.gob.es/cs/Satellite/Portal/en/areas-tematicas/nacionalidad/plan-intensivo-tramitacion

¹⁸⁶ See section 3.1.1 Citizenship acquisition, Ruiz de Huidobro, J.M. (2014), 'Social Integration of third country nationals and Spanish Nationality Law' in Guild, E., Gortázar, C. and Kostakopoulou, D. (eds.), *The Reconceptualization of European Union Citizenship*. Boston, Brill Nijhoff

¹⁸⁷ See section 3.2.1. Limitations to voting rights at national level are included in art. 13.2 of the Spanish Constitution.

¹⁸⁸ See section 3.2.1. Limitations to voting rights at national level are included in art. 13.2 of the Spanish Constitution.

	<p>participation of migrants and their descendants. Please base the analysis on governmental and non-governmental reports, as well as research and studies.</p>	<p>are not so many foreigners that have had the time to naturalise and become immigrant-background representatives¹⁸⁹</p> <p>Voting rights at regional/local levels</p> <p><i>Drivers/Positive factors</i></p> <ul style="list-style-type: none"> Nationals of other countries with agreements that recognise this right for Spaniards (reciprocity condition) are allowed to exercise their active suffrage rights in local elections.¹⁹⁰ <p><i>Barriers/Negative factors</i></p> <ul style="list-style-type: none"> Passive suffrage rights: Third country nationals are not allowed to stand as a candidates in local elections. All the bilateral electoral agreements signed up to today concern active voting rights only¹⁹¹. <p>Consultation</p> <p><i>Drivers/Positive factors</i></p> <ul style="list-style-type: none"> Participation of immigrants in the consultative bodies is being increasingly promoted through The Forum for the Social Integration of Immigrants (national level) and The Municipal Immigration Council of Barcelona and The Madrid Forum for Dialogue and Coexistence (regional and/or local level)¹⁹² <p><i>Barriers/Negative factors</i></p> <ul style="list-style-type: none"> The Forum for the Social Integration of Immigrants is the only competent body to participate in decision-making.¹⁹³ There are only two consolidated consultative regional bodies¹⁹⁴ The evaluation processes of the Forum Strategic Plans should have been implemented, but it isn't available yet¹⁹⁵
--	---	---

¹⁸⁹ See section 3.2.1. Pérez-Nievas, S., Vintila, C., Morales, L., Paradés, M. (2014), *La representación política de los inmigrantes en elecciones municipales. Un análisis empírico*. Madrid, CSIC (Centro superior de investigaciones científicas). *Political representation of immigrants in local elections. An empirical approach*. The Spanish National Research Council. Available at: libreria.cis.es/static/pdf/OA72acc.pdf

¹⁹⁰ See section 3.2.1. Available at:

www.madrid.org/cs/Satellite?blobcol=urldata&blobheader=application%2Fpdf&blobheadername1=Content-disposition&blobheadername2=cadena&blobheadervalue1=filename%3DElecciones+municipales+2015+pa%C3%ADses+con+acuerdo.pdf&blobheadervalue2=language%3Des%26site%3DPortalInmigrante&blobkey=id&blobtable=MungoBlobs&blobwhere=1352861950094&ssbinary=true

¹⁹¹ See section 3.2.1.

¹⁹² See section 3.3.1. Available at: www.foroinmigracion.es/es/Normativa/index.htm;

www.bcn.cat/novaciudadania/arees/es/consell_municipal/consell_municipal.html;

[www.madrid.es/portales/munimadrid/es/Inicio/El-Ayuntamiento/Servicios-Sociales/Inmigracion/Foro-Madrid-de-Dialogo-y-](http://www.madrid.es/portales/munimadrid/es/Inicio/El-Ayuntamiento/Servicios-Sociales/Inmigracion/Foro-Madrid-de-Dialogo-y-Convivencia?vgnextfmt=default&vgnextoid=5d7e1f8d0d449210VgnVCM1000000b205a0aRCRD&vgnextchannel=d33d9ad016e07010VgnVCM100000dc0ca8c0RCRD)

[Convivencia?vgnextfmt=default&vgnextoid=5d7e1f8d0d449210VgnVCM1000000b205a0aRCRD&vgnextchannel=d33d9ad016e07010VgnVCM100000dc0ca8c0RCRD](http://www.madrid.es/portales/munimadrid/es/Inicio/El-Ayuntamiento/Servicios-Sociales/Inmigracion/Foro-Madrid-de-Dialogo-y-Convivencia?vgnextfmt=default&vgnextoid=5d7e1f8d0d449210VgnVCM1000000b205a0aRCRD&vgnextchannel=d33d9ad016e07010VgnVCM100000dc0ca8c0RCRD)

All hyperlinks were accessed on 11 May 2015.

¹⁹³ See section 3.3.1. Available at: www.foroinmigracion.es/es/Normativa/index.htm

¹⁹⁴ See section 3.3.1. Available at: www.bcn.cat/novaciudadania/arees/es/consell_municipal/consell_municipal.html,

[www.madrid.es/portales/munimadrid/es/Inicio/El-Ayuntamiento/Servicios-Sociales/Inmigracion/Foro-Madrid-de-Dialogo-y-](http://www.madrid.es/portales/munimadrid/es/Inicio/El-Ayuntamiento/Servicios-Sociales/Inmigracion/Foro-Madrid-de-Dialogo-y-Convivencia?vgnextfmt=default&vgnextoid=5d7e1f8d0d449210VgnVCM1000000b205a0aRCRD&vgnextchannel=d33d9ad016e07010VgnVCM100000dc0ca8c0RCRD)

[Convivencia?vgnextfmt=default&vgnextoid=5d7e1f8d0d449210VgnVCM1000000b205a0aRCRD&vgnextchannel=d33d9ad016e07010VgnVCM100000dc0ca8c0RCRD](http://www.madrid.es/portales/munimadrid/es/Inicio/El-Ayuntamiento/Servicios-Sociales/Inmigracion/Foro-Madrid-de-Dialogo-y-Convivencia?vgnextfmt=default&vgnextoid=5d7e1f8d0d449210VgnVCM1000000b205a0aRCRD&vgnextchannel=d33d9ad016e07010VgnVCM100000dc0ca8c0RCRD)

¹⁹⁵ See section 3.3.1. Available at: www.femp.es/files/566-1367-

[archivo/PLAN%20ESTRAT%20C3%89GICO%20CIUDADAN%20C3%8DA%20E%20INTEGRACI%20C3%93N%202011-2014.pdf](http://www.femp.es/files/566-1367-archivo/PLAN%20ESTRAT%20C3%89GICO%20CIUDADAN%20C3%8DA%20E%20INTEGRACI%20C3%93N%202011-2014.pdf)

		<p>Participation in trade unions</p> <p><i>Drivers/Positive factors</i></p> <ul style="list-style-type: none"> • Advisory provided by the most relevant Spanish Unions CCOO and UGT through the immigrant information centres (CITEs)¹⁹⁶. • Farther than the documentation processes, unions' aware is nowadays targeting to other dimensions of integration, promoting their participation in union activities, offering courses targeted to their needs (such as language learning or labour rights), editing information in their own languages¹⁹⁷. <p><i>Barriers/Negative factors</i></p> <p>There are two legal limitations¹⁹⁸:</p> <ul style="list-style-type: none"> • affiliated under 18 are not illegible, • nor irregular migrants, as they will never hold a work contract. <p>There are three practical limitations¹⁹⁹:</p> <ul style="list-style-type: none"> • The labour environment. Immigrants face greater precariousness and work in sectors less stable and secure sectors with less bargaining capacity. • The dependence of immigrant workers. Migrants are more dependent of their employers and have less information about union activities and • The unions are more aware of national workers defence. National affiliates are commonly low skilled manual workers that perceive migrant labourers as competitors. <p>Participation in professional bodies and craft associations</p> <p><i>Drivers/Positive factors</i></p> <ul style="list-style-type: none"> • Professional bodies: There is a draft bill on professional services and professional bodies (that has not yet come into force) that loosens, in a broad sense, the conditions of professional practice. 1) Regulated professions that need prior registration in the official body decrease from 80 to 34.
--	--	---

¹⁹⁶ See section 3.4. González Enríquez, C. (2008), 'Los sindicatos ante la inmigración', *Ministerio de Trabajo y Asuntos Sociales*. Madrid. *Trade unions and immigration* Available at: http://extranjeros.empleo.gob.es/es/ObservatorioPermanenteInmigracion/Publicaciones/fichas/archivos/Los_sindicatos_ante_la_inmigracion.pdf

¹⁹⁷ See section 3.4. Available at: [www.ccoo.es/cscceo/Areas:Migraciones
www.fesugt.es/migraciones/](http://www.ccoo.es/cscceo/Areas:Migraciones/www.fesugt.es/migraciones/)

¹⁹⁸ See section 3.4. Workers' Statute. Available at: <https://www.boe.es/buscar/act.php?id=BOE-A-1995-7730> All hyperlinks were accessed on 11 May 2015.

¹⁹⁹ See section 3.4. Cilleros, R. (2011) 'Las consecuencias de las nuevas características del trabajo en la afiliación sindical' (*Consequences of new employment profiles on trade union membership*), available at: [www.encrucijadas.org.
file:///C:/Users/mercedes/Downloads/Dialnet-LasConsecuenciasDeLasNuevasCaracteristicasDelTraba-3720465%20\(4\).pdf](http://www.encrucijadas.org/file:///C:/Users/mercedes/Downloads/Dialnet-LasConsecuenciasDeLasNuevasCaracteristicasDelTraba-3720465%20(4).pdf)

González Enríquez, C. (2008), 'Los sindicatos ante la inmigración', *Ministerio de Trabajo y Asuntos Sociales*, Madrid. (*Trade Unions and immigration*), available at: http://extranjeros.empleo.gob.es/es/ObservatorioPermanenteInmigracion/Publicaciones/fichas/archivos/Los_sindicatos_ante_la_inmigracion.pdf

Miguélez, F. and López-Roldán, Pedro (coord.) (2014), 'Crisis, empleo e inmigración en España', *Universidad Autónoma de Barcelona*, Barcelona. *Crisis, employment and immigration to Spain*, available at: http://s01.s3c.es/imag/doc/2015-01-21/Informe_ParoInmigrantes.pdf

Jódar, P., Alós, R. Boso, A. Guiu, J., and Garrell, J. (2014), 'La afiliación sindical de la población inmigrante', *El caso de CCOO Cataluña. Cuadernos de Relaciones Laborales* 32, 1, pp. 135-163 (*Union Affiliation of Foreign Workers. Workers' Commission (CCOO) Catalonia*).

		<p>2) Registration in a determined province enables professional practice in the whole country. 3) A maximum annual charge is established.²⁰⁰</p> <p><i>Barriers/Negative factors</i></p> <p>It is really difficult for a third country national to become a representative of an official professional or scientific association. The main legal and practical limitations are²⁰¹</p> <ul style="list-style-type: none"> • the difficulties foreign professionals face when getting recognition of their diplomas and professional practice, • the restrictions (compulsory registration of regulated professions, geographical constraints, payment of fees) imposed by the professional bodies and • the limitations or the obstacles found in the domestic labour market. • In two of the most relevant regulated professions, medicine and law, there is positive discrimination in favour of Spanish nationality (the case of lawyers) or Spanish speakers (the case of physicians). <p>Others: Foreign investment:</p> <p><i>Drivers/Positive factors</i></p> <ul style="list-style-type: none"> • The Entrepreneurs' Act contemplates benefits for those third country nationals that are entrepreneurs or start business activities . Such benefits are extensive to the spouse and children under 18 years of age or to elderly family members, who are not able to provide for themselves due to their state of health, when they unite with or accompany applicants²⁰². <p><i>Barriers/Negative factors</i></p> <p>As Spanish law is encouraging foreign investment, we have not identified any.</p> <p>Participation in social, cultural and public life</p> <p><i>Drivers/Positive factors</i></p> <ul style="list-style-type: none"> • There is no positive nor negative discrimination (such as promoting measures or explicit barriers) regarding the origin of professionals in the media associations²⁰³ • Strategic Immigrant Integration Plan 2012-14 defined some lines and criteria for work in the media and professional associations, and pointed issues and activities to facilitate integration in social and cultural life²⁰⁴.
--	--	---

²⁰⁰ See section 3.4. Available at: www.redaccionmedica.com/contenido/images/anteproyecto_ley_colegios_11N.pdf All hyperlinks were accessed on 11 May 2015.

²⁰¹ See section 3.4, under 'Membership and participation of migrant entrepreneurs and expert professionals to professional and scientific associations'

²⁰² See section 3.4. Entrepreneurs' Act, accessed on 11 May 2015 and available at: www.boe.es/diario_boe/txt.php?id=BOE-A-2013-10074

²⁰³ See section 3.5. Interviews with some professional associations: Spanish Association of Media Online, Spanish Association of Professional Women in the Media (*Asociación Española de Mujeres Profesionales de los Medios de Comunicación (AMECO)*), International Press Centre, Spanish Association of Professional Social Media and the Federation of Associations of Journalists of Spain (*Federación de Asociaciones de Periodistas de España (FAPE)*).

²⁰⁴ See section 3.5. Strategic Plan for Citizenship and Integration 2012-14 (*Plan estratégico de ciudadanía e integración (PECI)*).

		<p><i>Barriers/Negative factors</i></p> <ul style="list-style-type: none"> • No explicit barriers are detected but a real absence is noticed in the public cultural programmes, TV competitions, etc. There are some media with a particular ethnic or national origin, but not relevant presence of persons with a immigrant background in general mass media²⁰⁵ • The crisis has imposed constraint's, cutting the few existing activities. The National Integration Strategy 2011-2014 was unable to be developed due to budgetary constraints. • There is a general limitation on access to public service for non-EU citizens: they can't access to certain bodies and scales or positions and jobs (they can only be workforce)²⁰⁶. <p>Political activity – active citizenship</p> <p><i>Drivers/Positive factors</i></p> <ul style="list-style-type: none"> • The integration of immigrants in Spain, and especially the so-called "second generation" can be considered as satisfactory and high levels of identification with society.²⁰⁷ • There are many immigrant associations.²⁰⁸ • The immigrant associations have a very important involvement in the society of origin.²⁰⁹ <p><i>Barriers/Negative factors</i></p> <ul style="list-style-type: none"> • Participation levels generally in Spain, are low. This scenario does not facilitate participation of immigrants in the associations. The figures speak for short haul associations, very vulnerable and struggling for survival. Participation rates are low and their social, little relevance.²¹⁰ • The crisis has become a key factor hindering the implementation of the measures envisaged by the legislation. Budget cuts are affecting, most especially, to the programs provided for integration and social cohesion migrants. <p>Civic and citizenship education</p> <p><i>Drivers/Positive factors</i></p> <ul style="list-style-type: none"> • According to the Ministry of Education, Culture and Sport, at all levels issues of racism, xenophobia and intolerance must be introduced into the curriculum. The schools are required to offer an inclusive and intercultural education. There are Extracurricular Education Programmes aimed at improving
--	--	--

²⁰⁵ See sections 3.5. and 4.2.

²⁰⁶ See section 3.5.1. Law 7/2007 of 12 April of the Basic Statute of Public Employee accessed on 11 May 2015 and available at: www.boe.es/boe/dias/2007/04/13/pdfs/A16270-16299.pdf

²⁰⁷ See section 3.6. Aparicio, R. and Portes, A. (2014), 'Crecer en España. La integración de los hijos de inmigrantes'. Obra Social "La Caixa", Barcelona. (Instituto Universitario Ortega y Gasset and Princeton University). Growing up in Spain. The integration of immigrant children. La Caixa Bank Social Foundation, Barcelona. Accessed on 11 May and available at: https://obrasocial.lacaixa.es/deployedfiles/obrasocial/Estaticos/pdf/Estudios_sociales/vol38_es.pdf

²⁰⁸ Section 3.6. and Annex 10. See, among others, the *Federación de Asociaciones de Inmigrantes y Refugiados (Ferine)* (Federation of the Associations of Immigrants and Refugees) accessed on 11 May 2015 and available at: www.fferine.org

²⁰⁹ See section 3.6. Aparicio, R., and Tornos, A. (2010), *Las asociaciones de inmigrantes en España. Una visión de conjunto*, Ministerio de Trabajo e Inmigración (Ministry of Employment and Immigration), Madrid.

²¹⁰ See section 3.6. Aparicio, R. and Tornos, A. (2010), *Las asociaciones de inmigrantes en España. Una visión de conjunto*, Ministerio de Trabajo e Inmigración, Madrid.

		<p>the integration and educational success of children and young immigrants through extra-curricular support.²¹¹</p> <ul style="list-style-type: none"> • Other practices, as the Intercultural Community Project implemented by "la Caixa" Foundation, also promote intercultural coexistence in school.²¹² <p><i>Barriers/Negative factors</i></p> <ul style="list-style-type: none"> • On a practical level, the application and implementation of these intercultural programs depends on how each centre applies the general regulations in its school curriculum and, in turn, each teacher must also adapt these to their subject and tutoring.²¹³ • There is a difficulty for parents of immigrant origin to participate in school and extracurricular activities of their children is expressed, but this is often not very different to the difficulties Spanish parents experience.²¹⁴
--	--	--

3.9. Use of funding instruments (EIF, ERF, EMIF)

	<p>Please provide briefly information and documented insights about the allocation and distribution of funds aimed at supporting political and social participation, and active citizenship measures for migrants and/or their descendants.</p>	<p>The distribution of funds aimed at supporting political and social participation, together with active citizenship measures for migrants and/or their descendants has been published²¹⁵. However, for thematic areas there is only the Spanish Government's General Budget (<i>Presupuestos Generales del Estado</i>) but no information is given as to how this has been implemented.</p> <p>The Spanish Government's General Budget corresponds to the Spanish Strategic Plan for Citizenship and Integration (<i>Plan Estratégico de Ciudadanía e Integración (PECI)</i>) for the years 2011-2014. More details are given in Annex 5. This Plan has been submitted to the consultative bodies for the Integration of Immigrants:</p> <ul style="list-style-type: none"> • Forum for the Social Integration of Immigrants²¹⁶. • Council for the Promotion of Equal Treatment and Non-Discrimination on racial or ethnic origin²¹⁷. • Interministerial Commission on Immigration²¹⁸. <p>The final distribution is still not available.</p> <p>In particular provide a breakdown of funding for the relevant actions and measures by area (political participation, social participation and membership, indicating the source of funding (EIF, ERF, national, regional, other funding source) by using the Annex 5</p>
--	---	--

²¹¹ See section 3.7. Law 2/2006 of Education on 3 May, Spanish Ministry of Education, Culture and Sport (Ministerio de educación, deporte y cultura (MECD)).

²¹² See section 3.7. and Annex 7 accessed on 11 May 2015 and available at: obrasocial.lacaixa.es/ambitos/inmigracion/intervencionintercultural_es.html

²¹³ See section 3.7.

²¹⁴ See section 3.7. Best Practices in Extracurricular Education Programmes (Programas educativos extra-curriculares (PEE)) and the Promotion of Equal Treatment and Non-Discrimination in the Host Society (Promoción de la igualdad de trato y no discriminación en la sociedad de acogida (PITNOD)) conducted by the International Organisation for Migration

²¹⁵ Available at: http://extranjeros.empleo.gob.es/es/Programas_Integracion/Plan_estrategico2011/pdf/PECI-2011-2014.pdf

²¹⁶ Available at: www.foroinmigracion.es/es/Normativa/index.htm

²¹⁷ Available at: www.igualdadynodiscriminacion.org/

²¹⁸ Available at: www.boe.es/diario_boe/txt.php?id=BOE-A-2012-2079 All hyperlinks were accessed on 11 May 2015.

3.10.Key legal and policy developments, and relevant case law

<p>In this section, please provide information about developments regarding the above legal and policy instruments concerning participation (political, consultation, membership and association, active citizenship and civic education), including any new legislative or policy initiatives in the framework of migrant integration in the country. Key developments may be new legislation or policies, abolition, update, improvement or reform of existing ones, as well as important case law, court, equality body or administrative w have had or may have an impact on the implementation of legal and policy instruments and on the actual situation on the ground, including public debates and perceptions among the native population and migrants. (Use template in Annex 9).</p>	<p>Main policy developments are summarised as follows:</p> <p>1. Political</p> <p>a. At national level, we find three key developments</p> <p>Historical Memory Law. Law 52/2007 of 26 December recognising and extending rights, and establishing measures favouring those who suffered persecution or violence during the Spanish Civil War and subsequent Dictatorship²¹⁹, that opened up a new route to Spanish nationality by offering it to the grandchildren of those who lost their nationality as a consequence of being exiled during the Civil War or the post-war period, and to the children of those who had Spanish nationality but lost it for a particular reason. The period within which Spanish nationality could be acquired started on 27 December 2008, and concluded on 26 December 2011.</p> <p>Intensive Nationality Plan (<i>Plan intensivo de nacionalidad and Management of Nationality Records (Proyecto GEN (Gestión de expedientes de nacionalidad-)</i> 25 June 2012, with the task of collaborating in the resolution of the 500,000 pending “nationality by residence” applications Bill amendment of Article 23 of the Spanish Civil Code on granting Spanish nationality to those that prove to be Sephardi and to have a special relationship with Spain, and sets a rate for certain procedures for the acquisition of Spanish nationality. The Bill 1) allows the acquisition of Spanish citizenship by a naturalisation charter for Sephardic Jews 2) sets the standard exams to fulfil the requirements for “sufficient degree of integration in Spanish society”. This exams are applicable to all cases of acquisition of nationality by residence. And 3) introduces a fee in the procedure of acquisition Spanish nationality</p> <p>b. At regional level</p> <p>In 2011 a reform of the LOREG²²⁰ established that living in Spain (although not in a specific municipality) is compulsory either to vote or to run as a candidate in local elections.</p> <p>In municipal elections May 2011 third country nationals were entitled to vote in municipal elections, for the first time, due to the signing of reciprocity agreements (Article 13.2 of the Spanish Constitution). Currently, nationals of Bolivia, Cape Verde, Chile, Colombia, South</p>
---	--

²¹⁹ Ley 52/2007, de 26 de diciembre, por la que se reconocen y amplían derechos y se establecen medidas en favor de quienes padecieron persecución o violencia durante la guerra civil y la dictadura, available at: <http://ley memoria.mjusticia.gob.es/cs/Satellite/LeyMemoria/es/memoria-historica-522007> Hyperlink accessed on 12 May 2015.

²²⁰ General Electoral System Law 5/1985 (LOREG) of 19 June

		<p>Korea, Ecuador, Iceland, Norway, New Zealand, Paraguay, Peru, and Trinidad and Tobago are entitled to vote.</p> <p>Municipal elections of May 2015 might also become a landmark date, as a large number of immigrants have acquired Spanish nationality. Some public authorities (Comunidad de Madrid) and Political parties (PSOE) are issuing practical information on the the participation of foreign citizens in the municipal elections.</p> <p>2. Consultation</p> <p>Law 15/2014 of rationalisation of the public sector renamed the Council for the Promotion of Equal Treatment and Non-Discrimination of Persons as Council for the Elimination of Racial and Ethnic Discrimination.</p> <p>Municipal Immigration Council of Barcelona (CMBI) has issued its <i>2012-2015 Working plan</i>, aimed at the promotion of full citizenship and intercultural development and support of associations.</p> <p>Evaluation process of the Strategic Plan for Citizenship and Integration 2011-2014. The evaluation process of the Strategic Plan should have been implemented in two phases: an interim evaluation after the year 2012 and an overall evaluation of the Plan, as a whole, after the year 2014. At present the only available document is the interim report.</p> <p>In November 2014 the Forum for the social integration of immigrants issued a draft document where started the evaluation of the strategy against racism, racial discrimination, xenophobia and other forms related to intolerance (2011-2013).</p> <p>3. Membership and association</p> <p>a. Entrepreneurs: The Entrepreneurs’ Act 2013 contemplates benefits for those third-country nationals that are entrepreneurs or start business activities.</p> <p>b. Professionals:</p> <p>For both, regulated and non regulated professions, there is a need of professional qualification/degree recognition (all third-country nationals) regulated in a 2014 Royal Decree.</p> <p>Since 2011 physicians without previous experience whose official language is not Spanish must demonstrate sufficient knowledge of Spanish (Level C1 or C2).</p> <p>There is a draft bill on professional services and professional bodies (that has not yet come into force), the most recent version dated 11 November 2014, that</p>
--	--	---

		<p>loosens, in a broad sense, the conditions of professional practice.</p> <p>4. Active citizenship</p> <p>a. Limitations in public sector recruitment:</p> <p>According to 2014 regulation, Spanish nationality is required to participate in the selection and training processes of the National Police and Civil Guard. This regulation is extensive to local and regional police bodies.</p> <p>According to 2013 regulation Personnel of National Intelligence Centre must have the Spanish nationality.</p> <p>b. Political activity:</p> <p>In 2011 the Forum for the Social Integration of Immigrants issued a report on political participation of immigrants. The report highlights the difficulty of irregulars in the access to participation and defence of their rights.</p> <p>In 2011 Youth Council of Spain issued a the <i>Intercultural Voluntary Participation Guide</i>, which analysed the principles of participation and the need for the consolidation of associations of civil society. In addition the Council organized the <i>Intercultural Encounters and active citizenship</i>, that consisted of a series of meetings between young Spaniards and immigrants targeted to foster participation of immigrants in the associations.</p> <p>5. Civic education</p> <p>There are regulations regarding bilingual schools in English, for those having English as their first foreign language. The Ministry of Education in its Action Plan 2010-11 incorporates a specific objective in this area. A set of measures are established to ensure that all pupils express themselves correctly and adequately, at least in one foreign language, preferably in English.</p> <p>A Resolution of 26 November 2014, from the Directorate General for Evaluation and Territorial Cooperation, has published the Islamic Religious Education curriculum for primary education. This is not yet applied nationwide but depends on which regions, schools and parents request it.</p>
--	--	---

4. Social cohesion and community relations

4.1. Social cohesion policies

	<p>Does the national integration legal and policy framework refer to social/community cohesion? Is there a clear definition of social/community cohesion? Please report it here – in original language and in full English translation.</p>	<p>Social cohesion is a concept widely used in the literature on migration and social integration. However, there is no clear technical definition to assess the requirements.</p> <p>Spanish Ministry of Employment and Social Affairs, (2007), Strategic Plan for Citizenship and Integration 2007-2010, Madrid.²²¹</p> <p>The plan uses the term social cohesion, but without a specific definition, and in the definition of integration, does not refer to the concept. (p. 26).</p> <p>MINISTERIO DE TRABAJO E INMIGRACIÓN, (2011), <i>Plan estratégico de ciudadanía e integración</i> 2011-2014. Madrid.</p> <p>Spanish Ministry of Employment and Immigration. (2011), Strategic Plan for Citizenship and Integration 2011-2014. Madrid.</p> <p>Available at: extranjeros.empleo.gob.es/es/Programmeas_Integracion/Plan_estrategico2011/pdf/PECI-2011-2014.pdf</p> <p>The plan is in a new migration phase on which the focus is not integration but social cohesion. (p. 8).</p> <p>The category is used but no precise definition is provided. Social exclusion is described, where a definition could be understood in the negative. (p. 108ss.)</p> <p>AA.VV. <i>Cohesión social e inmigración. Aportaciones científicas y discursos políticos</i>: (2011), RIS. 69. 1. Pp. 9-32.</p> <p>VVAA. (2011), Social cohesion and immigration. Scientific Contributions and Political Discourses. <i>Revista Internacional de Sociología</i>. 69. 1. Pp. 9-32.</p> <p>Available at: ddd.uab.cat/pub/artpub/2011/117218/revintsoc_a2011m1-4v69n1p9.pdf</p> <p>In this article, a scientific analysis of the concept of social cohesion is made and compared with the use made of it in migration policies.</p>
--	---	---

²²¹Ministerio de Trabajo y Asuntos Sociales, (2007), *Plan estratégico de ciudadanía e integración* 2007-2010, Madrid, Strategic Plan for Citizenship and Integration from the Spanish Ministry of Employment and Social Services, available at: extranjeros.empleo.gob.es/es/Programmeas_Integracion/Plan_estrategico/pdf/PECIDEF180407.pdf

		<p>From the analysis it can be concluded that social cohesion involves three major aspects: cultural, redistribution of resources and relational (social capital).</p> <p>The analysis of the political plans of migration leads to the conclusion that the concept of social cohesion is not properly addressed.</p>
	<p>Are there any specific measures in place to strengthen social cohesion? Please refer to promising practices and examples of challenges. Use the template for promising practices in Annex 7 highlighting the most important and/or successful.</p>	<p>The government has developed a subsidies plan for the development of such initiatives.</p> <p>The government's plan includes three main areas of development: a) support for business initiatives by immigrants; b) support for the most vulnerable groups, such as disabled people and women; c) support for the dynamics of social cooperation between immigrants and natives.</p> <p>Available at: extranjeros.empleo.gob.es/es/Fondos_comunitarios/programa_solidaridad/integracion/pdf/Resolucion_convocatoria_2014_BOE_11_julio_2014.pdf</p> <p>Along with this measure, competitions which assess good practices with greater success and social impact capacity are planned.</p> <p>Available at: ligaeducacion.org/buenaspracticas/buenas-practicas-en-integracion-seleccionadas/</p>
		<p>Are there indicators used by authorities to assess, monitor and support social cohesion policies? E.g. social distance, social interaction, intergroup relations, etc. Please provide available relevant data, figures and findings, if any, and present them briefly in the relevant table of the Annex (4).</p>
	<p>Please outline available research, studies, and surveys about the sense of belonging and identification of migrants and/or their descendants with diverse types of local, regional and national identities. Please summarise briefly key findings and any differentiations by nationality or ethnic origin, gender, age and geographic area.</p>	<p>Aparicio, R. and Portes, A. (2014), (Instituto Universitario Ortega y Gasset. Universidad Princeton). <i>Crecer en España. La integración de los hijos de inmigrantes</i>. Obra Social "La Caixa", Barcelona.</p> <p>Aparicio, R. and Portes, A. (2014), Growing up in Spain. The integration of immigrant children. La Caixa Bank Social Foundation, Barcelona.</p> <p>Available at: https://obrasocial.lacaixa.es/deployedfiles/obrasocial/Estaticos/pdf/Estudios_sociales/vol38_es.pdf</p> <p>The survey results provide a hopeful picture about the future of social cohesion of migrants. Mainly, young second generation remain in Spain and, not without difficulty, move through the educational system with results which are increasingly similar to those of the Spaniards. A small percentage fall by the wayside due to school failure or delinquency. The crisis has increased these possibilities. The rates of truancy and failure are not significantly different from those of the Spaniards, which bears out their integration.</p>

		<p>The book consists of six chapters. The first describes the generic frameworks study on the second generation. The second presents the choices made for conducting research. The third focuses on the aspirations of parents with regard to their children's future: education is seen to be a privileged channel of social integration. The fourth focuses on the opinion that second-generation immigrants have on their belonging to Spain. Half of them feel significantly identified. The fifth analyses the educational development of migrants to conclude on the data provided. The sixth analyses the impact of the crisis.</p>
<p>Please indicate legal measures and case law affecting social cohesion and community relations, for example the banning of specific religious or ethnic dress, such as the 'burqa'²²².</p>		<p>Cañamares, S. (2010), 'Símbolos religiosos en un Estado democrático y plural', <i>Revista de Estudios Jurídicos</i>, 10, pp. 1-19.</p> <p>Cañamares, S. (2010), <i>Religious symbols in a pluralistic and democratic state</i>.</p> <p>Available at: http://revistaselectronicas.ujaen.es/index.php/rej/article/view/File/538/480</p> <p>The article raises the distinction between dynamic and static symbols. The first relates to the symbols displaying people. The author analyses the case in education. The resolutions depend on the internal regulations of the centre and the justifications for the ban, for health reasons, as in the case of physical education.</p> <p>Regarding the presence of religious symbols in public, institutional or educational centres (schools, universities, etc); jurisprudence seems ambiguous. On the one hand, it tends to a stricter interpretation of the law of religious freedom, eliminating symbols, but at the same time the presence of crucifixes is not interpreted as proselytism.</p> <p>Case law</p> <p><i>About the necessary neutrality of the State and religious pluralism.</i></p> <p>Judgment 340/1993, Constitutional Court 16 November. Order 180/1996 of the Constitutional Court, 21 February.</p> <p><i>About use of veiling.</i></p> <p>One case which has had the most relevant media impact is that of a Muslim family living in Madrid who refuses to allow their daughter to continue her schooling at the school where she was enrolled because the owners of the school, who were Catholic, did not allow the possibility of veiling.</p> <p>The girl had been sent to the religious school since there was no place available in the local public school. The religious</p>

²²² Cfr. The notable ECHR case European Court of Human Rights (ECtHR), S.A.S. v. France, No. 43835/11, 1 July 2014, available at [hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-145466#{"itemid":\["001-145466"\]}](http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-145466#{)

		<p>school had its own internal rules which banned the wearing of garments on the head for reasons of health and hygiene.</p> <p>Available at: http://elpais.com/diario/2007/10/07/sociedad/1191708001_850215.html</p> <p>The educational authorities avoided a trial by changing the girl to another school.</p> <p>In any case, the general approach to these cases is given by the jurisprudence of the European Union. The Court in Strasbourg ruled in favour of a school in such a case as described. Revue française de droit administratif, VI-1, 1990, pp. 6-9.</p> <p><i>Religious objects</i></p> <p>There is case law regarding religious symbols in public buildings. The Superior Court of Castile and Leon, in its judgment of 20 September 2007, recommends the preservation or removal of religious symbols in public schools attending to the religious beliefs of the majority.</p> <p>RJA-RJCA 2008\109.</p> <p>The Administrative Court of Valladolid, on 14 November 2008, is more restrictive in the use of religious symbols and appeals to the secular nature of the state for the recommendation to be deleted.</p> <p>RJA JUR 2008\366726.</p>
	<p>Does the action plan or strategy on integration and inclusion of migrants and their descendants address combating racism, xenophobia and intolerance?</p> <p>Are there specific integration/inclusion actions related to racism and intolerance for education and/or for young people? If yes, how are such actions linked to general integration and/or social inclusion and/or cohesion policy? Please provide information on</p>	<p>The Spanish State publishes an annual report on racism in Spain in collaboration with NGOs.</p> <p>SOS RACISMO. <i>Informe anual 2013. Sobre el racismo en el Estado español</i>. Madrid, 2013²²³.</p> <p>SOS RACISMO. 2013 Annual Report on racism in the Spanish State. Madrid, 2013.</p> <p>The report includes the following chapters: 1. Office of Information and Complaint. Case Studies. 2. Immigration Politics of the European Union. 3. Migration Policy of the Spanish State. 4. The Visible Face of Racism. 5. Social Racism. 6. Healthcare. 7. Double Discrimination. 8. Hate Speech. 9. Police Actions and Abuse of Power.</p> <p>Along with these reports, research on the evaluation of the phenomenon is financed.</p> <p>MINISTERIO DE EMPLEO Y SEGURIDAD SOCIAL, <i>Evolución del racismo, la xenofobia y otras formas conexas de intolerancia en España [Informe 2013]</i>, Madrid 2013²²⁴.</p>

²²³ Available at: www.sosracisme.org/wp-content/uploads/2013/09/Informe-Anual-2013.pdf

²²⁴ Available at: explotacion.mtin.gob.es/oberaxe/inicio_descargaFichero?bibliotecaDatoId=4056

	<p>implementation and impact of such plans and refer to any assessment of their impact?</p>	<p>SPANISH MINISTRY OF EMPLOYMENT AND SOCIAL SECURITY (2013), <i>Evolution of Racism, Xenophobia and Related Intolerance in Spain</i> [Report 2013].Madrid.</p> <p>In the report, the gradual acceptance of migration and their predisposition to their host country is highlighted.</p> <p>Moreover, the government has a Spanish Monitoring Centre on Racism and Xenophobia.</p> <p>Available at: explotacion.mtin.gob.es/oberaxe/</p> <p>In November 2011, a government document setting out arrangements for combating racism and xenophobia was published:</p> <p>MINISTERIO DE TRABAJO E INMIGRACIÓN (2011), <i>Estrategia integral contra el racismo, la discriminación racial, la xenofobia y otras formas conexas de intolerancia</i>. Madrid²²⁵.</p> <p>SPANISH MINISTRY OF EMPLOYMENT AND IMMIGRATION. (2011), <i>Comprehensive Strategy Against Racism, Racial Discrimination, Xenophobia and Related Intolerance</i>. Madrid.</p> <p>The publication includes a diagnosis (pp. 13-54.), A relationship of strategic principles against racism and xenophobia (pp. 55-57.): Principle of equal treatment and non-discrimination; principle of citizenship and full exercise; principle of inclusion; principle of multiculturalism and tolerance principle. The fourth chapter focuses on the legislative (pp. 58-71). The fifth chapter deals with the need to coordinate administrations and civil society (pp. 72-82). The sixth talks about preventive measures (pp. 83-93.); and the seventh chapter describes the various fields of action: education, employment, health, housing, media, internet, sports and sensitisation (pp. 94-150). The last chapter presents the evaluation to be performed.</p> <p>A reform of the Criminal Law is being carried out specifically to Article 510, incorporating the content of the Framework Decision 2008/913 of the Council of the European Union on combating certain forms and expressions of racism and xenophobia by criminal law. The new draft foresees terms of imprisonment and economic sanctions. Attacks on groups and individuals either for ideological, religious or cultural reasons are referred to²²⁶.</p> <p>The UN Special Rapporteur visited Spain as part of their evaluation of the fight against racism and xenophobia in Spain. The report assessed the legal measures taken, and denounced the budget cuts that constitute an obstacle to their implementation and execution. (p. 7)²²⁷</p>
--	---	--

²²⁵ Available at: explotacion.mtin.gob.es/oberaxe/inicio_descargaFichero?bibliotecaDatoId=207

²²⁶ Available at: noticias.juridicas.com/articulos/55-Derecho-Penal/201404-los-delitos-racistas-y-xenofobos-en-el-nuevo-codigo-penal-ampliado.htm and, www.elmundo.es/espana/2014/12/28/549efdf3268e3ed01a8b457b.html

²²⁷ Available at: www.acnur.es/PDF/informe_mision_relatorespecial_racismo_2013_20130806150757.pdf

		<p>The establishment of the Council for the Care of Victims is also welcomed. (p. 15s.) It also recommends a clearer assessment of the problem in the Code of Criminal Law and publication of data so that society can track the evolution of the phenomenon and calls for better coordination between the Ombudsmen at national and regional level. Furthermore, it calls for greater independence for the Council.</p> <p>With regard to migrants, it would like the Government to ensure the continuity of the Forum for the Social Integration of Migrants. Report restricting access of Public Health for violating Article 12 of the International Covenant on Economic, Social and Cultural Rights; and Article 5 of the International Convention on the Elimination of All Forms of Racial Discrimination.</p> <p>The report calls for the development of regulations for Immigrant Detention Centres, and where damage and injuries are documented. Concern was expressed about ensuring the minimum decent living. It questioned about detentions when no crime has been committed.</p> <p>FORO PARA LA INTEGRACIÓN SOCIAL DE LOS INMIGRANTES, <i>Informe de evaluación y seguimiento de la "Estrategia integral contra el racismo, la xenofobia y otras formas conexas de intolerancia". Aprobado en pleno extraordinario de 27 de noviembre de 2014</i>²²⁸.</p> <p>FORUM FOR THE SOCIAL INTEGRATION OF IMMIGRANTS, <i>Report Evaluation, and Monitoring of "Comprehensive Strategy Against Racism, Xenophobia and Related Intolerance". Approved in Extraordinary Plenary Session of 27 November 2014.</i></p> <p>The Forum for the Social Integration of Migrants conducted a follow-up report on the comprehensive strategy against racism, xenophobia and related intolerance.</p> <p>The report warnings from the UN Rapporteur were incorporated. (p. 13) The Forum intends to highlight the recommendations of the Organisation for Security and Co-operation in Europe (OSCE) for integration policies of the States: and the need to incorporate measures to prevent xenophobia in public spaces, but also measures for monitoring, evaluation and approval systems. (p. 15)</p> <p>Notes that the crisis has increased the risks of vulnerability and danger of physical violence among immigrant women, and their subjection to trafficking networks. (P.16)</p> <p>The report reflects an increase of 74 % between requests for asylum between 2012 and 2013. (p. 17)</p>
--	--	---

²²⁸ Available at: www.foroinmigracion.es/es/MANDATO-FORO-2010-2013/DocumentosAprobados/Informes/index.htm

		<p>It reports increased security measures, some of them harmful on the South Melilla border. It also includes warnings by the UN Rapporteur on CIES. (p. 29)</p> <p>The Royal Decree 16/2012, of 20 April limits access to health services for migrants, except for the region of Andalusia which did not carry out the application. (p. 90)</p> <p>The complaint of the report focuses on the drastic reduction of the budgets allocated for the development of the Strategic Plan for Citizenship and Integration. (p. 41)</p> <p>It warns of the need for training for state security bodies that sometimes hinder the possibility of denunciation. (pp. 34.39) and values the specific initiatives undertaken in this regard, by the regional government of Valencia. (p. 40) and the creation of the Platform for Police Diversity Management (p. 49); and the publication of the Guide for Police Diversity Management. (p. 50)</p> <p>It reminds us of the need for specialised courts on racism and xenophobia. (p. 36)</p> <p>It specifies the mechanisms and resources for the consolidation of the Branch Network Care Discrimination Council for the Elimination of Racial and Ethnic Discrimination. (p. 58)</p> <p>It suggests the creation of inter-ministerial committees to monitor equality measures. (p. 45) and the detection of discriminatory measures in schools. (p. 74) and gives special attention to those working in domestic service as a particularly vulnerable group. (p. 86)</p>
	<p>Please provide information about state and non-state responses via positive measures, campaigns, partnerships involving migrants and communities. Please provide information only about those actions that focus on migrants and on <u>prevention</u> and promotion of peaceful living together and integration as mutual accommodation combatting racism and intolerance. Please outline any assessment about their impact and identify any relevant promising practice.</p>	<p>1. GOBIERNO DE ESPAÑA. <i>Creación de la Comisión Estatal contra el racismo, la xenofobia y la intolerancia en el deporte.</i> Available at: www.csd.gob.es/csd/informacion/legislacion-basica/lucha-contra-la-violencia-el-racismo-la-xenofobia-y-la-intolerancia-en-el-deporte/comision-estatal-contra-la-violencia/</p> <p>Regulated by Royal Decree 748/2008, of 9 May. The commission was provided for by the Sports Act of 1998 but was not created until 2008. Its main tasks are: a) preventing such manifestations, such as the sports media environment; b) imposing penalties and sanctions for the offences committed; c) raising awareness in society to this type of problem. From this perspective the benefits to migrants are not direct but indirect, as they contribute to creating a more friendly and welcoming society.</p>

	<p>(Use the template for promising practices in Annex 7).</p>	<p>2. MINISTERIO DE TRABAJO E INMIGRACIÓN, <i>Estrategia integral contra el racismo, la discriminación racial, la xenofobia y otras formas conexas de intolerancia.</i>²²⁹</p> <p>Comprehensive Strategy Against Racism, Racial Discrimination, Xenophobia and Related Intolerance.</p> <p>The presentation explicitly refers to the challenge of Spain in achieving full integration of immigrants in our country. Three reasons are offered as justification for the project: a) social diversity in our country; b) the call of the World Conference of the United Nations on the subject c) coordination of the various existing measures.</p> <p>The document explains the motivations in the first introductory chapter (pp. 13-16). The second provides a diagnosis (pp. 17-60). Among the particularly vulnerable populations are migrants and Gypsies. Beyond the collective reference to gender discrimination, religious, unaccompanied minors and refugees. The third offers principles of action (pp. 61-64): Equality, citizenship, inclusion, multiculturalism and tolerance. The fourth describes the measures providing legal arrangements for eradication (pp. 65-80.). The fifth highlights the need for collaboration between state and civil society (pp. 81-92.). The sixth describes the planned protection against racism and xenophobia: and how to develop tools to promote inclusion and equality treatment and non-discrimination on racial or ethnic origin in all policies public; and improve collaboration with social organisations. (pp. 93-104.). The seventh chapter specifies policy areas: education, employment, health, housing, media, internet, sports and sensitisation (pp. 105-162.). The eighth describes the channels of evaluation and review (pp. 163-170).</p> <p>4. GOBIERNO DE ESPAÑA. ONGS. <i>Creación de la Red de Centros de Asistencia a víctimas de discriminación por origen racial o étnico</i>²³⁰.</p> <p>SPANISH GOVERNMENT. NGOs. <i>Creating Network Assistance Centres for Victims of Discrimination on Racial or Ethnic Origin.</i></p> <p>The government created, in collaboration with seven prestigious NGOs, a network for the comprehensive care of all those who have been victims of various forms of discrimination and xenophobia.</p>
--	---	---

²²⁹ Available at: [xuventude.xunta.es/uploads/docs/Observatorio/Estrategia integral contra el racismo la discriminacin racial la xenofobia y otras formas conexas de intolerancia.pdf](http://xuventude.xunta.es/uploads/docs/Observatorio/Estrategia%20integral%20contra%20el%20racismo%20la%20discriminacin%20racial%20la%20xenofobia%20y%20otras%20formas%20conexas%20de%20intolerancia.pdf)

²³⁰ Available at: www.msssi.gob.es/gabinete/notasPrensa.do?id=3079

		<p>5. MINISTERIO DE EMPLEO Y SEGURIDAD SOCIAL, <i>Proyecto Gestión de la Diversidad Cultural en la Mediana y Pequeña Empresa (GESDIMEP)</i>.²³¹</p> <p>SPANISH MINISTRY OF EMPLOYMENT AND SOCIAL SECURITY, Managing Cultural Diversity in Small and Medium Businesses (<i>GESDIMEP</i>) Project.</p> <p>The project consists of two parts: a quantitative, and a qualitative work through three workshops and a final conference in four regions.</p> <p>A guide on recommendations and criteria has been published to disseminate the results.</p> <p>5. OBSERVATORIO ESPAÑOL DEL RACISMO Y LA XENOFOBIA, (2013), <i>Guía para la gestión de la diversidad cultural en medianas y pequeñas empresas</i>, Ministerio de Empleo y Seguridad Social, Madrid.²³²</p> <p>SPANISH OBSERVATORY ON RACISM AND XENOPHOBIA, (2013), <i>Guide for the management of cultural diversity in small and medium enterprises</i>, Spanish Ministry of Employment and Social Security, Madrid.</p> <p>The first chapter points out, by way of introduction, the capabilities of firms to achieve social cohesion by putting migrant workers under the same conditions as nationals. The second chapter describes the work process within the overall project. The third provides a diagnosis where globalisation and the recognition of cultural rights, as well as the presence of foreigners in Spain, justify the proposal. A map with the typology of SMBs (Small and Medium Businesses) in Spain, and the presence of immigrants in them are offered. The fourth chapter presents the results of quantitative and qualitative research. These include: a) numerous awareness initiatives being carried out; b) the role of so-called "social enterprises" whose specific purpose is the integration is highlighted; c) gives very important advice to large companies, especially in the ethical framework; d) This task requires us to remember religious diversity as an important item; e) a very important contribution that can be undertaken to achieve the internationalisation of business initiatives. The fifth chapter highlights the different stakeholders: employers, workers, unions, universities ... The sixth chapter provides a list of examples of good practice. The seventh chapter summarises the principal recommendations at the end of investigation:</p> <p>1 Management of Cultural Diversity is a challenge for many SMBs, but a surmountable challenge, and one that must be addressed to optimise their chances in a global and changing market . Any company, whatever its size, sector or situation can and should consider MCD (Management of Cultural Diversity).</p>
--	--	--

²³¹ Available at: prensa.empleo.gob.es/WebPrensa/noticias/inmigracionemigracion/detalle/2176

²³² Available at: explotacion.mtin.gob.es/oberaxe/documentacion_descargaFichero?bibliotecaDatoId=4054

		<p>2 A company should reflect the cultural diversity of the community in which it is based. This will earn it greater competitiveness.</p> <p>3 Discrimination is illegal, may be a crime, and is not a good deal for anyone.</p> <p>4 Contact and collaborate with NGOs, local authorities and other public administrations, universities, business organisations, chambers of commerce, and trade unions, which offer support, information and advice on MCD.</p> <p>5 Effectively integrate the perspective of human rights and economic rights in MCD.</p> <p>6 Good Management of Cultural Diversity offers opportunities to expand a business's prospects in the country and /or abroad, make the company more competitive; it can help to work with a more successful business logic and thus can avoid unnecessary risks.</p> <p>7 A diverse workforce brings new knowledge, skills and abilities can bring profits for the company.</p> <p>8 Proper Management of Cultural Diversity can be a useful tool to generate profits in the short, medium and long term.</p> <p>9 Responsible and equitable treatment of all staff working in the company generates a better working environment, increases motivation and quality of products.</p> <p>10 Increase the cultural diversity of a business's workforce. Cultural diversity involves a variety of perspectives and knowledge to address problems. The expertise of every culture is an added value that promotes innovation in the company.</p> <p>11 Companies working with responsibility and fairness with its employees generate a better working environment. Diversity is also rich in different views, from different realities, and this makes innovation an element that characterises it.</p>
--	--	---

4.2. Combatting racism and intolerance

	<p>Are there any policy measures, initiatives and practices to accommodate for ethnic or religious differences, for example in regard to sharing public space, such as swimming pools at local level?</p> <p>Identify any promising practices encouraging social interaction and contacts of people of different backgrounds at local level (use the template for</p>	<p>Two of the ten main points of the Strategic Plan for Citizenship and Integration 2011-2014 (<i>Plan Estratégico de Ciudadanía e Integración (PECI)</i>) are: promoting intercultural living-together spaces in different areas of social life, and promoting neighborhoods as key areas of cohesion and intercultural coexistence. These two areas underlie the design of large programmes at state level. One of them is the programme for promoting intercultural coexistence in neighborhoods (Neighborhood Plan). The Neighborhood Plan is a transversal programme involving the incorporation of activities related to equal treatment, living together, social rights and community participation and the regulation of conflict²³³</p> <p>Some specific developments of this line of action are:</p> <ul style="list-style-type: none"> - A pilot neighbourhood plan. Two pilot programmes have been carried out in the regions of Andalusia (since 2009) and Catalonia (since 2010) and these have included a selection of 20 districts in 10 municipalities.
--	--	--

²³³ Ministerio de Trabajo e Inmigración, (2011), Plan estratégico de ciudadanía e integración 2011-2014, p. 296. Spanish Ministry of Employment and Immigration. (2011), Strategic Plan for Citizenship and Integration 2011-2014, p 296. Available at: extranjeros.empleo.gob.es/es/Programmeas_Integracion/Plan_estrategico2011/pdf/PECI-2011-2014.pdf

	<p>promising practices in annex 7).</p>	<p>Pilot projects in neighborhoods were developed from agreements signed between the Ministry of Employment and Immigration (<i>Ministerio de Empleo e Inmigración</i>) and the Regional Councils of Andalusia and Catalonia (<i>Generalitat</i>)²³⁴.</p> <ul style="list-style-type: none"> • A pilot project of integral action in those neighbourhoods of Andalusia with a significant presence of immigrants.²³⁵ • A pilot project to reinforce living together and social cohesion in those neighbourhoods with a significant presence of immigrants (Catalunya)²³⁶. <p>- Since 2010 the Social Foundation of La Caixa Bank (<i>Obra Social La Caixa</i>) has promoted the Project of Intercultural Community Intervention (<i>Intervención comunicatiara intercultural (ICI)</i>) that aims to promote intercultural living together among citizens in a representative sample of local territories marked by inequality, and ethnic and cultural diversity. They have launched 17 local experiences in 7 different Regional Communities (<i>Comunidades Autónomas (CCAA)</i>). Each local project is led by a social organisation of prestige. The <i>ICI</i> Project recognises that the local community is the key space for social interaction, and therefore the central place to work together in favour of diversity and multiculturalism. The project focuses on the role of families, children and teenagers in developing socio-educational activities and promoting opportunities for exchange between young people from different cultures. The <i>ICI</i> project is also involved in the field of citizen relationships, encouraging civic participation by native and foreign populations in local life and its associations²³⁷.</p>
	<p>Please indicate concrete measures, initiatives or programmes targeting migrants and/or descendants aiming at building trust in public institutions, especially</p>	<p>The fifth premise of the Strategic Plan for Citizenship and Integration 2011-2014 (<i>Plan Estratégico de Ciudadanía e Integración (PECI)</i>) is the universality of the proceedings and standardised access of immigrants to public and private services. Something that is reflected in Objective 3 of the Plan is improving the levels of access and the use of services and</p>

²³⁴ Forum for the Social Integration of Immigrants, (2013) 'The effects of the crisis in building of intercultural living together in Spanish cities.' In the Annual report on the state of social integration of immigrants and refugees in Spain. September 2013, pp. 89-138. Available at: www.foroinmigracion.es/es/MANDATO-FORO-2010-2013/DocumentosAprobados/Informes/INFORME_ESTADO_SITUACION_2013_6_noviembre_2013.pdf

Both hyperlinks were accessed on 11 May 2015.

²³⁵ Accessed on 12 May 2015 and available at:

www.juntadeandalucia.es/justiciaeinterior/opencms/portal/PoliticMigratorias/ContenidosEspecificos/Financiacion/plandebarriosandalucia?entrada=tematica&tematica=63

²³⁶ Available at:

www.seap.minhap.gob.es/gl/ministerio/delegaciones_gobierno/delegaciones/catalunya/actualidad/notas_de_prensa/notas/2010/10/2010_10_20b.html

²³⁷ Forum for the Social Integration of Immigrants (2013), 'The effects of the crisis in building of intercultural living together in Spanish cities.', In the Annual report on the state of social integration of immigrants and refugees in Spain. September 2013, pp. 89-138. Available at: www.foroinmigracion.es/es/MANDATO-FORO-2010-2013/DocumentosAprobados/Informes/INFORME_ESTADO_SITUACION_2013_6_noviembre_2013.pdf

All hyperlinks were accessed on 11 May 2015.

	<p>at local level. E.g. campaigns, opening doors and reaching out to citizens, social centres, informal collective bodies, cultural events etc.</p> <p>Please provide notable examples of promising practice (use the template for promising practices in annex 7).</p>	<p>public services, especially education, health, employment, social services and dependence in terms of equity.²³⁸</p> <p>Within the area of performance of the Strategic Plan: <i>Social Services and Equality</i>, and in line with the Common Basic Principles on Integration, the aims are to improve the levels of access and the use of public services and benefits. It notes that it is an obligation of the public authorities to remove barriers that prevent foreign-born individuals accessing the public services, and insists on the need for public administrations to cooperate in this task. To carry out this objective, the Strategic Plan presents different actions that permit immigrants to participate in terms of equality in the public services²³⁹</p> <p>However, this programme designed by the Strategic Plan 2011-2014 could not be applied so systematically mainly due to the budgetary adjustments and the lack of development of the Strategic Plan. Thus, rather than a systematic programme of action, there have been some isolated initiatives scattered throughout the country, whose scope has been limited²⁴⁰.</p>
	<p>Are there any specific ethical or other guidelines or rules concerning the language used by media or journalists, when writing about migrants and/or their descendants? In this case please provide briefly information about actual application of such rules and challenges.</p>	<p>Yes.</p> <p>In 2008 Practical Guide for Professionals in the Media was published by the Spanish Observatory on Racism and Xenophobia of the Ministry of Labour and Social Affairs explotacion.mtin.gob.es/oberaxe/inicio_descargaFichero?bibliotecaDatoId=50</p> <p>PECI 2011-2014 pointed to the Guide as a starting point for work in this area and identified a number of actions within the area of equal treatment and anti-discrimination:</p> <ul style="list-style-type: none"> - Promoting actions in relation to the media. - Promoting the training of professionals in the media on equal treatment and non-discrimination. - Promoting self-regulation agreements for the media in compliance with legislation on equal treatment and non-discrimination. - Analysis of instructions and / or recommendations of the National Council of Audiovisual Media about not promoting hatred, contempt or discrimination on grounds of birth, race, sex, religion, nationality, political opinion or any other personal or social circumstance. <p>However, as previously mentioned, the National Integration Strategy 2011-2014 was unable to be developed due to budgetary constraints.</p>

²³⁸ Ministerio de Trabajo e Inmigración, (2011), *Plan estratégico de ciudadanía e integración 2011-2014*, . Spanish Ministry of Employment and Immigration. (2011), Strategic Plan for Citizenship and Integration 2011-2014 (pp 92, 115).

²³⁹ Ministerio de Trabajo e Inmigración, (2011), *Plan estratégico de ciudadanía e integración 2011-2014*, p. 296. Spanish Ministry of Employment and Immigration. (2011), Strategic Plan for Citizenship and Integration 2011-2014 (pp 92, 174-180) Available at: extranjeros.empleo.gob.es/es/Programmeas_Integracion/Plan_estrategico2011/pdf/PECI-2011-2014.pdf

²⁴⁰ Forum for the Social Integration of Immigrants, (2014), 'Evaluation and monitoring report of the comprehensive strategy against racism, racial discrimination, xenophobia and intolerance', (2011-2013). Available at: www.foroinmigracion.es/es/MANDATO-FORO-2010-2013/DocumentosAprobados/Informes/Doc_1_INFORME_APROBADO_PLENO_27-11-14_x2x.pdf

		<p>In 2014 a report "Study on journalism and immigration. <i>Inmigracionalismo</i> Permit self-criticism: free the media of xenophobia" was published by Red Acoge. A report was funded by the General Secretariat for Emigration and Immigration. The study was based on monitoring of news in the media and a survey and focus group conducted with journalists. The report concludes that the immigrant population is still stereotypically represented in the media and thus there is a need to promote policy measures in this field, especially to promote the training of professionals in the media on equal treatment and non-discrimination.</p> <p>www.redacoge.org/mm/file/InformeInmigracionismo-RedAcoge.pdf</p>
--	--	--

4.3.Mixed marriages

Mixed marriages is often used as an index for social distance and integration or, even, assimilation. Mixed (citizenship) marriages are defined as those where one of the spouses has foreign citizenship and the other has national citizenship (including registered partnerships, common-law marriages). Please indicate legal limitations, if any, for marriages between nationals and foreigners, e.g. for asylum seekers, third country nationals, etc. Do these limitations result in practical barriers?

In Spanish law, there is no legal limitation for them to contract intermarriage or establish stable mixed relations of coexistence, as is recognized as a constitutional right the *ius nubendi*. Only some practical guidelines to avoid so-called white or marriages of convenience are provided, which are specified in the verification of the existence of a genuine matrimonial consent to the processing of the marriage certificate by the Registry, which may be required prior to the conclusion of marriage or, still later, one may be required to proceed to registration in the Civil Registry. However, the legal and regulatory rules applicable to such files is common to every marriage, irrespective of whether it is mixed or not. There are only some administrative instructions on how to check and assess the true matrimonial consent, by an individual interview in the court with each spouse (See Instruction 9 January 1995, the Directorate General of Registries and Notaries on the file prior to the marriage when one of the parties is domiciled abroad, Official State Gazette (*Boletín Oficial del Estado (BOE)*) 25 January 1995²⁴¹, and Instruction 31 January 2006, the Directorate General of Registries and Notaries on marriages of convenience, Official State Gazette (*Boletín Oficial del Estado (BOE)*) 17 February 2006). Thus, after collecting a broad range of criteria that indicate the existence of true marital consent, it concludes that "both by the general presumption of good faith and because the *ius nubendi* is a fundamental right of the individual, it is necessary that the civil registrar reaches a 'full moral certainty' of being in the presence of a sham marriage to agree refusal of authorisation of marriage or registration"²⁴². A different question is that those marriage records (whether before or after the marriage) may mean an excessive workload for the competent Civil Registry or there may be a difficulty providing the required documents.

²⁴¹ Available at: www.boe.es/boe/dias/1995/01/25/pdfs/A02316-02317.pdf

²⁴² Available at: www.boe.es/buscar/doc.php?id=BOE-A-2006-2776

		<p>Since the start of the Intensive Nationality Plan (2012), hundreds of applications for Spanish citizenship by virtue of residence have been refused because of problems with Criminal Record Certificates from the applicants' countries of origin, an issue that is indirectly affecting such marriages. These refusals are due to these certificates being presented sometimes three months after they had expired, so they were understood to be "obsolete" or that the certificates were not properly authenticated or certified. Due to the numerous refusals of nationality for these reasons, the Spanish Ombudsman has ruled recommending the Ministry of Justice revoke the refusals for these reasons²⁴³.</p>																																																												
	<p>Are there any official or non-official data and information on mixed marriages (between nationals and people with another citizenship)? Please provide % proportions on the total number of marriages in a given period, as well as data – where available - about ages, country of origin/birth of migrant spouses.</p>	<ul style="list-style-type: none"> The National Statistics Institute offers the following data for the year 2012 on intermarriage. <p>Total of marriages in 2013 was 153,375. Intermarriage totaled 27,721 representing 18 %.</p> <p>Ages of men and women in mixed marriages</p> <table border="1" data-bbox="891 715 1989 1098"> <tr> <td colspan="10">Men</td> </tr> <tr> <td>Under 18 years</td> <td>18 to 24</td> <td>25 to 29</td> <td>30 to 34</td> <td>35 to 39</td> <td>40 to 44</td> <td>45 to 49</td> <td>50 to 54</td> <td>55 to 59</td> <td>60 and more years</td> </tr> <tr> <td>2</td> <td>1579</td> <td>4527</td> <td>6889</td> <td>5512</td> <td>3383</td> <td>2120</td> <td>1365</td> <td>942</td> <td>1402</td> </tr> <tr> <td colspan="10">Women</td> </tr> <tr> <td>Under 18 years</td> <td>18 to 24</td> <td>25 to 29</td> <td>30 to 34</td> <td>35 to 39</td> <td>40 to 44</td> <td>45 to 49</td> <td>50 to 54</td> <td>55 to 59</td> <td>60 and more years</td> </tr> <tr> <td>24</td> <td>3492</td> <td>6221</td> <td>7132</td> <td>4636</td> <td>2803</td> <td>1718</td> <td>913</td> <td>439</td> <td>343</td> </tr> </table> <p>This frequency distribution scale is prepared on the basis of the information provided by National Statistics Institute (<i>Instituto Nacional de Estadística (INE)</i>)²⁴⁴.</p> <p>Country of origin/birth of migrant spouses</p>	Men										Under 18 years	18 to 24	25 to 29	30 to 34	35 to 39	40 to 44	45 to 49	50 to 54	55 to 59	60 and more years	2	1579	4527	6889	5512	3383	2120	1365	942	1402	Women										Under 18 years	18 to 24	25 to 29	30 to 34	35 to 39	40 to 44	45 to 49	50 to 54	55 to 59	60 and more years	24	3492	6221	7132	4636	2803	1718	913	439	343
Men																																																														
Under 18 years	18 to 24	25 to 29	30 to 34	35 to 39	40 to 44	45 to 49	50 to 54	55 to 59	60 and more years																																																					
2	1579	4527	6889	5512	3383	2120	1365	942	1402																																																					
Women																																																														
Under 18 years	18 to 24	25 to 29	30 to 34	35 to 39	40 to 44	45 to 49	50 to 54	55 to 59	60 and more years																																																					
24	3492	6221	7132	4636	2803	1718	913	439	343																																																					

²⁴³ Information on the position of the Spanish Ombudsman about the refusal of citizenship, available at: www.mundojuridico.info/postura-defensor-pueblo-denegaciones-nacionalidad/ All hyperlinks were accessed on 12 May 2015.

²⁴⁴ Available at: www.ine.es/jaxi/tabla.do

		<p>When the husband is a Spanish national, wives from third countries are: Russia, Ukraine, Algeria, Equatorial Guinea, Morocco, Nigeria, Argentina, Bolivia, Brazil, Chile, Colombia, Cuba, Ecuador, the United States of America, Honduras, Mexico, Paraguay, Peru, Dominican Republic, Uruguay, Venezuela, China, the Philippines and Japan.</p> <p>Of which the major countries of origin are: Colombia, Morocco, Brazil, Dominican Republic, Paraguay and Ecuador.</p> <ul style="list-style-type: none"> • • When the husband is a Spanish national, wives from third countries are: Russia, Ukraine, Algeria, Equatorial Guinea, Morocco, Nigeria, Argentina, Bolivia, Brazil, Chile, Colombia, Cuba, Ecuador, the United States of America, Honduras, Mexico, Paraguay, Peru, Dominican Republic, Uruguay, Venezuela, China, the Philippines and Japan. • Of which the major countries of origin are: Colombia, Morocco, Brazil, Dominican Republic, Paraguay and Ecuador. • When the wife is a Spanish national (there are fewer Spanish women married to foreign national husbands, almost a third less (31 %)). • Russia, Ukraine, Algeria, Cameroon, Ghana, Morocco, Nigeria, Senegal, Argentina, Bolivia, Brazil, Chile, Colombia, Cuba, Ecuador, the United States, Mexico, Peru, Dominican Republic, Uruguay, Venezuela, China, Philippines, India and Pakistan. <p>Of which the major countries of origin, on the basis of information provided by the National Statistics Institute (<i>Instituto Nacional de Estadística (INE)</i>)²⁴⁵ are: Morocco, Colombia, Ecuador, Argentina, Dominican Republic, Cuba and Senegal. However, statistical databases offered by the National Institute of Statistics on same-sex marriage do not distinguish between Spanish nationals and third country nationals.</p>
--	--	---

²⁴⁵ Available at: www.ine.es/jaxi/tabla.do Both hyperlinks were accessed on 12 May 2015.

Annex 2: National and regional level action plans on integration²⁴⁶

<i>National / regional level (specify region)</i>	<i>Year of the first edition and Year of latest update (e.g. First edition: 2004, Most recent update: 2011)</i>	<i>Responsible ministry – public authority – reference details (URL – links)</i>	<i>Target groups identify migrant and refugee groups as beneficiaries (e.g. on the basis of their residence status)</i>	<i>Main aims, actions and activities foreseen in the focus areas – link to fundamental rights [provide both key dimensions and specific actions and aims of the policy instruments in each focus area (use a different row for each focus area if needed)]</i>	<i>Targeting general population? Yes/No – explanatory comments where needed</i>	<i>Insert here definition of integration (in EN) if any. Alternative: Indicate the core aim/objective of the NAP related to social inclusion and/or integration of migrants</i>
National Peci 2011-2014 ²⁴⁷	First Edition 2007 ²⁴⁸ . Most recent update 2011 ²⁴⁹	Ministry of Employment and Social Security and General Secretary of Immigration and Emigration, General Director of Migrations.	EU nationals and third-country nationals	Specific focus areas: Welcoming, Employment and Economic Promotion, Education, Health, Social Services and Inclusion, Mobility and Development. Transversal focus areas: living together, equal treatment and combating discrimination, children, youth and families, gender, participation and civic education.	YES ²⁵⁰	Social integration is understood as a two-way process of mutual adaptation and accommodation, which affects all citizens, both native and foreign. Social integration is a multidimensional and complex process presenting political and practical challenges that must be faced. This conception is opposed to the idea that “integration” is solely the responsibility of minorities. (PECI 2011-2014: 92)

²⁴⁶ We have chosen three plans: National Plan for Citizenship and Integration 2011-2014 (National Strategy of Integration, Peci 2011-2014), Regional Plan of Integration of Madrid, 2009-2012 and III Integral Plan for Immigration in Andalusia, Horizon 2016, 2014-2016 (IUARP, 2014-2016) which is the only one currently in operation. The main motive of this choice is these plans represent national integration strategy and two very different models of regional integration policies that also represent two of the most important receiving regions of immigrant population in the Spanish context. The development of integration plans in Spain at the national and regional level has been slowed in the last period mainly due to budgetary adjustments. For more information see FORUM FOR SOCIAL INTEGRATION OF IMMIGRANTS (2014) Report on the status of the integration of immigrants and refugees in Spain, June 2014, especially pp. 96-98.

www.foroinmigracion.es/es/MANDATO-FORO-2010-2013/DocumentosAprobados/Informes/Documento_N_4_Informe_2014.pdf

²⁴⁷ National Plan for Citizenship and Integration 2011-2014 (PECI, 2011-2014)

²⁴⁸ extranjeros.empleo.gob.es/es/Programmeas_Integracion/Plan_estrategico2011/pdf/PECI-2011-2014.pdf

²⁴⁹ extranjeros.empleo.gob.es/es/Programmeas_Integracion/Plan_estrategico/pdf/PECIDEF180407.pdf

²⁵⁰ One of the basic premises of the plan is “The idea that integration policies, equality and diversity management are aimed at all citizens, and that public action must be oriented to promote and ensure normal access for all population regardless of their origin or nationality to public and private services in general” (PECI, 2011-2014;94).

				See annex 2bis Focus and transversal areas of National strategy of integration		
Regional Level. Region of Madrid. Integration Plan 2009-2012.	First Edition 2002 Most recent update 2012 ²⁵¹	Regional Council of Immigration and Cooperation. ²⁵²	Immigrant Population: some nationals from EU countries, such as Romanian and Bulgarian people and third-country nationals (Integration Plan 2009-2012; 13)	Focus areas: Welcoming, social services, employment and job training, housing, education, health, communication-awareness, coexistence, participation and culture, family and young women, migration and development.	NO The Plan is primarily aimed at the immigrant population	There is not a formal definition of integration. The concept of integration used by the plan is summarised in the initial part of the paper (pp. 13 to 15) - . The immigrant is a free and responsible individual. Every immigrant must be treated as a free individual who makes decisions rationally, with individual rights and obligations towards himself and towards the host society. The main agent of his or her own integration is him- or herself. - . Spanish people are getting used to new neighbours and co-workers of other nationalities. Immigrants, mostly, are making an effort to adapt to the general rules of the host society. We must encourage this joint effort.

²⁵¹www.madrid.org/cs/Satellite?blobcol=urldata&blobheader=application%2Fpdf&blobheadername1=Content-disposition&blobheadername2=cadena&blobheadervalue1=filename%3DPLAN+INT.09-12.pdf&blobheadervalue2=language%3Des%26site%3DPortalInmigrante&blobkey=id&blobtable=MungoBlobs&blobwhere=1220469199467&ssbinary=true.

²⁵²Currently it would be the Directorate General of Immigration of the Regional Council of Social Affairs.
www.madrid.org/cs/Satellite?c=CM_Agrupador_FP&cid=1142383128565&idConsejeria=1109266187278&idListConsj=1109265444710&idOrganismo=1142383128565&language=es&pagename=ComunidadMadrid%2FEstructura

<p>Regional Level Region of Andalusia.</p> <p>III Integral Plan for Immigration in Andalusia, Horizon 2016 (2014-2016)²⁵³ (PIIA, 2014-2016)</p>	<p>First Edition 2002²⁵⁴. Most recent update 2014</p>	<p>Regional Council of Justice and Home Affairs. Directorate General of Migration Policy Coordination ²⁵⁵</p>	<p>Population with immigrant background. (Migrants and their descendents)</p>	<p>Focus areas: socio-educational, employment, health, inclusion and social welfare, equipment, housing and accommodation, culture, leisure time and participation, legal assistance, training, research, social awareness, development cooperation.</p>	<p>YES²⁵⁶</p>	<p>“The process of integration comes from mutual recognition, and should be a two-way process, since the vast common culture will be a common place of coexistence and participation in our diverse society” (PIIA, 2014-2016: 81) “Promoting the full social, economic, labour and cultural integration of immigrants in Andalusia (...) requires the commitment and involvement of both the foreign population and the Spanish population resident in Andalusia”. (PIIA, 2014-2016: 72)</p>
--	--	--	---	---	--------------------------	---

²⁵³ www.juntadeandalucia.es/export/drupaljda/PIIA_III_0.pdf

²⁵⁴ www.juntadeandalucia.es/boja/2002/17/d3.pdf

²⁵⁵ www.juntadeandalucia.es/organismos/justiciaeinterior/consejeria/dgcpm.html

²⁵⁶ The Plan provides several measures aimed at the general population (general awareness campaigns, training and awareness raising of specific sectors such as security forces, teachers, social services, etc.). “The Integration Plan III pursues the integrality of its proceedings, which start both the diversity of fields and levels, as protagonists and recipients, migrants and native people who form a single society” (PIIA, 2014-2016, p. 69)

ANNEX 2 BIS

Focus and transversal areas of National strategy of integration (PECI, 2011-2014)
<p>Welcoming: development of introductory programmes to the host society; integral projects of welcoming of specific groups; action plan for promoting the teaching of languages and suitability of hosting projects to the current needs of people in vulnerable situations.</p> <p>CBP 4: "Basic knowledge of the host society's language, history and institutions is indispensable for integration."</p> <p>CBP 6: "Access for immigrants to institutions as well as to public and private goods and services in a non-discriminatory way is a critical foundation for better integration."</p>
<p>Employment and Economic Development: economic revitalisation at local level; the adequacy of the qualifications of the immigrant population to the demands of the labour market; active employment policies (training, recruitment and promotion of information provision and guidance); improving working conditions and combating illegal employment and exploitation and development of a strategy against racism and xenophobia in the labour market.</p> <p>CBP 3: "Employment is a key part of the integration process".</p>
<p>Education: reduction of school segregation; improvement of access process and permanence in the educational system; prevention of absenteeism and school drop-outs; development of a model of inclusive schooling, improving educational support and the supply of vocational training. Training students in diversity to prevent situations of racism or xenophobia.</p> <p>CBP 5: "Efforts in education are critical to integration."</p>
<p>Health: ensuring the right to health of people of foreign origin, health education, training of health professionals in the care of people of foreign origin, improving systems of management and information of health services.</p> <p>CBP 6: "Access for immigrants to institutions as well as to public and private goods and services in a non-discriminatory way is a critical foundation for better integration."</p>
<p>Social services and inclusion: Strengthening of the Public Social Services System in contexts of diversity, creating coordination mechanisms between administrations on social inclusion policies, measures to promote access to social services, promote equity and equal opportunities in diverse contexts.</p>

CBP 6: "Access for immigrants to institutions as well as to public and private goods and services in a non-discriminatory way is a critical foundation for better integration."

Mobility and Development: promoting transnational ties in key areas such as new technologies, volunteering and youth, promoting collaboration between organisations and administrations to perform transnational activities of cooperation, promote programmes and successful experiences in circular migration, and return management as options within the migration cycle.

Living together (Transversal Area): encouraging an integral policy of living together and preventing situations of hostility, comprehensively address the fundamental dimensions of living together through coordinated actions, intercultural, extend intercultural living together as a transversal approach in public policies for social inclusion, knowledge and learning experiences that promoting intercultural living together, and formulating and developing a "Plan of intercultural living together in local spaces" (or Neighborhood Plan)

CBP 1: "Integration is a dynamic, two-way process of mutual accommodation by all immigrants and residents of EU countries."

CBP7: "Frequent interaction between immigrants and EU citizens is a fundamental mechanism for integration."

CBP 8: "The practice of diverse cultures and religions must be safeguarded."

Equal treatment and non-discrimination (Transversal Area): development of a National Strategy against Racism, Racial Discrimination, Xenophobia and Related Intolerance, to prevent any form of discrimination and provide integral care to victims on grounds of racial or ethnic origin, train and involve social agents, public employees and professionals in the field of non-discrimination and equal treatment, including equal treatment and non-discrimination in all public policies.

Children, Youth and Families (Transversal Area): promoting positive parenting skills in contexts of diversity, reducing vulnerabilities, risk of poverty and social exclusion of children and youth in contexts of diversity, promote child and youth participation in contexts of diversity, promote access of children and youth of foreign origin to general programmes for children and youth.

CBP 6: "Access for immigrants to institutions as well as to public and private goods and services in a non-discriminatory way is a critical foundation for better integration."

Gender (Transversal Area): promote the mainstreaming of gender in all phases of migration policies and ensure the protection of women victims of violations of human rights and violence.

Participation and Civic Education (Transversal Area): promote active citizenship and political participation of people of foreign origin, improve public perception of immigration and diversity and strengthen democratic and inclusive values.

CBP 2. "Integration implies respect for the basic values of the EU."

CBP 7. "Frequent interaction between immigrants and EU citizens is a fundamental mechanism for integration."

CBP 9: "The participation of immigrants in the democratic process and in the formulation of integration policies supports their integration."

Annex 4: Indicators monitoring migrant integration - social inclusion/cohesion

N.	Indicator	Definition	Legal frame / policy target	Data source	Periodicity	Reference / Comments
1	Employment programmes.	<p>1. Programmes aimed at developing integrated pathways individual employment. These programmes will involve the development of training and education prior, employment guidance, vocational training, support self-employment, psychosocial support and assistance in finding employment, constituting an integrated employability itinerary and whose implementation will contribute to obtaining or maintaining employment.</p> <p>2. Programmes preparation and monitoring of projects to start up initiatives of self-employment, with special consideration for those oriented to the social economy.</p> <p>3. Programmes that promote reconciliation of work and family life.</p> <p>4. Programmes aimed at eradicating trafficking in persons for labour or sexual exploitation and to promote the inclusion of victims in the market Working through social integration pathways and job training.</p> <p>5. Programmes that facilitate the social and professional integration of immigrant families in rural areas with low population density, through customised selection processes, training and support.</p> <p>6. Programmes that address the management of diversity in the workplace. Between them, introduce a mediator in the business, the intermediation of labour mediators and training of managers and middle managers.</p> <p>7. Programmes aimed at supporting actions for diversification professional, including the creation of services that offer</p>	<p>STRATEGIC PLAN FROM THE SPANISH MINISTRY OF EMPLOYMENT AND IMMIGRATION MINISTERIO DE TRABAJO E INMIGRACIÓN, 'Plan Estratégico de Ciudadanía e Integración, (2011) (PECI) 2012/2014', Madrid.</p> <p>http://extranjer.os.empleo.gob.es/es/Programas_Integracion/Plan_estrategico2011/pdf/PECI-2011-2014.pdf</p>	<p>Observatorio Permanente Inmigración Permanent Observatory on Immigration extranjeros.empleo.gob.es/es/observatorioPermanenteInmigracion/</p> <p>Instituto Nacional Estadística.</p> <p>National Statistics Institute. www.ine.es/</p>	At least annually, in many cases quarterly.	<p>CECALE, Edición de <i>Guía de Buenas Prácticas para la integración laboral del trabajador emigrante</i>. Edition of "Guide to Good Practice for the employment integration of migrant worker".</p> <p>www.cecale.es/cecale/cm/inmigracion/tkContent?pgseed=1306874816999&idContent=27560&locale=es_ES&textOnly=false</p>

		information, advice, accompaniment, translation of documents and other formalities necessary for recognition of qualifications and validation of studies in countries of origin. 8. Programmes that encourage cooperation and exchange of information and good practice.				
3	Programmes for the incorporation of quality systems and training and training of professionals and volunteers.	1. Programmes for the incorporation of quality systems to improve continuous effectiveness, efficiency and management of programmes developed on integration of immigrants. 2. Training programmes and training of professionals and volunteers through participation in courses, seminars and specialised programmes technical assistance, undertaken by other organisations, particularly those relating to collective immigrants. Priority will be given to training programmes booking a number of above 60 % for professionals from other entities.	STRATEGIC PLAN FROM THE SPANISH MINISTRY OF EMPLOYMENT AND IMMIGRATION, MINISTERIO DE TRABAJO E INMIGRACIÓN, `Plan Estratégico de Ciudadanía e Integración, (2011) (PECI) 2012/2014´, Madrid. http://extranjer.os.empleo.gob.es/es/Programas_Integracion/Plan_estrategico2011/pdf/PECI-2011-2014.pdf	Observatorio Permanente Inmigración Permanent Observatory on Immigration extranjeros.empleo.gob.es/es/observatorioPermanenteInmigracion/ Instituto Nacional Estadística. National Statistics Institute. www.ine.es/	At least annually, in many cases quarterly.	CANTABRIA ACOGE, <i>Escuela de formación para el voluntariado</i> . "Training school for volunteering". www.cantabriaacoge.com/actividades-formativas
4	Awareness programmes and promoting equal treatment and non-discrimination in the workplace.	1. Awareness programmes that target employers / to overcome prejudices and reluctance to hire immigrants. 2. Awareness programmes aimed at preventing discrimination in access and the continued employment and promote equal treatment at work between native workers and immigrant population, especially migrant workers. 3. Awareness programmes for entrepreneurs, in order to promote diversity management in enterprises.	STRATEGIC PLAN FROM THE SPANISH MINISTRY OF EMPLOYMENT AND IMMIGRATION, MINISTERIO DE TRABAJO E INMIGRACIÓN, `Plan Estratégico de Ciudadanía e Integración,	Observatorio Permanente Inmigración Permanent Observatory on Immigration extranjeros.empleo.gob.es/es/observatorioPermanenteInmigracion/	At least annually, in many cases quarterly.	Fundación <i>Entre Dos Orillas</i> . "Entre Dos Orillas" Foundation. www.entredosorillas.org/

		<p>4. Awareness programmes in the fight against racism and xenophobia in the workplace.</p> <p>5. Programmes to improve knowledge of the employment situation of the immigrant population aimed at the development and dissemination of data, studies and publications sector.</p>	<p>(2011) (PECI) 2012/2014', Madrid.</p> <p>http://extranjer.os.empleo.gob.es/es/Programas_Integracion/Plan_estrategico2011/pdf/PECI-2011-2014.pdf</p>	<p>Instituto Nacional Estadística.</p> <p>National Statistics Institute. www.ine.es/</p>		
5	Extracurricular educational programmes.	<p>1. Extracurricular character education programmes that promote integration and intercultural harmony and contribute to compensating inequalities or address.</p> <p>2. Programmes aimed at preventing truancy through intervention risk in social settings.</p> <p>3. Programmes for learning the language and culture of the host country, as well other types of training and intercultural actions. Likewise, prioritising those programmes that promote new technologies (ICTs) and the care and respect of the environment.</p> <p>4. Programmes that encourage the participation of immigrant families in the education process of their children and the activities of the educational community.</p> <p>5. Educational programmes to promote awareness in the classroom.</p>	<p>MINISTERIO DE TRABAJO E INMIGRACIÓN,</p> <p>STRATEGIC PLAN FROM THE SPANISH MINISTRY OF EMPLOYMENT AND IMMIGRATION, MINISTERIO DE TRABAJO E INMIGRACIÓN, 'Plan Estratégico de Ciudadanía e Integración, (2011) PECI 2012/2014', Madrid.</p> <p>http://extranjer.os.empleo.gob.es/es/Programas_Integracion/Plan_estrategico2011/pdf/PECI-2011-2014.pdf</p>	<p>Observatorio Permanente Inmigración</p> <p>Observatory on Immigration extranjer.os.empleo.gob.es/es/ObservatorioPermanenteInmigracion/</p> <p>Instituto Nacional Estadística.</p> <p>National Statistics Institute. www.ine.es/</p>	At least annually, in many cases quarterly.	<p>1. <i>Red de escuelas interculturales.</i> Network of intercultural schools. www.escuelasinterculturales.eu/spip.php?article60</p> <p>2. Andalucía Acoge <i>Némesis.</i></p> <p><i>Programme de intervención jurídica con población migrante.</i></p> <p>Legal intervention programme with migrant population. acoge.org/proyectos/</p>
6	Programmes for women / programmes specifically targeting women.	1. Programmes to promote access, participation and involvement of women immigrants in all areas of social life.	MINISTERIO DE TRABAJO E INMIGRACIÓN,	Observatorio Permanente Inmigración	At least annually, in	1. <i>Centro de día para mujeres.</i> "Isadora Duncan". Isadora Duncan Day Centre.

		<p>2. Programmes that promote knowledge, awareness, commissioning of actions and networking of social support to immigrant women, prostituted and trafficked women for labour or sexual exploitation, and children, especially those programmes that involve a specific comprehensive care and those that create or strengthen mobile units to care for victims in isolated circumstances.</p> <p>3. Programmes that promote awareness, prevention, awareness, implementation of actions and networking support to victims of gender violence and their children.</p> <p>4. Programmes that seek to encourage standardised access of women to general programmes, promoting their empowerment, training and leadership.</p>	<p>` Plan Estratégico de Ciudadanía e Integración, (2011) PECI 2012/2014 ´, STRATEGIC PLAN FROM THE SPANISH MINISTRY OF EMPLOYMENT AND IMMIGRATION, MINISTERIO DE TRABAJO E INMIGRACIÓN, ` Plan Estratégico de Ciudadanía e Integración, (2011) PECI 2012/2014 ´, Madrid.</p> <p>http://extranjer.os.empleo.gob.es/es/Programas_Integracion/Plan_estrategico2011/pdf/PECI-2011-2014.pdf</p>	<p>Permanent Observatory on Immigration pleo.gob.es/es/ObservatorioPermanenteInmigracion/</p> <p>Instituto Nacional Estadística.</p> <p>National Statistics Institute. www.ine.es/</p>	<p>many cases quarterly.</p>	<p>isadoraduncan.es/node/88</p> <p>2. Ayuntamiento Alcalá de Henares. «Proyecto Asiste II».</p> <p>Alcalá de Henares City Council <i>Project Assist II</i>.</p> <p>www.ayto-alcaladehenares.es/portaAlcala/contenedor1.jsp?seccion=s_fnot_d4_v1.jsp&contenido=16325&tipo=8&nivel=1400&layout=contenedor1.jsp&codResi=1&language=es</p>
7	Programmes to promote equal treatment and non-discrimination in host society	<p>1. Programmes to promote multiculturalism and facilitate the acceptance of the diversity in the social environment, especially in schools, health centres and generally in all areas in which social mediation is a necessary tool of intervention.</p> <p>2. Programmes to combat racism, racial discrimination, xenophobia and related forms of intolerance.</p> <p>3. Programmes to promote non-discrimination and equal treatment of immigrants.</p> <p>4. Programmes to improve the understanding of the situation of</p>	<p>MINISTERIO DE TRABAJO E INMIGRACIÓN, ` Plan Estratégico de Ciudadanía e Integración, (2011) PECI 2012/2014 ´, STRATEGIC PLAN FROM THE SPANISH MINISTRY OF EMPLOYMENT AND IMMIGRATION,</p>	<p>Observatorio Permanente Inmigración Permanent Observatory on Immigration pleo.gob.es/es/ObservatorioPermanenteInmigracion/</p> <p>Instituto Nacional</p>	<p>At least annually, in many cases quarterly.</p>	<p>3. CNSE, <i>Difusión de la Guía informativa para personas sordas inmigrantes</i>.</p> <p>“Dissemination of Information Guide for deaf immigrants”.</p> <p>www.fundacioncnse.org/pdf_memorias/memoria2011.pdf</p>

		<p>immigrants aimed at disseminating information, studies and publications.</p> <p>5. Programmes to promote equal treatment and non-discrimination taking into account the special needs groups (women, young persons and children, the elderly, the illiterate and persons with disabilities).</p> <p>6. Programmes aimed at improving the treatment of information on immigration by the media.</p>	<p>MINISTERIO DE TRABAJO E INMIGRACIÓN, ' Plan Estratégico de Ciudadanía e Integración, (2011) <i>PECI</i> 2012/2014', Madrid.</p> <p>http://extranjer.os.empleo.gob.es/es/Programas_Integracion/Plan_estrategico2011/pdf/PECI-2011-2014.pdf</p>	<p>Estadística.</p> <p>National Statistics Institute. www.ine.es/</p>		
--	--	---	---	---	--	--

Annex 5: Use of funding instruments²⁵⁷

Table 1 - European Integration Fund (EIF)

	European Integration Fund (EIF) - TOTAL	Own funds	Funds distribution / Thematic areas							
			Participation	Social Cohesion / Social Inclusion	Active Citizenship	Welcoming Society	Employment	Education	Healthcare	Other
2010	14,284,794.26	4,428,254.75	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
2011	17,815,509.05	2,161,731.01	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
2012	22,039,481.00	2,585,679.04	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
2013	23,542,717.00	1,185,947.83	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
2014	No figures are available	No figures are available	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

* Please indicate if Asylum, Migration and Integration Fund is used for 2014

²⁵⁷ The information has been obtained from the data published by the General Secretariat for Immigration and Emigration. extranjeros.empleo.gob.es/es/Fondos_comunitarios/programa_solidaridad/integracion/. There is no further information available about funds distribution in thematic areas. We have inquired directly to the General Secretariat on this matter and we are awaiting a response

Table 2 - European Refugee Fund (ERF) aiming at integration of beneficiaries of international protection

	Euro pean Refu gee Fund (EIF) - TOT AL	Own funds/regional)	Funds distribution / Thematic areas								
			Particip ation	Social Cohesion / social inclusion	Active cizen ship	Welcoming society (host society targeted)	Employm ent	Education	Healthcare	Other: Children, Families and Youth	Other: Equal Treatment
2010											
2011		350.035.036		20,309,16		57,589,24	70,780,7	179,496,4	14,753,567	17,994,228	3,865,245
2012		313.242.394		19,037,52		52,138,63 6	69,353,9 70	143,806,9 34	14,201,624	10,981,654	3,722,056
2013		263.843.240		16,285,34		48,407,14 1	52,147,5 99	120,000,1	14,043,905	9,448,796	3,510,276
2014		263.004.618		16,285,34 0		47,858,14 1	51,819,5 99	119,960,1 83	14,122,283	9,448,796	3,510,276

* Please indicate if Asylum, Migration and Integration Fund is used for 2014

Data has been taken from the Spanish General Budget (*presupuestos generales del estado*) for the Strategic Plan for citizenship and integration (*Plan Estratégico de Ciudadanía e Integración (PECI)*).

THERE IS NO FURTHER INFORMATION FOR 2010 IN ANY THEMATIC AREA.

THERE IS INFORMATION AVAILABLE FOR^{258 259}:

The European Refugee Fund.

This financial instrument set aside € 700 million over the period 2007–2013.

SPAIN: The total amount for 2008-2011 was € 6,318,706.

The % of MEMBER STATES totals 1.85 %.

The European Integration Fund.

The European Integration Fund, with a budget of € 825 million for the period 2007–2013.

SPAIN: the total amount for 2007-2011 was € 66,812,826.

The % of MEMBER STATES totals 14.85 %.

²⁵⁸ Available at: http://ec.europa.eu/dgs/home-affairs/financing/fundings/migration-asylum-borders/integration-fund/index_en.htm

²⁵⁹ Available at: http://ec.europa.eu/dgs/home-affairs/financing/fundings/pdf/allocations_eu_state_for_each_fund_en.pdf Both hyperlinks were accessed on 11 May 2015.

Annex 7: Promising practices

Thematic area	Promising practices encouraging social interaction and contacts of people of different backgrounds at local level
Title (original language)	Programa integral para la inclusión, la dinamización comunitaria y la participación social en zonas de inclusión social. ²⁶⁰
Title (EN)	--
Organisation (original language)	FUNDACIÓN CEPAIM
Organisation (EN)	CEPAIM FOUNDATION
Government / Civil society	Civil society
Funding body	FEI, Ministerio de Empleo y Seguridad Social and Comunidad Autónoma de Andalucía
Reference (incl. url, where available)	www.buenaspracticacomunitarias.org/buenas-practicas/20-programmea-integral-para-la-inclusion-la-dinamizacion-comunitaria-y-la-participacion-social-en-zonas-de-inclusion-social-area-de-accion-comunitaria-interculturalde-la-fundacion-cepaim.html
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	March 2009-
Type of initiative	Promote living together and social participation at the local level.
Main target group	People at risk of social exclusion: children and young native and immigrant backgrounds.
Indicate level of implementation: Local/Regional/National	Local
Brief description (max. 1000 chars)	The project is located in the neighbourhoods of El Puche Fuentecica and Almeria (Andalusia). Neighbourhoods with high rates of young, native and immigrant populations in situations of social exclusion. The project takes an integral community intervention: education, gender equality, coexistence, intercultural mediation, conflict resolution, housing, sports and leisure time, extracurricular activities, etc. It is developed through a participatory methodology that seeks the active participation of users and neighbours in the assessment, design, implementation and evaluation of the intervention programme. The programme includes the involvement of the different actors of the community (recipients, families, social services, schools, teachers, associations, etc.). The programme has been analysed, researched and disseminated through various means in order to promote the transfer of knowledge within the sector.

²⁶⁰ We have chosen a best practice from the “Catalogue of good practices” by the CEPAIM Foundation. This Catalogue was created from a process of research and selection of best practice in the field of social integration. A research that included the participation of a committee of experts from administration, third sector, universities, etc. The project was developed in the context of the *Programmeme for the transfer of good practices on integration of immigrants through the promotion of participation and promoting coexistence locally*. This programmeme is funded by the Spanish Ministry of Employment and Social Security through the Secretariat General Secretariat for Immigration and Emigration and Migration Board and funded by the European Integration Fund (EIF). Available at: cepaim.org/wp-content/uploads/2014/01/cat%C3%A1logo-de-buenas-pr%C3%A1cticas.pdf

<p>Highlight any element of the actions that is transferable (max. 500 chars)</p>	<ul style="list-style-type: none"> - The choice of neighbourhood and local community as main target of intervention. - Promoting of the Community Council, a local platform that brings together most of the organisations and institutions from the neighbourhood. - Focus and participatory approach involving users and neighbours in all project phases: assessment, design, implementation and evaluation. - Dissemination of project experience through a publication, "Dreaming our neighbourhood. An experience from working with neighbourhoods and the excluded" and continued presence in universities, social forums, associations, etc.
<p>Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')</p>	<p>It is a project that is firmly rooted in the local community. It has tradition and the complicity and alliance of many neighbours and social agents from the neighbourhood.</p> <p>The risk comes from the budget reduction, the unstable and short-term funding and the consequent loss of the team that was working on the project.</p>
<p>Give reasons why you consider the practice as having concrete measurable impact</p>	<p>The project has had measurable effects on the appearance of the neighbourhood: gardening of spaces and rehabilitation of housing and sports areas. Creation of the Community Council, a local platform that brings together most of the organisations and institutions in the neighbourhood. Finally, the project has created associative dynamism in the community, promoting living together through process approach and understanding between different members of the local community with ethnic, social and religious backgrounds.</p>
<p>Give reasons why you consider the practice as transferrable to other settings and/or Member States?</p>	<p>See box above: transferrable actions.</p>
<p>Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.</p>	<p>The starting point of the project is community revitalisation. So a participatory methodology is used in all initiatives of the project. Beneficiaries and neighbours are involved in the diagnosis, design, implementation and evaluation of projects such as the rehabilitation of public spaces and homes in the neighbourhood</p>
<p>Explain, if applicable, how the practice provides for review and assessment.</p>	<p>There have been internal and external evaluations (funders) and (CEPAIM Foundation with the participation of the beneficiaries). The results of these evaluations show positive results: neighbours learning about the resolution of conflicts through dialogue, participation and local organisation to improve their environment (homes, sports fields, etc.), creating stable groups of women who want to grow as people and help to transform their neighbourhood, together with the expertise gained by the professionals involved in the project. The weaknesses of the project included in the assessment would be: lack of support from the local council and the inability to maintain an experienced team due to financial instability.</p>

Thematic area	Promising practices targeting migrants and/or descendants aiming at building trust in public institutions, especially at local level²⁶¹.
Title (original language)	Guía de recursos multilingüe on-line
Title (EN)	Online multilingual resource guide
Organisation (original language)	Ayuntamiento de Bilbao
Organisation (EN)	City Council of Bilbao
Government / Civil society	Government
Funding body	City Council of Bilbao
Reference (incl. url, where available)	www.bilbao.net/inmigracion/
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	2008
Type of initiative	Promoting living together and social participation at local level
Main target group	People from all backgrounds who have moved recently to Bilbao, especially foreign immigrants who need to learn about basic everyday responsibilities and undertakings.
Indicate level of implementation: Local/Regional/National	Local
Brief description (max. 1000 chars)	Online multilingual resource guide which provides information about basic arrangements for all people of any origin recently arrived in the municipality of Bilbao. Bilbao's multilingual resource guide was developed by the Immigration Bureau of the Office of Equality, Cooperation and Citizenship. The Guide is available in seven languages: Basque, Spanish, French, English, Arabic, Romanian and Chinese. The person concerned can access to the municipal website www.bilbao.net/inmigracion/ then click on the appropriate language to share the required information in translation. The guide offers practical information on a wide array of city services and programmes, including health care, social benefits, education and employment services. Topics range from how to obtain a driver's licence, or what to do in the case of spousal abuse, to how to legalise one's status in Spain. It also informs newcomers of the role of the Citizen Advice Bureau and provides a directory to the many immigrant associations found within Bilbao. Maps and visual materials also help users navigate easily towards the information they need.
Highlight any element of the actions that is transferable (max. 500 chars)	<ul style="list-style-type: none"> - The guide itself, a specific, useful resource, and not very expensive. - The guide works as a "single information box office", because users can access every kind of information. - The information in the Guide is accurate and can be verified and updated with minimal difficulty.
Give reasons why you consider the practice as sustainable (as	Keeping the guide reliable and relevant is the key to its success. Staff make sure to keep the website up-to-date on procedures, office locations, contact information, and new legislation or information about resources and services.

²⁶¹ Selected Case Studies from the OPENCities European Network.

opposed to 'one off activities')	
Give reasons why you consider the practice as having concrete measurable impact	The Guide receives over 80,000 page views. It is widely popularised among neighbours, NGO's, associations, etc.
Give reasons why you consider the practice as transferable to other settings and/or Member States?	See box above: transferable actions.
Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.	There is no information on this aspect. However, the Guide has a section for suggestions and complaints that allows users to participate
Explain, if applicable, how the practice provides for review and assessment.	There is no further information on this aspect. Staff make sure to keep the website up-to-date on procedures, office locations, contact information, and new legislation or information about resources and services.

Thematic area	
Title (original language)	Proyecto de Intervención Comunitaria Intercultural (ICI)
Title (EN)	Intercultural Community Project (ICI)
Organisation (original language)	<i>Fundación La Caixa</i>
Organisation (EN)	<i>La Caixa</i> Bank. Foundation
Government / Civil society	Civil society / Enterprise
Funding body	<i>La Caixa</i> Bank Foundation
Reference (incl. url, where available)	obrasocial.lacaixa.es/ambitos/inmigracion/intervencionintercultural_es.html
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	Second stage (2013-2015).
Type of initiative	

Main target group	Children, young persons and families.
Indicate level of implementation: Local/Regional/National	National.
Brief description (max. 1000 chars)	<p><i>La Caixa</i> Bank Foundation developed an Intercultural Community Project in different districts and municipalities, with the aim of generating a model of social intervention that serves to :</p> <ol style="list-style-type: none"> 1 Foster processes that promote local development and improve the lives of all people 2 Train the whole society to address the opportunities, challenges and problems of the new reality 3 To prevent and reverse situations of social conflict towards intercultural civic coexistence <p>The ICI Project, both at state and regional levels and local levels is a key element of social action in the new intercultural context since it articulates exercising shared responsibility, adds value to the enormous wealth of experiences that have been developed in our country by different social agents, and gives a guarantee of sustainability. Through interdisciplinary teams linked to social entities, preventive and promotional intervention takes place, with real intention of changing situations and, ultimately, with a transforming vocation, which leads us to push open processes citizen and institutional participation.</p>
Highlight any element of the actions that is transferable (max. 500 chars)	<ol style="list-style-type: none"> 1. The Socio-Educational. 2 The Field of Community Health. 3 The Scope of Citizen Relations. <p>The Second Phase Targets</p> <p>The Second Phase of the Project (2013 - 2015), aims to improve the conditions of the territory for Organisation and Local Development through the implementation of an Intercultural Community Programming. Intercultural Community Programmes are understood as an instrument able to respond effectively and efficiently to the enormous challenge of achieving cohesion and intercultural coexistence.</p>
Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')	This is a company with great prestige in our country and proven financial solvency. Moreover, they have established an agreement with the Ministry of Employment and Immigration and work closely with it.

<p>Give reasons why you consider the practice as having concrete measurable impact</p>	<p>The programme presented is the second phase of one already carried out and concluded, so that the initiative has the experience of the first phase. These were its achievements:</p> <ol style="list-style-type: none"> 1. The generation of a broad process involving local administrations, technicians and citizens to improve the conditions and quality of life in the territories. 2 Development of a social intervention in education (formal and informal) for promoting intercultural coexistence, through the participation of teachers, families and students, connecting school time and leisure education. 3 Momentum of a community action for health from an intercultural perspective, developing actions while improving the quality of life of the territory and contributing to intercultural coexistence. 4 Promotion of numerous actions that have improved citizen relations and increase competition and the expertise of neighbouring residents and businesses.
<p>Give reasons why you consider the practice as transferrable to other settings and/or Member States?</p>	<p>The intervention strategy is reproducible in other states and contexts. However, the Spanish political system, with many responsibilities granted to the regional governments, and the reality of nationalism requires a different setting.</p>
<p>Explain, if applicable, how the practice involves beneficiaries and stakeholders in the design, planning, evaluation, review assessment and implementation of the practice.</p>	<p>This second stage is to generate organisational spaces, or joint structures with various institutional and social institutions pooling their resources and collaborating as essential both for promoting cohesion and intercultural harmony to ensure the sustainability of the intervention in the future.</p>
<p>Explain, if applicable, how the practice provides for review and assessment.</p>	<p>Under the Intercultural Community Project, <i>La Caixa</i> has commissioned a survey on intercultural coexistence locally. The survey will enable the results of social interventions in each of the different districts and municipalities in which it operates to be measured, helping to meet the sociocultural reality of the territories and establishing starting indicators and impact to assess project progress, the changes generated in each of them and make timely adjustments and guide the actions promoted.</p>

Annex 8: Discrimination complaints submitted to Equality Bodies

Pending on answer from the Council for the Elimination of Racial and Ethnic Discrimination

Annex 9: Case law – max 5 leading cases

Thematic area	Political rights at national level
Decision date	27 November 2014
Reference details	<p>Case No: S A N 4736/2014 – E C L I : ES : AN : 2014 : 4736</p> <p>Centre for Judicial Documentation ID (CENDOJ): 28079230032014100731</p> <p>Courts: Spanish High Court (Audiencia Nacional)</p> <p>Headquarter Court: Madrid</p> <p>Section: 3</p> <p>Appeal No: 1917/2013</p> <p>Decision No: 4736/2014</p> <p>Procedure: Contentious-Administrative Chamber</p> <p>Reporting Judge: Mrs. Isabel García García-Blanco</p> <p>Type of decision: Judgment</p> <p>Tags: Access to nationality, the assessment of the level of integration,</p> <p>Attachment: http://www.poderjudicial.es/search/doAction?action=contentpdf&databaseattach=AN&reference=7223718&links=&optimize=20141212&publicinterface=true</p>
Key facts of the case (max. 500 chars)	<p>This is a Contentious Administrative Appeal to the Spanish High Court against a Resolution of the Directorate General for Registers and Notaries (hereafter, DGRN) of 16 January 2014 dismissing the informal appeal brought against the Resolution of the DGRN of 24 May 2013 rejecting the application for citizenship on the grounds of residence.</p> <p>The refusal considers that the appellant –a Moroccan man who has been employed for years in Spain - had not fully justified his integration into Spanish society due to the poor results obtained in the integration tests.</p>
Main reasoning/argumentation (max. 500 chars)	<p>Regarding sufficient level of integration into Spanish society, the Spanish High Court establishes that the appellant has no language problems and has had legal status in Spain since 1999. The Court considered that the results of the integration test evidence a reasonable and basic knowledge of the Spanish institutions, culture and history, despite a number of failures relating irrelevant information in regard to the assessment of the level of integration.</p> <p>Regarding demonstration of a continuous and regularised work activity on the part of the appellant, the Spanish High Court considers that, although the appellant’s family (his wife and children) continue to live in Morocco, the working life document and favourable integration reports presented by the General Workers Union (<i>Unión General de</i></p>

	<i>Trabajadores (UGT)</i>) and the Department of Social Policy of the Government of Navarre.
Key issues (concepts, interpretations) clarified by the case (max. 500 chars)	<p>The case identifies the questions in the integration test on the knowledge needed for clearly proving the appellants' involvement in the social reality in Spain.</p> <p>The Spanish High Court clarifies that the types of questions are based on anecdotal information and unawareness of this does not justify a lack of integration.</p> <p>The assessment of the appellant's integration must be undertaken on the basis of a sufficient understanding of the Spanish institutional system.</p>
Results (sanctions) and key consequences or implications of the case (max. 500 chars)	The Spanish High Court upheld the administrative-contentious appeal brought by the applicant against the Resolution of the Ministry of Justice and annulled the contested decision in so far as it is upheld, and the contested decision is annulled due to noncompliance with the Law. Thus, the court recognizes the appellant's right to obtain nationality and orders that the Public Administration pay the costs.
Key quotation in original language and translated into English with reference details (max. 500 chars)	<p>"(...) acertando algunas claramente indicadoras de una implicación en la realidad del país en el que se vive pues se acierta a responder al nombre del Presidente de la Comunidad Foral Navarra, a cuáles son las comunidades autónomas formadas por islas, al nombre del por entonces Presidente de las Cortes, al nombre del líder del PSOE, acerca de quién era Goya, quién era el dictador que gobernó España entre 1939 y 1975, cuál es el máximo órgano judicial español, cuales son los límites territoriales de España, la capital de España, platos típicos, periódicos....." (Fundamento de Derecho 3º)</p> <p>"(...) giving a clear indication of involvement in the reality of the country in which you live, responding correctly with the name of the President of the regional government of Navarre, correctly answering the question on the regions formed by islands, the name of the then President of the Government, the name of the leader of the Socialist Party (<i>Partido socialista obrero español (PSOE)</i>), responding correctly as to who Goya was, who the dictator who ruled Spain between 1939 and 1975 was, knowing the name of the highest Spanish judiciary institution, the boundaries of Spain, the capital of Spain, typical dishes, newspapers"(Point of Law 3º)</p>

Thematic area	Political rights at national level
Decision date	30 June 2014
Reference details	<p>Dossier: R – 47739 - 1/2011 (0)</p> <p>National Authority: Directorate General for Registers and Notaries of the Ministry of Justice</p> <p>Headquarter: Madrid</p> <p>Appeal Date: 26 July 2007</p>

	<p>Decision Date: 30 June 2014</p> <p>Reporting Legal Adviser: Mr. Javier Galpasoro García.</p> <p>Type of decision: Resolution</p> <p>Tags: Acquisition of nationality, assessment of the level of integration, good civic conduct</p>
<p>Key facts of the case (max. 500 chars)</p>	<p>This is an informal appeal brought against the Resolution of the DGRN of 26 July 2007 rejecting the application for citizenship on the grounds of residence.</p> <p>The refusal considers that the appellant –a Pakistani man- had not been able to justify “good civic conduct” because the appellant had been convicted of falsifying public documents and had been sentenced to four months’ imprisonment and to the payment of a fine (2 € per day for 4 months).</p>
<p>Main reasoning/argumentation (max. 500 chars)</p>	<p>It is clear that the applicant to Spanish nationality has behaved and proceeded as any average Spanish national would have done (Spanish Supreme Court judgment of 29 October 2011).</p> <p>Criminal proceedings have been initiated against an applicant to Spanish nationality are data that must be taken into account. However, these data are decisive in this respect in so far as they imply a serious lack of civility by the citizenship applicant. (Spanish Supreme Court judgments of 17 March and 26 May 2009 and 12 February 2010).</p> <p>Good citizenship is not only a matter of not committing any offence but is also based on minimum standards of respect and solidarity with respect to society (Spanish Supreme Court judgment of 18 June 2009).</p>
<p>Key issues (concepts, interpretations) clarified by the case (max. 500 chars)</p>	<p>The legal concept of “good civic conduct” has been clarified by the Resolution using the Spanish Supreme Court’s case law.</p>
<p>Results (sanctions) and key consequences or implications of the case (max. 500 chars)</p>	<p>Resolution of the Directorate General for Registers and Notaries of the Ministry of Justice of 30 June 2014 does not uphold granting of nationality to the applicant. Thus, the Resolution dismisses the informal appeal brought against the Resolution of the DGRN of 26 July 2007 and confirms on the points for decision appealed.</p>
<p>Key quotation in original language and translated into English with reference details (max. 500 chars)</p>	<p>“Las actuaciones penales, con o sin condena, que hayan podido seguirse contra quién solicita la nacionalidad española por residencia son datos a tener en cuenta, junto con otros que puedan resultar relevantes, para valorar la actitud desde el punto de vista del civismo. Por eso, la existencia o inexistencia de antecedentes penales no es decisiva: es posible que, aun habiendo sido ya cancelados los antecedentes penales, un hecho ilícito sea tan elocuente acerca de la falta de civismo del solicitante que pueda ser utilizado para tener por no satisfecho el requisito del artículo 22.4 del Código</p>

	<p>civil y, viceversa, cabe que determinados antecedentes penales todavía no cancelados resulten habida cuenta de su significado, insuficiente para formular un juicio negativo sobre el civismo del solicitante (...)." (Fundamento de Derecho 4º).</p> <p>"The criminal proceedings, with or without a conviction, which have been pursued against the applicant to Spanish nationality through residence are data to consider, along with others that may be relevant to assess the attitude from the point of view of citizenship. Therefore, the presence or absence of a criminal record is not decisive: it is possible that, despite the criminal record having already been cancelled, a wrongful act is so eloquent about the incivility of the applicant that it can be used to conclude that Article 22.4 of the Spanish Civil Code has not been satisfied and, conversely, certain criminal records not yet being canceled and depending on their significance, may not be enough to reach a negative judgment on the citizenship of the applicant (...)." (Point of Law 4º).</p>
--	--

Thematic area	Political rights at national level
Decision date	7 February 2015
Reference details	<p>Dossier: R – 1 7921 - 1/2010 (0)</p> <p>National Authority: Directorate General for Registers and Notaries of the Ministry of Justice</p> <p>Headquarter: Madrid</p> <p>Appeal Date: 23 May 2013</p> <p>Decision Date: 7 February 2015</p> <p>Reporting Legal Adviser: Mrs. Margarita Palos Nadal.</p> <p>Type of decision: Resolution</p> <p>Tags: Acquisition of nationality, good civic conduct, interpretation of "duty of justify".</p>
Key facts of the case (max. 500 chars)	<p>This is an informal appeal brought against the Resolution of the DGRN of 23 May 2013 rejecting the application for citizenship on the grounds of residence.</p> <p>The refusal considers that the appellant –a woman of Cuban nationality- had not submitted all the documents required for the examination of the nationality dossier as required in Instructions of the DGRN of 26 July 2007 and 2 October 2012. In particular, the passport was missing.</p> <p>In addition, the Resolution appealed considers the interested person had not been able to justified "good civic conduct" because the appellant had presented an expired criminal record.</p>

<p>Main reasoning/argumentation</p> <p>(max. 500 chars)</p>	<p>The valid passport is not a key element in applying for nationality on the basis of residence if the applicant can be identified by the authorization of residence, the work permit and birth certificate.</p> <p>Even though the criminal record presented by the Cuban authorities had expired, the good civic appellant behaviour is justified because there is no contradiction between the arguments and data provided by the person concerned and the information provided by the official bodies consulted.</p>
<p>Key issues (concepts, interpretations) clarified by the case</p> <p>(max. 500 chars)</p>	<p>The "good civic conduct" is an undefined legal concept in Spanish law. This Resolution found that the concept of "good civic conduct" should be assessed in an integrated way.</p> <p>Resolution also helps to define the term "duty of justify". The application procedure for requesting nationality shall be initiated <i>ex parte</i>. Thus, the requested documents (both from officer designated and the DGRN) should be justified by the person concerned. In this respect, the national authority has found that the applicant satisfactorily fulfills the requirements requested by using of additional documents in order to justify her own identity.</p> <p>The valid passport is not a key element in applying for nationality on the basis of residence if the applicant can be identified by the authorisation of residence, the work permit and birth certificate.</p>
<p>Results (sanctions) and key consequences or implications of the case</p> <p>(max. 500 chars)</p>	<p>The Resolution of the DGRN of 7 February 2015 upheld the informal appeal brought against the Resolution of the DGRN of 23 May 2013 and recognises the appellant's right to obtain nationality.</p>
<p>Key quotation in original language and translated into English with reference details</p> <p>(max. 500 chars)</p>	<p>"Para concretar el contenido del concepto jurídico "buena conducta cívica", sin determinación en el Ordenamiento Jurídico español, se ha de partir de la consideración de que ha de ser interpretado de manera amplia, con el fin de conseguir una aplicación estricta de la Ley, lo que comporta una valoración sobre los hechos, relaciones y actividades desarrolladas por el solicitante durante un largo periodo de tiempo, cuyo resultado positivo permita llegar a la conclusión de que su comportamiento, globalmente considerado, merece un juicio favorable por ajustarse a lo que en la sociedad española se considera cívicamente correcto". (Fundamento de Derecho 3º).</p> <p>"To specify the content of the legal concept of 'good citizenship' without determination in the Spanish legal system, it has to start from the consideration that it has to be interpreted broadly, in order to achieve a strict application of the law, which entails a review of the facts, the relationships and activities of the applicant over a long period of time, the positive result allows to conclude that their behaviour, globally considered, deserves a favourable judgment to conform to what the Spanish society is considered as civic conduct". (Point of Law 4º).</p>