



Spain

“Feeding in” and “Feeding out”, and Integrating Immigrants and Ethnic Minorities

A Study of National Policies

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*Disclaimer: This report does not necessarily reflect
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| | |
|--|-----------|
| Summary | 3 |
| 0. RECENT DEVELOPMENTS | 4 |
| 1. FEEDING IN AND FEEDING OUT ANALYSIS | 5 |
| 1.1 Feeding in analysis (governance and contents-related aspects of the NRP and SI/SP process) | 6 |
| 1.1.1 Stakeholders' involvement/consultation in the Lisbon National Reform Programme (NRP) | 6 |
| 1.1.2 Social Inclusion/Social Protection challenges | 7 |
| 1.2 Feeding out analysis (positive and negative impacts of the NRPs on social inclusion objectives) | 13 |
| 1.2.1 Employment issues..... | 13 |
| 1.2.2 Issues related to growth..... | 14 |
| 1.3 Analysis of integrated guidelines | 15 |
| | |
| 2. INTEGRATION OF IMMIGRANTS AND ETHNIC MINORITIES | 24 |
| 2.1 General Background..... | 27 |
| 2.2 Employment issues..... | 30 |
| 2.3 Education and training issues | 32 |
| 2.4 Housing and related issues..... | 35 |
| 2.5 Social services..... | 38 |
| 2.6 Target group issues | 38 |
| 2.7 Information, communication and culture issues | 39 |
| 2.8 Emigration | 41 |
| | |
| Annex 1 List of NGOs interviewed | 42 |
| | |
| Annex 2 Recent Bibliography on Immigration and Roma Population in Spain | 43 |

Summary¹

The present report consists of two different chapters with two very different aims. The first chapter aims to give an overview of the “feeding in” and “feeding out” of the SI/SP process in relation to the growth and employment objectives in Spain (National Reform Plans). The second chapter deals specifically with one of the four key issues identified as subject for deeper investigation in the 2005 and 2006 Joint Inclusion Report on Social Protection and Social Inclusion: integration of immigrants and ethnic minorities in Spain and responds to specific questions posed to the network of national experts.

The first section of chapter one (feeding in analysis) points out that the social inclusion stakeholders are not integrated into the consultation and participation structures of the NRP process, with the notable exception of the Ministry of Labour and Social Affairs (MTAS) in its labour market policy making role. Furthermore, in the case of Spain the NRP only explicitly mentions social cohesion with reference to equal opportunities between women and men in the area of employment (pg. 11) and makes another mention with respect to the transport strategy and water management among its objectives (p. 64) to enhance both territorial and social cohesion. In the same line, it is only in the area of employment where explicit mention is made of persons at risk or in situation of social exclusion, but the measures that are enumerated are not wholly consistent with the growth and jobs strategy objectives in that they only refer to protected employment measures rather than measures that will ultimately lead to the full integration of excluded persons into the open labour market. However, on closer inspection the NRP has a number of measures shared with the NAPincl although there is no explicit mention of the SI/SP process except for one passing remark and in other instances mention of some specific groups is made. There are important obstacles, not only in Spain, for a more meaningful interchange of views and mutual influence of the economic and the social inclusion stakeholders that could be enhanced by the application of existing research and practice on the issue.

As to the feeding out, the analysis points to the fact that high growth and high employment growth in Spain has not benefited all groups of the population in the same manner. High levels of fixed-term work (the highest in the EU) combined with also high proportions of working poor have been leaving out a sizeable proportion of working age citizens (mostly women and youth) out of the benefits of this growth. Those at risk or in situation of exclusion are even more negatively affected by these working conditions. The NRP does not make the link between improving working conditions, thus decreasing risk of poverty and social exclusion, and that productivity can be positively affected by such improvements. Although some instruments to reduce the cost of hiring certain groups of the population, those at risk or in a situation of social exclusion which do have specific measures are not mentioned. The NRP document does not identify a number of other measures that affect social cohesion. A more detailed discussion linking the NRP, the integrated guidelines and the SI/SP process is included in this report following specific issues set by the network coordination team (Section 1.3).

The second part of the report deals exclusively with a number of policy issues affecting immigrants and the Spanish Roma population. The Roma population in Spain represents at most 1.6% of the total population after having arrived approximately 600 years ago, while the immigrant population has grown 1 percentage point every year since 1996 and now reaches around 10% of the total population. While

¹ To prepare this report we have used the search engines for news in El País and El Mundo (the two major newspapers in Spain) as well as the on-line Communication Cabinets of the relevant ministries: Ministry of Labour and Social Affairs; Ministry of Housing, Ministry of Justice, Ministry of Health and Consumer Affairs, Ministry of Education, Culture and Sports and the Spanish Parliament. The web pages of the CC.AA. were also consulted and regional newspapers. Additional sources are duly referenced. A number of interviews were also carried out with NGOs catering to immigrants and ethnic minorities as well as immigrants' NGOs (see Annex 1).

the Roma population continues to present a strong exclusion picture, the immigrant population cannot be classified in its entirety as being at risk or in situation of social exclusion, given its great variety in Spain. In the latter case there are some characteristics by nationality, age and sex that paint a more nuanced picture of the situation. The chapter aims to give an idea of the main policy responses of the Spanish administration at different levels, although this brief report in no way aims to cover all aspects, but bases itself on existing research and available data to answer specific questions posed by the Expert Network Coordination team more related to policy and to specific situations.

0. Recent developments

Since our report in September there have been new developments in the economic and social context which we summarize in the economic area and in the social area:

Economic context:

The 2007 Budget was presented to Parliament and was approved with the support of the nationalist parties from Catalonia (CiU) and Basque Country (PNV) and the opposition of all other parties. The government has hailed the budget as a "social" budget in that more than half of the expenditure (50.5%) is being devoted to social expenditures (Social Security representing 47.5% of total expenditures and the budget of the MTAS representing 3%). The percentage increase in Social Security from 2006 has been calculated at 9.2% where the bulk of the increase is due to the increase of minimum pensions. The increase in the MTAS budget, mostly active labour market policies, is calculated at 11.4%. However, according to the latest available statistics on social expenditure as a percentage of GDP in 2005 (preliminary data) remains at around 19,5%, much lower than the EU averages².

Another important development in the economic arena is the on-going takeover from E.on (a German Energy company) over Endesa (Spanish energy company). Spain has not fully accepted the terms from the EC on this matter as it has not announced retracting from a Royal Decree 4/2006 which changed the competencies of the national energy commission (CNE) and allowed it to impose conditions upon the takeover. The government has been heavily criticized for this and it risks that the EC might declare this decree illegal.

The Spanish stock market has reached a new historic record as its main index (IBEX) reached 14.000 points during November. It is interesting to note that the wealth of families has increased notably due to this effect (estimated at 20% on average over the past 9 months) at the same time that house prices have begun to ease (but still high at 9.98% growth). However, as the Bank of Spain points out, savings continue to diminish, as consumption remains higher than disposable income³. Furthermore, there are a number of changes in the fiscal law that will tax the gains from the sale of many of these assets purchased before 31 December 1994 whereas up until now they were exempt.

² Anuario de Estadísticas Laborales y de Asuntos Sociales.

http://www.mtas.es/estadisticas/anuario2005/CPS/cps13_top_EXCEL.htm.

³ "Informe Trimestral de la Economía Española", Bank of Spain 2006 available at <http://www.bde.es/informes/be/boleco/oct2006/coy.pdf>.

Social context:

The possible negotiations with ETA have been under increasing pressure from the main opposition party (PP) as street violence has broken out once more in the Basque Country and in Navarra. The judicial processes against terrorists have continued and the government claims that it will not be blackmailed into interfering with these processes at the same time that it demands that the terrorists disarm. Reports from French police point to the possible reactivation of ETA as stolen arms and cars have been reported as well as other reports of the continued blackmail of Basque businesspeople to pay the "revolutionary tax". The opposition party continues to blame the government for playing into the hands of the terrorists and demands that the law on illegal political parties (which in fact made the political arm of ETA, Batasuna, illegal) be respected. In fact this law is being applied by judges who have accused several people of having meetings with Batasuna. In addition, the possible link of ETA with the terrorists of the March 11 bombings has been constantly in the news as the judicial investigations continue.

After a long summer with the incessant arrival of sub-Saharan and North African immigrants on Spanish coasts the government made extra efforts in returning a significant proportions of the immigrants home and has begun to put into place some mechanisms for managing the flows from origin countries including making the possibility available to the returned immigrants of obtaining a legal working and resident permit in Spain if work is available for them. It has also re-inforced the diplomatic ties to these countries and is exploring further bi-lateral cooperation aid to address the causes of emigration in the origin countries. In particular helping the governments of origin countries fight the organised trafficking of persons but also trying to address employment opportunities.

An increasing number of urban planning corruption scandals have appeared at the same time that youth protests over the access to affordable housing have re-appeared. The effects of the housing plan by the Ministry of Housing have not had immediate results and, as included in the NRP, several measures in this area will begin to be carried out, including changing the Law on the use of Land. The issue of local level financing has not been announced by government and, in our view, it is an essential part of both problems (lack of affordable housing and a large part of the explanation behind the corruption scandals). It is also interesting to note that in some cases protected natural areas are being destroyed, which comes into direct conflict with the idea of sustainable development, not to mention that the new housing is out of the reach of those with the lowest salaries.

1. Feeding in and feeding out analysis

The NRP process in Spain has achieved a good degree of transparency through the inclusion of a dedicated web-page in which the most relevant information can be found on the process including the governance mechanisms, the reports and indicators of the process⁴. It would be also of great interest to the public if the reaction documents (at least the links to the corresponding web-pages) by the social partners and other stakeholders would be included as well as the details of the mechanisms of consultation. Furthermore, it would also be good if there was a link to the NRP process in the Ministry of Labour and Social Affairs Ministry (MTAS) as this ministry has included the main documents of the NRP on its web page.

⁴ <http://www.la-moncloa.es/PROGRAMAS/PNR/default.htm?idioma=es-ES>

1.1 Feeding in analysis (governance and contents-related aspects of the NRP and SI/SP process)

1.1.1 Stakeholders' involvement/consultation in the Lisbon National Reform Programme (NRP)

There are two types of stakeholders to be mentioned in the context of the preparation and monitoring of the NRP in Spain: Central, Regional and Local Public Administrations (including ministries and/or departments relevant to social inclusion) and **social partners**. Social inclusion stakeholders in general (social service providers, NGOs, civil society, etc.) are not included nor consulted with the notable exception of the MTAS albeit in its labour market policy making functions mainly. Although social partners are not usually included as relevant social inclusion stakeholders, the emphasis on employment by the Lisbon Strategy cannot leave these stakeholders out from an integrated and holistic strategy. The recent Agreement for an Improved Growth and Employment in fact included explicitly persons with specific difficulties to access the labour market and a series of training and accompaniment measures as well as fiscal incentives for employers to hire these groups. The official comments by the Economic and Social Council (CES)⁵, which includes social partners but also a host of other interest groups, has also repeatedly underlined the importance of including the social partners in the social inclusion process in connection with the access by all to the labour market.

Although there is an explicit mention of social exclusion under the labour market and social dialogue pillar (Pillar 6), there are a number of other measures that have direct relation to the objectives and measures included in the NAP inclusion and the Strategies on SI/SP. These are described in detail in the following section. Even so, social inclusion stakeholders are at the moment excluded from direct participation in the NRP process and can be said to only affect NRP measures indirectly at best with the notable exception of the MTAS.

On the other hand, the participation and/or involvement of the other stakeholders has been gradually improved with regard to the NRP⁶, and the NRP documentation accepts the possibility of continuing to re-shape and enlarge participation in order to improve governance and accountability of the process. The possibility of including a Regional Lisbon Strategy Coordinator who would supervise all initiatives related to the Lisbon Strategy in each Autonomous Community (CC.AA.), given the various competencies which are exclusive of these entities, is a particularly important change that could be introduced over the next months. It is mentioned that this could in fact lead to the possibility of promoting **regional reform strategies**.

However, as far as the participation of social inclusion stakeholders in the NRP process is concerned, in our view, there is an essential difficulty beyond the fact that at the moment they are not explicitly integrated in the present participation structures. This has to do, on one hand, with the full understanding by these stakeholders of how the more general reforms included in the NRP can and do affect the beneficiaries of their services and activities and, on the other hand, with the full comprehension of the NRP stakeholders, in particular the Ministry of Finance but also the other ministries involved, of how the rest of the policies and measures affect poverty and social exclusion

⁵ For the last CES opinion on the NAPincl see <http://www.ces.es/informes.jsp?last=S>.

⁶ The reaction reports by the main social partner institutions on the Progress Report all mention that their involvement has been strengthened through the implementation of a Consultative Protocol (Protocolo de Consulta) on the suggestion by the social partners.

more widely. This is indeed not only an issue affecting Spain, but also the rest of the EU MS and the entire Lisbon Strategy⁷.

More specifically in the case of Spain, the strengthening of the links between social services and employment services needs to continue not only at the level of sharing information on beneficiaries, but also on building joint strategies to improve access to services, reduce dependence on benefits and strengthen permanence in the labour market⁸. This means involving the social partners and making clear how improved working conditions (better pay and permanence) and a stronger tie to paid work (reducing dependency on social benefits) will lead to improved productivity in addition to other investments needed to achieve this goal⁹. The strengthening of social protection and long term care finance is also affected by these fundamental links. The recognition of unpaid care work, mostly by women, in the area of long-term care is another area that links the NRP reforms to the SI/SP strategies. The Spanish NRP explicitly recognizes the reduction of fixed-term unemployment as an area where the introduction of gender mainstreaming and the promotion of equal opportunities between women and men is a means through which productivity and employment can be increased without prejudice to social cohesion¹⁰. However, the principle of equal opportunities in a wider sense is not considered in the NRP in a consistent manner.

1.1.2 Social Inclusion/Social Protection challenges

The NRP explicitly recognises social inclusion objectives in the areas of Pillar Six (Labour Market and Social Dialogue), but in fact there are measures in many other Pillars that are directly or indirectly linked to the SI/SP strategies and the specific and quantified objectives contained therein. In the table below these are summarised and also linked to the Integrated Guidelines and the NAP inclusion measures. The table that the MS were asked to fill out linking SI/SP objectives to NRP policy measures is not included in any of the documents we have revised (see Table in Annex 3). The table presented here is actually a variation of the tables that are presented in the NRP that set out a clear correspondence with the Integrated Guidelines for Growth and Jobs and the different measures in the Pillars that make up the NRP. The link to the SI/SP process was therefore more straightforward.

⁷ The recent statement by the EAPN is a case in point: While it calls for economic policies to work for social inclusion without being explicit in how this can be done, adequate minimum incomes are advocated for while criticising the focus on employment. "Give the fight against poverty the political drive it deserves" EAPN statement on the occasion of the 5th European Round Table on Poverty and Social Exclusion, Tampere, 16-17 October, 2006.

⁸ This also has to do with the revision of commonly accepted paradigms about the relation of the labour market to the wider macroeconomic performance, in particular inflation. The NAIRU (non accelerating inflation rate of unemployment) does not accommodate for the realities of structural unemployment (in Spain being mainly composed of women, youth and excluded persons) and increasing numbers of immigrants who do find jobs albeit with very high insecurity (or high flexibility, as some would argue). Indeed, many of the jobs carried out by immigrants, especially women immigrants are allowing native women to maintain their link to employment without any social security and questionable working conditions. A recent paper by the Bank of Spain that challenges or at least cautions against interpreting the fall of unemployment as a fall of structural employment in Spain and the NAIRU actually mentions the influx of immigrants as one of the causes reducing labour market rigidities as well as women's higher participation but also points to the fact that there remain very wide gaps in regional unemployment rates. This paper can be found at <http://www.bde.es/informes/be/boleco/sep2006/art4.pdf> "Actualización de las estimaciones de la tasa de desempleo estructural de la economía española", Boletín Económica, Septiembre 2006. pp.57-62 written by Mario Izquierdo y Ana V. Regil, Dirección General del Servicio de Estudios

⁹ There are notable specific cases where protected employment can be a bridge to regular employment or it can become a source of permanent employment for those facing severe difficulties. In Spain there are two distinct cases: Special Employment Centres for disabled persons and insertion firms. The latter has now its own legislation in most CCAA but a national piece of legislation is also expected. These firms include all other groups not covered by the initiatives affecting disabled persons.

¹⁰ There are improvements possible in both the diagnosis and the formulation of policies in this particular area as we already indicated in our assessment report.

As to the recognition to the SI/SP challenges, the NRP and the NRP progress report recognises the ageing of the population albeit tempered somewhat by the immigration boom, the low achievement of Spanish pupils according to the PISA (OECD) report, high housing costs and high indebtedness of households (although more vulnerable groups are not identified nor homelessness mentioned) as some of the key challenges faced which are directly related to challenges in the SI/SP strategies. As shown in the table below, the only explicit recognition of measures for socially excluded citizens are in the area of employment.

These challenges are in fact recognised fully in the NPR and, as the table below shows there is consistency with the SI/SP reports but only in an implicit manner. There is in fact no mention in the NRP or in the NRP progress report other than the fact that an SI/SP strategy report has been sent to Brussels and that it has been prepared in parallel to the NRP.

SPAIN

| Correspondence between the Integrated 2005-2006 Guidelines, the pillars and measures in the NRP and the SI/SP objectives and measures (CONTD). | | | |
|--|--|--|--|
| Pillars and associated Integrated Guidelines | NRP measures Relevant to social cohesion and SI/SP objectives, targets and measures | SI/SP objectives and/or targets | Indicators and observations |
| <p>3: Increased and enhanced human capital</p> <ul style="list-style-type: none"> • 22 To expand and improve investment in human capital. (EMP) • 23 To adapt education and training systems in response to new competence requirements. (EMP) | <ul style="list-style-type: none"> • ALL Measures, measure ten in particular: • In tenth place, the education system must allow the entire population to obtain post-compulsory secondary training or its equivalent. To guarantee universal and permanent access to education, flexible learning possibilities will be introduced, making it possible to acquire basic skills and, where applicable, the related qualifications for young people and adults who are unqualified when they leave the education system. | <ul style="list-style-type: none"> •To achieve an educational system based on equity. •To support the social integration of immigrants. •Reduce early school leaving to 20% in 2008 and 15% in 2010 •Guaranteed free education in the second cycle and the schooling of 100% of children aged 3 to 6, by 2010 •To raise suitability rates in primary education to above 95% at the end of this phase. | <p>All education indicators in the NAPincl (European and domestic) in particular rates of adequacy. There must be a separation in the statistics of public school and publicly funded private schools in this area and in the school failure rates.</p> <p>The measures in the NRP and NAPincl that increase places for young children are also linked to improving reconciliation of work, personal and family life.</p> <p>Although immigrant children are explicitly mentioned, Roma children are left out from integration activities, which are still needed.</p> |
| <p>4. The R&D and Innovation Strategy (INGENIO 2010)</p> <ul style="list-style-type: none"> • 12 To increase and improve investment in R&D. (MIC) • 13 To facilitate innovation and the take up of ICT. (MIC) | <ul style="list-style-type: none"> • NO measures addressing access by specific groups of the population to ICTs, but rather the use of programmes and plans, such as AVANZA to promote the use of ICTs by all institutions and individual citizens. | <p>NO specific objectives, but the NAPincl includes a number of measures promoting access to ICTs and mentions the Plan AVANZA as one of the instruments to achieve this as well as specific programmes with NGOs promoting access by socially excluded groups.</p> | <p>Percentage of homes with internet connection. Here some other indicators could include:</p> <ul style="list-style-type: none"> • Percentage of homes with internet connection by income bracket •Access of public schools and publicly funded private schools • Number of NGO projects and direct beneficiaries of ICT related projects |

| Correspondence between the Integrated 2005-2006 Guidelines, the pillars and measures in the NRP and the SI/SP objectives and measures (CONTD). | | | |
|--|--|---|---|
| Pillars and associated Integrated Guidelines | NRP measures Relevant to social cohesion and SI/SP objectives, targets and measures | SI/SP objectives and/or targets | Indicators and observations |
| <p>5. Increased competition, better regulation and Efficiency of the Public Administration and Competitiveness</p> <ul style="list-style-type: none"> • 1 To secure Economic stability (MAC) • 2. To safeguard economic sustainability (MAC) | <ul style="list-style-type: none"> • To improve the administrative authorisation system for opening commercial establishments • Very strict application of penalties for breaches or rules on maximum weights, driving times or irregular hiring of employees • Enhanced protection of home-buyers to prevent abusive practices such as the imposition of unauthorised penalties or transfer of seller costs • Improvement of the coordination with the Autonomous Communities to guarantee the most efficient functioning of the internal market of regular services for road transport of passengers. • Preparation of a corporate governance code for the companies, recasting those in existence, and incorporating the European Commission recommendations. • To facilitate citizens' access to housing, and to achieve more efficient land-use. | <p>No explicit targets or objectives, except in the area of housing, but there are a number of measures in the NAPincl that are enhanced by these set of selected measures</p> <p>Housing objective:</p> <ul style="list-style-type: none"> • To facilitate citizens' access to housing, and to achieve more efficient land-use. <p>Measures</p> <ul style="list-style-type: none"> • The start-up of the Public company SPA. • Modification of the tax regime and elimination of regulatory obstacles for companies professionally dedicated to home rental. • An increase in the number of government homes for rental, and aid especially directed to facilitate access to housing by young people and other disadvantaged groups. • Promotion of the rehabilitation of historic buildings and city centres. • Reform of the Land Act, to expedite effective land-use and contribute in more sustainable form to the social, economic and environmental facets of urban development. • A Technical Construction Code incorporating the EU provisions on the energy performance of buildings. • Improvement of the home-buyers protection, to avoid abusive practices like the imposition of unauthorised penalties or the transfer of charges which must be met by the seller. | <p>These measures are more indirect, but they have an impact on reducing speculative activities that raise housing prices, reducing undeclared work and changing time-use in favour of reconciliation of work, personal and family life.</p> <p>Increasing efficiency in the efforts to reduce poverty and social exclusion through, but not exclusively, the access to employment better coordination and information sharing measures included in the NAP also come into play.</p> <p>The planned Corporate Governance Code should include in hiring and retention of socially excluded groups into regular open market jobs as well as application of good working conditions.</p> |

| Correspondence between the Integrated 2005-2006 Guidelines, the pillars and measures in the NRP and the SI/SP objectives and measures (CONTD). | | | |
|--|---|--|---|
| Pillars and associated Integrated Guidelines | NRP measures Relevant to social cohesion and SI/SP objectives, targets and measures | SI/SP objectives and/or targets | Indicators and observations |
| <p>Pillar 6. Labour Market and Social Dialogue</p> <ul style="list-style-type: none"> • 16 To implement employment policies aimed at achieving full employment, improving quality and productivity at work, and strengthening social and territorial cohesion. (EMP) • 17 To promote a lifecycle approach to work. (EMP) • 18 To ensure inclusive labour markets for job-seekers and disadvantaged people. (EMP) • 19 To improve matching of labour market needs. (EMP) • 20 To promote flexibility combined with employment security and reduce labour market segmentation. (EMP) • 21 To ensure employment-friendly wage and other labour cost developments. (EMP) | <p>6. Measures to enhance the integration of the disabled and other persons or groups in situations or at risk of social exclusion into the job market</p> <ul style="list-style-type: none"> • Regulation of supported employment as a means to fomenting employment of the disabled with special difficulties of access to the ordinary labour market. • Creation of specialised multi-professional teams, for the labour integration of the disabled (development of the integrated labour methodology ESTRELLA-MTAS by the Ministry of Labour and Social Affairs). • Design of job-insertion itineraries which take account of the specific requirements of disabled women as a consequence of their higher unemployment rates. • Monitoring and control by the labour inspectorate of compliance with the job reserve quota. • Promotion of the legal regulation of Insertion Enterprises. • Creation of Integrated Employment Centres for those in situations or at risk of social exclusion. • Upgrading in the amount of aid for the creation of Special Employment Centres. | <ul style="list-style-type: none"> • To promote access to employment: promoting participation in the labour market and fighting poverty and social exclusion • Increase the employment rate to 66% by 2010: • Increase the female employment rate from 48% to 57% • Reduce the rate of youth unemployment to 18.6% • Introduce incentives (under the Law governing comprehensive measures against gender violence) such as lower employers' social security contributions for contracts replacing women who have been victims of gender violence, and a specific programme for job placement. | <p>All indicators related to employment.</p> <p>Many measures in the NRP in this pillar are related to other important issues in the SI/SP process such as reconciliation of work, personal and family life, modernisation of welfare systems, improvement in the Employment services, development of the law on dependency, management of migratory flows, reduction of unemployment, promotion of self-employment, and improving health and safety at work. Although support for collective bargaining has more indirect effects, we emphasise the importance of social partners in the access and retention of citizens at risk or in situation of social exclusion. However, there are no explicit links to the measures already included in the NAPIncl.</p> |
| <p>7. The entrepreneurship programme</p> <ul style="list-style-type: none"> • 9 To create a more attractive business environment. (MIC) • 10 To promote a more entrepreneurial culture and create a supportive environment for SMEs. (MIC) | <ul style="list-style-type: none"> • Legal-administrative measures (measures to reduce red-tape and enhance the creation of firms) • Enhancement of ICO microcredit line (loans to 25,000 euros). These credits are attractive to small entrepreneurs, since they are not required to offer guarantees and there is positive discrimination in favour of some groups (youth, women, unemployed persons and immigrants). With this new approach, savings banks have already undertaken to create a unit to validate, back up and monitor the projects outside the commercial network, also operating as active tutorials, enhancing the initiative's value. This action might be extended to other financial institutions. • <i>Bonuses on social security contributions for jobs created in companies set up by young people and women.</i> • Reinforcement of the capitalisation measure for the one off payment unemployment benefit, so that it can also be capitalised for temporary workers in cooperatives and labour firms who are to join as employee partners, provided that their job relation with such companies has not lasted more than 24 months. | <ul style="list-style-type: none"> • To promote access to employment: promoting participation in the labour market and fighting poverty and social exclusion. • To support the social integration of immigrants. | <p>All indicators related to employment.</p> <p>Although the NAPIncl does not include any measures promoting or supporting entrepreneurship among citizens at risk or situation of social exclusion, these measures could actually enhance the currently available instruments, which are more linked to protected and supported employment.</p> |

1.2 Feeding out analysis (positive and negative impacts of the NRPs on social inclusion objectives)

From the table above it is relatively simple to spell-out what the positive and negative aspects are in general. While we have identified a number of measures that are linked to SI/SP and NAPincl objectives and measures there are only seven specific measures in the area of employment strictly for disabled persons or for persons in situation or at risk of suffering exclusion **from the labour market**. This means that issues affecting excluded persons are not reflected explicitly in the NRP in the other pillars and can therefore reduce the impact of targeted measures. In other words, what is not planned for or acknowledged hardly has a chance of having the desired impact nor can it be monitored. However there are some common measures shared by the SI/SP and the NRP that can in principle overcome this obstacle.

1.2.1 Employment issues

As we have pointed out in previous reports, the low employment rates, high fixed term employment contracts and the uneven distribution of employment among different groups of the population also influence and sometimes aggravate the specific problems that groups identified as socially excluded have with respect to access to employment. Although the measures in the Agreement for Improved Growth and Employment will take sometime to be effective (especially those aimed at reducing temporary employment), the link in the NRP has not been made in the area of modernisation of firms in Spain and higher productivity: again, better working conditions and reduced turnover can only lead to higher productivity through the improvement of workplace environment, higher employee commitment and reducing costs of re-training and on-the job learning.

On the other hand, the regularisation of illegal **working** immigrants has allowed employers to legalise the situation for foreign workers, increased the social security figures, and increased the social protection for this group in general. However, as will be analysed below, we cannot say that all immigrants are socially excluded in general, but that there are specific groups and/or situations that induce a much higher risk to become excluded (even those that have obtained a legal status) and that measures in the areas of housing, education and health affect them directly and can greatly reduce this risk.

As we already pointed out most of the measures in the NRP that deal directly with employment of excluded citizens deal with disabled persons (4 out of 7 measures). It must be said that the NGOs representing these persons have the longest experience in advocating for their rights and also represent the most potent and effective employment generation initiatives, albeit mostly through protected employment. The rest of the measures deal with all other groups and, unfortunately, only mention protected employment measures, not measures to strengthen transition into the open labour market.

As to the extent to which the combination of wages, tax-exemptions and in-work and family benefits ensures that people moving into employment are also moving out of poverty **and/or** social exclusion, there is no explicit mention in the NRP with respect to socially excluded groups, although this is integrated in the NAPincl and is part of the recent labour market measures under the Agreement for Improved Growth and Employment. However, in order for these to be successful in increasing access and retention in the labour market for those at risk or in situation of social exclusion our emphasis in previous reports in making links and strengthening cooperation between the employment and social services is of the utmost importance. The instruments to achieve this (such as sharing database information) have been included in the NAPincl and should be given careful attention for successful implementation. Given the decentralisation of these services, sharing of good practice among the CCAA

is yet another area that can be strengthened. Cross training among the professionals must also be included for public administration workers (NGOs have already models and methodologies, as we have already mentioned in our previous reports). On the one hand minimum income schemes (Active integration rent, RAI, and Minimum insertion income, RMI) and/or the subsidies/exemptions from social security payments should include the “itinerary” concept to ensure that the measures strengthening personal and some work abilities (including completing basic schooling and mainly coordinated by social services) are linked to the employment programmes. None of these issues are dealt with, of course, in the NRP and only to some extent in the SI/SP. The reasons for this can be threefold: first, while the disability groups have received much attention in terms of studies on their labour market situation and the reasons impeding them from full social inclusion, the rest of the groups have received much less attention¹¹; second, the expenditure on this is still relatively small in Spain and covers slightly under 200.000 persons (both RMI and RAI compared to close to 2.3 million disabled persons) and in total some 1 billion euros, mostly in services delivered through the NGO sector (72%), and representing 0.17% of GDP and 0.64% of all ESSPROS calculated social expenditure; and thirdly, that the tax-exemptions are not always linked (in the case of disabled persons sometimes they are) to supported employment measures or monitoring that can ensure full integration into the regular labour market.

With respect to the recent Agreement for Improved Growth and Employment that we have already mentioned before, the measures for re-conversion of fixed term into permanent employment contracts explicitly include “workers in situation of social exclusion” in addition to disabled persons, women, youth (16-30), LTU, unemployed older than 45, and victims of gender based violence. Therefore there is a great potential effect of the reforms specifically upon these groups, but, as we have already analysed above and more in depth in our previous reports, there are several coordination, cooperation and information challenges in order for these groups to access and maintain a link to the labour market. These challenges are being met in different degrees by specific measures in the NAPIncl.

1.2.2 Issues related to growth

As we stated above, the NRP does not identify as such a number of measures that do in fact have an effect on social cohesion, in other words, the document lists them, but they are not explicitly identified in their impact on social cohesion. As we have already mentioned above, the only mention to social cohesion is in the area of equality between women and men and restricted to labour market issues and transport and water management. As we have shown in the table above there are a number of measures that more widely affect social cohesion and in particular social inclusion and the improvement and modernisation of social protection. In the following section the links to the specific integrated guidelines suggested by the expert network coordination team answer to a great extent the way in which measures in other areas (macroeconomic, infrastructure, taxing policies and R&D) can also have an impact on enhancing the access and permanence in the labour market, in reducing poverty and improving social inclusion in addition to those identified in the table above.

However, we also repeat analysis from previous reports that show that economic growth, and indeed improved overall labour market statistics, has not been having a positive impact in solving some of the problems for specific groups, which can be considered of a more structural nature and for which specific policies are being implemented¹² but that will take some time to take effect.

¹¹ We have mentioned in previous reports how the diagnosis in the NAPIncl, although using data of high quality and reflecting a high quality descriptive analysis does not make use of studies that are available on the situation of different excluded groups and thus the knowledge base, although scarce, is not being used to shape policies. Also, many of the NGOs serving these less visible groups are not part of mainstream or more “official” NGOs that have access to resources through the 0.52% IRPF (income tax funded) call for projects.

¹² Paradoxically, one of the main drivers in growth over the past recent years in Spain has been the construction sector, especially construction of private housing, but the astronomical prices combined with higher unemployment, low salaries

1.3 Analysis of integrated guidelines

In addition to the table analysis of the correspondences with a number of guidelines we respond to the questions that have been explicitly formulated by the expert network coordination team. However, we do wish to highlight that the macroeconomic area guidelines are also extremely relevant to the strategy on poverty reduction and social inclusion as we aimed to show in the table above and we expand in the analysis below as relevant.

GL 14: To create a more competitive business environment and encourage private initiative through better regulation

- Is there any sign in the NRP of an awareness of corporate social responsibility (CSR) of business? What measures are proposed?

There is in fact only one mention of CSR in the NRP in the context of the fact that there are several initiatives beginning to explore this issue in Spain. There is a private business association that we have already mentioned in previous reports and also research and educational initiatives¹³. The major companies and banks in Spain, especially those with international visibility all claim to have programmes for this. In 2005 there has also been the creation of an expert forum fostered by the MTAS to which both civil society representatives and members of the public and central public administration representatives from various ministries are involved¹⁴. However, it is notable that there are no members from the NGO council or from the Social Inclusion General Directorate at the MTAS.

It must also be said that large corporations see SCR in Spain almost exclusively at the moment as activities in the area of the environment, in the area of international cooperation, or support to national social outreach NGOs. Outside the employment generation for specific groups by the NGOs representing these groups through insertion firms (Empresas de Inserción), there are only a few corporate initiatives that can be counted as generating employment opportunities to specific groups suffering some degree of exclusion or discrimination in the open labour market¹⁵. Improving working conditions, which is also

and high fixed term employment rates prevent young people in particular, but also the new immigrant population, to have access to this basic right. Those who have been able to access banks for a loan are increasingly at risk of being unable to make payments on their housing as interest rates soar and the proportion of their income on this expenditure becomes higher and higher (please see our previous reports for a more in-depth analysis of this situation) and their savings and also expenditure on other basic items is done through consumer credit. As we also had already mentioned in previous reports there is also a link here to the present situation of local level financing. The present system has actually presented incentives to local level governments to enter the speculative cycle, sometimes with negative consequences on governance (several corruption scandals have now appeared). Neither the NRP nor the NAPIncl present analysis linking all of these issues. The NRP has many measures that could help to solve these problems (housing for youth and lower income families, etc.), but does not explicitly identify specific population groups as at-risk of poverty and social exclusion. This in itself is to be expected given the focus of the NRP process, but it does drive a wedge between the SI/SP process and the NRP process. Here we refer to our opinion above about the lack of understanding at many levels among the stakeholders of each of the processes.

¹³ <http://www.empresaysociedad.org/feys/es> and <http://www.grupcies.com/Html/> correspondingly.

¹⁴ All information found at <http://empleo.mtas.es/empleo/economia-soc/RespoSocEmpresas/indiceRespo.html>.

¹⁵ For example the initiative by the Women's Institute in collaboration with the CCAA Women's Institutes that provide regular jobs for women who have suffered gender based violence <http://www.mtas.es/mujer/programas/empleo/victimas.html> as well as for a wider group of women who are in other situations of social exclusion <http://www.mtas.es/mujer/programas/empleo/clara.html>. However, some of the participating firms have been identified in the press as offering weak working conditions and in actually breaching the labour law, in particular for immigrant women.

linked to increasing the chances of access and permanence in the labour market of excluded groups, are seen as issues to be dealt with by social partners in the context of the Agreement for Improved Growth and Employment. The SCR expert group in the MTAS does not have any representation of social partners either.

GL 17: implement employment policies aiming at achieving full employment, improving quality and productivity at work and strengthening social and territorial cohesion

- What is the attention given to social cohesion in terms of balance among the three overarching objectives?

As we already mentioned above, the only two mentions of social cohesion in the NRP document is made with respect to mainstreaming gender in the labour market policy area (namely reduction of temporary employment, p.11) and there is one other mention in the context of improving infrastructure and water management (p.60). However, as the table above shows, there is scope to make the NRP much more explicitly coherent with social cohesion. In a way, because the overarching objective that deals with cohesion and an inclusive labour market only focuses on the labour market the focus of the separate processes (NRP and SI/SP) have an inherent separation and also lack in the actual application of existing research and practice¹⁶ that actually links the two and presents clearly the positive and negative aspects, or the limits to which both processes influence each other. The NRP as a strategic document focuses more on the economy, its efficiency and an orthodox view of economic growth. The NAPincl deals with those citizens for which the opportunities of this approach have not materialised, although this is not stated explicitly nor implicitly.

Furthermore, some specific challenges as far as regional cohesion is concerned remain. There are wide gaps among CCAA in Spain, which are not in fact acknowledged in the NRP. In the following table the differences in employment and unemployment rates can be observed as well as the differences between women and men. The CCAA appear in the order of highest employment rate for men which in the whole also correspond to the same order for women. Although male employment rates for those CCAA with employment rates above the Spanish average coincide with lower average unemployment rates this is not always true in the case of women (Specifically in the cases of Canarias and Castilla-La Mancha). However in all of these CCAA with higher employment and lower unemployment than the average the gap between women and men is much lower than in the rest of the CCAA.

¹⁶ Just to name two are the paper by Jill Rubery et al (1999) on equality as a factor of production http://ec.europa.eu/employment_social/employment_analysis/gender/equal_opps_as_prod_fact.pdf or the recent conference on gender responsive budgeting as it has been used by Nordic Finance Ministers with methodologies on the budget that can also be applied to specific groups or adapted to deal with pro-poor budgeting.

| Labour market indicators by region and sex | | | | |
|--|------------------|--------------------|------------------|--------------------|
| | Employment rates | Unemployment rates | Employment rates | Unemployment rates |
| | MEN | | WOMEN | |
| TOTAL | 64,69 | 6,36 | 42,41 | 11,53 |
| Baleares (Illes) | 71,01 | 5,2 | 52,02 | 8,51 |
| Madrid (Comunidad de) | 69,12 | 5,26 | 49,99 | 9,09 |
| Cataluña | 68,34 | 5,1 | 48,28 | 8,29 |
| Murcia (Región de) | 67,17 | 6,06 | 42,31 | 10,74 |
| Navarra (Comunidad foral de) | 66,52 | 5,07 | 47,41 | 6,22 |
| Comunidad Valenciana | 66,28 | 5,88 | 43,76 | 10,53 |
| Rioja (La) | 66,12 | 5,22 | 45,34 | 7,35 |
| Aragón | 65,53 | 4,03 | 41,49 | 8,26 |
| Canarias | 65,31 | 9,04 | 43,06 | 14,73 |
| Castilla - La Mancha | 65,3 | 5,44 | 34,53 | 14,93 |
| Melilla | 63,85 | 10,08 | 25,98 | 23,22 |
| País Vasco | 63,78 | 5,84 | 44,61 | 8,75 |
| Cantabria | 62,82 | 3,96 | 40,36 | 10,42 |
| Andalucía | 61,38 | 9,26 | 35,55 | 17,81 |
| Castilla y León | 60,5 | 5,3 | 36,79 | 12,86 |
| Galicia | 58,27 | 6,03 | 39,78 | 11,83 |
| Asturias (Principado de) | 57,35 | 5,96 | 35,63 | 11,03 |
| Extremadura | 57,31 | 10,44 | 31,68 | 18,88 |
| Ceuta | 53,55 | 17,23 | 28,04 | 31,92 |

Source: LFS (EPA), INE, 2nd quarter 2006

- Are there specific targets set that are relevant for SI/SP?

See the table and analysis above.

GL 18 Promoting a lifecycle approach to work

⇒ GL 2 To safeguard economic and fiscal sustainability as a basis for increased employment

- How clear and consistent is the cross-reference to the SI/SP process, if any?

The analysis of the NRP does not make any cross reference explicitly to the SI/SP process with the exception of the seven measures mainly dealing with protected and supported employment (see table for details), that do not deal in any way or form with transition into open labour market of hard to place groups. In this sense the cross-reference is not clear, nor consistent. The measures that are explicitly linked in the NRP to this guideline are the measures to increase youth employment, employment of women, measures for reconciliation of work and family life, measure deriving from the new law on dependency and those that deal with the modernisation of the social protection system (namely prolonging working life beyond retirement age, training for LTU and programmes for those receiving RAI). Likewise, many of the measures for education and housing are directly linked to the NAPincl and some others are also highly relevant for life-long learning and training of excluded groups. Although the health sector is not analysed on its own, the NRP mentions some instruments that will also affect access and increase efficiency for those who are excluded.

- Are measures to promote modern social protection systems, including pensions and healthcare, sufficient to meet challenges identified in the SI/SP process? Are these measures consistent with the SI/SP National Strategy Reports?

Pensions are mentioned and dealt with in the NRP and are in line with the SI/SP process however, in the NAPincl these measures are detailed more in the way the changes will

affect needier citizens, whereas in the NRP they appear in a more general way dealing with sustainability.

In the area of health care the development of the Health Quality System is directly linked, as we have stated in previous reports, to the delivery and access of services to excluded groups. There is consistency, although in the different processes there is more or less room to expand on the specifics and to use existing research and data to make greater improvements to groups for which the labour market option is not feasible (such as recipients of non-contributive pensions, who are mostly older women with low educational levels and reduced or inexistent paid work experience).

- Are these measures socially adequate and accessible? In what way?

There are a number of measures around life-long learning and education that aim to reduce the negative impacts of those who have learning difficulties as well as those who leave the schools system prematurely and this is explicitly recognised. One of the most important in our view is the adaptation of the official vocational system to develop systems for the accreditation of professional skills acquired in both training (formal and informal) and working experience. This can be especially relevant for the immigrant population who is at present finding difficulties in official recognition of their home country educational degrees, but also for those who have longer unpaid working experience such as women.

- Is there a good interaction between the social protection system and the labour market?

This question can be answered in two ways, if there is good interaction in general, or if there is good interaction in the policies between these two areas reflected in the NRP. The NRP explicitly recognises the need to reform and strengthen this link through “measures to prolong working lives and modernise social protection systems (programs to support those over 60 to remain at work, specific training programs for the long-term unemployed, new program of Active Insertion Income)” p.145. As to the first question, it depends from which perspective it is analysed. From a gender equality perspective one can say that some of the planned and on-going reforms will greatly improve the interaction in a positive way but that there are a number of issues that gender equality advocates are still calling for (such as increasing the days of paternity leave and increasing measures for men to become more involved in the unpaid care work in addition to increasing services). From a social inclusion perspective in general we insist again in the coordination of social protection and social services and employment policies and programmes in order to achieve successful integration and permanence in the labour market. These issues are dealt with in the NAPIncl to some extent by a number of measures and need to be carefully monitored and enhanced. Given that the current wage situation in Spain is not favourable (high percentage of working poor at around 11%) policies to make work pay and to reduce dependency on benefits is very important. Lack of support for working mothers is also likely to reduce work and increase dependency on benefits¹⁷.

¹⁷ There needs to be more research into the abandonment of work life by women who have children at older ages and who have low salaries. The expense of child care at the moment in Spain, either through home care or institutional care, although reduced by cheap immigrant labour, is driving many women with small children out of the labour market and can be having a negative effect on the use of unemployment benefits and grants as a prolonged maternity leave. Women make up 54% of the total non-contributive unemployment benefit recipients; 72% of those under 46 years of age receiving the benefit; 71% of those receiving this benefit because their contracts were not long enough to accede to the contributive benefit and 63% of “others” who receive this benefit, which is made up of unemployed persons that have acquired the degree of partial invalidity after a revision from full invalidity and other causes not contemplated under the other specific groups who have a right to this benefit.

- Does the NRP refer specifically to older workers and pensions?

Older workers are mentioned as follows: once in the context of training for workers whose sectors are being restructured; twice in the context of raising their employment rate but without mentioning any specific target. In fact there is a better record in Spain as far as older **men** workers is concerned where their employment and activity rates are higher than the EU25 averages and lower unemployment rates. Consequently, the NRP measures recognise the need to carry out measures reinforcing contributions paid to the system and to reduce early retirement and to prolong effective retirement age, training for LTU and special measures for those over 45 receiving RAI. However, for older women the picture changes drastically and the employment and activity rates are much lower than the EU25 averages. This fact should be taken into account in the specific design of the measures, which at the moment do not distinguish between the differences that older men and women have in Spain, beginning with educational levels and also with much higher inactivity throughout their lives.

- How is reconciliation of work and family life addressed?

Under the Labour Market Pillar the issues of reconciliation of work and family life are addressed, however there are a number of measures under the Education Pillar that are also relevant for improving reconciliation (especially those aimed at increasing the percentage of children aged 0 to 3 and ensuring free education for children in the 3 to 6 age range). The only other measure is to improve flexibility and leave security for childcare.

Again, the NRP fails to link the inequality between women and men in other areas that reduce the possibilities of reconciliation of work and family life from a time use perspective (inequalities of unpaid care work). Nonetheless, another set of measures that will have a great impact is in the area of the new law on dependency.

Once more, the issues of increasing productivity at firm level come into play. Perhaps here it would also be advisable for the Commission to use the research and good practice mapping of firms (both large and small) that have modernised and/or adapted their organisational structure and their day-to-day functioning to make flexible arrangements and offer a number of benefits to workers that can greatly enhance productivity, at the same time that reconciliation of work family and personal life are improved. The NRP for Spain also fails to make this connection. Furthermore, improvements in transport and in the use of ITC have an obvious impact on this issue, which are not being identified as such (reducing commuting times and increasing possibilities of tele-work).

GL 19 Ensuring inclusive labour markets

- Are there any measures promoting an inclusive labour market? Are they consistent with the SI/SP objectives?

See next point.

- Does the NRP focus specifically on the inclusion of those furthest away from the labour market? How and for which groups? Are clear pathways towards employment put in place?

As we already mentioned, there are 7 measures, 4 of which are exclusive for disabled persons, The rest are only to improve the institutions that create employment opportunities

to other socially excluded groups but no mention of, for example, the employment programmes linked to RAI and RMI recipients (mostly managed by NGOs) or other itinerary based programmes to transit to the open labour market.

- How does the NRP plan to contribute to the eradication of poverty?

There is no explicit mention of this in the NRP. The table above showing the correspondences, however, does link the improvement in the minimum wages and minimum pensions as well as measures in the areas of education, health and housing to poverty reduction and social inclusion objectives.

GL 21 Promote flexibility combined with employment security and reduce labour market segmentation, having due regard to the role of social partners

⇒ GL 5 To promote greater coherence between macroeconomic, structural and employment policies

⇒ GL 9 To facilitate the spread and effective use of ICT and build a fully inclusive information society

- Does the NRP refer to tax- or benefit reforms to improve incentives and to make work pay? Are these measures in line with the SI objective of "necessary resources to live in accordance with human dignity"?

Yes, there are a number of measures that aim to reform and modernise benefits linking them to work and making the income tax structure also fairer to working families (see the correspondence table above). The measure most directly linked to the SI/SP objective of necessary resources is the measure to continue increasing the minimum wage and minimum pensions. The integration of inactive persons into the labour market as well as improving working conditions (that has both strong gender and social inclusion dimensions) should be carefully considered and how it is linked to the overall objective of increasing the employment rate, which is not considered nor analysed in the NRP. As we mentioned in previous reports, although it is mentioned that equal opportunities and integration of immigrants, among others, will be achieved, some of the changes proposed in the social security system may actually limit the access to contributory pensions and continue to relegate women in particular and others affected by high temporary or part-time work to minimum pensions. Given that the new law on dependency will introduce changes to the recognition of care periods as part of the recognised contributory periods, there needs to be more in-depth study and thought given to the new demographic and social realities of Spain. Although the Agreement on Social Security Measures is being negotiated with the main trade union and employer associations, a wider societal debate is needed as well as specific studies commissioned on the possible impacts of the changes proposed from a gender perspective and from a social inclusion/poverty perspective. For example, the changes proposed in periods or medical diagnosis affecting temporary work disabilities using efficiency arguments may pass on the burden to the household and within the household to women who remain the main carers and may have to also give up or reduce their employment. Those with temporary work contracts might also be affected negatively.

- Are there any plans made to increase adaptability of labour markets? Is employment flexibility combined with security? In what way? Which measures guarantee this?

Here, as we have stated before, the improvement of working conditions (reduction of fixed term employment and improvement of minimum wages) has not been directly linked to the positive effects on productivity and the interactions this can have on the rest of the planned investments in infrastructure, R&D, ITC, etc. The improvement of working conditions falls

into the area of social partner agreements and the government is committed to labour market reforms with a high degree of consensus. Again, the changes made to decrease fixed term employment (Agreement for Improved Growth and Employment) have had some impact¹⁸; in fact fixed term employment has risen over the past year (from 2.2. million in 2005 to 2.5 million contracts in the second quarter of 2006 according to LFS data).

- Does the NRP refer to any measures to make ICT use, and the information society in general, fully inclusive?

All activities to enhance and widen the use of ICT fall under the AVANZ@ plan for homes, education and companies as well as for Public Administration. Under Pillar 5 there is a measure to extend broad-band to all the population by 2010. AVANZ@ as well as two other actions are grouped under a number of strategic actions in the area of R&D+I called INGENIO 2010. While the NRP recognises that Spain is well behind in the information society, there is no specific diagnosis or measures for those who are excluded nor contemplated under the multi billion programme. However, the NAPincl does include some measures (plan Avanza and "Internet en el aula") in the context of education measures with a much more modest budget (6% of the entire AVANZ@ plan compared to 56% for private firms, and 22% for homes and citizens).

GLs 23-24 Expand and improve investment in human capital, adapt education and training systems

- Are education and training policies inclusive? Is access to all ensured?

There is an explicit measure for ensuring permanent and universal access to post-compulsory secondary training or its equivalent. This is to be achieved through flexible learning possibilities specifically aimed at those who leave the school system with no qualifications. A number of measures to prevent this situation at the early school levels are also mentioned and coincide widely with those in the NAPincl.

On the other hand, only one of the main inclusion indicators on education (suitability rates) is included among the six indicators chosen to monitor NRP objectives in the area of human capital development (Pillar 3), the other national indicators (expenditure per pupil and expenditure on education as a % of GDP) are not included. The NRP and NAPincl thus share the target of reaching a 95% suitability rate (percentage of students in each age group studying the course corresponding to that age group). We have already indicated in previous reports that these indicators should be presented separately for public and publicly supported private schools.

As to life-long learning, there is no specific mention nor measures either in the NRP nor in the NAPincl with respect to socially excluded groups. The gap in this respect can be important considering that transition into the open labour market for most of these groups would also ensure their better position later in life and would enhance longer working lives. In general we believe that all of the measures in the NRP dealing with improvement of human capital can in fact be conducive to improving social inclusion, but not all refer explicitly to specific actions or groups that can benefit from these actions.

¹⁸ The latest official figures on registered contract at the close of this report show some improvement.
http://www.inem.es/cifras/p_datbas.html

- Is the policy response towards reducing significantly the number of early school leavers sufficient and in line with SI/SP National Strategy Reports?

The measures are generally in line with the SI/SP strategy. The development of the new education law and the coordination with the CCAA, is key to the success in this area. The policy response includes specific budgetary allocations to deal with the problem of early school leavers and, as will be analysed in more depth below, the integration of immigrant children through the school system. As mentioned in previous reports, the law on education (LOE) foresees the re-enforcements to reduce school failure by each of the CC.AA. For this purpose a Plan for re-enforcement, orientation and support (PROA) has been launched¹⁹ since 2004 which explicitly recognises the situations of social exclusion that can lead to poor school performance. This plan has three programme strands: accompaniment programme in primary and also in secondary schools and re-enforcement and support in secondary schools. There are a number of activities planned that are to be further developed by the participating schools and that include activities with the students, with their families and in their immediate social environment. In this last one there are specific activities for prevention of absenteeism. The programme is co-financed at 50% by the Ministry of Education, Culture and Science and the CC.AA. of the participating school. The first phase of the Plan was experimental and thus information on it only became available recently. The public information available on this plan is restricted to the number of schools where the plan is now being implemented; there is no public information yet on its impact and effects²⁰. This plan is specifically mentioned in the NRP and in the NAPincl and is now only being implemented in the Public Schools where the most need has been detected.

Furthermore, the differences among CCAA in this respect, as the table below shows, are also considerable. The table shows the rate of adequacy (proportion of students in given age group enrolled in the year corresponding to their age, by sex) These gaps are particularly large among older children and seem to affect boys to a larger degree than girls, but only in one (Murcia) this is slightly reversed. We also note that although there is very strong sensitivity to this issue by government, the analysis that the table allows over the past 10 years clearly shows a mix of set-back and improvement. While the rates for both boys and girls of 8 years of age has worsened, the picture for the older age groups is mixed. While overall the rate of adequacy has improved for ages of 10 and above, boys of 14 and 15 years of age have slightly worsened, Girls, on the other hand have improved. By CCAA the most worrying data is for those with rates below 80%. It should be noted that the recent increase in the obligatory secondary education has increased the likelihood of older children with specific social problems that under the previous system would have left school at 14. Their prolonged stay in the school centres has been identified as a possible cause of the increase of violence against teachers and of pupils in the secondary level schools.

¹⁹ <http://www.mec.es/educa/jsp/plantilla.jsp?area=proa&id=111>.

²⁰ Ibid.

C2. LAS TRANSICIONES Y LOS RESULTADOS EDUCATIVOS

C2.1. Tasas de idoneidad en las edades de 8, 10, 12, 14 y 15 años

| | 8 años | | 10 años | | 12 años | | 14 años | | 15 años | |
|------------------------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| | 1994-95 | 2004-05 | 1994-95 | 2004-05 | 1994-95 | 2004-05 | 1994-95 | 2004-05 | 1994-95 | 2004-05 |
| AMBOS SEXOS | | | | | | | | | | |
| TOTAL | 95,5 | 93,9 | 89,8 | 90,1 | 79,7 | 84,3 | 68,7 | 68,8 | 58,0 | 58,4 |
| Andalucía | 93,7 | 90,8 | 85,7 | 87,3 | 72,1 | 81,4 | 60,5 | 64,8 | 50,6 | 53,8 |
| Aragón | 97,5 | 94,4 | 94,6 | 89,3 | 87,5 | 85,5 | 78,9 | 69,8 | 68,1 | 59,4 |
| Asturias (Principado de) | 96,8 | 95,2 | 92,8 | 92,5 | 84,0 | 87,4 | 69,8 | 72,8 | 62,8 | 63,8 |
| Baleares (Illes) | 94,0 | 91,2 | 87,1 | 84,3 | 74,9 | 76,4 | 59,9 | 62,8 | 49,2 | 51,7 |
| Canarias | 93,0 | 91,4 | 82,8 | 85,6 | 67,3 | 77,0 | 54,1 | 61,9 | 43,6 | 50,5 |
| Cantabria | 96,8 | 95,4 | 92,8 | 91,4 | 81,7 | 86,4 | 71,6 | 68,8 | 58,0 | 57,7 |
| Castilla y León | 97,2 | 94,1 | 93,2 | 89,9 | 83,0 | 83,7 | 69,0 | 70,3 | 60,4 | 57,5 |
| Castilla-La Mancha | 96,3 | 93,7 | 90,7 | 88,8 | 80,1 | 83,1 | 65,9 | 63,3 | 57,9 | 52,0 |
| Cataluña | 95,9 | 95,3 | 91,4 | 92,9 | 85,2 | 90,5 | 78,2 | 75,8 | 62,4 | 70,3 |
| Comunidad Valenciana | 95,0 | 98,0 | 89,8 | 95,0 | 79,9 | 86,4 | 71,0 | 69,6 | 59,3 | 55,8 |
| Extremadura | 96,2 | 94,8 | 89,9 | 90,2 | 76,9 | 84,2 | 61,5 | 63,7 | 53,8 | 52,0 |
| Galicia | 96,4 | 95,3 | 90,2 | 90,6 | 78,9 | 83,8 | 66,7 | 70,7 | 57,8 | 59,2 |
| Madrid (Comunidad de) | 96,9 | 94,1 | 93,0 | 89,9 | 85,9 | 84,9 | 74,2 | 69,7 | 63,2 | 59,2 |
| Murcia (Región de) | 96,1 | 93,1 | 89,3 | 87,9 | 77,4 | 80,0 | 64,6 | 66,2 | 55,7 | 55,0 |
| Navarra (Comunidad Foral de) | 96,7 | 94,1 | 93,5 | 91,2 | 86,8 | 87,0 | 78,0 | 77,4 | 68,7 | 67,9 |
| País Vasco | 97,0 | 95,8 | 93,7 | 92,9 | 86,9 | 88,1 | 77,8 | 77,8 | 66,6 | 69,5 |
| Rioja (La) | 97,1 | 94,9 | 94,4 | 92,4 | 88,5 | 87,3 | 79,3 | 69,6 | 68,5 | 58,7 |
| Ceuta | 88,7 | 91,7 | 78,2 | 83,8 | 62,7 | 72,5 | 44,0 | 51,2 | 46,7 | 43,3 |
| Melilla | 89,8 | 92,9 | 80,9 | 85,9 | 57,4 | 79,8 | 52,1 | 57,7 | 43,6 | 47,8 |
| HOMBRES | | | | | | | | | | |
| TOTAL | 94,6 | 92,9 | 87,9 | 88,5 | 76,0 | 81,6 | 63,6 | 63,1 | 52,7 | 52,2 |
| Andalucía | 92,4 | 89,0 | 83,1 | 84,9 | 67,8 | 78,2 | 55,2 | 58,7 | 45,9 | 47,6 |
| Aragón | 97,1 | 93,8 | 93,4 | 88,5 | 85,4 | 83,2 | 75,1 | 64,7 | 63,7 | 52,2 |
| Asturias (Principado de) | 96,1 | 94,3 | 91,3 | 90,9 | 80,5 | 85,1 | 64,5 | 66,9 | 57,9 | 57,9 |
| Baleares (Illes) | 93,1 | 90,2 | 84,6 | 82,5 | 69,7 | 72,1 | 53,1 | 57,4 | 41,7 | 45,9 |
| Canarias | 91,2 | 89,6 | 79,2 | 83,0 | 61,2 | 72,2 | 47,5 | 54,2 | 37,8 | 43,4 |
| Cantabria | 96,0 | 95,3 | 91,5 | 90,5 | 78,2 | 84,2 | 66,4 | 62,0 | 51,7 | 51,7 |
| Castilla y León | 96,6 | 93,1 | 91,8 | 88,5 | 79,4 | 80,7 | 63,0 | 64,4 | 54,2 | 50,1 |
| Castilla-La Mancha | 95,5 | 92,6 | 89,1 | 87,0 | 75,5 | 79,7 | 58,9 | 56,8 | 51,1 | 45,0 |
| Cataluña | 95,0 | 94,7 | 89,6 | 92,1 | 82,4 | 89,4 | 74,3 | 71,1 | 56,3 | 64,9 |
| Comunidad Valenciana | 94,0 | 97,8 | 88,0 | 94,4 | 76,3 | 83,9 | 66,0 | 64,0 | 54,0 | 48,8 |
| Extremadura | 95,5 | 93,2 | 87,8 | 87,9 | 72,4 | 80,4 | 54,3 | 56,8 | 47,2 | 44,6 |
| Galicia | 95,5 | 94,2 | 87,6 | 88,7 | 74,2 | 79,9 | 60,1 | 63,4 | 51,2 | 51,2 |
| Madrid (Comunidad de) | 96,3 | 93,5 | 91,9 | 88,9 | 83,4 | 82,9 | 69,8 | 65,3 | 59,5 | 54,8 |
| Murcia (Región de) | 95,0 | 91,9 | 87,2 | 85,9 | 73,0 | 76,8 | 59,7 | 60,1 | 50,3 | 49,1 |
| Navarra (Comunidad Foral de) | 95,9 | 93,1 | 92,5 | 90,8 | 84,5 | 86,0 | 74,0 | 73,6 | 63,7 | 61,8 |
| País Vasco | 96,5 | 95,5 | 92,7 | 91,6 | 84,8 | 86,3 | 74,1 | 72,6 | 62,1 | 63,5 |
| Rioja (La) | 96,7 | 94,3 | 92,8 | 91,3 | 85,6 | 86,0 | 74,3 | 65,4 | 63,2 | 51,0 |
| Ceuta | 85,8 | 90,8 | 79,2 | 79,0 | 60,1 | 65,6 | 40,8 | 45,9 | 44,8 | 38,5 |
| Melilla | 88,5 | 92,5 | 80,2 | 83,1 | 53,2 | 75,8 | 49,3 | 53,1 | 41,1 | 40,0 |
| MUJERES | | | | | | | | | | |
| TOTAL | 96,5 | 95,0 | 91,9 | 91,7 | 83,6 | 87,2 | 74,2 | 74,8 | 63,6 | 64,9 |
| Andalucía | 95,0 | 92,7 | 88,5 | 89,9 | 76,8 | 84,8 | 66,1 | 71,4 | 55,6 | 60,4 |
| Aragón | 97,8 | 94,9 | 95,9 | 90,2 | 89,6 | 87,8 | 83,0 | 75,2 | 72,8 | 67,0 |
| Asturias (Principado de) | 97,6 | 96,0 | 94,3 | 94,1 | 87,6 | 89,8 | 75,5 | 79,0 | 67,8 | 69,8 |
| Baleares (Illes) | 95,0 | 92,2 | 89,8 | 86,2 | 80,5 | 80,8 | 67,1 | 68,5 | 57,0 | 57,9 |
| Canarias | 94,8 | 93,4 | 86,6 | 88,4 | 73,7 | 82,2 | 61,0 | 70,1 | 49,5 | 57,9 |
| Cantabria | 97,7 | 95,5 | 94,3 | 92,5 | 85,4 | 88,8 | 77,1 | 75,9 | 64,5 | 63,8 |
| Castilla y León | 97,8 | 95,1 | 94,7 | 91,4 | 86,8 | 86,9 | 75,4 | 76,5 | 66,7 | 65,2 |
| Castilla-La Mancha | 97,1 | 94,9 | 92,5 | 90,8 | 85,2 | 86,6 | 73,4 | 70,3 | 64,9 | 59,3 |
| Cataluña | 96,8 | 96,0 | 93,2 | 93,8 | 88,2 | 91,7 | 82,2 | 80,9 | 68,8 | 76,1 |
| Comunidad Valenciana | 96,0 | 98,3 | 91,7 | 95,6 | 83,8 | 89,0 | 76,2 | 75,3 | 64,5 | 62,9 |
| Extremadura | 96,9 | 96,4 | 92,0 | 92,6 | 81,6 | 88,3 | 69,1 | 71,2 | 60,6 | 59,8 |
| Galicia | 97,4 | 96,5 | 92,9 | 92,7 | 84,1 | 87,9 | 73,6 | 78,1 | 64,6 | 67,4 |
| Madrid (Comunidad de) | 97,5 | 94,8 | 94,3 | 91,0 | 88,5 | 87,0 | 78,7 | 74,4 | 67,0 | 63,7 |
| Murcia (Región de) | 97,2 | 94,6 | 91,5 | 90,0 | 81,8 | 83,5 | 70,0 | 72,7 | 61,5 | 61,1 |
| Navarra (Comunidad Foral de) | 97,8 | 95,2 | 94,6 | 91,6 | 89,2 | 88,0 | 82,2 | 81,4 | 74,1 | 74,3 |
| País Vasco | 97,5 | 96,2 | 94,8 | 94,2 | 89,0 | 90,0 | 81,7 | 83,2 | 71,3 | 75,7 |
| Rioja (La) | 97,5 | 95,6 | 96,2 | 93,4 | 91,7 | 88,8 | 84,6 | 73,9 | 73,7 | 67,2 |
| Ceuta | 91,9 | 92,7 | 77,2 | 88,8 | 65,2 | 80,3 | 47,4 | 56,6 | 48,7 | 48,6 |
| Melilla | 91,0 | 93,5 | 81,7 | 89,0 | 62,5 | 84,5 | 55,1 | 62,1 | 46,0 | 56,5 |

Source: Las cifras de la Educación en España. Estadísticas e indicadores. Edición 2006 Actualizada
<http://www.mec.es/mecd/jsp/plantilla.jsp?id=3144&area=estadisticas>

As we analyse in the second chapter of this report, avoiding segregation of immigrants in public schools is also one of the main challenges faced in the education area. The NRP includes specific measures to integrate immigrant students that acknowledge this situation and that aims to reduce this concentration of immigrant students but then adds “The percentage must keep within a range depending on the population characteristics where the centre is located”. This can mean that if there is a concentration of immigrants in the location, the centre will have also a high proportion of immigrant children that can exceed the set limits that are foreseen. The extension and provision of greater resources is also mentioned, in particular with respect of the learning of the language. Here there are additional controversies, as schooling systems in various regions of Spain do not teach in Spanish but rather in the regional official languages. Given the higher propensity of immigrants to move this can become a problem for integration should they decide to move or become yet another obstacle to mobility in general, not only of immigrants.

2. Integration of Immigrants and Ethnic Minorities

This section includes information on both immigrant population in Spain and the main ethnic minority constituted by Roma population. We have carried out a number of interviews with different stakeholders (see Annex 1) from which we have obtained a wide view of opinions on the present state of immigrants and the policies being carried out by the various levels of Government. These interviews were carried out using as a guide the guidance to the expert network that was prepared by the network coordination team.

To summarise these interviews, we offer the following table which shows the assessment made by the NGOs that were interviewed. We have avoided identifying specific opinions to specific NGOs given the present situation with respect to financing which makes these NGOs dependent on public funding.

The NGOs made reference to two main policy reactions to immigration by government: the emergency or humanitarian aid to immigrants arriving through the sea; and the new strategy instrument which responds to EU recommendations but is also aimed at adopting a global approach to the integration process of immigrants the **Plan Estratégico de Ciudadanía e Integración (PECI)**. It is important to highlight that this strategy is not aimed at immigrants, but to citizens in general. The strategy at the moment has 10 very generic objectives and also very general measures. However it is to be commended for the wide participatory approach it has taken. It is highly likely that this strategy will also feed into the SI/SP process.

During our interviews we indirectly addressed the recent regularization process carried out in Spain. The NGOs all agreed that this process had to be carried out but were more critical of the specifics (for example, those with expulsion orders were not allowed to legalise their situation and remain the most vulnerable group of all immigrants, the restriction on the documents that could be presented for proving residence, etc.). We have already mentioned in previous reports that Spain faces a very difficult position, as do other MS in the Mediterranean basin, of controlling illegal flows through the sea. Spain, together with these other MS have asked for a more united and decided effort from the whole EU on this issue. Although some MS claim that the entry of these immigrants is due to a “call” effect, we show below that there is no scientific basis for this. The EC should, in this respect, spend some resources on making further scientific investigations that should be the basis for debate and discussion, not those based on ideological or xenophobic arguments.

SPAIN

| | Positive aspects | Negative aspects | Role of the NGOs | Other Comments |
|--|---|--|--|--|
| <p>Emergency reaction and reaction to specific situations</p> | <ul style="list-style-type: none"> • Rapid humanitarian crisis response • Crisis also prompted diplomatic efforts, policing efforts and to re-think development cooperation in Africa • Crackdown on traffickers has freed many women, children and men. | <ul style="list-style-type: none"> • No holistic programme either for re-patriation or for integration in Spain (some major NGOs have refused joining the efforts for this reason) • Once order for repatriation has been issued, but is not executed within 15 days immigrants are released • No possibility for these released immigrants for regular work; they are condemned to work in the undeclared or illegal economy. The order is not admitted for municipal registry. • Unaccompanied minors are not covered by a more holistic integration programme • Trafficked workers (including sex-trafficking victims) also lack a specific coordinated programme • Lack of coordination and a state level basic policy (most of the competencies are at CCAA and local level) • There is no evaluation yet, nor the lessons learned from such an evaluation process available for application to the PECl, on the funds that were disbursed since 2005 for the integration of immigrants (Fondo de Acogida e Integración, 300million Euros) | <ul style="list-style-type: none"> • Basic humanitarian aid (clothing, food, medical care) • Processing of immigrants (identification, liaising with friends or family in origin country or in Europe, general advise to immigrants) • Support to immigrants to reach their desired destinations within Spain (with friends or family) • Support to trafficked persons | <ul style="list-style-type: none"> • The recent mass arrival to the Canary Islands has encouraged xenophobic and extreme right wing activism. • Informal networks used by immigrants many times substitute social services (including job placement services). • In the case of women these networks are not conducive to improvement of job and working conditions. • Institutional structures already in place in Spain should be opened up for integration of immigrants (Such as parent's associations known as AMPA, and other similar associations in the areas of health, consumer affairs, etc.) |

SPAIN

| | Positive aspects | Negative aspects | Role of the NGOs | Other Comments |
|---|---|---|---|---|
| <p>Integration policies Plan Estratégico de Ciudadanía e Integración (PECI) the process of consultation was started in 2004 and has involved a massive number of stakeholders.</p> | <ul style="list-style-type: none"> • New plan of citizenship and integration includes measures in education, housing, health, employment, culture, justice, etc. • The past edition of the NAP and past integration plans such as GRECO have been positive in order to apply lessons learned and build on a consensus participatory approach • An attempt to bring together a host of plans and strategies at CCAA and local level. • Specific budget allocations have been made but more clarity is needed at this planning stage if the funds mentioned are to have an impact | <ul style="list-style-type: none"> • Given the devolved and exclusive CCAA competencies, there needs to be a clear mechanism of consultation and monitoring as well as a decided leadership by Central Government to avoid differences in rights and services across CCAA and municipalities but being flexible enough to adapt to specificities of both the composition of the immigrant population and the situation of the receiving community. • There cannot be a parallel set of services for exclusive use of immigrants; they must be able to access the mainstream services • The international legislation is not being applied. Illegal immigrants are citizens without basic rights and the situation this creates leads to further social exclusion and the associated economic and social costs. • There is risk to only see immigrants as a labour force making the planned measures crucial for a true integration and granting full rights to immigrant citizens | <ul style="list-style-type: none"> • Partners in many of the measures or main implementing partners. • Information and legal services • Awareness raising among the Spanish population • Activities in the cultural arena for positive perception of immigrants | <ul style="list-style-type: none"> • This effort has been made under the concept for holistic integration of immigrants by EU Council approved basic principles for integration policies of immigrant population (2004) and COM(2003)336 • Institutional structures already in place in Spain should be opened up for integration of immigrants • The “excuse” used by government has been the security and control of borders as well as the need to coordinate the humanitarian crisis aspects • NGOs working at national level also have problems in articulating a consistent immigration “model” given that the realities to be addressed can change depending on the exact geographical space and other circumstances. • The arrival of the immigrant population has uncovered the weaknesses of the social services in Spain • As a self-criticism, NGOs are partly responsible for minimising the relation between immigration and social exclusion |
| <p>Source: interviews with NGOs</p> | | | | |

2.1 General Background

The main demographic statistics on immigrants and Roma in Spain are reflected in the following table. The table shows only official or publicly funded statistics.

| Total immigrant and Roma population | | | |
|---|-----------|-----------|-----------|
| | Total | Men | Women |
| Total immigrants | 3,730,610 | 1,992,034 | 1,738,576 |
| Total immigrants not able to legalise their situation for various reasons* | 1,010,409 | | |
| Total Roma Population over 16 years of age (Spanish only) | 443,365 | 223,899 | 219,466 |
| Source: Padrón Municipal 2005 and Población Gitana y Empleo, 2005 | | | |
| * the opposition party PP claims that this figure is not correct and that the number is around 1,6 million. | | | |

It is estimated that the Roma population has been living in Spain since 600 years ago. In percentage terms, the Spanish Roma population represents only 1% to 1.6% of the total population of Spain²¹. They are geographically concentrated in Andalusia (38.2%), Madrid (10.6%), Catalonia (9.5%) Valencia (9.3%) and the rest of the CCAA with less than 6% each. The average age of the Roma population is much younger (27.6) than the Spanish population (39.5). Their integration in Andalusia in comparison with the rest of the CCAA has been better than in other CCAA where they are a much smaller minority and where they travelled some four decades ago during the mass internal migrations Spain experienced in the 1950s and 1960s as Madrid and other northern regions developed their industries. One of the most visible signs of their exclusion for many years has been in the area of housing, but this was just the visible face of a multi-faceted exclusion and discrimination that has been addressed with varying degrees of commitment not only by the public Administrations, but also increasingly by the Roma population itself. In the following sections this is further analysed in the different areas analysed.

As to the immigrant population, the total in percentage terms is by 2006 9.94% of the total population of Spain. In EU terms, Spain has absorbed one-third of all immigrants into the EU since 2000²². This makes Spain the second migration destination country after the US. A recent study has shown that without this immigrant influx the sustained economic growth over the past decade in Spain would have been impossible²³. However, the geographical distribution of immigrants as well as the distribution of country of origin is having a differentiated impact in the economy and also in the orientation and intensity of policies and measures carried out by the different levels of government in Spain. While the central level is in charge of legalising their status, it is at the regional and local level where the integration of the immigrants takes place and where the competencies to do so are located, including social and labour market policies. As we analyse below the upcoming elections and the rights of citizens from new EU MS will have a political impact that has attracted much media attention in particular because of the constitution of a Romanian party in Spain and because in some municipalities they will be the deciding voting force.²⁴. Although this already happens in many municipalities (in particular those

²¹ In Spain the law prohibits public and private data questionnaires to enquire about race. This has been, on the other hand, one of the main problems to study from official databases the situation of the Roma population.

²² Informe Mensual Núm 295, Servicio de Estudios, La Caixa, Octubre 2006 available in English at <http://www.lacaixa.comunicacions.com/se/ieimhm.php?idioma=eng>.

²³ Ibid

²⁴ See for example the news coverage in the following newspapers:
<http://www.elmundo.es/suplementos/cronica/2006/573/1161468001.html> and
<http://noticias.ya.com/local/valencia/10/10/2006/rumanos-castellon-elecciones.html>.

with German and UK senior citizens living in Spain) it is clear that the new immigrants with less economic power have attracted more attention.

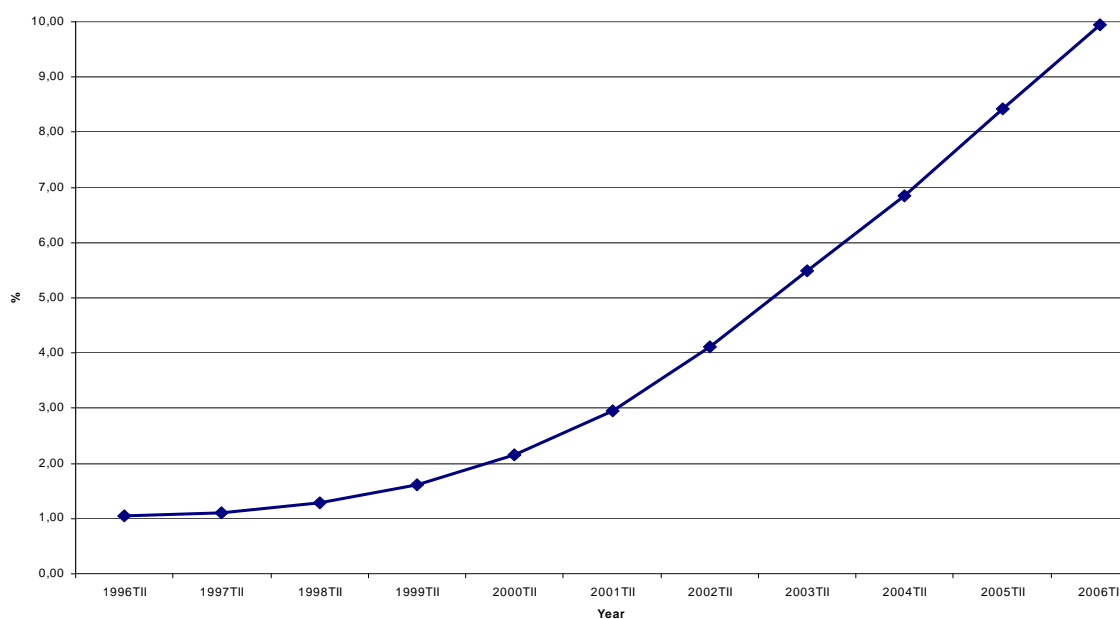
In the following table the main characteristics of immigrants by regions of origin is shown. These figures are referred to below in the analysis made by area of concern. It is important to note, in the first place, that over a third of the foreign population in Spain is European and that half of these are from the EU (mostly retired persons). In the second place, ignoring this older population, we note that the immigrant population is much younger than the Spanish population. In the third place we note that the educational level is higher than the Spanish population. Next, the labour market indicators, except for unemployment are better for immigrants. Also, there is a marked concentration of immigrants in certain sectors and we note that in these there are higher probabilities of undeclared work.

| Main characteristics of the immigrant population | | | | | | | |
|---|----------------------|------------|---------------|-------|----------------|---------------|-------------------|
| | | Spanish | Total Foreign | EU | Rest of Europe | Latin America | Rest of the world |
| Total population (thousands of persons) | | | | | | | |
| Men | | | 1956,3 | 316,9 | 335,5 | 793,6 | 510,2 |
| Women | | | 1969,8 | 313,7 | 375,3 | 965,1 | 315,7 |
| Age structure (percentage in each age group) | | | | | | | |
| Varones | 0 to 15 years | 16,77 | 9,16 | 6,75 | 9,60 | 10,85 | 9,43 |
| | 16 to 24 years | 10,77 | 14,10 | 8,14 | 17,17 | 17,75 | 13,35 |
| | 25 to 34 years | 16,63 | 31,06 | 19,53 | 35,74 | 32,30 | 36,70 |
| | 35 to 44 years | 15,87 | 24,30 | 20,57 | 23,31 | 26,10 | 27,21 |
| | 45 to 54 years | 13,56 | 11,10 | 14,13 | 11,45 | 8,58 | 10,25 |
| | 55 y más years | 26,41 | 10,28 | 30,88 | 2,74 | 4,42 | 3,06 |
| Mujeres | 0 to 15 years | 15,46 | 9,28 | 6,86 | 8,23 | 9,64 | 12,39 |
| | 16 to 24 years | 9,76 | 16,56 | 8,36 | 21,74 | 15,63 | 20,50 |
| | 25 to 34 years | 14,90 | 30,76 | 20,61 | 34,18 | 34,75 | 33,52 |
| | 35 to 44 years | 15,20 | 20,41 | 19,74 | 20,64 | 22,51 | 18,73 |
| | 45 to 54 years | 13,17 | 11,36 | 11,04 | 11,29 | 12,84 | 10,27 |
| | 55 y más years | 31,50 | 11,63 | 33,40 | 3,92 | 4,63 | 4,59 |
| Educational level (percentage in each educational level of working age population) | | | | | | | |
| Men | Illiterate | 1,37 | 1,87 | 0,57 | 0,00 | 0,11 | 6,64 |
| | Primary | 29,08 | 24,59 | 12,24 | 17,14 | 21,64 | 41,90 |
| | Obligatory Secondary | 28,21 | 21,24 | 20,36 | 13,32 | 24,00 | 22,77 |
| | Higher Secondary I | 18,55 | 31,54 | 27,76 | 40,87 | 38,14 | 17,68 |
| | Higher Secondary II | 0,04 | 0,33 | 0,00 | 1,55 | 0,17 | 0,00 |
| | Higher education | 22,12 | 19,69 | 35,78 | 27,13 | 15,70 | 10,63 |
| | Doctorate | 0,63 | 0,75 | 3,28 | 0,00 | 0,24 | 0,39 |
| | Women | Illiterate | 3,14 | 3,07 | 0,58 | 0,17 | 0,18 |
| Primary | 34,58 | 19,75 | 12,46 | 14,75 | 18,99 | 36,08 | |
| Obligatory Secondary | 23,01 | 20,18 | 21,19 | 17,39 | 21,69 | 17,82 | |
| Higher Secondary I | 17,64 | 35,30 | 29,00 | 40,97 | 40,78 | 17,61 | |
| Higher Secondary II | 0,05 | 0,09 | 0,24 | 0,06 | 0,08 | 0,00 | |
| Higher education | 21,32 | 21,18 | 35,06 | 26,66 | 17,90 | 10,05 | |
| Doctorate | 0,26 | 0,43 | 1,47 | 0,00 | 0,38 | 0,00 | |
| Activity rates | | | | | | | |
| Men | | 67,16 | 86,06 | 65,41 | 91,5 | 89,6 | 90,29 |
| Women | | 45,55 | 69,05 | 50,63 | 76,8 | 79,15 | 47,03 |
| Employment rates* | | | | | | | |
| Men | | 63,31 | 77,46 | 59,53 | 81,06 | | |
| Women | | 40,66 | 59,12 | 44,4 | 62 | | |
| Unemployment rates* | | | | | | | |
| Men | | 5,86 | 10 | 8,99 | 10,15 | | |
| Women | | 11,08 | 14,39 | 12,32 | 14,67 | | |
| Distribution by sectorial employment (%) | | | | | | | |
| Men | Agriculture | 5,61 | 8,32 | 3,41 | 13,62 | 5,83 | 11,05 |
| | Industry | 22,09 | 16,17 | 17,75 | 20,02 | 12,79 | 18,16 |
| | Construction | 18,18 | 36,78 | 16,67 | 43,61 | 40,21 | 36,31 |
| | Services | 54,12 | 38,73 | 62,17 | 22,76 | 41,17 | 34,48 |
| Women | Agriculture | 3,21 | 4,34 | 1,62 | 7,70 | 3,04 | 7,67 |
| | Industry | 10,50 | 5,86 | 7,09 | 6,53 | 4,92 | 8,26 |
| | Construction | 1,85 | 0,65 | 0,00 | 0,64 | 0,90 | 0,10 |
| | Services | 84,45 | 89,15 | 91,29 | 85,12 | 91,14 | 83,97 |

Source: LFS (EPA), INE 2nd quarter 2006

Finally, the following graph and table show the steady rise of the immigrant population reflected in official figures. The present internal and EU debate on the so-called “call effect” by the recent regularisation process in Spain seems unfounded judging by these figures. The main immigration causes must be sought and fought elsewhere. The recent UN report on migratory trends should temper the EU debate on this issue²⁵. This does not mean that in some respects the recent alarm over certain groups of immigrants, in particular sub-Saharan illegal immigrants, is unfounded because of the dramatic scenes of their rescue and arrival on Spanish coasts. We have already mentioned in previous reports the number of deaths that have been recorded officially and unofficially. However, these immigrants represent a very small proportion of the overall immigrant population in Spain (around 3%). Reducing the possibilities of legal residence only creates more exclusion and can lead to unwanted outcomes with much higher costs than allowing them to find and keep jobs and to fully integrate into European society. Efforts should be also focussed on unaccompanied minors and women with small children or pregnant women that make it to the European territories. As the graph shows the increase has been of 1 percentage point per year. This has allowed Spain to sustain its high growth and to boost its population²⁶, but as will be analysed below there are some areas where efforts should be made to avoid or address social exclusion situations.

Evolution of the proportion of immigrant population in Spain from 1996 to 2006



Source: EPA, 2nd quarter values from 1996 to 2006

The following table further supports our arguments about the fallacy of the “call” effect. Most of the immigrant population (over 50% except for Europeans outside the EU) has a residence of over 4 years in Spain. Those belonging to the EU have the highest percentages and women have overall lower percentages than men under this category (residence over 4 years) coinciding with general theories about immigration and family regrouping, except in the case of citizens from other EU countries, which reflect the fact that these are mostly retired persons and that there are more women than men among this older age group.

²⁵ <http://www.unfpa.org/swp/2006/english/introduction.html>

²⁶ These are just two of the positive aspects that are highlighted in the NRP.

| Foreign nationals by regions and time of residence in Spain | | | | | |
|---|---------|---------|----------------|---------------|-------------------|
| Column Percentages | | | | | |
| | Total | EU | Rest of Europe | Latin America | Rest of the world |
| | 2006TII | 2006TII | 2006TII | 2006TII | 2006TII |
| Men | | | | | |
| Less than one year | 6,26 | 5,24 | 8,05 | 7,17 | 4,31 |
| One year | 8,19 | 6,69 | 11,62 | 8,32 | 6,68 |
| Two years | 10,08 | 10,98 | 17,41 | 9,29 | 5,92 |
| Three years | 12,27 | 8,24 | 15,77 | 15,90 | 6,82 |
| 4 to 6 years | 36,82 | 17,39 | 36,75 | 46,72 | 33,56 |
| 7 years or more | 26,38 | 51,47 | 10,40 | 12,60 | 42,71 |
| Women | | | | | |
| Less than one year | 7,95 | 5,29 | 9,06 | 8,42 | 7,82 |
| One year | 9,78 | 6,44 | 13,51 | 9,11 | 10,77 |
| Two years | 10,82 | 9,18 | 15,69 | 10,57 | 7,44 |
| Three years | 13,14 | 4,18 | 19,64 | 14,89 | 8,93 |
| 4 to 6 years | 34,46 | 17,47 | 33,79 | 42,47 | 27,62 |
| 7 years or more | 23,85 | 57,44 | 8,31 | 14,54 | 37,41 |

Source: LFS, INE, 2nd quarter

2.2 Employment issues

In the following table some of the main labour market indicators for the Roma Population are reflected. It includes the comparative status with respect to the rest of the Spanish population. One of the most striking features is the much higher percentages of self-employment and unpaid family work as well as much higher fixed-term employment, part-time employment and unknown features of the Spanish labour market such as verbal contracts. The report from where the figures come from emphasises that most of this work is undeclared.

| Main labour market indicators for the Spanish Roma population, 2005 | |
|---|---|
| Population over 16 who are active | 329,017 (69% of the population) |
| Unemployed | 45,600 (13.76% unemployment rate, higher than the Spanish average by three percentage points) |
| Women's unemployment rate | 16.29% (Higher than the Spanish average by 2 percentage points) |
| Youth unemployment rate | 17.8% (lower than the Spanish average by 2 percentage points) |
| Employment rate | 59.73% (lower than the Spanish Average by only 3.6 percentage points) |
| Women's employment rate | 48.56% (lower than the Spanish Average by only 2.6 percentage points) |
| Youth employment rate | 57.73% (higher than the Spanish Average by 19.4 percentage points) |
| Temporary or fixed-term employment | 57.2% (higher than the Spanish population by almost 20 percentage points) |
| Verbal work contracts | 14.8% (Unknown for the Spanish population) |
| Self-employment rate | 21% (6 percentage points higher than the Spanish population) |
| Unpaid family workers | 21% (almost 20 percentage points higher than the Spanish population) |
| Part time work | 41.9% (higher than the Spanish population by 33 percentage points) |
| % working in | |
| Services | 75.94% (higher than the Spanish average by 11 percentage points) |
| Agriculture | 8.74% (higher than the Spanish average by 3 percentage points) |
| Construction | 10.67% (lower than the Spanish average by 16.5 percentage points) |
| Industry | 4.65% (lower than the Spanish average by 25 percentage points) |

Source: From various tables included in Población Gitana y Empleo, 2005 and our own calculations, comparison with the Employment in Europe 2005 data except employment in construction where the comparison is with LFS INE data (2nd quarter 2005)

On the other hand, most of the working age immigrants in Spain find work or are looking for work²⁷ (see table in section 2.1 above). The activity rate of the Spanish male population is 67% while that of the immigrants is 86%. In the case of women, the rate is 69% compared to only 46%. As far as reaching the Lisbon objective in the area of employment, the immigrant population is having a decided impact. The employment rate follows the same pattern: immigrant men have a 77% rate compared to 63% for the Spanish male population and 59% compared to 41% respectively in the case of women. As to unemployment, however, the rates for immigrants are higher: 10% compared to only 5.86% for the Spanish male population and 14,4% compared to 11% in the case of women. This situation reflects the higher levels of temporary work and quite possibly much higher frictional unemployment than the Spanish population. Their higher propensity to perform informal or undeclared work is also higher and thus the unemployment rate can actually be lower. It is important to point out that Spain has one of the largest undeclared economies in the EU²⁸ (between 22% and 33% of GDP or 17% of the workforce) and that, according to OECD analysis²⁹, this has also helped the incoming immigrant population to quickly find work. The case of housework and care and also construction have been the two most blatant examples. As we have already mentioned in previous report, it is our opinion that the boost to Spanish women's employment rate is also being supported by the influx of cheap home, child- and adult-care services rendered by immigrant women. However, the flip side is that these women are forced to either leave their own children behind or that once these children are in Spain other problems arise (social dumping effects) as the main problem is that there are no public services in Spain that can ease this problem nor are there efforts to make these services professional.

These figures and analysis already say something about the effectiveness of the application of equal opportunities and anti-discrimination legislation. Although the Labour Inspection has caught some cases of illegal workers, there are only a few court cases from legal status immigrants. During the second phase of the regularisation process immigrants who could not produce a work contract but were working illegally could come forward showing that they have been in the country for at least two years. This phase required Labour Inspections and punishment for employers who did not take advantage in the previous phase to regularise the situation for their workers. We have found no information on the impact of this second phase. The NGO SOS Racismo has produced a dossier³⁰ where it points out a number of weaknesses in the legislation including failure to incorporate Directive 2000/43/CE. It also highlights the fact that the Ombudsperson (Defensor del Pueblo)³¹ has pointed out that illegal immigrants receive criminal treatment when their fault in Spain is legally considered as an administrative fault. The Ombudsperson also denounces irregularities in the internment and expulsion processes and the obstacles or denial to lawyers representing the illegal interned immigrants by National Police to have access to them in the internment camps as the courts deciding upon this are not the correct ones (criminal instead of administrative). Another international initiative with partners in Spain also has information on cases of racism, principally by police and/or the judicial system, which are being decided in Spanish courts³² but not related to employment cases.

As to the possible discriminatory practices by public administration services and public or private employers and the implementation of EU Directives on this issue, Spanish legislation has incorporated most directives into its legislation (with the exception of the one mentioned above). In terms of implementation, however, as the examples above show some more decided efforts are needed. In

²⁷ Data obtained from the 2nd quarter figures for the LFS, INE Resultados Detallados Nacionales http://www.ine.es/inebase/cgi/um?M=%2Ft22%2Fe308_mnu&O=inebase&N=&L=0.

²⁸ It is important to note that the recent commissioned EC study (2004) on the Undeclared economy in the EU did not include any figures for Spain, however, the figures given here correspond to various calculations by various

²⁹ OECD (2006) International Migration Outlook", http://www.oecd.org/document/6/0,2340,en_2649_33931_36770438_1_1_1_1,00.html

³⁰ <http://www.sosracismomadrid.org/comunicados.php?id=20>

³¹ <http://www.defensordelpueblo.es/index.asp?destino=informes2.asp>

³² http://www.justiceinitiative.org/activities/ec/ec_spain

addition, there is a problem with information reaching the immigrants with the information on their rights and obligations. The recent spat over the official figures on immigration are a case in point. The national statistical institute (INE) changed the practice of continuing to keep immigrants in the municipal registries year upon year and introduced renewal of registration as the new norm. Although there was an information campaign carried out, it did not reach the immigrant population effectively. Thus, a number of both legal and illegal immigrants were dropped from the registry with the negative consequence of possibly losing their legal status or being denied basic services (except health, which has a universal coverage in Spain). The registry also revealed, that there were one million illegal immigrants still residing in Spain even after the regularisation process undertaken in 2005. This exercise was done by crossing the data with the permits (residence and/or work) information. Given that part of the local and regional level financing is calculated on the number of registered population, some CCAA demanded to have the "crossed" data to verify the loss of a good proportion of immigrants. The INE denied this request based on the existing legislation on data protection.

Another example is that of the use of the public employment services once the immigrant person has obtained a residence permit that allows to look for jobs not related to the original working permit restrictions (the so called permit E). As a reflection of the Spanish labour market, women and youth have less chances of finding alternative and higher paying jobs due in part to their social networks that are not conducive to finding work. The difficulty for immigrants is not eased by the fact that they are unaware of the employment placement services or credit lines open to create businesses³³ that could enhance their employment opportunities or self-employment. Although there are no specific incentives for employers to hire immigrants, immigrants could benefit from finding employment under the incentives for the other groups for which these incentives are available (older workers, women, etc.). However, we have no data to show to what extent the employment services apply or not these instruments among the native and immigrant population or to what extent they benefit from the other services such as training, CV development, etc. We should also underline that immigrants use their own informal networks to find work and that in some cases some "organised-crime" like networks or one-day informal contracts (persons being picked up in the early morning hours at designated locations by trucks and vans) are sometimes the main channels through which immigrants find work³⁴. Different cultural attitudes towards public services in general (which can be inexistent or have grave deficiencies in the countries of origin of the immigrants) can also affect the use of the PES by immigrants in Spain.

There are no SCR programmes on the issue of employment of Roma or immigrants that we are aware of. We can only make reference to the official credit institute (ICO) which explicitly recognises micro credits as an instrument to fight social exclusion and a good SCR practice. Their micro credit line is open to immigrants and their television campaigns have made a strong emphasis on this³⁵. According to their 2005 report, most of the credits have been applied for by unemployed and immigrant persons, and that most of the immigrant applicants have been women. Unfortunately, as pointed out in the first part of this report, SCR is not seen as a chance by firms to improve the working conditions of their own workers. Temporary work affects the immigrant population in a much higher degree than the Spanish population (according to INEM figures, 95% of contracts for immigrants were temporary).

2.3 Education and training issues

³³ <http://www.ico.es/web/resources/00023910attachment.pdf>

³⁴ This has come up in various newspaper reports. We have found a particularly interesting op-ed by a Sociology Professor in the following web address dealing with agricultural work in Murcia <http://portal-agua.com/Documentos/PostEjido.html>. Also, some newspapers reported distribution across the EU of sub-Saharan Africans by organised networks throughout the EU with the most notable case being that of a group of recently released illegal immigrants with orders of expulsion sent by train to Italy and the Italian authorities returning them to Spain http://www.elpais.es/articulo/espana/red/senegalesa/introduce/Italia/mil/inmigrantes/llegados/Canarias/elpporesp/20061024elpepinac_29/Tes/.

³⁵ <http://www.ico.es/web/resources/00023910attachment.pdf>

The proportion of Roma with low levels of education reflects their situation of social exclusion and which also explains the patterns of employment described above. According to the same study referenced above, 85% of economically active Roma have completed only primary studies or less. The percentage rises to 92% if those who have begun secondary schooling but have left are accounted for. This contrast with 80% of the Spanish population who have obtained at least secondary education. The Roma children, as the immigrant children, are concentrated in public schools (89.9%) whereas only 10.1% attend publicly funded private schools³⁶. The number of Roma girls by the time secondary legal age is reached is only 39.9%, however, girls have a much higher chance of actually finishing (64.3% or the very few Roma in the last year of secondary education are girls). Specific support in schools for Roma children is thus crucial to increase the chances of continuing in school and in compensating the lack of support at home due to the low level of education of the parents.

On the other hand, there are two issues with respect to the education level of immigrants that are important in the case of Spain: the level of education by working age immigrants and the education of their children in the Spanish Educational system. Very briefly we can say that in the first case the influx from new MS and future new MS, especially in the case of women, the educational levels are higher than the Spanish averages. On the other hand the immigrants from Africa and Latin America might have lower educational levels on average (see table in section 2.1. above). As to the second issue, there is a marked concern by various members of Spanish society about the concentration of immigrant children in the public schools system and the fact that it is in these schools where the highest early school leaver rates are found. As in the case of the Roma, specific support is crucial to compensate the cases where the parents themselves have low educational levels³⁷. The concentration of immigrant children in public schools sometimes reaches 50% or more in individual schools. The total concentration of immigrant children in public schools according to data from the Ministry of Education in 2005 was 81% while the proportion of immigrant children in the whole of the primary and secondary school system was 6%³⁸. In some CCAA, such as Catalonia, the reserved places not only include immigrant children but children with "special needs". In Madrid 38% of immigrant children attend publicly supported private schools and 62% are concentrated in public schools. In this CCAA there have been some heated debates as the Education Counsellor has denied opening new schools due to a high concentration of immigrant pupils³⁹. There is also a need to publish the distribution by nationalities of the children accepted into these private schools in order to avoid "profiling". In the following table the proportion of immigrant children in each level of the school system by CCAA is shown, as well as the proportion of immigrant children in the public school system.

³⁶ These data come from another study by the FSG available at http://www.gitanos.org/upload/48/86/34_35Dossier.pdf.

³⁷ A recent OECD study has found that "there is no significant association between the size of the immigrant student populations in the case countries and the size of the performance differences between immigrant and native students" (p1, Summary), however Spain was not included among the case countries http://www.oecd.org/document/7/0,2340,en_2649_33931_36703111_1_1_1_1,00.html.

³⁸ Ministry of Education statistics for 2005 <http://www.mec.es/mecd/jsp/plantilla.jsp?id=3112&area=estadisticas>

³⁹ Aula intercultural news http://www.aulaintercultural.org/breve.php3?id_breve=422

SPAIN

| Proportion of immigrant children in the school systems in each CCAA and proportion of children in public schools | | | | | | | | | | |
|--|------------------------|-------------------------|------------|----------------|------------------|-----------------------------|-------------------|------------------------|-----------------------------|--------------------|
| | % in the school system | % in the public schools | | | | | | | | |
| | | TOTAL | Pre-School | Primary School | Special educatio | Obligatory secondary school | Bachilleratos (1) | Vocational training(2) | Social Guarantee programmes | Artistic Education |
| TOTAL | 6,64 | 81,4 | 81,1 | 82,2 | 61,0 | 79,3 | 85,0 | 77,8 | 69,8 | 95,5 |
| ANDALUCIA | 3,65 | 82,9 | 86,6 | 82,4 | 42,0 | 80,3 | 91,7 | 78,5 | 76,8 | 96,7 |
| ARAGON | 7,52 | 77,6 | 75,2 | 77,5 | 51,9 | 77,7 | 89,7 | 69,9 | 78,2 | 95,2 |
| ASTURIAS (Principado de) | 2,94 | 80,7 | 77,4 | 81,5 | 75,0 | 76,8 | 96,6 | 74,4 | 80,0 | 96,4 |
| BALEARIS (Illes) | 11,62 | 81,8 | 80,6 | 82,8 | 13,6 | 77,2 | 85,3 | 85,7 | 87,8 | 100,0 |
| CANARIAS | 7,63 | 86,7 | 87,3 | 86,2 | 73,5 | 84,1 | 80,0 | 95,4 | 96,4 | 0,0 |
| CANTABRIA | 4,00 | 70,1 | 65,2 | 69,7 | 16,7 | 67,4 | 85,3 | 74,1 | 70,6 | 0,0 |
| CASTILLA Y LEÓN | 4,37 | 75,9 | 78,5 | 76,9 | 87,5 | 72,5 | 72,0 | 67,0 | 40,7 | 98,0 |
| CASTILLA-LA MANCHA | 5,36 | 89,5 | 90,4 | 88,7 | 64,7 | 89,2 | 96,0 | 87,3 | 78,6 | 100,0 |
| CATALUNA | 8,70 | 83,4 | 83,2 | 86,1 | 56,2 | 80,5 | 86,7 | 74,5 | 0,0 | 89,7 |
| COMUNIDAD VALENCIANA | 8,77 | 85,9 | 87,1 | 86,2 | 0,0 | 84,6 | 91,9 | 79,1 | 0,0 | 77,3 |
| EXTREMADURA | 1,87 | 91,4 | 91,3 | 91,2 | 77,8 | 90,3 | 93,9 | 95,5 | 90,0 | 100,0 |
| GALICIA | 1,87 | 84,1 | 80,0 | 82,1 | 88,9 | 85,7 | 95,8 | 86,1 | 86,2 | 0,0 |
| MADRID (Comunidad de) | 10,98 | 74,6 | 71,5 | 75,1 | 71,1 | 72,7 | 76,4 | 79,1 | 69,3 | 98,6 |
| MURCIA (Región de) | 9,06 | 89,0 | 87,2 | 90,1 | 76,5 | 88,4 | 92,5 | 86,4 | 75,1 | 100,0 |
| NAVARRA (Comunidad Foral de) | 8,79 | 80,7 | 83,3 | 82,2 | 77,8 | 73,3 | 70,5 | 70,8 | 86,4 | 97,5 |
| PAÍS VASCO | 3,53 | 68,4 | 71,2 | 67,3 | 55,3 | 62,7 | 75,9 | 54,7 | 59,9 | 36,4 |
| RIOJA (La) | 9,75 | 77,0 | 77,4 | 72,8 | 84,6 | 81,2 | 89,4 | 84,6 | 73,0 | 100,0 |
| CEUTA | 1,48 | 86,8 | 100,0 | 97,6 | 100,0 | 86,1 | 100,0 | 100,0 | 30,3 | 0,0 |
| MELILLA | 5,08 | 92,4 | 96,4 | 85,1 | 0,0 | 99,5 | 97,4 | 100,0 | 100,0 | 0,0 |

(1) Includes on-site and distance students
(2) Includes on-site and distance students
(3) Includes visual arts and design, music, dance and theatre
Source: Ministry of Education statistics for 2005 <http://www.mec.es/mecd/jsp/plantilla.jsp?id=3112&area=estadisticas>

We would like to point out that from a policy making point of view in both the NRP and the SI/SP process there are a number of measures and specific objectives that are meant to deal with the integration of immigrant children and with reducing school failure (see table in part one of this report). However, in our view, there are problems in the indicators and in the analysis or diagnosis made. There is no mention anywhere on the differences between public schools and publicly supported private schools. This is a major issue for debate and for transparency given the proportion of the educational budget which is allocated to these schools⁴⁰. Although there have been proposals to impose some ceiling percentages, there must also be an inspection and evaluation mechanism in place to ensure that the whole of the publicly funded school system works toward the full integration of these children and of Roma children. Programmes and strategies that also involve those parents with lower educational qualifications are also missing.

As we noted above, there are some measures in the NRP (see table and analysis in section 1) that could help immigrants to obtain official qualifications needed to access better paying jobs, given that nothing has been done in the area of facilitating the homologation of foreign schooling certificates (and also because there is at the moment a reform to homogenise university studies in Europe). However, we note again that it is necessary to have specific strategies to communicate this information to immigrants and to specific groups of immigrants so that these measures can also affect them in a positive manner.

Finally, although there is much talk about diversity and how it can enhance society and the economy, and there are on-going training courses for education professionals and the new law on education explicitly recognises the respect for diversity as one of the values of the school system, only a few firms (namely large firms) are in a position to actually create plans or make organisational changes that can help them to harness the skills brought by immigrants. In our opinion there is also a high diversity within Spain of Spanish nationals that is highly politicised and that has affected some of the debate for the integration of immigrants (i.e. which language they should be taught in, the need to know these languages to accede to public employment, etc.).

2.4 Housing and related issues

The NAPincl and the NRP have several measures that concern housing (see table in section one above). Some are of a very general nature aimed at reducing the price of housing, while others deal with increasing the supply of public housing, or enhancing incentives to increase the supply or rented housing. There has been, since the very first NAPincl, one measure specifically aimed at reducing irregular dwellings (focos chabolistas) by the Roma population even though in the diagnosis nothing is said about this situation nor are there any quantifiable objectives nor corresponding indicators. These irregular housing clusters have been identified as well as the concentration of Roma population in degraded neighbourhoods in all CCAA.⁴¹ At the same time some good practice has been identified in the integration of Roma living in shantytowns into regular housing⁴². This measure is not mentioned in the NRP among the housing measures.

The situation of housing for the Spanish Roma population has not been wholly resolved despite various efforts expanding at least three decades. It is estimated⁴³ that between 10% to 12% of the Spanish

⁴⁰ It has been extremely difficult to assess the proportion of the public budget going to these centres. The budget allocation in the central budget would have to be followed through in each CCAA budget. However, some of our own calculations have led us to believe that the proportion is quite substantive.

⁴¹ FSG report on the situation of Housing for Roma available at <http://www.gitanos.org/upload/75/46/16Dossier.pdf>

⁴² The recent Peer Review in Avilés, Asturias Spain is one example.

⁴³ Ibid

Roma population in makeshift housing communities. In addition the Roma population from other EU countries and also other immigrant groups (Sub-Saharan Africans in particular) have also appeared recently in such housing not only in urban but also in rural areas (see our previous reports). Furthermore, in the cases where the Roma have been re-located to public housing estates, the term “vertical shantytowns” has appeared referring to the fact that the re-location has not been accompanied in the past by holistic integration programmes into the receiving communities. However, this has changed and many such programmes are now being implemented. Another criticism of these relocation exercises is that many times a number of persons with different social exclusion problems are housed together, again, with no programmes for integration of these new communities. There is also some evidence that due to the much cheaper rents (sometimes illegally rented) a number of immigrants are also living in these older public housing projects.

As to the immigrant population, in previous reports we have highlighted the fact that one of the strategies to save money and increase remittances consists in a very intensive use of housing (high percentage of flats shared on average between 3 or more adults,) which differentiates them clearly from the Spanish population which seldom shares housing with other people outside their families (45% according to the 2001 Census compared with only 17% for the Spanish population). We quote here again an article on rented housing which confirms many anecdotal stories about the difficulties that especially young people and immigrants have in accessing housing⁴⁴. Owners are asking up to 4 months in guarantee and up to a year to be deposited in a bonded account. On top of the already very high prices of rented housing, this practice makes it virtually impossible to rent for these groups who also have a higher probability of temporary employment and cannot access credits to buy housing. These practices are also possibly affecting single-parent families. However, we must also highlight the fact that banks are becoming very versatile and are offering a number of options for new types of mortgages (such as shared mortgages with non-family members) or insurance products protecting against the rise in interest rates. In addition there has been a large boom of financial intermediary firms that obtain mortgages for immigrants at very abusive commission rates while at the same time banks in Spain have also developed a range of services for immigrant clients.

Immigrants have in fact brought life back to abandoned city centres or to entirely abandoned towns, and there is a pattern of concentration of immigrants by nationality in certain areas of the country⁴⁵. In the following table the percentages of the immigrant population in each CCAA and the distribution of the immigrant population among the CCAA is shown. Within large urban areas (more than 250,000) there are also marked concentrations of immigrants throughout Spain.

⁴⁴ “Casting’ para alquilar piso: Los caseros exigen fianzas de hasta cuatro meses y avales bancarios por un año de renta”, El País, Suplemento Propiedades, Viernes 17 de Septiembre de 2004.

⁴⁵ See for example the excellent article on the Romanian population in Spain: “Inmigrantes rumanos en España: aspectos territoriales y procesos de sustitución laboral” Rafael Viruela Martínez Departament de Geografia, Universitat de València <http://www.ub.es/geocrit/sn/sn-222.htm>.

| <i>AUTONOMOUS COMMUNITY</i> | Percentage of the immigrant population in each CCAA with respect to the total population in each CCAA | Immigrant population in each CCAA as a percentage of the total immigrant population of Spain |
|---|---|--|
| <i>Andalucía</i> | 5,73 | 11,38 |
| Aragón | 7,93 | 2,53 |
| Asturias (Principado de) | 3,02 | 0,81 |
| Baleares (Illes) | 17,02 | 4,29 |
| Canarias | 11,22 | 5,60 |
| Cantabria | 4,25 | 0,60 |
| Castilla y León | 4,02 | 2,51 |
| Castilla - La Mancha | 6,58 | 3,17 |
| Cataluña | 11,96 | 21,16 |
| Comunidad Valenciana | 13,48 | 16,01 |
| Extremadura | 2,08 | 0,57 |
| Galicia | 2,83 | 1,95 |
| Madrid (Comunidad de) | 13,52 | 20,47 |
| Murcia (Región de) | 13,06 | 4,46 |
| Navarra (Comunidad Foral de) | 8,24 | 1,23 |
| País Vasco | 3,94 | 2,11 |
| Rioja (La) | 11,87 | 0,91 |
| Ceuta | 8,02 | 0,15 |
| Melilla | 6,39 | 0,11 |
| NOTE: please keep in mind that in some CCAA the percentage of EU nationals is very high Source: LFS(EPA), 2nd quarter 2006 | | |

2.5 Social services

The issue of access to social services must be distinguished markedly from health services in the case of Spain. Spain has a universal health coverage system that also includes bilateral agreements with most of the Latin American countries and follows the EU legislation for care of EU citizens resident in Spain.

In case of social services, these are exclusive competencies of CCAA and municipalities. The new law on dependency has made a great advancement in providing a single legal framework and establishing a minimum of rights and services that will be provided in the whole of Spain. All other social services as well as minimum income schemes, as we have pointed out in a number of occasions, are formulated and regulated by the CCAA and municipalities with wide differences between CCAA.

We would like to repeat here the concern that was transmitted during our interviews to NGOs about the danger to set up parallel services for immigrants instead of making efforts to integrate them into the mainstream services. This has to do with the fact that the influx of immigrants has heightened the awareness on the weaknesses of the existing situation of social services in Spain before their arrival both in the shortage of social services and in the lack or weak coordination with other departments in most cases as well as on the differences among CCAA. Avoiding competition for the services with the local population (which is already happening in Education), should prompt strategies to renew and reinforce these services with the corresponding training to personnel for the increase diversity of users. On the other hand, lack of information on the existence of these services among the immigrant population and the possible under utilization at the moment underlines the need to make these adjustments in a speedy and efficient manner as their integration and increased information on these services grows.

Finally it is important to note that the MTAS has commissioned a study on the evaluation of the public social service system that will be carried out in the whole of Spain⁴⁶ which will include questions and reflect suggestions by the interviewees (Directors of Social Services and Primary Attention Centres), among others, on the challenges raised by immigration and the development of services for dependant persons.

2.6 Target group issues

The situation of immigrant women, immigrants with disabilities, discrimination and youth have different degrees of acknowledgement and thus are being tackled with varying degrees of intensity and success.

In the case of immigrant women, although their labour market figures are better in some respects than Spanish women, higher rates of fixed-term employment and higher probabilities to work in lower paid jobs affect them negatively, sometimes postponing indefinitely the possibilities of family re-grouping or increasing the risk of poverty and social exclusion in case the family is already re-grouped. Their role in the caring economy is becoming more and more important so that Spanish women can also remain at work. The new law on dependency creates a great opportunity to reduce the informality or undeclared work aspects of these activities at the same time that a specific plan to train and "professionalise" this work contingent will be needed in order to ensure quality of service. Immigrant women also work in

⁴⁶ This information was share by Mr. Juan Carlos Mato Gómez, General Subdirector of social programmes in the DG for social Inclusion at MTAS.

other sector and occupations, but the same pattern emerges as to the higher insecurity at work and lower pay.

There are hardly any publicly available data on the situation of disabled Roma population or immigrants. According to the results of the study already mentioned above, the Roma population over the age of 16 claims to have average health (22.4%) to good or very good health (70.9%). Only 1.2% claim to have a full disability, 1.9% a disability that impedes work, and 3% a non-incapacitating disability. In total 14.5% of the total Roma population has some degree of disability. This is greater than the 8.6% for the entire Spanish population. On the other hand, we could not find any specific research on the situation of disabled Roma people.

One of the main Spanish associations representing disabled persons, CERMI, has recently celebrated a forum on disability and immigrants.⁴⁷ Based on the figures given at this meeting, we can calculate that less than 1% to 3% of all immigrants have some type of disability (including children). There is no publicly available information (but could be made available) on the number of invalidity and disability cases in the social security figures which involve immigrant population. Long-term illnesses among the immigrant population is not known either, but there has been some research done recently on this issue⁴⁸.

As to disaffected youth, a very much-publicised event was the conversion of the Latin Kings gang and also their rival Ñetas into civil society associations (mostly made up mostly but not exclusively of Equatorian youth). These gangs were imported from the US where they are considered as criminal gangs involved in drug-dealing, prostitution and other crimes. This took place earlier this year in Barcelona with the support of the public administration there. However, in Madrid members of these same gangs have been arrested for various crimes. Here we must make mention to youth programmes and plans that should also cater specifically to needs of immigrant youth at the same time that it should integrate them into Spanish society. One of the most important needs would be to have specific data and analysis on their school to work transitions, but also on their overall integration into Spanish society.

2.7 Information, communication and culture issues

The Roma population in Spain has a strong influence on cultural life. Some of the most nationally and internationally well known Spanish musical and dance artists come from this cultural background. However, this has not reduced stereotypes which can still be seen regularly in media and still work against them on a day to day basis. The Roma have also made strides in creating their own media instruments such as radio and publications⁴⁹. The FSG has been active in promoting these initiatives, but also ordinary citizens and other Roma associations. However, there are some cultural aspects, such as the gender roles which are still practiced, that make integration and full participation in Spanish society a slower process in addition to other social exclusion realities faced by this group.

The growing number of immigrants has had a correspondingly growing impact on the media and culture in Spain. They themselves have also created or have taken the opportunity to create their own media spaces in printed and audiovisual media (radio and television programmes). Well-known Latin American writers feature regularly on the main printed newspapers, often writing about the migratory process. Through our search on Internet we have been able to identify at least 15 different newspapers, weekly sheets in local newspapers in the immigrants' language, television spaces in public regional television

⁴⁷ <http://antiguo.cermi.es/graficos/inmigracion.asp>

⁴⁸ There is a very recent research which received the first prize by the Caja Madrid Obra Social Social Research Awards on cancer in immigrant children analysing the socio-economic impact on families. See Bibliography for details.

⁴⁹ Some of these examples can be found in the following Internet addresses: <http://www.vocesgitanas.net/>;

programmes, which are directed and presented by the immigrants themselves. We are sure that this number is an underestimation of the total initiatives which are on-going. However, some negative stereotyping can be found in mainstream TV programmes produced in Spain as well as some positive examples including news anchors, especially women, in public television and also TV presenters. We remind here that according to the CIS (Centro de Investigaciones Sociológicas) barometer 34% of the Spanish population thinks that immigration is now Spain's second most important problem (terrorism having been debunked to third place)⁵⁰. On the other hand, it is to be noted that most of the TV news and newspaper articles about immigrants that we have monitored during the preparation for this report, and outside the programmes specifically focussed on their experiences in Spain, are negative in that they focus on crime and not so much on the positive aspects of immigration.

As to the religious aspects concerning the immigrant population, the situation must be placed in the context of a series of measures that the Spanish government has taken that have changed long-standing policy towards the Catholic Church which is dominant as a religion in Spain and in the context of the general attitudes on religion in Spain. The CIS barometer⁵¹ on religious attitudes and another on immigrants show that the Spanish population is highly laic although they declare themselves as Catholics (80% declared catholic with 61% never participating in any religious act)⁵². This survey also showed that only 21% of the population are in favour of teaching catholic religion exclusively at school while 48% think that it should be taught along with other religions (16% think that there should be a history or religion class instead). On the other hand, only 2.9% of the 1.4% of other religions declare themselves as Muslims and the rest of other Christian or other religions. In another survey the Spanish population has answered overwhelmingly that immigrants with other religions should be allowed to practice their religion (81%) although most importantly they also answered that the immigrant's children should have access to public education (92.5%).⁵³ The government has recently prepared a publication to be used in the teaching of Islamic faith at schools⁵⁴. The registry of religious entities allows to look-up only the number of registered entities by CCAA⁵⁵ but the information on the specific religions is available for research upon request. However, as in other social issues, competencies for this have also been devolved to CCAA.

We have already expressed the concerns of NGOs with respect to the fact that policy making on integration of immigrants is made at the CCAA and municipal level (see table in section 2.1 above). Although they admit that adapting strategies for specific situations is important, they also express concern over the fact that there are no national guidelines to avoid creating territorial differences in rights, obligations and services enjoyed by these citizens. There are many examples of good, but also bad practice in the way local level leaders have attempted (or refused) to integrate the immigrant community into their main cultural events. On the other hand, most CCAA (but also some municipalities, even small ones) are making efforts to make most essential official information available in the corresponding language of the largest immigrant groups, but so are banks, and other businesses. The PECE aims to also address all of these issues in a holistic way.

⁵⁰ For the full results please go to http://www.cis.es/cis/opencms/-Archivos/Marginales/2620_2639/2635/e263500.html.

⁵¹ Actitudes y creencias religiosas, Estudio nº 2.443, Enero 2002

⁵² The results of a 2004 survey on the teaching of Catholic religion at school show that religion and politics are the least important items in the question asking what are the most important things in the respondent's life.

⁵³ http://www.elpais.es/elpaismedia/ultimahora/media/200512/29/espana/20051229elpepunac_1_Pes_PDF.pdf (The CIS link is not working)

⁵⁴ http://www.larazon.es/noticias/noti_rel14206.htm. The government received criticism from one student association (Unión Democrática de Estudiantes) which claims that this is a step towards the "islamisation of Spain" which is in our view an exaggerated criticism, and on the other hand it does make a point about how the publication was being funded and distributed which has more to do with transparency issues.

⁵⁵ <http://dgraj.mju.es/EntidadesReligiosas/>.

2.8 Emigration

Spain was once a country of emigration but it has turned over the past decade into an immigration country as we have outlined in the previous sections. In fact, Spain is in the process of including strengthening of social protection for emigrated citizens living in other countries. It also recognizes children and grand children of emigrants as Spanish citizens, many of which are **emigrating back to Spain** (mainly from Latin American countries). There are specific benefits managed through the INEM that support their integration back into Spanish society in a transitional period and these measures are include in the NAPIncl. According to the most recent figures⁵⁶, only 2% of Spanish citizens are foreign born. Those born in Latin American countries represent 41,5% of these foreign born citizens while those born in other European countries represent 41.1%. **In any case this is not seen as a major challenge.**

In the following table the number of returned emigrants receiving the non-contributive unemployment benefit are shown, 57% of these are women. These emigrants can also receive special support in setting up their own businesses and if they fall under one of the categories for receiving the RAI after having extinguished the maximum period of the non-contributive benefit.

| | <i>ANNUAL AVERAGE</i> | | |
|--|-----------------------|---------|---------|
| | ABSOLUTE VALUES | | |
| | Ambos sexos | Varones | Mujeres |
| Emigrantes retornados (2) | 3.768 | 1.603 | 2.166 |
| <small>(2) Returned emigrants include those unemployed workers that do not have the right to a contributive benefit and who have worked at least six months abroad. From May 27, 2002, date of enforcement of Royal Decree 5/2002, and substitute by Law 45/2002, this also includes unemployed workers who have returned from countries outside the EU or those with which there is no bilateral agreement on unemployment protection, that do not have the right to his contributory benefit and who are able to prove that they have worked at least 42 months in the past 6 years in such countries since their last residence in Spain.</small> | | | |
| <small>Source: ANUARIO DE ESTADÍSTICAS LABORALES Y DE ASUNTOS SOCIALES 2005, Table PRD4</small> | | | |

With respect to the total population of foreign born Spanish citizens, the percentage of emigrants receiving this benefit is only 0.42%. However, there are no publicly available figure on the percentage of emigrants receiving the RAI.

⁵⁶ Padrón municipal 2005, INE

Annex 1: List of NGOs interviewed

The following NGOs have been interviewed. Some of them were not able to give us their views at the close of this report. The main reason, although we have been asking for an Audience since early September, is that the end of the year is very busy for them (closing projects and preparing budgets for the following year). In some cases they rely solely on volunteer personnel.

| Entity | Date of interview |
|-----------|-------------------|
| Cruz Roja | 20/11 |
| Atime | not fixed yet |
| Red Acoge | 31/10 |
| Cepain | 16/10 |
| Cáritas | 17/10 |
| EAPN | 24/11 |

Annex 2 : Recent Bibliography on Immigration and Roma Population in Spain

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Priority Objective:
 e.g. Eliminate Child Poverty or Ensure Inclusion of Immigrants and Ethnic Minorities or Reduce Homelessness
 or Increase Access to Employment of Vulnerable Groups or Reduce At-Risk-of-Poverty Levels

| Input or Output targets | Indicators to measure progress | | Policy Measures | | | | | | | | | | |
|-------------------------|--------------------------------|--|-----------------|----------|--------------------------------|----------------------------------|---------------------------------------|---------------------------------|--------------------------|-----------|----------------------------|--|--|
| | | | Employment | Economic | Income: tax, social protection | Education & Training (incl. ICT) | Housing, Environment & Basic Services | Health & Social/Family Services | Culture, Sport & Leisure | Transport | Financial & Legal Services | Non Discrimination ⁵⁷ and Gender Equality | |
| | | <i>Key Existing measures</i> | | | | | | | | | | | |
| | | <i>Main New measures</i> | | | | | | | | | | | |
| | | <i>Additional resources</i> | | | | | | | | | | | |
| | | <i>How do these measures address gender inequalities?</i> | | | | | | | | | | | |
| | | <i>Agencies responsible for delivery (national, regional, local)</i> | | | | | | | | | | | |

⁵⁷ i.e. policies to fight discrimination on grounds of sex, race/ethnic origin, religion/belief, disability, age and sexual orientation.

