

European Monitoring Centre on Racism and Xenophobia  
Observatoire Européen des Phénomènes Racistes et Xénophobes  
Europäische Stelle zur Beobachtung von Rassismus und Fremdenfeindlichkeit



# **MIGRANTS, MINORITIES AND EMPLOYMENT IN SPAIN**

## **EXCLUSION, DISCRIMINATION AND ANTI-DISCRIMINATION**

**RAXEN 3 Report  
to the ▲ European Monitoring Centre on  
Racism and Xenophobia (EUMC)**

by the ▲ RAXEN Focal Point for Spain  
Movement for Peace, Disarmament and Liberty (MPDL)



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# 1. Executive Summary

This report on labour discrimination of migrants and ethnic minorities in Spain deals, first, with the complex situation in legal terms the country is facing. Spain is on the eve of a reform, of a restrictive nature, of the key law, which at this moment rules the presence of migrants in the country, the § Law 8/2000 or “Ley de Extranjería”. We should take into account that this law derives from a reform of the same nature of the previous norm, the § Law 4/2000, which when in operation was considered by some sources as the most advanced migration law all over the European Union. This report supplies some specific examples of cases that illustrate this state of affairs.

Next, our report focuses on the difficulties involved in trying to match a position in favour of a stronger control of migration with the evidence, shown by official records, of the increasing contribution of migrant workers to the Social Security funds. Such contribution is particularly important in the present moment, when the medium/ long-term sustainability of the pensions systems is far from being ensured. In the next step, this report shows through specific examples the role, which governmental members, trade unions, entrepreneurs and a number of NGOs have been playing.

After this preliminary section, the report of the Spanish NFP analyses some figures which throw some light on the foreign population situation in the labour market regarding discrimination. Moreover, it is shown that official sources lack information in this matter as they only provide data concerning issues such as the number of labour permits granted to migrants, the number of migrants employed, the number of foreign workers registered as working, the unemployment rate among foreigners, etc.

After providing the most updated available data of the statistics which we have just mentioned, the report focus on other sources besides official statistics in order to find specific examples of labour discrimination of foreign workers in Spain. Among these ‘alternative’ sources it is particularly worth mentioning the organisation ▲ SOS Racism, trade unions, the press and a number of research studies.

Next, the report sets out different categories for labour discrimination and supplies specific examples for each one. In this point, economic sectors such as agriculture, home help and prostitution are considered. The report is neither oblivious of migrant women as subjects of a double discrimination nor of irregular migrants, whose close relationship with the underground economy as the main pool of jobs for their subsistence is revealed.

After this classification, the Spanish report offers information of the main initiatives that the NFP became aware of to end labour discrimination and to promote diversity in the labour market. At this point, we draw some conclusions from court cases analysed

The following chapters of this report consist of an analysis of the data supplied in order to assess the prospects for both a decrease in racism and an increase in the support for

diversity in employment and in the labour market. The opinion polls carried out by the ▲ ‘Centro de Investigaciones Sociológicas’ (CIS) (a public social research agency) are mentioned as a possible source for getting to know if racism is a common feeling among Spanish citizens.

The two final chapters of the report are devoted to list its main conclusions and to a number of recommendations aimed at the central Government as well as at trade unions and at the organisations involved in migrants’ defence.

## 2. Introduction

This report covers the 2001-2002 period. For the latter year, the report goes as far as the existing data allow it. In this regard, we think it is interesting to highlight that the exhaustive tracking of the mass media which this NFP has carried out has allowed it to offer an up to date information of any legal and policy news concerning migration (chapter 3). But the quotation of statistics and of detailed analyses on migration and particularly on migrants' labour integration (chapter 5) depends on their existence and availability and of the higher or lower updating of the data they include. In this regard, it is worth pointing out that reports and statistics published in a given year supply data which always refer to previous years and which sometimes are even out of date, so that it is very likely that in future editions of these employment reports we must refer to the year 2001, the same it has happened in this report, where we have made more than one mention to the year 2000.

### 3. Brief overview of the political and cultural situation

Before starting, we must point out that although Spain is currently shaped as a State divided into Autonomous Communities, which have their own powers, migration policy depends of the central government . Autonomous governments only have very limited powers such as the provision and delivery of services for migrants. This situation has provoked some strain between the central government and at least some of the Autonomous governments. As we will see in pages below, this has been the case, at least, of the Autonomous Governments of Andalusia, Aragon and Galicia.

The main texts ruling migration in Spain are the § Law 8/2000 (or ‘Ley de Extranjería’) and the § Royal Decree 864/2001, which approved the norm, which developed the law. Both were considered to be contrary to the spirit of the Spanish Constitution by some sources and denounced on these grounds. Both have faced some strong opposition by trade unions and the organisation SOS Racism, whose delegation in Madrid has stated, for instance, that the Law 8/2000 lays the blame on migration in basically considering it a police problem concerning public order (*Comentarios de SOS Racismo Madrid a la reforma de la Ley de Extranjería, ■ Comments of SOS Racismo Madrid to the reform of the Law 8/2000*<sup>1</sup>).

Both legal texts have also received more moderate and/or partial criticism by a number of experts in legal matters. A new contribution to this state of affairs is the position held by • Carles Campuzano, Spanish parliamentarian by the centre-right coalition ‘Convergència i Unió’, in an article published in the issue number 53 (2001) of the magazine *Afers Internacionals (International Affairs)*, edited by the Fundació CIDOB. The title of this article is *El debate sobre la inmigración en España, ¿una oportunidad doblemente perdida? (■ The debate on migration in Spain, an opportunity twice wasted*<sup>2</sup>. In it, the author recalls that today both the Spanish and the European labour markets are searching for flexibility and for a structure which places a greater importance on partial and temporary jobs than in previous periods. As a result of facts such as the ageing of native populations, the low birth rate of western countries and the existence of a plethora of new sources of employment with low requirements as far as qualifications are concerned and which the native population do not always want to take up, labour markets depend on a certain extent on the participation of foreign workers. Their current contribution to the sustainability of the Spanish Social Security, which derives from such an involvement of foreign workers in the labour market is already quite important: nowadays they represent 3,3% of the Spanish population but they are already 4,7% of the contributors to Social Security, a percentage which includes migrants from both inside and outside the EU (761.473 migrant contributors to Social

<sup>1</sup> <http://sauce.pntic.mec.es/~smartii4/dlorente.htm>

<sup>2</sup> <http://www.cidob.org/Castellano/Publicaciones/Afers/53campuzano.html>

Security against a total number of 16.154.714)<sup>3</sup>. In a specific Autonomous Community (La Rioja), the number of migrants contributing to Social Security has tripled in two years and the number of new contributors to the general system of Social Security has reached the figure of 300 in only one month<sup>4</sup>.

Such contribution of migrants is even acknowledged by the Public Administration itself. In the words of Leonardo Bárez, a Social Security technician, which were quoted by the *Diario del Sur* (8/3/2000), “migration must become a matter for agreement, we must study the figures of migrants who come to Spain and set up channels for them to have decent jobs so it is avoided that they resort to the underground economy”. Moreover, all the existing clues point out that this migrants’ contribution to Social Security is even going to increase in the future: in May 2002, one out of three new contributors was a migrant.

According to the aforementioned politician (Carles Campuzano), the § Law 8/2000 did not meet these expectations of labour market flexibility as it did not facilitate migrants’ entrance and exit through a tailored mechanism of temporary recruitment (in other words, a previous border). On the contrary, this law establishes rigid frontiers which are only so in theory, as they have proved unable to hold back the thousands of migrants who are desperate to find a job outside their native countries. In this way, these foreigners automatically become irregular migrants who unwillingly favour the mafias which traffic with them.

In short, Carles Campuzano’s opinion is that this Law and the § Royal Decree 864/2001 were not only failing to achieve their essential mission, which on the other hand it is not migrants’ integration but the control of the so called irregular migration, but that they were in fact encouraging this phenomenon. As far as migrants’ integration is concerned, the Spanish government stated that it will be dealt with in the so called § Law on Quality Education<sup>5</sup>, which is to be approved in the near future and which will affect all primary and secondary students. With regard to the control of irregular migration, the President of the Spanish Government argued the announced need to reform the present Law, so criticised as we have already seen, on the grounds of speeding up the expulsion of irregular migrants<sup>6</sup>. Additionally, the President of the Spanish Government took a stance stating that illegal migration had to be discouraged and announced a number of measures which could contribute to this end: to establish a clear distinction between what is illegal and what is legal; to improve the control of external borders and to “revise the performance” of these non-EU countries with which there are co-operation relations which could do better in migration-related matters<sup>7</sup>.

In addition, the fact that this law links the residence and the extension of the permit with the possession and the renewal of a labour permit is another ‘incentive’ for irregularity. When a worker loses a regular job and does not find another, it is to be expected that

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<sup>3</sup> *El País*, 5/3/2002

<sup>4</sup> *La Rioja*, 3/6/2002

<sup>5</sup> *El País*, 18/2/2002

<sup>6</sup> *La Provincia*, 13/5/2002

<sup>7</sup> *El Mundo*, 27/5/2002

he/she will seek for it outside the traditional circuits. Therefore, many authors state that this promotion, willing or unwilling, of irregularity also leads to the promotion of the underground economy in whose framework migrant workers may at least make some earnings.

As a legal novelty in this period we have to mention *the § Resolution of 11 January 2002, which concerned the publication of the Agreement of the Council of Ministers of 21 December 2001 through which the quota of non EU foreign workers in 2002 was accorded*. The possibility of establishing migrant quotas arises from the Article 29 of the Law 8/2000 which states the number and characteristics of the job offers supplied to foreign workers not living in Spain and the economic sectors and professional activities they belong to. This Resolution established in 32.079 the migration quota for 2002, which was distributed as follows: 10.884 long-term jobs and 21.195 temporary jobs. Some sources have considered these figures, which are quite similar year after year, as very low: it is to be taken into account, for instance, that some entrepreneurs have calculated that the Spanish economy needs around 300.000 new migrant workers every year.

On the other hand, this quota has been denounced in a number of cases. This was the case, for instance, of an appeal jointly lodged by the trade union CC.OO and the NGOs ▲ SOS Racism and ▲ CEAR (Spanish Committee to Support Refugees) in Galicia. The reason for this appeal was that in the final distribution of such migration quota this Autonomous Community had only been granted 101 foreign workers, 13% of the figure, which Galician employers had demanded<sup>8</sup>

Anyway, trade unions are of the opinion that employers intentionally overestimate these figures, which would double the number of regular foreign workers currently employed in Spain (see [section 5](#)) in order to achieve a rich stock of economical labour force to undertake jobs whose conditions the Spanish population does not accept. In addition, this strategy would serve employers to question the existence of recipients of unemployment benefits against the apparent existence of job vacancies. The newspaper *La Verdad* (17/5/2002), for instance, reported that the trade unions UGT and CC.OO, together with the representative of the central government in the Autonomous Community of Murcia, had criticised the employers' organisations COAG and FECOAM (transport, furniture and hotel and catering) on the grounds of such overestimation.

Many times, the situation is the opposite, which seems to confirm this suspicion shared by many trade unions and NGOs concerning some entrepreneurs, who when seeing their demands of a higher number of foreign workers rejected, quickly threat with recruiting migrants with no labour permits or do so underhand. According to the newspaper *Levante Digital* (5/5/2002), the number of irregular migrants employed by Spanish entrepreneurs is nearly 200.000. According to the newspapers *El País* (23/5/2002) and *La Vanguardia* (29/5/2002), the opposite case, that is, when job demands exceed job

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<sup>8</sup> *La Voz de Galicia*, 1/4/2002 and *El Progreso*, 2/4/2002.

offers, is likely to happen in this summer's fruit harvest in Lleida (Catalonia), where none of the 1.200 migrant workers registered in Employment Agencies has "found" an interested employer so far. In one month and a half, it is estimated that this figure may rise to 10.000 migrants, which entails an obvious risk of potential conflicts.

Another explanation for this 'decalage' between job offers and demands lies in the government's permission to recruit foreign workers in their own native countries and the lack of consistency between this possibility and the migrant quota granted to a given territory. The newspaper *El País* (22/3/2002) reported a specific example: the approval by the Spanish government of such a recruitment of nearly 7.000 seasonal workers, most of whom from Eastern Europe, for the strawberry harvest in Huelva (Andalusia) (see [section 5](#)), despite the fact that the migration quota granted to this province in 2002 was of only 3.500 foreign workers. As a further result of all this, 1.200 Maghribian workers who had become regular in order to work in the strawberry harvest in the same province in 2001 and who expected to be also employed in this year's harvest are now jobless. In short, nearly 5.000 migrants, most of whom Maghribian, currently lack a job in one province alone.

This 'preference' of agricultural employers for workers coming from Eastern European countries has also been seen in the fruit area of Lleida, where jobless workers of Maghribian origin are on the increase<sup>9</sup>.

The proximity of summer with the consequent need of labour force in sectors such as hotels and catering, is what probably led the Ministry of Employment and Social Affairs to enact a Resolution which validated **for Spain as a whole and all the economic sectors** the labour permits achieved by 216.000 migrants in the framework of the last process of regularisation<sup>10</sup>. Before proceeding further, we have to say that the total number of migrants who had applied for their regularisation in this last process were 350.158, 7% of whom have not eventually seen solved their situation<sup>11</sup>.

In this regard, it must be taken into account that before this validation such labour permits were only applicable in the province of residence of each particular migrant and in the specific economic sector to which each job offer belonged. The surplus of labour force arisen in a number of provinces and sectors was the reason behind such 'flexibility'. Again, it must also be taken into account the slowness of the processes of regularisation, which in this particular case, in which the granting of a labour permit was linked to a specific job offer alone, brought about that when a foreign worker eventually obtained his/her labour permit the job offer involved was no longer in existence. The removal of this limitation concerning province and economic sector only comprised, however, the labour permits granted in this last process of regularisation, which has introduced a new category of discrimination between migrants according to the periods where they achieved their regularisation.

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<sup>9</sup> *La Vanguardia*, 22/4/2002.

<sup>10</sup> *El País*, 29/4/2002

<sup>11</sup> *El País*, 18/1/2002

Despite all these last-minute efforts to adjust job demands and offers, it seems we can conclude that the policy of migrants' quotas has been unsuccessful. The newspaper *El País* (10/06/2002) reported that after reserving for home help 2.243 of the 10.884 long-term jobs that were to be covered through the migrants' quota for the year 2002, employers had only submitted 353 job offers for the remaining 8.641 migrants, no one of which has either been covered so far. As for the home help share, only 27 jobs have been taken up.

Another measure was the *Plan Interdepartamental d'Immigració 2001-2004* (Interdepartmental Migration Plan, 2001-2004), which in the labour field includes a number of actions in different stages of development which we list below:

- Evaluation of the impact of the measures aimed at non EU migrants (to be started in 2002);
- Promotion and organisation of the participation of non EU migrants in specific measures of vocational training;
- Reinforcement of the participation of non EU migrants in ordinary measures of vocational training;
- Edition and dissemination of a leaflet aimed at migrant populations concerning self-employment prospects (to carry out in 2002);
- Promotion of the participation of non EU migrants in mixed employment and training schemes such as the so called "Escuelas-Taller" and "Casas de Oficios" and vocational workshops (to be started in 2001);
- Promotion of the participation of non EU migrants in employment programmes;
- Accompanying measures aimed at those migrants involved in annual harvests of fruits and other agricultural products;
- Promotion of the participation of non EU migrants in actions of professional and vocational guidance;
- Promotion of the participation of non EU migrants in the IORO Programme (Information and Guidance for Job Seeking);
- Programme of labour and vocational integration;
- Survey on the needs of seasonal workers employed in the Catalan agricultural sector;
- Meeting 'Young migrants', whose aim was to reflect on migrants' social and labour integration (it was held on 26 April 2001);
- Network for labour mediation and selection in the countries of migrants' origin (XILA);
- Survey on the needs of extra labour force in the Catalan labour market (to be started in 2001); and
- Survey on the processes of the evaluation of professional knowledge, skills and experiences of foreign individuals in the cases when they are unable to supply any proving document.

The Autonomous Community of Aragon has also launched a comprehensive plan for the integration of migrants which includes a total number of 170 measures aimed at training, employment, housing, education, health, social services, legal counselling and awareness-raising. A draft version of this plan was presented in a press review last 24 of

March<sup>12</sup> so that other public administrations, social organisations and NGOs could put forward any suggestion.

Chronologically, the last question to include in this overview of the current framework of migration in Spain is the possibility of reforming the § Law 8/2000. In its edition of 6 of June 2002, the newspaper *El País* announced the intention of the Spanish Government of eliminating all the current ways for migrants' regularisation and of punishing with a prison penalty the recruitment of irregular migrants, an offence which was only punished administratively so far.

The first change would mean that migrants would no longer be able to achieve automatic regularisation by proving a permanent stay in Spain for at least 5 years (what is now called regularisation "for right of place") and that extraordinary processes of regularisation would no longer be convoked.

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<sup>12</sup> *El Diario de Aragón*, 25/3/2002

## 4. Theoretical and methodological approach for analysing data of report

With regard to this employment report, the Spanish NFP has previously undertaken a very thorough job with a view to detecting governmental and non-governmental sources of legal, statistical, research and good practices information which could provide statistical and descriptive data on employment-related matters and on the discrimination which migrants may be suffering in this field.

In order to proceed methodologically in a coherent way, we will start by defining what we understand as labour discrimination. This report considers as such any action of exclusion, distinction, rejection, exploitation or inferior treatment in employment and in the labour market on racial, religious or political grounds. After establishing a typology of sources to obtain such data including statistical and legal sources, surveys and reports, trade unions, NGOs and the press, the problem is that statistical sources do not supply any data regarding discrimination. This gap has led the ▲ Spanish NFP to have to look into the other sources mentioned. This preliminary task has nevertheless increased its knowledge base, particularly concerning documentation and good practices, two fields where the number of organisations and institutions we have detected is quite impressive. However, we think that this previous task is not adequately reflected in these pages. This is due to the fact that this is an annual report (2001-2002), which has restricted the number of organisations mentioned to those, which have undertaken any research or on-the-spot activity throughout this period.

As a further comment on the non-existence of statistical data on employment-related discrimination, it may come as a surprise that the Roma population does not constitute a group of its own in labour statistics. In fact, its centuries-old presence in Spain and its ascription to very specific market niches, outside the conventional labour market, has also placed them out of ordinary surveys. Its discrimination is then more implicit than explicit.

## 5. Description of the existing and non-existing data and sources

In order to achieve the best possible understanding of the information included in this section, we have thought it better to structure it around notions than around sources. Therefore, if we begin by **statistical information** and within it by considering **the labour permits granted to foreigners and the number of migrants employed according to geographical area, sex and time of stay in Spain**, the most thorough data source is the [Instituto Nacional de Estadística](#) (▲ National Statistics Institute). Although it edits a great number of publications, the need of offering data as updated as possible has led us to resorting only to its database (■ INEbase) and to one of the publications it originates: the [Boletín Mensual de Estadística](#) (■ *Monthly Statistics Newsletter*). It is a publication of statistical synthesis, which deals with demographic, social and economic matters at the Spanish global level, although it also includes a number of regional data and comparisons with other countries in the same geographical area than Spain. It focuses on indicators, which are very likely to appear on a monthly or quarterly basis to assess their evolution in recent periods.

This newsletter has two positive points: its monthly frequency and the possibility of being consulted online. We also wish to mention that until we had finished the report (30 June 2002), INE had not published the 2001's edition of its [Anuario Estadístico de España](#) (■ *Statistical Yearbook of Spain*), which usually appears by the middle of the following year.

As for this newsletter, the most updated data related to April 2001. According to this source, **the number of labour permits to foreigners**, which were granted in that month, amounted to 11.744, of which 7.395 were men and 4.349 women<sup>13</sup>. If we look back upon the three previous months of that year, we will see how this figure seems to be clearly on the increase: in January, the number of labour permits granted to foreigners was 7.606, in February 9.281 and in March 9.584 ([Annex 2](#)). In this regard, it must be taken into account that, according to an information published in the Spanish press on 5 February 2002 (Newspapers *El País* and *La Vanguardia*), only 17% of those migrants having arrived in Spain in recent years already had a labour permit, that is, achieved in their respective native countries. This data comes from a survey carried out on a sample of 765 migrants in November 2000 in those Autonomous Communities with a higher presence of foreign populations. We take advantage of this piece of information to highlight that, as it will be clear in the following pages, mass media, and particularly the press, play a great role in our report. And not only as a way to sound out day-to-day public opinion, but also to supplement statistical and official data as we have seen through this example.

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<sup>13</sup> <http://www.ine.es/inebase/cgi/um> (16/01/04)

### Table 1 Number of Migrants

Boletín Mensual de Estadística nº 127. Julio 2002

**Unidades: personas**

2001M01	2001M02	2001M03	2001M04
<b>TOTAL</b>	<b>7.606</b>	<b>9.281</b>	<b>9.584</b>

*Source: Ministry of Labour and Social Affairs*

*Source: Monthly Statistics. INE*

As for the second figure, the number of migrants employed according to their continent of origin, gender and time of stay in Spain, the consult of INEbase (<http://www.ine.es/inebase/cgi/um>) provides us with a figure of 365.900 in the last quarter of 2001. 147.800 had come from Latin America, 87.500 were stateless or had come from continents other than Europe or Latin America, 82.200 had come from the European Union and 48.400 from European countries not belonging to the EU. , There was a total number of 139.700 women distributed as follows: 73.500 (Latin America), 26.500 (European Union), 19.900 (stateless and other continents) and 19.800 (other European countries).

If we compare this figure with those for the remaining quarters of the year 2001, we will discover that the number of migrants employed is gradually on the increase: 291.200 in the first quarter of the year, 326.900 in the second one and 350.100 in the third one. This rise is consistent with the data found for the **unemployment rate among migrants**, for which the more updated figure we have found on the INE website (<http://www.ine.es/daco/daco42/migracion/emwebfa.xls>) is the overall percentage for the year 2000, in which unemployment rate was 20,4%.

### Table 2. Employment and unemployment rates among migrants classified by gender and age groups

Age groups( years)	Employment rates			Unemployment rates		
	Both genders	Men	Women	Both genders	Men	Women
<b>Total</b>	<b>70,8</b>	<b>82,1</b>	<b>59,5</b>	<b>20,4</b>	<b>16,2</b>	<b>26,1</b>
De 16 a 19	53,0	59,3	46,3	48,0	54,1	39,7
De 20 a 29	80,0	88,6	71,1	24,1	12,7	38,7
De 30 a 39	85,1	96,5	73,1	14,4	16,7	11,3
De 40 a 49	73,5	91,9	54,4	12,6	17,9	3,2
De 50 a 64	42,5	56,5	28,6	19,2	13,2	31,0
De 65 y más	0,0	0,0	0,0	.	.	.

*Source: National Statistical Institute 2000*

Another official document in which we have been able to find such information is called *Balance 2001 de la Delegación del Gobierno para la Extranjería y la*

Inmigración (2001's Stocktaking of the Governmental Department for Migrations). It provides an only figure which is more updated however than those found on the INE website, as it relates to the end of November 2001, when 87.363 migrant workers were registered as unemployed in the ▲ Instituto Nacional de Empleo (INEM) (National Employment Agency). We can update a bit more this figure with a piece of news of the newspaper *El País*<sup>14</sup>. According to it, on 31 March 2002 the number of foreigners registered as unemployed in the INEM had risen to 102.595. This figure places the unemployment rate among migrants around 17%, in a period when the number of legal (obviously) foreigners in Spain had amounted to 1.243.919, so in spite of these increasing numbers of migrants unemployed, which is a direct consequence of the growing numbers of foreigners who are continuously arriving in Spain, it all seems to prove that the unemployment rate among migrants is on the decrease.

Apart from these global figures at the national level, we only have partial data from a number of mass media. One of them, the newspaper *La Verdad*, reported that out of a total number of 43.657 unemployed individuals registered in the Employment Agency of the province of Alicante (Autonomous Community of Valencia), 1.500 were migrants. Another newspaper from the same Autonomous Community, *Las Provincias* (30/5/2002), informed that in this community as a whole there were 10.200 foreigners registered in the Social Security as job seekers.

Should we wish to know **the number of foreign individuals registered as working**, the most appropriate data source is the Ministerio de Trabajo y Asuntos Sociales (Ministry of Labour and Social Affairs) and particularly the draft online version of the 2001's edition of the *Anuario de Estadísticas Laborales y de Asuntos Sociales* (■ Yearbook of Labour and Social Statistics) (<http://www.mtas.es/estadisticas/estadistica.htm>)

For the purposes of this report, such yearbook includes data concerning the foreign workers registered in the different systems of Spanish Social Security as labour force. It does not consider those migrants registered in Social Security with a view to health care, those unemployed, those who are the object of specific agreements and those others finding themselves in special situations which have no contribution-related effect. According to this publication, on 31 December 2001, there were 607.074 foreign individuals registered as working (ie, the foreign active population), 398.553 men and 208.414 women. We have only to compare this figure with that for the year 2000 (454.571) to see that it has considerably increased from then on, which once again proves the growing weight of migrants as a labour force in Spain.

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<sup>14</sup> *El País* 17/4/2002

**AEX-01: Migrant workers registered as working classified by gender and age groups**

	Data for 31 December									
	BOTH GENDERS			MEN			WOMEN			
	1999	2000	2001	1999	2000	2001	1999	2000	2001	
<b>TOTAL</b>	<b>334.976</b>	<b>454.571</b>	<b>607.074</b>	<b>216.194</b>	<b>296.658</b>	<b>398.553</b>	<b>118.604</b>	<b>157.780</b>	<b>208.414</b>	
De 16 a 19 años	5.861	8.413	10.926	3.951	5.740	7.457	1.910	2.673	3.469	
De 20 a 24 años	33.985	52.260	71.185	20.888	33.323	46.006	13.097	18.936	25.177	
De 25 a 29 años	61.212	88.364	121.676	38.471	57.179	79.668	22.738	31.182	42.005	
De 30 a 34 años	71.093	95.309	127.000	46.894	63.836	85.077	24.184	31.464	41.912	
De 35 a 39 años	58.820	77.303	104.573	38.969	51.151	69.644	19.826	26.138	34.920	
De 40 a 44 años	41.315	54.297	71.873	26.630	35.096	46.820	14.657	19.183	25.040	
De 45 a 49 años	28.314	35.823	47.263	17.878	22.498	30.050	10.409	13.305	17.198	
De 50 a 54 años	17.659	22.481	28.390	11.078	13.989	17.546	6.556	8.470	10.827	
De 55 a 59 años	10.339	12.347	14.978	6.884	8.167	9.792	3.429	4.162	5.173	
De 60 a 64 años	4.638	5.916	6.929	3.294	4.178	4.820	1.335	1.727	2.099	
De 65 y más años	1.534	1.856	2.089	1.126	1.367	1.545	402	485	541	
No consta	206	202	192	131	134	128	61	55	53	

*Anuario de Estadísticas Laborales y de Asuntos Sociales (Yearbook of Labour and Social Statistics) Ministerio de Trabajo y Asuntos Sociales (Ministry of Labour and Social Affairs) 2001's edition*

As for other statistical data which concern the foreign population in Spain (as for instance, **the number of recruitments, branches and sectors**, etc.), the section of the INEM website from which these other data could be achieved (Foreigners, <http://www2.inem.es/Observatorio/Observatorio/Publicaciones/Extranjeroscodi.pdf>) has not recently been updated so that the more recent figures we could supply would refer to the year 2000. In addition, working through the statistical base of the INEM website has not allowed us to discover any search engine, so it is not possible to know for certain if the terms 'unemployment' and 'migration' are crossed in any of its tables. This website is however interesting because it defines the typologies of labour permits which can be granted to migrants as seasonal workers. The permit 'A' allows foreigners to carry out seasonal or cyclic jobs, which extend for less than 9 months. The renewed permit 'B' entitles migrants to work for two years and is the continuation of the initial permit B. It can be restricted to a geographical area or to an activity sector. The permit 'C' allows migrants to work in any activity for three years and is the continuation of the renewed permit B. The permit 'F' is granted to foreigners living in countries or areas bordering with Spain who come back to their native country every day after the end of their working day. It is applicable to any activity; it lasts for five years and can be renewed. The extraordinary permit is granted to foreign citizens who contribute remarkably to the

economic and cultural progress of Spain. It has no limitations of any sort; the same as the permanent permit which is granted to those migrants holding permits B renewed or C.

This incomplete updating of these sources prevents us from offering new statistical data concerning the economic sectors mostly taken up by migrant workers, although they are usually said to be (though with not many supporting evidence) agriculture, the building industry, the hotel and catering sector (where prostitution is often concealed) and home help. A piece of news appeared in the newspaper *El Mundo* (21/4/2002) has brought us closer to the increasing Romanian migration, which usually has an irregular character and is being facilitated by the expected admission of this country into the European Union. In contrast with the aforementioned lack of official data concerning the sectors and branches preferably taken up by migrants, *El Mundo* provided us with percentages concerning the regular Romanian individuals settled in Spain: 40,3% were employed in the service sector, 10,6% in the building industry, 9,5% in industry and 9,13% in agriculture, 917 of whom in the strawberry harvest in Huelva. Another piece of news appeared in the newspaper *El Diario Montañés* reported that 32% of the women registered in the Social Security as employed as domestic help were migrants.

As for the *Anuario de Migraciones* (■ *Yearbook on Migrations*), which is published by the Ministry of Labour and Social Affairs (as of 19/01/04 available via [http://www.unilibro.com/find\\_buy\\_es/result\\_editori\\_id.asp?editore=4832&id\\_aff](http://www.unilibro.com/find_buy_es/result_editori_id.asp?editore=4832&id_aff)).

The data we could get is not as updated as we could think, as they do not go beyond the year 2000, when the number of Spaniards living abroad was 1.427.497. If we compare this figure with the one for the year before (1999, 1.571.941) we will see that there seems to be a decreasing trend, which one article in the Spanish press<sup>15</sup> leads us to think it could be confirmed for the year 2001 as the number of migrants who returned to Spain, at least from Latin America, was the highest in the last 23 years.

As for **the labour discrimination of foreign workers in Spain**, we have already commented the absolute lack of any official sources reporting it. This is why we have resorted once more to the NGO SOS Racism, which publishes an *Informe anual sobre el racismo en el Estado español* (■ *Annual report on racism in Spain*). Its 2002's edition summarises all the information collected by this organisation through its Claim Office and the systematic consultation of the mass media it undertakes. But before the publication of this report, we had already had more than one phone conversation with those responsible for the Claim Office, who had told us that in 2001, the year which this last report covers, the number of cases of labour discrimination denounced had increased by 10 in comparison with 2000. Most of these new cases related to the breach of oral contracts (in these cases there were not written contracts) between employers and migrants in a variety of aspects, which often concerned wages, payment of overtime and working days longer than originally contracted.

Despite failing to have a detailed knowledge of the typology of the cases of discrimination that each one of these complaints refers to, from a methodological point

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<sup>15</sup> *El País*, 29/7/2002

of view we can nevertheless classify discrimination according to its diverse causes. In principle, we can mention discrimination in the access to the labour market, in wages and in working conditions, although when trying to look for data concerning each one of these causes we have found other discriminatory circumstances, which we report in the pages below. First, according to the information we obtained from SOS Racism, it seems that most of the examples of labour discrimination recorded by this organisation relate rather to the exploitation and to the breach of contracts, which many migrants suffer from than to drawbacks in their access to the labour market.

With regard to any **wage-related discrimination**, the trade union UGT, for instance, denounced on 2 July 2001 an alleged Ukrainian enterprise which offered to Spanish employers a chance to recruit workers from the same nationality, to whom “they would be able to pay lower wages than to Spanish or other Western European workers, being warranted a quality job and without having to comply with too many requirements concerning working conditions” (<http://www.ugt.es/inmigracion/bajocoste.htm> 19/01/04). The newspaper *La Verdad* also informed of migrants, most of them South American women, who were paid 3 Euros/hour to look after children or old persons or to carry out domestic work<sup>16</sup>.

Another serious case of wage-related discrimination, which ended in a court appeal, (May 2002) refers to the situation of 120 migrant seasonal workers who were employed in the strawberry harvest in the Andalusian village of el Rocío (Huelva). The reasons for this appeal were the following (see ■ case study of the Spanish National Focal Point):

- the accommodation conditions, as those migrants were distributed in two dwellings, one of them occupied by 80 of them and the other for the remaining 40 and the fact that their employer kept daily for himself 3,01 Euros of their wages for the renting of those dwellings, a practice contrary to law;
- overtime, which he paid for at half the value accorded in the collective agreement of this sector. The sentence condemned the employer, who was compelled to pay back the migrants the money he had deprived them from for the renting of the dwellings and to pay them the entire value of the overtime they had worked.

In addition to these specific sources (SOS Racism, trade unions, the press, etc.), in Spain there is a systematic way to know of cases of migrants' labour discrimination, among other subjects, the online legal service of Editorial Aranzadi (<http://www.westlaw.es>). In 2001 and 2002 so far, we can summarise that the appeals and the sentences derived from them have related to different cases: discrimination in comparison with EU sportsmen (two football players); unfair dismissals; work-related accidents of migrant workers who were not registered in the Social Security; threats of expulsion; and above all, the denial to renew labour and residence permits in a number of different circumstances.

Some of these court sentences may eventually prove more important than others. In our opinion, this is the case of one pronounced by the High Court of Justice of Catalonia, which basing upon the Law 8/2000 recently recognised the labour rights of a

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<sup>16</sup> La Verdad 8/3/2002

Maghribian migrant who neither had a residence permit nor a labour permit and condemned a building industry of Barcelona for his unfair dismissal<sup>17</sup>. In the same dates, this court also considered as unfair the dismissal of six Maghribian workers who were working in a farm located in Girona none of whom had any residence or labour permit either<sup>18</sup>.

Another way of classifying migrants' labour discrimination deals separately with the working conditions typical of the economic sectors most usually taken up by them. One of the last examples has given us a depiction of the **agriculture sector** and particularly the strawberry harvest in the province of Huelva (see also the ■ case study of the Spanish National Focal Point on this issue), which has been quite present in the mass media in recent months. The newspaper *El País* (6 March 2002) reported that the Andalusian Ombudsman had warned about the exclusion of Moroccan workers from this harvest. Two days after, the same newspaper denounced that the employers' organisation in this sector rejected workers from this nationality because they were 'polemical'. On the same day but on another newspaper (*ABC*) that same employers' organisation replied that the Moroccan Government had not authorised the migrant quota, which they had asked for. Two days later, *El País* included another piece of news on the same subject, according to which 5.000, most of whom Maghribian, had been rejected in the fields of Huelva at the same time that seasonal workers from other origins were being recruited. On 16<sup>th</sup> May, this same newspaper quoted some words of the President of the 'Junta de Andalucía' (Autonomous Government) where he called for support to the Maghribian workers in Huelva in order to avoid a social outbreak. The President of this Autonomous Government stated two months later (23/5/2002) that it is the migration policy of the Central Government what brings about unemployment and organised crime. As it is obvious, such a situation in the sector of the strawberry in Huelva has led to migrants and employers exchanging accusations and denials of racism<sup>19</sup>

As evidence of the seriousness and the importance of the situation in the strawberry harvest sector in the province of Huelva, and of the lack of any solutions on the horizon, we only have to report that 400 Maghribian and Southsaharian migrants affected by it decided to sit in at the University Pablo Olavide (Sevilla, the capital of the Autonomous Community of Andalusia). The aim of this sit-in, which started just when this year's strawberry harvest was coming to its end and therefore diminishing the hopes of getting any job , was to achieve the residence and labour permits, which would allow these migrants to stop being irregular ones and avoid all the unpleasant consequences attached. It is also important to underline that this sit-in occurred in the framework of the reform of the Law 8/2000 and the proposal of the EU Spanish Presidency to combat irregular migration, which was debated in the European Summit of Sevilla, the city which these migrants have chosen for such a radical measure as a sit-in. This sit-in therefore became a symbolical proof of the increasing accusations, exchanged between

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<sup>17</sup> *Estrella Digital*, 15/06/2002

<sup>18</sup> *El País*, 15/6/2002

<sup>19</sup> *Diarío de Ibiza* and *ABC*, 12/3/2002 and 13/3/2002 respectively.

the Central Government, on the one hand, and migrants and the forces which represent them (in this case the association ▲ Odite and the trade union ▲ UGT), on the other hand. The Andalusian Ombudsman, playing the role of mediator in this conflict, summarised such a radical situation with the following words: "My task is extremely difficult due to the opposed positions held by both those on the top and those on the bottom"<sup>20</sup>. At the end of June, although it had been planned as indefinite, those migrants decided to finish this sit-in.

It is precisely the Andalusian Ombudsman and its report *La prostitución: Realidad y políticas de intervención pública en Andalucía* (■ *Prostitution: Reality and public action policies in Andalusia*, <http://www.defensor-and.es/informes/ie-prostitucion.htm>) who introduces us in a new sector, **prostitution**, and, at the same time, in the subject of **gender discrimination**, which also exists among migrants. Migrant women have seen their working opportunities reduced to two sectors:, prostitution, and home help (in this case, preferably those from Latin America and the Philippines).

Concerning prostitution, the introduction of this study devoted to it points out that although there are individuals who choose this activity as a free personal option, this is not the most frequent situation. In most of the cases, prostitution results from coercion and from very specific environments. This fringe condition is gradually becoming more acute with the increasing presence of foreign women (many of whom irregular migrants) who work as prostitutes both on the streets and on singles clubs. With regard to these clubs, the report mentions police sources in pointing out that the percentage of foreign prostitutes amounts to 75% the total number of them, whilst on the streets they are a minority (15%). We can supplement this information for another Autonomous Community (Catalonia), where according to the newspaper *El País* (27/2/2002), foreign prostitutes in road clubs amount to 90% or 95% the total number of them.

Coming back to Andalusia and to the report of its Ombudsman, in the case of singles clubs it states it is not accurate to speak of oppression or coercion but of true slavery. Most of foreign prostitutes working in Andalusia come from Africa, America and Eastern Europe, from where they have been expelled by poverty, by wars and by promises of jobs as home help. In some cases, which have been uncovered as a result of police action, it was discovered that several of these prostitutes of foreign origin lived in an unventilated crowded single room where they slept in bunks, that they were forced to work overtime and that they had to pay for the stay and for the meals. This is also the case, which goes beyond Andalusia, of a network which 'sold' foreign women to work as prostitutes in clubs located in Tarragona, Madrid, Murcia and Almería at a price of 6.000 Euros each<sup>21</sup>. Once recruited, these prostitutes had to deliver one half of their earnings to the clubs' owners and the other half to the members of the trafficking network to pay off an alleged debt of 12.000 Euros.

As our final comment on this report of the Andalusian Ombudsman, it is worth adding that in the event of being subjected to violence, an important risk in the practice of

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<sup>20</sup> *El País*, 11/6/2002

<sup>21</sup> *El Periódico de Catalunya*, 16/4/2002

prostitution, irregular migrants are not entitled by the § Law 8/2000 to a free access to justice.

Another report, which we think it is interesting to include here also deals with **women** alone. Its title is *Mujeres inmigrantes. Factores de exclusión e inserción en una sociedad multiétnica. La situación en España* (■ *Migrant women in Spain. Elements facilitating exclusion or inclusion in a multiethnic society. The Spanish situation*) it was published by the trade union UGT and is available online

(<http://www.ugt.es/inmigracion/mujerimmi.htm> 19/01/04). In the first place, the report highlights that although women have been present in migrations in the whole of human history, in the past they basically used to migrate jointly with their husbands or parents or be the subject of family regroupings. In recent years, however, women have gradually become economic migrants who get employed in the lowest skilled jobs. These jobs basically belong to two sectors: home help and agriculture, which we have already mentioned, which are the sectors which Spanish Administration privileges in its policy of migratory flows, as is the case, for instance, of the estimated quota of non EU foreign migrants for 2002 (see [chapter 3](#)).

As for **the female employment rate in agriculture**, there are two different situations: those women living permanently in Spain and those others who come to Spain to be employed in the framework of seasonal jobs. This second group of women is the one suffering from the worst working conditions, although it is not actually possible to speak of discrimination, at least in relation to Spanish seasonal workers, as such working conditions are shared by all of them: inadequate accommodation or lack of it; non-compliance of collective agreements in terms of wages, working hours and overtime; non-payment when it has been impossible to work due to weather conditions or to other reasons; instability; and a poor resort to recruitments in the countries of migrants' origin, which would allow to pact in advance working conditions, which for irregular migrants are particularly tough. As for women, either regular or irregular, their usual less physical strength to carry out certain agricultural tasks must be added to all the other difficulties.

Most of the women, and men, working in agriculture are not entitled to the unemployment benefit when they cannot carry out any agricultural tasks due to the seasonal character of harvests. In Extremadura and Andalusia they actually receive an unemployment compensation but its amount is very low.

As for **home help**, one of the few sectors in which there is not unemployment among Spaniards, it is characterised by two aspects: **invisibility and never ending working days**. As in the previous sector, here it is also possible to distinguish between two different situations: those of internal or external workers, that is, those living in their employer's own home or those living elsewhere. Internal workers see their basic needs of accommodation and food covered so they have more possibilities for saving money. This is counteracted by long working days (up to 12 hours per day) and by a reduced freedom and privacy. In addition, both external and internal female workers employed as home help suffer from the 'disadvantages' of this sector, which is ruled by the § Royal Decree 1424/1985: low earnings, bad working conditions, a scarce level of

collective organisation, non-entitlement to unemployment benefits, dismissal indemnities of only 7 days per each year worked when the average figure in all the remaining sectors is 45 days, salary bonuses of 15 days instead of the 30 days which is the usual norm, and no promotion prospects. In short, this sector may be considered as belonging to a secondary labour market as it is very difficult to step forward from it to a better employment situation, which is still far more complicated for migrant workers. As examples provided by the workers themselves we can mention: 8-hour working days paid at 6 Euros/day; the so called time of presence, when workers are not compelled to do housework but must nevertheless stay at the owner's, which extend working days quite over the 40 weekly hours established; the non-compliance of weekly breaks, etc.

The sector of home help is analysed in another recent report (*Relatos desde la entraña de los hogares. Voces de inmigrantes en el servicio doméstico* (■ Reports from the core of households: Voices of migrants employed as home help, available at

<http://www1.comadrid.es/ofrim/suplementos/suplementos.htm>). Carried out by the Colectivo IOE, it bases upon the technique known as discussion group, which in this case voices the opinions of both migrant and native female workers, much more common in this sector than foreign workers (in a 6:1 ratio) despite what may be thought. The conclusions of this study highlight that in spite of well-known examples of improper attitudes towards female migrant workers (similar to those that may be found in other sectors against male or female foreigners), a number of those employed as home help feel at ease in their present jobs. This satisfaction is not so much directly related to objective working conditions as to workers' prospects. When they are humanly treated by their employers and do not view migration as an irreversible process but as a transitional one throughout which they will be able to save money which they will send to their relatives who have remained in their countries of origin, this role as home help is bearable. But it is when a female migrant intends to be treated as an equal by her employer, which is more likely to happen when the migrant worker has a university degree, that racism and xenophobia attitudes and signs more frequently arise.

The last typology of discrimination relates to the **geographical or ethnic origin** of migrants. This sort of discrimination is clearly on the increase given the growing preference of some employers for workers from Eastern Europe in comparison with those of Arabian origin, who are viewed in general as more difficult to cope with. We have already mentioned this increasing trend when referring to the strawberry harvest in Huelva. Another specific example we can include here happened in the Autonomous Community of Valencia, in one of whose localities (Ontinyent) a Temporary Employment Agency rejected the recruitment of 'Arabian' migrants to cover a job offer in a textile firm of the same locality<sup>22</sup>.

Many entrepreneurs also favour Latin American workers, due to their higher 'proximity' with Spain in terms of language, history and religion. The newspaper *El Faro de Vigo* (13/5/2002), for instance, reported a complaint addressed by the Xunta de Galicia (Autonomous Government) to the Central Government for it to establish a larger quota of migrants of such origin.

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<sup>22</sup> *El País*, 9/5/2002

In this regard, there is quite an extended view in Spain according to which the legislation is the first which segments the labour market between different migrant workers on origin or gender grounds. Even from more than one approach. The UGT, for instance, (<http://www.ugt.es/38congreso/38congreso.html>) mentions a specific case, which has also a ‘legal’ basis: the non-contributory benefits of Social Security, to which only Spanish Americans, Brazilians, Andorrans or Philippines are entitled to (Article 7.1. of the General Law on Social Security). This is also the case of the Spanish Army. According to the newspaper *El País* (12/2/2002), when the bill, which the Spanish Government had sent to the Parliament, was eventually approved, migrants would only be able to access its lowest ranks (soldiers or sailors) and this only in the case of those coming from countries with “special and traditional historical, cultural and linguistic links” with Spain. Although the text does not specify which nationalities it is referring to, it is to be presumed it means Spanish Americans, Philippines, Guineans and Andorrans.

**But the most radical discrimination, which precedes and encompass any other form, is not surely that between migrants and the native population but that between regular and irregular migrants**, who find themselves in a much more precarious situation than regular migrants in all regards. The newspaper *El País*, for instance, reported in the 19<sup>th</sup> of March 2002 that 2.000 irregular migrants were threatened with expulsion orders, which were the official answer to the situation created in the province of Huelva during and after the strawberry harvest to which we have already referred.

Concerning irregular migrants, threats of expulsion are now the order of the day, especially on the eve of a likely hardening of the § Law 8/2000 to which we have referred in other sections of this report. Actually, one of the most frequent criticism of the Law 8/2000 has been the reestablishment (in relation to the previous § Law 4/2000) of a high number of motives for expulsion which range from making administrative offences such as being irregular to not informing of a change of address. SOS Racism-Madrid, for instance, is of the opinion that the relation between such offences and sanctions is out of all proportion. In addition, when an expulsion is decided its execution is immediate.

The control of irregular migration should not lead to an automatic link between all kinds of migration and crime, which not only relates to the networks which traffic with irregular migrants but also to the petty thefts committed by some of them. The political party in the power (the Popular Party) seems at least to be increasingly conscious of the need of paying a careful attention to wording. The newspaper *ABC* (19/6/2002) reported that the Catalan delegation of this party had recently distributed a ■ handbook among 400 of its leaders warning them not to link regular migration with crime, although this connection may be done when speaking of irregular migration. Daniel Cirera, the author of this text, said: "Those migrants living irregularly in our country and therefore jobless, what do they live on?" to add "Nine out of ten individuals who were imprisoned in the central prison in Barcelona in 2001 were irregular migrants".

Irregular migration is also mentioned in an article included in the magazine *Scripta Nova*, Electronic Magazine of Geography and Social Sciences, which is managed by the University of Barcelona. This magazine is presented as an interdisciplinary tool aimed at the exchange of ideas through the collaboration between experts in different subjects, mostly from Spain and Latin America. As for the article mentioned, written by Horacio Capel and titled *Inmigrantes extranjeros en España. El derecho a la movilidad y los conflictos de adaptación: grandes expectativas y duras realidades* (■ *Foreign immigrants in Spain. The right to mobility and the assimilation conflict: great expectations vs tough reality*, <http://www.ub.es/geocrit/sn-81.htm> 19/01/04), first it focuses on irregular migrants, to whom it automatically links with **the underground economy** (see previous references in the same direction). The author of this article considers that this presence of irregular migrants and such a link between them and the underground economy must be regarded as something ‘normal’. One has only to take into account the existence of a pool of low skilled jobs in all western economies (particularly in agriculture, the hotel and catering sector and personal and domestic services) and the advantage derived from the fact that irregular migrants, who are low paid and work in conditions which other populations would never accept, can carry these jobs out undeclared. In his conclusions, the author of this article even goes to stating that the presence of irregular migrants and their relationship with the underground economy are tolerated by the authorities who would be closing their eyes to this situation and would allow those jobs to be taken up by irregular migrants, sometimes even systematically.

Concerning the underground economy, it is necessary to stress that its development in Spain is much greater than in other European Union countries. In this regard, we think it interesting to report here a piece of news published by the newspaper *Gara* (13/3/2002), according to which more than two thirds of the migrant women living nowadays in the Basque Country find themselves in an irregular situation and therefore very likely employed in the underground economy. Only around 30% of them were registered in the Social Security as working. Similar information was published in the newspaper *La Verdad*, (17 of May 2002). In this case, the data related to the region of Murcia, where only 39.000 out of the 60.000 foreign migrants living there were registered as working. Data of this sort recall us that foreigners officially registered as working are only a part of the total number of the migrants actually present in Spain.

As for **the initiatives to promote diversity in the labour market an in employment**, we can mention the Federal Congress which the trade union UGT held on 19<sup>th</sup> December 2001 under the heading *Inmigración y trabajo. Política sindical hacia la igualdad* (■ *Migration and employment. Union policies towards equality*, ([http://www.ugt.es/Revista\\_Union/numero203/p30.pdf](http://www.ugt.es/Revista_Union/numero203/p30.pdf) 19/01/04)). The text introducing the Congress stated that the Law 8/2000 is so contrary to the principle of workers’ equality, to the reality of the labour market and to wage claims that the basis for discrimination of and among migrant workers would be on the law itself, a point of view we have reported in other points of this analysis. In this regard, we wish to stress that this trade union has repeatedly denounced the Law 8/2000 and the migration policy of the Spanish Government in a number of communiqués which are available online (<http://www.ugt.es/inmigracion/quejaoit.htm> 19/01/04). As the newspaper *Ideal*

reported on 27 March 2001, ILO backed the UGT's complaint acknowledging that the Law 8/2000 seriously damages migrants' rights.

The above mentioned UGT Federal Congress has put new actions in motion which may have a positive impact on the combat against the labour discrimination suffered by many migrant workers. *El Periódico de Catalunya* (25/3/2002), for instance, reported that this trade union would ☀ promote the presence of migrant workers in enterprise councils and their election as delegates in the next union elections. In the opinion of the new secretary for migration-related affairs of this trade union in Catalonia, the employment precariousness today faced by many migrants will start to disappear when they can take part in union elections. The necessary training they will have to acquire in matters of labour rights will make them less exposed to the exploitation by unscrupulous employers.

The other major Spanish trade union (Comisiones Obreras) has also undertaken a number of campaigns in favour of equality in the labour market and in employment. We can mention ☀ *En el trabajo no hay color. Que no te discriminen (No different colours at work)*, which is already holding its second edition (the first one took place between January and December 2001). The leaflet published to support this campaign denounces, for instance, that Spanish employers' organisations have not signed the Florence Declaration yet, which European trade unions and employers organisations approved as back as October 1995 to prevent racial discrimination and xenophobia and to promote equality of treatment at the workplace. Therefore, this is one of the aims of this campaign: reproducing in Spain a similar pact against racial discrimination, which is agreed by Spanish trade unions and employers' organisations.

The second aim of this campaign is to promote a civil law against labour discrimination on ethnic grounds, similar to that existing in other European countries.

Another of the initiatives to support a greater diversity in the labour market is the programme ☀ *Acceder*, managed by the Foundation (prior Association) [Secretariado General Gitano](#). Although not restricted to the Roma population, its members are the most common users of the programme, which it is something which deserves mention as this ethnic group has seen itself limited to a few employment sectors so far because of tradition- and culture-related reasons.

Another project with very similar aims is the ☀ [Red Inter-labor@ \(Inter-labor@ network\)](#) through which the Spanish Red Cross co-operates with the Multiregional Operational Programme Combating Against Discrimination which is co-financed by the ESF. The Inter-labor@ network is specifically aimed at the labour integration of migrants concerning whom it tries to increase their strengths and to reduce their weaknesses. As both strengths and weaknesses differ among migrants as for each separate person, this global aim leads to the establishment of individualised pathways of professional integration. But migrants are not the only focus of this project, as it also targets a) the society as a whole through awareness-raising campaigns which try to reduce the stereotypes damaging migrants' image and b) the labour market through awareness-raising campaigns aimed at employers and workers, the signature of

agreements with enterprises and the launch of services of labour mediation and counselling.

In the field of the initiatives to combat labour discrimination we also can mention the ☀ *Campaign on workers' rights. Counselling and Denunciation*, handled by the Sindicato de Obreros del Campo y del Medio Rural de Andalucía (Andalusian Agricultural Trade Union).

## 6. Turning data into information: The reduction of racism and the support of diversity

As it can be easily calculated from the following official figures, which as it is obvious can only refer to regular migrants, the presence of foreigners in Spain (499.773 in 1995, 538.984 in 1996, 609.813 in 1997, 719.647 in 1998, 801.329 in 1999, 895.720 in 2000, 1.109.060 in 2001, 1.243.919 in March 2002) has raised 250% in about seven years. This could be in itself an alleged reason for an increase in the signs of racism and xenophobia or at least in the voicing of opinions which might be judged as such.

In order to avail ourselves of a tool which in principle must be regarded as objective to detect any increase in the signs of racism and xenophobia among the Spanish population, we have thought it interesting to consult an ■ opinion poll (April 2002) conducted by the Centro de Investigaciones Sociológicas (CIS) (Centre for Sociological Research), <http://www.cis.es/baros/frame.html> (19/01/04), an autonomous state agency for social research. This pool is built upon 2.500 personal interviews which are held all over Spain, save for Ceuta and Melilla, with older than 18 years Spaniards of both genders living in 168 municipalities distributed into the 48 provinces which made up Spain. The sampling procedure is multi-stepped and stratified by conglomerates and it is carried out from a random proportional selection of both primary (municipalities) and secondary (sections) sampling units and from a random selection which takes into account gender and age quotas for the final units (individuals) of the process.

Strata are formed by crossing the 17 Autonomous Communities with the size of the municipality, which is divided into 7 categories: under or up to 2.000 inhabitants; from 2.001 to 10.000 inhabitants; from 10.001 to 50.000 inhabitants; from 50.001 to 100.000 inhabitants; from 100.001 to 400.000 inhabitants; from 400.001 to 1 million inhabitants; and over 1 million inhabitants.

Concerning racism and migration, the monthly opinion poll mentioned showed the results we report next ([Annex 3](#)). To the first question, which admitted up to three answers (Which are in your opinion the three main problems now in Spain?), migration appeared in the 5<sup>th</sup> place out of a total number of 30 items and had been mentioned by 14,3% of interviewees (the most frequently mentioned problem was unemployment, the second one terrorism, the third one lack of safety and the fourth one drug-addiction). This consideration of migration as quite an important matter, but not the most outstanding, does not seem to lead to racist attitudes, as racism was signalled by only 1,2% of interviewees and therefore took one of the last places in the list. A comparative analysis between these results and those for one year before (April 2001) would stress the fact that migration and racism would not be considered by the Spanish public opinion as extremely serious problems. Both of them had indeed lost weight from the

previous to the most recent survey: migration had been mentioned in April 2001 by 16,8% of the interviewees and racism by 1,4% of them.

The second question, which demanded a more individualised approach (Which are the three problems which you feel personally most affected by?), which also admitted up to three answers, placed both these items still lower in the rank. Migration was mentioned by 5,2% of the interviewees and took the 10<sup>th</sup> place while racism was only selected by 0,7% of the interviewees. Such a remarkable difference between the answers to these two questions seems to hint that interviewees considered migration and racism as matters of general importance (that is, for governments or society as a whole) rather than as problems they felt personally involved in or closely linked to their personal environment.

Besides the fact that the questions which CIS addresses to its interviewees are not exactly the same in each monthly poll, as some of them relate to current matters in a given moment, from time to time this agency does not limit to providing a snapshot and goes backwards in time asking the interviewees about their impression about the evolution of certain problems or feelings. This is the case of a question, which *El Periódico de Catalunya* reported (has racism increased?), to which 53% of the interviewees had answered in the affirmative<sup>23</sup>. Paying attention to the current climate of opinion, this newspaper considered this percentage as low, whilst we should regard as high if we are to grant a greater importance to the last monthly poll and the apparently poor relevance it attributed to racism and migration.

It is indeed true that the press or the mass media as a whole report quite often racist or xenophobic disputes or attitudes some of which we have mentioned in some of the pages above. The growing restrictions to the arrival of new irregular migrants and even to the regularisation of those who already living in Spain wish to achieve such a condition, which has also been commented in the [section 3](#) of this report, seem related to this state of the affairs.

In this point, we also think it necessary to distinguish between racism or discrimination and what is nothing less than a pure labour exploitation of migrants, which is on the increase the same as the presence of irregular migrants and of the networks trading with them. In order to achieve a better understanding of the relevance of this problem, we think it is worthwhile to mention an information published by the newspaper *La Razón* (24/5/2002), according to which the Civil Guard has a police record of 500 organised criminal gangs whose total membership is around 12.000 individuals who are mostly involved in migrants' traffic, irregular migration and workers' exploitation. This exploitation (which not only affects irregular migrants but which is tougher in their case) could not take its roots in racist or xenophobic positions but simply in the unscrupulousness of a number of employers, who would treat native workers in exactly the same way if the foreigners were not still 'cheaper'. This distinction seems important to us also in relation to this section of this report: the detection of relevant information to end racism and to support diversity.

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<sup>23</sup> *El Periódico de Catalunya* 25/1/2002

The combat against the labour exploitation of migrants, and particularly the irregular ones, can certainly only be successful through the removal of the traffic networks which trade with them, the punishment of the employers who exploit them and the denunciation of the activities and attitudes of both these networks and employers. The first two measures relate to the public sphere alone, so that the civil society and the social partners have a role to play only in the field of denunciation. This is the case, for instance, of the complaint lodged by the trade union ▲ Comisiones Obreras against an alleged plot involved in the exploitation of irregular migrants, which would have been supported by officers. The case was stopped owing to a lack of proof<sup>24</sup>. The existence of initiatives promoting a higher presence, quantitative and/or qualitative, of migrants in the labour market is quite a different matter. Hence the functional role of this distinction we have just introduced.

In the field of denunciation, ▲ SOS Racism is a privileged source of consultation, which in addition has supported our stated impression about an overall increase in racist and discriminatory attitudes, although in this report we have limited to mention those in the employment area.

The trade union ▲ UGT, the ▲ Andalusian Ombudsman, the ▲ “Asociación Pro-Derechos Humanos en Andalucía” (the Association pro-Human Rights in Andalusia), which accused Andalusian entrepreneurs in the strawberry sector of treating migrants coming from North Africa as ‘dogs’<sup>25</sup>, or the ▲ University of Barcelona have also lodged a number of complaints or have issued reports which included serious complaints which are mentioned in another section of this report. Horacio Capel, for instance, suggests a measure we had not referred to in these pages so far: the launch of research programmes, which allow people to assess the benefits and the costs of foreign migration in Spain. We can contribute to this particular issue by mentioning that the Catalan government sponsored a study which title is ■ *The benefits of foreign migration in Catalonia*. Its publication in May 1999 places it in a context quite different from the present situation so we will not deal with its contents.

In addition to the existing initiatives to promote diversity in the labour market which we will mention at the end of this section as specific examples, we think it is worthy of mention that although the primary aim of the studies which we have referred to is not such promotion, some of them nevertheless include explicit or implicit recommendations to this end. One of them, which we have already commented (■ *Mujeres inmigrantes. Factores de exclusión e inserción en una sociedad multiétnica. La situación en España*), which looks into the employment of migrant women in two key sectors for them such as agriculture and home help, points out that nearly all of those who were contacted (whose number it does not provide) was neither following nor had never followed a single course of vocational training, although the study also states that such a lack of training or retraining is unconnected with nationality. The report only includes two exceptions, although with no further details besides stating that one took place in Catalonia with Moroccan women and the other one in Cantabria (Autonomous

<sup>24</sup> *El Periódico de Extremadura*, 23/5/2002

<sup>25</sup> *ABC*, 12/3/2002

Community) with Ecuadorian women. A raise in the number of training courses tailored for migrants, which in addition did not disregard women as the increasing labour force they indeed are, would obviously be a good initiative to promote a higher and better presence of them in the Spanish labour market. As for women, less used than men to attending training courses, particularly those from certain geographical origins, another possibility to increase their participation in the labour market would be the promotion of nursery services which looked after the children of migrant women. A recent study (March 2002) titled (in English translation) ■ *Municipality-based initiatives in the field of migration* (<http://www.fbofill.org>) points out that some Catalan municipalities (although not naming a single one) have created nursery services which are managed by migrant women themselves.

In relation to the existing courses of vocational training, both those promoted by public and private bodies, it has been observed that a great majority of them do not break the clichés commented in other pages of this report, that is, they ‘condemn’ migrants to certain sectors or activities according to their ethnic origin or geographical origin. It must be said, however, that doing otherwise is not so easy: the direction is signalled by the diverse availability of sectors as far as job offers is concerned.

This is why we believe, when entering the chapter of the practices known that the one best adjusted to the aim of an increased diversity is the *Acceder* project, which is the responsibility of the Fundación Secretariado General Gitano. Due to a number of reasons: the long period throughout which it will be in operation (2000-2006) and the fact that it started from a similar previous experience which had been subsidised in the framework of the Community Initiative Integra; its implementation in 13 Autonomous Communities of the Spanish State; the periodical evaluation it is subjected to and the fact that its results are broadly beyond expectations; but above all, owing to a twofold dimension which links with what we were saying in the above paragraph, that is, 1) the creation of ‘normal’ jobs for the population of Roma ethnic origin and 2) the development of health, social, cultural and educational proximity services for this population which can mean jobs as mediators or educators also open to its members. The fact that the project is not limited to Roma people and that in its framework people from different ethnic origins therefore join together must also be considered in itself a positive element of this project as it is leading to mutual knowledge and exchange.

We also regard as very promising the Inter-labor@ network managed by the Spanish Red Cross for reasons which bring it closer to the project above: for the long period in which it will be in operation, which is exactly the same (2000-2006); for its implementation in most of the Spanish Autonomous Communities (14), where it is being carried out in 35 both rural and urban municipalities; and for the fact of including benchmarks which relate to the number of migrants with whom it expects to mediate in the labour market, the number of migrants who it expects will achieve a job, the number of employers who will be recipients of co-operation, information and awareness-raising actions and finally the number of information and awareness-raising actions which will be aimed at the public opinion. This also means that this project will at least be evaluated against the level of accomplishment of these figures.

Other initiatives are mostly devoted to awareness raising and reflection. This is the case, for instance, of the Federal Congress of the trade union UGT, of the campaign of Comisiones Obreras *No different colours at work* and the information and counselling campaign promoted by the Andalusian Agricultural Trade Union, which is holding its second edition.

Finally, other initiatives may be quite modest in their beginnings due to only affecting very specific counties or localities or even a single village but the possibility of a successful outcome leading to their implementation in other places should not be disregarded. This could be the case, for instance, of Macael, a locality of the province of Almería (Andalusia), where the local unit of Cáritas, the town council, employers and trade unions have signed a ☀ Convention for Co-operation which commits all of them to “a joint co-ordination to regulate the arrival of migrants from their own countries and to avoid situations which are contrary to personal dignity...”. The Provincial Association of Marble Employers (the outstanding industry in this locality and county) committed itself particularly to “mediating and, where appropriate, to supporting the disciplinary proceedings started against all those enterprises in the sector which had irregularly recruited any worker while taking advantage of the precariousness of the population and had exploited and/or improperly treated any of their employees”<sup>26</sup>

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<sup>26</sup> *La Voz de Almería*, 8/5/2002

## 7. Analysis of results, causes and consequences

What we have said so far shows that migration has nearly become a daily piece of news in Spain. It has not only been featured on the press, but has also been the leitmotiv of some radio and television special programmes, as for instance "*El siglo de las luces*" (*The age of enlightenment*). This TV programme, which was broadcasted the 5<sup>th</sup> of January 2002 by the Andalusian TV public channel, visited the fields of Jaén to ☼ inform the public opinion about the bad living and working conditions in which around 6.000 migrants who are employed in the olive crop are finding themselves.

It is also important to add that, as it can be inferred from the varied geographical origin of the mass media we have referred to in some of the prior sections of this report, migration is a matter of general concern, although people do not seem to recognise it as a problem on a individual level, in almost all the Autonomous Communities in Spain. Moreover, this relevance of migration seems unrelated with the actual number of migrants in each one of them, as it is only relatively high in a few of them (Andalusia, Canary Islands, Catalonia, Madrid, Murcia), with the remarkable idiosyncratic differences between all of them and with particular historical traditions of migrants' reception, either from within or from outside the Iberian Peninsula, which is different in each Autonomous Community.

This equality across Autonomous Communities would probably mean that a uniform discourse has been built on migration which would be masking all the recognised differences between them and that the Spanish population is reacting in a similar way, probably conditioned and scarcely meditated, in the face of a growing presence of individuals from different origins. As in so many other subjects, the views of the big platforms of information, starting from the Public Administration itself, and the general mass media are so prevailing that they can shape the great lines of public opinion and diminish the influence of other platforms of lower scope.

This influence places Central and Autonomous Governments and mass media in a position of a great responsibility. If they are the main agents in shaping the views of the Spanish population towards migration, they can also alleviate the racism outbreaks, which are happening here and there despite the image which surveys and polls seem to be showing of Spanish population as free from racism.

We must also stress that at least by now the Spanish population does not seem to be opposing to migrants' incorporation to the labour market. None of the documents or sources which this NFP has consulted when carrying out this report includes a single line which refers to a competition between native and migrant workers, which is a likely consequence of the reduction of migrants to a number of very specific market niches. Nowadays, such a problem between native and foreign workers does not seem to exist.

At the present time, most of racist attitudes seem to be happening outside the employment area and therefore outside the scope of this report.

What is obviously racist and discriminatory is the behaviour of some entrepreneurs who are taking advantage of the increasing uncontrolled presence of foreign migrants. In this matter, and in the combat against the networks of irregular migration, the highest responsibility is placed in the hands of the Central Government.

If we therefore look at the government's sphere, we must recall that one of the most ambitious initiatives in the field of migration it has undertaken was the announced reform of the § Law 8/2000, a restrictive reform concerning the prospects for the arrival of new migrants and the integration of those already in the country. This was the Spanish Government reaction to a situation, which at least in the employment area (the one this report is concerned with) we have to qualify as difficult, an adjective, which could be extended to other fields as well. Through this reform, the Spanish Government seems to be also responding to the gist of the informal views sustained by the Spanish population and reported in some mass media.

In spite of a number of drawbacks, our impression is that we are just to enter a period when there is a risk of the view that the Spanish society has of foreign migration further splitting into two positions clearly separated, which in addition will have to make a serious effort to tolerate each other in order to avoid a confrontation which could even be a violent one (a danger which we cannot rule out). On the one hand, the contribution of foreign populations to the labour market and consequently to the Social Security will continue growing or, at least, will keep holding an important position when contrasted with the number of migrants, still low if compared with their presence in other European Union countries. Such contribution will continue to be acknowledged by several governmental sources, which will be therefore offering a positive picture of migration and reassuring the native population as to the sustainability of the pensions systems. But on the other hand and at the same time, as we have already seen, the restrictions to the arrival of new migrants and to the regularisation of those already living in Spain will be on the increase, with which the same public Administration will be offering a negative picture of migration or, at least, of a certain type of migration.

On the one hand, according to trade unions and to most of the organisations in favour of migrants, there is a will to cut off the current number of migrants in Spain through the expulsion of those who became irregular from the very moment that they lost their legal status. But if at the same time there is not an effective combat against the mafias which traffic with foreigners, the so called irregular migration not only will not decrease but will also continue on the increase and therefore the risk of disorders and arguments.

Clashes between migrants of different geographical origin cannot be completely ruled out either. The growing presence of foreigners from European Eastern countries and the preference that many entrepreneurs have for them, or for Latin Americans, in comparison with Moroccan or Arabian migrants in general, means another potential conflict. Particularly when considering that Arabian migrants feel themselves as holders of some 'acquired rights', especially in the countryside, where they had traditionally been the main foreign labour force in many agricultural harvests. A proof of this

uneasiness is the sit-in of Maghribian and Southsaharian migrants in the University of Sevilla (see a previous section) who in this year's strawberry harvest have been massively displaced by Polish female workers who were recruited in their own country.

Anyway, equality not with the native population but at least between migrants themselves is nowadays difficult to achieve. There are a number of legal precepts which privilege some geographical origins as contrasted with others and which result from a very particular historical understanding of the external policy of Spanish governments. Moreover, there is the likely use of migrants' annual quotas as a tool to continue treating more favourably some migrants of certain origins than others.

This expected competition between migrant workers from different geographical or ethnic origin may still be aggravated by the limited number of employment opportunities to which they don't have easy access. Both elements may lead to a situation of distress where an increasing number of migrants would be fighting for jobs restricted to a number of sectors too small for contenting them all. This situation would still be more desperate for migrant women, whose role as labour force, either on their own or with children, will continue on the increase. In their case it is perfectly possible to speak of a double discrimination, as migrants and as women, and to recognise that their habit of denouncing improper treatments is lower than that of their male compatriots due to the situation in which these women frequently find themselves in their own countries.

Finally, the apparent lack of competition for jobs between native and migrant workers will not however lead to the disappearance of the accusations of racism. Migrants, and not only them, but at least some of the local forces which defend their rights as well, consider as a sign of racism the mere fact that foreign workers can only opt for a reduced number of job categories. Particularly when the apparent immobility of this situation seems to be considered or assessed as convenient by some sources.

In addition to this, much of the existing racism will continue disguising itself in ambiguous sentences and positions which will further complicate the analyses of the opinion polls which a number of institutions periodically disseminate, which when carried out at the European level usually conclude that the Spanish population is one of the least racist in the European Union as a whole. But it is also quite likely that signs of pure racism become increasingly common.

## 8. Conclusions

The main conclusions of this report are the following:

- Foreign workers are increasingly contributing to Spanish Social Security. This growing contribution is happening at the same time that the number of migrants is also on a continuous increase.
- Besides other considerations, the Law on migration does not seem to have met the growing requirements for labour market flexibility and the necessary incorporation of foreign workers to the labour market. Such a stress on flexibility must not lead to the violation of migrants' labour rights and to disregard their legitimate aspirations to a stable job.
- The policy of migrant quotas, which this Law authorises, has not been well matched with the alternative recruitment in the migrants' countries of origin.
- The resultant 'decalage' between job demands and offers in relation to migrants has reached levels so far unheard of, which explains the increasing presence of unemployed foreigners with the remarkable danger of potential conflicts this situation stores.
- Migrants from Maghribian origin have been the main collateral victims as they are being gradually replaced by foreigners from other geographical areas and particularly Eastern Europe.
- In the near future this new situation may still increase the duplicity of views which migration seems to bring with it up to levels which may be dangerous and lead to violent clashes, not only between Spaniards and migrants, but also between those native forces which hold opposed positions in relation to migration.
- The main labour discrimination suffered by foreigners does not relate to an unfavourable comparison with the native working population but to a very marked dividing-line, which abruptly separates them between regular and irregular migrants.
- The increasing presence of irregular migrants, some of whom had previously had a regular status, and the situation of defencelessness and urgent need in which they find themselves are encouraging the emergence of new mafias aimed at trafficking with them.
- Both regular and irregular migrant workers continue to be mostly employed in agriculture, the building industry, the hotel and catering sector (which often conceals prostitution) and home help. This shows that they are assigned very specific market niches and the immobility of this attribution. The activities aimed at vocational training, if they exist at all, also tend to reinforce such a reduced provision of opportunities.
- In the case of irregular migrants, their activities are framed by the underground economy.
- The access to the labour market is in itself one of the difficulties encountered by migrants. We must add to it the non-compliance of contracts, wage-related discrimination, long working days, bad accommodation, etc., as heavy burdens and flagrant examples of labour discrimination many of them suffer from once they get a job.
- In some cases it is possible to speak of true exploitation or even of half slavery, which goes more easily unpunished with irregular migrants (as for instance when they are

forced to pay for their meals or for the rent of the places where they are accommodated or to deliver a percentage of their earnings).

- As for the number of cases of labour discrimination, it seems to be a certain upward trend or perhaps a more general knowledge and denunciation of them.
- As it is obvious, migrant women may suffer from a double discrimination. In this regard, it must be taken into account their increasing role as a labour force instead of as mere companions of their parents or husbands.
- Examples of labour discrimination among migrants of different geographical or ethnic origin are not last-minute news, which may be merely attributed to employers' preferences. A number of legal precepts have historically benefited some migrants in comparison with others and particularly Latin Americans and Philippines.
- While there does not seem to exist any rivalry between native and migrant workers over the jobs, which are preferably assigned to foreigners, migrants certainly compete with each other to take them up. In addition, such competition may have a dimension of a clash between migrants of different geographical or ethnic origin given the aforementioned preference for some origins in comparison with others. All this seems to be moving the field of conflict from a dynamic native population/foreign population towards a dynamic foreign population of a certain origin/foreign population of another origin.

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# ANNEXES

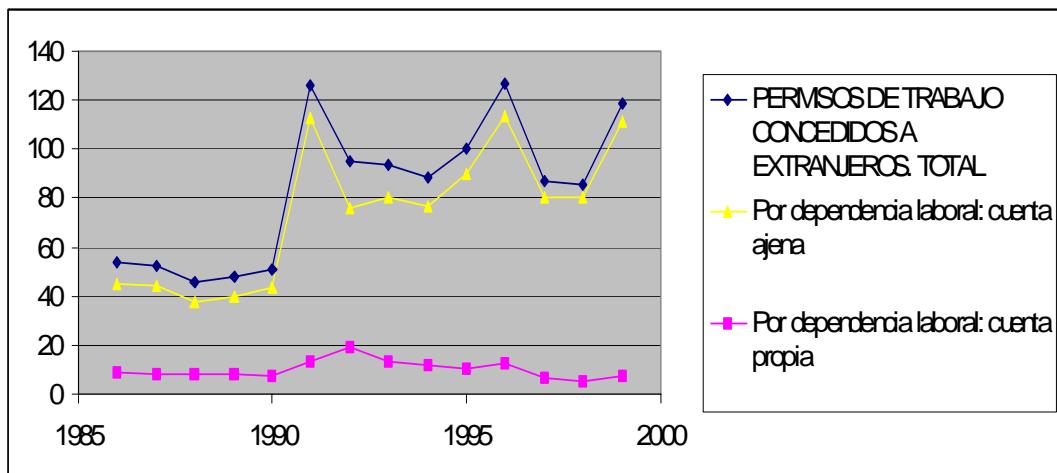
## Annex 1: Foreign Residents in Spain 2000

Nationality	1995	1996	1997	1998	1999	2000
TOTAL	499,773	538,984	609,813	719,647	801,329	895,720
Europe	255,702	274,081	289,495	330,528	353,556	361,437
Germany	41,942	45,898	49,890	58,089	60,828	60,575
Austria	2,108	2,566	2,847	3,521	3,546	3,503
Belgium	8,904	9,847	10,457	11,997	13,055	12,968
Bulgaria	931	973	1,673	2,336	3,013	5,244
Denmark	4,776	5,107	5,184	5,686	5,804	5,538
Finland	2,679	3,131	3,568	4,303	4,811	4,680
France	30,835	33,133	34,308	39,504	43,265	42,316
U.K.	65,251	68,359	68,271	74,419	76,402	73,983
Greece	640	688	652	769	978	939
Ireland	2,760	2,870	2,868	3,293	3,583	3,542
Italy	19,750	21,362	22,638	26,514	29,871	30,862
Luxembourg	152	171	191	219	231	230
Norway	2,935	3,253	3,626	4,241	4,580	4,790
Netherlands	12,970	13,922	14,467	16,144	17,243	16,711
Poland	2,946	3,172	5,496	6,651	6,517	8,143
Portugal	36,977	38,316	38,229	42,310	44,038	41,997
Rumania	1,208	1,386	2,385	3,543	5,082	10,983
Sweden	5,858	6,545	7,029	8,491	8,548	8,359
Switzerland	6,224	7,138	7,104	8,468	9,368	7,000
Former USRR	2,144	2,438	3,549	4,498	6,106	11,963
Former Yugoslavia	1,393	1,433	2,622	2,794	3,752	3,452
Other Europe	2,319	2,373	2,441	2,738	2,935	3,659
America	108,931	121,268	126,959	147,200	166,709	199,964
Argentina	18,426	18,246	17,188	17,007	16,290	16,610
Brazil	5,205	5,694	6,263	7,012	8,120	10,034
Canada	1,142	1,222	1,232	1,434	1,451	1,277
Colombia	6,992	7,865	8,412	10,412	13,627	24,702
Cuba	6,097	7,814	10,507	13,214	16,556	19,165
Republic of Chile	5,591	5,936	5,594	5,827	5,927	6,141
Ecuador	1,963	2,913	4,112	7,046	12,933	30,878
United States	14,889	15,701	13,345	15,563	15,687	13,743
Mexico	3,997	4,328	3,684	4,360	4,868	4,739
Peru	15,092	18,023	21,233	24,879	27,263	27,888
Dominican	14,470	17,845	20,381	24,256	26,854	26,481

Republic							
Uruguay	3,772	4,028		3,923	3,907	3,880	4,005
Venezuela	6,546	6,634		6,188	6,911	7,323	7,986
Other America	4,749	5,019		4,897	5,372	5,930	6,315
Asia	38,221	43,471		49,110	60,714	66,340	71,015
China	9,158	10,816		15,754	20,690	24,693	28,693
Filipines	9,681	11,770		11,357	13,553	13,765	13,160
India	6,194	6,882		6,790	8,144	8,515	7,813
Iran	1,520	1,704		1,714	2,051	1,959	1,698
Japan	2,956	2,998		3,074	3,631	3,478	3,136
Other Asia	8,712	9,301		10,421	12,645	13,930	16,515
Africa	95,725	98,820		142,816	179,487	213,012	261,385
Algeria	3,612	3,706		5,801	7,043	9,943	13,847
Cape Verde	1,896	2,166		2,322	2,691	2,628	2,052
Gambia	4,219	4,401		5,843	6,969	8,524	8,840
French Guinea	1,879	2,096		2,684	3,158	3,404	4,507
Morroco	74,886	77,189		111,100	140,896	161,870	199,782
Senegal	3,855	3,575		5,328	6,657	7,744	11,051
Other Africa	5,378	5,687		9,738	12,073	18,899	21,306
Australia	859	929		888	1,023	1,013	902
Others							
	335	415		545	695	699	1,017

Source: <http://www.ine.es/inebase/cgi/um#4>

## Annex 2: Permisos de trabajo a extranjeros.



	1986	1987	1988	1989	1990	1991	1992
<b>Working permits granted to foreigners</b>	53.822	52.258	45.539	47.943	51.21	126.14	94.955
<b>TOTAL</b>							
<b>Por dependencia laboral: self-employed</b>	9.113	8.113	7.99	8.394	7.475	13.211	18.826
<b>Por dependencia laboral: salary or wage earners</b>	44.709	44.145	37.549	39.549	43.735	112.929	76.129

	1993	1994	1995	1996	1997	1998	1999
<b>Working permits granted to foreigners</b>	93.696	88.62	100.29	126.407	86.841	85.526	118.538
<b>TOTAL</b>							
<b>Por dependencia laboral: self-employed</b>	13.177	12.071	10.592	12.687	6.759	4.912	7.022
<b>Por dependencia laboral: salary or wage earners</b>	80.519	76.549	89.698	113.72	80.082	80.614	111.516

## Annex 3: Opinion poll (April 2002)

conducted by the Centro de Investigaciones Sociológicas (CIS)  
 (Centre for Sociological Research)

<http://www.cis.es/baros/frame.html>

Paro	70.5
Drogas	18.7
Inseguridad ciudadana	18.9
Terrorismo, ETA	58.2
Infraestructuras	1.1
Sanidad	4.5
Vivienda	5.2
Problemas económicos	9.3
Problemas relacionados con el empleo	2.8
Problemas de la agricultura, ganadería y pesca	.5
Corrupción y fraude	2.6
Las pensiones	3.7
Problemas políticos	5.8
La guerra de Afganistán	.9
Justicia	1.8
Problemas sociales	4.0
Racismo	1.2
Inmigración	14.3
Violencia contra la mujer	2.8
Problemas de la juventud	1.9
Crisis de valores	2.3
Educación	5.6
Medio ambiente	1.8
La salud	.1
Funcionamiento y cobertura de los servicios públicos	.6
Alimentación	.1
Problemas relacionados con la mujer	.6
El euro	.6
Problemas relacionados con el ocio de los jóvenes	1.1
Otras respuestas	3.3
Ninguno	.1
(N)	(2330)