



**PROGRESS REPORT ON SPAIN'S  
NATIONAL IMPLEMENTATION OF  
THE GLOBAL COMPACT FOR SAFE,  
ORDERLY AND REGULAR  
MIGRATION**

**2018-2022**



## I INTRODUCTION

Spain's migration policy is based on the consideration of the migration phenomenon as a structural, global and multidimensional fact in its causes, challenges and solutions. Mobility is a natural fact that has historically accompanied the development of Humanity. Compared to other periods, the contemporary migratory phenomenon presents a special complexity both from a quantitative and qualitative point of view. This requires an increasingly global, joint and adequate management, aimed at maximizing the obvious opportunities offered by mobility and minimizing its possible challenges.

Not all ways of managing migration are acceptable. Only that which addresses all the dimensions of the phenomenon, complies with international law and takes into due consideration the vulnerabilities of migrants and respect for their human rights and dignity is acceptable.

No state can solve the challenges of contemporary international migration on its own. This task can only be achieved in a sustainable manner through international cooperation (bilateral, regional and multilateral) and the generation of global alliances that activate and nurture an increasingly effective multilateralism.

To meet these challenges, the main objective of international cooperation must be to make migration an increasingly safe and voluntary phenomenon for migrants and an increasingly orderly and regular one for the states - of origin, transit or destination - that have to manage it.

This is the overall approach of Spain's migration policy, which is perfectly in line with the vision, guiding principles and objectives of the Global Compact for Safe, Orderly and Regular Migration.

Spain is firmly committed to the Global Compact.



Spain supported UNGA Resolution 71/1 of September 19, 2016 containing the New York Declaration on Migrants and Refugees. It closely followed the preparatory phase of the Compact channelled throughout 2017 and culminated in the Puerto Vallarta Conference. It actively participated during the negotiating phase of the Compact in the six negotiating rounds held during the first half of 2018 at the United Nations headquarters in New York. In both the preparation and negotiation phases, Spain was present at all meetings, sending delegations from the capital, assisted by its Permanent Representation to the UN.

In the decision phase, Spain was represented by the President of the Government at the Intergovernmental Conference held in Marrakech on December 10 and 11, 2018, which endorsed the text of the Compact. Spain voted favourably and without reservations for UNGA resolution 73/195 of December 19, 2018, which adopted the Compact in New York. Spain acted as co-facilitator together with Bangladesh in the preparation of the Resolution adopted in the second half of 2019 on format and modalities of the International Migration Review Forums (IMRFs).

Just as it was committed to the preparation, negotiation and adoption of the Compact, Spain has been and is committed to its implementation. Before the adoption of the Compact, Spain's migration policy already complied with many of the elements that the Compact would incorporate in its wording, but its adoption has provided an incentive to improve and to address new objectives.

In the follow-up phase, Spain has actively participated in all the forums organized: in the regional review for Europe and WEOG organized by IOM and the Economic Commission for Europe in November 2018; in the sessions devoted to the follow-up of the Compact at the summits of the Global Forum on Migration and Development (GFMD) in Quito (2019) and under the UAE Presidency (2021). At national level, it has held four meetings with the UN Migration Network in Spain since its constitution in 2020 led by the IOM.

At national level, it has also maintained a sustained dialogue with civil society in application of the 'whole-of-society' approach, with conferences dedicated to monitoring the Compact in May 2020 and April 2022. The 'whole-of government'



principle has also been applied by ensuring a continuous and permanent coordination between the ministries most involved in the daily implementation of the Covenant's objectives in the General State Administration and by developing specific information days with the regional and local levels of administration, a task that should be reinforced in the next 2022-2027 cycle.

Even being aware of the diversity of both human and financial resources and administrative and operational capacities among the states parties to the Compact, Spain considers that its implementation at the global level should be as balanced as possible and, although not symmetrical, should aim to achieve progress in all 23 objectives. In this spirit, at national level in this first cycle of implementation of the Compact since its approval (2018-2020), Spain has contemplated all 23 objectives. This has served to detect margins for manoeuvre so that, in the future, more intense action is taken in relation to certain objectives of the Compact and a national implementation strategy is designed.

## **II NATIONAL IMPLEMENTATION OF THE COMPACT**

### **Objective 1: Collect and utilise accurate and disaggregated data as a basis for evidence-based policies**

Spain is well aware of the importance of having reliable and disaggregated statistics at national level for the proper monitoring of the migration situation and for the adoption of public policies in this sector.

The Spanish National Statistics Institute (INE) includes specific migration statistics in its biannual reports monitoring the national demographic structure. These data refer especially to migration balances and the composition of foreign communities present in the country, with statistics disaggregated by nationality, age, sex and place of residence, among other parameters.

The Ministry of Inclusion, Social Security and Migration (MISSM) carries out extensive work in the generation, compilation and monitoring of migration



statistics. In accordance with the fifth additional provision of Organic Law 4/2000, of January 11, on the rights and freedoms of foreigners in Spain and their social integration, the Permanent Immigration Observatory (OPI) is the collegiate body responsible for bringing together all the statistical information available on foreigners, immigration, international protection and nationality in order to serve as a system of analysis and exchange of qualitative and quantitative information related to migratory movements at the service of the entities responsible for managing public policies in these areas.

Among its functions, listed generically in art. 3 of Royal Decree 345/2001, of April 4, 2001, it is responsible for the publication of five official statistics included in the National Statistical Plan, as stated in Royal Decree 150/2021, of March 9, approving the 2021 Annual Program of the 2021-2024 National Statistical Plan, among which are those of Foreign Residents in Spain or the Flow of Authorizations Granted annually.

In addition, the Permanent Observatory on Immigration is part of the European Statistical System (art. 5(2) in conjunction with art. 4 of EC Regulation no. 223/2009). It is recognised as 'other national authority (ONA) responsible for the development, production and dissemination of European statistics designated by Member States', and is expressly listed as such in the List of National Statistical Institutes and other national authorities responsible for the development, production and dissemination of European statistics designated by Member States on the Eurostat website. In the exercise of these functions, it is responsible for the preparation in Spain of the Residence Permits statistics published annually by Eurostat for all the Member States.

The OPI is currently integrated within the General Sub-Directorate for Migration Analysis, a management body whose functions are detailed in article 5.3 a) of Royal Decree 497/2020, of April 28, which develops the basic organic structure of the Ministry of Inclusion, Social Security and Migration, and which is responsible for carrying out the functions of the Technical Secretariat of the Observatory. The work of analysis of migratory flows carried out by the sub-directorate has been of special scope in some of the lines of action among the competences of the Secretariat of State for Migration, as for example in the



implementation of the Withdrawal Agreement signed by the European Union and the United Kingdom.

Information can be obtained at the following link: <https://extranjeros.inclusion.gob.es/es/Estadisticas/notasanalisis/index.html>.

The statistical work of the MISSM is also complemented by its active contribution in international forums for the exchange and analysis of migration statistics. These forums include the European Migration Network (EMN) and the Organization for Cooperation and Development in Europe (OECD).

With respect to the EMN, the Secretariat of State for Migration is the Spanish National Contact Point for this network. The information obtained through this network is of great value when it comes to drafting policy proposals, learning about good practices in certain aspects, as well as studying different elements of migration and learning about experiences in other member states.

Each year the EMN's work program includes a series of studies and reports, proposed both by the Commission and by the member states themselves, on topics that contribute to disseminating information on the processes and stages of migration: (1) Protection of children in migration in the EU and Norway (2020 and 2021); (2) Attracting and protecting the rights of seasonal workers in the EU and the UK (2020); (3) Responses to irregular long-term migrants: practices and challenges in EU member states and Norway (2020); (4) Long-term resident status in the EU (2020); (5) How do EU member states deal with cases of missing unaccompanied minors? (2020); (6) Separated and missing migrants (2021); (7) Preventing, detecting and addressing situations where EU residence authorizations for study purposes are misused for other purposes (2021); (8) Skills Mobility Partnerships (SMPS): Innovative solution to skills shortages in the EU (2021); (9) The use of digitalisation and artificial intelligence in migration management (2021) and Third-country nationals victims of trafficking in human beings: detection, identification and protection (2021).

In addition, during 2020-2021, the EMN, in collaboration with the OECD, published a series of reports in relation to the COVID-19 pandemic: (1) Impact of the COVID-19 pandemic on voluntary and forced return procedures and policy responses; (2) Maintaining labour migration in key sectors in times of pandemic; (3) Impact of COVID-19 on international students in EU and OECD member



countries and (4) EU and OECD member states' responses to the management of residence permits and migrant unemployment during the COVID-19 pandemic.

Finally, every year the EMN publishes the Annual Report on Migration and Asylum, which lists all legislative and policy measures adopted by Member States during the previous year, as well as a country fact sheet.

In terms of discussion forums, which contribute to the exchange of information, the following round tables were held in 2020: Sustainable migration from Africa to Europe and EU labour migration policy: is it time to move from a skills-based to a sector-based framework? In 2021, the collaboration with the World Bank was incorporated and the following were held: Perceptions of migration; New approaches to migration in the EU: Innovations in the design and implementation of new legal pathways; New approaches to migration in the EU; Circular migration.

The focus on the dissemination of information on migration is maintained in 2022, with several reports planned: (1) Analysis of migration routes to the EU since 2015; (2) Contingency planning and preparedness of EM MS of the EMN; (3) Cooperation on migration and development; (4) Integration policies implemented since 2015: Priorities and strategies adopted in EU Member States; (5) Enhancing protection and perspectives in transit regions; (6) Climate migration and EU external action and (7) The role of migration in achieving the Sustainable Development Goals in the EU.

It can be analysed on the website: <https://extranjeros.inclusion.gob.es/emnSpain/es/index.htm>.

As a member of the OECD, Spain prepares within the framework of the OECD's migration expert group an annual report (SOPEMI) every year, reflecting the main advances and developments in Spain's migration and international protection policy during the previous year. This report includes an important section of statistical analysis prepared by the OPI that allows for the analysis of the evolution of migration flows and the characterisation of the foreign population in Spain. The study contributes to the 'International Migration Outlook,' produced annually by the OECD, which gives an idea of the migration policy of different countries.



The Ministry of Interior (MIR) prepares a fortnightly study of the evolution of the migration situation in Spain, which makes it possible to identify trends in migratory flows and possible vulnerabilities in the face of the different operations used in this area. These studies serve as a basis for decision-making and for determining the lines of action to be followed. Likewise, on an annual basis, the balance of action on irregular immigration is published on the official website of the Ministry (<http://www.interior.gob.es/prensa/balances-e-informes>). The MIR is implementing the CIRAM (Common Integrated Risk Analysis Method) data collection and analysis methodology of the European Border Management Agency; it also promotes the storage of data disaggregated by sex and place of arrival in national territory. These data are sent to the European Commission on a weekly basis.

The MIR participates in the preparation of the Annual National Security Report. This report includes statistical data that enable evaluations and forecasts to be made on the migration phenomenon.

At the European Union level, the European Border and Coast Guard Agency (FRONTEX) carries out vulnerability analyses, data collection, review of reports and proposed measures, as well as the implementation of the measures in the action plan.

For its part, the Ministry of Foreign Affairs, European Union and Cooperation (MAUEC) provides disaggregated migration statistics, including those referring to the granting of visas to foreign citizens as well as the consular registration records of Spanish citizens living abroad.

The ministries share statistical data with the European Union, including its agencies, and with international organisations such as the International Organisation for Migration (IOM) and the UN Refugee Agency (UNHCR), for the preparation of their respective situation reports.

In addition to the public statistics produced by the ministries, there are also those produced in their respective geographical areas by Spanish autonomous communities and cities and by local administrations.





The administration at all levels facilitates the elaboration of partial or specific migration statistics studies developed in Spain by private and civil society initiatives.

The national use of all statistics provided by the different ministries complies with national and international standards of privacy in the processing of personal data.

**Objective 2: Minimise the adverse drivers and structural factors that compel people to leave their country of origin**

All states (origin, transit or destination) should aspire to migration being a chosen and voluntary process, which takes place in safe and favourable conditions and is no longer, as in many cases, a process forced by the economic, political, social or environmental situations.

Spain works actively to contribute to tackling the root causes of migration, especially with actions aimed at contributing to the objective of promoting development and strengthening state capacities and public services in the countries of origin.

Central America, West Africa and North Africa are Spain's preferred geographical areas of action for its humanitarian projects, development cooperation and institutional strengthening in migration issues. These projects are carried out by the Ministry of Foreign Affairs, European Union and Cooperation (MAUEC) through the Spanish Agency for International Cooperation (AECID) and the International and Ibero-American Foundation for Public Administrations and Policies (FIIAPP), both with its own funds and through cooperation delegated by the European Union (especially in its participation in the EU's last Multiannual Financial Framework in the Emergency Trust Fund - in which Spain led 17 projects worth more than 235 million euros in North Africa and Sub-Saharan Africa - and in the NDICI instrument during the current MFF).

In all cases, AECID and FIIAPP develop their strategies and projects in constant and close contact with the beneficiary countries, incorporating other departments and administrative levels as well as civil society in project implementation, thus



applying the Compact's whole-of-government and whole-of society approaches at a project level.

AECID's projects focus on addressing three particular migration challenges: those of a humanitarian nature (integration, vulnerabilities); those related to development (strengthening resilience, rural development, employment generation, creation of opportunities for women and youth) and those related to institutional strengthening (improvement of public policies for an adequate management of migration, including raising awareness among the population and promoting the participation of migrants in economic and social development).

Many of the projects developed by AECID in the migration sector in Central America address humanitarian and reintegration challenges and are therefore referred to in objectives 7 and 21 respectively.

The projects developed specifically to combat the root causes of migration in Central America and Mexico are of medium size and include both bilateral projects and contributions to the programmes of Latin American regional multilateral organisations.

The first category includes projects such as the design and development of the Immigrant Care Centre on Costa Rica's northern border with Nicaragua; the strengthening of the humanitarian response and socio-labour inclusion in the Jesuit Migrant Service in Costa Rica (basic services to reduce the vulnerability of women, children, young students, LGBTIQ+ population, adults, the elderly and human rights defenders); the project to promote youth employment and prevention of migration in Honduras within the framework of the European EURO-LABOR programme or the project channelled by the Spanish Red Cross in Honduras aimed at mitigating the humanitarian consequences caused by other forms of violence, aimed at internally displaced persons and failed Honduran migrants (intercepted and forcibly repatriated), with special attention to youth and gender dimensions.

In the second category, the contribution to the construction of the strategy and preparatory actions required to initiate the implementation of the Comprehensive Development Plan (PDI) for El Salvador, Guatemala, Honduras and South-Southeast Mexico on behalf of ECLAC and the programme to support



educational experiences with migrant children and adolescents in schools and shelters in Mexico of the Organisation of Ibero-American States stand out, among others.

Regarding the actions executed in Africa in order to contribute to the reduction of the factors that drive non-voluntary migration, projects related to institutional strengthening and migration governance (e.g. projects in Egypt €3 million, Mali €3.2 million and Senegal €8.5 million), food security (e.g. project to improve the response of vulnerable populations to nutritional and food crises in northeast Senegal €8 million) and, above all, income generation, employment and fight against poverty (project to create jobs by improving the cashew nut sector in order to mitigate the causes of emigration in three regions of Mali, €13.5 million; project to support the reduction of emigration through the creation of rural jobs in Senegal 10M€; project to promote employment and improve the living conditions of young artisanal fishermen and women involved in fish processing in protected natural areas in northern Mauritania 10M€) are of particular importance.

By supporting the reform and improvement of public policies, FIIAPP focuses its actions on institutional strengthening and results of sustainable and inclusive development for the benefit of people and the planet. FIIAPP works in line with the external action and development cooperation priorities of the State and the European Union.

FIIAPP promotes the development of inclusive and sustainable public policies, concentrating its work on eight broad and diverse themes, including migration and human mobility, where it carries out actions to improve public systems in the areas of migration governance: migration and human mobility policies, rights and development; integrated border management; labour migration and integration of migrants in third countries; circular migration; protection of migrants and victims of trafficking and smuggling.

The fight against the causes of non-voluntary migration is essential. Specifically, projects financed by the European Commission such as Euroclima, which among other issues addresses climate migration, EUROsociAL, which focuses on social cohesion as a mechanism for integration and minimising forced migration, or



EU4YOUTH, led by AECID, which aims to include the youth population in vulnerable areas of Tunisia, contribute to the sustainable development of partner countries.

Spain promotes, especially within the European Union and the OECD, reflection on how development cooperation can be increasingly effective in the fight against structural factors of non-voluntary migration. In this regard, during its Presidency of the Rabat Process, Spain, in collaboration with Senegal, organised a High-Level Meeting in Madrid on 12 and 13 May to reflect on this issue and analyse the new contexts for action and the new actors, paying special attention to three areas where there is still untapped added value: diasporas as agents of change, the promotion of entrepreneurship among youth in countries of origin and transit, and women as a driving force for change.

### **Objective 3: Provide accurate and timely information at all stages of migration**

The Ministry of Interior (MIR) has a publicly accessible national website through which it disseminates information on regular migration options, immigration legislation and policies, as well as on the different administrative procedures in Spain: <http://www.interior.gob.es/web/servicios-al-ciudadano/extranjeria>.

The Ministry of Inclusion, Social Security and Migration (MISSEM) also continues to promote these channels through **platforms providing accurate and up-to-date information** on the different channels for regular, orderly and safe migration. All the information on the different authorisations contained in the immigration portal is being updated.

Particularly noteworthy is the effort made since 2020 to facilitate the telematic processing of residence and work authorisations. At present, 95% of the procedures at Aliens Offices are available online. Agreements are in force with different professional associations (Lawyers, Administrative Managers and Social Graduates) to facilitate the online submission of applications and thus reduce the possible digital divide that may exist.

In order to provide accurate, truthful and objective information within the European Migration Network, the MISSEM, through the Secretary of State for



Migration, as Spain's National Contact Point for the Network, will continue to make available to Member States, legislators and citizens Spain's participation in migration issues, as well as regulations, studies, reports and, in short, the actions developed at national level. To this end, and in compliance with the Work Programme approved by the European Commission, the MISSM is carrying out a communication and dissemination strategy through its recently updated website, which contributes to disseminate the vision, values and work carried out within the EMN. The social networks created, such as Twitter, LinkedIn or Youtube, will also be used to disseminate the studies, reports and analyses produced within the EMN framework, as well as to contribute to the creation of a solid network of contacts in the field of migration. In short, the MISSM will maintain and strengthen its commitment as an integral part of the European Migration Network by contributing to the creation and dissemination of accurate and transparent information.

The Ministry of Foreign Affairs, European Union and Cooperation (MAUEC) also includes relevant and up-to-date migration information on its main website, as well as on the websites of embassies, counsellors' offices and consulates.

**Objective 4: Ensure that all migrants have proof of legal identity and adequate documentation**

The Spanish Administration provides all the necessary facilities so that the consular services of third countries accredited in Spain can carry out their documentation activities for their own nationals.

All levels of the Spanish administration, within the scope of their competencies, have citizen care and documentation offices where migrants residing in the country can go to obtain or renew their documentation under the terms determined by national legislation.

In accordance with Spanish legislation, in cases where the State Security Forces locate an undocumented foreigner whose minority of age cannot be established with certainty and who may be an unaccompanied foreign minor, the competent services for the protection of minors will provide the immediate attention they need, immediately informing the Public Prosecutor's Office, which will arrange for



their age to be determined, for which the corresponding health institutions will collaborate and, as a priority, will carry out the necessary tests.

In September 2018, Spain ratified the United Nations Convention on the Reduction of Statelessness.

### **Objective 5: Enhance availability and flexibility of pathways for regular migration**

The identification of real opportunities for regular migration is an important part of migration policy. In this sense, the Ministry of Inclusion, Social Security and Migration (MISSM) has developed concrete initiatives in this field, prioritising the following lines of action:

- In the area of migration for labour purposes, recruitment at origin - especially of seasonal workers for agricultural campaigns - has been consolidated as a good practice of circular migration, which takes into consideration the labour market needs of both the country of origin and the country of destination, favouring the positive impact of a well-managed migration policy (on migrants, communities and countries, both of origin and destination) as a contribution not only to the Global Compact on Migration but also to the 2030 Agenda, as well as to the European Pact on Migration and Asylum.

Since the adoption of the Global Compact, the following actions, among others, should be highlighted:

(a) the rules governing the framework for recruitment procedures at source have been improved and updated.

The Collective Management of Recruitment at Origin (GECCO) is a specific regime and procedure linked to labour migration, established in Article 39 of Organic Law 4/2000 of 11 January and developed by Article 167 et seq. of the Regulation implementing Organic Law 4/2000 of 11 January. The programme is one of the most valuable tools for promoting regular, circular, orderly and safe migration.



The procedure is adopted by Order based on the national employment situation, the annual forecast of occupations and the expected numbers of jobs that can be filled through this channel.

From 2012 to 2018 they were regulated by Order ESS/1/2012 which, without the forecast of stable hiring or a number of visas for job search, limited its scope to the regulation of the procedural particularities of the hiring of seasonal workers for agricultural campaigns and, preferably, in relation to countries with which an agreement regulating migratory flows had been signed.

With the aim of advancing in the Objectives of the Global Compact on Migration and in covering the needs of workers not covered by non-resident workers, in 2018 Order TMS/1426/2018 of 26 December was approved for the collective management of recruitment at source in 2019, which expressly refers in its explanatory memorandum to the fulfilment of the Objectives of the Global Compact on Migration. Among its novelties, this order removed sectoral restrictions (it could be used beyond the agricultural campaigns) as well as geographical restrictions (it could be articulated in other countries, beyond Morocco).

In 2019, Order TMS/1277/2019 of 23 December was approved for the 2020 programme, the implementation of which was suspended due to the COVID-19 pandemic.

The COVID-19 pandemic highlighted the essential nature of certain sectors, and, within them, occupations. The role, among others, of seasonal workers, especially in the agricultural sector, was key, as they performed a crucial activity in sustaining this essential sector. In this sense, Order ISM/1289/2020, of 28 December, regulated the collective management of hiring at source for 2021 and incorporated the reinforced health protection measures in line with the public health measures contained in Royal Decree-Law 21/2020, of 9 June, in order to guarantee health and safety of workers.



For the Huelva campaign corresponding to the 2020-2021 season, 15,622 applications were received from Moroccan workers, of which 14,552 were favourably resolved. A total of 12,743 women workers finally came to Spain. The return phase took place mainly between June and July 2021, with the last ship leaving on 5 August 2021 for Tangiers. It is also important to mention the recruitment in 2021, mainly for the Lerida campaigns, of a total of 675 workers in origin, of whom 469 are from Colombia and 206 from Morocco. For the year 2022, Order ISM/1485/2021 was adopted.

As a result of the agreement signed on 28 May 2021 between the Kingdom of Spain and the Republic of Honduras on the regulation and organisation of migratory labour flows between the two states, a pilot project has been set up for the 2021-2022 campaign in Huelva, through which 250 workers will be hired to cover the minimum labour needs that cannot be covered by national workers.

In the same way, another pilot project has been carried out in parallel with Ecuador with 250 workers to cover the labour needs in the Huelva campaign under the framework of the agreement signed previously between the two countries. This selection will be carried out through free, transparent and equal conditions selection processes, valuing work experience in the agricultural sector and the participation of the Administrations of both countries of origin and destination, in accordance with the provisions of the collaboration agreements or instruments and other regulatory regulations.

Among these improvements, which affect several objectives of the Global Migration Pact, the following stand out: improved preparation of the campaign and cooperation with the labour authorities in both countries; an increase in meetings with social agents in the province of Huelva and with non-governmental organisations; the figure of 'mediators' to develop social work in permanent contact with workers, helping them with their needs and with any doubts and problems that may arise; strengthening the preventive surveillance tasks of the State Security Forces and the Labour and Social Security Inspectorate; ethical, labour and social responsibility plan drawn up by the contracting companies themselves within the framework of a commitment to transparency and responsible recruitment.





b) In 2019, a pilot circular migration programme was carried out with Senegal for the agricultural sector. It was an initial experience and therefore concerned only a few beneficiaries (less than a hundred).

c) A pilot project on visas (up to 1,000) for job seekers was also launched in 2019 with Argentina. In this project, the administration favours and facilitates the meeting of international labour supply and demand. This project was suspended in 2020 due to the pandemic.

In addition, in the context of facilitating regular, orderly and safe migration channels and promoting dialogue with our partners, in a win-win-win approach and under the principle of mutual trust, the Women as Financially Independent Rural Actors (WAFIRA) project has been launched. This is a pilot project on legal migration with Morocco, funded by the EU through the Migration Partnership Facility (MPF). The project consists of training seasonal women who come to Spain each year from Morocco as part of the GECCO circular migration programme, so that on their return to Morocco they can start up income-generating activities, thanks to the financial and technical support that the project will offer them. A total of 250 women will be divided into two groups: a first group of 50 women will be trained during the 2022 campaign, and the other 200 will be trained during the 2023 campaign.

The project is scheduled to last 36 months, until October 2024. The total cost of the project is around €3.25 million, of which 95% is the EU contribution (around €3 million). The project involves the following partners: the MISSM, the ILO (implementing partner in Morocco); Cooperativas Agroalimentarias de Andalucía (Agri-food Cooperatives of Andalusia), in charge of providing the women, already in Spain, with training adapted to their profiles and needs, in their mother tongue in order to ensure the acquisition of skills and competencies to implement income-generating activities upon their return to Morocco; and ANAPEC (the Moroccan public employment service), although the OFPPT (responsible for occupational training) will also participate on the Moroccan side.



- In the field of migration for educational purposes, the Young Generation as Change Agents (YGCA) project, developed by the Secretary of State for Migration and the Ministry of Universities through the Spanish Service for the Internationalisation of Education (SEPIE), aimed at 100 Moroccan postgraduate students, is worth highlighting. This programme presents innovations with respect to traditional unilateral scholarship programmes that combine several sub-objectives of the Global Compact on Migration at the same time (i.e. favouring legal migration channels, fostering cooperation between the subjects involved, making migrants the real agents of change, addressing reintegration needs, minimising the negative effects of brain drain...).

The programme had a budget of 2.62 million euros and lasted 26 months, from May 2019 to June 2021. Institutions from both countries actively participated in the programme to enable young Moroccan graduates to undertake postgraduate studies in Spain (with the possibility of doing related internships) in key areas and sectors for the development of their country of origin (previously decided by Morocco), so that the training and work carried out would serve to enhance their country of origin's development students return. Participants also had to design an entrepreneurial project related to their studies, which would be launched in Morocco after completing the Master's degree.

The project was divided into three stages: pre-departure phase, mobility phase, and reintegration phase in the community of origin. During mobility, out of the 100 students selected, 98 students completed the programme. 62 students passed the Master, and 57 students presented their Masters' Dissertations with an entrepreneurship project. 23 of the projects were awarded and supported (10 of them women), of which 21 were able to exploit the totality of the award to implement their entrepreneurship project included in their Masters' Dissertations and 1 was only able to develop it partially. In the reintegration phase: 85 students returned to Morocco, of whom 56 are currently employed in Morocco and 25 are self-employed.

The objective of converting 10 of the students into entrepreneurs was 230 % achieved, since in the end 23 entrepreneurship projects were selected, all of them in sectors considered as strategic by Morocco. In addition, the professional



reintegration of participants in their country was supported (distribution of curricula among Spanish companies and support from the Moroccan public employment service ANAPEC).

- In the area of improving useful information on existing legal migration channels - and thus their accessibility - the MISSM is working to improve communication in order to provide accurate and up-to-date information on legal migration channels. In this regard, Spain has joined the working group on dissemination and communication campaigns on migration recently set up within the European Migration Network (EMN). On the other hand, work is being carried out on another project within the framework of the European Commission's ILO Network (Immigration Liaison Officers Network), whose biennial work programme includes as one of the Network's priorities improving knowledge of legal migration channels by European consulates and competent local authorities in third countries, as well as by the liaison officers themselves. The project - called MigraSafe - is funded by the ISF (Internal Security Fund - Borders and Visas), and will be implemented in 8 African states: Morocco, Senegal, Tunisia, Cape Verde, Nigeria, Ghana, Egypt and Ethiopia.

The initial duration of the project will be 24 months (early 2022 to early 2024). The total cost is around €1.45 million, of which 95% will be an EU contribution (almost €1.38 million).

FIIAPP is the implementing partner for the training components for embassies/consulates, liaison officers and local authorities. IOM will implement the civil society training component. In addition, three other European States (Portugal, Sweden and Switzerland) will participate in this project, providing experts in the field, and through the support of their field staff to the project.

- In the field of national legislation, the MISSM continues to work on identifying possible regulatory improvements to strengthen legal migration channels. An example of this would be the adoption of instructions by the Council of Ministers Agreement determining the procedure for the entry and stay of third-country nationals working in the audiovisual sector. The aim is to facilitate the entry and stay of professionals in the audiovisual sector with the objective of responding to



the needs of the sector and providing a legal migration channel adapted to the characteristics of the sector.

- In the context of the debates within the European Union concerning the new European Pact on Migration and Asylum, Spain stresses the importance of regular, orderly and safe migration within a migration approach that must necessarily be comprehensive. In this regard, in 2019 Spain presented an initiative (non paper) to take steps towards a true European policy on legal migration that goes beyond the current European regulatory framework.

In the context of the Pact, and specifically in the area of the external dimension, Spain is firmly convinced of the need to incorporate legal migration into the Migration Dialogues with third countries, as well as of the benefits it can generate to strengthen and facilitate this dialogue.

In the same vein, Spain has strongly supported the negotiations of the only legislative proposal on legal migration contained in the European Pact on Migration and Asylum: Directive 2021/1883 of the European Parliament and of the Council of 20 October 2021 on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment, and repealing Council Directive 2009/50/EC. In particular, the MISSM, as the negotiating body, has supported the need for a European-level standard to bring talent to the European Union by providing added value through elements such as more flexible admission conditions, guarantees against brain drain, as well as facilitating intra-EU mobility to promote brain circulation.

Similarly, the MISSM has always been open to the non-legislative initiative proposed by the European Commission to design, on the basis of a feasibility study prepared by the OECD, an EU Talent Pool to match the competences and skills of potential candidates from third countries with the demands of employers who cannot otherwise fill their vacancies, and in which Member States can participate to voluntarily encourage both information and the subsequent use of regular migration channels.



- On the other hand, it is estimated that up to 850,000 EU citizens take up seasonal work outside their country of origin each year. These seasonal workers have the same labour and social rights than local workers when working in another EU country.

- To address these challenges on the ground and safeguard fair working conditions for seasonal workers, the European Labour Authority is implementing an Action Plan together with the European Commission, EU Member States and social partners. As part of this integrated action, the communication campaign 'Rights for all seasons' aims to raise awareness among mobile seasonal workers and their employers about their rights, obligations and available advisory services. Workshops are also being organised with national administrations and social partners to collect and share practices on the dissemination of information and the provision of assistance and services available to seasonal workers and employers. The Authority is also willing to support coordinated and joint cross-border inspections targeting seasonal work sectors, to exchange methods and practices with national labour inspectorates and to propose staff exchange visits in EU countries.

**Objective 6: Facilitate fair and ethical recruitment and safeguard conditions that ensure decent work**

The Master Plan for Decent Work 2018-2019-2020, approved by the Council of Ministers on 27 July 2018, states that 'it is essential that the insertion and integration of immigrants in the workplace is done under strict conditions of equality in relation to national workers, and therefore, the Labour Inspectorate has been carrying out a campaign to ensure that the working conditions of immigrants are not discriminatory.'

Three measures of the Master Plan are linked to the actions included in Objective 6 of the Global Compact on Migration:

Measure 28 refers to the intensification of the planned activity of the Labour Inspectorate to check the working conditions of immigrant workers - especially



women and minors of working age - in sectors such as agriculture. These actions will take special account of the gender perspective.

Measure 29 urges the drafting and making available of complaint forms for complaints to the Labour Inspectorate in different languages, studying the measures that will allow effective compliance with this provision, so that language is not a barrier when it comes to taking action to protect their rights.

Measure 30 encourages the promotion of actions to raise awareness of the importance of compliance with social legislation and the principle of equality.

Spanish public policies to favour the improvement of employability or access to the labour market are transversal to the whole population (nationals and foreigners), focusing on the vulnerability of subjects due to their conditions in relation to the labour market (i.e. young people, long-term unemployed, over 55s, disabled, etc.). Certain measures identify migrants among priority groups.

In the implementation of this Objective 6, Spain will continue to support the implementation of the whole-of-society approach of the Global Compact on Migration, involving the social partners (employers' organisations and trade unions) through the Tripartite Social Dialogue, as well as civil society and migrant groups.

The COVID 19 crisis has shown that labour will be an issue of increasing attention when renewing national migration consensuses in the short term.

On 16 November 2021, the Council of Ministers approved the Strategic Plan for the Labour and Social Security Inspectorate (ITSS) 2021-2023, which is committed to modernising the institution, providing it with tools and resources that guarantee its adaptation to the new challenges in the labour field. This Strategic Plan proposes a reinforcement of the Labour and Social Security Inspectorate that is in line with the strategic objectives set in the international sphere, with the 2030 Agenda, and with the social vocation of our constitutional text of 1978, placing the achievement of decent work, or decent work according to the internationally coined terminology, as the core objective of this Strategic Plan.



It is an objective included in the United Nations 2030 Agenda for Sustainable Development (Objective 8: 'promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all'), and also in different ILO documents. It is intended to intensify inspection campaigns to combat undeclared work and work without affiliation or registration in the Social Security System, promoting a joint instruction with the State Attorney General's Office on labour exploitation and the signing of a collaboration agreement between the State Security Forces and the State Agency ITSS. Free movement of workers in the European Union and the European Economic Area, as well as the rise in migratory movements and relocation processes, increase the risks for labour and Social Security systems of the States. For this reason, the fight against transnational fraud has become a priority for tax, labour and Social Security surveillance bodies, such as the State Agency ITSS.

The Ministry of Labour and Social Economy authorised, by means of a ministerial order published on 16 October 2020 in the Official State Gazette, the creation, within the Labour and Social Security Inspectorate (ITSS), of a special coordination unit for the fight against transnational labour fraud. This unit will coordinate all actions carried out by the Labour and Social Security Inspectorate in relation to labour mobility, the fight against transnational labour fraud and undeclared work within the European Union, in cases of intra-European mobility in which Spain is the country of origin or destination. It will also carry out other functions related to the transnational mobility of workers, such as supporting competent units in the processes of regulatory transposition, participation in international working groups or proposing the programming of inspection actions in this area. (<https://www.boe.es/boe/dias/2020/10/16/pdfs/BOE-A-2020-12359.pdf>).

### **Objective 7: Address and reduce vulnerabilities in migration**

Spain shares the vision of the Global Compact on Migration to place migrants at the centre of our attention and to leave no one behind. The vulnerabilities generated in the migration cycle are inimical to these objectives and must



therefore be combated to the greatest extent possible with the means available to each state.

In order to leave no one behind, a series of measures have been adopted to limit the effects of the COVID 19 crisis and the application of the alarm state on foreigners residing in Spain.

These numerous measures include automatic extension of authorisations (which began on the day after the authorisation expired and was extended for six months following the lifting of the state of emergency); extension, for the same period, of the validity of EU family members' cards and foreigner's identity cards granted on the basis of long-term residence; authorisation to enter Spain with their valid travel document and the alien's identity card or expired visa in the case of aliens resident in Spain who are not in the national territory and whose residence or residence permits or long-term visas expire while the state of emergency is in force; non-consideration of absences from Spanish territory caused by the COVID-19 situation for the purposes of calculating the continuity of residence, in order to prevent the impossibility of returning to Spain due to the closure of land and air borders from negatively affecting their regular status in the country; recognition of the right to work in the essential agricultural sector, until 30 September; and relaxation of the requirements for the renewal of authorisations, social roots and family regrouping.

In addition, a relaxation was adopted in the interpretation of the conditions based on which a foreigner may renew his or her residence and/or work permit in Spain, in order to avoid the irregularity of foreigners who are fully integrated into Spanish society and who have been affected by the COVID-19 crisis. To this end, the renewal of authorisations was facilitated in cases of unemployment, suspension of work activity (ERTE) or business difficulties associated with the COVID-19 crisis that prevent, for example, continuity of business activity in the case of employed workers (continuity which is the prerequisite for granting the renewal of authorisation).

It also facilitated procedures for social roots already initiated before the declaration of the alarm state in order to avoid the refusal of authorisations that





at the time of the application fulfilled the conditions and as a consequence of the alarm state were no longer fulfilled (social security affiliation, for example, was not going to take place since the job offer had disappeared). To this end, a period of 45 days was granted to look for a new job (they could therefore be registered with another employer) or to provide a report on their roots.

Beyond these measures whose effectiveness was linked to the continuity of the alarm state, it is worth highlighting the Spanish government's approval in May of that year of the Minimum Vital Income (MVI), which could affect up to 2.3 million people and 850,000 households. Under the programme, adopted by Royal Decree-Law 20/2020 of 29 May, which establishes the minimum living income, Spanish citizens are eligible, as are foreign residents in Spain who have been legally resident in Spain for at least one year. The programme establishes a minimum guaranteed income, the amount of which varies according to the number of household members. The differential between the income actually received by the household and that set by the MVI will be covered by the state. The approval of the measure, which was in the pipeline before the COVID 19 crisis, has been accelerated by the situation created by the pandemic, thus anticipating possible situations of supervening economic vulnerability.

Without neglecting other situations, Spain pays special attention to two groups: women in situations of special vulnerability and unaccompanied minors.

With regard to women who are victims of trafficking, smuggling or domestic violence, immigration and aliens regulations provide for numerous special favourable provisions such as, for example, access to a residence permit even if they are in an irregular situation in the country. This way, the aim is to encourage the victim to report and cooperate in the different procedures without fearing that this contact with the authorities could lead to expulsion from the country.

Likewise, Instruction 2/2021 was issued by the Secretary of State for Migration on temporary residence and work permits for exceptional circumstances for foreign women victims of gender-based violence. The aforementioned instruction clarifies that all foreign women, regardless of their administrative situation



(regular or irregular) are equally covered by Organic Law 1/2004 of 28 December, on Comprehensive Protection Measures against Gender Violence.

Article 31 bis of the Organic Law on Foreigners regulates temporary residence and work for foreign women victims of gender-based violence, recognising that this circumstance places them in a situation of extreme vulnerability. However, the interpretation that had been made of this precept was unfavourable for those foreign women who are in Spain in a regular situation, with an authorisation linked to that of their aggressor or in a stay situation (for example, family members of a student or researcher, with the spouse and alleged aggressor being the holder or the source of income to prove sufficient economic means). These cases, in which a restrictive interpretation of Organic Law 4/2000 of 11 January could discourage reporting for fear of losing their documentary status, had already been highlighted by the Ombudsman.

In addition, the instruction clarifies the regulations for women victims of gender-based violence from EU Member States and other States party to the Agreement on the European Economic Area. Although the current regulations protect women who have an EU family card (and specify that they will maintain their right of residence in cases of gender-based violence), the situation of European citizens who are victims of gender-based violence was not expressly clarified.

In addition to all these measures, the Ministry of Inclusion, Social Security and Migration (MISSM) has undertaken actions aimed at reducing vulnerabilities, especially with regard to foreign minors close to the age of majority, on the one hand, and, on the other, young people who leave guardianship when they reach the age of majority without returning to their countries of origin.

Regarding the first group, it is worth highlighting Instruction 1/2020 of the State Secretariat for Migration of 6 March, which enables foreign minors of working age to work. The aim of this measure was to facilitate the exercise of paid employment by minors of the permitted working age in Spain - 16 years of age - so that their residence permit would enable them to work as employees, without the need for any other administrative procedure.



In addition, Royal Decree-Law 19/2020 of 26 May, adopting complementary agricultural, scientific, economic, employment, social security and tax measures to mitigate the effects of COVID-19, granted work and residence permits for two years to young people who worked in the countryside during the pandemic. Most of the young people who were given this authorisation are still affiliated to the Social Security today and work in a wide range of sectors.

Furthermore, in line with the commitment made by the MISSM to the Ombudsman's Office, the Council of Ministers approved, at the proposal of the Ministry of Inclusion, Social Security and Migration, Royal Decree 903/2021 of 19 October, amending the Regulation of Organic Law 4/2000 on the rights and freedoms of foreigners in Spain and their social integration, following its reform by Organic Law 2/2009, approved by Royal Decree 557/2011 of 20 April.

This Royal Decree modifies the legal regime of minors and persons in detention in order to favour their integration. This reform puts an end to the current situation in which, de facto, the inclusion of unaccompanied minors and detained young people was prevented. The previous regulations caused many minors to fall into irregularity upon reaching the age of 18, with the consequent risk of social exclusion, a situation caused by the rigidity of the regulations themselves. A series of changes have been incorporated that encourage obtaining documentation more quickly and easily and gaining access to the labour market from the age of 16 (and after turning 18). Likewise, a special regime has been established for young people who have been granted exemptions with requirements that are more in line with their reality, extending the duration of residence permits and allowing young people who have been granted exemptions and who are now between 18 and 23 years of age and who have been forced into irregularity to access a residence and work permit. This way, situations of social exclusion are avoided.

But as noted above, Spain does not neglect the fight against other types of situations of vulnerability. In implementing its migration policy, Spain embraces the UN's comprehensive concept of 'human security,' which transcends that of 'citizen security', and which emphasises 'the right of people to live in freedom and



dignity, free from poverty and despair... to have equal opportunities to enjoy all their rights and to develop their full human potential.'

In this sense, xenophobia is a source of generating and/or accentuating vulnerabilities. More information on public actions in the fight against xenophobia and racism is included in the paragraph referring to Objective 18. Note here that in 2018, the National Office for Combating Hate Crimes was created within the Ministry of Interior (MIR) to combat these crimes committed against vulnerable groups or minorities. An Action Plan to fight these crimes (with 47 measures to be implemented until 2021) came into force in 2019 with the aim of improving data collection on hate crimes or increasing assistance to victims. The II Action Plan against Hate Crime 2022-2024 is currently being implemented. The plan envisages improving specific training for the State Security Forces, the improvement of prevention and victim care systems, as well as measures to increase the effectiveness of police response, especially in cases of discrimination and attacks on social networks. This plan establishes measures to combat discrimination and hate speech against specific groups (their national or ethnic origin, ideology, gender or sexual orientation, among other reasons). This Office also promotes police training with the implementation of the TAHCLE programme (developed by the Organisation for Security and Cooperation in Europe OSCE) and the courses of the European Union Agency for Police Training (CEPOL), the development of tools to detect hate speech on social networks, the prevention of any type of discrimination and the exchange of best practices with other European countries and agencies such as the EU Human Rights Agency (FRA).

In the Ministry of Interior (MIR), Instruction 1/2022 of the Secretary of State for Security of 10 February created the National Office for the Guarantee of Human Rights as a body attached to the Inspectorate of Personnel and Security Services of the Directorate General for Coordination and Studies.

The ONGDH is a monitoring, coordination and evaluation mechanism to promote the commitment of the State Security Forces to respect human rights, and contributes to compliance with national and international standards against torture and other cruel, inhuman or degrading treatment or punishment by the



State Security Forces, guaranteeing respect for the fundamental rights of individuals.

The Council of Ministers of 7 December 2018 approved the report prior to the drafting of the II Human Rights Plan, and within its general objectives, and highlighting among those affecting the MIR, the one related to the protection of migrants, refugees and asylum seekers, since it aims to ensure maximum respect for the guarantees provided for in the regulations on foreigners and to strengthen the cooperation protocols that guarantee the protection of those migrants who may be especially vulnerable or at potential risk of violation of their human rights. This Plan has also an impact on the fight against irregular immigration due to its disincentive effect on the use of irregular routes to access EU territory. This dissuasive strategy involves adopting various international police cooperation measures with the countries of origin and transit of migration and improving border management.

In addition to the structural causes of vulnerability, it is also necessary to address supervening vulnerabilities. To this end, Spain has procedures such as the concept of 'arraigo' (roots), as well as authorisations for exceptional circumstances granted on the basis of situations such as illness or sudden unemployment to avoid, among other vulnerabilities, supervening irregularity.

On 25 March 2021, the Supreme Court issued ruling 1184/2021 in which it specifies that in order to apply for a residence permit based on employment roots it is not essential that the accreditation of the employment relationship and its duration be exclusively through the means established in the second paragraph of art. 124. 1 of Royal Decree 557/11, of 20 April, which approves the Regulations of Organic Law 4/2000, of 11 January (judicial resolution recognising the employment relationship or administrative resolution confirming the infringement report of the Labour and Social Security Inspectorate that accredits it), and may be accredited by any valid means of proof, including the certificate of employment that accredits an employment relationship derived from a previous residence permit that has ceased to be valid. In view of the above, and taking into account this jurisprudence, as well as international and European provisions, the



Instruction of the Secretary of State for Migration 1/2021 was published on the procedure for temporary residence permits for reasons of employment roots.

On 12 April, the Council of Ministers approved, at the request of the Ministry of Justice, the Draft Bill regulating the age assessment procedure with full respect for the rights of children and adolescents with all the legal guarantees when, due to a lack of documentation or when it is not possible to establish age with certainty, the age must be determined by the judicial authority. The Preliminary Draft presented represents a notable improvement on the legislation in force and is more in line with the recommendations of the UN Committee on the Rights of the Child, the Ombudsman, the Supreme Court, the State Attorney General's Office and the European Economic and Social Committee, among other bodies. The proposed new procedure is based on the principles of best interests of the child, presumption of minority, urgent processing time, reinforced rights of hearing and judicial defence and resolution of the procedure by a judgment subject to appeal.

With regard to the external dimension of its migration policy, Spain develops international cooperation programmes to assist in limiting vulnerabilities, especially in the area of migration routes in Central and North America.

The Office of Humanitarian Affairs (OAH) of the Ministry of Foreign Affairs, European Union and Cooperation (MAUEC) has UNHCR and IOM as its main partners in this area. In 2021, both organisations received €8.5 million and €2 million respectively. In the case of UNHCR, it is worth highlighting Spain's support for the MIRPS platform, which promotes regional commitments and responsibility-sharing mechanisms. In this regard, it is worth noting that in June 2021, in its role as Chair of the MIRPS support platform, Spain organised the Solidarity Event Towards Forcibly Displaced Persons and the Communities that Host Them in the Central America and Mexico Region, announcing a commitment of 6.3 million euros in the period 2021-2022 as direct support to the action plans of the MIRPS countries. In 2022, a sharp increase in funding to these two UN agencies is foreseen, driven by the emergence of new crises in Afghanistan and Ukraine. As a result, UNHCR would receive more than €16 million and IOM more than €3 million.



OAH has also funded NGO projects in this area. This is the case of the €600,000 provided by Acción Contra el Hambre in Honduras to cover the basic needs and protection of migrant women and children at risk of displacement. The Venezuelan refugee and displaced persons crisis has also received the attention of OAH through multiple projects with various partners, such as Caritas, which received €600,000 to support the Venezuelan migrant population, the Colombian returnee population and host communities in special conditions of vulnerability in Nariño, Arauca.

The Spanish Agency for International Development Cooperation (AECID), under the MAUEC, also contributes to holistic approaches to address situations of vulnerability both through bilateral programmes (e.g. the project for the reduction of vulnerability and promotion of comprehensive public policies for people in situations of human mobility, with special attention to migrants and displaced by other forms of violence, in the Northern triangle of Central America and Mexico implemented by the Spanish Red Cross for €3M) and the contribution to programmes of multilateral regional organisations (e.g. the programme of the Ibero-American Organisation for the Youth, to reduce vulnerability situations and to enhance resilience for young people by improving their capacities, paying special attention to post-conflict situations, migration, violence prevention/peace culture and sexual and reproductive rights, or the program of the Organisation of the American States (OAS) to strengthen the capacities of the Government of Costa Rica and host communities for the reception and integration of Nicaraguan migrants and refugees).

The FIIAPP, through the EUROsociAL programme, has accompanied the Inter-American Association of Public Defenders in the design of a regional model of legal assistance for people in the context of human mobility in Latin America, and in the creation of a regional network. Access to justice is now recognised as the 'right of rights,' since without it it is difficult or impossible to exercise other rights (health, education, housing, employment, access to the financial system, access to documentation, among others). In this sense, the model aims to guide the way in which the Public Defender's Offices in the region comply with international obligations that seek to improve access to justice for this particularly vulnerable group of the population.



## **Objective 8: Save lives and establish coordinated international efforts on missing migrants**

Spain maintains secure border crossing points at its land borders. Safe and secure transit is ensured by the large number of border posts available, good neighbourly relations and excellent cooperation with the customs and police authorities of neighbouring countries.

With regard to maritime borders, Spain is party, among other international conventions, to the SAR 79 Convention of the International Maritime Organisation (IMO). In order to comply with the obligations deriving from this Convention, the Maritime Rescue and Safety Company (SASEMAR) was created in 1992, attached to the Ministry of Transport, Mobility and Urban Agenda (MITMA) through the Directorate General of the Merchant Navy.

SASEMAR's mission is established in article 268 of the Consolidated Text of the Law on State Ports and the Merchant Navy (approved by Royal Legislative Decree 2/2011, of 5 September 2011), which sets as the purpose of the Company the provision of services, among others, the rescue of human life at sea.

The successive National Plans since its creation have provided *Salvamento Marítimo* (Maritime Rescue) with the necessary professionals for the current network of 19 Rescue Coordination Centres and a maritime and air fleet that ensures maritime safety along the 8,000 km of Spanish coastline and the 1.5 million km<sup>2</sup> of maritime area of rescue responsibility attributed to Spain. In its work, *Salvamento Marítimo* maintains close cooperation and coordination relations with the rescue services of neighbouring countries.

In 2021, *Salvamento Marítimo* coordinated the rescue, assistance or search for 46,073 people throughout Spain. Of this figure, 25,527 were referred to irregular arrivals of immigrants, a figure that is 17% higher than the average for the years 2019-2020. In 2021, *Salvamento Marítimo* coordinated the search for 1,090 small boats, 2% less than the previous year. The total number of migrants who died in Spanish waters amounted to 231 (65.4% of the total of 353 people who died in 2021). In 2020, it coordinated the search of 1,170 boats, and rescued 26,041 people, as well as 132 deceased. Up to 15 April 2022, it has coordinated the search for 157 boats, rescued 5,680 people, and located 54 dead bodies.





During these years, *Salvamento Marítimo* has continued its process of continuous improvement, both in the provisioning of its maritime and air fleets, as well as in the use of new technologies in rescue at sea. Thus, it has launched the Integrated Maritime Rescue Innovation Programme (iSAR), which is an ambitious project that will enable Maritime Rescue to consolidate its position as a benchmark organisation at international level in search and rescue and maritime safety services. The Project is co-financed by the European Regional Development Fund (ERDF) through the Spanish Pluri-regional ERDF Operational Programme (POPE) 201-2020, within the framework of the Agreement between SASEMAR and the Ministry of Science and Innovation (MCIN) for the Integrated Maritime Rescue Innovation Programme (iSAR) Project. The ultimate objective of the programme is to improve the efficiency of the services provided, incorporating state-of-the-art technologies through high-performance intelligent sensors for detection and tracking. These new capabilities would allow for more efficient management of rescue emergencies at sea coordinated by *Salvamento Marítimo*, achieving a reduction in response times and more appropriate and safer management of resources. The Programme includes the development of high-performance unmanned aerial units. It also incorporates the development of mission systems for air and maritime platforms formed by the integration of intelligent sensors that enable the detection and identification, both day and night, of shipwrecked and drifting objects. The project budget amounts to 23.4 million euros over four years.

Within the scope of the Ministry of Interior (MIR), the Guardia Civil actively participates in the search and rescue of migrants, both in Spanish waters in cooperation with SASEMAR, and in international border surveillance missions, coordinated by the European Border and Coastguard Agency (FRONTEX) or carried out through bilateral agreements.

Saving lives and providing dignified assistance to those who have experienced risks to their lives at sea are priority objectives of Spain's migration management, which has shown its solidarity in this regard even in rescue operations outside SAR zones and national coasts by participating in the European Union's last EUNAVFOR MED Sophia operation in the Central Mediterranean and disembarking in Spain during 2018 up to a thousand migrants rescued in the Central Mediterranean.



Spain ensures dignified treatment and reception that respects human rights for all persons rescued at sea.

Spain - its administration and its civil society - ensures in any case a dignified treatment of the mortal remains of those who have died at sea and activates immediate consular information processes when there is minimal evidence of personal documentation of the deceased that allows for their identification and the tracing of their relatives.

**Objective 9: Strengthen the transnational response to smuggling of migrants**

Spain has an obligation to protect the rights of all persons subject to its jurisdiction. The treatment accorded to them is based on the fundamental principle of customary international law of non-discrimination. As a new commitment in this regard and as noted in Objective 4, Spain ratified in 2018 the Convention on the Reduction of Statelessness.

Human smuggling networks for irregular migration purposes are a frontal attack on human dignity and respect for the human rights of migrants themselves. This is why Spain has made the fight against this phenomenon a priority in its migration policy. Spain's work in this area has been based on two main lines of action: prevention and cooperation with third countries - of origin and transit - based on the principles of partnership, solidarity and shared responsibility, and the improvement of external borders as a member state of the European Union (EU).

In the first area, the Ministry of Interior (MIR) develops transnational cooperation projects, especially with the Maghreb and West African countries, areas where migrant smuggling networks operate on the Western Mediterranean and Atlantic routes to Spain. The main areas of cooperation in these projects are international police cooperation and capacity building of third countries in the management and control of safe, orderly and regular migration flows. The main partners in these bilateral projects are Senegal, Mauritania, Mali, Morocco, Guinea (Conakry), Ghana, Gambia and Ivory Coast. Spain also leads projects with EU



funding aimed at these objectives of combating migrant smuggling networks in Niger (Joint Investigation Group) and in the GARS project (to strengthen general security issues not only aimed at combating migrant smuggling crimes) for the five G5 Sahel countries plus Senegal, as well as participating in projects such as A-TIPSOM, SENSEC-EU and NETCOP (Common Operational Network Partnership). In the second area, the European Border and Coast Guard Agency (reinforced FRONTEX) was launched in 2016 as part of the measures envisaged in the European Agenda on Migration to strengthen the management and security of the EU's external borders, and to respond to the new challenges and political realities facing the EU, including migration. Spain has reinforced its means and procedures to better contribute to the fight against the smuggling of migrants at the external borders of the European Union.

Spain participates and collaborates with international organisations whose objectives include international cooperation in the fight against transnational crime (i.e. EUROPOL, EUROJUST).

### **Objective 10: Prevent, combat and eradicate trafficking in persons in the context of international migration**

In Spain, all actors involved in the fight against human trafficking maintain a sustained effort to eradicate this type of crime. The State Security Forces include actions at national and international level to improve the detection, identification, assistance and recovery of victims, as well as the pursuit, arrest and prosecution of perpetrators.

Currently, the State Security Forces are part of a working group led by the Centre for Intelligence against Terrorism and Organised Crime (CITCO) to approve the National Strategic Plan against Trafficking in Human Beings (PENTRA) - valid from 2021 to 2023. This Plan includes 16 lines of action and 62 concrete measures, mostly linked to the activities of the National Police and Guardia Civil. This plan will allow for a coordinated and collaborative approach to the situation with all the actors involved in the fight against trafficking, thus facilitating the comprehensive reparation of victims.



The Strategic Plans of the National Police (2017-2021) and Guardia Civil (201-2020), aware of the seriousness of this phenomenon and aligned with national and international response strategies and initiatives, define the protection of the most vulnerable groups and the fight against human trafficking as one of their strategic lines.

The National Police has a free 24-hour hotline exclusively for human trafficking 900105090, the website [www.policia.es/trata](http://www.policia.es/trata), the hashtag #contralatrata and the email [trata@policia.es](mailto:trata@policia.es), channels that are managed by specialised agents and activated to facilitate citizen collaboration and anonymous and confidential reporting of this type of crime, which is reinforced with publicity campaigns.

Guardia Civil has a free 24-hour contact telephone number, 062, an e-mail address [trata@guardiacivil.org](mailto:trata@guardiacivil.org) and has carried out awareness campaigns on labour exploitation such as #trabajoforzoso, the documentary short film *Trabajo forzoso* or Passport to Indicators of Trafficking in collaboration with the association A21.

On a regular basis and also on the occasion of the commemoration of 18 October - European Day against Trafficking in Human Beings - the State Security Forces in collaboration with the European Crime Prevention Network (EUCPN) launch campaigns with printed and audio-visual materials for social networks aimed at citizens who may be or become victims of trafficking in human beings.

In Spain, the competence for the identification of victims of trafficking in human beings corresponds to the State Security Forces with specific training in the field. Training and refresher courses for members of police units in charge of the fight against trafficking in human beings are provided on an annual basis.

The State Security Forces also actively participates in the European Crime Prevention Network (EUCPN) on trafficking in human beings.

The National Police has been conducting various dissemination campaigns since 2013, carries out an annual national training update on human trafficking, participates in CEPOL, FRONTEX and international training on human trafficking



and plays an active role in several national and international multiannual/multidisciplinary action plans.

For its part, Guardia Civil has a specialised training programme for members of its Judicial Police Units. It has also carried out teaching activities for different authorities, judges, prosecutors, social workers, health workers and members of the Armed Forces, and leads the PAcCTO project, a European Commission project to train members of the Latin American Police in this field.

Likewise, within the framework of Joint Investigation Teams and coordinated by EUROJUST and EUROPOL, the State Security Forces collaborate with other countries in the development of operations against international criminal organisations trafficking in human beings. Transnational investigation and cooperation in the fight against trafficking leading to the dismantling of networks and the arrest of perpetrators is not effective without ensuring at the same time that there is no judicial impunity.

In a holistic approach to the fight against trafficking in human beings, the anti-trafficking activities of the Ministry of Interior through the State Security Forces are complemented by the protection and prevention measures against labour or sexual exploitation developed in the field of migration by sectoral departments, including the Ministry of Inclusion, Social Security and Migration (MISSM).

The MISSM, in cooperation with the other relevant authorities and bodies, is helping to increase and improve investigations into trafficking in human beings for the purpose of labour exploitation, which presents specific problems. In this regard, the National Action Plan against Forced Labour: Compulsory Labour Relations and Other Forced Human Activities was adopted in December 2021 at the proposal of the Ministries of Labour and Social Economy; of Foreign Affairs, European Union and Cooperation; of Justice; of the Interior; of Education and Vocational Training; of Equality; and of Inclusion, Social Security and Migration.

The agreement fulfils the requirement of the 2014 Protocol of the International Labour Organisation (ILO), which was ratified by Spain on 12 December 2017 and entered into force on 20 September 2018, and which requires the states that



sign it to develop a national action plan to achieve the eradication of forced labour.

The Action Plan focuses first and foremost on the protection of victims, making it essential to criminalise forced labour and to adopt measures to better understand their profile in order to protect them and to improve prevention and detection policies.

It is therefore the first time that a specific plan has been adopted to combat forced labour, which, until now, has only been addressed in connection, for example, with activities such as labour exploitation or trafficking in human beings for the purpose of labour exploitation.

The Plan will enable appropriate measures to be taken to protect victims of forced labour and to understand their needs, as well as to design appropriate policies to combat this scourge. It has a three-year duration (2021-2023) and responds to the firm determination to fight against forced labour in our country in defence of human rights and human dignity.

The Action Plan also makes it possible to fulfil the commitments made by Spain and to advance in the fulfilment of the 2030 Agenda. It not only represents a specific target of Sustainable Development Goal 8 (Decent Work), but also contributes substantially to other goals, such as the construction of fairer societies.

According to the report of the Group of Experts on Action against Trafficking in Human Beings (GRETA) of the Council of Europe, since 2013 Spain has made significant progress in legislative, institutional and public policy areas to combat trafficking in human beings. However, the need to continue to make progress in the fight against human trafficking is highlighted. In the absence of data for 2019 and 2020, 9,315 persons at risk of being trafficked were counted in 2018.

Between September 2020 and June 2021, GRETA proceeded to evaluate the measures taken by Spain in the fight against trafficking in human beings in the



framework of the Council of Europe Convention on Action against Trafficking in Human Beings.

In any case, as pointed out by the Attorney General's Office, the great complexity of this type of investigation means that many of them either cannot be concluded or have to be shelved, either because the participation of those investigated cannot be reliably proven and it is impossible to locate the alleged offenders or the victims refuse to ratify the complaint or to testify about the facts. These are issues, especially the latter, which are being worked on incessantly.

The prosecution of pimping in all its manifestations is necessary not only to safeguard the most basic rights of women, but also to prevent covert forms of criminal exploitation.

In this context, and beyond the protection and care of victims, great efforts are being made to train the agents involved, as well as judges and magistrates, in coordination with the NGOs that are part of the Spanish Anti-Trafficking Network, in relation to the responsible parties facing these challenges.

In the external dimension of its migration policy, Spain makes contributions to the fight against trafficking, such as the project financed by the Spanish Agency for International Development Cooperation (AECID) in Honduras aimed at promoting access to and improving local resources for the assistance and protection of victims of human trafficking, helping to strengthen the implementation of the Law against Trafficking in Persons and the work of the Inter-Institutional Commission against Commercial Sexual Exploitation and Trafficking in Persons in that country.

In Bolivia, the FIIAPP implements, together with the Ministries of Justice and Interior and the Ombudsman, the project 'European Support to Special Anti-Drug Forces in Law Enforcement', with a component on combating human trafficking and smuggling as a related crime.

Additional comments on trafficking in human beings are included in Objective 12.



## **Objective 11: Manage borders in an integrated, secure and coordinated manner**

The EU has been working on the design of a new framework for a migration and asylum policy capable of responding to the reality of the contemporary migratory phenomenon and preventing and dealing with both critical situations and migratory flows of a structural nature.

The proposals currently underway are those presented by the European Commission in September 2020, as part of a package of regulatory and non-regulatory initiatives called the New European Pact on Migration and Asylum, which aims to provide a 'new start in migration policy, increasing confidence through more effective procedures and achieving a new balance between responsibility and solidarity.'

The negotiation of the normative proposals included in the Migration Pact have been dragging on since its presentation and the current French Presidency has proposed to move forward through a step-by-step approach, focusing on achieving specific results on certain dossiers, such as the Screening and Eurodac Regulations, the external dimension and reaching an agreement on a stable Migrant Relocation Mechanism. Possible progress on this gradual approach has been conditional on the evolution of the crisis generated by the war in Ukraine.

A number of new systems aimed at improving the control of people crossing the EU's borders have already been approved. Specifically, the Entry Exit System (EES) and the European Travel Information and Authorisation System (ETIAS). These new systems, together with those already existing at European level (SIS, VIS, Eurodac), will make it possible to ensure a higher level of security and control of persons entering and transiting through the European Union. The interoperability of all these systems is currently underway, in a complex process to be completed by the end of 2023.

As a member state of the European Union (EU), Spain participates actively in the drafting and approval of EU regulations, complying with the rules issued in this area.





The EU's European Border and Coast Guard Agency (FRONTEX) helps to manage migration more effectively and ensures sound management of the EU's external borders, making it a shared responsibility between the Union and its member states.

In this regard, article 72 of the Treaty on the Functioning of the EU (TFEU) states that policies on border controls, asylum and immigration shall be 'without prejudice to the exercise of the responsibilities incumbent upon Member States with regard to the maintenance of law and order and the safeguarding of internal security.' Within the framework of international cooperation, the Ministry of Interior (MIR) plays a fundamental role in strengthening Spain's external borders, following the common framework established by the European Agency FRONTEX through a strategy based on integrated national border management (IBM). Work based on the principles of collaboration and respect for human rights, highlighting the commitments made by Spain in contributing operational personnel for the training of the Frontex Permanent Corps, as well as collaborating in the implementation of joint operations coordinated by the Agency in Spain (Operations Indalo, Minerva and Canary Islands).

Spain, like the other EU member states, is a party to the European Convention on Human Rights (ECHR), and in its territory foreigners enjoy the rights recognised by the Convention. Likewise, the Charter of Fundamental Rights of the European Union recognises a series of rights and freedoms also applicable to foreigners. Both instruments are translated into practice by Spain in the integrated management of its borders.

Within the framework of its international cooperation, the Ministry of Interior shares its experience in integrated, secure and coordinated border management with interested third countries by leading projects and organising international seminars for training and exchange of best practices in this field.

The International and Ibero-American Foundation for Public Administrations and Policies (FIIAPP), with extensive experience in delegated European cooperation on migration issues, is developing, with European funding and in collaboration



with the IOM, the Multi-Country Border Security (MCBS) programme in Haiti, Jamaica and the Dominican Republic, aimed at improving integrated border management, information exchange and investigation skills, with special attention to their application in the fight against human trafficking.

Also in collaboration with the IOM and the Ministry of Interior (National Police), it implements the EUROFRONT regional programme in Latin America and the Caribbean, focusing on integrated border management. In Morocco, FIIAPP implements, together with the Ministry of Interior (Guardia Civil), a project to strengthen the capacities of institutions in border surveillance and integrated border management. In Mauritania, the FIIAPP is implementing a project with the Ministries of Interior (National Police, Guardia Civil) and Transport (Merchant Navy) to strengthen the capacity and coordination of the Mauritanian forces in charge of maritime surveillance.

**Objective 12: Strengthen certainty and predictability in migration procedures for appropriate screening, assessment and referral**

The migration requirements and procedures applied by Spain are accessible on the public websites of the respective ministries referred to in Objective 3. The updates and reforms of migration and aliens regulations that are foreseen in the short term will include measures to further increase the levels of certainty and predictability as well as to promote electronic procedures for the management of the different administrative formalities.

The Grand Chamber of the European Court of Human Rights (ECHR) in its ruling of 13.02.2020 recognises that Spain offers a real availability and accessibility of legal avenues to apply for admission to its national territory by applying for a visa or international protection, among other possibilities.

Trafficking in human beings is often a consequence of migrant smuggling, especially in mixed flows. As a complement to the comments developed in Objective 10 and with regard to the aspects referring to background, assessment and referral in the context of human trafficking, the State Security Forces, in accordance with the criteria of Spanish legislation against this crime and those



contained in Law 4/2015 on the Statute of the Victims of Crime, have specific action protocols for the care of victims of trafficking, including those subjected to labour exploitation.

Thus, the National Police publishes on its website a guide of assistance resources with/without accommodation and police contact points to contact throughout the national territory. Likewise, Guardia Civil maintains collaboration with entities specialised in victim assistance such as the A21 association, APRAMP, Proyecto Esperanza Adoratrices, Red Española contra la trata, etc., organisations where victims are sheltered and where they receive comprehensive assistance.

To these measures are added those channelled by the Ministry of Inclusion, Social Security and Migration (MISSM). The Compact's whole-of-government whole-of-society approach is therefore applied in these actions.

In addition, the State Security Forces have specialised teams that develop best practices in cooperation with the Aliens Prosecutor's Office and civil society. The State Security Forces have two liaison officers with the Aliens Prosecutor's Office and dozens of social liaison officers with NGOs and organisations with proven experience in the fight against trafficking in human beings, through the figures of the 'social partner in human trafficking.'

### **Objective 13: Use migration detention only as a measure of last resort and work towards alternatives**

Immigration Detention Centres (CIE) are non-penitentiary establishments, legally established and regulated. The precautionary measure of deprivation of liberty by internment in one of these centres is of an exceptional nature and is only applicable in certain cases established by law. Furthermore, the decision to detain must always be taken by the competent judge and for the minimum time necessary to fulfil its purpose.



There are sufficient mechanisms in CIEs to guarantee the rights and freedoms of foreigners, always subject to judicial control and within the framework of the guarantees established in Spanish and European legislation.

In addition to the guarantee of judicial and fiscal control during the stay in the CIE, there is a set of additional control mechanisms and guarantees, in order to safeguard the rights of the internal foreign citizens. One of these is the guarantee of the right of inmates to contact national and international non-governmental organisations for the protection of immigrants and their right to visit the centres, as well as the provision of a legal guidance service aimed at advising inmates in conditions of confidentiality, with several collaboration agreements having been signed in this respect with different Bar Associations.

In accordance with European Community and Spanish regulations, an applicant for international protection cannot be deprived of his or her liberty on an outpatient basis, with the exception of the procedure at border facilities or in cases in which a person already detained for other reasons (and with the corresponding judicial authorisation) applies for international protection on a supervening basis. Reinforced guarantees include: intervention of UNHCR, legal assistance and a time limit which, including possible administrative appeals, in no case exceeds eight days and is measured in hours.

**Objective 14: Enhance consular protection, assistance and cooperation throughout the migration cycle**

The Ministry of Foreign Affairs, European Union and Cooperation (MAUEC) ensures consular protection and assistance to Spaniards abroad through its 115 embassies and 89 consulates. Multiple accreditation, the network of honorary consuls and recourse to European consular protection complete the consular assistance scheme in those countries or demarcations where there is no Spanish embassy or consulate.

In addition to the publicly accessible websites, all Spanish embassies and consulates have a consular emergency telephone number available 24 hours a day, 7 days a week for their nationals. The MAUEC also has an application that



allows Spanish citizens arriving in another country to receive a text message on their mobile phone immediately upon arrival, informing them of the contact telephone numbers for the Spanish embassy or consulate in the country where they are.

In cases of crisis in foreign countries where consular assistance may be involved, the MAUEC creates crisis cells to deal more effectively with requests for possible assistance from its nationals. This was the case in the crisis generated by the COVID-19 pandemic, in which the crisis cell managed, among other actions, a framework of repatriation flights and a consular emergency telephone number centralised in the Directorate General for Spaniards Abroad and Consular Affairs.

In relation to consular cooperation, Spain has specific bilateral consular cooperation agreements with third countries as well as consular cooperation frameworks on the ground between EU member states. The MAUEC's Directorate General for Spaniards Abroad and Consular Affairs is in open, permanent and continuous contact with the consular services of other states accredited in Spain to deal with requests for consular cooperation.

In this regard, the work of the MAUEC is complemented by sectoral ministries and, in particular, in the area of migration, by the work of the Ministries of Interior (MIR) and of Inclusion, Social Security and Migration (MISSM) and the Ministry of Labour and Social Economy.

### **Objective 15: Provide access to basic services for migrants**

Regular migrants in Spain enjoy national treatment in terms of access to public services. Any legal exceptions are justified on regulated grounds in line with the Global Compact on Migration, with no risk of discretionality.

Numerous rights guarantee foreigners access to basic services regardless of their migratory status, such as, for example, the access of minors to the education system.



Furthermore, the entry into force on 31 July 2018 of Royal Decree-Law 7/2018, of 27 July, on universal access to the National Health System, restored the so-called universal access to the national health system, under the same conditions, to all persons in Spain, regardless of their migration status and administrative situation.

The whole-of-government approach of the Global Compact on Migration is especially applied in the case of Spain in the implementation of this Objective 15, given the decentralised system of distribution of competences among the three levels of the Administration (state, autonomous communities and municipalities).

### **Objective 16: Empower migrants and societies to realize full inclusion and social cohesion**

Spanish society is welcoming and the state, in keeping with this reality, develops active public policies to enhance inclusion and social cohesion around the migration phenomenon in general and migrants residing in Spain in particular. Facilitating the efforts of migrants in their inclusion in Spanish society is a priority.

In this regard, Spain deploys a myriad of actions in each and every one of the proposals for action covered by Objective 16 of the Compact. It would be impossible to list them, as there are hundreds of initiatives of varying scope, both public at the three levels of administration (state, autonomous communities and municipalities) and private (organised civil society - including migrants' associations, public and private foundations and secular and religious NGOs - but also spontaneous initiatives of non-organised civil society).

The whole-of-government and whole-of-society approaches are applied in a natural and decentralised way in the actions of this Objective. In this regard, it should be noted that migrants' associations enjoy every facility in Spain to carry out activities to promote their cultures and languages and to exercise individually and collectively the rights of association, expression, demonstration, assembly and worship protected by the Constitution.



Other Objectives of the Compact refer to examples of actions that also fall within this Objective.

The annual celebration of International Migrants Day on 18 December and the events organised - among others by the IOM Delegation in Spain - are an opportunity to celebrate the visibility of the results of many projects and to recall the need to persevere in this regard, to ensure financial means and the sustainability and consolidation of the achievements obtained in the initiatives.

**Objective 17: Eliminate all forms of discrimination and promote evidence-based public discourse to shape perceptions of migration**

The Government of Spain is developing a proactive public discourse on safe, orderly and regular migration, emphasising the positive contribution of migrants to Spanish society and economy. The President of the Government's speech at the Marrakech Intergovernmental Conference that endorsed the Global Compact on Migration is an example of this.

This public discourse is conveyed not only in international or European frameworks or in parliament at national level, but actively in both traditional communication formats and social networks in order to reach the population directly and contribute to the generation of correct perceptions about migration, counteracting the effect of misleading narratives that are not based on empirical data. With absolute respect for freedom of expression, communication and press freedom under the rule of law, the State Administration is always at the disposal of opinion generators (media, think tanks, bloggers...) to provide the data requested on migration issues so that they can carry out their informative work on the basis of contrasted data.

In addition to public discourse, fake news has the potential to have a significant impact on citizens' perceptions of migration. Spain participates in European mechanisms to combat this phenomenon, in which the deontology and self-regulation of the media and information platforms are involved. When information reaches the category of hate speech, it is prosecuted as a criminal offence under Spanish law. Following the reform of the Penal Code that introduced the new



article 510 (Organic Law 1/2015 of 30 March and Circular 7/2019 of 24 May of the State Attorney General's Office on guidelines for the interpretation of article 510) Spain is in the leading group worldwide in the fight against hate crimes.

The promotion of values of coexistence and the fight against xenophobia, racism and other related forms of intolerance have an important effect in contributing to a correct understanding of the migratory phenomenon, as well as to social cohesion and respect for the human rights of immigrant citizens. In this regard, it should be noted that article 71 of Organic Law 4/2000, of 11 January, on the rights and freedoms of foreigners in Spain and their social integration, established the creation of the Spanish Observatory on Racism and Xenophobia (OBERAXE), which reports to the Secretariat of State for Migration and has the following functions: (a) The collection and analysis of information on racism and xenophobia in order to gain knowledge of the situation and its evolution prospects, through the implementation of an information network; (b) The promotion of the principle of equal treatment and non-discrimination and the fight against racism and xenophobia; (c) The collaboration and coordination with the different public and private, national and international agents linked to the prevention and fight against racism and xenophobia; and (d) The implementation of plans, studies and strategies to favour the inclusion of migrants and their evaluation.

OBERAXE analyses the situation and evolution of racism and xenophobia and other forms of intolerance in Spain through studies, surveys and reports. The aim is to help guide policies for the integration of the migrant population and to prevent xenophobia and racism. Recent studies include: Results of the survey on intolerance and discrimination against Muslims in Spain, (author: Rosa Aparicio, researcher at the Fundación José Ortega y Gasset- Gregorio Marañón. Published by: OBERAXE; Study for the knowledge and characterisation of the African and Afro-descendant community, (Fernando Barbosa, Patricia Rocu and Esther (Mayoko) Ortega, and the working group on Dialogue with Africans and Afro-descendants. Edited by: OBERAXE); Spheres of Equality: Communication and Intervention Criteria to Improve Coexistence in Neighbourhoods, (Authors: Begoña Pernas, Marta Román. GEA 21. Edited by: OBERAXE). The study is based on previous research, Perceptions, discourses and attitudes towards





immigrants in a neighbourhood in Madrid (OBERAXE, 2019), which identified social groups, discourses, attitudes and dynamics related to the birth and dissemination of discourses and actions contrary to coexistence with foreign people, both immigrants and applicants for international protection; Inclusion, management of diversity and the fight against racism and xenophobia: Actions of the Autonomous Communities and Local Administrations (Authors: CIDALIA. Coordinated by OBERAXE and FEMP). The aim is to develop tools to identify online hate speech (computer algorithm) on racism, xenophobia, anti-Semitism, Islamophobia and anti-Gypsyism; Report on the conceptual delimitation of hate crimes (Author: Juan Alberto Díaz López. Edited by: OBERAXE). It is carried out with the intention of clarifying the basic concepts related to hate crime, producing a guide that is useful and resolves the difficulties that arise in relation to the concept of 'hate crime'; The integration of young children of immigrants in the Spanish labour market (authors: Rosa Aparicio, Pablo Biderbost, Andrés Tornos, researchers at the José Ortega y Gasset- Gregorio Marañón Foundation (FOM). Published by: OBERAXE). The study has been carried out to find out about the reality of the children of immigrants and their integration into the labour market in Spain. It identifies the most common forms of discrimination against the children of immigrants in the labour market; Perceptions, discourses and attitudes towards immigrants in a neighbourhood in Madrid (Authors: Begoña Pernas and Marta Román -GEA 21-. Published by: OBERAXE). From a qualitative perspective, it explores in depth the social motivations, the reasons for the changes and the new trends in Spanish public opinion that explain attitudes towards the immigrant population.

In order to combat xenophobic and racist illegal online hate speech, in 2021, the Ministry of Inclusion, Social Security and Migration (MISSM) through OBERAXE promoted the signing of the 'Protocol to Combat Illegal Online Hate Speech' (<https://www.inclusion.gob.es/oberaxe/es/ejes/discursoodio/index.htm>) as an instrument for effective collaboration between the actors involved in the fight against illegal online hate speech in Spain: public administration institutions, civil society organisations and data hosting service providers. This is in accordance with the legislation guaranteeing the right to freedom of expression and information.



The Protocol is inspired by the Code of Conduct signed by the European Commission in 2016 with internet companies, and EU Recommendation 2018/334 of the European Commission of 1 March 2018 on measures to effectively combat illegal content online. It has been developed through the consensual work of all its signatories.

The Protocol was approved at the plenary session of the 'Agreement to cooperate institutionally against racism, xenophobia, LGBTIphobia and other forms of intolerance' in November 2020 and signed in 2021 by the General Council of the Judiciary, the Attorney General's Office, seven ministries and seven platforms of civil society organisations and the main internet platforms operating in Spain under the umbrella of the Spanish Association of Digital Economy (Adigital).

The objective of the Protocol is to frame and facilitate collaboration between all signatories, from their different capacities and competences, in the fight against illegal online hate speech, which particularly affects vulnerable groups in society, including the immigrant population, taking into account the specific situation in Spain and applying Spanish state legislation in this area.

OBERAXE also carries out daily monitoring of hate speech aimed at the immigrant population on the social networks with the greatest national presence: Facebook, Twitter, Instagram, Youtube and Tiktok. The objective of the monitoring is to advance in the removal of content, cooperate with data hosting service providers to improve self-regulation and commitment and minimise the presence of hate speech on these platforms, so that, through responsibility and respect for equality and values, social networks are safe spaces. In addition, since May 2020, a bimonthly bulletin has been published with the monitoring data, including the number of reported and removed contents, the times in which they have been removed, and the breakdown of hate motivations related to xenophobia and racism (national or ethnic origin, religion, unaccompanied minors, etc.).

The collaboration of state public administrations involved in the fight against xenophobia, racism and other forms of intolerance is articulated through the Agreement to cooperate institutionally against racism, xenophobia, LGBTIphobia



and other forms of intolerance. The Agreement promoted by the MISSM was signed in 2015 and renewed in 2018. Signatories to the Agreement are the General Council of the Judiciary, the State Attorney General's Office, the Ministries of Justice: Interior; Education and Vocational Training; Culture and Sport; Social Rights and Agenda 2030; Equality, Inclusion, Social Security and Migration; Economic Affairs and Digital Transformation and the Centre for Legal Studies. The following civil society observers participate in the Agreement: the Council for the Elimination of Racial or Ethnic Discrimination; the Forum for the Social Integration of Immigrants (FISM); the Council of Victims of Hate Crimes and Discrimination; the Third Sector Platform; the State LGBT Federation; the State Council of the Roma People; and the Children's Platform.

In 2021, the Ministry of Inclusion, Social Security and Migration (OBERAXE) drafted the new 'Strategic Framework for Citizenship, Inclusion, against Xenophobia and Racism 2021-2027' with the aim of updating the 'Comprehensive Strategy against racism, racial discrimination, xenophobia and other related forms of intolerance' and the Strategic Plans for Citizenship and Integration (PECI-I from 2007 to 2010 and PECI-II from 2011 to 2014), taking into account, on the one hand, the legal framework at international, EU and national level has undergone, since 2011, various modifications in accordance with the changing migratory factors, and to incorporate the recommendations made to Spain by the main international and European organisations, in the areas of integration of immigrants, racism, racial discrimination, xenophobia and other forms of intolerance. The Strategic Framework aims to be an inspirational guide for policies of inclusion and prevention of discrimination, racism and xenophobia, developed by public administrations, civil society and other actors involved. It has a multi-stakeholder and multi-level governance approach. Five major policy blocks are proposed for the Strategic Framework: reception policies; active inclusion policies; and coexistence policies, which are crossed by a legal-administrative block and by the block of policies for the prevention of xenophobia and racism. In addition, the intersectional gender perspective present in all the blocks is taken into consideration.

Among the activities for the promotion of the principle of equal treatment and non-discrimination, the LEARN Project (Local Entities against racism network)



approved in 2020 and co-financed by the European Commission stands out. It is a project led by OBERAXE whose general objective is to improve the capacities of Local Entities to favour the social inclusion of all citizens, immigrants and autochthonous, guaranteeing equal treatment and non-discrimination.

In the objective of reinforcing cooperation between the local police and the different communities present in the local sphere, the CLARA Project ('Local Learning Communities against Racism, Xenophobia and Hate Speech') in the Community of Madrid, led by the Municipal Police of the city of Madrid and with the participation of OBERAXE and several local police forces, stands out. It has designed, tested and transferred an innovative training strategy and tools, local learning communities, aimed at municipal police, to improve their fight against racist, xenophobic and hate incidents together with immigrant and other civil society organisations in their municipalities.

The improvement of State authorities capacities to identify, analyse, monitor and evaluate online hate speech, as well as to design shared strategies to address hate speech motivated by racism, xenophobia, Islamophobia, anti-Semitism and anti-Gypsyism is carried out through the AL-RE-CO project 'Hate speech, racism and xenophobia: alert mechanisms and coordinated response'. This has generated a protocol with indicators to identify hate speech online and alert indicators to assess its intensity, severity, distribution and impact and, in turn, create a tool for the systematic collection and analysis of hate speech. Joint action is carried out between administrations, civil society organisations and other actors involved in combating hate speech online.

Another important aspect is the integration of migrant and refugee children in school. In order to develop an integrated methodology to monitor the integration of these children, the IMMERSE Project (Integration Mapping of Refugee and Migrant Children in Schools and Other Experiential Environments in Europe) is being carried out under the leadership of the Universidad Pontificia de Comillas, with the participation of OBERAXE among numerous European partners. Through it, a methodology is being developed to monitor the integration of migrant and refugee children in the European Union, through a panel of indicators that is applicable in the different participating countries.



Spain participates in the promotion of respect for human rights and the fight against discrimination also outside the country, through the Spanish-Moroccan project 'Living together without Discrimination: An approach based on human rights and gender perspective' in which the OBERAXE, in the framework of a partnership with other national institutions (i.e. FIIAPP, AECID), offers technical support financed by the EU Emergency Trust Fund for Africa, with the objective of strengthening public instruments and policies aimed at preventing racism and xenophobia towards migrant women and men in Morocco, on the basis of the protection of fundamental rights, taking into account the gender dimension. The project is part of the Moroccan National Strategy for Immigration and Asylum and its horizontal nature means that it has an impact on Objectives 7, 15, 16 and 19 of the Migration Pact. Spain works in this area with Morocco, Spain's strategic partner also in migration issues.

A very important body for monitoring the situation of immigrants in Spain is the Forum for the Social Integration of Immigrants. This is a consultative body of the government, which is designed to gather the demands of the immigrant population and serve as a channel for participation and dialogue involving the whole of society. The Forum is a collegiate body within the Secretariat of State for Migration of the MISSM, which is assigned a series of functions regulated in Article 3 of Royal Decree 3/2006, of 16 January. Among them we can highlight: a) the drafting of proposals and recommendations aimed at promoting the integration of immigrants and refugees; b) the drafting and promotion of documents, reports and declarations; c) or the mandatory reports on legislative norms that may affect the immigrant population. The thirty members of the Forum are distributed among each of three groups: Immigrant and Refugee Associations and Social Support Organisations and Public Administrations. In its 2021 report, the Forum made an analysis of the impact of the COVID-19 pandemic on the immigrant population from different aspects: integration processes, labour situation, education system and regulatory situation. <http://www.foroinmigracion.es/es/MANDATO-FORO-2015-2018/index.htm>.

The Ministry of Justice is also particularly active in these tasks. The Pluralism and Coexistence Foundation watches over and promotes the values of religious



diversity in application of the principle of freedom of worship guaranteed in the Spanish legal system.

Many autonomous communities and city councils have observatories and/or units specialising in these issues in their respective administrative structures in the departments of legal and social affairs.

Finally, Spain actively participates in European bodies related to this Objective 17 (i.e. EU Human Rights Agency – FRA -; OSCE Office for Democratic Institutions and Human Rights – ODIHR -; European Commission High Level Group on Racism and Xenophobia, European Commission Hate Crime and Hate Speech Group, Council of Europe CDADI Group, European Integration Network, among others).

**Objective 18: Invest in skills development and facilitate mutual recognition of skills, qualifications and competences**

Spain considers employability to be a key element in the insertion and integration of migrants. It will continue to be a main focus in the update of the national integration plan being developed by the Ministry of Inclusion, Social Security and Migration. Consultations with civil society in this regard have added value.

As insertion is a constant priority in Spanish migration policy and an Objective supported by active public policies at all three levels of government (state, autonomous communities and local administrations), public efforts will continue to be made in terms of training and professional skills development for migrants. In the field of international cooperation, a process of reflection has begun on how to articulate future skill and talent partnership schemes (Skill Partnerships and Talent Partnerships) with third countries of priority for Spain in the field of migration.

In this regard, Spain's position on the definition of what a Talent Partnership should be was reflected in the non-paper prepared together with other Member States (Germany and Belgium) in the context of the adoption of the European Pact on Migration and Asylum. In this non-paper, the three Member States



stressed the importance of legal migration not only as a key element for economic growth and competitiveness, but also its potential as an important asset for European and bilateral relations with our main migration partners, providing new forms of collaboration that go beyond - and complement - other migration objectives, such as the joint fight against irregular migration and trafficking in human beings.

From this perspective, talent partnerships should enable student and worker mobility, but also institutional capacity building, skills development, vocational training, employment and entrepreneurship, based on accommodating the needs of the different actors, so that projects under the auspices of these strategic talent frameworks benefit the country of origin, the country of destination, the migrant and, eventually, the business sector as well.

Spain will therefore be active in identifying actions and projects in this area opened up by the Commission's Communication of 27 April on attracting talent to the European Union. It will do so with a win-win approach that fosters new legal migration channels that promote brain gain and avoid brain drain.

Among the elements most clearly identified by the different actors as 'barriers' to the establishment or proper functioning of orderly, regular and safe migration channels, as well as to the labour match between the skills, knowledge and competences of candidates for migration and employers who increasingly demand specific skills, the recognition of qualifications, whether academic (mobility for training purposes) or professional (mobility for employment purposes), and, within these, particularly in the field of regulated professions, is among the most reiterated.

The divergences and the extremely complex and bureaucratic procedures required for the recognition of a migrant's qualifications in the country to which he or she decides to migrate constitute a serious obstacle and give rise to reflection on the possible actions to be taken to deal with them.

This fact led to the choice of the theme of the EMN National Conference in Spain to choose the recognition of skills in migration processes, the title of the



conference, which took place in Madrid on 30 November 2021 at the headquarters of the State Secretariat for Migration and which featured a panel of different institutions and experts.

The Ministry of Education and Vocational Training offers rigorous and detailed information open to the public on its website [www.educacionyfp.es](http://www.educacionyfp.es), where it provides information on the framework for the recognition of foreign qualifications and validation of studies carried out abroad, referring on the one hand to higher education (with different regimes whether or not they refer to access to a profession that is regulated in Spain) and on the other to non-university studies, vocational training and special education (artistic and sporting). On this page there is information on the subjects and degrees open to homologation or validation, the administrative procedures necessary for the application, the administrative services where applications must be submitted in Spain and abroad and the competent bodies for the resolution, the requirements for legalisation, translation and certification of foreign documents, as well as a table of equivalences of degrees and curricula with a comprehensive list of third countries.

Spain is part of international schemes to facilitate the recognition of qualifications and diplomas. The possibilities of geographical and thematic extension as well as of extending the possibilities of recognition of non-regulated education and training will be framed within the European Community scope and, in relation to skills and aptitudes, to the current reflection on the needs of the national labour market.

**Objective 19: Create conditions for migrants and diasporas to fully contribute to sustainable development in all countries**

Although there are no obstacles in Spain for diasporas to organise themselves autonomously (the rights of association, assembly, expression, demonstration, unionisation and worship are universally guaranteed by the Constitution without discrimination based on nationality, ethnicity or religion), beyond development cooperation projects (state and decentralised), scholarship schemes, retail trade facilitation and remittance flows, there remains room for manoeuvre to exploit





additional ways of supporting projects by diasporas residing in Spain to promote sustainable development in their countries of origin. The will is to narrow this margin in the future (e.g. the recent 'mediators of change' scholarship scheme with Morocco, see Objective 5), which requires greater initiative on the part of diplomatic representations in the countries of origin.

Migrants' associations in Spain have the possibility of influencing consensus-building within the administration when designing public migration policies, including through the Forum for the Social Integration of Migrants, which is led by the Secretary of State for Migration and brings together the administration at all levels and civil society, including migrants' associations. In practical terms, Spain includes migrant associations in its conception of the whole-of-society approach promoted by the Global Compact on Migration.

Attention to the rights of Spanish citizens abroad and the protection of Spanish diasporas abroad is a priority task of Spain's foreign policy developed by the Ministry of Foreign Affairs, European Union and Cooperation through its network of Embassies and Consulates and the work of the Directorate General of Spaniards Abroad and Consular Affairs.

The Ministry of Inclusion, Social Security and Migration (MISSM) and the Ministry of Labour and Social Economy play an essential role in providing assistance and employment services to the Spanish diaspora, together with the public assistance and employment services of the autonomous communities.

Among the actions of the state administrations in this field led by the MISSM, the following are worth highlighting:

-Plan de retorno a España: 'Un país para Volver' (A country to return to). In the view of the significant increase over the last decade of Spanish citizens living abroad, and in order to comply with the constitutional mandate to promote an active policy for their return, the Council of Ministers approved on 22 March 2019 the Plan for Return to Spain, which was born under the consideration of a new public policy, managed by the State Secretariat for Migration (SEM), with the aim of creating and energising a community of emigrants who want to return. To show



them that they are not alone, that they are a social group with special needs that the administration wants to attend to. Under the slogan 'A country to return to', the 'Return Plan' consists of fifty measures in which ten ministries participate, with the involvement, in addition, of the Autonomous Communities and Local Entities, with the objective of facilitating the return of Spanish people who, as a result of the recent economic crisis or for other reasons, emigrated to other countries and are now considering returning to Spain.

-Spanish Return Office. The Statute of Spanish Citizenship Abroad (Law 40/2006, of 14 December) provides for the creation of a Spanish Office of Return in order to respond to the various aspects related to the fact of return, coordinating with other regional or local authorities that are affected by the phenomenon, in accordance with the current distribution of powers and administration in our country.

A considerable number of queries are related to issues related to the return, the issuing of the Returned Emigrant Certificate and especially the benefits and aid aimed at returnees.

-Assistance. Economic benefits and assistance aid, among which the need-based benefit, assistance pensions for returnees and the benefit in favour of the 'Children of the war' are particularly relevant. The need allowance is of particular importance. Its objective is to provide a minimum subsistence for Spaniards over 65 or disabled who lack resources and live in countries where the public social protection systems do not cover their basic needs. To this end, the MISSM has agreements with entities in 14 countries, which determine the scope of health care provision (medical expenses, home care, pharmaceuticals, prostheses) and its financing.

-Shock Plan for Youth Employment 2019-2021. This plan includes among its measures, 'Programmes for the return of talent and support for mobility' aimed at young people abroad, which provide support for hiring, self-employment, aid for travel expenses and first accommodation, as well as a process of accompaniment. These measures will be promoted from the field of employment and by the competent administrations of the autonomous communities, with the



participation of the Youth Institute and entities that work with workers who wish to return to Spain.

**Objective 20: Promote faster, safer and cheaper transfer of remittances and foster financial inclusion of migrants**

Spain shares the objective of making it easier, safer and cheaper to send remittances. The number of financial operators active in this sector has increased and conditions have improved but should continue to do so. Beyond ensuring a transparent regulatory framework, Spain has not developed special initiatives in relation to this Objective.

The diversity of the Spanish banking system and the multiplication of the financial services it provides both in person and online, as well as in many cases the educational work carried out *motu proprio* by banks - especially those of foreign banks for their customers of the same nationality - make it difficult to identify what actions with real added value can be deployed by the administration to promote the financial inclusion of migrants in Spain. With regard to the regulation of the conditions of access to banking services, Spanish legislation is conditioned by the European Union framework.

In the context of the COVID19 WB-IMF crisis, global remittance levels are expected to fall by 20 per cent by 2020, which could seriously affect the countries most dependent on this resource. Spain believes that an effective way to help in this regard is also by accelerating as much as possible the measures leading to the recovery of the country's economic normality, so that foreigners residing in Spain do not lose their labour income with which they used to feed remittances, or if they do lose it, they recover it as soon as possible. This Objective should be assisted by other measures such as the recently agreed in May of this year to fix the Minimum Living Income (IMV) discussed in Objective 7.

Spain is interested in assessing possibilities for future action in the field of remittances. In this regard, it welcomes the establishment of the International Day of Family Remittances and particularly values the recommendations of the Task Force of the United Nations Committee on Remittances. In order to learn about



the experiences of other countries in the field of remittances, the Ministry of Inclusion, Social Security and Migration (MISSMI) has joined the recently created working group on this issue within the European Migration Network (EMN).

In the external dimension of Spain's migration policy, it is worth mentioning the InclusiFI initiative financed since 2020 by the European Union's External Investment Plan (EIP) proposed by the Fund for the Promotion of Development (FONPRODE) of the Spanish Agency for International Cooperation (AECID) and the Spanish Development Finance Company (COFIDES) together with the Italian Cassa Depositi e Prestiti (CDP) and joined by the International Fund for Agricultural Development (IFAD). InclusiFI seeks to support local entrepreneurship, preferably of women and young people, by increasing access to financial services and new financial products channelled through local financial institutions, in which the improvement of the channelling of migrant remittances and the promotion of investment by diaspora communities based in Europe will play an important role. This initiative promotes private investment and SMEs with a focus on North African, Sahelian and West African countries.

**Objective 21: Cooperate in facilitating safe and dignified return and readmission, as well as sustainable reintegration**

Consistent with the international obligations included in the multilateral humanitarian conventions to which it is a party, the Spanish legal system assumes the international principle of non-refoulement in the event that an application for international protection is formalised and does not protect collective expulsions.

The actions of the State Security Forces (State Security Forces) in the application of national border and migration control regulations are, like all public authority activities, subject to judicial scrutiny and are respectful of migrants' rights. There are no unauthorised forced repatriations in Spain. Repatriation procedures for irregular immigrants in Spain are carried out with all the guarantees set out in Organic Law 4/2000 of 11 January on the rights and freedoms of foreigners in Spain and its implementing regulations.



Spain facilitates voluntary return. The Ministry of Inclusion, Social Security and Migration (MISSMI) manages these programmes with assistance from other departments. To develop these voluntary return programmes, the MISSM has signed an agreement with the International Organisation for Migration (IOM), whose office in Spain implements the voluntary and accompanied return programmes funded by the state. In addition to this agreement, the MISSM finances voluntary return projects through a call for proposals co-financed by the European Union's Asylum, Migration and Integration Fund (AMIF), projects that are developed by NGOs with extensive experience in the field.

The COVID pandemic has made its negative effects felt, also in this area, making voluntary return procedures more complex during 2020 and the first half of 2021 (no permission for international flights, continuous cancellations of scheduled flights, restrictions and requirements such as PCR or blood tests, even preventive isolation in the destination countries). Regarding cooperation with third country authorities (consular services and national authorities in the country of return), efforts were made, but the results are still below pre-COVID-19 standards.

Until 2020, two types of voluntary return projects existed in Spain:

- Assisted voluntary return and reintegration project: its main Objective is to facilitate, for immigrants in a situation of particular vulnerability, the possibility of returning voluntarily from Spain to their countries of origin through individualised return and reintegration itineraries.
- Productive voluntary return project: its main objective is to facilitate the voluntary return of immigrants to their countries of origin and their sustainable reintegration there, through individualised return and reintegration itineraries that include support for entrepreneurial skills, through training activities in self-employment and business management, as well as technical assistance and monitoring of the implementation of micro-enterprise projects associated with the return, and taking into account their vulnerability as a priority selection criterion.



In 2021, a third modality was added: the so-called Assisted Voluntary Return and Reintegration - Canary Islands. The main objective of this type of project is to provide immigrants in the Autonomous Community of the Canary Islands with the possibility of returning voluntarily from Spain to their countries of origin through individualised return and reintegration itineraries.

In 2019, an agreement was signed between the then Ministry of Labour, Migration and Social Security (MITRAMISS) and the International Organisation for Migration (IOM) for the implementation of, among others, the Assisted and Productive Voluntary Return Project (PREVAP) and the Productive Voluntary Return Project for Mali. Both projects were implemented from September 2019 until 31 January 2021. The PREVAP project aims to support non-EU migrants who wish to return voluntarily to their countries of origin and to contribute to the reintegration of returnees. The Productive Voluntary Return to Mali project aims to support Malian migrants who wish to return voluntarily to their country of origin and contribute to the sustainable reintegration of returnees and the establishment of the start of a 'life plan'.

The projects must conceive the return of third-country nationals as an effective reintegration into the society of origin. In this sense, the Directorate General of Humanitarian Attention and Social Inclusion for Immigration of the MISSM is in contact with the reintegration services of the EU agency FRONTEX for the collaboration of this agency in terms of complementarity with the national programme of Voluntary Return in the geographical areas of special activity for Spain (e.g. Latin America).

Collaboration and cooperation possibilities are also envisaged, with a view to strengthening reintegration services for returnees, with the European Return and Reintegration Framework (RRF), which will replace ERRIN (European Return and Reintegration Network) as of 1 July 2022.

Spain wants to expand the Objective of reintegration not only in relation to returns but also in the short and medium term, as a component of legal migration projects (short-term or circular). These elements are already being incorporated into several bilateral projects with Morocco and are being explored with other migration partners.



The pilot project designed for the training of post-graduates indicated in Objective 5 includes a third phase dedicated to reintegration in which participants return to Morocco and implement the awarded projects. Activities to support integration into the local labour market are also foreseen for all participants in the programme, through contacts and agreements with public entities and private companies operating in key sectors.

Likewise, as indicated in Objective 5, the WAFIRA project has been launched, whose objective is that Moroccan women who come to Spain in the circular migration programme for the red fruit campaign (see Objective 5) can receive training during their stay in Spain to enable them to start cooperatives or other businesses once they return to their country through technical and financial support.

In the external dimension, Spain leads projects related to reintegration and return. In Latin America, the Spanish Agency for International Cooperation (AECID) supports a project to support the reintegration of deported migrant children and adolescents within the Social Plan of El Salvador and in Mexico a project to prevent unaccompanied migration of children and adolescents in communities of origin in the Northern Triangle of Central America, whose objective is to facilitate the return of minors and their incorporation into the family and community environment, contributing to their family and social integration as well as their personal development. In Africa, AECID is developing two European delegated cooperation projects (project to strengthen the management and governance of migration, return and sustainable reintegration, and support the investments of the Senegalese diaspora in Senegal €9.5 million and the project to strengthen the management and governance of migration, return and sustainable reintegration in Mali €3.2 million).

## **Objective 22: Establish mechanisms for the portability of social security entitlements and earned benefits**

In addition to the EU regulations that bind EU Member States and ensure national treatment for European citizens, Spain has bilateral cooperation agreements on social security benefits with 24 countries.



The content of these agreements varies in terms of the different types of social security benefits covered. They ensure equal treatment and in many cases include the portability of contributory benefits such as retirement pensions.

Special mention should be made of the 2007 Ibero-American Multilateral Agreement on Social Security and its Implementation Agreement. This is an innovative multilateral cooperation mechanism specifically aimed at pension benefits. Spain ratified the convention and the implementing agreement and it has been in force in the country since 2011, when the minimum number of ratifications required for the convention to enter into force was met. In 2018, Spain made contributions via the AECID to the Ibero-American Social Security Organisation (OISS), whose General Secretariat is based in Madrid, to support the promotion of effective knowledge of the Convention among the migrant population.

### **Objective 23: Strengthen international cooperation and global partnerships for safe, orderly and regular migration**

The challenges of the contemporary migration phenomenon are numerous and complex as reflected in the 23 Objectives of the Global Compact on Migration. Migration is a structural reality, not a conjunctural one, which requires short-term measures, but also long-term strategic vision and action. No single state can meet all the challenges and secure all the solutions on its own. International cooperation and effective multilateralism are therefore indispensable.

With this conviction, Spain's migration policy has always had as essential pillars the external dimension and international cooperation, which have been incorporated horizontally in the different migration projects promoted by the various ministries involved in the design and implementation of migration policy.

In the comments developed with respect to the other 22 objectives of the Pact, examples of international cooperation in migration matters led by Spain or in which Spain participates actively, financed bilaterally or by the European Union,





have been pointed out. These projects refer to the three most relevant geographical areas for Spain in terms of migratory flows (Europe, Africa and Latin America) and therefore where Spain's contribution can be most effective.

Beyond collaboration in initiatives and projects, Spain plays an active role in promoting international cooperation and the generation of global alliances in favour of safe, orderly and regular migration.

Support for effective multilateralism is a traditional and permanent pillar of Spanish foreign policy. Spain is a member of the Group of Friends of Migration at the United Nations and therefore strives to contribute its approach to migration to the debates and work carried out by the family of United Nations agencies linked to the Migration Network (especially through agreements with UNHCR and IOM) based both in New York and Geneva. This objective of working towards consensus building encouraged Spain's role as co-facilitator with Bangladesh of the UNGA Resolution on Modalities of the International Migration Review Forum. Spain will contribute to the Global Compact's Migration Multi-Partner Trust Fund. As a member state of the European Union, Spain contributes financially to the EU budget for the funding of European migration projects with third countries (EUTF in the past, NIDICI in the current budgetary framework). Spain's vision on migration is actively conveyed in European debates, especially with regard to the implementation of the external dimension and the negotiation of the internal dimension of the European Pact on Migration and Asylum, by actively participating in internal EU working groups (i.e. MOCADDEM; EMWP, SCIFA), forums, networks and multilateral migration processes led by the EU.

Spain also participates in dealing with migration issues within multilateral organisations at the European level, such as the Council of Europe and the OSCE.

Outside the European sphere, Spain is a member of the Executive Committee of the Global Forum on Migration and Development (GFMD), and actively participates in the regional Migration Dialogues of the Rabat Process (of which it is a member of the Steering Committee), Khartoum, Prague and Budapest; is a member of the Group of Friends of the Quito Process for the human mobility crisis



in Venezuela and of the MIRPS Group for Central America and participates as a member of the IGC (International Consultations on Migration Asylum and Refugees) whose rotating presidency he held for the period May 2018- May 2019.

At the beginning of 2021, Spain presented a Team Europe Initiative project for the Western Mediterranean/Atlantic Route in the framework of the European Union. After a long period of preparation with the European Commission and interested member states, the Initiative was adopted by the EU Council in early September 2021 and implementation started in 2022. The objective of the TEI is to assist the main countries of origin and transit on these Euro-African migration routes to reduce non-voluntary flows in a spirit of co-ownership, with a preventive approach and working on all five pillars of the Valletta Action Plan outlined above. The novelties of the TEI approach with respect to actions developed in the past are twofold: raising awareness among states of origin, transit and destination of the relevance of a pathway approach in linking the various types of actions and projects (national, regional and multi-country) and fostering a European spirit logic among EU member states (maximising results by avoiding duplication and fostering partnerships and synergies). The TEI includes European and nine participating Member States' projects to be developed between 2012-2027 (worth close to €1 billion for the first two years of the Multiannual Financial Framework) that will benefit the 12 participating countries in North Africa, the Sahel and West Africa.

The situation in the Sahel region is also worrying in terms of human mobility. Increasing insecurity in the region and the effects of COVID and climate change - to which can be added those of the war in Ukraine in terms of food security - are developments that merit close monitoring. In this sense, an action-oriented reflection on these issues was included in the III General Assembly of the Sahel Alliance held in Madrid on 4 April.

Spain defends the differentiation of the concepts and status of 'refugee' and 'migrant,' as do the two Global Compacts adopted at the same time in 2018. However, in the follow-up and implementation of both acts at national level, Spain has ensured close internal coordination so that the coherence of the national positions to be put forward in both Compacts is strengthened and better use can



be made of any synergies that may arise from parallel monitoring of the two Compacts, especially when addressing issues related to mixed flows.

In this context of synergies and possibilities for taking into account good management practices learned in strictly international protection situations, and although it goes beyond the scope of this Migration Compact, the experience of the Spanish administrations in the context of the current humanitarian crisis of international protection arising from the crisis in Ukraine (by mid-May Spain had granted more than 100,000 applications for Temporary Protection within the framework of European Union Directive 2001/55) is worth mentioning. Also in Latin America, Spain organised the International Conference on Statelessness in Europe held in Madrid on 25 and 26 April 2019 and on 26 May 2020, together with the European Union and in collaboration with the IOM and UNHCR, organised the International Conference of Donors in Solidarity with Venezuelan Refugees and Migrants, in which 60 states participated - virtually due to the COVID-19 crisis - and in which more than 2.5 billion euros in donations and loans were pledged.