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**Economic Crisis and migration policies  
in Spain: The big dilemma**

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## **The unique nature of migrations to Spain over the last decade: diverse and intense migratory flows in a decade of strong economic growth**

Like other countries in Southern Europe, Spain became a destination for immigration in the 1980s for the first time in its recent history. Among other reasons, this transformation was caused by the country's rapid economic growth over the past two decades, the growing demand for unskilled labor, the consolidation of heavily segmented labor markets and the size of the "informal" economy (Baldwin-Edwards and Arango 1999). Two demographic parameters can also be seen as indirect stimuli of this migratory transition due to their effect on the labor market: first, both the Spanish population and active population have been aging due to a sharp fall in birth rates (Fernández-Cordón 2001) and second, the population has limited internal mobility and is irregularly distributed throughout the different regions of the country.

As is the case in other countries in Southern Europe, like Italy, the dynamics of Spanish migration are unique; a distinctiveness stemming from the diversity of the countries of origin and the kinds of immigrants seeking to settle there. This includes migratory flows of workers from Latin America, Africa and Eastern Europe and also migrations of retirees and workers from other European Union member states. At the start of 2009, the largest group of foreigners in Spain was Romanian (776,576). Among the rest of the EU member states, the largest groups were British (374,600) and German (190,584). For non EU countries Moroccans were the largest group (710,401), followed by Ecuadorians (413,715) and Columbians (292,971). The most recent flows originate from a diverse collection of countries that include Paraguay, Brazil, Ukraine and Pakistan. Unlike Northern Europe, where it is much more common for immigrants to seek asylum, the Spanish migratory model has mostly been based on immigrants seeking work, although there is a component of retirement migrations.

In addition to being very diverse, immigration flows to Spain have also been extremely intense over the past decade. The statistics are eye opening. In 1999 there were fewer than 750,000 foreign residents in Spain, representing only 1.86% of the population. The latest data, from the beginning of 2009, indicate that just ten years later there are more than 5.5 million immigrants, which is 12% of the population. The immigrant population has grown rapidly from the second half of the 1990s and the growth was particularly intense between 2000 and 2003 and again in 2005, with the percentage of interannual variation surpassing 48.36% in some cases. This is why Arango stated in a 2006 article that Europe was becoming an immigration destination mostly due to the intense flows directed at Spain and Italy (Arango 2006). We should also remember that throughout the last decade a third of the new migratory flows

toward Europe were directed at Spain, making it the OECD country with the second largest number of immigrants received, after the United States, and the first in relative terms.

Other well known aspects of Spain's migration experience are the high number of irregular immigrants among foreign residents and the frequency in which most immigrants spend at least some time in an irregular legal and social status during their migratory process and experience. One of the most common pathways to irregularity is known as "befallen" irregularity<sup>2</sup> (Izquierdo 2006).

Although the factors which explain the establishment and persistence of migratory flows are extremely complex, the intensity of this immigration can be explained in part as a result of the growth of the Spanish economy over the past decade –which had the strongest growth among the original 15 EU member states over that time period– and also the demand of the labor market during a period of intense job creation. However, the development of the Spanish economy has largely depended on the services sector, tourism and construction. Dependence on these sectors has made the economy structurally weak and created a growing gap in productivity over the years when compared to the rest of the European economy (FEDEA 2009). At the same time, this economic situation has led directly to an increase in the demand for unskilled workers in those sectors (construction, services and tourism) and others, such as agriculture, which offers very seasonal employment, and domestic services, the demand for which has grown as a consequence of the increased level of education of Spanish women and their massive incorporation into the labor market, as well as the aging of the population and the fact that the Spanish Baby Boom generation has arrived at their reproductive cycle<sup>3</sup>.

In light of this information, Cachón concluded that the intensity of the migratory flows toward Spain over the past decade was caused by the growing demand of its labor market, the attraction of its informal economy and the higher standards of Spanish workers when deciding which jobs were "acceptable" to them, a tendency related to the growing social and economic prospects of the country (Cachón 2002).

The most recent economic studies have identified the importance of immigration in Spain's economic growth between 1994 and 2007, in particular its positive influence on GDP and the public coffers (Oficina Económica del Presidente del Gobierno 2006). They have also shown the advantages that it has provided to the Spanish labor market (Dolado and Vázquez 2007). Migrants have occupied low paying jobs which are difficult to staff with native workers, thereby promoting the development of businesses and sectors, without having a negative impact on the employment or wages of local workers (Pajares 2007, 2008, 2009).

The participation of foreign workers in the Spanish labor market has been particularly intense throughout the last decade, as the data from the Economically Active Population Survey (EAPS4) shows. Unlike in Northern and Central Europe, not only do immigrants in Spain account for a large part of the active population, but they also have higher rates of activity than the native population. In 1996 the percentage of the active population that was not made up of nationals of an EU member state was barely above 100,000, or 0.7% of the active population. This data is starkly contrasted with those available for the middle of the current decade: almost 2,000,000 foreign workers from outside the EU were incorporated into the active population, representing 9.3% of all workers in Spain.

In 2005, immigrants had a global activity rate of 78.9% which was almost 24 points higher than that of the Spanish (which was 55.2%). And as Cachón has pointed out, this difference in global activity was not a random occurrence in the middle of the decade, but rather a persistent tendency, although variable over time. This persistence is clearly seen in the EAPS carried out from 1996 to the present (Cachón 2007, 2009). However, it should be noted that the younger average age of the foreigners largely explains this difference. In addition, foreign workers tend to work in the lower categories of the Spanish labor market, especially in jobs which pay the least amount of taxes (unskilled laborers, first level clerks and second level clerks). They are clearly concentrated in the lowest scale jobs.

For years, the massive incorporation of migrants into the Spanish labor market, especially into unskilled jobs in construction, hotel services, agriculture and domestic service occurred with very little intervention by the Spanish government. During this period, market forces were the main source of internal regulation of foreign workers in the Spanish economy.

### **Spanish policy on regulating labor flows**

Until recently, the Spanish authorities did little to coordinate labor flows arriving from abroad. The needs of the economic sectors mentioned above, coupled with lax regulation of the internal labor market, allowed immigrants to enter Spain “through the back door”, find work in the informal economy and later receive legal status through documentation programs. The creation of a quota system in 1993 was the first attempt to create an orderly regulation of migrations. This system was elaborated with the participation of all sectors involved and its strategy was to channel the immigrants toward sectors that lacked workers. However, when put into practice this system faced many obstacles including administrative difficulties, its own inflexibility, slowness and a lack of coordination between institutions. In addition, there were disparities between the actual needs of the labor market and the size of the quotas, leading

many irregular workers and businesses to simply bypass the quota system altogether by using the informal economy. As has been repeatedly pointed out by experts, the quota system basically worked as a reactive system of concealed annual regularization that indirectly gave the Spanish economy access to the foreign workers it needed (Izquierdo 1996).

During the first few years of this decade an increase in migratory flows and the demand for workers in certain economic sectors were accompanied by a series of initiatives designed to manage labor migrations from abroad in a more orderly fashion, while at the same time reinforcing the fight against irregular immigration and increasing border security. The objective of the new measures was to develop an active policy, rather than a reactive one, and to organize the flows so that they would meet the needs of the labor market. This was explained in one of the most complete texts on Spanish policy available at that time, a document known as the Plan Greco5, which was published in 2000. This program was structured around different actions: approving criteria for the admission of immigrants, in particular the number of immigrants that would make up the annual quota; specifying the number of seasonal workers needed; and finally, establishing mechanisms which would allow workers to be chosen and trained in their countries of origin. These actions were meant to redesign and stimulate the quota system in a way that would further this new policy.

After 2004, Spanish policy on the management of labor flows from abroad has been more active and planned. Over the last few years the quota system has been modified several times. First of all, only foreigners who were not currently in Spain could take part in this program and the selection of workers was carried out in the country of origin. Second, the redesign included the participation of new actors, among them local governments; this also included more active participation by the business sector and trade unions. In the past few years, the new way the quota works has been combined with other new initiatives directed at regulating migratory flows in accordance with the specific needs of the labor market. The new measures have included creating the Special Catalog of Vacant Jobs, which is basically a list of employment areas which have difficulty finding enough workers to meet their demand, developed by Spanish employment agencies with the participation of regional governments; the appearance of “job search” visas; and the regulation of seasonal or campaign work permits which are valid for nine months. In order to start recruiting workers in their countries of origin, over the past few years a series of bilateral agreements were negotiated with Latin American, European and African countries (Ferrero and López -Sala 2009). In addition, the labor market has begun to be monitored more closely by increasing the number of work inspections.

In 2007, the Unidad de Grandes Empresas (UGE) [Large Business Office] was created, one of the first Spanish initiatives to manage the flows of skilled workers. This is an office of the Ministry of Labor and Immigration which handles work authorizations and residence permits for highly skilled workers such as business executives, tech workers, scientists, university professors or internationally renowned artists who will provide transnational services as paid employees for economic, social, labor and cultural reasons.

As we shall see, the economic crisis and the employment crisis caused by the severe contraction of the demand for workers has prompted the Spanish government to reformulate many of the initiatives developed during the years of economic growth.

## **The impact of the economic crisis on the employment of foreigners living in Spain**

The impact of the economic crisis has been particularly hard on the Spanish economy. Because the economy is overly dependent on construction and tourism the labor market has suffered a severe contraction. Recent statistics are alarming: the economy has shrunk 3% in the first trimester of 2009 and 4% in the second trimester compared to the same periods in 2008; in addition, unemployment is up 6% in the first trimester of the year, 2.9% higher than the last trimester. In real terms, this translates to a loss of 1 million full time jobs in just one year (Instituto Nacional de Estadística 2009e).

The severe loss of jobs has serious social repercussions within the country. In the last 12 months 1,755,900 workers have joined the ranks of the unemployed. Over the past year there has also been a considerable decrease in the number of people contributing to social security and a growing gap between the percentage of unemployed foreigners and natives. In 2008 the unemployment rate reached 13.91% of the active population; but there is a huge difference between Spanish citizens and foreigners: among natives the unemployment rate was 12.52% and among foreigners it was 8.7 points higher at 21.26%

By the middle of 2009 the statistics were even worse: more than 4 million people were unemployed, representing 17.92% of the active population; and the unemployment rate for natives is 16% and 28% for foreigners. The difference between foreigners and natives has been increasing over the last few months, with the unemployment rate for foreigners now almost double that of natives. However, the latest statistics published by the Spanish Ministerio de Trabajo [Work Ministry] show that since the month of April the number of foreigners contributing to social security has gone up slightly, but this increase could be caused by the

highly seasonal nature of some activities, such as hotel work, which allows for the temporary activity of unemployed workers. The impact of skyrocketing unemployment is devastating for Spanish households, especially if we consider that according to the data from the end of June 2009 more than one million households have all of their active members on the unemployment roles.

The effect of unemployment on the national and foreign population is not homogeneous. Unemployment affects males more than women and has dissimilar impacts on different groups of foreigners. As Godenau recently pointed out, “the Spanish labor market is segmented and the effects of the crisis are different for different segments. A large percentage of non-EU migrants work in the secondary economy, with clear signs of horizontal and vertical stratification, in jobs that are more sensitive to economic conditions” (Godenau 2009a). The most recent report published in Spain about immigration and the labor market (with data from the end of 2008) also indicates that Romanians, Ecuadorians and Moroccans had the greatest number of newly unemployed. However, unemployment was especially high among Moroccans (nearly 35%). Although unemployment rates are lower in other immigrant communities, such as the Bolivian and Paraguayan, the social conditions in these communities have deteriorated a great deal thanks to the higher rates of irregularity and employment in the informal economy, which has limited their ability to access unemployment benefits (Pajares 2009).

Pajares’ study also indicates that unemployment and the economic crisis in general have significantly worsened the living conditions of many foreign residents. The biggest impact has been greater difficulty in renewing work permits and the inability to meet rent and mortgage payments in shared homes. In addition, it has been estimated that living conditions will get even worse when many immigrants run out of unemployment benefits (Pajares 2009).

One of the most significant effects of the crisis has been the decreased ability of foreign workers to save money, which has led to a steep drop in the amount of money being sent to countries of origin. The data published by the Banco de España [the Central Bank of Spain] show that this is the greatest drop in remittances sent abroad since statistics have been kept on them. The latest data show that remittances valued at 1.653 billion euros were sent from Spain between January and March of 2009, which is a decrease of 17.2% from the 1.998 billion sent during the same period in 2008 (Banco de España 2008).

## **Creating new mechanisms to manage labor migrations and repurposing old ones: A new management mentality?**

During the first few years of this decade bad management of the quota system and the closure, in practice, of the “general system” –the conventional system through which foreign nationals accessed the labor market in accordance with the availability of jobs– led to a significant increase in irregular immigration (Aparicio and Roig 2006). However, a series of measures were adopted in 2004 to regulate the different ways that foreign workers could enter the country and to channel them where they were needed. The aim of these new regulations was to greatly reduce irregular immigration. In addition to reforming the quota system and reopening the general system, a new mechanism to manage migratory flows was included in the regulations known as the Special Catalog of Vacant Jobs, a list of jobs available in different provinces prepared by state employment agencies in employment areas where it is difficult to find sufficient workers to meet demand.

Over the past few years these mechanisms have worked rather well, and although they have not been able to eradicate irregular labor situations, they have substantially increased the number of foreign workers who join the formal labor market.

The question being asked now that we are facing a global systemic crisis is “how can we complete a puzzle that has more pieces than empty spaces?”

During the period of economic growth and constant creation of new jobs that occurred over the past few years the market became the principle regulator of demand and provided the stimulus to “import” foreign labor, both in the formal and informal economies. In this model, which works fine as long as the economy continues to grow, state intervention was never proactive, but rather limited to regulating the constant influx of foreign immigrants into the labor market. The emphasis on recruiting foreign workers abroad over the past few years is derived from this approach. But now we must ask how to manage migratory flows in the current adverse economic situation where tension has arisen between structural objectives and political mechanisms. Demand for workers has clearly contracted, creating a large group of unemployed foreigners who were already settled in the country prior to these troubles.

The Spanish government has launched several kinds of political initiatives to counteract the severe downturn in the economic cycle. The first set of measures focuses on containing the arrival of migratory labor flows by reducing the size of the foreign worker quotas and the Catalog of Vacant Jobs, while also paralyzing, for all intents and purposes, the bilateral hiring agreements with the countries of origin. The objective of these kinds of measures is to limit the number of foreign workers arriving in the country at a time when the economic situation

is poor and the labor market is unable to provide jobs for the resident migrants already living in Spain. In the context of this crisis, the demand available in the Spanish labor market is for fewer and more specialized workers (such as domestic labor) and the old mechanisms to bring new workers in from abroad need to be frozen in order to help unemployed foreign residents find work.

The second type of initiative has focused on creating incentives for unemployed immigrants to voluntarily return home, if their country has signed agreements with Spain regarding social security, including the lump payment of accumulated unemployment benefits. This program is known as APRE [Early Payment of Benefits to Foreigners Program] and does not include immigrants from other EU member states. APRE has been added to another voluntary return programs for immigrants in socially precarious situations (PREVIE)<sup>6</sup> which was initiated in 2003 by the Spanish government to encourage foreigners who had lived in Spain for more than six months but who had no economic resources to return home. These programs have been managed by the International Organization for Migration (IOM) and other NGOs since 2005.

The third kind of measure seeks to improve the living conditions of immigrants and strengthen their social integration and civic inclusion by helping them exercise their social, economic and political rights. This goal is considered to be particularly important as a way to avoid social conflicts between the native population and foreign residents arising due to the economic crisis, as well as ensuring that the living conditions of immigrants settled in Spain do not worsen considerably.

## **Containing the number of workers arriving from abroad**

### ***Worker quotas***

As mentioned earlier, the worker quota is not a new management mechanism (Aparicio and Roig 2006). However, it must be pointed out that after 2006 the way it operates has been changed. This mechanism was originally designed to manage flows by recruiting foreign workers in accordance with the needs of the Spanish labor market from their country of origin; that is, the recruits could not be present in Spanish territory or reside there. This system is used to guarantee that jobs openings are not left vacant when they cannot be filled by native workers, workers from EU member states or other foreigners legally residing in Spain.

The changes recently introduced to the quota policy were the ability to modify the number of available jobs throughout the year, to process only stable job offers (contracts lasting at least one year) and the creation of “job search” visas, which include two categories: visas for the children or grandchildren of Spanish citizens and visas provided to immigrants specializing in areas where there is a serious shortage of workers. In 2006 there were 16,878 stable jobs offered through the quota system, 646 job search visas given by specific occupation or activity and 570 visas for Spanish descendants.

The numbers show how the crisis has negatively affected this process. In 2007, which saw strong economic growth, 27,034 stable jobs were offered through the quota system, 455 visas for domestic work and 500 visas for children and grandchildren of Spanish citizens to search for jobs. In 2008, as the growing economic crisis gradually became evident, the number of stable jobs was reduced to 15,731, a number that would be reduced by 90% in 2009, when the quota shrank to a mere 901 job offers.

### ***The Special Catalog of Vacant Jobs***

A new recruiting system was included in the 2005 immigration regulation, known as the Special Catalog of Vacant Jobs. Basically this catalog is a list of professions that have shortages of workers. The list is created by public employment services and approved and renewed every trimester. The catalog was developed to streamline the process of covering vacant positions by eliminating the need to publish job offers as was required by the general system. The statistics show that this method of channeling workers has been very successful. In 2006 there were 120,324 initial work and residence permits, 178,340 in 2007 and 136,604 in 2008. However, there were only 6,947 workers contracted in countries of origin in the first trimester of 2009.

### ***Bilateral agreements to hire workers in countries of origin***

These bilateral agreements, linked to the quota system policy, are designed to facilitate the recruitment of workers in a series of countries of origin. The innovation of this kind of agreement is that they include new countries of origin in a system which provides joint management of job offers (see Ferrero and López-Sala 2009). The regulation of this system is based on the specific agreements and has manifested in declarations of intention, joint declarations or the bilateral agreements themselves.

Between 2004 and 2009 Spain has signed agreements of varying scope with the Philippines, Senegal, Ukraine and Mexico and is on the verge of signing new agreements with Paraguay, Bolivia and Moldavia. Other agreements had already been signed during the prior decade with various include Latin American countries, such as Columbia and Ecuador, and African countries, such as Morocco. Given that all these agreements are closely tied to the quota system, we can state that in light of the low number of job offers approved in 2009, at the moment the latest agreements are merely symbolic, but that they pave the way for an efficient recruitment system in these countries of origin when economic conditions once again improve.

### **Creating incentives for voluntary return**

#### ***The voluntary return program for immigrants in socially precarious situations (PREVIE) and the early payment of unemployment benefits to foreigners program (APRE)***

With the arrival of the economic crisis to Spain, relatively new mechanisms to manage immigration have begun to be studied. One approach is to establish institutionally sponsored return programs (Pajares 2009). This kind of program has been used in different countries with varying results, but in general they have not been able to achieve their stated goal: to encourage immigrants to return to their countries of origin.

The first program of this kind in Spain was launched in 2003, known as the voluntary return program for immigrants in socially precarious situations (PREVIE). This program is directed at non EU immigrants without resources who are living in a precarious social situation. The majority of the applicants have been immigrants who have not successfully integrated into Spanish society and who have left relatives under their protection back in their countries of origin. The voluntary return program provides them a ticket back to their country of origin, as well as covering other travel expenses. From 2003 more than 6,000 people have taken advantage of this program and the number of applicants has increased significantly in 2008 and 2009. The number of people who have used this program in the first 6 months of 2009 is equal to that of all 2008 and almost double the number in 2007. The immigrants who have used this program are primarily Argentinesans, Bolivians, Brazilians and, to a lesser degree, Ecuadorians and Columbians. Although initially this program was used more often by women, over the last two years the economic crisis has increased the number of men applying to the program.

But perhaps the most innovative program is the Early Payment of Benefits to Foreigners Program (APRE) which was approved in November, 2008. This program introduces

an important new element: immigrant workers who use this program could receive lump payments for any accumulated unemployment benefits.

Unlike PREVIE, in order to benefit from APRE applicants must have legal status in Spain. They must also be nationals of a country not in the EU which has a bilateral agreement on social security<sup>7</sup> with Spain. In addition to returning to their country of origin, they must also promise not to return to Spain to reside or carry out a lucrative or professional activity, whether as an independent or contracted worker<sup>8</sup>, for a period of three years. Unemployment benefits are received in two payments: 40% is paid in Spain and the remaining 60% is paid in the country of origin a minimum of 30 days after the first payment, with a maximum period of 90 days. In order to receive the second payment the beneficiaries must go to the Spanish consulate or diplomatic representative in their country of origin.

Since this is a relatively new program – it is still in its first year –it is still too soon to give a detailed analysis of the results. However, during the first eight months only 5,391 people have taken advantage of this program, to which must be added 2,271 relatives who have accompanied them back home. Therefore, in the early stages of the program only 5% of the potential beneficiaries have opted to take part in the program.

More than 90% of the applications are from Latin American immigrants. The most are from Ecuador with 1,750 beneficiaries, followed by Columbia with 770, Argentina with 360, Peru with 334, Brazil with 215, Chile with 166 and Uruguay with 139. Moroccan immigrants, the community with the greatest number of potential beneficiaries, are not taking advantage of this program.

In light of this data, we can conclude that so far the measures put into place to encourage immigrants to return home voluntarily have not been well received and had very little impact (Nair 2009). There are various reasons that could explain why so few immigrants have taken part in this program. In the first place, the poor living conditions in the countries of origin make the prospect of returning unattractive and in most cases the relatively small amount of unemployment benefits owed to the immigrants – on average 9,000 euros – is generally not enough to convince them to take such a big step. And finally, expectations that the economic situation in Spain will eventually improve lead many immigrants to “try and weather the storm” by adopting strategies that will allow them to stay in Spain rather than returning home<sup>9</sup>.

### **Promoting social integration and improving the employability of immigrant workers**

Another set of measures has been directed at improving the “employability” of foreign workers in Spain and promoting their social integration by encouraging them to exercise their

political, economic and social rights. It is important to add that, although these kinds of measures have not been a direct result of the economic crisis, their application has real consequences in the process of maintaining peace and social cohesion.

### ***Reformation of the Immigration Law***

Although in general the Immigration Law has only been moderately reformed, it does include measures to reinforce the social integration of foreign residents. One way to reinforce social cohesion is to promote the civil and social rights of foreigners in Spain and the text of the law includes Constitutional Court judgments that fully acknowledge their rights to associate, protest, form trade unions and strike (Ruling 236/2007 of the Tribunal Constitucional 10).

The draft law also states that all foreign minors in Spain have the right to education up to the age of 18, regardless of their legal status. Until now this right was only given until they were 16 years old, which is the age when obligatory education ends. The draft law also recognizes the right of legal foreign residents to have access to housing aid and also the right to work of spouses and children older than 16 who have been reunited with family members in Spain.

### ***Reformation of Immigration Regulations***

Current policy is also trying to improve the situation of unemployed foreign residents by promoting residential and job mobility. This is one of the goals of the modification of the regulation on immigration approved by the Council of Ministers on July 10, 2009. In order to make it easier to find work in Spain, they have modified work authorizations to eliminate geographic or activity restrictions and also to allow foreign workers to transition between employment and self-employment. This mobility was not possible for foreigners under the prior legislation 11. These modifications will make it easier for foreign workers to work in different regions of Spain and change their economic activity. It will also be easier for immigrants to renew work authorizations when their work history shows a strong tie to their job, as well as for other foreigners who do not have a valid work contract at the time of renewal, if they have relatives that can maintain them while they are in Spain.

### ***Reciprocity agreements to vote in municipal elections***

Among the measures trying to promote social integration and cohesion we must include those that seek to encourage foreign residents to exercise their political rights. Since November, 2008 the Spanish authorities have been negotiating and signing reciprocity agreements

regarding the right to vote with fifteen countries that already recognize the right of Spanish citizens who are residents in their territory to vote. As of July, 2009 agreements have been signed with Columbia, Peru, Argentina, Trinidad and Tobago, Ecuador, Iceland, Burkina Faso, Cape Verde, Paraguay, the Republic of Korea and New Zealand. Spain is still negotiating agreements with Bolivia, Uruguay and Venezuela, with all three cases currently being reviewed by electoral authorities.

These agreements cover the conditions under which foreigners can exercise the right to vote in Spain. Foreigners can vote if they have resided legally in the country for a continuous period of at least five years prior to their application to be included in the electoral census.

## **Conclusions**

Managing immigration in Spain during this sharp economic and job crisis has not been easy. Surveys show that the majority of the Spanish population feels that migration policies should be modified because of the economic crisis. In fact, immigration is currently viewed as the third most important problem in Spain, after unemployment and the economic situation (Barómetro CIS 2008, 2009).

Some experts have stated that the development of more restrictive immigration policies in response to the current economic crisis would come into conflict with the medium term needs of the Spanish economy. Because the active population in Spain is still aging rapidly, it is necessary to continue recruiting foreign workers; in addition, it is likely that the demand for labor will recover in areas of employment that the native population does not consider to be acceptable work (Felgueroso and Vázquez 2009; Godenau 2009b). It also does not seem likely that in the medium term the demand for domestic workers is going to contract, since Spanish women have joined the workforce en masse and this structural change requires what is known as the outsourcing of domestic work.

The measures adopted by the government in the context of the crisis are directed at containing the arrival of foreign workers, creating incentives for voluntary returns and promoting social integration. The flexibility of the hiring mechanisms in countries of origin has allowed them to be adapted to the diminished demand for labor. The voluntary return programs have so far been ineffective and it appears likely that the immigrants will continue to adopt strategies that will allow them to avoid returning to their countries of origin. There are various reasons why so few immigrants have taken advantage of the voluntary return program: poor living conditions in their countries of origin, the relatively small amount of money they

would receive from unemployment benefits or the expectation that the Spanish economy will recover in the short term.

Finally, because one of the most basic goals of the Spanish government is to maintain social cohesion and the living conditions of immigrants it has focused on developing measures that will promote their social integration and consolidate their rights, despite the fact that these initiatives could produce a certain amount of resistance from the native population.

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1 Of these 5.5 million less than half, 2.3 million are citizens of the European Union (Instituto Nacional de Estadística 2009a).

2 The term befallen irregularity refers to two ways in which a foreigner can become an “irregular” immigrant. The first is when a foreign national overstays a tourist visa. In this case they use the tourist visa, which is valid for three months, to enter Spanish territory and once it expires they stay, thus becoming “irregular”. The second type of befallen irregularity results mainly from slow bureaucracy and the understaffing of public services which renew residence and labor permits, or with the difficulty in finding a new job when a previous one ends. In this case, a worker with a valid work visa is unable to renew their authorization but stay in Spain anyway, again becoming “irregular”.

3 This labor demand also explains the geographic patterns of where immigrants settle in Spain, which tends to be in the richer regions that have greater productive diversification or greater weight in productive sectors, such as Madrid, Catalonia, Andalusia, Valencia, Murcia and the two island regions, the Balearic Islands and the Canaries.

4 The Encuesta de Población Activa (EPA) [Economically Active Population Survey (EAPS)] is a survey that has been carried out every trimester since 1964 by the Instituto Nacional de Estadística [Spanish Statistical Office, a government institution which collects and distributes official statistics about Spain]. Its goal is to obtain information about the working population and its different labor categories, as well as about the inactive population. The advantage that this survey has over other sources is that it collects information about national and foreign workers in the formal economy as well as in the informal economy. It is the best source of information to understand the Spanish labor market and the employment of foreign immigrants.

5 Plan Global de Coordinación y regulación de la Extranjería y la Inmigración [Global Coordination and Regulation of Immigration Plan], known as the Plan GRECO.

6 PREVICAT and PREVICAM are two other programs for immigrants living in the autonomous communities of Catalonia and Madrid who meet the same requirements. There is also another return program which assists immigrants with their reintegration upon return, by providing them financial assistance to carry out productive projects when they return to their countries of origin.

7 There are agreements with Morocco, Ecuador, Peru, Argentina, Ukraine, Columbia, Brazil, Chile, Uruguay, Andorra, United States, Canada, Australia, Philippines, Dominican Republic, Tunis, Russia and Paraguay.

8 Official estimates indicate that approximately 130,000 people meet these requirements and can potentially benefit from this program. The main nationalities of these potential beneficiaries are, in order of size, Morocco, Ecuador, Columbia, Peru, Argentina and Ukraine.

9 Among the strategies indicated by Godenau: reducing spending, increasing the number of people in a family who look for work, changing profession, moving to a different region, reducing the remittances that they send back home or selective return (Godenau 2009 a, 2009b).

10 The Tribunal Constitucional [Constitutional Court] is the high court that makes final rulings on questions regarding the Spanish Constitution.

11 Article 49.2 of R.D 2393/2004, December 30.