



# COURSE **FOR** **MIGRANTS** **& REFUGEES**

This is the educative material edited by Virtual Inclusive Education platform carried out by REDTREE MAKING PROJECTS in collaboration with ASSOCIATION OF YOUNG MUSLIMS OF VALENCIA, EUROPEAN LANGUAGES EQUALITY NETWORK ASSOCIATION (ELEN), SMALLCODES, GRETA DU VELAY and GIOVANI MUSULMANI D'ITALATION INCLUSIVE within the project "VIRUCUAL INCLUSIVE FOR ADULT PEOPLE: VOLUNTEERS AND REFUGEES "co-funded by the ERASMUS PLUS PROGRAM of the EUROPEAN UNION.



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**This project has been funded with support from the European Commission.  
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# COURSE **FOR** **MIGRANTS** **& REFUGEES**

Edited by Virtual Inclusive Education in May  
2019

Coordinated by **Jordi Rizo**  
Designed by **Luis Gómez**  
Translated by **Adrián Monleón**

Address: C / Jesús y María, 26 - groundfloor  
46008 - Valencia (Spain)

Mail: [www.vivareducation.eu](http://www.vivareducation.eu)  
[www.redtree.es](http://www.redtree.es)

Tel: 960150604

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# INTRODUCTION

COURSE **FOR**  
**MIGRANTS**  
**& REFUGEES**

# COURSE FOR MIGRANTS & REFUGEES

This course is intended to serve as a guidance tool for migrants who wish to live, work, and settle in a new society, as well as to provide support to professionals from social organizations that conduct reception and counseling tasks for foreign non-EU citizens.

The content is aimed at people who are under immigration laws, and has been made thanks to the joint work of volunteers and experts. It explains the duties and rights of both newcomers and the authorities in all areas; in general terms, it aims to contribute to the inclusion of migrants and refugees, including more specific materials on some of the areas. However, for a personalized information and advice, we recommend contacting a legal service and/or a specialized entity.

The contact data of all public entities cited throughout the guide in each area are in the last pages of each of the didactic units, plus a brief list of associations that can provide you legal advice, guidance, and other services aimed at the migrant population.

One of the more useful objectives of the course "SPECIFIC PROFESSIONAL TRAINING" is to obtain, once completed, a certificate recognized by the entities participating in the project, designed under the European Erasmus Plus Programme. This provides information on the different inclusion mechanisms, while also providing resources for the real improvement of the situation of the migrant person.



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# **DIDACTIC UNIT 1**

## **PURPOSE OF THIS COURSE**

COURSE **FOR**  
**MIGRANTS**  
**& REFUGEES**

1.1 PURPOSE OF THIS COURSE – LEVEL 1

This course is intended to be a guidance tool for migrants who want to live, work, and take roots in a new society, while also supporting professionals from social entities that carry out reception tasks and advising foreign community members. Its contents are aimed at people under immigration laws, and have been developed thanks to the joint work of volunteers and experts.

It will explain the duties and rights of both newcomers and the authorities in all areas. In general, it aims to contribute to the inclusion of migrants and refugees, and includes more specific materials on some of the areas such as legislation, education, health, housing, or employment. It also addresses the realities faced by irregular migrants and migrant workers in precarious situations; those with short-term residence permits and uncertain employment situations.

We will focus on making visible and publicizing debates on poverty and social inclusion, education and labor migration, specifically in the case of the European Union (EU) by establishing links with the three social objectives of the Europe 2020 strategy -poverty, employment, and education-, offering a perspective on how these objectives can have a positive impact on irregular migrants, and how the inclusion of this group in the context of the participating countries of the project can contribute to the achievement of the objectives of the strategy.

However, for more personalized information and advice, we recommend contacting a legal service and/or a specialized entity, so we have included the contact details of the public entities mentioned throughout the guide in the last pages of some of the units, plus a brief list of associations that provide legal advice and other targeted services to the migrant population.

Regarding the specific objectives of this course, they will be compatible with the curriculum of Initial Teachings, and will promote the development of the key competences necessary to access Secondary Education for adults and the improvement of knowledge, skills, and abilities that favor personal, work, and social development.

This course has the following OBJECTIVES:

- Developing their personal capabilities in the expressive, communicative, interpersonal, and knowledge-building fields.
- Developing their capability and participation in social, social, cultural, political, and economic life and realizing their right to a democratic citizenship.



- Acquiring knowledge, skills, and abilities to develop programs that correct the risks of social exclusion, especially in the most disadvantaged sectors.
- Developing critical thinking and the capability for autonomous analysis, to build your own opinion of things.
- Predicting and peacefully solving personal, family, and social conflicts.
- Promoting the effective equality of rights and opportunities between men and women as well as analyzing and critically assessing the inequalities between them.

Learning in this course does not only focus on knowledge (like outdated education), but on the development of key competences. According to the European Parliament (highest body of the EU), through Recommendation 2006/962/EC, these competences are a combination of knowledge, skills, abilities, and attitudes appropriate to the context. Meaning that you are not just intended to learn new things, but also to learn how to do those things (skills) and how to manage them (attitudes).

Key competences are those that “all people need for their realization and personal development, as well as for an active citizenship, social inclusion, and employment”. Six key competences will be specifically developed through the contents of this course:

1. Social and civic competences refer to the abilities to interact with other people and participate in social and civic life in an active, participatory, and democratic way.
2. Cultural expressions and awareness refers to the ability to appreciate the importance of expression through music, plastic and performing arts, and literature.
3. Competence in linguistic communication refers to the ability to use language, express ideas, and interact with others by speaking or writing.
4. Digital competence implies the safe and critical use of ICTs to obtain, analyze, produce, and exchange information.
5. Learning to learn is one of the main competences, since it makes students develop their abilities to start learning and persist in it, organize their tasks and time, and work individually or collaboratively to achieve a certain goal.
6. Initiative and entrepreneurship implies the skills necessary to turn ideas into acts, such as creativity or the ability to take risks and plan and manage projects.





1.2 CHARACTERISTICS OF THE COURSE – LEVEL 1

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USERS OF THE COURSE – LEVEL 1

This course is intended to be a guidance tool for migrants who want to live, work, and take roots in a new society, while intending to serve as a guidance tool with specific materials on inclusion mechanisms (cultural processes, legal frameworks of reference, specific aspects for inclusion in the fields of education, health, housing, working life, gender, etc...).

The duties and rights of both newcomers and the authorities are explained in all areas. It is an invitation to cooperate to facilitate procedures that help future citizens feel less discriminated in the new society in which they intend to live, work, and take roots.

It also aims to serve adults who have experience in volunteer work in social entities and wish to improve their effectiveness (starting a path towards their professionalization in the third sector), or start their career in the social field as an answer to the increase in far-right racist movements and the situations of segregation and hardships that people escaping war, poverty, and hunger face.

Every person over 18 years old can use this course, regardless of their nationality, if they have access to e-learning content (ie online learning), and who may find it useful in their situation or show their interest in promoting inclusion [theirs or of others) and engaging in active volunteering.

Your level of studies or previous knowledge is not a requirement, because you will take a survey at the beginning of the course that will allow the content and training itineraries to be adapted to your needs: the topics to study will be selected among those that best suit what you already know, and what you want to learn.

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METHODOLOGY OF THE COURSE – LEVEL 1

The methodology is how you learn and develop your skills: if you use a book, or as in this case, you study through your computer or smartphone; maybe you have a teacher and you just have to listen and learn, or if you need to take an active position to look for materials and study on your own. For this course we have decided to opt for the latter, because although it is a bit harder, it requires an effort by the students that allow them to learn more and greatly improve their skills and attitudes.



You will already know the detailed description of the methodology of the course if you have done the course “TRAINING BASIC SKILLS”, which matches this one’s Didactic Unit 2. However, from a general perspective, we can specify the methodology of the course as defined by Order ECD / 651/2017 of July 5th, which regulates basic education and its curriculum for adults in on-site, distance learning, and virtual learning in the field of management of Spain’s Ministry of Education, Culture, and Sport.

Thus, we can describe it as:

- a) This teaching methodology is flexible, open and inclusive, and is based on self-learning and taking your experiences into account, so it responds to the abilities, interests, and needs of students, with a special attention to the specific needs of educational support. Meaning that you choose when you study, how many hours you spend on it per day, and how you order the course’s contents.
- b) The methodology aims to enhance the acquisition, consolidation, and expansion of the key competences of lifelong learning through significant learning processes for the student and the realization of projects based on the daily experiences of adults, and is settled in the cultural baggage that each student provides to their training activity. We try to teach you useful things that you will need in your daily life that you will be able to put into practice in real situations.
- c) The proposed tasks facilitate self-learning and the development of autonomy and personal initiative, and will be adapted to the previous experience of the students, so they respond to their abilities, interests, and needs. You are the protagonist and director of your study, because the contents are selected according to what you need most.
- d) The approach of the activities takes into account the social component of the learning process and contributes to training in communication skills and cooperation. It doesn’t matter where you are from or what experiences you have lived to use this study, but it will be taken into account to define what you will study. For example: if you were born in an Arabic-speaking country, and you later learned English, French, and Spanish in your travels, it does not make sense for you to take the course in these languages, so you will have this content as passed.
- e) This teaching process is designed to equip adults who follow the course with the basic learning tools to have some guarantees of success in their current and future training itinerary. We teach you to improve your life so that you can find a job or you can undertake social projects that fulfill you.
- f) The curricular design of the course, in which knowledge is integrated globally and not as a mere accumulation of subjects, permeates the design of the activities and the educational project.



**CONTENTS OF THE COURSE – LEVEL 1**

This course’s contents complement the “TRAINING BASIC SKILLS” course, the “VOLUNTEERS” course, and the curriculum of the Initial Teachings I and II defined by Order ECD/ 651/2017 of July 5<sup>th</sup>. Expert pedagogues, adult education teachers, and associations of migrants and refugees have participated in its creation, which has enabled a highly effective impact course to promote the inclusion of newcomers in our society, and demolish the barriers imposed by hatred and racism.

In accordance with the proposed objectives, the contents of this course are not intended to be taken in full by all people, but as a flexible system to which you can enter at any point depending on the training and experience you already have. So, not everyone has to study all the DUs, the content you have to study will adapt to what you already know or need to know.

Thus, the contents of this course are structured in three levels, and according to these levels, flexible contents have been structured into:

TOPICS	DIFFICULTY
<b>TOPIC 1: WHAT IS THIS COURSE FOR?</b>	
1.1. Objectives of this course	LEVEL 1
1.2. Characteristics of this course	LEVEL 1
1.3. Quality and certification systems of the course	LEVEL 1
<b>TOPIC 2: EUROPEAN HISTORIC AND CULTURAL CONTEXT</b>	
2.1. What is Europe’s reaction historically to migrants and refugees?	LEVEL 1
2.2 How will my reception in Europe be today ? : The migration crisis	LEVEL 1
<b>TOPIC 3: BÀSIC NOTIONS ON LEGISLACIÓN</b>	
3.1 Things you should know about European migration laws, asylum, and refugees	LEVEL 3
3.2 Things you should know about state legislation regarding migration, asylum and refugees	LEVEL 3
<b>TOPIC 4: THE SOCIAL INCLUSIÓN OF THE MIGRANT PERSON</b>	
4.1. How can social entities help your inclusion?	LEVEL 1
4.2. How can you start achieving social inclusion and creating networks of friendship, solidarity and help with your new neighbors?	LEVEL 2
4.3. What difficulties are you going to find regarding social inclusion in your new environment?	LEVEL 1
4.4. How can you help the social construction of your host environment?	LEVEL 2
4.5. Innovative experiences for the social inclusion of migrants.	LEVEL 3
<b>TOPIC 5: LINGÜÍSTIC INCLUSIÓN</b>	
5.1. Basic Catalan learning.	LEVEL 1
5.2. Basic English Learning.	LEVEL 1
5.3. Basic Spanish learning.	LEVEL 1



5.4. Others	LEVEL 3
<b>TOPIC 6: THE EDUCATIONAL INCLUSIÓN OF MIGRANT STUDENTS</b>	
6.1. How is the education system structured in the participating countries?	LEVEL 2
6.2. How many migrant students are there, and how will you or your children be received in the education system?	LEVEL 3
6.3. What difficulties will you find in the classroom? The inclusion of migrants in the classroom.	LEVEL 1
6.4. Basic registration paperwork, procedures and requirements	LEVEL 1
6.5. Additional resources	LEVEL 2
<b>TOPIC 7: THE MEDICAL INCLUSIÓN OF MIGRANTS</b>	
7.1. How is the European health system structured?	LEVEL 2
7.2. What rights do you have in terms of health and what procedures will you require to access them?	LEVEL 1
<b>TOPIC 8: PRACTICAL ISSUES ON HOUSING</b>	
8.1. Basic concepts about rent	LEVEL 1
8.2. The contract: rights and obligations	LEVEL 3
8.3. End of the contract: voluntary termination or eviction	LEVEL 3
8.4. Problems and solutions to rent a house	LEVEL 1
8.5. Resources	LEVEL 1
<b>TOPIC 9: PROCESS OF REGULACIÓN OF THE MIGRANT PERSON</b>	
9.1. What documents do I have to have in order?	LEVEL 1
9.2. What is the census registry?	LEVEL 2
9.3. What is residence and how to achieve it.	LEVEL 3
<b>TOPIC 10: THE MIGRANT WOMAN</b>	
10.1. Basic rights.	LEVEL 1
10.2. Specific resources	LEVEL 1
10.3 Gender violence	LEVEL 1
<b>TOPIC 11: LABOR INCLUSIÓN</b>	
11.1 Basic notions	LEVEL 1
11.2. Curriculum vitae	LEVEL 2
11.3. Resources	LEVEL 1
<b>TOPIC 12: THE ERASMUS PLUS PROGRAMME</b>	
12.1 What is the Erasmus Plus Programme	LEVEL 1
12.2 Objectives of the Programme	LEVEL 1
12.3 Who can participate?	LEVEL 2
12.4 Who manages the Erasmus Plus Programme?	LEVEL 2



1.3 QUALITY AND CERTIFICATION SYSTEMS OF THE COURSE – LEVEL 1

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EVALUATION – LEVEL 1

The evaluation of this course is part of the educational process of the students, and will value both the learning development and results to verify their evolution and detect difficulties, to adopt the necessary measures and continue the teaching-learning process.

This course will have two complementary evaluation systems:

- a) A self-evaluation at the end of each didactic unit carried out through the student's own analysis of the competences he/she has developed and his capacity to adequately solve the Activities included in each UD. That is, you are the one who must evaluate what you have learned, you have to be honest with yourself because that will help you improve your training.
- b) A direct evaluation at the end of the course through a personalized survey according to the chosen content itinerary (level 1, 2, or 3). In order to complete this survey, the student must have downloaded all the contents of the DUs, and it must be completed within 1 hour.

The direct evaluation will be done automatically by the e-learning platform, and the grades will be expressed as: Poor (lower than 5), Satisfactory (5), Good (6), Remarkable (7 and 8) and Outstanding (9 and 10).

If necessary, the coordinator of the course (of REDTREE MAKING PROJECTS COOP. V.) might highlight the most relevant aspects of the teaching-learning process, the agreements reached, and the decisions taken.

In case that the students do not pass the test, they will be informed of their percentage of error and of to which DUs the failed questions belonged. In order to take the test again, you will have to wait one week, during which you should review the topics related to the questions you failed in the test.

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PROMOTION AND CERTIFICATION – LEVEL 1

This course does not have the capability for official promotion, but it does enable its students to access the Initial Teachings I of Adult Education Schools.



Once the course is finished and the evaluation is passed, a personalized certificate will be issued to verify the learning results obtained and prove your abilities (specifying if these are level 1, 2, or 3) through a PDF document sent directly to your personal email.

It will also generate a digital badge validable through the softwares of accredited educational institutions and validation platforms that will also prove that you passed these courses. This is a useful help to certify your knowledge in the labor market, compatible with the European Curriculum Vitae model.

This certificate is endorsed by the partners of the project, and we expect it to be supported by various European public bodies in the future.





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# **DIDACTIC UNIT 2**

**EUROPE'S CULTURAL AND HISTORICAL  
CONTEXT**

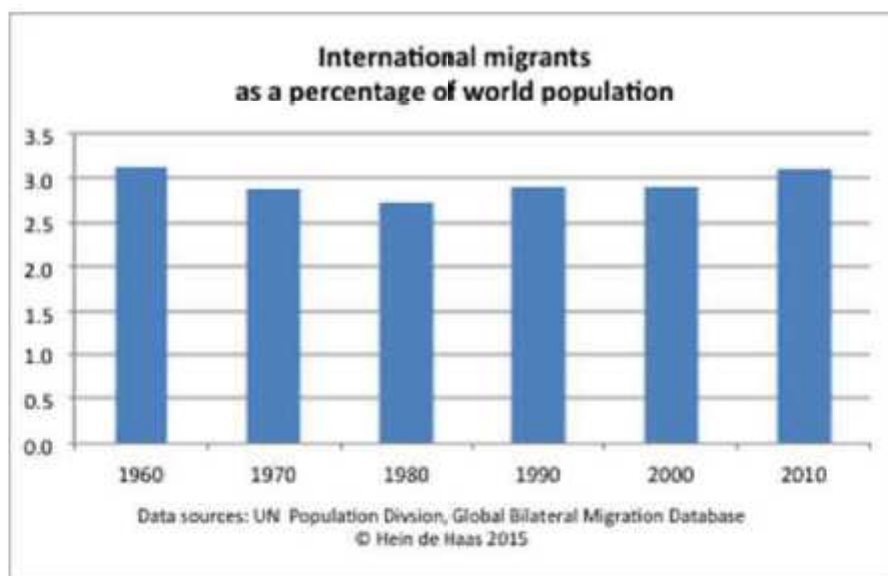
COURSE **FOR**  
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2.1 WHICH HAS HISTORICALLY BEEN THE RELATIONSHIP OF EUROPE BEFORE MIGRANTS AND REFUGEES? – LEVEL 1

2.1.1 MIGRATION IN FIGURES

There are approximately 230 million migrants worldwide, which is approximately 3% of the world's population. This figure has not changed much in the last 100 years, but since the world's population has grown, the same has happened with the number of migrants. Since the beginning of the 1900s, the number of individual countries has increased from 50 to more than 200, and a more borders imply a larger number of migrants.

Of the annual global flow of approximately 15 million migrants, most belong to one of four categories: economic (6 million), student (4 million), family (2 million), and refugees (3 million). There are about 20 million officially recognized refugees worldwide, and 86% of them have been welcomed in countries close to their own, unlike 70% from 10 years ago.



2.1.2 RELATIONS AND CAUSES OF MIGRATION THROUGHOUT HISTORY

Europe never was a territorial or political unit, until relatively few years ago. It has always been an amalgam of territories connected by wars, links, trade agreements, and political and religious conflicts, which have led to large population displacements and migratory flows between them. Also, its geographical situation between Africa and made it a common route of passage for many people trying to reach new destinations.



This diversity of cultures, countries, and religions made impossible for Europe to have a joint, unanimous reaction to migratory processes. On the contrary, each territory, and even each region, has had very different attitudes towards newcomers throughout history; some attitudes have even changed in the same place with the passing of the years. There are regions with towns with ample migrant tradition during a given period, that later became high immigration zones, and centuries later returned to be migrant towns. These changes forged many streams of opinion on migration, some of them negative but most of them positive, since migration allowed to improve the economy, generate new trade routes, enhance culture, access new inventions (gunpowder, metals processing, ink, paper...), and ultimately promote progress.

Despite all this, and although these migratory flows were historically common, their importance has increased significantly in the last 150 years as a result of the social, economic, demographic, and political transformations that came with this period.

Now, we'll conduct a brief historical retrospective of migration:

#### 2.1.2.1 UNTIL THE MIDDLE AGES (15TH CENTURY):

Until the fifteenth century, the main migrations in Europe derived from the consequences of the processes of colonization and conquest, in which outsiders (nomads in many cases) settled by force in the territories they reached after long migrations of hundreds of kilometers. Once settled in the new lands, there usually was a process of integration and crossbreeding between native populations and newcomers, until they created new cultures based on the old ones.

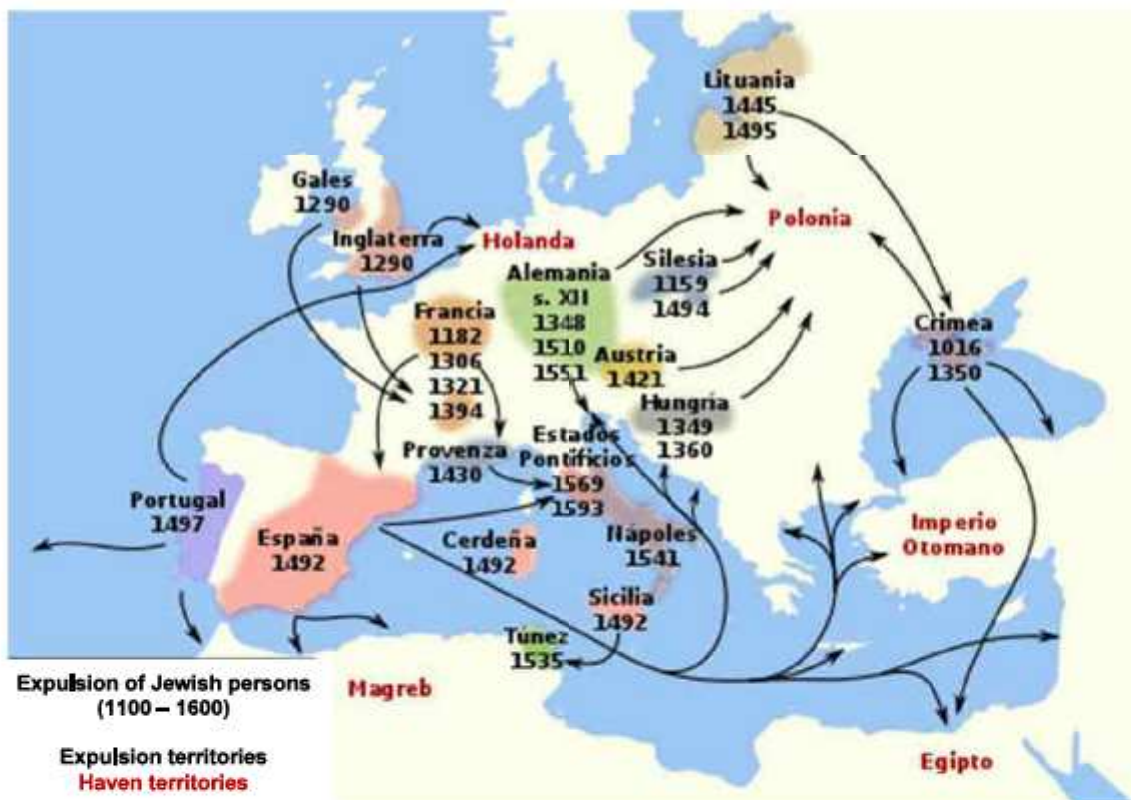
These migratory colonization processes were much more common than we think, and were not limited to a single period. So there were no actual Arab invasions in 711 in "Spain", nor a Norman invasion in "England" in 1066, but a sequence of different migrations of populations throughout history which, far from replacing local ones, were integrated in them in a relationship of power (that is, establishing more or less friendly relationships and in which local populations maintained a largely variable level of submission until it was difficult to establish a difference between foreign and indigenous culture).

It should be noted that the first hominid populations that lived in Europe were already migrants from the African continent who, after a long journey, discovered the land that would become Europe thousands of years later, and settled in it. After these migrations, we can find dozens new ones that have composed who we are today: Indo-European migrations (when the first speakers of Indo-European languages expanded through Europe and Asia), Gothic and



Visigothic migrations towards the Iberian and Italian -or Adriatic- peninsula, Germanic migrations to Italy, Persian migrations to Greece...

It is important know that migratory flows derived from armed conflicts that have impacted Europe did not only come from expansionist interests of foreign peoples or internal conflicts; Europe also initiated expansionist processes that gave place to emigration processes. From 1066 to 1272 AD, the various European kingdoms carried out multiple colonization campaigns (up to nine crusades) on the east coast of the Mediterranean Sea, which led to the movement of hundreds of thousands of persons (pilgrims, peasants, and men of arms) from Europe towards the new land conquered overseas. In this case, although there were also the same processes of crossbreeding in the conquered lands as in the past, in some cases the native population was decimated or expelled by one or the other side (e.g. the taking of Jerusalem in 1099 by crusader troops, in which a large part of the population of the city was executed; or the capture of Acre in 1191 by King Richard I of England).



#### 2.1.2.2 FROM THE 15TH TO 18TH CENTURY

From 1400 AD onwards, migrations increased and were not only based on colonization and invasion processes (some still were), but motivated by the lack of economic liquidity (in most cases these kinds of conflicts have economic causes) of European monarchies, who usually assumed the pretext of religion. This was the case, for example, of the expulsions of Muslims, Jews, and Moorish peoples from many Christian kingdoms between 1500 and 1700 AD. In these, tens of thousands of people were forced to leave shops, houses, and fields, and all their property was seized by the reigning monarchs and nobles. The reactions to this expulsion were very diverse: it generated a racist feeling in many countries against these people, but their welcome was promoted in many others, or created at least safe havens for persons escaping towards lands across the seas, like the kingdom of Holland or Poland in Europe, or the Ottoman Empire and Maghreb outside it.

Among these migratory flows, the one generated by the discovery of America stands out. This dates from 1492 when Christopher Columbus reached its coasts, which initiated a great migratory flow from Europe to America, started in the 16th and 17th centuries by migrants from Spain and Portugal who occupied colonies in South America. In later years, there were new migratory flows from France, England, and the Netherlands. The social reactions and public opinion of Europe towards them were very positive, since they allowed the most humble and working population to have an expectation of wealth thanks to the colonization of new lands and the plundering of the American Indian races. Following these movements, migration was so common that any European family with a migrant was recognized and applauded (especially if their economic situation had improved). However, immigration from the new American lands was reduced to slaves who were not considered as human beings, and their social acceptance was very low. This reaction was of course completely different when the visitors were landowners and powerful Americans of European descent.

#### 2.1.2.3 FROM THE 18TH TO THE 19TH CENTURY

Until the 18th century, the main migrations in Europe, both in incoming and outgoing flows, were mostly related to the conquests of each civilization, but there are also peaceful movements like the agrarian colonization promoted by European monarchs in Prussia, Hungary, or Siberia to occupy uninhabited areas and consolidate territories. In rural areas, the modernization of agriculture reduced the need for agricultural labor, boosting migration from rural areas to cities, which were in the process of industrial expansion. In Europe, this migratory flow includes more than 60 million people in the last 200 years. Since the end of the



18th century, improvements in transportation and the colonization of America, Africa, and Oceania also increased transoceanic migratory flows.

The most important migration process in history took place between 1850 and 1940, during the second wave of migration from Europe to America, in which some 55 million Europeans participated, 60% of which established definitively in the Americas. Most of these migrants came from the British Isles (15 million), Italy (10 million), Germany (5 million), and Spain (5 million), with the United States, Argentina, Canada, Brazil, and Cuba being their main destinations. This intense migration, which exceeded one million migrants annually between 1901 and 1915, was fueled by overpopulation and the conflicts that ravaged Europe. In Ireland, where bad harvests had caused several famines, more than seven million people migrated to the United States, reducing the population of the island to figures lower than in the 1800s.

The receiving areas, in need of agricultural and industrial labor, allowed unrestricted access until the beginning of the 20th century, when the annual average of immigrants exceeded one million persons. From then on, annual entry quotas began to be established, and the admission of certain groups of immigrants was prioritized by nationality or language. This flow of people and money started changes in the socio-economic structure in Europe -it started the exploitation of American natural resources-, opened new markets for European products, boosted the industrialization of the newly constituted American nations, favored the expansion of European culture, and increased the bonds between both continents.

#### 2.1.2.4 FROM THE 20TH CENTURY ONWARDS

The 20th century was strongly marked by the forced migration caused by the wars across Europe. As a result of World War I, millions of people were forced to leave their homes.

After the conflict, the League of Nations -created in 1919- appointed in August 1921 a High Commissioner for Refugees after a conference convened by humanitarian organizations. This responsibility was entrusted to *Dr. Fridtjof Nansen*, who worked to provide refugees with the assistance of some governments and volunteer agencies, also devising a special ID for those who did not have any other documents, the so-called "Nansen Passport", which was acknowledged by fifty-two countries.

From 1945, the economic recovery experienced in Western Europe after the end of World War II caused a shortage of labor in countries such as France, the Federal Republic of Germany, Switzerland, Belgium, or Austria, that was solved with the admission of up to 15 million



workers from Southern Europe and North Africa, mainly Portuguese, Spaniards, Italians, Turks, Algerians, and Moroccans, thus ensuring their economic development.

This was a very significant labor-caused migratory flow, which reached its peak in the late 60s and early 70s, but the economic crisis of 1973 dramatically reduced the worker absorption capability, slowing the migratory flow to that region and favoring the return of foreign workers to their countries of origin. Since 1980, the decline in birth rates and the momentum experienced by the economy of the countries of southern Europe made them join the economic and demographic dynamics of the rest of the European Union again, becoming new migrant-receiving areas, and homogenizing the structure of migration from Western Europe.

However, these flows were not unique and were added to new forced migrations in Europe due to the exodus derived from World War II, which marked a turning point in the recognition of the right to asylum internationally. In 1950, the United Nations created a short-term agency to properly manage the forced migration of some 50 million people after World War II's havoc on Europe: the UNHCR. The short term urged to complete the work of protection and dissolve in a period of 3 years.

The following year, in 1951, the Geneva Convention was approved, which is the main international tool for the protection of refugees. But just a few years after the signing of the peace, in 1956, the High Commissioner faced a new large displacement: the flight of thousands of persons from Hungary, due to the conflicts that appeared in the country.

In 1960, due to the decolonization of Africa, a high rate of forced displacement was generated that also required the intervention of this organism, and during the following decades situations of forced displacement also took place in Europe due to the war of the Balkans, as well as in Asia and Latin America. During these decades after World War II, which had the horrible figure of more than 60 million dead (estimating a 62% of civilians from both sides), the International Community became aware of the need to promote protection organizations and tools such as the Universal Declaration of Human Rights (1948), or the aforementioned Geneva Convention (1951). The approval of the European Convention on Human Rights of 1950, entered into force in 1953, and was coupled by different Protocols and the adoption of tools within the framework of the European Union. In this regard, it is worth highlighting the creation in 1984 of the Schengen area, formalized in 1995 with the entry into force of the Agreement signed in 1990, a common European area that abolished borders between the member countries and established common controls outside those countries. Of the 28 member states of the European Union, 22 participate in this space.

In 2013, more than 60 thousand persons migrated in search of a country of refuge in any country; in 2014 there were 210 thousand migrants; in 2015, migration has surpassed all limits



and in the first nine months of the year, the figure is of almost 478 thousand persons according to UNHCR data, 54% of them coming from Syria, 13% from Afghanistan, 7% from Eritrea, 3% from Iraq, 3% from Nigeria, and 3% from Pakistan.

Since the 20<sup>th</sup> century, despite small attempts to change the politics and philosophy of countries, governments continue to establish immigration control measures based mostly on the specific interests of the state itself. Thus, they tend to limit the entrance to a small number of people with a professional profile necessary for the development of the country, depending on the labor needs in different sectors of tertiary activity. They also take advantage of the constant illegal flow of population from less developed regions to keep a submerged economy without rights, because migrants do not only work without a contract, but can only access the toughest and most degrading jobs, receiving a lower salary than the native population, and without enjoying basic social benefits (health care, unemployment support, pension, etc.).

The lack of integration of immigrants usually comes with attitudes of rejection among the native population (racism, xenophobia), especially if there are social and cultural differences between the populations, which favors the grouping of the immigrant population in neighborhoods grouping their culture or country of origin, which originates ghettos.

Parallel to labor migration, during the second half of the 20<sup>th</sup> century were two other types of flows. First, the decolonization process caused the return to their countries of origin of settlers, public employees, and military, such as the Netherlands from Indonesia (1949), France from Algeria (1962), or Portugal from Mozambique or Angola (1975).

More recently, the so-called elite migration is nowadays becoming relevant, led by high-income pensioners or high-skilled workers of multinational companies, which doesn't usually generate social conflicts or rejection. The foreign population in European countries is currently estimated at just over 20 million people, although its distribution is very uneven. For example, while foreigners do not exceed 2% in Eastern Europe and those southern European states in which the outflow prevailed until 1975 (Spain, Italy, Greece), the regions that imported foreign labor between 1945 and 1973 have more than 5% of foreign population (Germany, 9%; Austria, 9%; Belgium 9%; France, 6.5%; Sweden, 6%).

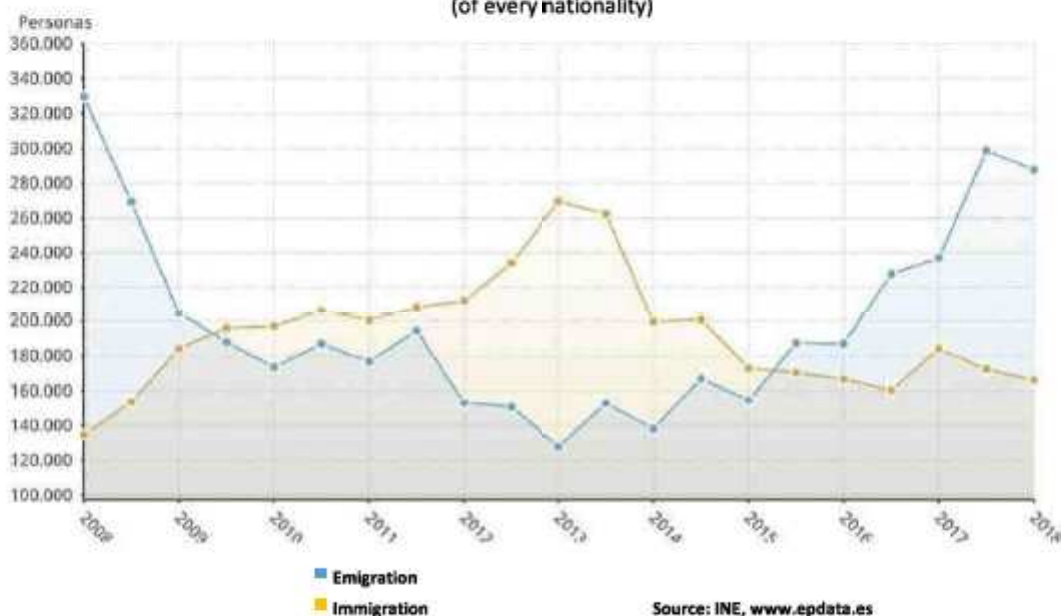
The different laws in each state related to obtaining nationality produce very significant statistical differences, as is the case in Switzerland, where foreigners account for 19% of the population, and the United Kingdom, with less than 5% of foreigners despite the high number of migrants from countries of the Commonwealth (India, Pakistan, the Caribbean, etc.). By region, Western Europe has kept a positive migration balance since the end of World War II, with the entry of 18 million migrants, while Central and Eastern Europe has had a negative balance of 11.5 million during the same period. Finally, southern Europe lost 6 million



inhabitants due to emigration between 1950 and 1970, receiving a net balance of 3 million immigrants between 1970 and 1995.

Spain as a country has historically had emigrant and immigrant population. Between 2009 and 2015 the number of people of any nationality who left Spain exceeded those who arrived. The economic crisis ravaging Spain made people look for better alternatives by emigrating, in search of a better future. This graph reflects the evolution of emigration and immigration from/to Spain in recent years, according to data from the National Statistics Institute (INE).

**Evolution of emigration and immigration in Spain:**  
(of every nationality)



### 2.1.3 CONCLUSIONS

There is a clear and unquestionable fact: migration is inherent in human nature, it has always existed and always will. 3% of the world's population is made up of migrants; this is about 180 million people, not counting the more than 24 million internally moving persons within their own countries. The social reactions to this uninterrupted fact are not unique or always the same, they vary a lot depending on the historical time, the place of origin, religion... But above all with the purchasing power associated to or displayed by the migrant person.

We must start from the fact that people who have nothing do not migrate, the ones who migrate are those who have something (according to Lorenzo Gabrielli); traveling requires

resources. "You do not migrate because you don't have incentives to migrate, but because your starting conditions or expected benefits allow it. It is the middle classes of emerging economies who migrate", adds Gonzalo Fanjul, researcher at *PorCausa* Foundation.

Throughout history, migrants with limited resources, who had to make great efforts to survive in the host country facing unfortunate and serious barriers (always raising suspicions, fears, and hostile attitudes), have always been different from rich travelers who decided to undertake elsewhere, who were well received by the native population and, with few exceptions, were not called migrant, but "traveler" or "foreigner".

## 2.2 HOW IS YOUR WELCOME IN EUROPE GOING TO BE NOWADAYS? - THE MIGRATORY CRISIS – LEVEL 1

Currently, a migrant person arriving to a European country, fleeing from war and misery, crossing borders across Hungary, bypassing fences or risking his life at sea, and without enough economic resources to be accepted generates distrust and fear. Although no place will have a unanimous reaction from the native population (most people will help the newcomer willingly and facilitate their inclusion), the increase in far-right movements and racist discourse are proof that many people will have a hostile reaction and of rejection. Unfortunately, these attitudes will also differ depending on the country of origin, with migrants of Arab or Roma origin for example will usually be treated worse than those who come from countries with historical ties to the host country (like Latin countries with Spain, Brazil with Portugal, India with England, etc.). In the case of Muslims, their segregation is much worse, especially due to the hate speech coming from the far-right and Catholicism that feed the interreligious conflict, and also to the recent terrorist attacks committed by small extremist groups related to ISIS.

Just as there is no unanimous position in the host society when facing migration, not all European countries have the same attitude. There are countries, especially those where the far-right has institutional representation or is even in the government, in which segregation policies are promoted, hindering not just the reception of newcomers, but even their most basic rights.

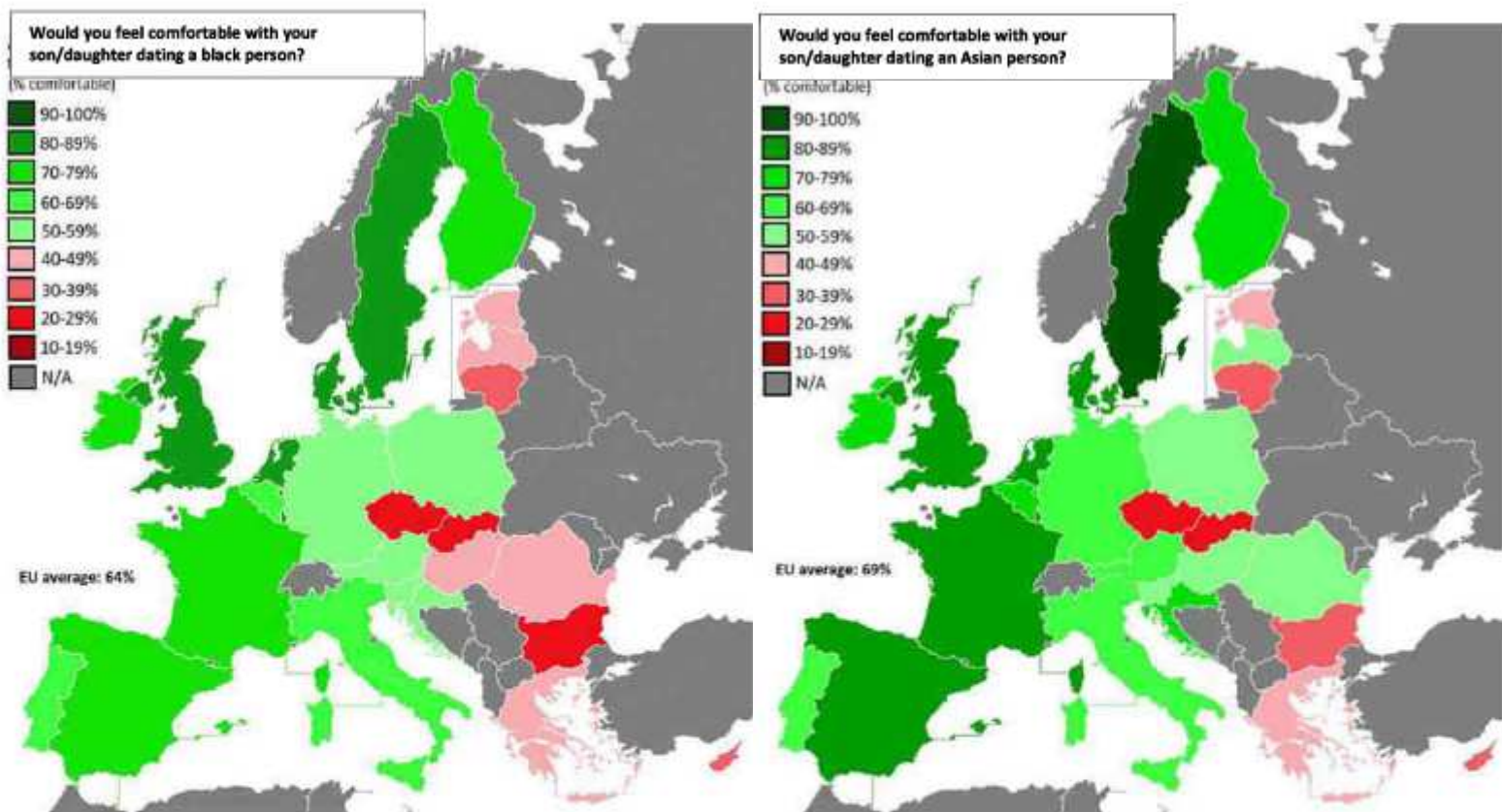
In an article published on July 17<sup>th</sup> 2018 in the journal "**Nature Human Behavior**", with the title "*Racism and the role of imaginary others in Europe*", researcher **Catarina Kinnvall** highlights how in recent years **Europe has experienced an increase in racism**. She specifically delves on how far-right and populist movements are taking advantage of fear to incite the exclusion and expulsion of the unwanted "others", such as the Muslim, Roma, and refugee population.

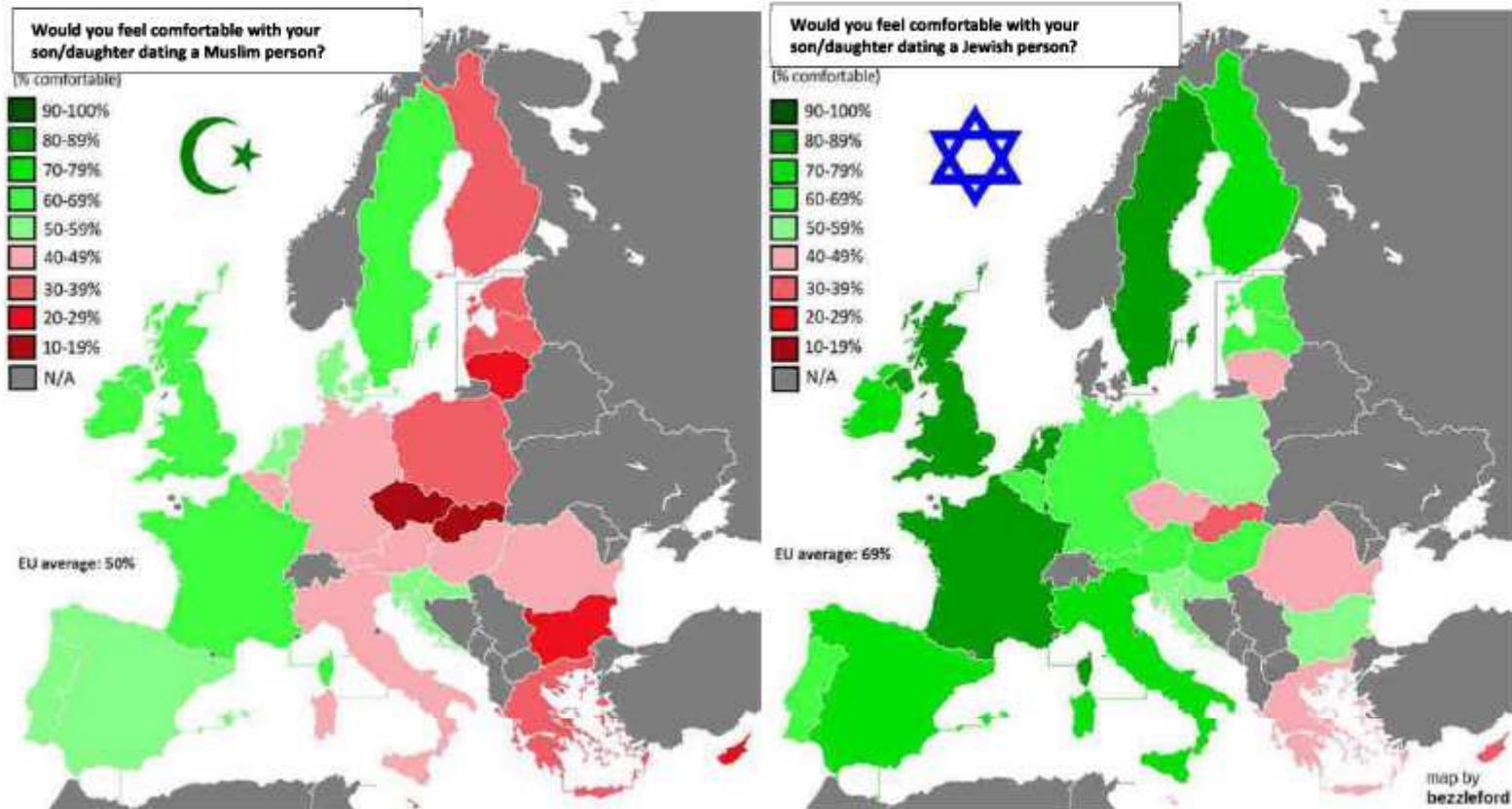




In her article, the author emphasizes that racism and xenophobia levels have increased significantly between 1999 and 2008 in 14 of the 23 European countries surveyed and, in 2008, more than 20% of the respondents from 15 of those 23 countries could be deemed as xenophobic. She states that the proportion of xenophobic persons interviewed is particularly high in countries with the most recent entry into the European Union, especially those in Central-Eastern Europe (e.g. Czech Republic, Estonia, and Lithuania). For these surveys, "xenophobic" was any person who, if asked about who they did not want to have as a neighbor, answered with one of the following three categories: "Muslims", "migrants", or "people from a different race".

In 2015, the European Commission surveyed people from the 28 EU member states on "how comfortable would you feel if your son or daughter had a romantic relationship with someone from a different cultural group?". When collecting the resulting data, the report was quite surprising. Last August, a "Reddit" user named "Bezzleford", known for creating statistical maps, decided to display that same report visually, which has now gone viral.





Although these shades of green and red may impress some, it is even more incredible that they only represent 4 of the questions asked. According to the original study, less than half of all respondents would approve their son/daughter to date a Roma or a transsexual person.

However, not everything is negative: most respondents also agreed that new measures should be introduced to protect visible minorities, showing that the EU is still a good example regarding human rights for the rest of the world.

### 2.2.1 CURRENT POLICY OF EUROPEAN COUNTRIES TOWARDS MIGRATION

**GERMANY:** either a distribution of refugees is accepted or *Schengen* will have to be reviewed. Splattered by a series of attacks against refugee camps in several cities in the east of the country, Germany is one of the countries with more asylum applications; this year, authorities speak of up to 800k persons. The German chancellor Angela Merkel said in an interview on

German public television that she is more concerned about the migrant crisis than the situation in Greece. After visiting the city of Heidenau, a center of protests against refugees, the chancellor met with the leaders of the Christian Democratic Union (CDU) and the Social Christian Union (CSU) to address the migrant crisis facing Europe. Hours later she met with the former Spanish president, Mariano Rajoy, with whom she held an informal meeting to discuss the matter. The chancellor is in favor of a quota system between countries, which Spain, among others, rejected.

**AUSTRIA:** tightens its immigration controls.

Recently, the country has been place of unscrupulous actions from mafias and criminal groups, which find in this crisis profit for their economic activities. In 2016, 71 refugees died inside an abandoned truck on a highway after crossing from Hungary. Austria is tightening its eastern borders (with Hungary, Slovakia, Slovenia, and the Czech Republic). In just three days, in 2016, police arrested 8792 migrants and asylum seekers who were crossing from Hungary, most of them came from Serbia. Trains with hundreds of migrants have multiplied in recent years; and are received by volunteers but also by the police who quickly initiate deportation procedures.

**BELGIUM:** promises 5000 places for asylum seekers.

Belgium promised to create an additional 5000 places for asylum seekers in migrant centers as quickly as possible, added to the 10000 places planned for 2016. This measure comes after the new official figures that show that the number of asylum seekers in Belgium increased from 1280 in April 2015 to more than 4000 in August of the same year. The government noted that 60 percent of asylum claims are approved.

**BULGARIA:** the next focus of tension?

The building of a wall on the Hungarian-Serbian border could make refugees modify their route to enter the EU through Croatia or Bulgaria. This is an increasingly viable option, so the country is already preparing for it. In the first four months of 2015, twice as many people arrived in Bulgaria compared to 2014. According to data from the United Nations High Commissioner for Refugees, around 200 people arrive weekly in the country.

**CROATIA:** is also getting ready for a possible route change due to the wall in Hungary.

Croatia is ready for an eventual wave of refugees; Premier Zoran Milanović and Foreign Minister Vesna Pusić stated at the Vienna Summit on the migrant crisis in Southeast Europe that their county does not intend to build any walls to prevent migrant entry.



**DENMARK:** will cut aid to refugees.

Denmark reduced by almost half the financial support refugees receive in order to slow the entrance flow of asylum seekers. This new aid is 6000 crowns (~800€) per month. The increase in refugee entrance due to military conflicts in Iraq and Syria made Denmark in 2014 the fifth EU country by asylum seekers, with 14000, far from the 81300 received by their neighbor Sweden.

**SLOVAKIA:** will only welcome Christian Syrians.

The country agrees to accept the quota of refugees to which it committed with the EU, but not all of them; the government announced that it will only receive Christian refugees, rejecting all Muslims.

**SLOVENIA:** prefers sending ships to welcoming refugees.

Slovenia says it shows solidarity towards the migrant crisis and has even committed to send military ships for EU rescue missions in the Mediterranean, but will only receive 230 refugees, less than the 496 proposed.

**SPAIN:** an example of poorly managed refugee hosting.

The 2018 CEAR's Report on Refugees in Spain and in Europe shows that Spain received in 2017 more applicants for international protection than any other year (with 31120), and granted refugee status to 595 people, although denying protection to 65% of persons whose file was resolved. But also, as the Ombudsman pointed out, Spain's Ministry of Interior *Office of Asylum and Shelter* is totally collapsed: by February 2018, 42025 people awaited the resolution of their request.

Throughout 2017, the deep gap between the significant growth in the number of people requesting international protection in Spain and the absence of the necessary resources to manage such a volume by the State was evident. This caused difficulties in accessing the *Reception and Integration System* (hereinafter SAI236) for people with material reception needs both in the Spanish territory and waiting to be transferred there, especially from Greece, through relocation and resettlement programs.

The situation on the southern border did not improve either. Spain was the third country in the European Union with the highest number of arrivals of migrants and refugees across the Mediterranean, after Italy and Greece, and the response in the management of arrivals is characterized by improvisation and lack of coordination. As for Ceuta and Melilla (Spanish

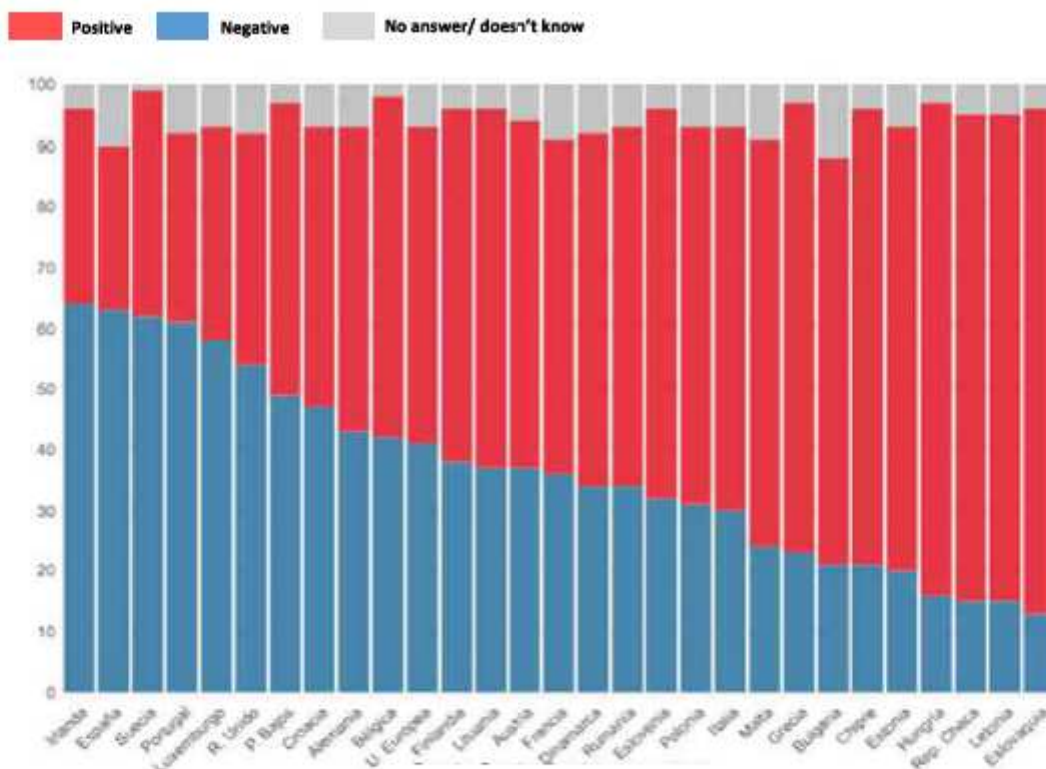


cities in the northernmost coast of Africa) the capability of the CETIs was also exceeded, the so-called “hot returns” continued and, despite the law from recent years, prohibition for international protection applicants to move to Spain’s mainland persisted. CIE centers are denounced by the Ombudsman for the irregularities and opacity surrounding them.

However, the host society supports immigration overall. Spain’s support for immigration and refugees exceeds the European average, with 83% of Spaniards believing that the country should aid refugees (compared to Europe’s 67%). These figures are among the highest, especially compared to Italy, the Baltic countries, and most of Eastern Europe, according to the latest Eurobarometer polls (the CIS of the European Commission) from March 2018.

When asked about the two main problems of the country, Spain is, after Portugal, EU’s lesser worried country, with a 6%. Another thing evidenced by Eurobarometer polls is that the place of birth of newcomers determines their vision of them in the host country. Migration of people born within the EU evokes positive feelings to 77% of Spaniards (the average being 65% among Europeans), this percentage decreases to 63% when it comes to non-EU natives (41% European average).

### How do you feel about immigration from outside the EU? (in %)



Source: 2018 Eurobarometer



**ESTONIA:** does not accept EU quotas.

Estonia has flatly refused to be part of the proposed quotas to solve the migrant crisis. The European Commission approved an aid to EU member countries impacted by the migrant crisis, for a total amount of 2400 million Euros, of which Estonia will receive 35,2 million euros, according to local media. They should receive in two years 150 refugees from Africa and the Middle East, which would eventually be joined by another 20 or 30 people.

**FINLAND:** will not return to Greece refugees arriving in their country.

Of the 2400 million euros from the EU, Finland will receive 52,9 million. Although Finland is not an easy country for refugees, it has taken the same measure as Germany and will not return refugees to Greece.

**FRANCE:** guards the Eurotunnel.

In recent months, migratory tension in Calais has also become a hot topic in the immigration drama. Although the pressure on the UK-France border is not new, the increase in the number of deaths in 2016 has set off the alarms. There were 3 deaths in 2013, 17 in 2014, but 9 people have died just in June and July of 2019, according to data from ACNUR. The European Union will give France an additional 5 million euros to address this situation.

**GREECE:** country of arrival of Syrian refugees.

The crisis of refugees arriving in Europe has turned the Greek islands of Kos and Lesbos to total chaos, with immigrants not having access to appropriate housing, water or health services, according to the UNHCR. Greece received more migrants in just July than during all of 2014. So far this year nearly 160k people have reached its shores looking for a better future in Europe, fleeing their home countries.

**HUNGARY:** raises a wall across 175km of its borders.

Hungary has announced the completion of a 175km fence on its border with Serbia, and all borders have been reinforced with more police forces. The fence is made up of three rolls of barbed wire, but this does not prevent migrants from crossing it. The Hungarian Parliament passed in 2018 a controversial law that punished with up to one year in jail those who help migrants in an irregular situation, including refugees and asylum seekers.

The approved constitutional amendments prohibit the settlement of non-Hungarian citizens in Hungary -with the exception of Europeans- and declare that the composition of the country's population cannot be modified "by an external will". Other constitutional reforms also



approved in this package state that the State must defend the Christian values and culture of the country, and create a new judicial system that did not exist in Hungary until now: administrative courts.

**THE NETHERLANDS:** will harden political asylum in the midst of the migrant crisis. While Europe faces the biggest wave of immigration since World War II, the Netherlands are about to tighten their asylum policies by cutting down food and shelter for people who do not qualify as refugees. Rejected asylum seekers will have their housing shortened to a few weeks after being rejected if they do not agree to return home.

**IRELAND:** may be left out of European quotas. Both Ireland and Denmark can be left out of the mandatory distribution of quotas because they enjoy non-participation rights in the field of Justice and Home Affairs.

**ITALY:** demands a European asylum law. With the rise to power of Lega Nord, the legal situation of migrants has worsened. This year a decree has been approved to abolish humanitarian protection, which until now was granted to a third of asylum seekers. When it enters into force, a large number of migrants will end up relegated to preliminary reception centers or to homelessness, explains Christopher Hein, professor of Immigration and Asylum Law and Policies at Luiss University in Rome. Médecins Sans Frontières Italy clarifies that they have documented how a long stay in these massive structures "contributes to deteriorate the mental health of already traumatized people, and drastically reduces their chances of social integration".

The new decree also paves the way for the expulsion of migrants who are deemed "a social threat" or have a conviction in the first degree. This point is controversial and runs the risk of being declared unconstitutional. Dr. Claudia Lodesani, president of Médecins Sans Frontières Italy, also believes that the Government is focusing all its efforts on dismantling the migrant rescue and support system. According to Lodesani, "it is demonstrated by the latest attempt to stop the Aquarius, the only non-government rescue ship left to save lives in the central Mediterranean".

**LATVIA:** opposes the quota system. Like Poland, the Czech Republic, and Lithuania, Latvia opposes the quota system. There have been demonstrations against the arrival of migrants, and it will only receive 250 refugees in the next two years at the request of the block.



**LITHUANIA:** does not want refugees.

Like Poland, Hungary, Romania, Bulgaria, and Estonia, Lithuania opposes the mandatory quotas. These countries are generally detached from this problem, and are not willing to get involved without having a decision on the extent to which they do so.

**LUXEMBOURG:** in favor of welcoming those who are persecuted.

Luxembourg insists that Europe should welcome people who are being persecuted in their countries of origin, but those without papers that do not meet these requirements should be quickly returned back.

**MALTA:** port of arrival.

Malta, like Italy and Greece, is one of the arrival points for refugees who choose the Mediterranean to reach Europe.

**POLAND:** only wants Christian refugees.

Around 2900 illegal migrants arrived in Poland in the first six months of 2015, almost double that in the same period of 2014, although most continue on their journey to Western Europe. The government promised to accept 1100 refugees, but demands them only Christians; Poland currently refuses to receive immigrants from the Middle East and North Africa.

**PORTUGAL:** foresees some 1500 refugees.

Portugal expects to receive some 1500 refugees in the coming months from Syria, Iraq, and Afghanistan; the country is prepared to respond to this humanitarian tragedy. Portugal, with 10.5 million inhabitants, is in the economic recovery stage after the three-year crisis that triggered unemployment and forced tens of thousands of Portuguese to migrate.

**UNITED KINGDOM:** prepares more controls and fences.

The migratory tension of Calais does not stop. While the arrests keep happening for the attempts of thousands of people to enter the tunnel, the United Kingdom hardens its discourse against immigrants. Boosted by *BREXIT*, the British Ministry of Interior approved in 2018 its Immigration Law draft, which puts more obstacles to legally achieving a residence permit, with strong measures against those who are in the country illegally, including new penalties, greater ease for expulsion, and surveillance of the bank accounts of newcomers.

According to the latest data published by the UN, there are 8.841.717 immigrants in the United Kingdom, representing 13.34% of the country's population. Female immigration is higher than





male, with 4.636.299 women, which is 52.43% of the total immigrants, compared to 4.205.418 male immigrants, the remaining 47.56%.

**CZECH REPUBLIC:** rejects quotas.

The Czech Republic is adamant in its rejection of the mandatory immigration quotas proposed to alleviate the refugee crisis in Europe. The country has favored volunteer quotas at all times and, for the time being, had promised to receive 1500 refugees until 2017, but has not met these requirements. Andrej Babis, Prime Minister, has insisted on the need to prevent Europe from becoming the new Africa or the new Middle East.

Countries like Germany, France, and Spain are in favor of the arrival of illegal immigrants, but in the Czech Republic, as in the case of Poland, Hungary, and now Italy, the opinion on immigration is completely different.

**ROMANIA:** strengthens the border with Serbia to avoid refugees.

Romania will strengthen the security of its borders with Serbia with the purpose of preventing possible mass arrivals of refugees and illegal immigrants. The country does not suffer from increasing migratory pressure; currently, the six regional reception centers available, with a total capacity for 1500 people, have an occupancy of around 20%.

**SWEDEN:** the other dreamland for refugees.

Sweden is one of the most generous European countries when it comes to receiving asylum seekers. In 2014, 81200 asylum claims were filed, 13% of the European Union's total. However, the growing tension in Sweden has pushed the authorities to strengthen security in refugee shelters in the face of fear of attacks.





VIRTUAL  
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# **DIDACTIC UNIT 3**

## **BASIC NOTIONS IN LEGISLATION**

COURSE **FOR**  
**MIGRANTS**  
**& REFUGEES**

3.1 THINGS YOU NEED TO KNOW ABOUT EUROPEAN LEGISLATION REGARDING  
MIGRATION, ASYLUM, AND REFUGEES – LEVEL 3

REGULATORY FRAMEWORK:

MAIN LAWS:

- **UNIVERSAL DECLARATION OF HUMAN RIGHTS:** Adopted and proclaimed by the General Assembly in its resolution 217 A (III) of December 10<sup>th</sup> 1948.
- **GENEVA CONVENTION:** Convention of July 28<sup>th</sup> 1951 on the Statute of Refugees. It came from the Protocol on the Statute of Refugees approved in New York on January 31<sup>st</sup> 1967.
- **WELCOME DIRECTIVE:** Directive 2013/33/EU of the European Parliament and Council, from June 26<sup>th</sup> 2013, approving rules for the reception of applicants for international protection.
- **PROCEDURES DIRECTIVE:** Directive 2013/32/EU of the European Parliament and Council, from June 26<sup>th</sup> 2013, on common procedures to grant or withdraw international protection.
- **REQUIREMENTS DIRECTIVE:** Directive 2011/95/EU of the European Parliament and Council, from December 13<sup>st</sup> 2011, establishing rules regarding the requirements for the recognition of third-country nationals or stateless persons as beneficiaries of international protection, to a uniform status for refugees or persons entitled to subsidiary protection, and to the contents of the protection granted.
- **DUBLIN REGULATION:** Regulation (EU) n° 604/2013 of the European Parliament and Council, from June 26<sup>th</sup> 2013, establishing the criteria and mechanisms to determine the member state responsible for examining applications for international protection filed in one of the member states by a third country national or stateless person.
- **EURODAC REGULATION:** Regulation (EU) n° 603/2013 of the European Parliament and Council, from June 26<sup>th</sup> 2013, concerning the creation of the “Eurodac” system for the comparison of fingerprints.

ASYLUM APPLICANTS, REFUGEES, AND IMMIGRANTS: DIFFERENCES FROM THE LEGAL VIEWPOINT

The latest relative developments in migration matters in Europe have extended the use of the terms refugee, asylum seeker, and immigrant, sometimes used wrongly in public debate. Each concept has its own legal meaning and each one is regulated by a specific European policy: based on international law, every asylum seeker and refugee is an immigrant, but not vice versa.



María López and Pierre Boulat, journalist and lawyer respectively, explain that one of the first bases on this topic are grounded in the Geneva Conventions (1951), specifically in the Convention on the Status of Refugees amended by the Protocol on the Statute of Refugees of January 31<sup>st</sup> 1967, both signed by 147 States.

According to this, “**asylum seeker**” is any person who claims asylum under the aforementioned Convention, based on a well-founded fear, since the return to their country would mean a persecution due to their race, religion, nationality, ideology, or belonging to a particular social group. Gender-based persecution, including the one motivated by sexual preferences and gender identity, is included in the causes acknowledged by this right. As asylum seeker, that person retains this status until their application is admitted or rejected.

The term “**refugee**” defines any asylum seeker whose application has been accepted. But this concept has been extended in recent years in cases of a massive flight of people motivated by war or natural disasters (not particularly due to individual persecution). These groups are considered “prima facie refugees”, meaning those who do not need to show evidence on the causes that have led to their departure, since, as recognized by the Office of the United Nations High Commissioner for Refugees (UNHCR), “the ability to conduct individual interviews for the recognition of refugee status to all persons who have crossed the border does not exist, may hardly ever exist, and is usually not necessary, since in such circumstances the reason for their fleeing is evident”.

In this regard, UNHCR specifies in a [note from October 22nd 2013 on the conflict in Syria](#), that any person fleeing their country is recognized as a “refugee”, a concept that encompasses very specific profiles (opponents, journalists, etc.), but also very wide ones, for a large part of the population: this is the case of children in military environments, women threatened by sexual assault or forcibly married, members of religious or ethnic groups, and government supporters harassed by rebels. Only those persons who have committed acts of violence are excluded from this provision.

The concept of “**immigrant**” refers to any person who has left their country by legal or non-legal means to find a better life in another one. According to UNHCR, most of them “have made the decision to move to have better opportunities for themselves and their families”, which is why they are also called “economic migrants”.

Consequently, there is a European policy for each status:

**ASYLUM SEEKER:** According to Article 78 of the Treaty on the Functioning of the European Union (TFEU), “the EU shall develop a common policy on asylum, subsidiary protection, and temporary protection, aimed at offering an appropriate statute to every national of a third country in need of international protection and to guarantee the respect of the principle of non-return”.



To ensure compliance, the Treaty allows the EU to take joint measures to define, among others, a uniform asylum status valid throughout the EU, as well as one of subsidiary protection and the criteria to be considered by the Member States. It also contemplates a common system in case of massive influx, temporary protection of displaced persons, standards of reception or association and cooperation with third countries to manage the flows of people requesting asylum or subsidiary or temporary protection.

In this way, the EU tries to blend the different laws and legal frameworks of the Member States in order to ensure at least a series of common minimum standards. This is marked by international asylum obligations, since the EU has signed, among other international texts, the Geneva Convention of 1951 and the Protocol on the Status of Refugees of 1967.

The first steps were taken in the 1990s, with the creation of several regulatory instruments that define, particularly:

- [minimum guarantees for asylum procedures](#) (1995);
- [temporary protection in case of mass influx of displaced persons](#) (2001);
- the criteria and mechanisms for determining the Member State responsible for examining an asylum application ([Dublin Convention](#) 1990 and [Dublin II](#) in 2003);
- the [minimum standards for the reception of asylum seekers](#) (2003);
- the [conditions to obtain the status of refugee and the status of beneficiary of international protection](#) (2004);
- [minimum standards related to procedures for granting and withdrawing refugee status](#) (2005);

The EU also created a [European Asylum Support Office](#) to facilitate the exchange of information and cooperate between the administrations of the Member States, in addition to the implementation of the Asylum, Migration, and Integration financing lines, endowed with a budget of 3100 million Euros for the period 2014-2020.

A second advance took place in June 2013 with the approval of the Common European Asylum System (SECA), giving rise to the new texts of the “asylum package” (Regulation 603/2013, Regulation 604/2013, Directive 2013/32/EU, Directive 2013/33/EU).

Among the main lines of action, common deadlines for the processing of asylum applications are established, along with more strict rules on the training of staff in contact with applicants, while recognizing the right of the applicant to remain in the territory in case of appeal, as well as granting an additional period to people who require special assistance (due to sexual orientation, disability, illness, age, pregnancy, victims of torture...).



**IMMIGRANT:** In Article 79 of the TFEU, the objective of the common migration policy is threefold. First, an effective management of migration flows; second, the equal treatment of third-country nationals legally residing in the Member States; and lastly, the prevention and fight against irregular immigration and human trafficking.

In this direction, the EU can adopt measures such as defining the conditions of entry and stay; establish rules for the granting of visas and long-term residence permits or the rights of third-country nationals legally residing in a Member State; or take the necessary actions against immigration, irregular residence, and human trafficking among others, through readmission agreements with third countries for irregular immigrants.

In any case, immigration policies are largely the responsibility of each Member State. These can decide unilaterally, for example, from the regularization of undocumented immigrants or the creation of a selective immigration policy, to immigration fees. However, the EU has published a series of rules and obligations within the European Pact on Immigration and Asylum (2008) describing the general guidelines for EU countries. Non-binding, it gathers a series of general provisions on the organization and control of irregular or "illegal" immigration, border controls, and the collaboration with countries of origin and transit.

The EU has also adopted a series of rules in parallel to regulate legal immigration within Member States, including among others:

- [a consistent residence permit model;](#)
- [family reunification;](#)
- [long-term resident statutes;](#)
- [entry with the purpose of study or research;](#)
- [EU's blue card for the entry and residence of highly qualified workers;](#)
- [a single work permit;](#)
- [a residence permit for victims of human trafficking.](#)

Regarding the fight against irregular immigration, the EU has also legislated in the following areas:

- [common rules and procedures for the return of illegal immigrants](#) (the so-called "[Return Directive](#)"), which foresees a period of 7 to 30 days for the voluntary return of illegal immigrants (with the possibility of resorting to the [Return Fund](#)), authorizing their administrative retention for a period of six months (up to eighteen months), granting their appeal, legal assistance and medical care, and limiting their prohibition of entry into EU territory for 5 years;
- [the hiring of illegal national residents of third countries;](#)



- [the mutual recognition of expulsion decisions;](#)
- [the organization of joint flights for the expulsion of illegal immigrants;](#)
- [the cooperation with third countries and readmission agreements.](#)

\*\*\*

As we stated, the legal basis therefore corresponds largely to Articles 78, 79, and 80 of the TFEU. Article 79 (previously Article 63, points 3 and 4, TEC).

1. The EU shall develop a common immigration policy aimed at ensuring, at all times, the effective management of migration flows, an equitable treatment of third-country nationals legally residing in Member States, as well as the prevention of illegal immigration, human trafficking, and a reinforced fight against both.

2. For the purposes of paragraph 1, the European Parliament and the Council shall adopt, in accordance with the ordinary legislative procedure, measures in the following areas:

- a) the conditions of entry and residence and the rules concerning the issue by Member States of visas and long-term residence permits, including those intended for family reunification;
- b) defining the rights of third-country nationals legally residing in a Member State, including the conditions governing freedom of movement and residence in other Member States;
- c) illegal immigration and residence, including expulsion and repatriation of illegal residents;
- d) the fight against human trafficking, especially women and children.

3. The EU may conclude with third countries agreements for the readmission in their countries of origin of third-country nationals who don't meet or no longer meet the conditions of entry, presence, or residence in the territory of one of the Member States.

4. The European Parliament and Council may establish, in accordance to the ordinary legislative procedure, measures to encourage and support the actions of the Member States aimed at promoting the integration of third-country nationals legally residing in their territory, excluding any harmonization of their legal and regulatory provisions.

5. The following article shall not impact the right of Member States to establish admission figures in their territory of third-country nationals to seek a job or self-employment.



Article 80

EU policies mentioned in this chapter and their execution shall be governed by the principle of solidarity and the equitable sharing of responsibility among Member States, also in the financial aspect. Whenever necessary, the acts of the EU adopted under this chapter shall contain appropriate measures for the application of this principle.

THEORETICAL FRAMEWORK:

Immigration is an expanding phenomenon that impacts all EU countries, although its dimensions, intensity, ways of arrival, and the characteristics of migrants show differences in each of the Member states.

In the EU, an immigration management model characterized by an instrumental and defensive policy seems to have become generalized, a policy of border police and contextual adaptation to the needs of the labor market, which has not focused on the immigrant and their vital project, to whom forced conditions are imposed when recognizing their rights and freedoms, which alienates the immigrant and stigmatizes the distinction between the “economic migrants” and others, especially irregular immigrants who evade their obligations in the areas of asylum and refuge.

The delimitation of the area of freedom, security, and justice has implied the elimination of the internal borders of the Member States, in such a way that the control of people has moved to the external borders. Thus, community institutions have progressively adopted measures aimed at strengthening the control of people at the crossing of external borders.

The road to a common European immigration policy has yet to be completed. This immigration policy is initially included in the framework of the free movement of persons, both in its *ad extra* aspects, regarding third-country nationals, and in its *ad intra* vision, related to nationals of the Member States. The objective of the free movement of persons, born with the Single European Act, is left in its foreign territory as a basic competence of the Member States. This situation changed from Tampere European Council, which demonstrated the need to harmonize the work of admission and residence of third-country nationals and effective management of migratory flows.

The increase in migration to Europe requires a response from the EU at various levels to the challenges and opportunities it poses. The current migration crisis is the worst since World War II; only in 2015 and 2016, more than 2.5 million people applied for asylum in the EU, 85% of the applications being concentrated in seven countries: Germany, France, Greece, Spain, Italy, United Kingdom, and Sweden. In the first months of 2017 alone, more than 2300 people lost their lives in the Mediterranean, a mortality rate of 1 in 52 people who tried. In 2015 and 2016, Frontex, EU's





border surveillance agency, identified more than 2.3 million irregular crossings. At the end of 2018, the EU approved a grant of 140 million euros aimed at border management in Morocco, a country that has prevented a large number of departures throughout 2018. 36 million euros were added to the previous financial aid, approved as emergency to assist Spain in the management of its southern border (pure border outsourcing).

This crisis has exposed deficiencies in the European immigration system. The Parliament and the EU have tried to combat this by reforming EU asylum rules and creating "[a fairer distribution system for asylum seekers among EU countries](#)", and strengthening EU border controls and the management of irregular immigration". But the EU has not been able to act properly and has been overwhelmed in the treatment of refugees, while dissensions have started emerging within it. Germany, Sweden, Spain, other receiving States, and France are in favor of the quota sharing mechanism, and are accepting or will accept all refugees requested by the European Commission. On the other hand, Hungary, the Czech Republic, and Slovakia especially have blocked the development of an asylum policy appropriate to European principles.

International law states that every genuine refugee who arrives to European territory has the right to be granted asylum.

Protection standards differ considerably between countries in Europe; while there are very advanced legal frameworks in some, protection and asylum systems are still under development in others. The adoption in June of 2013 of updated laws on asylum rights in accordance with the Common European Asylum System (CEAS) has been an important step towards refugee protection, since it establishes common standards for all Member States of the EU.

However, the fragility of EU asylum systems needs to be pointed out: difficulties in accessing the territory and completing asylum procedures, violations of the principle of non-return, low recognition rates, and the dismissal of those who had already been recognized as refugees continue to justify the implementation of new policies.

The importance of the refugee crisis is due to Europe being faithful to its founding values. Either the EU is able to give an effective and supportive response to the arrival of refugees, or it will end up not being what it always said to be, and what the rest of the world thinks it is: a civic humanitarian power, a territory able to turn the most terrible violence among neighbors into a peace experiment in which respect for human rights is the channel for coexistence.

*"The EU is based on the values of respect, human dignity, freedom, democracy, equality, rule of law, and respect for human rights."* - Article 1bis of the Lisbon Treaty of the European Union.

It is in this shift that we see how migration policies develop more and more closely in line with the warmongering policies of Europe, dangerously approaching being part of the same side of the coin



of military interventions, neo-colonialism, the arms business, and military intelligence. Border control business has started to look much like war business, and the result is also starting to be similar, with almost 18000 deaths in the last 5 years. The same as wars, it needs to be fueled by hate speech, which is more and more prevalent among politicians, the media, and is spreading into more layers of society. This hate speech seems to be useful in a context of systemic crisis that confronts the working class, including poor and unemployed workers, against people who run away from war or seek a better life, while keeping the privileges of the ruling class intact.

These hate speeches are also becoming one of the cornerstones for neo-fascist movements in Europe that mean less rights and freedoms that will undoubtedly impact more than migrant people.

Lastly, Frontex, in a complementary way to the policies of outsourcing border control and surveillance and repression of migrations, aims to eliminate European maritime rescue for migrants. This is what they pose to the countries of southern Europe, and the example case of where it is going is that of the Central Mediterranean.

After the catastrophe of Lampedusa, in which close to thousand people drowned after the shipwreck, it established a public rescue operation; this was replaced by a border control and surveillance operation, and after that, the rescue work began to be carried out by social organizations that were subsequently prevented from landing on Italian coasts first, to then proceeded to the kidnapping their rescue boats. Other recent case is that of Italy's Interior Minister Matteo Salvini, who ordered the arrest of Carola Rackete after landing 42 rescued people who had been waiting for a safe harbor in Lampedusa for more than two weeks. This unsustainable and inhuman situation was aggravated in the last hours with the emergency evacuation of several people for health reasons.

At the same time, through a bilateral agreement between Italy and the Libyan Government, Libyan "rescue" patrols have been financed and Libya has assumed a rescue zone of up to 171 miles off its coast. Frontex also designs a landing platform system on both sides of the Mediterranean shore, although landings are expected to be made on the south (Libya, Morocco...) at best, the other option is that they are not rescued, or worse, that their shipwreck is provoked. Salvini has arrived to end this issue by force, but the road was already paved by right-wing and Matteo Renzi's government.

In Spain, the Government of Pedro Sánchez, said he was going to humanize immigration and started with the Aquarius's crisis, so he seems to have decided to stick to Frontex policies. He has not only retained the Open Arms and the Aita Mari, but has also taken worrying measures: promoting relations and cooperation with Morocco in terms of rescue and landing, establishing a single command in the strait exercised by Guardia Civil, so the public service that is Maritime Rescue is



now under the military, and other measures have also been taken that point to operational changes that lead to greater militarization of this public service, or to decrease or privatization.

These facts show that the dispute between those who try to safeguard international maritime law, and a EU characterized by border outsourcing policies, criminalization, closing of harbors, and blocking of humanitarian ships in the central Mediterranean. This is now the most dangerous migratory route in the world, and has been virtually emptied of humanitarian ships for a year now.

Before this adverse context, rescue organizations just try to fulfill the duty of helping people who are in danger at sea and then transfer them to the nearest safe harbor. In accordance with the principle of non-return stated in the 1951 Geneva Convention that prohibits States from expelling or returning a person to any country where their life or freedom is threatened, or where they could suffer torture or degrading treatment is evidently being violated.

Therefore, we are not only facing a migration crisis, we are facing a moral and humanitarian crisis of our governments; at stake is our solidarity and the public service of whose workers we must be proud, as are those of the Maritime Rescue.

ASYLUM IN THE EU BY FIGURES <sup>1</sup>



( SUCCESSFUL AND UNSUCCESSFUL CLAIMS )



( ASYLUM SEEKERS )



( ARRIVALS BY ROUTE )



<sup>1</sup> Spanish Refugee Support Commission (2018): "More than figures: asylum dates in 2018".

3.2 THINGS YOU NEED TO KNOW ABOUT STATE-LEVEL LEGISLATION REGARDING  
MIGRATION, ASYLUM, AND REFUGEES – LEVEL 3

REGULATORY FRAMEWORK:

- **REPEALED ASYLUM LAW:** Law 5/1984 of March 26<sup>th</sup>, regulating the right of asylum and refugee status, modified by Law 9/1994 of May 19<sup>th</sup> and by Organic Law 3/2007 of March 22<sup>nd</sup> for the effective equality of women and men.
- **ASYLUM LAW:** Law 12/2009 of October 30<sup>th</sup>, regulating the right of asylum and subsidiary protection.
- **FOREIGN LAW:** Organic Law 4/2000 of January 11<sup>th</sup> on the rights and freedoms of foreigners in Spain and their social integration, modified by Organic Law 8/2000 of December 22<sup>nd</sup>, amended by Organic Law 11/2003 of September 29<sup>th</sup>, modified by Organic Law 14/2003 of November 20<sup>th</sup>, modified by Organic Law 2/2009 of December 11<sup>th</sup>.
- **REGULATION OF ASYLUM:** Regulation of application of Law 5/1984, of March 26 regulating the right of asylum and refugee status, modified by Law 9/1994, of May 19. Approved by Royal Decree 03/1995, of February 10. Amended by Royal Decree 1325/2003, of October 24. Amended by Royal Decree 2393/2004, of December 30. It is in force in what does not contradict the new Asylum Law and until the approval of the new Asylum Regulation.
- **STATELESS REGULATION:** Regulation of recognition of the stateless status, approved by Royal Decree 865/2001 of July 20<sup>th</sup>.
- **FOREIGN REGULATIONS:** Regulation implementing the Organic Law 4/2000 of January 11<sup>th</sup> on the rights and freedoms of foreigners in Spain and their social integration, modified by Organic Law 8/2000 of December 22<sup>nd</sup>, amended by Organic Law 11/2003 of September 29<sup>th</sup>, modified by Organic Law 14/2003 of November 20<sup>th</sup>, modified by Organic Law 2/2009 of December 11<sup>th</sup>. Approved by Royal Decree 2393/2004 of December 30<sup>th</sup>.
- **SPANISH CONSTITUTION.** Official State Bulletin, December 29<sup>th</sup> 1978, n°311, p. 29313 to 29424.

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Immigrants and potential asylum seekers get mixed and arrive together in Europe; although both groups have in common the search for better living conditions far from their countries of origin, they differ from each other by the legal treatment they receive.



“Immigrants and refugees have a different legislative umbrella: while the first are governed by the Foreign Law, which regulates their stay or residence in Spain; refugees are covered by the Asylum Law, which protects them and includes the article of the Principle of Non-Return, the prohibition imposed on Member States by International Law to expel or return a person to a territory where their life is in danger”, says lawyer Marcelo Belgrano, coordinator of the Foreign and Asylum Services of the Madrid Law Society.

Refugees, being victims of persecution by race, religion, nationality, political ideas, or belonging to a certain social group, are protected by International Protection, a figure that encompasses asylum and subsidiary protection (granted to those who do not reach the requirements to obtain asylum but are in danger in their countries of origin). But the answer to the question that determines their treatment through the different legal channels -if a person is a refugee or an immigrant- is what must be called into question.

“There are paperless asylum seekers who are refugees and there are asylum seekers with valid travel documents that are definitely not. There are people who know how to articulate a false story and people who do not know how to do so with a true story, or who cannot tell it because it is too painful and intimate. And there is a gray area: people who leave a country where there is no doubt that there are cases of persecution and discrimination and where the economy is also disastrous. Are people from these countries leaving because they are refugees or for economic reasons... or do both groups merge into one, in many cases impossible to distinguish? And what happens to people who leave their country because they are refugees and then continue their voyage for economic reasons (the so-called “secondary travelers”)? Whether their continued transit is justified or not may not depend on the links between their country of origin and the country where they file their asylum request. Migratory flows are nothing new; there have been migrations of refugees and non-refugees since the dawn of humankind, and if we trace the origins of our ancestors to a distant past, we would all discover that we came from somewhere else”.<sup>2</sup>

Probably, the combined problem of immigration and asylum is discussed (and confused) today much more than ever: perhaps because the number of people on the move has increased, perhaps because the planet -or some countries- feels overpopulated, perhaps for another set of reasons, both real and imaginary. As the 21<sup>st</sup> century advances, it may become even more complicated, with more people being forced by different factors (war, economy, climate change) to cut their roots and move to another place. It is believed that around 200 million people already live outside their homeland.

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<sup>2</sup> Refugee Magazine 136 Refugee or immigrant? There’s a difference. UNHCR - UN Agency for Refugees.

THEORETICAL FRAMEWORK:

The situation of foreigners in Spain is regulated by a framework of Spanish standards and international agreements. The basic regulations on foreign policies and immigration are, as we already stated in Organic Law 14/2003 of November 20<sup>th</sup>, Reform of Organic Law 4/2000 of January 11<sup>th</sup> on Rights and Freedoms of Foreigners in Spain and its Integration Social (amended by Organic Law 2/2009 of December 11<sup>th</sup>), colloquially known as the Foreign Law. The rules and procedures contained in said Law are developed in its Regulations: Royal Decree 2393/2004 of December 30<sup>th</sup> by which the Regulation of Organic Law 4/2000 of January 11<sup>th</sup> on Rights and Freedoms of Foreigners and their Social Integration in Spain is approved.

In addition to these basic rules, immigration has gradually become a cross-cutting subject that is regulated specifically in almost all areas of law, for example:

- Law 7/1985 of April 2<sup>nd</sup> Regulating the Local Regime Bases; which includes specific provisions regarding the registration of foreign citizens.
- Law 30/1992 of November 25<sup>th</sup> on the Legal Regime of Public Administrations and the Common Administrative Procedure.
- Royal Decree 86/1987 of January 17<sup>th</sup> on conditions for the approval of foreign degrees of higher education.
- Civil Code, regarding nationality and divorce.
- Criminal Code, which typifies some crimes of which only foreigners may be victims and includes specific penalties for foreigners convicted of crimes (such as the replacement of the prison sentence for the expulsion from Spanish territory).
- Administrative law, in whose scope specific provisions are established for the presentation of applications for residence and work authorizations, or other types of extra-community applications. E.g. Order Ministry of Labor and Social Affairs / 3698/2006 of November 22, which regulates the registration of foreign non-community workers in Public Employment Services and Placement Agencies.
- Community law, which gradually regulates matters related to the entry and permanence in the U.E. of non-community citizens. We highlight in particular some directives given their importance and impact on achieving greater rights for non-EU immigrants:
  - Directive 200/43, concerning the principle of equal treatment of persons regardless of racial or ethnic origin.
  - Directive 2003/86 on the right to family reunification.
  - Directive 2003/109 on the status of third-country nationals who are long-term residents.



- International agreements signed by our country, either double nationality agreements, Social Security agreements, Hague agreement for document legalization, migration flow regulation agreements, etc.

We will talk in following teaching units of this course of those areas related to the social inclusion of migrants in matters of education, health, housing, work, etc. In this section we will focus on including the general and basic aspects that serve as an orientation tool for immigrants and/or asylum seekers, without replacing the professional support of the social entities that do these reception tasks and advice non-EU foreign population, which we recommend to contact in order to have specialized and personalized attention as well as the corresponding legal services. Throughout these pages we will make references to associations and entities from which you can receive guidance, legal advice, and other services aimed at migrants and refugees.

Based on the GUIDE FOR IMMIGRANTS developed by the DESC Observatory together with the City Council of Barcelona, and also in reference to the BASIC GUIDE FOR MIGRANT PERSONS carried out by the Movement for Peace along with the Generalitat Valenciana, along these pages we will talk about entry and permanence in Spain, addressing different questions:

## 1. WHICH PROCEDURES DO YOU HAVE TO DO TO ENTER SPAIN? THE VISA

Entry into Spanish territory: the visa.

Entry into Spain must be made through one of its border points, where it is necessary to show:

A valid passport.

Documents that explain why you enter Spain (tourism, to visit a relative, to work, etc.), the conditions of the stay (round trip ticket, an invitation letter, hotel reservation, etc.), and how much Money you have for your stay in the country.

A visa to be requested at the Embassy or Consulates of Spain in the country of origin, before traveling to Spain.

There are 3 types of visas:

- **Transit visa:** for airport or territorial (allows the passage through Spanish territory to go to another destination, once, twice or exceptionally more times).



- **Stay visa:**

Travel or short-stay visa (from 1 to 3 months): it is the so-called "tourist visa". Not all foreigners must request it. In cases where the foreigner does not need a visa, the period of stay allowed is 3 months, which can be extended up to 3 more months by requesting a visa extension in the Government Subdelegation of the province, as long as the person can show that they have enough money to remain in Spain for 3 more months without working.

In any case, even people not required to have a tourist visa can be subject to border control by the Spanish police on the reasons for entering the country.

Stay visa for seasonal activities.

Study visa: it is necessary to have previously signed up to carry out study, training, or research activities, and demonstrate that you have enough money to study without the need to work. Once in Spain, you must go to the Government Subdelegation of the province to request the *student card*. At this time, the requirements by which the student visa was granted (registration in studies, financial means, etc.) must be accredited again.

*Can foreigners with study visa work?*

*Yes, asking for a special authorization in the Government Subdelegation, and, as long as the work leaves some time to study (part-time jobs, maximum 20 hours per week, unless it is during the holidays).*

- **Residence visa:**

Residence work visa: employed or self-employed. In these cases, your residence, meaning the possibility of staying in the country in a legal situation, is justified by your job, either on your own (self-employed) or on behalf of others (through a job offer). Therefore, once in Spain, foreigners who arrive with a residence visa to work are given a residence permit and a work permit. The requirements for obtaining these two types of visa are those provided for work permits on their own account and on behalf of others.

Visa for activities for which no work permit is needed: specific for university teachers, technicians, researchers, civil or military officials, journalists, artists, etc.

Non-profit residence visa: allows entry and residence to foreigners who have the money needed to live in Spain without the need to work (retirees, pensioners, rentiers in general, etc.).

Family reunification visa.



Asylum or refuge visa: it can be requested at the Consulate or Embassy of Spain in the country of origin, but it is most often requested once in Spain (or at border posts).

Once you have a residence visa and enter Spain, you must quickly go to the Government Subdelegation of the province to turn the residence visa into a *residence permit*. In the case of the residence work visa, it is a single document with both the residence and work permit.

The crucial moment is to apply for a visa in your home country, since, once granted, the application to turn the residence visa into a residence permit should be a process without difficulties. In some cases (such as family reunification or study stay) when the corresponding permit is requested in Spain, it will be necessary to resubmit the documentation that was presented at the Consulate or Embassy at the time of application.

## 2. LIVING IN SPAIN? STAY, RESIDENCE, WORK, AND RENEWAL OF PERMITS

Once in Spanish territory, depending on the visa obtained, you will be either in situation of stay or in situation of residence.

**Stay**: given by stay visas. It refers to the permanence in Spain of foreigners who plan to return to their country of origin. It is important to know that the time spent in Spain in a situation of stay (although it can last for years in some cases) is not considered when applying to the permanent residence permit, which is the one granted after five years “with papers” (residence permit).

**Residence**: given by residence visas (see above), when submitted to the Government Subdelegation and turned into residence permits. Generally, these are the cases in which the person plans to remain in Spain for rather long periods.

We will go into the development on the different residence permits and work permits in teaching units 9 and 11 of this course.

**Renewal of permits**: work and/or residence permits and the student card can be renewed, if the person is in the same situation as when the permit was granted.

In the case of the residence and work permit, they may be renewed even if your job changes, provided that the Social Security has been quoted in the months prior to the renewal.



Renewal must be done 1 month before the end of the previous permit (if more time passes, up to 3 months, a fine will be paid). If more than 3 months have passed, renewal will not be possible and the immigrant will be "without papers".

The residence permit must be renewed twice before reaching the status of permanent residence (after five years of continued residence).

You must meet some basic requirements and conditions to be able to renew. The most common process consists of 4 stages:

- Initial authorization: 1 year.
- 1st Renewal: 2 years.
- 2nd Renewal: 2 years.
- Long term or "permanent": 5 years.

Basic requirements for renewal:

- Not having the status of EU citizen, the European Economic Area, or Switzerland.
- Not having a criminal record in Spain.
- Not being prohibited from entering Spain, and not being listed as rejectable in the Schengen area (European zone).
- Showing the schooling of your children.
- Payment of taxes.

Basic conditions for renewal:

- Continuing with the work which got you the authorization that you are going to renew.
- Having worked at least 6 months per year and having a new contract at the time of requesting the renewal application.
- Having worked at least 6 months per year and having a new contract that guarantees your work activity during the same period of time as the duration of the new authorization.
- Having worked at least 3 months per year and that:
  1. The loss of the job was due to causes beyond the control of the worker.
  2. New job has been actively sought by registering with the Public Employment Service.
  3. Having a new contract in force.
- Having an unemployment benefit granted.



- Having a public welfare benefit to achieve social or labor insertion.
- Having lost employment due to gender violence.
- Have been working and registered in Social Security for a minimum of 9 months in 1 year and:
  1. The loss of the job was due to causes beyond the control of the worker.
  2. New job has been actively sought by registering with the Public Employment Service.
- Have been working and registered in Social Security for a minimum of 18 months in two years and that:
  1. The loss of the job was due to causes beyond the control of the worker.
  2. New job has been actively sought by registering with the Public Employment Service.
- For the official couple to meet the sufficient economic requirements to regroup.

### 3. WHAT HAPPENS IF YOU ARE IN SPAIN "WITHOUT PAPERS"?

The most common reasons to be "without papers" are:

1. Having entered Spain irregularly.
2. Having entered legally but not having obtained an extension of stay (you came as a tourist for three months and stayed).
3. Having a Residence Permit but not being able to renew it.
4. You are working in Spain without authorization.

Any person in Spain "without papers" has some ways to get *regularization*:

#### By returning to the country of origin

You can apply for a residence permit in Spain -with or without work-, but the person must request (in person or through a representative) the corresponding visa at the Spanish Embassy or consulate of their country before 3 months from the application for the residence permit.

If requested by a representative, they can remain in Spain until they know whether or not they have been granted the visa. If granted, then they must travel to the country of origin to collect it, so you can enter and live in Spain in a legal situation.



Currently, the possibility of applying for a visa through a representative is not always accepted. It is important to know that when you need a residence visa for employment, the foreigner must travel to their country to apply for the visa personally.

In that case, you must remain in the country until it is decided whether or not the visa is granted.

Without having to return to the country of origin

**Visa exemption:** there are exceptional occasions in which a visa exemption can be requested, so the person does not have to travel to his country or request or collect the visa. The most important cases are: *humanitarian reasons* (war, natural catastrophe, illness, etc.), husband/wife of foreigners “with papers” if they have lived in Spain for at least 1 year, and parents of foreigners “with papers” when they depend economically on them.

**“Arraigo” (rooting) residence permit:** it can be obtained after 3 continuous years of permanence in Spain “without papers” if you have a job offer and you have direct Spanish or foreign relatives with papers. The family relationship that is currently demanded is the same in the cases in which family reunification is allowed.

**Residence permit after 3 continuous years of permanence in Spain “without papers”,** as long as there is a job offer.

**Residence permit after having lived in Spain for 2 years without permission but having had a residence permit in previous years.**

**Residence permit for humanitarian reasons or special circumstances** such as having been a victim of illegal traffic and being willing to collaborate with the law.

In order to prove the time lived in Spain, it is very important to keep all kinds of documents that can prove it (letters, invoices, official applications, fines, course certificates, etc.). Without a doubt, one of the best proofs is the registration in the town/city where you live.

#### 4. ASYLUM APPLICATION. WHO CAN APPLY FOR ASYLUM?

As we stated in the first section of this teaching unit, the right of asylum is regulated by International Law and is an obligation of the Member States. It is included as a fundamental human right in article 14 of the Universal Declaration of Human Rights and developed in the Geneva Convention of 1951 and its protocol (New York Protocol of 1967). Spain recognizes it in its Constitution and regulates it through its Asylum Law, and is included in EU’s Charter of

Fundamental Rights of 2007. Therefore, it is not a humanitarian issue (although it has a humanitarian dimension) but a human right.

Thus, every person has the right to seek protection outside their country of origin or usual residence, and enjoy it in case of fleeing from a conflict that puts their lives in danger and/or having well-founded fears of being persecuted for reasons of race, religion, nationality, political opinion, or being part of a social group. Gender-based persecution, including that by sexual preference and gender identity, is included in the causes of persecution recognized by this right.

It is an international human right included in the Universal Declaration of Human Rights, in the Geneva Convention, and the Spanish Constitution among others. It consists of the protection offered by a State to certain persons whose basic rights are threatened by acts of persecution or violence.

The Geneva International Convention establishes who is a refugee and decides who is guaranteed asylum. It was approved in 1951 in order to protect European refugees after World War II. Spain and more than 140 countries have signed it and are bound to comply.

The principle of non-return bans States by international law to expel or return a person to the territory or country where their life or freedom is threatened or where they may suffer torture, inhuman treatment, or violation of their basic human rights

When a State recognizes the asylum request, it protects the foreigner by welcoming them in its territory. The request can be made by the person on their own, or through another person. The interested party has the right to be informed about the procedure and the organizations that can help for free, to have a lawyer and an interpreter, and to be supported by social services.

#### **Where is the application submitted?**

- In the Office of Asylum and Refuge (OAR) applicants are informed of the procedures to be followed and offered the assistance of the existing social services.
- On land, air, and sea borders.
- In the Foreigners Office.
- In the Provincial Foreign and Documentation Brigade of the
- National Police.
- In Spain's Embassies and Consulates in any foreign country.

**If you are an asylum seeker, a refugee, a stateless person, are authorized to remain in Spain for international protection, or are an immigrant in a situation of social vulnerability, you can find the different services to help you in CEAR (Spanish Refugee Support Commission):**



- Information and guidance on your administrative situation or how to apply for asylum in Spain.
- Based on your needs, the inclusion team will provide you with the right help and design with you an itinerary to promote your personal autonomy and full social integration.
- If you need to find a job, we guide you on how to look for a job and we provide you with job offers according to your profile.
- If you are fleeing your country and seek asylum in Spain, our legal team will give you legal advice about the steps to follow to get the legal recognition of your rights.
- Access to a reception center is done through the General Directorate and other services.

## 5. DOCUMENTATION, DETENTION, POLICE, AND EXPULSIONS:

### Documentation

It is necessary to always carry the following documentation:

- Passport
- Visa, residence card, or application for renewal of the residence permit or visa, etc.

It is mandatory to show your documentation if required by an agent of the law. If you are not able to do so, the officer can take you to the police station to verify your identity and situation in Spain.

If you do not have documentation because your country cannot or does not want to issue it, and as long as your entry to Spain is not prohibited and you are in a regular situation, you must get a document called *registration card (cédula de inscripción)*.

Only in exceptional circumstances, which must be justified, can a person's documentation be taken from them, such as if they have an expulsion order against them.

Finally remember that police can only enter or register a house, phone calls, letters, etc., with permission, if they have a judicial authorization, or if they see that a crime is being committed.

### Detention and police:

#### **Why can the police detain me?**

Because the Spanish Immigration Law says that being in Spain without a work and residence permit (that is, without papers) is a serious infraction. If the police stops you on the street, it will usually be

for this reason. They will take you to the police station and they will initiate an expulsion file, which we explain in this document.

The sanctions for these cases are administrative, not criminal, such as:

- A fine, or
- The expulsion from Spanish territory.

The immigration law specifies the infractions for which you can be legally expelled. Common reasons for expulsion are:

- Not having a residence permit or having it expired more than 3 months without having requested renewal.
- Working without work authorization and also without residence authorization.
- Intentionally and seriously concealing changes that impact nationality, marital status, or home status, as well as incurring falsehood in the declaration of mandatory data to sign up in the town/city register.
- Failure to comply with the judicial measures imposed by public security reasons: timely attendance to a court or police station, distance to borders or singularly defined population centers.
- Participating in activities against public order considered as serious or very serious in Organic Law 1/1992 of February 21<sup>st</sup> on the Protection of Public Safety.
- Inducing clandestine immigration.
- Hiring other foreigners in an irregular administrative situation.
- Profiting by falsely registering at home.
- Simulating a false job.

Everyone arrested by the police has the right to:

- Be informed why they are detained and what her rights are (not confessing guilt, keep silence, and others).
- Tell a person (relative or not) of the detention and the place.
- Be assisted by a lawyer (public defendant, for free if you do not have financial resources).
- A free interpreter if you do not understand Spanish or Catalan.
- Not testify if your lawyer is not present. A statement without a lawyer cannot be used by the police. In any case, you can only be asked to testify before a judge.
- A medical examination. In case of having received ill treatment, a medical examination is very important when reporting them. The complaint must be made in the Duty Court.

The maximum detention time at the police station is 72 hours, and after this, there are two possibilities:

- To be released, or
- That the Police requests your admission in a Foreigner Detention Center (CIE). To make the decision on detention, a judge will take into account the situation of the foreigner (if they have a home, relatives in Spain, etc.). No judge is bound to authorize the detention, because this is an *extraordinary measure* after other measures such as the obligation to periodically reporting to the police, or the withdrawal of your passport. The judge will decide how long this detention lasts, never exceeding a period of 60 days.

After your stay, the police will study your case and decide whether to fine you or to expel you.

#### **What should my lawyer or public defendant know?**

To properly defend you, your lawyer must submit to the police a letter explaining your particular case within 48 hours of your arrest.

IT IS VERY IMPORTANT that you tell the lawyer:

- If you have tried to request political asylum or if you have any fear of returning to your country and for what reasons.
- How long you've been in Spain and how you got in.
- Where you live and how you pay for it.
- If you have family in Spain with legal residence, and/or schooled children.
- If you have a job.
- If you have taken courses in Spain.
- If you belong to any association.
- If you are sick and receiving medical treatment.
- If you are pregnant.
- If you already have a previous expulsion order.

**Remember that the deadline for the lawyer to present allegations is very short, only 48 hours (two days) from your detention at the Police Station, so you must send him/her all the documentation that proves what you have told as soon as possible, and provide an address and/or a telephone to locate you.**

*It is best that you always have this documentation ready so that if you are arrested you can quickly deliver it to the lawyer.*





Remember your lawyer's name and phone number to send documentation and keep in touch with him/her.

#### **If I don't have papers, will I be expelled?**

Not always, the penalty can be just a fine; expulsion is reserved for the most serious cases. This is why it is very important, if the police arrests you, to explain well your circumstances to the lawyer and give him/her all the documentation that can help him/her defend your case.

If the police decides to expel you, even if you stay in Spain, you will also be banned from entering Spain or another EU country for a period from 3 to 10 years, which will make it very difficult for you to regularize your situation in the future.

#### **How long is the sanctioning procedure?**

The maximum period for the police to communicate their decision is six months since they arrested you and took you to the police station. There may be two situations:

1. No sanction is issued: If you have not been notified in writing of the sanction (fine or expulsion) after six months from the moment of detention, it can no longer be done, so *contact your lawyer to request the expiration of the file*. The lawyer will give you a letter stating that the file has expired, which you must keep as evidence. But if you remain in an irregular situation, the Police can arrest you again and start new disciplinary proceedings.
1. Penalty of fine or expulsion is issued. You should contact your lawyer.

#### **Can I appeal the expulsion order?**

Yes. You can appeal by submitting:

- A "revocation appeal" (*recurso de reposición*) to the Police itself within one month.
- Going directly to the Judge and filing a contentious-administrative appeal within 2 months of being notified of the expulsion.

Your lawyer will advise you and can submit the appeal for you for free, if you don't have the financial means to pay one.



**What does the expulsion order imply?**

It allows the Police to arrest you and expel you to your country immediately. It also has an added entry ban both to Spain and to most EU countries for a period of time between 3 and 10 years. Until this ban period expires, you cannot regularize your situation by applying for a residence permit.

**Do you get a residence permit when you pay the fine for being arrested in an irregular situation?**

No, when you pay the fine, you are still in an irregular situation, it just means that the expulsion file the police had opened for you is closed and you can request regularization when you meet the requirements to do so, which is why it is very advisable to pay the fine. If you are arrested again for being in an irregular situation in Spain, an expulsion file for you will be re-initiated.

**Can you carry out a procedure to regulate yourself if you have an expulsion order?**

No. you cannot become regulated with a valid expulsion order, you will have to first request the cancellation of the order, which will be granted discretionally depending on each Foreigners Office.

**6. ADDITIONAL RESOURCES - BASIC LEGISLATION NOTIONS**

- ITALY: THE MOST DANGEROUS ROUTE TOWARDS EUROPE.
- FRANCE: THE CRACKS OF THE REFUGE IN EUROPE

*Both reports have been developed by the Advocacy Area of the Spanish Refugee Support Commission (CEAR) within the framework of the project "Observatory of the right to asylum, forced migration and borders", funded by Extremadura's Agency for International Cooperation and Development (AEXCID).*

- SPAIN: 2019 REPORT, REFUGEES IN SPAIN AND IN EUROPE.

*2019 Report of the Spanish Refugee Support Commission (CEAR).*

PRACTICAL GUIDE FOR LEGISLATION ON FOREIGN POLICIES:

<http://www.nadiesinfuturo.org/especiales/01-guia-practica-de-legislacion/>



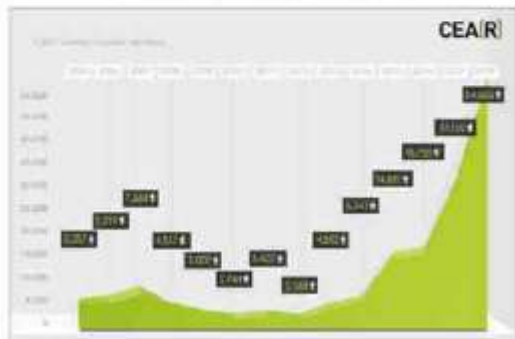
FIGURES OF ASYLUM IN SPAIN<sup>3</sup>



(SOLICITANTES DE ASILO POR SEXO)



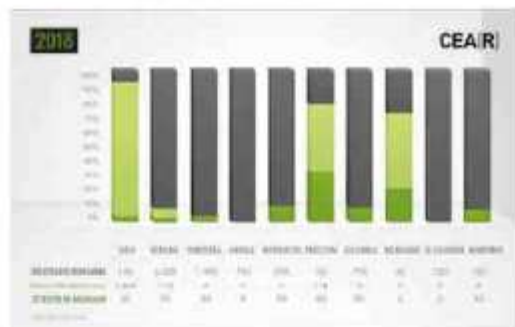
(EVOLUCIÓN DE LOS SOLICITANTES DE ASILO)



(EVOLUCIÓN DE LA CONCESIÓN DEL ESTATUTO DE REFUGIADO)



(RECONOCIMIENTO DE ASILO POR PAÍS)



(SOLICITUDES PENDIENTES DE RESOLUCIÓN POR NACIONALIDAD)



(SOLICITANTES DE ASILO POR NACIONALIDAD)



<sup>3</sup> Spanish Refugee Support Commission (2018): "More than figures: asylum dates in 2018".



VIRTUAL  
INCLUSIVE  
EDUCATION

# **DIDACTIC UNIT 4**

## **THE SOCIAL INCLUSION OF THE MIGRANT PERSON**

COURSE **FOR**  
**MIGRANTS**  
**& REFUGEES**

## INTRODUCTION

The European Union defines social inclusion as the *“process that ensures that those who are at risk of poverty and social exclusion have the necessary opportunities and resources to participate fully in economic, social, and cultural life, enjoying a level of life and well-being considered normal in the society in which they live”*. It emphasizes the right of people to *“have an associated life by being a member of a community”*.

The incorporation of integration into the political debate on immigration in the EU took place with the celebration of the Tampere European Council in 1999, and from that point onwards, the search for a communitarization of immigration policy has been sought.

In 1997, with the integration of the Schengen Agreement into EU’s legal framework through a protocol annexed to the Treaty of Amsterdam, the construction of the so-called Area of Freedom, Security, and Justice was created and led to the awareness of the need to develop common immigration and asylum policies that regulated the entry of third-country nationals into that Common Space. At that time the EU mainly devised this common policy from the perspective of flow control, although it also referred to the need for a common approach that guaranteed integration.

In this way, four basic pillars were established on which to work: 1. Collaboration with the countries of origin; 2. a common European asylum system; 3. a fair treatment of third-country nationals and 4. the management of migration flows. As can be seen in the third pillar, the ideas on which the integration of immigrants is established are equal rights and the absence of discrimination, both basic conditions to start talking about integration.

The conviction that without the integration of immigrants, the Union cannot be considered a place of freedom, security, and validity of human rights is common throughout the whole EU. However, it is also true that the conceptualization of the processes of the social integration of immigrants has usually been a complex issue on which there has been little consensus.

The incorporation of migrants into the host society is a process that goes through different stages, marked by the changing interests and needs of the new citizens. Indeed, the conditions surrounding the arrival of the immigrant evolve over time, resulting in changes in their legal, labor, and personal status, but also in their interest in being part of the new society. The migratory project culminates with the integration in the country of destination when the migrant is a participant in their social fabric, institutions, and resources.

Throughout this didactic unit, we will talk about the process of social insertion, the elements or measures to adopt that favor inclusion, and about the obstacles or difficulties to face.



4.1 HOW CAN SOCIAL ENTITIES HELP WITH YOUR INCLUSION? – LEVEL 1

CEAR (the Spanish Refugee Support Commission), ACCEM, CEPAIM, MPDL, Red Acoge, SOS Racism... are just some of the organizations that have been working for years for and with refugees and migrants. Some of the work of all these social entities is to provide support in the social inclusion of refugees, stateless persons, and migrants in vulnerable situations during all stages of their reception process.

These entities support persons in need of international protection, refugees, or migrants from their different areas of work and throughout the integration process, guiding them and providing personal and social tools so they become the leaders of their own process. They include from first attention of newcomers, language learning in the host country (in this case Spanish), the integration stage, mediation to access housing, psychological support, and employment training until labor insertion.

The actions carried out, for example from CEAR, allow, among other objectives, 100% of children to be signed up in school within a period of less than 10 days, that people receiving psychological treatment are around 75%, or that 70% have a health card.

Interdisciplinary teams of professionals work in the different lines of action to achieve full inclusion and describe that environment based on the relationship of all the actions that the sources of information provide; we have grouped them into categories:

- **Information and Orientation:** first attention; the person's needs are identified and the most appropriate response to the situation is planned. The situation of each individual is assessed to provide the most appropriate response to the needs detected.
- **Psychological support:** this is specialized in caring for people who have been victims of serious human rights violations and torture, guiding them in a process of identification, analysis, and recovery.
- **Social Intervention:** specialized attention in the intervention with the population requesting international protection and refugees through individualized attention, guidance, and social mediation to achieve the full autonomy of the person.
- **Family Reunification:** special attention is given to the orientation, guidance, and reception of new members of families in reunification process.
- **Training and employment:** the ultimate goal is the social and labor integration of the group within the inclusion process. The intervention is aimed at guaranteeing language learning while enhancing the employability and autonomy of these persons. At the same time, equality in the labor market, labor insertion, and social integration of the



care groups is promoted, as well as in some cases such as CEAR, raising awareness among employers and employment-oriented entities.

- **Housing/Accommodation:** actions aimed at providing immigrants the access to housing, and advice on issues related to subsidies for temporary shelters for people at risk or for temporary agricultural workers.
- **Women:** they are considered a group that requires special attention, even if their direct object is related to different areas. Thus we refer to programs whose purpose is labor reception, integration, training, or protection in cases of aggression or pimping.
- **Minors, youth, family:** they are also groups of special mention. We refer here to all school reinforcement programs, and actions aimed at unaccompanied minors or the labor integration of young migrants.

In all of these actions, the procedure of intervention with the beneficiaries is carried out through individual insertion itineraries. As an example, in the field of training and employment, its main lines are usually the following:

- Language learning.
- Guidance, advice and information for employment.
- Business prospecting and labor intermediation.
- Training for access and promotion in employment.
- Complaint and awareness actions against labor discrimination.
- Research and preparation of studies on the labor reality of refugees and immigrants in situations of social vulnerability.

Thanks to this work, and just by CEAR, more than 205000 refugees and migrants in a situation of special vulnerability have received guidance and job information since 2002. A campaign to raise awareness against discrimination in the workplace and for equal opportunities called *No + Discriminación* is also ongoing.



4.2 HOW CAN YOU START ACHIEVING SOCIAL INCLUSION AND CREATING FRIENDSHIP, SOLIDARITY, AND SUPPORT NETWORKS WITH YOUR NEW NEIGHBORS? – LEVEL 2

As we pointed out at the beginning, the conviction that without the integration of immigrants, the EU cannot be regarded as a place of freedom, security, and validity of human rights it is common to all its states. To deal with this successfully, and in the words of economist Klaus F. Zimmerman (1995), “immigration as a process of ecological transformation, there need to be a series of social and natural resources to rely on for help, solve problems, and establish the coexistence between different cultures. Social and cultural resources meet the individual and social needs of immigrants, while promoting and enhancing their ability to adapt to the environment, actively participate in it and live satisfactorily”.

These resources are also configured as a frame of reference in the evaluation of social reality, and guarantee the possibility of validating opinions about the social environment, our skills, and emotional reactions.

For an immigrant, being integrated into the new circle of life is an essential subjective success indicator, so the social support network is a cornerstone to reinterpret the new culture, establish new links, and acquire new skills. Having family ties, friends, and peers in the destination society can have as much explanatory value of the migration process as that which is attributable specifically to personal characteristics or individual actions.

We are thus calling these “social resources”, which in general terms are known as the social sphere (or production of social and interpersonal relationships), one of the three areas that together with that of the state and the economic sphere are analyzed to understand the phenomenon of social inclusion of migrants in a global way.

These three spheres constitute what we call the dynamics of social inclusion, and correspond largely to the possibilities of exercising active citizenship, a concept that we will develop in the following sections of this didactic unit.

From the relationship, social, family, and community networks point of view, inclusion also involves the construction of an identity and belonging to a community framework. These networks of people do not only fulfill a symbolic role (cultural or psychological) but also a material one, as networks of solidarity and social protection, and constitute a key element in explaining the mechanisms of containment against poverty and social exclusion.





In fact, one of the articles published by university teacher Jordi Garreta on the sociology of migration states that at least in Spain, associations would not arise as cores of loyalty and basis for group actions of ethnic communities, but vice versa: ethnic communities would constitute the cores for loyalty and dynamism from which associations would eventually feed if they are created. This shows how the links that greatly help immigrants with their difficulties are only rarely those that formally link them to such associations, but rather those informal networks of peers and friendship.

Thus, it is from the social and cultural resources that we mentioned at the beginning of this section that the immigrant can develop new social networks rooted in the host society, allowing and promoting the success of their life project in the new environment. As an example, some cultural resources like theater serve as support for the integration of immigrants, and fulfill a series of objectives, such as:

- Accepting cultural differences and using them as a sum of cultures.
- Fighting against the lack of equal rights of immigrants in their current situation.
- Reporting unfair institutional situations that worsen their living conditions.
- Prioritizing cooperation and coexistence among people.

#### 4.3 WHAT DIFFICULTIES FOR SOCIAL INCLUSION WILL YOU FIND IN YOUR NEW ENVIRONMENT? – LEVEL 1

Discrimination implies dispensing a differential treatment for reasons such as physical traits, religion, political opinions or nationality, ethnicity or sexual orientation, and gender identity. If we look at the range of circumstances that generate situations of discrimination that directly impact migrants and refugees, it is considerably wide.

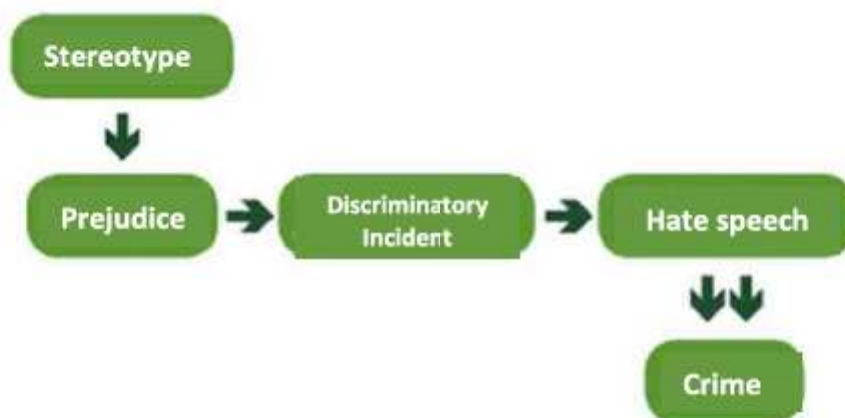
Discrimination on racial or ethnic grounds is any differential, exclusive or restrictive treatment based on ethnic-cultural origin (habits, customs, clothing, symbols, ways of life, sense of belonging, language, and beliefs) and/or in the physical characteristics of people (skin color, hair color, factions, etc.) that has the objective or nullifies or impairs the recognition, enjoyment, or exercise of the basic rights and freedoms of people in the political, economic, social, and cultural sphere.

“Racism” is a very complex term that has had different nuances and manifestations throughout history. If we talk about current times and the issue at hand, we can quote the French sociologist and political scientist Pierre-André Taguieff to draw the current trend:



*“current European racism has shifted race towards culture (replacing the argument of ‘racial purity’ by ‘genuine cultural identity’) and inequality towards difference (the open contempt towards those considered inferior is replaced by a phobia to mixture and an obsession for avoiding contact with those different). The differences between cultures are conceived as insurmountable obstacles to dialogue and coexistence”.*

Likened to the term “racism” as a factor of discrimination, we often find another term that should be defined to better understand the context: the so-called “hate crime”, which translates into the last consequence of a discriminatory incident, not only related to racial motives. Everything develops through a simple sequence that could be broken through education, awareness, and initiatives of cultural approach and mutual learning:



However, if we want to delve into the core of this section and analyze the main areas of discrimination, we must start from the fact that the majority of migrants, asylum seekers, and refugees are grouped into a “sub-citizen” position: they establish a residence in a country foreign to them, whose host society often has stereotypes and prejudices towards migration; they sometimes they lack rooting and support groups; and they must quickly access housing and work to not be expelled. This sometimes creates a situation of social vulnerability at the beginning of their new life, enhanced by the possible irregular administrative situation of each individual, or by the traumatic experience of persecution if they are applicants for international protection.

The UN Committee on Economic, Social and Cultural Rights (ESCR) already showed in 2012-15 its concern about the impact of the economic adjustments justified by the economic crisis in Spain on people in a situation of greater vulnerability by establishing that these austerity measures disproportionately harm the rights of disadvantaged people and groups such as

migrants and asylum seekers. In the case of asylum seekers, the delay in the resolution of the files impacts the enjoyment of ESCRs conditioned in some cases to a favorable resolution.

The process of inclusion of applicants for international protection in Spain is a real obstacle course. “Among the most complex, there is the importance of learning Spanish from teaching professionals specialized in working with this group, and the importance of the recognition of previously acquired training. Another is their insertion in the job market, directly linked to the deadlines and the final result of the instruction for the application for international protection. Alliances with companies that truly assume a social responsibility and show sensitivity towards the situation of these people are thus very useful to reach this objective” – CEAR 2019 YEARLY REPORT.

We describe below the main areas in which there is public or private discrimination to the migrant and refugee population, having as reference the *Report on discrimination of migrants and refugees in Spain* developed by CEAR’s Area of Incidence and Social Participation within the framework of the *Information and Awareness Program for the promotion of a society without discrimination*.

#### **Job discrimination:**

The report of the ESCR devotes a specific section to the impact on labor rights to highlight the context of economic and financial crisis that resulted in an increase in long-term unemployment rates, especially among young people, roma people, and migrants, aggravating their vulnerable situation.

The Group of Studies on Social Trends (GSST) also carried out a complete study in 2007 on the working conditions of migrant workers in Spain, which states that being a “foreigner” is a clear discrimination factor: “an important feature characterizing the conditions of migrant workers in Spain is that their work path show difficulties from the beginning. In fact, in addition to the lack of contracts and work permits, 32.3% of respondents said they had had difficulties finding a job due to their origin, especially persons from Africa. Likewise, those most discriminated seem to be under 30 (26.7%) and working in agriculture (42.9%) and transport (40.5%)”.

As we pointed out, and also the 2016 SOS Racism report, “In the workplace, this group is characterized by working in the ‘underground’ economy. The vast majority of immigrants in a regular administrative situation work with temporary contracts, and those who are in an irregular situation are forced to accept this exploitation and job insecurity to survive. As we know, the financial crisis has impacted a large part of the population, but as always, immigrants are worse off than natives. The crisis has been inclement with this group, whose expectations of social and labor integration have been cut abruptly”.



An especially relevant fact is that most cases related to this area of discrimination are related to a very specific sector, domestic employment, generally occupied by women.

We address this issue in greater depth in the section referring to gender-based discrimination, however, in the work environment, the IOM indicates in a study about the employment situation of migrant women in Spain that the social situation, gender, and ethnicity are factors that significantly impact inequality and social, domestic, and labor vulnerability. This study also emphasizes the wage gap generated between natives and other nationalities and between men and women for both groups: The average annual salary of women in 2015 was 19514.58€, while men's was 25675.17€. For migrant population, including population from the EU, that income was 15652€/year, with men's being 17325€/year and women's 13520€/year (Source: yearly salary structure survey, INE, 201519).

The access of applicants and beneficiaries of international protection to social rights and integration largely depends on their access to the labor market and the guarantees of decent working conditions.

#### **Discrimination in the access to housing:**

Generally, and particularly in Spain too, most migrant persons live on a rental home, a trend that is linked to the nature of the real estate market for the entire country. A Human Rights Watch report, without assessing the degree of compliance with this right in Spain and its specific effect on the migrant and refugee population, indicates that migrants represent one of the groups most impacted by the mortgage crisis. They are also overrepresented in the calculations of the Impacted by Mortgage Platform, which shows a third of all migrants impacted by foreclosures.

On the other hand, regarding residential areas with a prominent presence of migrants and refugees, specialists in this area have made visible with their research some factors that "condemn a specific urban space to degradation: not enough investment in urbanization and public facilities, accessibility difficulties, low building quality, abandonment, etc. The neighbors progressively leave the area due to the degradation caused by lack of public investment and poor planning, and are replaced by social groups with lower income levels, forced by their socioeconomic situation to reuse degraded housing, and therefore, of a lower access cost".

These authors also point out that the spatial segregation suffered by many migrants is a consequence of inadequate and obsolete urban planning; the question to be asked is how to face the challenge of social inclusion and intercultural coexistence in an urban environment with very different proportions of people from different nationalities.



The State Federation SOS Racism conducted in 2015 an interesting test named "Doors that close", which can be found on its website, focusing on access to rental housing. According to telephone testing data, 69.8% of people demanding housing from other nationalities were denied access to rental housing by real estate agents, compared to 30.2% of native people. Face-to-face testing also revealed that access to rental housing was denied to 86.7% of people of other nationalities (42.9% of sub-Saharan origin, 28.6% of the Maghreb and 14.3% of South American), with differences in their treatment and requirements.

Lastly, it is important to point out that asylum seekers and refugees find many obstacles in their access to housing when they leave centers and shelters, since they are required to show guarantees, payrolls, and livelihoods that they usually do not have.

#### Discrimination in education:

Spain failed OECD's (Organization for Economic Cooperation and Development) assessment in terms of equality in education, and one of its recommendations was to offer more tools to migrant students, so that school inclusion benefit the school as a whole (reception, liaison classrooms...).

It details that the foreign school population is not equally distributed among the different cities or within their districts in them, and as a consequence of their socioeconomic status and their different geographical presence, this generates discrimination and school segregation. The clearest imbalance is in the choice between public schools or concerted-private ones, in which public schools chosen more often, making intercultural coexistence and mutual learning difficult. We show provisional data from the Ministry of Education, Culture, and Sports for the 2015-2016 school year (these are not divided by gender, as the source does not specify it).

	Pre-school		Elementary s.		Secondary s.		High school	
	Public	Private	Public	Private	Public	Private	Public	Private
Native students	1029458	629114	1771228	900311	1096189	602480	490118	158016
Students of other nationalities	120821	27197	208924	44181	130335	39580	38982	7108
	11.74%	4.32%	11.8%	4.9%	11.89%	6.6%	8%	4.5%

Source: data from MAEC for the school year 2015-2016.

#### Medical exclusion:

The Committee on the Elimination of Racial Discrimination, in its Observations and Recommendations to Spain from May 2016, warned quite clearly: "We are concerned that

*Decree Law 16/2012 has restricted access to universal health care of irregular migrants. The Committee notes that this regressive measure has a negative impact on the right to health of the persons concerned (...) the Committee recommends that the State party reinstate universal access to health care, in order to guarantee the right to health without discrimination”.*

On its part, the Network for Denunciation and Resistance to the Royal Decree-Law (RDL) 16/2012 (REDER) brings together 38 organizations under the motto “Yes to Universal Health”, has collected in four months a total of 338 cases of violation of the right to Health, an exclusion that especially discriminates migrants in an irregular administrative situation. Since the start of this platform more than 2500 cases have been collected.

After this “health apartheid” law -as the platform called it- the Socialist Party government affirmed in its preamble through [Royal Decree-Law 7/2018](#) of July 27<sup>th</sup> on “universal access to the National Health System” that “the primary right of every person” in terms of access to the health system, as recognized in the supranational and European regulations, and on which “there is no introduction of any discriminatory element”. However, as highlighted by “Yes to Universal Health”, the development of the law “has significant defects that place it far from reaching the intended universality in the access to the National Health System”.

Faced with the statements of the Ministry of Health, in which they affirm that “there is no less right-restrictive regulatory alternative”, this group recalls that the original wording of article 12 of LOEX 4/2000 –before its modification by RDL 16/2012— acknowledged the right of “all Spaniards and foreigners in national territory”.

During the drafting of this material, we witnessed the agreement of the three right-wing and far-right parties in Madrid (“Partido Popular”, “Ciudadanos” and “VOX”) that intends to eliminate the universality of health rights, excluding irregular immigrants. These measures involve a series of setbacks in human rights, and the motivations for limiting health care to migrants are purely xenophobic since they do not follow any logic.

#### **Gender as a reason of discrimination:**

Gender discrimination does not only reach women, but also men who suffer persecution for defending women’s rights, for their sexual orientation, or their gender identity. Host societies often judge other cultures as more sexist, and even perceive women who arrive as passive subjects to the sexism of their partners; many people also believe that these women were not able to study in their countries of origin, and that is why they do non-qualified jobs, generating an additional obstacle for unemployed Spanish women. The reality behind these prejudices is far behind this reasoning, and the cultural gender clash for many migrant women usually happens upon arrival, breaking the stereotype of egalitarian society.



Migrant and refugee women suffer discrimination in host societies for multiple reasons: the gender component is in many occasions added to the nationality and racial or ethnic ones, which generates a series of factors for social exclusion (wage gap, difficulties to access housing for single women, etc.) that we cannot ignore. More than 27% of them have high school level studies in their country of origin, and 28% have college studies, but many are forced into an involution in their careers, and end up in jobs that require little or no qualification.

Regarding asylum seeker and refugee women: the European Parliament recently called on the EU –on the International Women’s Day– for the specific protection of asylum seekers given the violence that they receive in their migratory path: harassment and sexual violence (against women and children too) lead to a high exposure to unwanted diseases and pregnancies. The lack of secure access roads to European borders helps the situation. On the other hand, the Commissioner for Human Rights of the Council of Europe has called for a gender vision for asylum management.

#### **Other areas:**

As we have pointed out throughout the section, one of the main obstacles that prevent the process of inclusion of migrants and refugees and their equal access to human rights in the host societies nowadays are the deeply rooted feelings and discriminatory practices in various fields against them. These feelings and practices are often reinforced by the media and political speech, laws, practices, and policies that promote their rejection, leading to racist and xenophobic attitudes that threaten coexistence, integration, and social cohesion.

In order to promote the integration of migrants and refugees into the hosting society and provide them with greater opportunities for their development, it is essential to take measures to eliminate the negative perceptions of the native communities, both in the public sphere (institutional racism) and in the host society itself.

#### **4.4 HOW CAN YOU HELP IN THE SOCIAL CONSTRUCTION OF YOUR WELCOMING ENVIRONMENT? – LEVEL 2**

Population movements are usually associated with refugee flows or labor migration, although it is increasingly difficult to distinguish between them. If, in the first case, immediate protection is considered first, and workers in the second case, in both of them the condition of full citizenship of said persons tends to be avoided. Hence, in the study and debate on



immigration, the issue of political participation is often absent or not considered a priority. As De Lucas<sup>1</sup> said a few years ago, this is “a deliberate omission that consists in ignoring/hiding the radical legal-political dimension, thus, the political one.”

Despite this, there has been a growing interest in recent years in the political participation of immigrants, both formal and conventional (through active and passive suffrage) and other types (through migrant associations, unions, churches, etc.). In the European context this is due to factors such as finding that immigrants are coming to stay or due to the need to generate more cohesive and democratic societies. Although the recent economic crisis has once again placed emphasis on other areas of integration considered to be priority (such as participation in the labor market), recent terrorist attacks and refugee issues have once again turned the highlight to the issue of the full incorporation of populations of migrant origin. In Spain, with a registered foreign population of 5 million and approximately 2 million residents with Spanish nationality born abroad (Inhabitant Registry of January 1<sup>st</sup> 2019, National Statistics Institute, INE), debates on political participation of immigrants have appeared later and shyly.

Undoubtedly, this is largely due to the fact that large-scale immigration in our country is a relatively recent phenomenon. Even so, some studies have analyzed and helped to make such participation visible, while immigrants have mobilized and organized to demand rights and exercise political citizenship at different levels (Escrivá et al., 2009; Forum for the Social Integration of the Immigrants, 2011; Moya and Viñas, 2012). This has contributed to a greater social and political debate on integration and citizenship.

This section will try to analyze the levels and types of political participation of migrants according to the available data and the studies carried out in a synthesized way, taking as a base reference the study published in the CIDOB IMMIGRATION YEARBOOK 2015-2016 p.296-317. ISSN: 2462-6732–E-ISSN: 2462-6740 – [www.cidob.org](http://www.cidob.org): “THE POLITICAL PARTICIPATION OF IMMIGRANTS IN SPAIN: ELECTIONS, REPRESENTATION, AND OTHER SPACES” conducted by Anastasia Bermúdez (*Ramón y Cajal* Researcher, Department of Social Anthropology, University of Seville) and Ángeles Escrivá (Professor of Sociology, University of Huelva).

We will focus on passive and active suffrage, and in the role of immigrant associations and other participation spaces. But first, the study and debate on the political participation of migrants requires some preliminary considerations. This is a question of understanding what political participation is, or why it is a tool for the social construction of the host environment.

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<sup>1</sup> De Lucas, Javier. «Integración política, participación y ciudadanía: un balance». Entelequia. Revista Interdisciplinar, vol. 4 (junio 2007), p. 271-282.



With this concept in general we refer to the actions carried out by individuals or groups to influence the formation and decision-making of governments, as well as the distribution of public goods (Delfino and Zubieta, 2010). Although the rankings are innumerable, from a broad perspective political participation includes activities related to electoral processes (voting, affiliation, or supporting political parties) and linked to other organizations or institutions (unions, migrant associations, other civil society organizations) and support or denunciation actions (including those illegal or violent). Some authors consider the former as “formal” or “conventional” and the latter as “informal” or “unconventional”, sometimes also “civic”.

With the intention of carrying out a state of the matter, based on comparative studies such as the MIPEX (Migrant Integration Policy Index) one, which analyzes integration policies for migrants in Europe and other countries, we can observe how the political participation of immigrants continues to be one of the weakest areas in the integration processes. Within this general context, Spain appears in an intermediate place in the ranking of 38 countries. The latest MIPEX report underlines as positive that, in Spain, foreigners enjoy the same rights of association, assembly, and demonstration as the rest of the population, as well as participation in political parties, associations, and other instances. However, it warns that a large part of the foreign population does not have the right to vote, and that immigrants lack representation, as well as failures in the policies for implementing participation rights.

As for current regulations, immigrants in Spain have access to various types of political participation depending on their legal-administrative situation. Those who have the Spanish nationality have the exact same political rights as Spaniards by birth. In terms of formal political participation, EU nationals can vote in municipal and European elections, and can be elected. To participate in local elections, citizens must have previously expressed their willingness to do so through a form they must submit in their town, through which they are registered in the CERE (Census of Foreigners Living in Spain). Lastly, since 2011, foreigners from other countries with whom Spain has signed special agreements can vote in local elections if they meet certain criteria: being registered and showing a minimum of five years of legal and uninterrupted residence in the country, and registering in the CERE before each electoral process in which they want to participate.

So far, agreements have been signed with several countries with which Spain has reciprocity agreements: Bolivia, Cape Verde, Chile, Colombia, Korea, Ecuador, Iceland, Norway, New Zealand, Paraguay, Peru and Trinidad and Tobago (INE, 1 of December 2014). Of these, only South Americans are a significant electorate, since the residents of the others are very few.

Apart from the demographic and normative context, it should be noted that immigrants in Spain, as political actors and not mere passive recipients of public policies, have played an increasingly important role, claiming greater rights and visibility. This willingness to participate



has been accompanied by a socio-political context that is not always favorable. At the European level, the political participation of immigrants is nowadays within a framework of growing political and social hostility, related to the economic crisis and security threats.

On the other hand, both experts and immigrant associations argue that the requirement of having to express the will to vote to register in the electoral roll, instead of being this automatic registration as for the Spanish population, is one of the main causes of the low participation of the foreign group in general. But these obstacles are even greater for non-EU immigrants with whom there is an agreement, because they have to renew that will periodically and for the stricter residency requirements applied to them.

But if the analysis of the vote is hindered by the limitations in statistics and data availability, the study of the incidence of passive suffrage among the migrant population is even more complicated, due to the almost total absence and lag in figures.

To begin with, when talking about passive suffrage, we know that it is more restricted than the active one, since among the foreign population only EU nationals can aspire to positions at the local level. Nationalized immigrants deserve a special mention, since they enjoy the same political rights as Spaniards from birth, and have increased their presence on electoral lists, albeit slowly and back-end or lower positions.

Although we would expect that, as time passes and the process of integration of the migrant population continues, their political representation would increase, this isn't necessarily so. Despite the lack of official data on the 2015 local elections, the information in the media suggests that the political representation of migrants in Spain is still very small, with some exceptions at the local level or in new progressive political organizations. Similarly, an ongoing study shows that the percentage of people of migrant origin represented in the Spanish Congress of Deputies remains insignificant.

However, there is a certain advance in the participation of migrants in conventional politics, without forgetting that this is still a pending issue in Spain and Europe. Beyond the number of voters and the formal representation of migrants, there is a wide spectrum of other spaces and forms of political influence that deserve to be considered, since they can offer greater opportunities to sectors excluded from traditional politics. These other forms of participation very briefly mentioned have served in some cases as a platform towards more formal politics, while in others they have developed outside.

In Spain, immigrant associations constitute the most studied and paradigmatic example of civic and political participation of immigrants, regardless of their legal-administrative situation. If the suffrage requires having a certain nationality or minimum conditions of residence, participation in associations is open to both undocumented immigrants –who see in it way to



join group complaints or a protection space– (Garreta Bochaca and LLevot Calvet , 2013) and settled immigrants, even with the Spanish nationality –who seek to maintain their own field of action with economic, political, and cultural objectives–.

It is important to mention, although we won't develop it, that various investigations revealed that the work of these associations and the immigrants who participate in them often have a transnational perspective, involving not only the host society, but also the place of origin of its members. From the perspective of the host society, the relevance of these associations has been recognized for their role as facilitators of information and resources to immigrants at the national and regional and local levels. But the current crisis has influenced these other participation scenarios in different ways: on the one hand, economic cutbacks have impacted funding sources, the subsistence of many associations that relied heavily on subsidies.

The socio-economic difficulties of many immigrants have also directed efforts towards issues like jobs and housing; the situation has impacted both leaders and members of organizations, some of whom have had to reposition or leave. Even so, some associations have managed to keep their work and their activism even at low levels: a representative of Aculco (Sociocultural Association and Cooperation for the Development of Colombia and Latin America) interviewed in Madrid in 2014 on the effects of the crisis in the Colombian community (Bermúdez, 2015) confirmed “a collapse in participation” due to the disappearance of organizations and lack of resources for those who continue to work. During another interview with members of AESCO (America, Spain, Solidarity and Cooperation), they voiced the “dismantling of the associative movement” and return of some leaders. Both associations complained that immigrants are currently not a key issue for politicians.

Even so, the current situation has been used by some migrants and associations to boost their public activity. In this second group are the social movements and platforms born in the heat of the crisis, and the newly created parties and groups that emerged in the 2015 elections. Associations such as AESCO, for example, contributed to promoting the organization of immigrants and Spanish people impacted by mortgages, leading some of these processes. There is also a continuation between the participation in more informal political experiences, such as “15M”, the “Mareas”, or “Plataforma de Afectados por la Hipoteca” (PAH), with the participation in circles, commissions, and citizen councils of new parties like “Podemos”. This phenomenon has special relevance in areas where a multicultural context and a greater concentration of immigrants favor participation, with cities such as Madrid and Barcelona receiving most of the attention, since they have had great success in creating local governments with prominence of the new formations. In other medium-sized cities such as Huelva or Murcia, some citizens, especially of South American origin, are becoming members of recently emerged municipal and regional citizen councils, although usually not as leaders.



To conclude, we can say that despite the limiting role of the legal-administrative context, the normative conditions that slowed the participation of the migrant population, and aspects such as socioeconomic factors and lack of information or knowledge about the Spanish political system, the interest in participating in the elections organized by the host society is very noticeable, at least among certain immigrant groups.

Therefore, it is foreseeable that by extending rights and removing barriers, higher levels of political participation will be achieved in the future, not just in terms of active suffrage in municipal elections, but also in other levels and forms of participation. This will be the true indication of a high degree of democracy, equity, and equality.

#### 4.5 INNOVATIVE EXPERIENCES FOR THE SOCIAL INCLUSION OF THE MIGRANT PERSON – LEVEL 3

The EU and its regions will face two key and interrelated challenges in the coming decades: the deep demographic change within their societies and the integration of immigrants and ethnic minorities. Although the integration of this population is a process that has been going on in different EU countries for several decades, we still do not know the best strategies and policies to achieve the full integration and inclusion of the group. Therefore, there is still a need for reflection and research on the issue, to shed light on possible management and implementation of effective inclusion policies.

In the published literature so far, leisure and participation in sociocultural activities are key innovative aspects in this integration process. In a comprehensive review of more than a hundred investigations, Professor Monica Stoldoska (2015) concludes that leisure and socio-cultural activities play a key role in the lives of ethnic groups and racial minorities. This offers a series of benefits, like facilitating intercultural and group contacts, learning and cultural exchange opportunities, strengthening ties with the community, preserving their culture, or the importance of physical activity for their physical, mental, and social well-being.

The essential role played by these two aspects in personal and social development within modern societies is indisputable. Different studies, platforms and forums state that leisure enables creativity, relax, and self-fulfilment, so it cannot be ignored regarding cultural and social policies. But leisure and socio-cultural action can also be understood as a key element when promoting inclusion and inclusive communities, as we have pointed out.



We consider inclusion as a result of leisure and educational free time (EFT), but also as a perspective from which it is proposed for these activities to be inclusive, meaning that they accept diversity and differences as values, and that they allow the participation of all people without discrimination of any kind. All people must be valued and have a voice, based on the abilities that everyone has. These are activities that encourage the active participation and communication of groups, which are in turn essential for new inclusive methodologies, and allow us to face the situations of high uncertainty resulting from any innovative experience.

One of these leisure initiatives are the aforementioned educational leisure groups, underlining the importance of their role as builders of educational, human, and social transformation spaces, since these provide people the values of coexistence, sociability, and active involvement in collective affairs through participation and critical reflection, also promoting solidarity, respect for the environment, personal and social initiatives, and the care and inclusion of other people.

However, we should have in mind that the organizers of leisure activities are very diverse, and in this regard we should add the activities promoted by public administrations, private companies, service entities, and sports clubs to the aforementioned free time movement.

Lastly, in order to offer a greater deepening on this subject and its context, we must name the 2017 European Erasmus Plus "InclusiON" project developed by six organizations from four countries (Italy, Portugal, Slovakia, and Spain), whose objective was the research, gathering, and exchange of good practices and methodologies in educational free time aimed at social inclusion projects, and the development of programs and actions to strengthen EFT as an innovative tool for social inclusion of migrant persons.

You can check it out in: <https://sites.google.com/view/inclusion2018>





VIRTUAL  
INCLUSIVE  
EDUCATION

# **DIDACTIC UNIT 5**

## **LANGUAGE COURSES**

COURSE **FOR**  
**MIGRANTS**  
**& REFUGEES**



VIRTUAL  
INCLUSIVE  
EDUCATION  
PLATFORM

**D.U. 5:**

**LEVEL 1**

**CATALAN COURSE**

COURSE **FOR**  
**MIGRANTS**  
**& REFUGEES**

This is the educative material edited by Virtual Inclusive Education platform carried out by REDTREE MAKING PROJECTS in collaboration with ASSOCIATION OF YOUNG MUSLIMS OF VALENCIA, EUROPEAN LANGUAGES EQUALITY NETWORK ASSOCIATION (ELEN), SMALLCODES, GRETA DU VELAY and GIOVANI MUSULMANI D'ITALATION INCLUSIVE within the project "VIRUCUAL INCLUSIVE FOR ADULT PEOPLE: VOLUNTEERS AND REFUGEES "co-funded by the ERASMUS PLUS PROGRAM of the EUROPEAN UNION.



Co-funded by the  
Erasmus+ Programme  
of the European Union

**This project has been funded with support from the European Commission.  
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# COURSE **FOR** **MIGRANTS** **& REFUGEES**

## **TEMA 5:** **CATALAN COURSE** **NIVEL 1**

Editado por Virtual Inclusive Education en  
Mayo de 2019

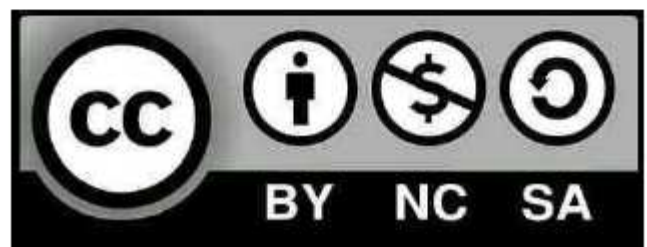
Coordinado por **Jordi Rizo**  
Diseñado por **Luis Gómez**  
Diseñado por **Adrián Monleón**

Dirección: C / Jesús y María, 26 - groundfloor  
46008 - Valencia (Spain)

Mail: [www.vivareducation.eu](http://www.vivareducation.eu)  
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Tel: 960150604

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Anem a comprar

Anem al metge

Avaluació

Activitats

Recursos i material adicional



## Aprentatge bàsic de català

### Curs refugiats

#### Introducció

Aquest curs de català està dirigit als aprenents que volen iniciar-se a la llengua catalana. L'objectiu del curs és ajudar a l'aprenent que s'hi apunti a comprendre i utilitzar expressions quotidianes i familiars, així com frases molt senzilles encaminades a satisfer les primeres necessitats. Pot presentar-se i presentar una tercera persona, i pot formular i respondre preguntes sobre detalls personals, com ara on viu, la gent que coneix i les coses que té. Pot contestar preguntes senzilles sobre temes familiars o sobre temes relacionats amb necessitats immediates. Pot interactuar d'una manera senzilla i reconèixer paraules familiars i expressions molt bàsiques sobre temes propis de la família i l'entorn social i immediat.

#### L'ALFABET:

#### LES VOCALS

<b>A a</b> A	<b>E e</b> E	<b>I i</b> I	<b>O o</b> O	<b>U u</b> U
-----------------	-----------------	-----------------	-----------------	-----------------

#### LES CONSONANTS:

<b>B b</b> BE	<b>C c</b> CE	<b>D d</b> DE	<b>F f</b> EFA	<b>G g</b> GE	<b>H h</b> HAC	<b>J j</b> JOTA
<b>K k</b> CA	<b>L l</b> ELA	<b>M m</b> EMA	<b>N n</b> ENA	<b>P p</b> PE	<b>Q q</b> CU	<b>R r</b> ERRA
<b>S s</b> ESSA	<b>T t</b> TE	<b>V v</b> VE BAIXA	<b>W w</b> VE DOBLE	<b>X x</b> ICS	<b>Y y</b> IGREGA	<b>Z z</b> ZETA

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## Unitat 1

### PRESENTEM-NOS

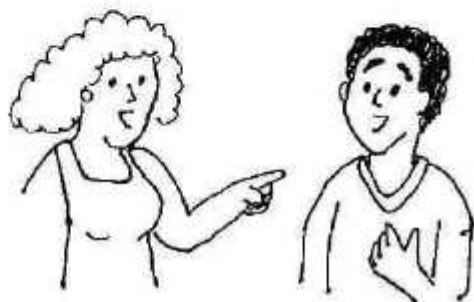
#### Objectius:

- Parlar de nosaltres, la família, presentar una persona coneguda, etc
- Presentar-nos, dir d'on venim, què ens agrada, on i amb qui vivim, on és la nostra família
- Fer servir **en** , **el** pel masculí. Exemple: ( En Joan), **El** Miquel i **La** per el femení. Exemple **La** Maria, **la** Marta
- Saber presentar-se i dir d'on és **algú** i conèixer expressions bàsiques en tota relació interpersonal: **Hola**, **adéu**, **gràcies**, **perdó**, **bon dia**, **bona nit**.



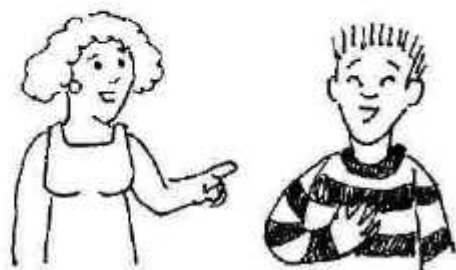
COM ET DIUS?

EM DIC MOHAMED



TU, D'ON ETS?

SOC DEL JAPO



TU; ON VIUS?

VISC A BARCELONA



HOLA; SOC LA MARTA

HOLA; SOC LA FATIMA



MOLT DE GUST;

MOLT DE GUST

COM ESTAS?

MOLT BE; GRACIES



**Els VERBS:**

**ESTAR**

**SER**

**VIURE DIR-SE**

<b>Jo</b>	Estic	Sóc	Visc	Em dic
<b>Tu</b>	Estàs	Ets	Vius	Et dius
<b>Ell</b>	Està	És	Viu	Es diu
<b>Ella</b>	Està	És	Viu	Es diu
<b>Nosaltres</b>	Estem	Som	Vivim	Ens dèiem
<b>Vosaltres</b>	esteu	Sou	Viviu	Us dèieu
<b>Els</b>	Estan	Són	Viuen	Es diuen
<b>Elles</b>	Estan	Són	Viuen	Es diuen

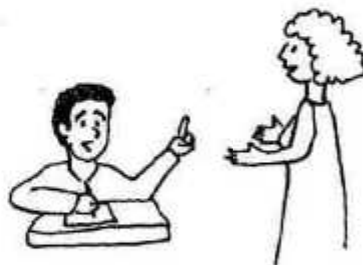
VERB TENIR	VERB SER
Jo tinc	Jo sóc
Tu tens	Tu ets
Ell té	Ell és
Ella té	Ella és
Nosaltres tenim	Nosaltres som
Vosaltres teniu	Vosaltres sou
Ells tenen	Ells són
Elles tenen	Elles són

Expressions freqüents:



QUÈ SIGNIFICA "SORTIDA"?

NO HO SÉ...



COM S'ESCRIU "JORDI"?

, JOTA, O, ERRA; DE; L

QUÈ SIGNIFICA ... ?





COM S'ESCRIU ... ?

NO HO SÉ

HO POTS REPETIR



Hola!



Adèu !

**Nom:** Macdavis

**Cognom:** Song

**Edat:** 29

**Nacionalitat:** Ghana

**Adreça:** Carrer Pallars, 39

**Telèfon:** 629 345710

**Aficions:** viatjar, llegir, cuinar

**En un Gimnàs**



**Dependent:** Bon dia



Co-funded by the  
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of the European Union

**Macdavis:** Bon dia, Em vull fer soci.

**Dependent:** D'acord, has de portar una fotografia.

**Macdavis:** Sí, aquí tens.

**Dependent:** Com et dius?

**Macdavis:** Em dic Macdavis.

**Dependent:** I el teu cognom?

**Macdavis:** Song

**Dependent:** Tens telèfon?

**Macdavis:** Sí, el 629 345710

**Dependent:** La teva adreça?

**Macdavis:** Visc al carrer del Pallars, 139, 3r 2a.

**Dependent:** Molt bé. Aquí tens la targeta.

**Macdavis:** Moltes gràcies.

**Dependent:** De res.

## Unitat 2



## Rallem sobre el temps

### Objectius:

- parlar de quin temps fa, estacions de l'any, passat, etc..
- Saber Les hores, parts del dia, els mesos, les estacions, activitats quotidiana: relacionades amb els horaris, costums, hàbits, aficions i temps lliure: llegir, ballar, pintar, escoltar música. El verb *anar*, *treballar*, etc.

## ELS DIES I ELS MESOS

### Els dies

DILLUNS

DIMARTS

DIMECRES

DIJOUS

DIVENDRES

DISSABTE

DIUMENGE



▪ Quin dia és avui? / Quin dia som?

- *Avui és dilluns. / Som (a) dilluns.*

▪ Quin dia és demà?

- *Demà és dimarts.*

▪ Quin dia era ahir?



- Ahir era diumenge.

▪ Fins demà!

Fins la setmana vinent!

Fins dilluns (vinent)!



### Els mesos

GENER

FEBRER

MARÇ



ABRIL

MAIG

JUNY



JULIOL

AGOST

SETEMBRE



OCTUBRE

NOVEMBRE

DESEMBRE



▪ Quin mes és ara? / Quin mes som?

- Ara és novembre / som al mes de novembre.

▪ Quan tens vacances?

- Tinc vacances a l'agost.

▪ Algunes dites:

- A l'abril, aigües mil.

- Pel maig, cada dia un raig.

- Al juny, la pluja està lluny.

▪ A l'hivern fa fred.



▪ A la primavera floreixen els arbres.



▪ A l'estiu fa calor.



▪ A la tardor plou molt.



## LES HORES



▪ Quina hora és?

És	la una	la una del migdia	la una de la matinada
Són...	les dues	les tres	les cinc de la tarda
	dos quarts d'una	un quart de cinc	tres quarts de vuit



Les tres



Les tres i cinc



Les tres i deu



Un quart de quatre

(o **passen** cinc/deu minuts de les tres)



*un quart i cinc de quatre, un quart i deu de quatre...*



Dos quarts de quatre



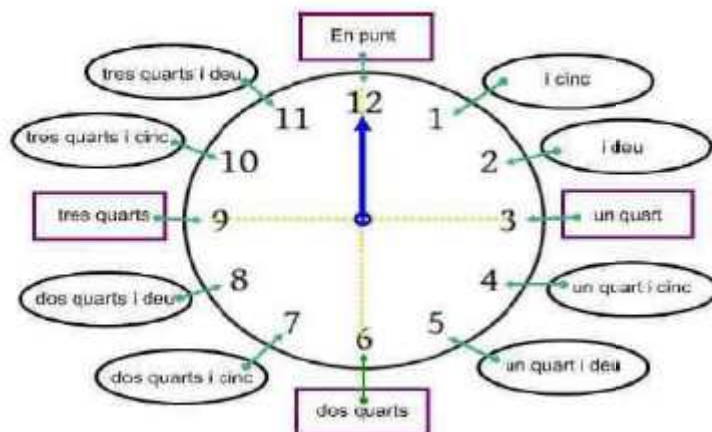
Tres quarts de quatre



Falten cinc minuts  
per a les quatre



Les quatre



Faltar → [hora present] ← Passar  
10 min 5 min p.ex: les 3 5 min 10 min

### • Moments del dia

<b>Matinada</b>	des de la una fins a les cinc	
<b>Matí</b>	des de les sis fins a les onze	<b>esmorzar</b>
<b>Migdia</b>	des de les dotze fins a les dues	<b>dinar</b>
<b>Tarda</b>	des de les tres fins a les sis/set	<b>berenar</b>
<b>Vespre</b>	des de les set/vuit fins a les nou	] <b>sopar</b>
<b>Nit</b>	des de les deu fins a les dotze	

Núria: Quin vespre vols sortir la setmana que ve?

Marc: dilluns i dimarts surto molt tard de la feina. Què et sembla dimecres?

Núria: Impossible, vaig a sopar amb els meus pares, Dijous?

Marc: Sí, vinga, dijous. A quina hora?

Núria: A dos quarts de deu?

Marc: Millor una mica més aviat; no vull anar a dormir molt tard.

Núria: Doncs... A un quart de deu?

Marc: D'acord. Fins dijous a un quart de deu. A la Font de Canaletes?

Núria: Sí, és clar, com sempre.

- Tard ≠ d'hora / aviat
- Ara, → més tard, després ≠ més aviat / més d'hora, abans
- La setmana que ve / la setmana vinent; dilluns que ve / dilluns vinent
- A quina hora / Quan } quedem?  
és el partit de futbol?  
vas al metge?



- Fins demà / fins dijous / fins la setmana vinent / fins un altre dia (o fins una altra), etc.

Marta: Aquest és el Mercat de la Boqueria. Vols entrar-hi?

Josep: No, ara no, podem tornar aquesta tarda a comprar-hi el sopar.

Quin horari fan?

Marta: Em sembla que obren a les vuit i tanquen a les cinc.

Josep: Vaja! Llavors ja soparem a un altre lloc. I les llibreries,  
quin horari fan a Barcelona?

Marta: Depèn. Hi ha llibreries que obren tot el dia, però algunes  
tanquen al migdia. Normalment, obren a les nou del matí i tanquen a la una,  
i a la tarda obren a les quatre i tanquen a les vuit. Josep: Gràcies!

## Unitat 3

### La família

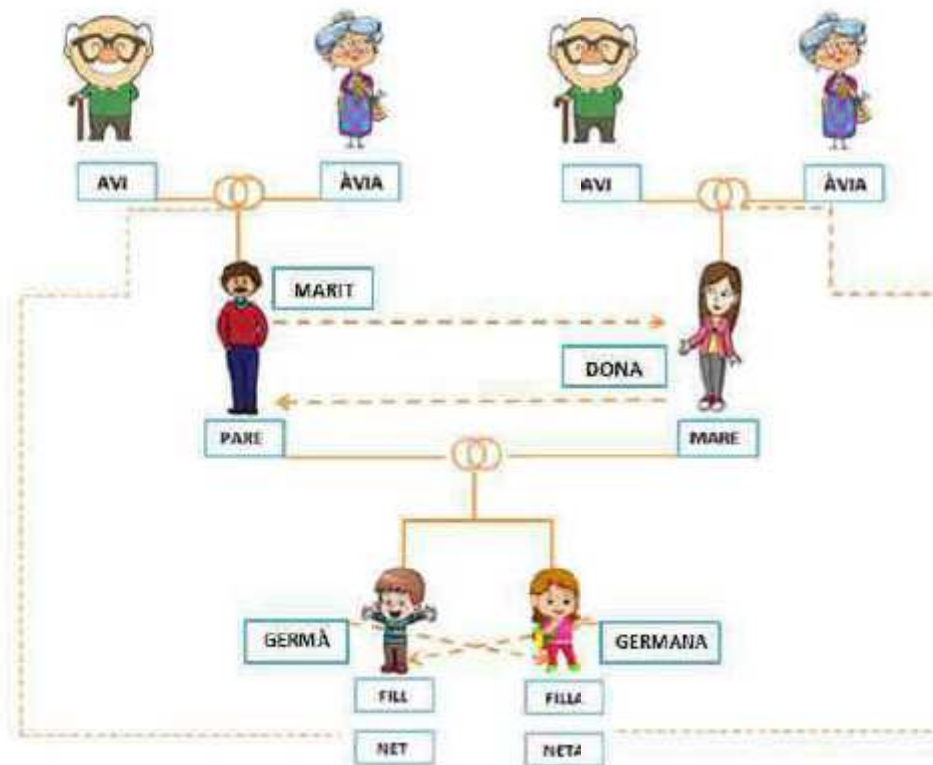
#### Objectius:

- Parlar de nosaltres, els membres de la família (el pare, la mare, l'avi, l'àvia, el tiet, la tieta, el fill, la filla, etc., el verb *tenir*,
- Saber els possessius (*el meu, la meva, els meus, les meves, el teu, la teva, els teus, les teves...*).
- Fer una breu descripció de la teva família





## La FAMÍLIA



### Membres de la família:

els pares    Fathers

els fills    Sons

l'avi / l'àvia    Grandfather / Granmother

el pare / la mare    father/ the mother

el fill / la filla    son/ daughter

el nen / la nena

el germà/ la germana    brother/ sister

el cosí / la cosina

l'oncle/ la tia

el marit / la dona

el cunyat /la cunyada

el sogre /la sogra

**Estat civil:**

casat, casada                      married

solter, soltera                      unmarried

divorciat, divorciada              divorced

separat, separada                      separate

**Text 1**

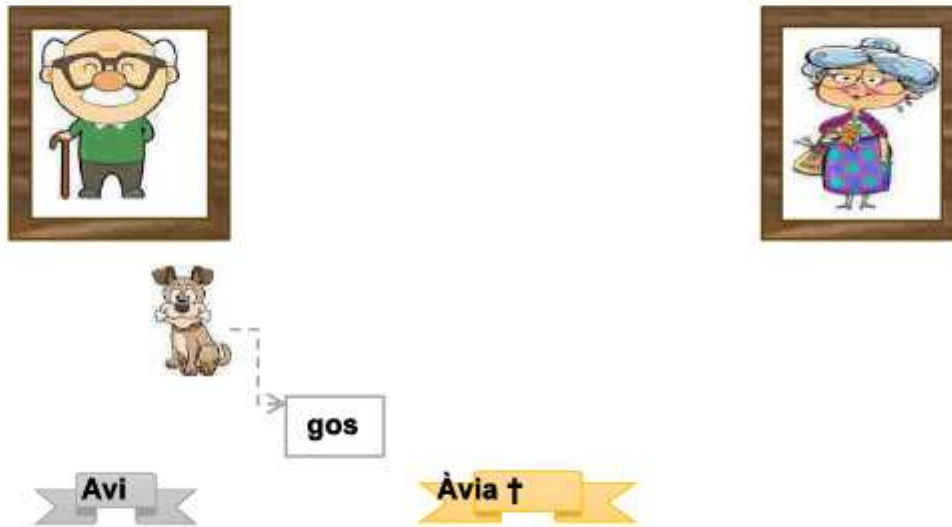
Hola, em dic Andreu. Et presento **la meva família**. Aquest és el Pere, el meu germà. Som quatre germans: tinc dues germanes i un germà. El Pere és el més petit. Aquesta és la meva germana gran, la Isabel, i aquests són els nostres pares.



**Text 2**

–Qui és el senyor de la foto?

–És el meu avi. Viu amb el Misto, el seu gos, perquè l'àvia va morir fa temps.



### Text 3

Mira, aquesta és la meva dona. Es diu Montse. Tenim dos fills, un nen i una nena,



la meva dona

### Text 4

Mira, aquest és el meu cunyat, el Marc. Està casat amb la meva germana Marta.



(el meu cunyat)

**Text 5**

–Pau, tens germans?

–No, no tinc germans; soc fill únic. Però tinc molts cosins.



**Els possessius**

<b><u>Jo</u></b>	<b><u>El meu</u></b>	<b><u>La meva</u></b>	<b><u>Els meus</u></b>	<b><u>Les meves</u></b>
<b><u>Tu</u></b>	<b><u>El teu</u></b>	<b><u>La teva</u></b>	<b><u>Els teus</u></b>	<b><u>Les teves</u></b>
<b><u>Ell/ ells</u></b>	<b><u>El seu</u></b>	<b><u>La seva</u></b>	<b><u>Els seus</u></b>	<b><u>Les seves</u></b>
<b><u>Nosaltres</u></b>	<b><u>El nostre/</u></b>	<b><u>La nostra</u></b>	<b><u>Els nostres</u></b>	<b><u>Les nostres</u></b>
<b><u>Vosaltres</u></b>	<b><u>El vostre</u></b>	<b><u>La vostra</u></b>	<b><u>els vostres</u></b>	<b><u>Les vostres</u></b>

Exemples:

EL MEU PARE, LA MEVA MARE, ELS MEUS GERMANS, LES MEVES TIES...

EL TEU GERMÀ, LA TEVA MARE, ELS TEUS FILLS, LES TEVES GERMANES...

EL SEU ONCLE, LA SEVA TIA, ELS SEUS PARES, LES SEVES FILLES...

EL NOSTRE PARE, LA NOSTRA CUNYADA, ELS NOSTRES NÉTS, LES NOSTRES NÉTES...

EL VOSTRE COSÍ, LA VOSTRA SOGRA, ELS VOSTRES NEBOTS, LES  
VOSTRES TIES...

## Unitat 4

### ELS LLOCS

#### Objectius:

- Familiaritzar-se amb el lèxic relacionat amb la casa i habitatge (ex. menjador, lavabo, pis, porta, rebedor, passadís, menjador, cuina, habitació, bany, sala d'estar, etc... Números cardinals: zero, un, dos, tres...
- Saber els ordinals: primer, segon, tercer. El verb viure, preposicions: a, en, de, adverbis de lloc: aquí, allà, sota, sobre, dins, fora, al centre, dreta, esquerra, davant, darrere, al mig...

### INSTITUCIONS



L'AJUI

▪ L'ESCOLA



▪ L'INSTITUT



LA UNIVERSITAT



### BOTIGUES



EL FORN DE PA





LA PASTISSERIA



LA FARMÀCIA



LA SABATERIA



LA BOTIGA DE ROBA



LA BIBLIOTECA  
L'HOSPITAL



LA CAFETERIA



L'ESTACIÓ DE TREN



EL GIMNÀS



LA PARADA D'AUTOBÚS



L'AEROPORT



EL CINEMA



EL TEATRE



L'HOTEL



EL BANC

EL PARC



El menjador



Co-funded by the  
Erasmus+ Programme  
of the European Union



Què fem al menjador?

**MENJAR:**  
esmorzar,  
dinar, berenar,  
sopar  
DESCANSAR  
ESTAR AMB LA  
FAMÍLIA/ AMB  
ELS AMICS

Què fem a la sala d'estar?

**DESCANSAR**  
**LLEGIR**  
**DORMIR**  
**MIRAR LA TELEVISIÓ**  
**ESCOLTAR MÚSICA**  
**NAVEGAR PER INTERNET**  
**SEURE** al sofà, a la butaca...  
**PARLAR PER TELÈFON**



▪ Què més hi podem trobar?

Televisor



Rellotge de paret



Ordinador



Videojoc





Paperera



Penja-robes



Aparell de música



Telefon



Vitrina



Marc de fotos



## El dormitori





Què fem al  
dormitori?

**DESCANSAR**

**LLEGIR**

**DORMIR**

**ESTUDIAR**

**ESCOLTAR MÚSICA**

**NAVEGAR PER  
INTERNET**

**VESTIR-SE**

## El lavabo

Què fem al lavabo?

**DUTXAR-SE**

**ANAR AL LAVABO**

**VESTIR-SE**

**DESVESTIR-SE**

**RENTAR-SE LES DENTS**

**PENTINAR-SE**

**PESAR-SE**

**MIRAR-SE AL MIRALL**

**RENTAR-SE LES MANS**



Per parar la taula...

CULLERA



PLAT (PLA)

PLAT (FONDO)



FORQUILLA



GOT



COPA



BOL



TOVALLÓ



TOVALLES



TASSA



GANIVET



Per cuinar...

PLATET



PAELLA

COLADOR



OLLA CASSOLA



FREGIR



(AMB OLI)

RENTAR ELS PLATS



BULLIR/COURE



(AMB AIGUA)

Ficar...	el menjar	a la nevera, al forn, a l'olla...
	els plats	al rentaplats
	el pa	a la torradora



Posar...	els plats	a la taula
	les tovalles	a la taula
	els coberts	a la taula

Electrodomèstics



Co-funded by  
Erasmus+ Program  
of the European Union



MICROONES

FORN

CAFETERA



TORRADORA



NEVERA



BATEDORA



RENTAPLATS



CONGELADOR



Unitat 5

Anar a la cafeteria...



**Objectius :**

- Familiaritzar-se amb el Lèxic relacionat amb cafeteria i els bars, El verb *voler*, interrogatius (*quant, què, qui...*)
- Saber els demostratius (*aquest, aquesta...*) i les Preguntes freqüents relacionats amb el tema: *Què vol? Què li poso? Quant val?*

**Vocabulari bàsic**

**Begudes**

**un/ Cafè**

- sol
- amb llet
- amb llet de soja
- amb la llet calenta / natural
- amb gel
- amb / sense sucre
- amb edulcorant

tallat  
descafeïnat  
caputxino

**una/ Infusió**

- te
  - verd
  - negre
  - vermell
  - etc.
- til·la
- camamilla
- etc.

**un/ Suc**

- de taronja
- de poma
- de pinya
- etc.

▪ **noms comptables** → un cafè, dos sucs  
(=una tassa de cafè, dos gots de suc, etc.)  
*Avui m'he pres tres cafès i ara no puc dormir*

▪ **noms incomptables** → (el) cafè, (l') aigua,



un/ Refresc { cocacola  
fanta  
etc.

l' Aigua { freda  
natural  
amb gas



### Menjar

un/ Entrepà { de pernil (dolç/salat)  
de formatge  
de fuet  
de tonyina  
vegetal  
etc.



▪ Sandvitx de pernil i formatge o biquini



### curiositat:

només diem "biquini"  
a aquest entrepà a  
Catalunya, perquè el  
va popularitzar la Sala  
Bikini de Barcelona.

una Pasta { croissant  
dònut  
ensaïmada  
canya de xocolata  
etc.



(la pasta

= macarrons,



un/ Pastís { de poma  
de xocolata  
etc.



una Truita



Un tros de pastís, de  
truita, etc.

Dos trossos de  
pastís, de truita, etc.

**El/la client:**

- Quant val / costa un entrepà?  
- *Val / Costa 2 €.*
- **Vull / Voldria...** aquesta pasta , un suc de taronja, etc.
- **Posa'm...** una ensaïmada, un tros de pastís, etc.
- Puc **pagar amb targeta?**  
- *Sí! / No, només en efectiu.*



**El/la venedor/a:**

- Què vol? / Què li poso?  
- *Vull/ Voldria un cafè.*  
- *Posa'm un te, (si us plau).*
- Per prendre aquí o per emportar?
- Vol alguna cosa més?  
- *No, gràcies! / Sí, un te també.*
- Pagarà amb targeta o en efectiu?

**Unitat 6**





## Accions quotidianes

### **Objectius:**

- Parlar de **les** activitats diàries
- Familiaritzar-se amb el vocabulari de **les** activitats quotidiana: horaris, costums, hàbits, temps lliure
- El verb d'acció i ús freqüent: *anar, treballar, llevar-se, dutxar-se, esmorzar, dinar, sopar, dormir, llegir, ballar, pintar, escoltar música.*

<b>Matinada</b>	una - cinc (1 – 5 h)	
<b>Matí</b>	sis - onze (6 – 11 h)	<b>esmorzar</b>
<b>Migdia</b>	dotze – dues (12 – 14 h)	<b>dinar</b>
<b>Tarda</b>	tres - sis/set (15 – 18/19 h)	<b>berenar</b>
<b>Vespre</b>	set/vuit – nou (19/20 – 21 h)	<b>sopar</b>
<b>Nit</b>	deu - dotze (22 – 24 h)	

### **Text:**

Em llevo a **les** sis. Esmorzo a **les** set, escoltant la ràdio. Entro a treballar a **les** nou en punt. Dino a les dues del migdia. Plego de treballar a quarts de sis. Sopo a dos quarts de nou.

A quina hora

**et lleves?**

**esmorzes?**

**dines?**

**sopes?**

**te'n vas a dormir?**

Pronoms personals	treballar	Llevar-se	esmorzar	dinar	sopar	dormir
Jo	treballo	em llevo	esmorzo	dino	sopo	dormo
Tu	treballes	et lleves	esmorzes	dines	sopes	dorms
Ell/ella	treballa	es lleva	esmorza	dina	sopa	Dorm
Nosaltres	treballem	ens llevem	esmorzem	dinem	sopem	dormim
Vosaltres	treballeu	us lleveu	esmorzeu	dineu	sopeu	dormiu
Els/elles	treballen	es lleven	esmorzen	dinen	sopen	dormen

**Diàleg A:**

- A quina hora et lleves normalment?
- Em llevo a les 7:30
- A quina hora esmorzes?
- A les 7:45 després de dutxar-me i vestir-me.
- Què fas al matí?
- Vaig a la feina
- I a quina hora comences a treballar?
- Començo a les 9:00
- A quina hora dines?
- Dino a la feina a les 14:00
- A quina hora sopes?
- Sopo a les 20:30
- A quina hora vas a dormir?
- Dormo a les 10:30.

**Unitat 7**

**Anem a comprar**



**Objectius :**

- Parlar de lèxic relacionat amb la verdura, fruita, carn, peix, pa, roba, etc.,
- El verb *voler*, interrogatius (*quant, què, qui...*), demostratius (*aquest, aquesta...*)
- saber les expressions d'ús freqüents com: *Què vol? Què li poso? Quant val? Quant costa? Què necessita? parlar*

**LA ROBA**



SAMARRETA



PANTALONS



CAMISA



FALDILLA



MITJONS



JAQUETA



SABATES



BUFANDA



VAMBES



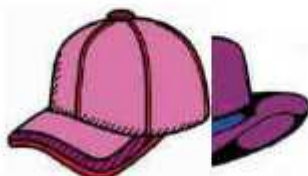
GORRO



ABRIC



BANYADOR



GORRA

BARRET

GUANTS

CINTURÓ

## EN UNA BOTIGA...

Teniu...	la talla	S	M	L	?
Vull/Voldria...	una samarreta	de màniga llarga / curta de tirants ampla ≠ estreta amb el coll alt / amb escot			



uns pantalons	texans esportius curts ≠ llargs estrets ≠ amples
---------------	---



una jaqueta	amb cremallera amb botons amb caputxa fina ≠ gruixuda
-------------	--



- Vols passar a l'emprovador?
- Vols que et porti una talla més gran?
- Portes el tiquet de compra?

- És per regalar?



- Com et va?

Em va

gran ≠ petit/a

estret/a ≠ ample/a

- Què et sembla

Em sembla

car/a ≠ barat/a

bonic/a ≠ lleig/lletja

nou /nova ≠ vell/a

## EN UNA BOTIGA per comprar...

Teniu...	patates	pa	plàtans	melmelada	menta	?
Vull/Voldria...	taronges	pomes	llet	ous	iogurts	



Quant val/    la llet    la melmelada    1 kg de...    plàtans    pomes    ?

Quant costa

Val / Són...    5 €    12 €    1€/kg    ...



■ Qui és l'últim? – Jo!



■ Què vol / Què voldria? – Posa'm mig quilo de plàtans, si us plau.



■ Vol/s alguna cosa més? – No, gràcies.

■ Vol/s una bossa? – Sí, si us plau.



## EL MENJAR



CARN



PEIX



OUS



PA



MELMELADA



IOGURT



XICLET



MANTEGA

**BEGUDES**



AIGUA



OLI



TE



CAFÈ



LLET



REFRESC

**FRUITES I VERDURES**



MONGETA



PLÀTAN



POMA



TARONJA



COLIFLOR



LLIMONA



MELÓ



RAÏM



RAVE



NAP



CEBA



TOMÀQUET



PEBROT



PATATA



KIWI



SÍNDRIA



API



DÀTIL



PASTANAGA



MONGETA

**ESPÈCIES**



JULIVERT



COMÍ



CORIANDRE



MENTA

**Unitat 8**

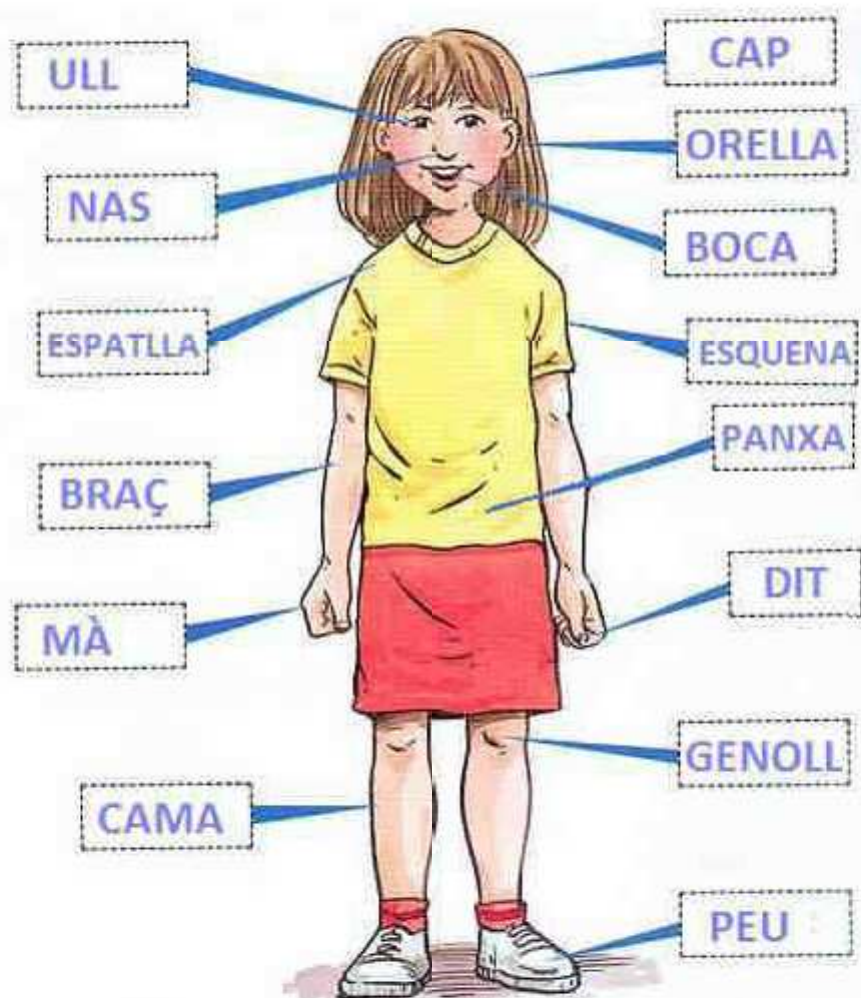
**Anem al metge**



**Objectius:**

- Familiaritzar-se amb vocabulari relacionat amb les parts del cos, de les malalties, i de l'àmbit mèdic: *cap, ull, nas, etc., constipat, grip, mal de cap... ambulatori, metge, dentista, radiografia, etc.*
- Saber les expressions d'ús freqüent *Tinc mal de.... he anat a l'hospital.*  
Interrogatius: *Com estem? Com et trobes? Com estàs? Què tens? Què et passa? On et fa mal?... Adverbis i adjectius: malament, bé, contenta, cansada, marejada, etc...*
- Saber demanar visita amb el metge, parlar de la salut i malalties.

LES PARTS DEL COS



LA SALUT (ANAR AL METGE)

- ▀ La salud    ▀ La santé    ▀ Health    ▀ La salute    ▀ Die Gesundheit  
▀ الصحة    ▀ 健康

Què et fa mal? / On et fa mal? / Què et passa?



Em fa mal...	el peu	el genoll	la panxa/l'estómac	el braç	
	l'orella	l'esquena	la cama	la mà	el dit

Tinc...	mal de cap	mal de coll	mal de queixal
---------	------------	-------------	----------------

febre



la grip



tos



al·lèrgia



Com et trobes? / Com estàs?

Bé / millor



malament / pitjor



em marejo



Tallat / fet un tall

fet un cop

cremat

M'he...



trenca el braç



punxat



FARMÀCIA



el xarop



les benes



el iode



la pomada / crema

les píndoles



## ANAR AL METGE

- **Metge, metgessa.**
- **Doctor, doctora**
- **Infermer/a**



- **Pediatre/a** → nens i nenes
- **Cardiòleg, cardiòloga** → cor
- **Dentista / odontòleg, odontòloga** → dents, queixals
- **Ginecòleg, ginecòloga** → dones
- **Radiòleg, radiòloga** → radiografia



- **Pacient**
- **Malalt** → malaltia



- **Medicament**



- **Soc intolerant a la lactosa**  
**al gluten**



- Soc diabètic/a, tinc diabetis

- M'he trencat el braç  
la cama



- Tinc apendicitis



- M'han sortit els queixals del seny



- Porto ulleres



- Tinc al·lèrgia a un medicament  
a un menjar



- Operar



- Desinfectar una ferida  
un tall  
una rascada

amb... iode  
alcohol



- Posar una gasa  
esparadrap / tireta



## VOCABULARI

- **Pediatre/a**



- **Doctor/a**



- **Febre**



- **Diarrea**



- **Plorar**



- **Respirar**



- **Tos**



- **Vomitar**



- **Obrir la boca**



- **Refredat**

- **Mocs**



■ Xarop



**Diàleg A:**

**Pacient:** Bon dia. Voldria visitar amb la doctora Nora

**Recepcionista:** Avui no és possible. Vols demanar hora per demà?

**Pacient:** sí demà em va bé al matí.

**Recepcionista:** d'acord demà a les 11:00 del matí.

**Pacient:** Moltes gràcies.

**Recepcionista:** Fins demà.

**Diàleg B:**



**Pacient:** Hola Necesito uns antibiòtics.

**Dependent:** tens la recepta?

**Pacient:** Sí. Tingui.

**Dependent:** vols alguna cosa més?

**Pacient:** No res més.

**Dependent:** em deixes la teva targeta sanitària?

**Pacient:** sí tingui.

**Dependent:** D'acord. Són 10 €

**Pacient:** té. Gràcies.

**Dependent:** Adéu.

**Avaluació:**

**1. Com et dius?**

- a. em diu Marta Rius
- b. em dius Marta Rius
- c. em dic Marta Rius

**2. Com estàs?**

- a. gràcies
- b. molt bé, gràcies
- c. a reveure

**3. El llibre val (16).....?**

- a. disset
- b. vint-i-set
- c. setze

**4. On viuen la Marta i la Nùria?**

- a. es viuen a Tarragona
- b. vivim a Tarragona
- c. viuen a Tarragona

**5. Quants anys tens ?**

**En.....32**

- a. tinc
- b. té
- c. tenim





6. **Ells són de Mèxic i tu d'on ets?**
- a. som del Brasil
  - b. són del Brasil
  - c. sóc del Brasil
7. **Cada dia entro a (8:30)?**
- a. dos quart de vuit
  - b. dos quart de nou
  - c. dos quart de set
8. **Dino a les 14:00?**
- a. del vespre
  - b. de la tarda
  - c. de la matinada
9. **Coneixes el Marc?**
- a. no, no el conec
  - b. no, no els conec
  - c. no, no la conec
10. **Agafem les coses amb les .....?**
- a. les mans
  - b. la boca
  - c. els peus



**Activitats específiques per l'aprenentatge bàsic del català**

**D'on ets?**

<b>Masculí</b> <b>Femení + a</b>
-------------------------------------

Anglès    Anglesa

Italià    Italiana

Francès    Francesa

Espanyol    Espanyola

Xines    Xinesa

**D'on som?**

**Fes el femení de les següents nacionalitats:**

Jo sóc català/Jo sóc.....

Jo sóc Italià /Jo sóc.....

Jo sóc francès / Jo sóc.....

Jo sóc Marroquí/ Jo sóc.....

Jo sóc Mexicà/ Jo sóc.....

Jo sóc alemany/ Jo sóc.....



**Completa:**

- JO \_\_\_\_\_(DIR-SE) AHMED. I TU, COM ET \_\_\_\_\_(DIR-SE)?
- JO \_\_\_\_\_ (VIURE) A BADALONA. I TU, ON \_\_\_\_\_ (VIURE)?
  - ELL \_\_\_\_\_ (SER) DE LA XINA. I TU, D'ON \_\_\_\_\_ (SER)?
  - HOLA, FÀTIMA, COM \_\_\_\_\_ (ESTAR)?
  - ELL \_\_\_\_\_ (VIURE) A BARCELONA.

**Els números**

0 zero	7 set	14 catorze	21 vint-i-u
28 vint-i-vuit			
1 u/un/una	8 vuit	15 quinze	22 vint-i-dos
29 vint-i-nou			
2 dos/ dues	9 nou	16 setze	23 vint-i-tres
30 Trenta			
3 tres	10 deu	17 disset	24 vint-i-quatre
4 quatre	11 onze	18 divuit	25 vint-i-cinc
5 cinc	12 dotze	19 dinou	26 vint-i-sis
6 sis	13 tretze	20 vint	27 vint-i-set

**Escriu els següents números:**

- 8 ..... 16.....
- 17 ..... 25.....
- 21 ..... 27.....
- 10..... 19.....

30.....

11.....

4.....

28.....

**Relaciona:**

<b>1</b>	CINC
<b>2</b>	TRETZE
<b>3</b>	QUATRE
<b>4</b>	DOTZE
<b>5</b>	U
<b>6</b>	DOS
<b>7</b>	VUIT
<b>8</b>	SET
<b>9</b>	TRES
<b>10</b>	SIS
<b>11</b>	NOU
<b>12</b>	QUINZE
<b>13</b>	DEU
<b>14</b>	CATORZE
<b>15</b>	DISSET

<b>16</b>	VINT
<b>17</b>	SETZE
<b>18</b>	DINOU
<b>19</b>	ONZE
<b>20</b>	DIVUIT





Els colors

**3. Relaciona:**

VERMELL



VERD



LILA

GROC



TARONJA



BLAU



ROSA



BLANC



GRIS

MARRÓ



NEGRE



**Quants anys tens?**

**Escriu l'edat de cadascun dels següents personatges:**

Jo tinc (8) anys .....

Jo tinc (18) anys .....

Jo tinc (25) anys .....

Jo tinc (30) anys .....

**Com es diu?**

**Text 1.**

Hola, Em dic Marta. Tinc vint-i cinc anys. Sóc de França; per tant, sóc francesa. I ara visc a Tarragona a l'Avinguda Tarragona a Vilafranca.

**Text 2.**

Hola, Em dic Marc. Tinc vint-i-quatre anys. Sóc de Catalunya; per tant, sóc català. I ara visc a Barcelona al carrer Nàpols 235.

**Respon a les següents preguntes:**

1. Com es diu el noi? .....
2. Com es diu la noia?.....
3. Quants anys té la Marta?.....
4. Quants anys té en Marc?.....
5. D'on és la Marta?.....



6. D'on és en Marc?.....
7. On viu la Marta?.....
8. On viu en Marc?.....

**7. Omple la teva fitxa seguint el model de fitxa que ja ha omplert la Marine per fer el curs de català:**

<p style="text-align: center;"><b>Fitxa pel curs de català</b></p> <p style="text-align: center;"><b>Nom:</b> Marine</p> <p style="text-align: center;"><b>Cognoms:</b> Eouzan</p> <p style="text-align: center;"><b>Edat:</b> vint-i-nou anys</p> <p style="text-align: center;"><b>Nacionalitat:</b> Francesa</p>
---

<p style="text-align: center;"><b>Fitxa pel curs de català</b></p> <p style="text-align: center;"><b>Nom:</b> .....</p> <p style="text-align: center;"><b>Cognoms:</b> .....</p> <p style="text-align: center;"><b>Edat:</b>.....</p> <p style="text-align: center;"><b>Nacionalitat:</b>.....</p>
--

**La Marta està buscant un pis per compartir i ha decidit trucar a un pis que ha trobat en internet. Hi falten dades.**

**Completa la fitxa amb aquesta informació:**

678 945 789    Avinguda Igualada , 7 Tarragona

Maria Agramunt

500 €

**Adreça:**

**Habitacions:** 3

**Cuina:** gran

**Terrassa:** sí

**Assolellat:** sí

**Preu:**

**Pàrquing:** No

**Aire condicional:** sí

**Calefacció:** sí

**Persona de contacte :**

**Telèfon:**





**Digui?**

**Diàleg 1:**

Gemma: Sí? Digui?

Natalia: Ets la Rosa?

Gemma: Sí.

Natalia: Mira, em dic la Gemma i et trucava per llogar l'habitació al vostre pis. Està lliure?

Gemma: Ho sento molt però ja la tenim ocupada.

Natalia: No passa res. Moltes gràcies per tot. Adéu.

Gemma: Adéu.

**Preguntes: 1**

**1. Qui fa la trucada?** La Gemma

**2. Amb qui parla?** Amb la Rosa

**3. L'habitació està lliure?** No

**Diàleg 2:**

Gemma: Digui?

sonia: Ets la Berta?

Sonia: Sí.

Gemma: Mira, em dic Sofia i et truco per l'habitació que llogueu al vostre pis. Està lliure?

Sonia: Sí,

Gemma: Quan podria venir a veure-la?

Sonia: Avui a la tarda et va bé?

Gemma: Sí. A quina hora vinc?

Sonia: A les cinc de la tarda. Et va bé?

Gemma: Sí, Què hi ha a l'habitació?

Sonia: Doncs hi ha un llit i un armari.

Sofia: Molt bé, fins a la tarda.

## Preguntes 2

1. Qui fa la trucada? .....
2. Amb qui parla?.....
3. Què hi ha a l'habitació? .....

## 2. Completa les següents frases amb les següents paraules:

El mirall    llit    lavabo    sofà    l'armari    nevera

1. Abans de menjar em rento les mans a.....
2. Per la nit dormo al.....
3. Guardo la roba a .....
4. Quan estic cansat sec al .....
5. A l'estiu guardo la fruita a .....
6. Al matí, miro.....

## Fes el plural dels següents mots:



<b>Masculí</b>	<b>Masculí + -s o -ns</b>
<b>Femení</b>	<b>Femení + -es</b>

Un dormitori	dormitoris
Un lavabo	lavabos
Un estudi	.....
Un pis	.....
Una cadira	.....
Un armari	.....
Un balcó	.....
Una finestra	.....
Una taula	.....
Una cadira	.....
Una porta	.....
Una dutxa	.....
Una taula	.....

**Completa:**

Quina hora és? **14:45**                      Són **les** CATORZE QUARANTA-CINC

10:30 .....

13:15.....

11:30.....

12:00.....

19:10.....

17:20.....



9:05.....

15:25.....

**Contesta les següents preguntes seguint el model:**

**1. Quin horari fan a la farmàcia?** (de 8.30 a 13 h)

*Resposta:* Obren a les nou del mati i tanquen a la una del migdia.

**2. A quina hora obren el supermercat?** (a les 8 h)

*Resposta:* \_\_\_\_\_

**3. A quina hora tanquen el supermercat?** (a les 21.30 h)

*Resposta:* \_\_\_\_\_

**4. Quin horari fan al gimnàs?** (de 8 a 22 h)

*Resposta:* \_\_\_\_\_

**5. Quin horari fan a la llibreria?** (de 16 a 20 h)

*Resposta:* \_\_\_\_\_

**6. Quin horari fan a la gasolinera?** (de 5 a 23 h)

*Resposta:* \_\_\_\_\_

**7. Quin horari fan a la discoteca?** (de 22 a 6 h)

*Resposta:* \_\_\_\_\_

**On són la marta i la Natalia?**

**Masculí**

Comença per consonant: **EI**

**Femení**

Comença per consonant: **La**



El Carles

La Rosa

El Jaume

La Isabel

El Marçal

La Júlia

Comença per vocal: l'

Comença per vocal: l'

L'Oriol

l'Anna

L'armari

l'aula

**Posa l'article el/la/l' davant dels següents noms de persona:**

Guillem

Marta

Monica

Samanta

Oriol

Albert

Aniol

Carme

Montse

Carola

Júlia

Núria

**Posa l'article el/la/l' davant dels següents noms de persona:**

Bar

restaurant

aula

mercat

Llibre

casa

cadira

balcó

Terrassa

Pis

dormitori

ascensor

### 3. Relaciona:

1 Qui és aquest home?

B. Un germà i dues germanes.

2 Quants anys tens?

C. Són els meus germans.

3 Qui és aquesta dona?

D. És la meva cosina.

4 Qui són aquests?

E. És el meu oncle.

5 Com es diu la seva filla?

F. Vint anys.



6 Quants germans té?

G. Es diu Teresa.

**Fixa't en el diàleg de la Marta i el Marc i després fes una creu a totes les ciutats on has estat:**

**Marc:** Marta, en quines ciutats has estat?

**Marta:** Uf, no ho sé, deixa'm pensar. Doncs he estat a París, Lisboa, Roma, Amsterdam, Frankfurt, Brussel·les... I tu on has estat?

**Marc:** Jo a menys llocs que tu. He estat a París, Atenes i Perpinyà

Frankfurt .....

Londres.....

París.....

Barce|ona.....

Madrid.....

Roma.....

Berlin.....

Milà.....

Havana.....

Nova york.....

Casablanca....

Marràqueix.....

Buenos Aires....

**Relaciona els següents establiments amb els productes que normalment hi pots comprar:**

Farmàcia

pa, pastissos, croissants, ensaïmades



Libreria	ulleres
Carnisseria	Medicaments
Estanc	sardines, lluços, calamars, gambes
Forn	camises, pantalons, jerseis,
Òptica	vedella, pollastre, porc, be
Peixateria	cigarrets i segells
Botiga de roba	pomes, préssecs, plàtans, peres,
Fruiteria	fulls, llapis, bolígrafs, carpetes,

### A quines hores menges?

Mira't les hores en què menges i després contesta el qüestionari:

	Matí	Migdia	Tarda	Nit
Maria	Esmorzar	Dinar	Berenar	Sopar
	<b>7:30</b>	<b>13:30</b>	<b>17:00</b>	<b>20:30</b>
Marc	Esmorzar	Dinar	Berenar	Sopar
	<b>8.30</b>	<b>14.30</b>	<b>17.30</b>	<b>21.00</b>

- 1) **A quina hora esmorza la Maria?** .....
- 2) **A quina hora esmorza en Marc?** .....
- 3) **A quina hora dina la Maria ?** .....
- 4) **A quina hora dina en Marc?** .....
- 5) **A quina hora sopa la Maria?** .....
- 6) **A quina hora sopa en Marc?** .....
- 7) **A quina hora esmorzen al teu país?** .....
- 8) **A quina hora dinen al teu país?.....**

9) A quina hora berenen al teu país?.....

10) A quina hora sopen al teu país?.....

Omplir els següents amb les següents paraules:

XICLET	OUS	OLI	TE
MELMELADA	CARN	pa	PEIX
CAFÈ	Mantega	AIGUA	LLET
			IOGURT







Omplir els següents amb les següents paraules:

Tomàquet	Raïm	Mongeta	Coliflor	Taronja	Rave	
Api	Kiwi	Nap	Síndria	Patata	Llimona	Meló
Dàtils	Pomes	Pebrot	Plàtan	Ceba	pastanaga	





**Posa els següents paraules en el buit:**

BARRET  
BANYADOR  
MITJONS  
SABATES  
BUFANDA  
GORRA  
FALDILLA  
ABRIC

JAQUETA  
GUANTS  
PANTALONS  
SAMARRETA

GORRO  
CINTURÓ  
VAMBES  
CAMISA









**La Maria necessita una sèrie de coses. Digues en quins establiments haurà d'anar per comprar els productes que hi ha escrits:**

Pomes	llibre de català	segells	tabac	préssecs
plàtans	pa	pantaló		carn
croissants	una samarreta	llapis i bolígrafs		jaqueta
pollastre				

Forn	Fruiteria	Estanc	Botiga de roba	Carnisseria	Llibreria

**RELACIONA**



- mirar
- menjar
- caminar
- agafar coses
- seure
- escoltar
- hi portem sabates
- hi portem anells
- olorar
- portem la motxilla
- abraçar

- Peus
- Cul
- Ulls
- nas
- esquena
- boca
- dits
- comes
- braços
- peus
- mans

**Ordena les lletres:**

OBAC



.....

RAOELL



.....

ASN



.....

MNSA



.....

UEPS



.....

LLU



.....

DTIS



.....

Busca els següents noms:



B	S	A	P	R	C	L
B	O	C	A	J	X	H
N	O	D	I	T	S	T
C	W	O	N	A	S	P
S	H	U	L	L	M	S
L	O	R	E	L	L	A
C	A	B	E	L	L	S

- .....
- .....
- .....
- .....
- .....
- .....

Relaciona i copia les frases com en l'exemple:

Ex. Agafem boca amb **les mans**

Mirem

la boca

Escoltem

les orelles

Parlem

Caminem ulls

amb

els ulls

Llegim

Escrivim

les mans

Aplaudim

Cantem

les cames

- .....
- .....
- .....
- .....
- .....
- .....
- .....
- .....
- .....
- .....









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# COURSE **FOR** **MIGRANTS** & **REFUGEES**

حرره التعليم الجامع الافتراضي في مايو ٢٠١٩

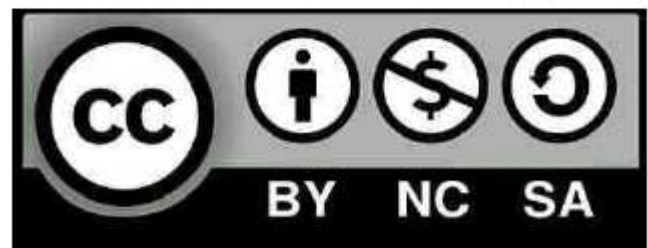
بتنسيق من **Jordi Rizo**  
صمم **Luis Gómez**  
ترجمة **خديجة خليلي**

العنوان: - C/Jesús y María, 26  
bajo - 46008, Valencia

البريد: [www.vivareducation.eu](http://www.vivareducation.eu)  
[www.redtree.es](http://www.redtree.es)

هاتف: 960 150 604

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**D.U. 5:**

**LEVEL 1**

**SPANISH COURSE**

COURSE **FOR**  
**MIGRANTS**  
**& REFUGEES**

This is the educative material edited by Virtual Inclusive Education platform carried out by REDTREE MAKING PROJECTS in collaboration with ASSOCIATION OF YOUNG MUSLIMS OF VALENCIA, EUROPEAN LANGUAGES EQUALITY NETWORK ASSOCIATION (ELEN), SMALLCODES, GRETA DU VELAY and GIOVANI MUSULMANI D'ITALATION INCLUSIVE within the project "VIRUCUAL INCLUSIVE FOR ADULT PEOPLE: VOLUNTEERS AND REFUGEES "co-funded by the ERASMUS PLUS PROGRAM of the EUROPEAN UNION.



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**This project has been funded with support from the European Commission.  
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# COURSE **FOR** **MIGRANTS** **& REFUGEES**

Edited by Virtual Inclusive Education in May  
2019

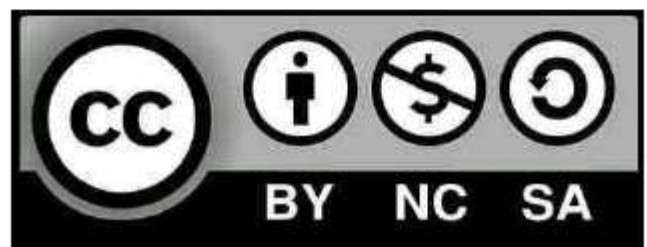
Coordinated by **Jordi Rizo**  
Designed by **Luis Gómez**  
Translated by **Adrián Monleón**

Address: C / Jesús y María, 26 - groundfloor  
46008 - Valencia (Spain)

Mail: [www.vivareducation.eu](http://www.vivareducation.eu)  
[www.redtree.es](http://www.redtree.es)

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Spanish learning for migrants has a very specific objective: to answer to the demand of an increasing number of people who need to use it as a tool for communication.

As Salvador Gutiérrez -Professor of General Linguistics at University of León, member of RAE and President of Sierra Pambley Foundation- points out, we are convinced that the enormous technological advances we are living have to be integrated into the language learning processes.

Consequently, Spanish teaching for migrants should be addressed using the modern theoretical and methodological tools that incorporate new technologies as support mechanisms for basic language learning.

Therefore, we offer a series of resources that we have compiled following said criteria:

- **Sierra Pambley Foundation:**  
<http://www.sierrapambley.org/alumnos/soy-estudiante>  
<http://www.sierrapambley.org/alumnos/wp-content/Nivel-Inicial-completo.pdf>
- **Videoele:**  
<http://www.videoele.com/Curso.html>
- **Monte Madrid Foundation:**  
<https://www.fundacionmontemadrid.es/proyecto/manual-de-espanol-para-inmigrantes/>  
<https://www.fundacionmontemadrid.es/2017/09/08/alfabetizacion-en-casa-san-cristobal-mucho-mas-que-leer-y-escribir/>
- **Madrid.org:**  
[http://www.madrid.org/dat\\_norte/WEBDATMARCOS/supe/atencion\\_diversidad/SAI/Fondo\\_de\\_recursos\\_SAI\\_09\\_10.doc](http://www.madrid.org/dat_norte/WEBDATMARCOS/supe/atencion_diversidad/SAI/Fondo_de_recursos_SAI_09_10.doc)
- **Blog de recursos para la enseñanza de español a inmigrantes y refugiados**  
<https://espanolparainmigrantes.wordpress.com/>
- **Vocabulario (Español como Lengua Extranjera) Alberto Abarca Fillat - 9 Letras**  
[35Vocabulario \(Español como Lengua Extranjera\) Alberto Abarca Fillat - 9 Letras.pdf](35Vocabulario (Español como Lengua Extranjera) Alberto Abarca Fillat - 9 Letras.pdf)
- **Verbos (Español como Lengua Extranjera) Alberto Abarca Fillat - 9 Letras**  
[34Verbos \(Español como Lengua Extranjera\) Alberto Abarca Fillat - 9 Letras.pdf](34Verbos (Español como Lengua Extranjera) Alberto Abarca Fillat - 9 Letras.pdf)
- **Tarjetas (Español como Lengua Extranjera) Alberto Abarca Fillat - 9 Letras**



[33Tarjetas \(Español como Lengua Extranjera\) Alberto Abarca Fillat - 9 Letras.pdf](#)

- [Orientaciones para la Enseñanza de ELE](#)  
[32Orientaciones para la Enseñanza de ELE.pdf](#)
- [Español para Tí \(Materiales Español Extranjeros\)](#)  
[31Español para Tí \(Materiales Español Extranjeros\).pdf](#)
- [Escolarización del Alumnado Inmigrante](#)  
[30Escolarización del Alumnado Inmigrante.pdf](#)
- [Manual de Alfabetización para Inmigrantes](#)  
[1Manual de Alfabetización para Inmigrant\[...\]](#)
- [¿Cómo se dice...\(Manual de Español para Inmigrantes - Glosario y Grabaciones\) Nivel A1](#)  
[¿Cómo se dice...\(Manual de Español para In\[...\]](#)
- [¿Cómo se dice...\(Manual de Español para Inmigrantes\) Nivel A1](#)  
[¿Cómo se dice...\(Manual de Español para In\[...\]](#)
- [¿Cómo se Escribe....\(Manual de Alfabetización para Inmigrantes\)](#)  
[¿Cómo se Escribe....\(Manual de Alfabetiz\[...\]](#)
- [Aprendiendo un Idioma para Trabajar](#)  
[Aprendiendo un Idioma para Trabajar.pdf](#)
- [Argumentar para Convencer](#)  
[Argumentar para Convencer.pdf](#)
- [Educación Intercultural](#)  
[Educación Intercultural.pdf](#)
- [El Español Nos Une](#)  
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- [Español Para Extranjeros](#)  
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- Español para Tí  
[Español para Tí.pdf](#)
- Evaluación Del Dominio De La Lengua Española Por Parte De Alumnos Procedentes De Sistemas Educativos Extranjeros  
[Evaluación Del Dominio De La Lengua Espa\[...\]](#)
- Hablemos Español (Orden Sintáctico para Marroquíes)  
[Hablemos Español \(Orden Sintáctico para \[...\]](#)
- Lectoescritura (Nivel Inicial)  
[Lectoescritura \(Nivel Inicial\).pdf](#)
- Lectoescritura (Nivel Elemental) El Cuerpo Humano  
[Lectoescritura \(Nivel Elemental\) El Cuer\[...\]](#)
- Lectoescritura (Nivel Elemental) La Calle  
[Lectoescritura \(Nivel Elemental\) La Call\[...\]](#)
- Lectoescritura (Nivel Elemental) La Clase  
[Lectoescritura \(Nivel Elemental\) La Clas\[...\]](#)
- Lectoescritura (Nivel Perfeccionamiento) Unidad1-La Vivienda  
[Lectoescritura \(Nivel Perfeccionamiento\)\[...\]](#)
- Manual de Alfabetización para Inmigrantes  
[Manual de Alfabetización para Inmigrante\[...\]](#)
- Materiales de Español para Extranjeros  
[Materiales de Español para Extranjeros.p\[...\]](#)
- Prueba de Nivel de Español  
[Prueba de Nivel de Español.pdf](#)





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# **DIDACTIC UNIT 6**

## **THE EDUCATIONAL INCLUSION OF MIGRANT STUDENTS**

COURSE **FOR**  
**MIGRANTS  
& REFUGEES**



6.1 HOW IS THE EDUCATIONAL SYSTEM STRUCTURED IN THE PARTICIPATING COUNTRIES? – LEVEL 2

**THE EDUCATIONAL SYSTEM IN ITALY:**

Mandatory schooling in Italy lasts for 10 years and comprises the ages 6 to 16. The educational system is currently structured as follows:

Age	Mandatory schooling	Non-mandatory schooling
3 months – 3 years		Nursery school.
3 – 6 years		Preschool.
6 – 11 years	Primary school.	
11 – 14 years	Secondary middle school.	
14 – 16 years	Secondary high school.	
14 – 19 years		Liceo. Technical/ professional highschool. Basic professional training + high professional training.
19 – 25 years		College. Politechnics. Higher education in arts, music and coreography.

The 10 years of mandatory education include the eight years of the first cycle of education and the first two years of the second cycle (Law 296 of 2006), which are done in the second-grade secondary school from the State, or in regional education and professional training programs. Also for all students, the right/duty of education and training applies for at least 12 years or, in any case, until obtaining a professional qualification of three years before 18 years old, in accordance with the provisions of law n.2003.

Mandatory education can be attended to in public and private party schools (law 62 of 2000), which constitute the public education system, but can also be paid in non-parity schools (law 27 of 2006) or through family education. However, in these last two cases, mandatory education must be subject to a series of conditions, such as carrying out aptitude tests.

The parents of the students, or those with parental responsibility, are responsible for educating the children, while supervision of compliance with the obligation is provided by the municipalities of residence and school administrators of the schools in which they are registered. At the end of the mandatory education period, usually at the end of the second year of secondary high school, if the student does not continue their studies, a certification of the competences acquired is issued (Ministerial Decree 139 of 2007).

Different high schools offer different paths according to the interests of the student:

- Liceo implies a continuation of studies at the college for a valid integration in the labor market. There are six different courses of study, with different approaches to topics;
- Technical institutes, whose objective is to provide students with the skills they need to carry out jobs in the technical sectors;
- Professional institutes allow students to further deepen their knowledge and skills in a professional field, allowing a faster transition to the world of work.

At the end of high school and after passing the final state exam of secondary education, the student can access higher education courses (colleges, polytechnics, and institutes of higher education in arts, music and choreography). Some college courses are limited and students must pass an admission exam. The college system is planned for three one-year courses to obtain a degree, followed by other two one-year courses to obtain a master's degree.

Then, the graduated student can continue towards a PhD by a specialization course or a Master. Graduates can also continue to receive training outside the college curriculum, signing up to courses in the field of higher education.

### **THE EDUCATIONAL SYSTEM IN FRANCE:**

Mandatory education in France lasts for 10 years and comprises the age group between 6 and 16. The educational system is currently structured as follows:



			Name of the course	Age	
Childhood education	<i>École maternelle</i>	Cycle I: initial learning	<i>Petite section</i>	3-4	
			<i>Moyenne section</i>	4-5	
			<i>Grande section</i>	5-6	
Primary education	<i>École élémentaire</i>	Cycle II: basic learning	Preparatory course (CP)	6-7	
			Basic course 1 (CE1)	7-8	
		Cycle III: deepening	Basic course 2 (CE2)	8-9	
			Medium course 1 (CM1)	9-10	
			Medium course 2 (CM2)	10-11	
First cycle	<i>Collège</i>	Observation cycle	<i>Sixième</i>	11-12	
		Central cycle	<i>Cinquième</i>	12-13	
			<i>Quatrième</i>	13-14	
		Orientation cycle	<i>Troisième</i>	14-15	
	<i>BREVET</i>				
			Determination cycle	<i>Seconde</i>	15-16
Second cycle	<i>Lycée</i>	Final cycle	<i>Première générale, Première technologique, première professionnelle</i>	16-17	
			<i>Terminale générale, Terminale technologique, Terminale professionnelle</i>	17-18	
<i>BAC</i>	General secondary highschool Technological secondary highschool Professional secondary highschool				

Both the period of mandatory education and the financing by the private sector date back to the enactment of the Debré Act (1959), which establishes mandatory and free education from 6 (first year of primary school) until 16 years old (*seconde*). Public education comprises 80% of children and the State finances part of private institutions through concert schools (*contrats*).

Currently, the French educational system is mainly integrated by 4 educational stages, preschool, primary, secondary, and college, which are intended to generate the appropriate training of each of the professionals who may be taking the educational chairs within their public or private institutes, being represented by:

**Preschool education:** although not mandatory, children can enter at ages 2 or 3; initially to learn the basic handling of language and the basics of reading, writing, and mathematics.

#### First grade:

a) Childhood Education: this stage comprises the three courses of cycle I of the first grade education, for students distributed by age: from 3 to 4 years old (*petite* section), from 4 to 5 years old (*moyenne* section), and from 5 to 6 years old (*grande* section).

b) Primary Education structured in two cycles, II and III, the first-grade learning of the so-called *écoles élémentaires* comprise five courses for students between 6 and 11 years old.

#### Second grade

a) Secondary Education: *Collège* and *Lycée* The second grade has the learning taught in *collèges* (First cycle) and in general, technological, and professional highschools (*lycées*) (Second cycle).

This first cycle of secondary education comprises four courses, distributed in three cycles: observation and adaptation cycle (*Sixième*), central cycle (*Cinquième*), and orientation cycle (*Quatrième* and *Troisième*). At the end of the *troisième* course, students pass a test to obtain a diploma called "Brevet des collèges".

After passing through *collège*, students continue their studies either in general/technological education institutes, or in professional institutes. This second cycle of secondary education extends from approximately 15 to 18 years old.

General or technological education highschools (*Lycées d'enseignement général ou technologique*), have a 3-year training. *Seconde* students all follow the same school program, without a specific specialization, and choose a general or technological branch at the end.

There are three general upper high school programs: L: Literary; ES: Economic and social; and S: Scientific; and eight technological ones: STT: Tertiary sciences and technologies; STI: Industrial Sciences and Technologies; STL: Laboratory Sciences and Technologies; SMS: Medical-social sciences; STPA: Sciences and technologies of agriculture; STAC: Sciences and technologies of agronomy and environment; TMD: Music and dance techniques; Hostelry.

After completing these studies at the *lycée*, students take the "*Bac*" (*Baccalauréat*) test to obtain the national upper high school diploma to access college education.

b) Vocational Training



Professional *Lycées* prepare students to obtain the Certificate of professional aptitude (CAP), the *Brevet* of professional studies (BEP), and the degree of professional Upper high school. The objective of this training is to provide students with a professional qualification that allows them to have a trade job. Some general education institutes offer complementary training cycles of two years after high school: the BTS (*Brevet de Technicien Supérieur*), a higher education degree.

**College:** students must take an exam to be admitted, and have the accreditation of completion of secondary studies. There are also intermediate degrees during this study being divided into:

First cycle: For research and technology studies after graduation from high school.

Second cycle: in line with 3-year and longer studies in the field normally covered by undergraduate or engineering studies.

Third cycle: These can last from 2 to 3 years; it is mainly the area of specialization in the career, to get a Master's degree and subsequently a PhD.

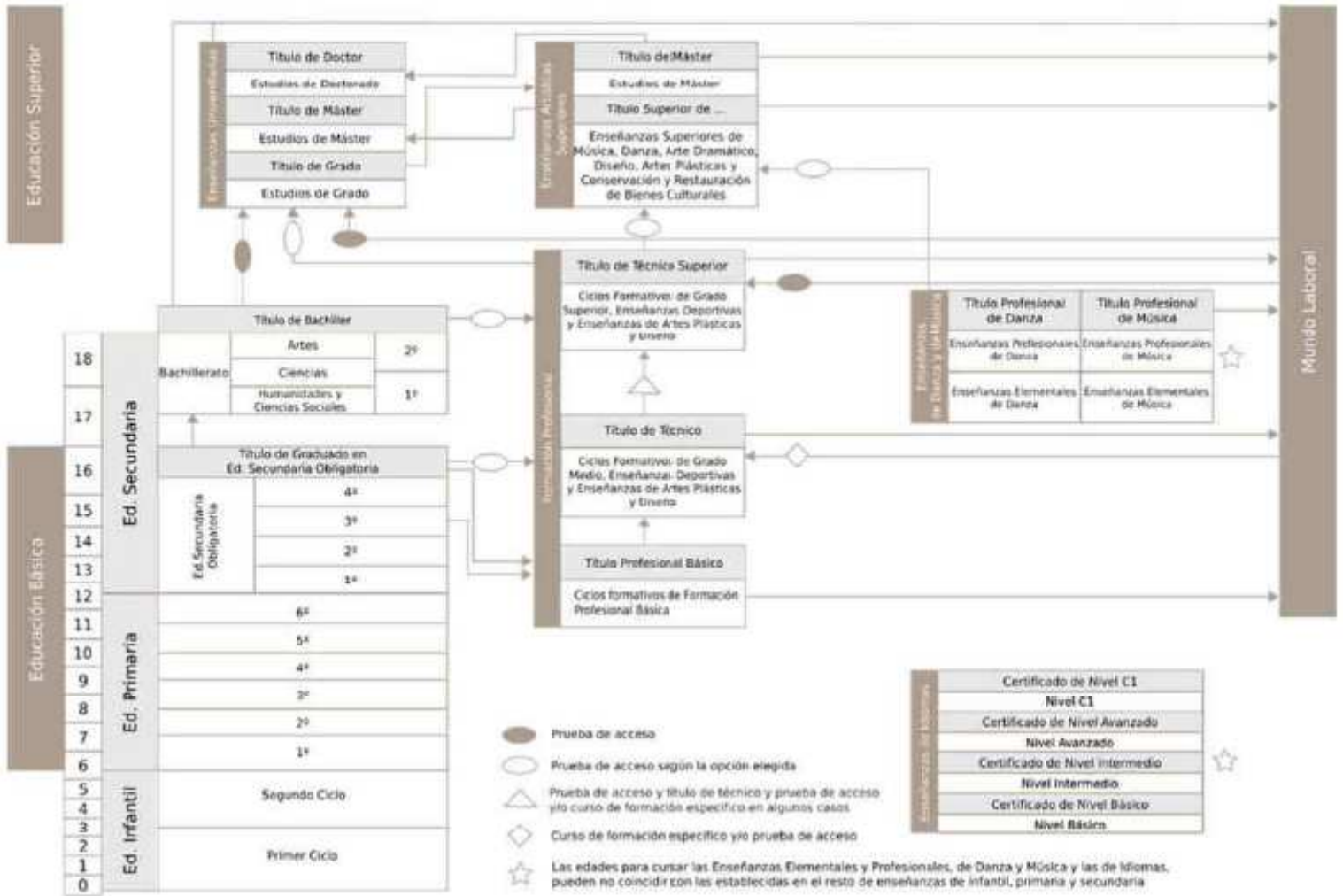
Some other noteworthy **characteristics** are:

- Their primary and secondary education is free within public entities.
- Allows home education, although the town hall and the school inspector conduct an annual assessment to verify that the knowledge of the different educational stages is being obtained, and can otherwise order immediate sign-up in an educational institution.
- In primary education, the number of students in each classroom is reduced to 12.

### **THE EDUCATIONAL SYSTEM IN SPAIN:**

Mandatory education in Spain lasts for 10 years and comprises the age group between 6 and 16. The educational system is currently structured as follows:





Education in Spain is funded by the State, but it is parents or legal guardians of students who must pay for most school supplies, textbooks, school uniforms, etc. In general, there are three types of schools: public, mostly financed by the State; private, financed internally; and concerted, which have a mixed finance system from the State and internally.

When a student finishes the mandatory stage, they can continue studying in their same highschool in the Upper high school cycle or they can sign up to medium degree Vocational Training. College can only be accessed after finishing Upper high school or a higher degree Vocational Training.

The main educational stages are:

**Childhood Education (age 0-6)**



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In Spain, Childhood Education is divided into two periods: from 0 to 3 years old is not mandatory, so families must be responsible for all or part of its financing. The second cycle goes from 3 to 6 years old and is mandatory, so there are free and/or public options available.

### **Primary Education (age 6-12)**

Divided into 6 academic courses, aims to enable Spanish students to acquire a common and solid basic education in culture, speaking, reading, writing, and math. It usually follows a playful methodology in which the cognitive and social development of students is the focus of education.

### **Mandatory secondary education (age 12-16)**

In Mandatory Secondary Education (ESO) in Spain, students must finish the four years of this stage, but if any student has to repeat a course and becomes 16 before the end of this mandatory period, they can leave mandatory studies if they wish to do so. The objective of this stage is for students to form their own critical thinking, develop skills that will help them in their adult lives, learn to work in teams, etc.

### **Upper high school**

The Upper high school is not part of mandatory education, but more and more students are obtaining this degree. It comprises just two courses, and is focused on acquiring more specific knowledge related to the area chosen by the student: arts, science and technology, humanities, and social sciences. This stage allows the student to directly reach the college entrance exam or a high degree Professional Training.

### **Middle or high degree Vocational Training**

Vocational Training in Spain trains students directly for certain jobs. It usually has two courses and includes a mandatory period of internship in companies that allow them to have a first-hand experience of what they learned in class. The difference between medium and high degree Vocational Training is the depth of its theory in their courses, and the degree of specialization obtained as a result.

### **College: degrees, master's, PhD...**

Spanish college degrees usually span four years, except for a few longer specialties. All bear the name of *Degree* plus its specialty (Degree in Early Childhood Education, Degree in Art History, Degree in Psychology...). Once these four-years are finished, the student can advance to a master's degree, of one or two years at most, and then study for several years of PhD.



The entire college stage is not mandatory, so the expenses are paid by the student, although the price of public universities is lower than private ones.

For more information on the characteristics and structures of education systems in these or other countries of the European Union, see the following link:

- [https://eacea.ec.europa.eu/national-policies/eurydice/national-description\\_es](https://eacea.ec.europa.eu/national-policies/eurydice/national-description_es)

## 6.2 HOW MANY MIGRANT STUDENTS ARE THERE, AND HOW WILL YOU OR YOUR CHILDREN BE RECEIVED IN THE EDUCATIONAL SYSTEM? – LEVEL 3

According to figures from the UNESCO Global Education Monitoring Report 2019 “Migration, displacement and education” presented on November 20<sup>th</sup> 2018 in Berlin, in presence of the UNESCO Director-General, Audrey Azoulay, the number of migrant children and school-age refugees worldwide has increased by 26% since 2000 and could fill half a million classrooms. This report highlights the achievements and failures of countries to guarantee the right of migrant and refugee children to education, a right that benefits both the students and the communities in which they live.

Although the right of these children to a quality education is in theory increasingly recognized, it is in practice challenged daily in classrooms and schoolyards, and some governments even flatly deny it. However, as observed in eight of the ten main refugee receiving countries, national education systems have advanced in the inclusion of refugee students. Some of these are low-income countries, such as Chad, Ethiopia and Uganda, and others like Canada and Ireland, world leaders in the implementation of inclusive education policies for immigrants.

For UNESCO Director-General Audrey Azoulay: “When migrants and refugees are denied access to education, we all lose. Education is the key to inclusion and cohesion. Increasing diversity in the classroom, while challenging for teachers, can also improve respect for diversity and is an opportunity to learn from others. It is the best way to forge stronger and more resilient communities”.

Half of the forcibly displaced persons in the world are under 18 years old, but many countries exclude them from their national educational systems, and efforts to promote inclusion may not come to fruition if teachers do not receive the necessary training. The report estimates that in order to provide quality education to all refugees, countries like Germany would need





42000 new teachers, Turkey 80000 and Uganda 7000. Low and mid income countries house 89% of refugees, but they lack funds to deal with the situation.

The proportion of students with of migrant background in high-income countries increased from 15% to 18% between 2005 and 2017. There are 36 million, equivalent to the entire school-age population in Europe. At the current rate, it could increase to 22% by 2030. But migrant children are not given a fair chance to success. In the European Union, in 2017, twice as many migrant young people left school compared to natives; first-generation immigrant students in the countries of the Organization for Economic Cooperation and Development (OECD) are 32% less likely than natives to achieve basic reading, math, and science skills.

Manos Antoninis, Director of the Report, said: “Countries cannot think that work is over once immigrants are in school, because they continue to be excluded in many other ways. They end up in slower circuits or in low-income schools in troubled neighborhoods. (...) However, almost all countries are signing the two global pacts on refugees and migrants, which include several key educational commitments; this could be the long-awaited turning point”.

We observe the example of Canada, which has the highest percentage of immigrants among the seven richest industrialized countries, guarantees that children learn about migration from the second grade, and has included multiculturalism in its Constitution; or the case of Ireland, which has the highest percentage of first-generation immigrants in the European Union, and managed to finance an intercultural education strategy amid a deep financial crisis.

It should be remembered that all children under 18, with or without papers, have the right to education in the same way as natives. Thus, they have the right to a basic, free, and mandatory education, to obtain the corresponding academic degree and access to the public system of scholarships and grants.

We do not want to finish without pointing out some additional features to consider about the educational system and how your/their welcome is going to be.

In theory, parents have the right to choose a school in the neighborhood where they live. The organization of the public education system –at least in Spain– has already been explained in the previous section, but we can add that children who need it receive reinforcement classes in Spanish, Catalan, Valencian, Basque, or Galician (depending on the territory), and in some centers there are also support programs for newcomers. A school year runs from September to June.

Another feature to keep in mind is that no public school can use the student’s religion to receive or reject them at the time of signing up. Parents have the right to have their children receive religious and moral training according to their beliefs.



Although public education is free, according to family income (salaries) and student performance, the Departments of Education of the Autonomous Communities and the Ministry of Education and Science, give financial aid or scholarships for the purchase of textbooks, the canteen service (for all students), scholarships for early childhood education (a support for second cycle for regular students), and scholarships for post-mandatory education (training cycles, upper high school, and college studies for regular students).

An important question is what to do with studies already passed in other countries. They must be standardized. This process consists in validating a degree obtained outside Spain, after comparing it with the studies conducted here to obtain that title.

### 6.3 WHAT ARE THE DIFFICULTIES THAT YOU WILL FIND IN THE CLASSROOM? THE INCLUSION OF THE MIGRANT STUDENT – LEVEL 1

As noted on previous occasion, completely homogeneous statistical data are rarely available to provide the basis for a completely reliable comparison. The definitions of the target population vary from one study to another and do not always match the definitions used at the national level. It is also impossible to use the statistical material to either assess the difficulties that immigrants may experience when integrating into the centers, or to measure the percentage of those who have support means at their disposal.

It is clear that there are concrete difficulties, for example linguistic ones, which migrant children may experience during their education that may lead initially to literacy problems, and to school leaving in later stages.

Thus, in this section we will try to name some explanatory variables that influence the educational disadvantages that migrant students experience, opposed to native ones.

Based on some of the preliminary notes in the report "THE EDUCATION OF IMMIGRANT STUDENTS - Approaches, limits, and opportunities", drafted by MIGUEL ÁNGEL ALEGRE CANOSA and SHEILA GONZÁLEZ MOTOS (UAB teachers in sociology and political sciences), we can consider that, in general terms, "in the great majority of the countries participating in the tests of the PISA 2009, immigrant students (especially first-generation students, but also those born in the host country) get worse results than their native classmates; this does not seem to be significantly related to the percentage of foreign students in each country. More specifically, in OECD countries, the average scoring distance between native and migrant students is 43 points, which increases up to 52 points when comparing the results of native



students and first generation migrant students, and is reduced to 33 points when comparing native students with second-generation migrant students. The distance between the average scores of native and migrant students (first and second generation) is especially relevant (over 60 points) in countries like Mexico, Iceland, Italy, Finland, Belgium, Austria, Sweden, Denmark, and France. In contrast, in countries such as Australia or Hungary, the differential is favorable to migrant students, while in Canada, the Czech Republic, or Israel, the advantage of native students is not statistically relevant. The case of Spain is close to the situation of the countries with greater inequality between native and migrant students, with an average difference of 56 points, being particularly relevant the inequality between the scores of native students and first generation migrants (60 points). In comparative terms, Spain is among the countries where first-generation migrant students are more than twice as likely to be part of the 25% bad performance students, compared to native ones”.

“(…) As we have seen, in the OECD global, certain individual control variables like being first or second generation, socioeconomic and cultural status, the year of arrival, the mother tongue, or the country of origin allow to explain most of the differences in results between native students and migrants observed in the vast majority of countries. However, in a non-negligible segment of countries, the detraction of the effect of these variables fails to significantly reduce the unexplained variation between the results obtained by these groups of students. In other words, the educational inequalities between native and migrant students cannot be satisfactorily explained exclusively with individual characteristics. In these countries, including Spain, it is necessary to couple the individual explanation with detail to factors related to the educational realities of the schooling processes of migrant (and native) students”.

Related to this, intercultural education within the framework of an inclusive school is the best response to the linguistic and cultural plurality found in classrooms, according to the characteristics of the society in which they are located and where diversity becomes an enriching element for learning. From this comes the need to design a curriculum that includes the factors that determine the process of acquisition and social and cultural mastery of the vehicular language of the school, in which multilingualism is the approach for the teaching-learning processes. It must also filter methodological strategies (Beacco, Byram, Cavalli, 2010), since only a curriculum designed from this approach can advance towards a true social, linguistic, and cultural inclusion of migrant students.



6.4 BASIC REGISTRATION PROCEDURES, PAPERWORK, AND REQUIREMENTS – LEVEL 1

The schooling of children is one of the most important factors that influence the integration of immigrants in Spain. It is the starting point for family insertion, and acts as a stabilizer for the adults of the family. The right of minors to receive a basic education is reflected in the constitution, Organic Law of July 3<sup>rd</sup> 1985, in its first article:

1. - *All Spanish citizens have the right to a basic education that allows them to develop their own personality and to carry out a useful activity for society. (...)*
2. - *All, likewise, have the right to access higher education levels based on their aptitudes and vocation, without in any case the exercise of that right being subject to discrimination due to economic capacity, social level, or place of residence of the student.*
3. - *Foreigners living in Spain also have the rights referred to in sections 1 and 2 of this article.*

This right is guaranteed beyond the legal status of the parents, so every school-age child has the right to a basic education regardless of whether or not their parents are in Spain irregularly. Most migrants arriving in the country that have to educate their children are unaware of the steps to follow, but each city from the different communities has created guides to help them.

We will here take the steps to follow to school a child in the Spanish Educational System in primary and secondary Basic Education (between 6 and 16 years old):

In order to attend the school, first one must sign up or register.

Be aware of the schools your child can attend to, so you can decide which one suits you best. The educational system is different in each autonomous community; so you have to be informed of the requirements of each school. It is convenient to school children as soon as possible, if you are new to Spain, at least carry out their registration immediately.

Learn about the official languages of the school where you want to enroll your child/ren, take note of the subjects studied in the different languages, and find out about the types of centers you can choose from.

Fill in the application taking into account the preferences of your children before submitting the registration.



When to register/ sign up?

Registration takes place between March and May, at the beginning of September, and can be done out of these times if you are a recent newcomer, so your child can join immediately, but you will not be able to choose a school if this is the case. The registration process can be done in the chosen school, in the town hall (educational area), the Territorial Delegations of Education, or in the Immigrant Reception Office.

What documents do you need?

Although it varies between autonomous communities, the basic documents needed are: a copy of the ID or passport of the father and mother, the Family Book or document that shows the child's data (name, date of birth, parent data, nationality, etc.), document his/her studies (bulletin, certificates of studies, etc.), vaccination card, and census registration in the place of residence.

It is not necessary to validate studies to access pre-school, primary, or secondary education.

As additional resources you can find different guides on schooling in Spain:

The Social Work 'La Caixa' created a resource dedicated to migrants with school-age children, a practical, affordable, and easy to understand information on the Spanish educational system. This is a basic guide for parents who need to know the steps for their child's schooling (School Guide – The Educational system in Spain).

The on-line community of the Educational Community of Castilla y León has a Guide to properly exercise the right to education, with an explanation of the Spanish educational system and the necessary procedures for registration. This is available in 9 different languages, "Educational information for migrant parents and students".

The Basque Country also has an Orientation Guide for immigrant minors schooling, "Guidelines for the schooling of immigrant students - Leioako Berritzegunea".



6.5 ADDITIONAL RESOURCES - LEVEL 2

PDF: Integrating students from migrant backgrounds into schools.

PDF: Integrating asylum seekers and refugees education.

- [https://www.sel-gipes.com/uploads/1/2/3/3/12332890/2004\\_eurydice\\_-\\_integrating\\_inmigrant\\_children\\_into\\_schools\\_in\\_europe\\_sp.pdf](https://www.sel-gipes.com/uploads/1/2/3/3/12332890/2004_eurydice_-_integrating_inmigrant_children_into_schools_in_europe_sp.pdf)
- <https://www.raco.cat/index.php/AnuarioCIDOBInmigracion/article/view/353930/445756>
- <https://comosetramita.com/escolarizacion-de-inmigrantes-no-residentes-en-espana>





VIRTUAL  
INCLUSIVE  
EDUCATION

# **DIDACTIC UNIT 7**

## **THE MEDICAL INCLUSION OF MIGRANT PERSONS**

COURSE **FOR**  
**MIGRANTS**  
**& REFUGEES**

7.1 HOW IS THE EUROPEAN MEDICAL SYSTEM STRUCTURED? – LEVEL 3

Every European country –in fact, every developed country except the US– has social protection systems that provide medical coverage to all their population. In this sense, the EU’s social model is the benchmark of what could be considered the “International Standard for Health Services”, which includes: 1) Universal coverage for the entire population with a public and/or mandatory insurance system, 2) Public financing of this insurance according to the income level, 3) A broad coverage of benefits –medications, technologies, services, and 4) Cost control mechanisms that ensure the financial sustainability of the system.

However, despite their geographical and socioeconomic proximity, the medical systems of the so-called EU-15 (member countries until the 2004 expansion) differ more than we can see on the surface. Within the common standard, a great diversity of organizational health structures coexist, as a result of combining the three basic building elements of all medical systems in a different way: 1) sources of financing –economic resources–, 2) suppliers –doctors, hospitals, pharmacies, etc.–, and 3) mechanisms to allocate resources to providers.

The economic crisis meant that in recent years the focus is primarily on the profitability of the system, but there are other factors with a significant influence on the more daily aspects of health. Which citizens are most satisfied with their medical system? In which countries does it take longer to see a doctor? Throughout this section we collect the different parameters that allow us to compare the different medical systems in EU countries.

First, it is important to identify the sources of health financing; the EU has basically two large systems, which serve to classify European medical systems into two large prototype blocks: 1) Social Security system countries (Bismarck models) financed by mandatory social contributions, and 2) tax-financed countries, with National Health Service or similar (also known as Beveridge models). In any case health financing in the EU is mainly public (with an average 78.5% of total health expense), making it the most important common feature.

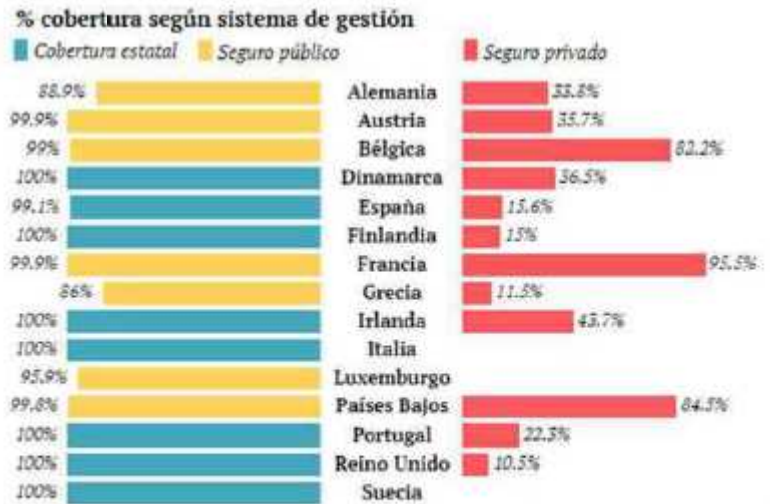
Of the countries with Social Security models, Germany is the historical reference since Chancellor Bismarck announced the creation of the system in 1881. Social Security has been and continues to be the cornerstone not only of social protection systems, but of economic development. Almost all countries have developed their public medical systems based around it, having in some cases –like Italy and Spain– a later shift to tax financing. In addition to Germany other EU-15 with Social Security system are France, Belgium, and Austria; all these countries have an important tax contribution, a trend made clearer in recent reforms in Germany and France. With the entry into the EU-25 of the new Eastern countries that have





shifted to Social Security systems from their previous state funding, the Bismarck model is the mainstream in the EU.

**Sistemas sanitarios en UE-15**



The international benchmark for countries with tax financing is the UK’s National Health Service (NHS), created in 1948 by the Labour government of Clement Atlee after 1942’s Beveridge Report. This group includes all Nordic countries (Sweden, Finland, Denmark, Norway, and Iceland), Ireland, and in recent decades southern countries like Italy, Spain, and Portugal. There are countries like Greece that do not fully fit into one group, and there is some degree of mixed financing in almost all countries.

Public tax financing is linked to universal coverage for the entire population, and with it a rational planning approach to health organization. Thus, all European National Health Service-type systems develop provision structures based on territorial-population planning (organizing services according to the population to serve), creating health regions with a high specialization hospital, health areas equipped with a general hospital, and smaller areas with medical centers. Similarly, these systems have generalized the functional organization of medical services according to their complexity, their most important and valuable feature being based on Primary Care medicine (general or family doctor), a system that European Social Security countries do not have (although most recent reforms tend to shift to it).

Although a classification according to public source of financing is the most used and is of great importance, the element that better characterizes the health services of a country, both from

the perspective of the population/patient, and for health policy and management, is the way in which financial resources reach providers (doctors, hospitals, etc.), and the relationship that this establishes between funders-providers. There are two basic alternatives for this: hiring, and integration. In non-integrated, contract-based systems, the insurer-financer purchases the health services required for their population through contracts with private and public providers. This is the typical model of classic Social Security systems (Germany, France), which do not have hospitals or employ doctors.

On the other hand, in the integrated model, Social Security or Public Administration produce their medical health services themselves, integrating providers in its own organization, thus configuring their own network of health facilities and services (like in Spanish Social Security). In this structure, the funder (State or Social Security) directly employs health professionals and manages its own centers. This is the typical model of all European medical systems historically financed by taxes (United Kingdom, Nordic Countries), and also of southern European countries (Spain, Italy, Portugal) that created their Social Security systems later and shifted to tax financing, extending them to their whole population. In integrated models, health workers are public employees, and medical systems operate within the public sector (Social Security).

The integrated public or contract nature of a medical system has very important repercussions on the organization and operation of health services and on the incentives that operate within them for the provider chain (hospitals, doctors, dentists, etc.).

The distinction between public or contract integrated systems has been and is of great interest for the debate on health policy; the reforms proposed by Margaret Thatcher for UK's NHS in 1991 proposed the separation of the functions of "purchase" and "provision" of medical services, with the idea of creating an "internal market" in which competition between suppliers would lead to greater efficiency. Despite the failure of that experiment, her ideas were widely disseminated, and greatly influenced the Spanish medical debate, many seeing in non-integration a response to the problems of public integrated systems. In fact, in some Communities such as Catalonia and Madrid, "service buying agencies" were created by law, such as the Catalan Health Service (SCS), and "providers" like the Catalan Health Institute, ICS. This reform has never been evaluated in Spain, although the comparison between Autonomous Communities offers a natural experiment capable of providing data of interest.

To summarize: the EU's medical systems can be classified broadly according to two criteria: 1) with a public funding source (taxes or Social Security) and 2) integrated or contractual between funder and suppliers. Each of these two criteria overlap, and there are large variations that prevent generalization with precision in each category. However, we have seen that tax financed systems usually have predominantly integrated systems, with population-territorial planning systems based on Primary Care medicine, and non-integrated countries with Social



Security systems operate through financing-provider contracts. These structures do not facilitate the rationally planned distribution of doctors and hospitals in the territory, nor the coordination between levels, but give the patient a great freedom of choice.

The following table extracted from the 2006 report *The Spanish National Medical system in a European comparative perspective: differences, similarities, challenges and options*, by José Manuel Freire (head of the Department of International Health, National School of Health), allows us to clearly appreciate the differences between European Social Security medical systems and Tax-based ones. However, the differences between the two groups come from having integrated or non-integrated systems rather than from the type of financing (the Spanish SNS shifted from Social Security to taxes without noticeable changes).

Comparisson between the two large Health models in the European Union	
Social Security Systems (Germany, France, Austria)	Tax-based Systems (UK, Nordic countries, Spain)
Contracts between the System and medical providers, both public (France) and private.	Integrated systems: services are generally owned and managed by the funder (the government/state). Medical staff is public employees (except Primary Care).
The system does not favor organizational planning or coordination between levels.	Organization based on poblation and territorial planning of health services. Coordination between support and social services ( <i>continuum of care</i> ).
There is no true Primary Care (although reforms in Germany and France favor the general/family doctor).	Care is based on Primary Care (general/family doctor, in charge of a group of individuals, and entrance door for specialists - <i>gatekeeping</i> -).
Both generalist and specialist freelancers work on non-hospital medicine, and charge for their actions (in some cases this also extends to hospital doctors too).	General/family doctors can be public employees (Spain, Finland) or freelancers (UK, Italy), but they do not charge for their medical actions (recruitment).
The characteristics of the system and its providers determine a great freedom of choice for patients (on doctors, medicines, visits...).	Patients have to visit their general doctor first, and then will be redirected to a specialist if necessary.
There are virtually no waiting lists (a very open health service market).	There are notorious waiting lists, also varying between countries.
High level of satisfaction of the population regarding the health system, without significant variations between countries.	Wide variation satisfaction levels between countries. Best in Nordic countries, worst in coutries with slow/worse functioning (Italy, Portugal), average in Spain and UK.
Higher medical expenses (more influence of demand).	Lower medical expenses (high control by governments).

On the other hand, its usefulness from the perspective of this work is very limited, because it is hard to think about changes in the medical model. The National Health Service-type systems have very direct and effective planning and organization tools, with the greatest guarantees of

equity, quality, and efficiency; therefore, when they function properly (important condition), they achieve the highest value by the population, as is the case in all Nordic countries, in which public services are highly efficient and of high quality.

On the contrary, where this does not happen, public integrated models have great inefficiencies and problems for the population and patients -long waiting lists among them-, with the subsequent negative assessment by the population, which reaches the Eurobarometer, as the worst in Europe, like in Italy, Portugal, and Greece.

National Health Service-type systems share many points in common, but they also have important differences, with a wide variety of tools for planning, organizing, and managing the services patients receive. These differences are mainly due to the political culture of each country, which determine the public service's management and government systems. Although the objectives and values of universality and equity are common and shared by all, there are large differences between countries regarding organizational and management tools.

For example: a seemingly homogeneous characteristic, such as hospitals being public, has a broad spectrum of solutions, ranging from a little differentiated integration into the general public administration (Spain), to a very autonomous entity and management like in new and controversial Foundation Hospitals of England (not all over the UK). This has important repercussions in critical aspects of management, since the workers of the British and Swedish hospitals are employees hired by hospitals, not by "the system" like in Spain. Likewise, although all health workers of the British NHS and the Nordic countries are public employees, their employment status is totally independent from that of public officials, and very similar to other workers of their country.

This diversity of management and government tools also happens in the organization of clinical services: thus, although Primary Care is common to all these countries, in Spain family doctors are public employees, while they are freelancers in the UK, Italy, and Denmark.

Additional resources:

- <http://portal.ugt.org/claridad/numero7/freire.pdf>
- [https://www.immedicohospitalario.es/uplcads/envejecimiento\\_gran\\_reto\\_6106\\_0815304\\_8.pdf](https://www.immedicohospitalario.es/uplcads/envejecimiento_gran_reto_6106_0815304_8.pdf)
- [https://www.immedicohospitalario.es/uplcads/sistemas\\_sanitarios\\_europa\\_6681\\_051532\\_04.pdf](https://www.immedicohospitalario.es/uplcads/sistemas_sanitarios_europa_6681_051532_04.pdf)
- [https://www.immedicohospitalario.es/uplcads/sistemas\\_sanitarios\\_europa\\_7033\\_131019\\_12.pdf](https://www.immedicohospitalario.es/uplcads/sistemas_sanitarios_europa_7033_131019_12.pdf)
- [https://www.mscbs.gob.es/estadEstudios/estadisticas/docs/Sist\\_san.UE.XXI.pdf](https://www.mscbs.gob.es/estadEstudios/estadisticas/docs/Sist_san.UE.XXI.pdf)



7.2 WHICH RIGHTS DO YOU HAVE REGARDING HEALTH, AND WHAT PAPERWORK DO YOU NEED TO ACCESS THEM? – LEVEL 2

The public medical system guarantees covered health care for every person with a job or registered in the Social Security, according to a catalog of benefits. Foreigners in Spain, regardless of their administrative situation, have the right to urgent public **health care**. Foreign minors (up to 18 years old) and pregnant women during pregnancy, childbirth, and postpartum, also have health care covered regardless of their administrative situation.

In order to request health care, first it is necessary to request the health card at your health center, and to be assigned a family doctor; this will assign you a patient number. You will need to provide the following documents: Certificate of census registration and TIE (Foreigner Identification Card) and/or passport. This will grant you an individual health card, which will accredit you as a user in the National Medical system, and also enable pharmaceutical benefits from Social Security.

Once you have the card that guarantees us access to health care, there are *three* methods to request an appointment to see the doctor. Concrete ways depend on each Autonomous Community, since this competence depends on each Autonomy. In any case, the ways to **request an appointment** for the doctor are:

- Request the appointment personally.

The patient can go to their assigned health center, take a turn (if this system exists), when your turn comes up, state that you want **appointment** with the attending family/general doctor.

- By phone.

For this, you can either call the established phone number (each for an Autonomous Community), or the center's. These numbers can be easily located on the Internet, or specifically on the website of the Community's medical system.

- Online.

To request an appointment online, just search for your Community's medical system web page; in it there will be an option to request the appointment. Patients can identify themselves in different ways, although they can always do so with their personal data.



On the other hand, when a person starts to work, they will be included in the Social Security system and assigned an affiliation number. The current Immigration Law recognizes the right of legal status foreigners to benefit from social security (unemployment benefits, retirement, disability, widowhood, sickness, maternity, and orphanhood pensions) the same as native Spaniards. To receive these, it is necessary to have contributed to social security, since the amount to be received depends on the amount and time they've done so.

As a result of this, the question is: If I am not contributing (i-e- working), can I go to the doctor? The answer is yes, you can. In fact, these are some of the situations that may happen:

- Being legally receiving an unemployment benefit: you are guaranteed healthcare the same as employed people are.
- Being legally unemployed, but having exhausted the corresponding benefits: you keep the right to receive health care if you register as a job seeker.
- Never having exhausted the unemployment benefit (young students, for example): you can receive health care through a health card for people without resources, or as a beneficiary of a family member's card.

Lastly, beyond all these possible situations, there is the one of **irregular situation migrants** and their right to access the medical system in EU countries.

First of all, there is no common specific rule on health care for illegal immigrants in Europe, and in some EU country the final decision even lies on the doctors themselves. EU's Fundamental Rights Agency (FRA), an advisory body of the European Commission, created in 2007 to extend the mandate of the European Observatory of Racism and Xenophobia (EORX), and whose objective is to provide assistance and advice on fundamental rights to the Community institutions and EU member states already denounced the great differences between member states, due to factors like budget, public health, and immigration policies themselves, stating that the only two directives on health treatment of illegal immigrants in the EU refer to forced return and refugee reception conditions.

The so-called Return Directive states that illegal immigrants forced to return must receive medical attention for emergencies or chronic diseases. The Refugee Reception Conditions Directive states that asylum seekers must receive emergency care and "essential treatment" for their illnesses.

In the absence of a common legal framework, any internal regulation must respect the International Treaties on Human Rights that regulate health protection, signed (in our case, the Charter of Fundamental Rights of the European Union (2000); European Social Charter (1961); Universal Declaration of Human Rights -DUDH- (1948); International Covenant on Economic, Social and Cultural Rights - ICESCR- (1966); International Convention on the



Elimination of All Forms of Racial Discrimination (1965): Article 5 (e) (iv); Convention on the Elimination of All Forms of Discrimination against Women (1979): Articles 11 (1) (f), 12 and 14 (2) (b); Convention on the Rights of the Child (1989): article 24; Convention on the Rights of Persons with Disabilities (2006): article 25; together with the general criteria to which the community regulations regarding benefits provided by public medical systems.

Lastly, in reference to the three countries analyzed in this section:

In France, there is a State Medical Assistance service since the year 2000 for temporary situations of illegal immigrants who have been in the country for at least three uninterrupted months.

In Italy, illegal immigrants have the right to minimum medical coverage, including urgent and basic care, preventive medicine programs, pregnancy and maternity monitoring, supervision of minors' health, mandatory vaccines, supply of prophylactics, treatment of infectious diseases, and detoxification of drug addicts. This is done by the co-payment of official prices by illegal immigrants, except if they cannot pay.

In Spain, illegal immigrants not registered in the census of any Spanish city only have the right to emergency care, which covers serious illnesses and accident care. In this same situation, but being registered in the census or having a residence permit, they have the right to health care, the same as native Spaniards, which covers serious illnesses, accidents, and primary and specialized care. They also have the right to this if, as we mentioned above, they are under 18 or pregnant.

It is important to note that the previous reform, from 2012, had withdrawn the health card from illegal immigrants, excluding them from primary care (except minors and pregnant women), limiting their assistance to emergency services. This situation changed with the change of government, linking health protection to the concept of citizenship, thus separating it from that of "insured", as previously, to regularize their care.





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# **DIDACTIC UNIT 8**

**PRACTICAL QUESTIONS ON HOUSING**

COURSE **FOR**  
**MIGRANTS**  
**& REFUGEES**



The importance of housing in social integration processes has been widely analyzed from different areas, as one of the indicators to measure it. Beyond the adequacy of housing regarding the insertion of a group in society, housing fulfills by itself functions otherwise impossible to cover, such as being a closed space that we protect from outside, in which we establish our life and social references. In it we build our intimacy, we live with the closest family or affection group, and carry out social activities, turning it into a space for socializing. For some people it is also their workplace, and for most it is a place of personal creation, to combine our tastes and desires.

For migrants, refugees, or stateless persons, in addition to what is mentioned above, housing is a basic requirement to access their rights. Thus, census registration becomes the first necessary condition to access the health card and social resources, and to start the process of administrative regularization. Having a proper home is necessary if you want to start family reunification, making it one of the basic foundations of social integration. It does not guarantee the social integration of foreigners, but it is *conditio sine qua non* to reach it.

Consequently, having a proper place to live is one of the main concerns of the migrant population, but as with the working conditions, its characteristics are usually filled with problems in which marginalization and exclusion flourish, especially in the first period of arrival to the host country.

In these pages we will try to address the series of elements that characterize housing conditions and the residential behavior of migrants.

### 8.1 BASIC CONCEPTS ON RENT – LEVEL 1

The type of ownership of foreigners in Spain is mainly rent, although it varies depending on the country of origin. This contrasts with the native Spanish population, for which rent is quite minority, being one of the European countries with the lowest rented proportion of houses.

Among native Spaniards, rent is typical of those who have not yet defined a home project, do not have the resources to acquire a home, or who have a temporary residence, mainly due to their job. Thus rental housing is concentrated in the central districts of large cities and in the high-income areas of urban peripheries to which displaced professionals go due to job reasons. Renting is more frequent among immigrants, especially those who have not yet set their project, either related to the job they will have or the conditions of their family project.



Some reasons that lead to renting, and specifically room renting, is the administrative situation, since being in an irregular situation makes it even more difficult to access a home, either owned or rented. However, logically, housing conditions are improving as the migration project strengthens and the labor, legal, and economic integration process takes place.

Before delving into specific matters on contracts, rights, and obligations, among the basic aspects of the rental we must know the rental contract. In it has to appear the name of the owner (**landlord** or lessor), the renting person (**tenant**), and the amount to be paid monthly (**rent**). In addition, a bond (one month's rent) is usually required, which will be returned at the end of the contract if the home is in the original conditions. Although contracts can be verbal, it is highly recommended to do them in writing.

The owner must keep the home on rental for 3 years (even if the contract says otherwise), and the tenant can leave the house by notifying the landlord in written form 1 or 2 months before (depending on the contract) after one year of rent.

The owner can only increase the rent according to the annual cost of living (IPC). After 3 years, if both parties remain interested, they can renew the contract, and at this time it is possible to increase the price. Only persons authorized in the contract can live in the house.

In most of homes the community of neighbors holds meetings to agree on the use of common spaces -stairs, elevator, garden, garage- and solve any problems that arise. There is a mandatory community fee to be paid by each owner or the tenant if it has been agreed so in the contract.

## 8.2 THE CONTRACT: RIGHTS AND OBLIGATIONS – LEVEL 3

### BEFORE SIGNING THE CONTRACT

#### **1. Check that the person renting the house is in fact its owner.**

It is usually so, make sure of it to avoid later annoyances (for example finding out later that the initial bond has not been paid to the real owner). Checking this is easy: if there is a real estate agent, you can ask them to confirm it; if the contract is established between individuals, a note in the property register is enough, but make sure that the note is recent!

#### **2. Check that the real estate agent has an effective mandate.**



They usually do, but even so, ask for the document in which the owner authorizes you to rent the house and carry out all related procedures. If any of the signatories acts on behalf of a legal person, their business name must be included and clearly stated in title of what they do (proxy, administrator, etc.). The legal person's address must also be stated if it is necessary to request or notify them, as well as their NIF or C.F.

### 3. Properly verify what the contract includes.

Thoroughly read the contract before signing it and, if possible, negotiate its conditions with the landlord, or state your discrepancies with it (in writing). Conditions include much more than the monthly rent, also things like duration of the contract, the person (landlord or tenant) who must bear the expenses (community, taxes, insurance, etc.), reasons for infringement, penalties for leaving the house before compliance, or payment of repairs.

#### What should a contract include?

- The date on which it is signed.
- The identity or personal data of both contracting parties (full name, marital status, address, NIF, email, and telephone).
- The details of the house (full address, approximate area, Land Registry, cadastral reference number, if the house is furnished, and if so, an attached inventory, if it is rented with a storage unit or garage, etc.).
- The duration of the contract based on the agreement and the starting date.
- Amount of annual rent and payment deadlines and means.

#### Is the energy efficiency certificate mandatory?

Since June 1<sup>st</sup> 2013, it is necessary to have an energy efficiency certificate to lease or sell a home (except in buildings with a useful area of less than 50m<sup>2</sup>).

#### PRICE

Usually, monthly rent is non-negotiable, but you can try to reach a small reduction. If there is no public price per square meter index in your community, but if you consider that you're being charged more than average, you can check similar homes online and tell the landlord.

#### What does monthly rent include?

It is important that the contract clearly establishes what expenses will be covered by the monthly payment: community expenses, central heating, registration of supplies, garbage

collection fee, or property tax real estate (IBI). Many rents include these in the monthly fee, but you have to make sure that the contract states what is and what isn't included.

According to the Law on Urban Leases (LAU), the landlord is obliged to deliver the payment receipt to the tenant, unless it has been agreed to be done through procedures that prove its effective compliance. The concepts of payment must be properly broken down in this receipt or document, specifically the current rent. If the landlord does not hand the receipt, all expenses incurred by the tenant will be charged to the landlord's account to record them.

The tenant must bear the services and supplies individualized, like electricity, water, or telephone. However, if these expenses are not individualized, a percentage may be passed on to the landlord and must always be justified.

### **Can my monthly rent be raised?**

Keep in mind that -except for social housing- the owner and tenant can freely agree on the price. For tenants with contracts signed after April 1<sup>st</sup> 2015 (date on which Law 2/2015 of the de-indexation of the Spanish economy entered into force) until the last reform of March 1<sup>st</sup> 2019, rent increases will no longer be based on annual IPC, but will follow these criteria:

1. The landlord and the tenant can freely agree on how to make the annual rent update (the rent increase).
2. If the contract does not include said agreement, rent CANNOT be updated (increased).
3. If the contract does include rent update (increase), but does not state how it should be done, the Competitiveness Guarantee Index must be applied.

For contracts after the reform of March 1<sup>st</sup> 2019, the law establishes that monthly rent can only be raised annually and never above what IPC states. This increase must also be reflected in the rental agreement itself at the time of signature. If the contract includes that the rent will be updated, but does not state how, the last published month of the Competitiveness Guarantee Index will be taken as a reference on the date of the contract update.

Modifications in these contracts only affect point 1., since it is no longer possible to freely "agree" to raise the price above IPC.

### CONTRACT PERIOD

Nowadays, the duration according to the law of the housing lease contracts is the one freely agreed to between owner and tenant, which is usually fixed to one year -this is implied unless specified otherwise in the contract. However, the duration will depend on the legal norm that was in force at the time it was signed, since Article 9 of the LAU establishes a series of mandatory or "forced" extensions that happen automatically.



**New law of March 1<sup>st</sup>, LAU of 2019:** Contracts will be automatically extended up to 5 years if the landlord is private, and up to 7 if it is a legal entity (company, entity, association, etc). After those years, and before the end of the contract, if no party has requested to terminate the contract, it will be extended for another 3 years.

In this type of contracts the notice period that the landlord must give if the contract is not to be renewed is of 4 months in advance.

**LAU of 2013-2019:** Contracts are automatically extended up to 3 years. After those years, and before the end of the contract, if no party has requested to terminate the contract, it will be extended annually.

The only exception to the “forced” extension is if the owner needs the property for their use, their spouse, their partner by law, or their descendants or ascendants, and does not have other housing in the same city/town. This clause does not need to be included in the contract, but the owner must notify the tenant two months in advance. In these cases, it is important to request that the causes be proven.

#### **What is the minimum lease term?**

If there is no agreement on the duration of the contract, it is implied to last for one year, being annually renewable until the minimum duration established by forced extensions is reached.

#### **Can the tenant resign the extension?**

**Yes:** they must notify the owner at least two months before the end of the contract or any of its extensions. In the old LAU, this period was only of 30 days. Thus, you can choose not to continue with the contract by notifying it 30 days before the expiration date (for old contracts), or 2 months in advance (for those signed after March 2019). If you don't, it is implied that you are tacitly agreeing to its extension.

#### DEPOSIT, GUARANTEE AND AVALES

This has also changed since 2019, and although it was possible to set another type of additional guarantee in addition to the deposit, a limit of two monthly payments in concept of additional guarantees was set in the reform. Upon signing the contract, you might be asked for a total of one month's deposit, and a maximum of two monthly payments of additional guarantee, making it a total of 3 monthly payments plus the current month.

In the community of Madrid, this deposit must be made to the IVIMA (Housing Institute of Madrid) under decree 181/1996. Not doing so entails penalties and charges for the landlord, but in no case for the tenant.

The deposit will not be updated during the first 5 years of rental -or 7 if the contract is signed with a legal entity-, but each time the lease is extended, the landlord may demand a deposit increase, and the tenant may request a decrease.

**What is the bond?**

In theory, the bond is a parafiscal fee to raise money and use it in rental housing promotion policies, making it mandatory. In practice, the bond is a kind of guarantee paid by the tenant, which will be recovered when the contract ends, if the property is left in good condition. The LAU regulates this requirement in article 36.

**What amount must be paid as bond?**

In housing leases, the bond is equivalent to a month's rent; in leases for uses other than housing, it is two months.

**Is it mandatory to deposit the bond?**

Yes, it is mandatory in all autonomous communities.

**Who has to deposit it?**

The bond is always responsibility of the landlord.

**How much time does the landlord have to deposit the bond?**

They must do it within 30 days after signing the contract.

**What happens if the landlord does not deposit the bond?**

The penalties depend on the type of infraction, sanctionable with fines from 5 to 25% of the amount not deposited, with a cap of 6010,12€ for minor infringements, and from 26 to 50%, with a cap of 90151,82€ for serious infringements.

**How much time does the landlord have to return the bond at the end of the contract?**

The landlord must return the full amount of the deposit within 30 days.

**In what cases can the landlord not return the full amount of the bond?**

The landlord may deduct part of the deposit if the tenant does not return the property undamaged. To avoid possible abuses from the landlord, it is recommended to take pictures of the house when signing the contract to document its status, focusing on the damage found. Pictures must be taken in "raw" format to prove that they have not been modified. It is also

convenient to review and agree on the provisions established in the contract regarding rights and duties of reforms or reparations to the house (drilling walls, painting, etc.).

**What amount can the landlord deduct if they certify that the house was returned in worse condition?**

The landlord can only deduct the amount corresponding to the repair of any damages caused. It is convenient for the tenant to require a budget and/or invoice of the repairs made.

**How can the tenant ensure that the full amount of the deposit is returned?**

One option that the tenant can use is to request the landlord to check the apartment in their presence and give them a receipt certifying that it is in good condition, and therefore the full amount of the deposit must be returned to the tenant.

#### DURING THE SIGNATURE OF THE CONTRACT

**What form should the contract have?**

The Urban Leasing Law (LAU) allows lease contracts to be drawn up in different ways: orally or in writing; if either party requests it, it will be made in writing. To be valid, you only need:

1. The consent of landlord and tenant.
2. For the housing to exist.
3. Stating the cause of the contract.

If your contract is written, the most common and advisable option, remember to sign it on all its pages, not just in the last one, and always keep a signed copy.

Usually, signing the contract will be the moment of handing over the keys of the house, and of the payment of the monthly fee, bond, and additional guarantees agreed therein. The Law does not establish how this first payment is to be made, so it is up to contractors to decide.

For more tips and frequently asked questions on this topic, you can check the manuals made by the Tenant Union on their website; all above information is referenced in it.

- <http://www.inquilinato.org/manuales/>



8.3 END OF THE CONTRACT: VOLUNTARY TERMINATION OR EVICTION – LEVEL 3

HOW LONG IS THE TERM TO BE NOTIFIED OF THE TERMINATION OF CONTRACT?

Since the 2013 LAU, the landlord must notify the tenant within **one month** of the end of the contract. If they don't, the tenant will automatically consider the contract **extended for a period of one year** with identical conditions, with in no case an increase of rent. If a contract renewal is established after this, it must be for three years.

In contracts signed from the 2019 LAU, this term changed, and contract termination must be notified at least **four months** before the end of the contract. If you are notified later, the tenant may extend the contract from the expiration date, since the period established in Article 10 of the LAU has not been respected.

HOW MUST THAT NOTICE BE?

The requirement must be authoritative to provide sufficient proof of this decision, so owners usually send a burofax (with acknowledgment of receipt and certification of text), a telegram, or a notarial conduit to ensure its arrival and validity.

Even so, keep in mind that any evidence that such notice has been made in a clear and unquestionable way could be used in a trial. For example, if it is notified via whatsapp or SMS, and it is clear and recorded in that conversation that you have read it -for example, because you answer by acknowledging it- it can be used in a subsequent eviction proces due to contract termination.

In summary, it is mandatory for the landlord to notify the tenant that the contract is terminated before the date in which the contract can be understood as extended, even if the Law does not establish the form of this notice.

WHAT HAPPENS IF YOU DON'T MOVE OUT?

The owner cannot enter the house directly because of the deadline of the contract, if they did so they could even incur a crime for breaking into a residence, coercion, or arbitrary exercise of their own rights.

Of course, if the tenant does not leave the house at the end of the contract, the landlord can file a claim of eviction in court, to which they could addt any unpaid rent at the time of the claim or after it, as well as judicial expenses.



DO I HAVE TO RETURN THE BOND?

Both the legal bond (paid in cash at the beginning and deposited in the IVIMA) and the additional guarantees serve the landlord to be compensated if they consider that the tenant has breached parts of the contract, such as:

Non-payment of rent or other amounts (supplies, community fees, etc.).

Damage to the property who's responsible is the tenant. You can delve in greater detail what the bond is for in the post Repairs and damages of which the bond responds.

At the end of the contract, the initial amount paid must be returned to the tenant if the house has been returned in acceptable conditions. Thus, yes, they have to return your deposit.

If something needs to be repaired, the landlord can keep a part of the bond (or all of it) to pay for the repairs. This does not include payments for damage caused by the natural and normal age wearing, only those that involve fault or negligence. Likewise, if there are unpaid fees, whether rent or receipts, the landlord can subtract them from the bond.

CAN YOU NOT PAY THE LAST MONTH OF RENT AND COMPENSATE WITH THE BOND?

This is not strictly legal, since the bond serves to pay for damage to the property when at the end of the contract, and to compensate any of the tenant's economic obligations that have not yet been fulfilled by then. So if you don't pay the last month's rent, you are forcing the use of that bond, and the owner could claim by law any damage that they consider to be in the house and have not yet been covered after having paid the last month's rent.

Even so, this practice is fairly common, especially when it is anticipated that the owner will not agree to return the bond to which the tenant is entitled.



8.4 PROBLEMS AND SOLUTIONS TO RENT A HOUSE – LEVEL 1

Being a foreigner is not the best condition to access a house, whatever form of tenure, since the cost to access a home -owned or rented- is generally an excessive part of the expenses of a population with a high proportion of precarious jobs, to which we must add the frequent submission to situations of exploitation by the landlords.

There are several international-level studies that highlight the discrimination suffered by foreigners when renting a house. For example, the last UN Rapporteur for adequate housing in their mission in Spain (Kothari, 2006) states as conclusions and recommendations:

“The Special Rapporteur recommends taking all possible measures to ensure equal opportunities of access to housing, and implementing solid mechanisms that document discrimination in access to housing, including statistical tools. (...) The state should harshly punish practices such as real estate harassment, corruption, and discrimination. Appropriate investigation, sanction, and repair procedures should be provided to all residents in Spain”.

Other important aspects to highlight are the request to pay immediate attention to specific groups, including migrants, and ensure the possibility of resorting to justice to enforce the right to adequate housing.

“Spanish laws regarding immigration, instead of ensuring the right to housing, conceive adequate housing as an obligation of the resident to be able to work and exercise the right to family reunification”.

This is not the only UN report that highlights the special difficulties of migrants to access adequate housing; the UN Human Rights Council, in its 6/27 resolution, “Adequate housing as an integral element of the right to an adequate standard of living” of December 14<sup>th</sup> 2007, urges the member States to:

“Make fully effective the right to adequate housing, without discrimination of any kind due to race, skin color, sex, language, religion, disability, political or other opinions, national or social origin, economic status, birth, or any other condition. (...) Combat the social exclusion and marginalization of people and communities that suffer discrimination based on single or multiple reasons, especially by ensuring non-discriminatory access to adequate housing for indigenous people and minorities.”

For its part, the Committee for Social and Cultural Economic Rights (CSCER) made a series of recommendations to the Spanish State, including:



“The Committee notes that undocumented foreigners do have a series of fundamental rights (...) but it is concerned about the precarious situation of the many immigrants who only enjoy limited protection of their economic, social, and cultural rights. (...) The Committee is concerned that the increase in the number of immigrants who have arrived to the country in recent years has been coupled with an increase in negative and hostile attitudes towards foreigners and acts of xenophobia. (...) The Committee recommends the State to continue to closely monitor situations of racism and xenophobia and fight them, and continue promoting intercultural understanding and tolerance in all sectors of society”.

However, there is no official statistic on discrimination that ensures equal opportunities in access to housing, much less adequate sanction procedures, despite the fact that there is a EU Directive that requires it:

“Within the limits of the powers attributed to the Community, this Directive shall apply to all persons, both in the public and private sectors, including public bodies, in relation to:

h) access to the goods and services available to the public and their offer, including housing”.

The existing statistics on discrimination come from social entities or international organizations such as the European Observatory of Racism and Xenophobia (EUMC) whose reports state:

- Cases of direct discrimination happen more and more explicitly. Examples include housing advertisements, discrimination in the Administration on waiting lists, and direct rejection by owners, real estate agencies, and housing associations.
- Migrants and minorities often endure poor housing conditions, partly due to exclusion processes. Foreigners often live in small, overcrowded flats, in poorly hygienic conditions, and with poor infrastructure more frequently than the native population.
- There are contractual conditions that do not comply with the law. Abusive unreasonable bonds are also requested, along with unnecessary documentation.
- Although sometimes grouping is voluntary, migrants and ethnic minorities are often victims of segregation, whose most visible manifestation is the formation of ghettos.
- There is a lack of data on discrimination in the housing sector. In absence of other measures, discrimination tests are an effective tool for collecting data.
- There is a shared vision that housing is currently one of the most important mechanisms of social and spatial exclusion and segregation for an important part of the population.

Recently, the ECRI (European Commission against Racism and Intolerance) pointed out an important aspect regarding the access to housing of foreigners in its report on the situation of Spain published in 2011:



“ECRI expresses its concern that the new law of 2009 on the rights and freedoms of foreigners in Spain and their social integration has opened the possibility for autonomous communities to introduce discriminatory limitations in access to housing aids. The law establishes that long-term foreign residents -that is, those who prove a legal residence period of five years- have the right to receive such aids under the same conditions as Spaniards. This is a step back from the previous law, which granted access to them to all legal residents”.

Along with this, most academic research on racism and xenophobia concludes that racial discrimination plays an important role in the disproportion in relation to the exclusion of housing that migrants experience.

We can conclude that access to housing is mediated by two dimensions: racial-ethnic and socio-economic. Although both are often related, racism exists independently of economic status, and cannot be reduced to a mere class analysis. When accessing housing, the fact of being a migrant is more important than purchasing power, the type of job, etc. This situation causes the creation of hierarchies around housing between different ethnic groups, regardless of other factors such as income level and time of residence in the recipient country.

Other authors point out the influence of prejudices in the establishment of a dual housing market, which in turn determines attitudes of rejection, influencing the type of housing that can be accessed and the ways to access it. In this way, certain groups of migrants will only be able to access a segment of the market characterized by old homes, in not always adequate states, usually located in places of low social standard, with informal agreements, pricing depending on needs, and a high degree of submission due to lack of opportunities to access another market.

The main consequence of housing discrimination situations is the issue of residential exclusion processes, understood as “a process that entails the non-resolution of housing needs at the precise and adequate levels to ensure that housing acts as a stabilizer in the development of daily activities, which reinforces the processes of integration and social normalization of individuals, allowing an appropriate standard of living and access to public resources”. It implies a deterioration in housing conditions, leaving affected people in a situation of structural inferiority.

The manifestations of housing exclusion largely match the basic characteristics of housing for the migrant population pointed out by some authors (Solé and Flaquer, 2005):

- **Spatial segregation:** related to the distribution of housing that immigrants occupy in urban space.
- **Housing overcrowding:** consequence and manifestation of housing exclusion and the harsh access conditions to housing.



- Housing segmentation: Defined as the limitation in housing options, the effect of factors such as discrimination, lack of resources, or the dynamics of the housing market, preventing the access of migrant groups to certain offers.

Regarding housing segmentation, research shows that the concentration of migrants, refugees or stateless persons in a certain neighborhood can be an involuntary process of segregation. "When stigmatization is derived from segregation, people are trapped in the most disadvantaged areas. The reason why many migrants move and remain in these areas, even if they don't like it, is the lack of housing, resources, and contacts". This results in stigmatization of areas with high concentration of migrants and the "escape" of the native population.

Lastly, we wanted to mention the campaign that the Spanish Commission for Refugee Assistance (CEAR) made regarding this issue. Under the slogan "Put them in your house", the campaign aims to send a message to house owners in Spain so they don't hinder or discriminate refugees seeking rental rooms.

With this initiative, CEAR wants to educate both landlords and real estate agencies to overcome the "discrimination" that housing technicians are detecting, such as requiring "abusive clauses", lying about the room being already rented just because they are foreigners, because of the language, because of their documentation, or because they believe they have no guarantee that they will pay monthly.

On average, as noted by the CEAR inclusion coordinator Raquel Santos, refugees have to make 180 calls for a single visit to a rental apartment or room.

- <https://www.pear.es/sections-post/metelos-en-tu-casa/>
- <https://www.pear.es/tag/alquiler-a-refugiados/>

If we ask ourselves, what can be done in the situations of discrimination of access to housing that we have described? SOS Racism and CEAR-Euskadi made some proposals in the areas of housing and the fight against discrimination aimed at public and private institutions:

Private Institutions:

1. Have public and open listings for all people of the rental offer.
2. Not admit apartments for rent whose owners propose to not accept foreigners, or establish different requirements for foreigners than for nationals.
3. Not allow the rental of homes that do not guarantee legality.

Public Institutions:



4. Develop a public housing policy that establishes a larger pool of social rental housing.
5. Promote public programs that mediate rental with private owners, favoring the conditions both for the tenant and the owner of the housing in question.
6. Tax empty homes not intended for holiday purposes, so rental is encouraged.
7. Publicly control the price of rental housing.
8. Develop new housing provision formulas to fight housing exclusion.

#### 8.5 RESOURCES – LEVEL 1

- Platform for International Cooperation on Irregular Migrants (PICUM) (2016): “Irregular migrants and the Europe 2020 strategy: making social inclusion a reality for all migrants in Spain” PICUM Country Report.

[https://picum.org/wp-content/uploads/2017/11/UndocumentedMigrantsandEurope2020StrategvSpain\\_ES.pdf](https://picum.org/wp-content/uploads/2017/11/UndocumentedMigrantsandEurope2020StrategvSpain_ES.pdf)

- Jesús Leal and Aitana Alguacil (2012): “Housing and immigration: the conditions and residential behavior of immigrants in Spain”, Universidad Complutense de Madrid.

[https://www.cidob.org/es/articulos/anuario\\_cidob\\_de\\_la\\_inmigracion/2011/vivienda\\_e\\_inmigracion\\_las\\_condiciones\\_y\\_el\\_comportamiento\\_residencial\\_de\\_los\\_inmigrantes\\_en\\_espana](https://www.cidob.org/es/articulos/anuario_cidob_de_la_inmigracion/2011/vivienda_e_inmigracion_las_condiciones_y_el_comportamiento_residencial_de_los_inmigrantes_en_espana)

- CEAR and SOS RACISMO (2016): “Real estate testing: research on discrimination in access to rental housing for the foreign population of Bilbao”.

<https://www.cear-euskadi.org/producto/testing-inmobiliarias/>





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# **DIDACTIC UNIT 9**

## **PROCESS OF REGULATION OF THE MIGRANT PERSONS**

COURSE **FOR**  
**MIGRANTS**  
**& REFUGEES**

9.1 WHICH DOCUMENTATION DO I HAVE TO HAVE IN ORDER? – LEVEL 1

This section is intended to give practical and easy details of the most common procedures used by foreigners in Spain (in 2019) that want to regularize their administrative situation -or in a more colloquial language- get the papers that allow them to legally reside and/or work.

**The documents that allow foreigners to stay on Spanish soil are divided as follows:**

1. Citizens of EU member states, the European Economic Area, and Switzerland:

If you are a citizen of any of the States mentioned below you have the right to enter, leave, circulate, and freely stay in Spanish territory, and access to any lucrative, labor, or professional activity, on behalf of someone else or your own, and lend or receive services: *Germany, Austria, Belgium, Cyprus, Denmark, Slovakia, Slovenia, Estonia, Finland, France, Great Britain, Greece, Hungary, Ireland, Iceland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Norway, Poland, Portugal, Czech Republic, Sweden, and Switzerland.*

As of January 1<sup>st</sup> 2009, citizens of *Romania and Bulgaria* can also carry out any work activity, either on their own or on behalf of other, just like the countries mentioned above.

2. Citizens of non-EU member countries:

Foreigners in Spain are in the two following situations:

- Stay: remaining in Spain for a period not exceeding 90 days, after which it is necessary to get an extension or a residence permit to stay in Spain.
- Residence: foreigners in Spain with an authorization to live in the country are residents. Residents may find themselves in different situations, which will be addressed in the 3<sup>rd</sup> section of this topic.

3. Study Regime:

Any foreigner whose main purpose is one of the following non-labor activities may be authorized to stay in the country:

- Carry out and/or expand their studies.
- Carry out research and/or training activities.
- Participate in student exchange programs.



- Internship.
- Carry out volunteer services.

The authorized time will match the duration of the course for which the person is signed-up. This authorization is extended annually if the person continues to meet the necessary conditions for this, and all requirements are met. Foreigners admitted for reasons of study, internship, or volunteering may be authorized to perform a job, insofar as it doesn't hinder their studies.

**On the other hand, work authorizations for foreigners are divided as follows:**

Foreigners over 16 years old need an authorization to live and work in Spain to perform any work activity, this is, a work and residence permit. The work authorization is granted with the residence one. In order for it to be effective, it is necessary to register in the Social Security.

There are three types of work authorizations:

- Self-employment authorizations: allows the realization of a work activity autonomously (with a business, a professional activity, etc.). Any foreigner who requests the work permit on their own must show the project to carry out and that they have the conditions to face the investment said activity requires. Factors favoring the employment situation in Spain will be taken into account (money invested, profitability, employees to be hired, etc.).

There are 3 types of self-employment work permits:

- "Type D – initial" permit: the first work permit on its own, valid for 1 year and may be limited to a specific activity or to a geographical territory.
  - "Type D – renewed" permit: the first renewal of the permit, valid for 2 years, and cannot be limited to one specific activity or geographical area.
  - "Type E" permit: the second renewal, with the same characteristics as the "Type D – renewed" permit.
- 
- Authorization to work for a third party: allows to carry out a job for another person (through a contract). This activity will be stable even if the work contract has a limited duration. A job offer is required to carry out an activity for at least 12 months; the activity must be full-time, and the salary never less than the minimum interprofessional salary (set by the Government annually).

The national employment situation will be taken into account to grant the work authorization, meaning persons registered as job seekers. The procedure for the authorization of employment for foreigners in Spain is as follows:

1. To request a “work for third party” authorization, begin with the request to cover a vacant position, made by the employer along with the employment contract offered to a foreign worker in the country (except assumptions of social roots, labor roots, or exceptional circumstances).
2. Once all requirements have been verified, the authorization is granted, but is conditioned on the foreigner applying for the visa and to sign up to Spain’s Social Security.

There are 3 types of third-party work permits:

- “Type B – initial” permit: the first work permit, with a duration of 1 year and may be limited to one specific activity (construction, domestic service, etc.) or a geographical area (provinces or cities). To grant it, no other unemployed workers in Spain must be available to do the job. Therefore, it is necessary for the employer to request a certificate from the corresponding Labor Office stating that there are no other workers who want or can do the work offered.
  - “Type B – renewed” permit: the first renewal of the permit, valid for 2 years and cannot be limited to one specific activity or geographical area. The situation of the Spanish labor market is no longer considered to grant it, so the Labor Office certificate is not necessary.
  - “Type C” permit: the second renewal of the permit, with the same characteristics as the “Type B – renewed” permit (not limited and valid for 2 years).
- Authorization for seasonal or limited-term jobs: allows seasonal activities such as agricultural harvesting or other temporary activities (such as construction works). Unlike the other 2 previous permits, it does not allow to live in Spain, but allows a stay of less than 12 months, after which one must return to the country of origin.  
If the work is less than 6 months, the stay visa will be enough for seasonal work (not needing to get the permit in Spain). The employer must provide workers decent accommodations and organize the arrival and return trip. Only people outside Spain can apply.

There are 2 types of seasonal work permits:



- “Type A” permit, to carry out limited duration activities such as infrastructure construction. It lasts as long as the employment contract, with a 1 year limit, but can be extended if the activity for which the worker is hired is prolonged.
- “Type T” permit, for seasonal activities like agriculture. It lasts as long as the employment contract with a maximum of 9 months.

#### Is it possible to change the type of work permit?

YES, if it is changing the third-party work authorization for the self-employment authorization and vice-versa, but not if it is seasonal one. The permit to be modified also must not be an initial one, that is, it must have been renewed at least once.

#### How to renew the residence and third-party work authorizations?

The renewal of the residence and the third-party work authorization must be requested, in the official model, during the 60 days prior to the expiration date of your authorization, and up to three months after its end date, which may involve a penalty fee. The work authorization in Spain will be renewed according to any of the following cases:

- When the first contract continues or is renewed, or when there is a new contract.
- When a contributory unemployment benefit is being received.
- When a welfare benefit is being received to achieve your social or labor insertion.
- Other cases developed in the regulation.

### 9.2 WHAT IS CENSUS REGISTRATION? – LEVEL 2

The **Municipal Registry** or census registration is the administrative registry of people living in Spain and their respective homes. Registering allows you to justify your domicile to different organizations and bodies. The census registration is therefore a certificate issued by the city/town where the person lives, stating that they do so. It can be requested by anyone over 16 years old living in the city, and it is mandatory in Spain.

#### How is it done?

- Going to the town hall, the Citizen Attention Office, or the Municipal District Board assigned to your address.

- By phone, calling 010.
- Online, through your town hall website.

#### **What documents are needed to register?**

- A copy and the original valid passport or valid residence card.
- Documentation proving the occupation of the home.
- If you have bought a house: original or copy of the deed.
- If you live in a rented house: original and copy of the contract, lease, or telephone, electricity, water, or gas bills, in which you must be the holder.
- If you live in the house of a friend or relative, go with the person who has the rental or purchase contract, or provide the original and copy of your ID and a signed document that authorizes you to register at their home.

#### **Why is it important to register?**

This document allows you to show your continued stay in Spain, is necessary to regularize your administrative situation through rooting (initial residence permit after 5 years of residence in Spain, reduced to 3 years by rooting).

It allows children under 16 to access education, and is required for medical assistance.

Any registered foreigner with papers can exercise certain participation rights like natives: being part of associations, receiving information from the town hall, making suggestions to government bodies, being part of government bodies, and intervening in plenary sessions -town hall meetings- and their commissions, integrating forums or citizen participation councils, and voting in referendums (popular consultations). Exercising the right to be heard is a matter of municipal interest.

#### **What else do you need to know?**

The data in the census register -name, surname, sex, domicile, nationality, and date of birth- are secret.

If you live in multiple cities/towns or different addresses within the same city/town, you must only register in the one you live for the longest periods.

If you change your address, you must unsubscribe from the registry and do the procedure again in the new city/town.

People without a home can also ask the town hall to register them. Also, houses that do not meet the basic conditions of habitability (shacks, caravans, etc.) can be valid addresses in the registry.

Lastly, if you are a non-EU foreigner without a permanent residence permit, you must renew the registry every 2 years.

### 9.3 WHAT IS RESIDENCE? HOW DO I ACHIEVE IT? – LEVEL 3

The residence situation is given by residence visas (see Didactic Unit 3) when submitted to the Government Subdelegation and “turned” into residence permits. Generally, these are cases in which the person plans to remain in Spain for rather long periods.

There are different types of residence permits:

- **Temporary residence:** Temporary residence authorizes you to stay in Spain for a period of more than 90 days and less than 5 years. The initial authorization of temporary residence does not involve work authorization and is granted to foreigners who have enough means for them and their family.

The Administration may grant a temporary residence permit for deep-rooted status, for humanitarian reasons, for collaboration with justice, or other exceptional circumstances if the foreigner is in Spanish territory and meets the requirements.

- **Temporary residence authorization for family reunification:**  
Foreign people living in Spain in a regular situation can regroup relatives who are in their countries of origin: their spouse or homologous (it is not possible to regroup more than one spouse or unmarried partners), minors, persons with disabilities, legal representatives, parents over 65 years old with justified reasons and the need for long-term residence (exceptionally, for humanitarian reasons, it may be possible to regroup parents under 65 years of age).

Requirements: being in a regular situation (having a first renewal granted), having enough means for your support and that of your family (stable earnings of 799€ per month for one family member, and 266€ per month for each other relative), having adequate housing for

the family. In the case of minors, when one of the parents is not in Spain, the parent grouping the minor must prove that they have parental authority on their own, or that they have been granted custody of the minor.

In the case of ascendants, they must depend on the person, meaning that at least during the last year they have depended economically on the person (ascendants are required to not be of working age, with rare exceptions). The regrouped person must prove the existence of the family bond through duly legalized and translated birth and/or marriage certificates, and those of legal age must lack a criminal record.

Family reunification can be requested at immigration offices.

- Temporary residence authorization due to exceptional circumstances:  
This allows foreigners in Spain in irregular situations to obtain a residence authorization without having to travel to apply for a visa.

The most common route is social rooting, after 3 years of continued stay in Spain and having a work contract. Other paths are labor rooting, family rooting, need for International Protection (asylum or refuge), humanitarian reasons, and collaboration with administrative or law authorities.

**Social rooting:** not being a citizen of any EU member State, of the European Economic Area, of Switzerland, or family of citizens of these countries, to whom the community regime applies. Not being prohibited from entering Spain, and not appearing as rejectable in the Member States of the Schengen Area. Not being within the commitment period of no return to Spain assumed by voluntarily returning to their country of origin, when applicable. Continued stay in Spain for a minimum period of 3 years. Lacking a criminal record in Spain and in the country of origin or the countries where they have resided during the last 5 years. Having a job contract signed by the worker and the employer at the time of the request, for a period of not less than 1 year. The company or the employer must be registered in the Social Security and be up to date with the fulfillment of their tax obligations and with the Social Security. The company must also guarantee continued activity, and have economic, material, or personal means to deal with its business project and the obligations arising from the contract. Having family ties with other resident foreigners (spouses or registered partners, direct first-degree ascendants and descendants), or submitting a rooting report proving their social integration.

**Work rooting:** continued stay in Spain for a minimum of two years, lack of a criminal record in Spain and in the country of origin or the countries where one has previously lived during the last five years. Demonstrating the existence of labor relations whose duration is not less than six months. Not to being a citizen of an EU State, of the European Economic Area, or

Switzerland, or relative of citizens of these countries to which EU citizen applies. Not being prohibited from entering Spain and not appearing as rejectable in the territorial space of countries with which Spain has signed an agreement in this regard. Not being within the commitment period of no return to Spain assumed by voluntarily returning to their country of origin, when applicable. Having remained continuously in Spain for a minimum of two years. Continued permanence is understood if absences have not exceeded 90 days in the last two years.

Family rooting: Not being a citizen of a State of the European Union, of the European Economic Area or of Switzerland, or family member of citizens of these countries to whom the regime of citizen of the Union applies. Lacking criminal records in Spain and in their previous countries of residence for crimes existing in the Spanish law. Not being prohibited from entering Spain and not appearing as rejectable in the territorial space of countries with which Spain has signed an agreement in this regard. Not being within the commitment period of no return to Spain assumed by voluntarily returning to their country of origin, when applicable. Being a parent of a minor of Spanish nationality, or son or daughter of a parent who had originally been Spanish.

Foreigners who wish to renew their temporary residence authorization may do so at the immigration office or by mail or during the 60 days before it expires. Criminal records, breach of foreign obligations in tax and social security matters, and attendance to training activities will be taken into account for the renewal.

- **Long-term residence:** this situation authorizes you to live and work in Spain indefinitely, under the same conditions as Spaniards. Those who have had temporary residence in Spain for 5 years continuously will be entitled to long-term residence.

#### **Residence and work authorization renewal.**

The renewal of your residence or work authorization allows you to maintain regularity once the term of your authorization ends. In order to renew you must meet some basic requirements and conditions. The most common process consists of 4 stages:

- Initial authorization: 1-year duration.
- 1st Renewal: 2-year duration.
- 2nd Renewal: 2-year duration.
- Long term or “permanent”: 5-year duration.



Basic requirements for renewal:

- Not being a citizen of the European Union, the European Economic Area, or Switzerland.
- Not having a criminal record in Spain.
- Not being prohibited from entering Spain and not being listed as rejectable in the Schengen area (European zone).
- Proving the schooling of your children.
- Tax payment.

Basic conditions for renewal:

- Continuing with the work for which you obtained the authorization to be renewed.
- Having worked at least 6 months per year and having a new signed (or to be signed) contract at the time of requesting the renewal application.
- Having worked at least 6 months per year and having a new contract that guarantees your work activity during the same period of time as the duration of the new authorization.
- Having worked at least 3 months per year and that:
  1. The loss of the job was due to causes beyond the control of the worker.
  2. Employment is actively sought by registering in the Public Employment Service.
  3. Having a new job contract in force.
- Having a granted unemployment benefit.
- Having a public welfare benefit to achieve social or labor insertion.
- Having lost your job due to gender violence.
- Having worked and being registered in Social Security for a minimum of 9 months of 1 year and if:
  1. The loss of the job was due to causes beyond the control of the worker.
  2. Employment is actively sought by registering in the Public Employment Service.
- Having worked and being registered in Social Security for a minimum of 18 months of 2 years and if:
  1. The loss of the job was due to causes beyond the control of the worker.
  2. Employment is actively sought by registering in the Public Employment Service.
- That the official couple meet the enough economic requirements to regroup.





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# **DIDACTIC UNIT 10**

## **THE MIGRANT WOMAN**

COURSE **FOR**  
**MIGRANTS**  
**& REFUGEES**

When speaking of migrant women, there is no paradigm that can be included under this restrictive label. Migrant women don't have a specific age and origin, marital status, or profession, etc. since their characteristics are as many as there are women. However, there are shared realities that make them a specific social group: mainly the foreign law, which hinders or prevents access to health, social services, education, decent work, family reunification, justice, social protection, and/or political participation and criminalizes them on a social level.

To all this violence one can add the gender mandates specifically reserved for migrant women in the workplace: care jobs, creating the paradox of care chains, in which native women can "free themselves from said burden" and aspire to other jobs outside home. Thus, society imposes the most precarious and historically worst valued niche to migrant women, displacing them and making them less visible.

Making the decision to leave one's home country is the beginning of a complex trip with various reasons from the different realities of each migrant woman. They are persecuted for the same reasons as men: origin, religion, nationality, belonging to a particular social group, political opinion... but also for the simple fact of being women. About 50% of refugees are women and girls; sexual and gender-based violence, trafficking, severe discrimination, or female genital mutilation are some of the reasons that lead women to escape and become refugees.

Although traditionally in migration research, the decision to leave was mainly linked to reasons of economic improvement and family projects, it is necessary to incorporate the interpretation of social and cultural elements, as well as the personal reasons that make the specific group of migrant women visible.

Since the sixties there has been a growing feminization of migratory flows, there has also been a qualitative change in the patterns that shape the motives of the female group to migrate, moving from a few more "collective" ones, in which migration answers to family projects and/or attached to male subjects, towards a more "autonomous" one, in which women migrate alone.

The reasons for migrating, as we have pointed out, are diverse, but all appear to be inevitably crossed by the categories of gender, race, and social class, which are beginning to determine the possible difficulties that they will have to face in the country of destination.

In this document, we will try to address this whole series of aspects without it being a reference in gender theories, nor contributing to in-depth discussions, just offering some brushstrokes that facilitate educational work to understand the context that migrant women go through, and join efforts to combat gender-based persecution and violence.

### 10.1 BASIC RIGHTS – LEVEL 1

Over the last decades, the number of migrant women has clearly increased, although the sex variable is not usually considered in depth in studies (unless they specifically refer to women). However, their migratory experience clearly differs from that of their male counterparts.

Some of the reasons why female migration must be made visible, and that make it particularly fragile, are:

Any woman living in another country is subject to a double discrimination, because of being women and immigrants. Too often we find that migrant women in Europe reproduce in the first years of stay the same way of life they lived in their countries of origin. This is largely due to sometimes insufficient and sometimes zero schooling, which makes them depend on their male relatives for everything related to public spaces: they lack reading competence, knowledge of the language of the host country, apprehension before cultural parameters that imply rethinking their traditional values, European societies whose profitability goes through individualism rather than solidarity-based societies of origin, etc.

If the accommodation conditions of migrants are poor, as in most European countries, isolation can occur within the cultural group itself. If this happens in groups with a clearly patriarchal culture, due to religious tradition for example, there is a great danger of returning to the seclusion of women in the private space, thus transferring the discrimination models already lived in the origin country to the receiving one. This situation of discrimination and dependence on the male family nucleus and their inability to interact with the outside makes them fall into a double invisibility, a kind of “no man’s land” of their fundamental rights.

This situation particularly concerns women whose mother tongue is not the one of their country of origin. As a European example, in the early years of Maghreb and Turkish immigration to Belgium, it was common for women to reproduce their ways of life without contacting the host society at all. Many women from rural areas were illiterate in their own language, and sometimes even barely spoke a dialect of their region, so it was impossible for them to communicate not only with their European neighbors but also with other people of similar origin, therefore depending on male family members for everything related to daily life and legal matters. Fortunately, thanks to awareness campaigns and the increase of immigrants, the participation of migrant women who have promoted support networks in neighborhoods, associative movements, adult schools etc. has increased.

In Europe, the strong trend of polarization of the labor market places migrants in specific job sectors, and has a greater impact on women, who will find lesser paid or unregulated jobs, mostly in the house care sector, or in activities that undermine dignity and human rights.



Legal deficiencies based on a male perception of migration, or simply the real ignorance of the circumstances linked to female emigration make it difficult for women to emigrate and obtain a residence permit. This confines them in a situation of irregularity that makes them more vulnerable to harassment or violence since, for fear of being expelled, they do not denounce these situations. We will address these cases in greater depth in the third section of the topic.

The Immigration Law that includes the right to family reunification is also the paradigm of the violation of the rights of migrant women. Remember that the residence permit is granted to them as wives of a regularized immigrant in Spain, but this permit does not include the work permit, and its renewal is subject to the legal permanence of the woman with her husband. In case of separation, for reasons of violence for example, since they do not have a work permit or can justify enough income, they can be expelled.

The intervention of the Administration goes even further, by not recognizing the rights of migrant women who leave their husbands and choose an unmarried partner or a homosexual relationship. This action by the Administration links the rights of movement, residence, and work of women to their individual and emotional freedom also puts them in a situation of helplessness that supposes a clear violation of their basic rights: law based on circumstantial characteristics -the marriage status- not in the individual rights of women.

In the increasingly frequent case of the creation of small businesses, we must also highlight the role that women play in the family economy. The traditional role of the wife-of-self-employed-man is to support the husband in his commerce or business. In the case of immigrant women, this tradition is maintained, and they are many times the ones who work in stores, without receiving any pay, since their work is considered a contribution to the family economy. Without salary, social security contribution, or the right to unemployment, it is obvious that their stay in the host country remains in the hands of the head of the family, traditionally a male member.

Many irregular migrant women are tied to house work, the so-called "care chains" mentioned at the beginning of the topic. Their very status as irregular workers makes them depend exclusively on their employers, and precarious jobs often force them to accept, as men, long working hours, but in their case, children and house care are added to their work schedule. Native mothers of children under 5 years old have serious difficulties to have full-time jobs, but the situation is much worse for migrants: the lack of childcare, the shortage of extracurricular activity programs, or the difficulty to access paid school dining-rooms directly impact the situation of many migrant women whose working hours match school schedules. Thus, a work leave for a migrant woman means, once again, their dependence on a legal spouse and the loss of their social benefits. These are made to facilitate the free movement of profitable workers, not to help them as people. Without a job, a husband, with small children, and without social benefits... we can hardly speak of equal opportunities.



10.2 SPECIFIC RESOURCES – LEVEL 1

Selection processes in the migration of women also leads us to consider to what extent discrimination and gender inequalities in the patriarchal societies of origin definitely influence the options of women to migrate individually. The mere ability to decide to make the trip can be an indicator of privileged social status: people who emigrate are in good health and can bear the high economic costs of the migration process. In case of women, the family and social moral costs of this decision are also added.

We have previously spoken about causes of migration, now it is necessary to ask again about the reasons that make women of different continents leave their homes. The answers are many, so we'll try to address them throughout this section.

The 1951 Geneva Convention establishes five causes or motives for persecution that entail the recognition of international protection: race/ethnicity, religion, nationality, political opinion, and belonging to a particular social group. Gender-based persecution, including sexual preference and gender identity, is thus included in the causes of persecution that grant asylum.

From the point of view of international protection, persecution can be defined as a serious, sustained, or systematic violation of Human Rights. Discrimination or less favorable treatment may lead to persecution, requiring international protection. It is considered persecution for gender reasons when said human rights violations are related to the role assigned to a person due to their gender identity (woman, man, after, or others) or due to their sexual preferences.

Women and non-normative persons -whose identity or sexuality does not conform to the patriarchal system- suffer discrimination and persecution, especially through the control of their sexuality, their reproductive capabilities, and their body. Two groups especially affected by gender-based persecution are women and LGBTIQ, since they challenge heteronormativity from a patriarchal perspective. Straight activist men asking for equality are also prosecuted.

The Spanish Asylum Law recognizes in Article 3 the assumption of gender to grant international protection: "Refugee status is recognized to all persons who, due to well-founded fears of being persecuted for reasons of race, religion, nationality, political opinions, belonging to a certain social group, gender or sexual orientation, is outside the country of their nationality and cannot or, because of such fears, does not want to benefit from the protection of such country (...)". The inclusion of this assumption has been applauded but it is legally conditioned by the particular situation of persecution and is not considered as a reason in itself (art. 7.1.e).

Some of the main causes of persecution for this reason include different types of violence against women: genital mutilation, widow burning, regulations on reproduction (forced sterilization, abortion against their will), stoning, forced marriage, persecution for sexual

orientation or gender identity, intra-family and/or community gender violence, sexual abuse, femicide... Each person tells a story, at a specific time and place, in a different situation, and at the same time equal to others in other countries.

From a structural point of view, gender-based persecution usually impacts women, and show through imposed discriminatory social, religious, or cultural laws and rules; or through penalties or punishments magnified for transgressing said rules; manifesting both in the private and public environment and running by state and non-state agents.

Also, gender persecution is not only limited to its place of origin. Women often are in real danger of being subjected to abuse, harassment, discrimination, violence, or trafficking while escaping their countries. When they finally find a safe place, they face new barriers in their personal recovery and social integration, once again placing them at greater risk situations. Thus, refugees due to gender have suffered and suffer serious human rights violations, and therefore have the same right to request asylum and protection as people escaping from war.

The coordinator of CEAR Legal Area, Paloma Favieres, calls for improvements in asylum access "at border posts and CIEs" where there are fewer guarantees to defend this type of case. While María Ángeles Plaza, a psychologist from CEAR Social Area points out that people persecuted for gender reasons, mostly women, "share having suffered intentional violence as a method of punishment or control by other human beings, with the consequent break in trust in others".

On the other hand, Somali activist of the NGO "Save a girl, save a generation" Amal Hussein explains that in different parts of the world women have no option to refuse female genital mutilation without being considered "unworthy" in their community. Given this situation, it is essential to launch awareness initiatives and protection for those who refuse to carry out this practice that causes "serious physical and psychological consequences".

Lastly, we do not want to end without mentioning gender persecution in the media, that is, the informative treatment of this type of persecution in the press. Andrea Momoitio, one of the coordinators of Pikara Magazine, stated that "there is a growing critical and feminist journalism" although these issues remain "not a priority" in most media. Cristina Sánchez, director of the program "Países en conflicto" in Radio 5, stated that only 6% of the information on peace and security was delivered by women, and claimed that "the story of women in a war is not told, that war is not fully told".

To further delve into these issues, we leave here some links with reference materials created by entities such as CEAR, ACCEM, or SOS RACISMO among others:



- Gender-based persecution, Didactic Guide.  
[https://www.cear.es/wp-content/uploads/2017/11/CEAR\\_GUIA-DIDACTICA\\_v6.pdf](https://www.cear.es/wp-content/uploads/2017/11/CEAR_GUIA-DIDACTICA_v6.pdf)
- Six refuge by gender stories.  
<https://www.cear.es/refugio-por-genero-el-mismo-derecho-a-asilo-que-quienes-huyen-de-la-guerra/>
- 11 stories 11 fights for Women's day.  
<https://www.cear.es/11-mujeres-busca-refugio/>
- Refuge by gender.  
<https://mujeresrefugiadas.accem.es>
- Women Empowerment, Integration and Participation Project – WEIP.  
<https://redacoge.org/news/es/2017/06/21/0001/proyecto-de-empoderamiento-integracion-y-participacion-de-la-mujer-weip>
- “GENSEN” Project, Gender perspective of asylum procedures in Europe.  
<https://www.cear.es/projects/gensen-la-perspectiva-de-genero-en-el-procedimiento-de-asilo-en-europa/>
- Migrant women as political subjects in the Valencian territory: Creating strategies before violence.  
<https://www.alianzaporlasolidaridad.org/wp-content/uploads/ALIANZA-INFORME-MUJERES-MIGRANTES-Valencia.pdf>
- Guide for the empowerment of migrant women before gender violence.  
<https://sosracismo.eu/wp-content/uploads/2016/06/guia.pdf>
- Reasons to request asylum? Being a woman.  
<https://www.cear.es/motivo-solicitar-asilo-mujer/>
- Migrant women in Spain: focus of resistance after the crisis.  
<https://www.raco.cat/index.php/AnuarioCIDOBInmigracion/article/view/10.24241-AnuarioCIDOBInmi.2018.130/435066>
- Human rights, women and migration: towards an intercultural education in classrooms.  
[https://www.oei.es/historico/genero/documentos/docentes/Guia\\_dhumanos\\_mujer\\_inmigracion.pdf](https://www.oei.es/historico/genero/documentos/docentes/Guia_dhumanos_mujer_inmigracion.pdf)

### 10.3 GENDER VIOLENCE – LEVEL 1

Gender violence is one of the social problems with the most impact and concern in our societies in recent decades. The fight against it has come a long way of building social and institutional networks with the objective of eradicating it and protecting victims. However, this type of violence continues to leave victims, both as homicides and violent actions.

Foreign migrant women have the same risk of being assaulted and killed by their couple or ex-couple as natives, but figures of recent years show that they are dramatically overexposed regarding native women, and this over-exposure does not reduce but tends to increase.

It is not easy to establish to what extent the cultural factor contributes to increasing cases of gender violence against migrant women. According to Rubio (2004), gender-based violence is transcultural, is present everywhere in the world and knows no borders, it crosses religion, law, and culture. However, the over-representation of migrant women in gender violence statistics involves public agents and civil society in the reflection on the specificities that increase the risks or factors of vulnerability in this group.

This didactic unit aims to be a tool to collaborate in eradicating gender violence and promote awareness processes among women in general and foreign women in particular. To do this, we will structure this section based on questions/answers, so first it is necessary to answer:

#### What is gender-based violence against women?

This is any act of violence based on being a female that has or may result in physical, sexual, or psychological suffering. Threats of such acts, coercion, or arbitrary deprivation of liberty are also included, whether they occur in public or private life (UN, 1993). This covers every act by which women are discriminated, ignored, subjected, and subordinated in different aspects of their existence. It is all material and symbolic attack that affects freedom, dignity, security, privacy, and moral and/or physical integrity (Susana Velázquez, 2003).

Its origin is in the inequality of power between men and women, as the most widespread violation of human rights worldwide. It is a mistake to think that this only happens in marginal and uncultured environments, and as consequence of poverty and alcoholism. Poverty and marginalization increase suffering, but they are not the cause; this happens in all social groups.

#### Where does it happen?

At home: it includes physical and psychological aggression, rape, sexual abuse, incest, crimes in the name of honor, genital mutilation, and forced marriages.



In the public sphere: rape, sexual abuse or assault, sexual harassment and intimidation at work, institutions, or anywhere else.

Perpetrated or tolerated by the State: in armed conflicts -hostage taking-, systematic violence, sexual slavery, forced pregnancy, and sexual trafficking.

Which are its most common manifestations?

- Physical violence: aggression caused by hand or some object or weapon: pushing, biting, kicking, etc. Also includes behaviors like neglecting women during pregnancy or in situations of illness or disability.
- Psychological violence: whenever there is another type of violence; involves threats, insults, humiliations, contempt, coercion, manipulation, or indifference that causes feelings of guilt, shame and helplessness, increasing the domination of the aggressor.
- Economic violence: implies the control of economic and patrimonial resources to prevent the autonomy of women. The most common are: lying about income, denying access to common goods, and preventing women from working and/or studying.
- Social violence: the aggressor limits the social and family contacts of their partner, isolating and denying the social support of their friends. It involves control, limiting activities, imposing schedules, manipulating telephone calls, or controlling messages.
- Sexual violence: done through physical or mental pressure to impose an unwanted sexual relationship through coercion, intimidation, or helplessness.

What is the cycle of violence?

This process comprises three phases that can be repeated over time:

- A gradual increase of the aggressor's tension for no apparent reason. Verbal violence intensifies and the first signs of physical violence may appear. These are isolated episodes that the woman thinks she can control.
- Aggression; violence erupts, and physical, psychological, and sexual aggressions happen. Women usually legally denounce this in this stage and asks for help.
- Reconciliation or "honeymoon"; the aggressor repents and asks for forgiveness, using affective manipulation strategies so the woman does not leave. They also often say that she is exaggerating about what happened, that she is a little hysterical and is playing the victim. She may believe that he will change and might withdraw the legal complaint and come to question whether the violence actually happened.

Why are foreign women more vulnerable?

There are a number of factors that make foreign women more exposed to violence.

- Their administrative situation can be an important risk factor. Women without a residence permit can regularize their situation via complaint, but most are afraid of being expelled by instruction 14/2005, which provides opening a sanction file to all people in an irregular situation (see case: <https://directa.cat/la-por-de-les-persones-migrades-denounce-una-agressio-i-ser-expulsades/>).
- Independent permission. The holders of this card do not depend on their aggressor, and if they break up, she keeps her card. But problems can arise, for example, a change of workplace. These cards may have geographical and activity limitations.
- Permit linked to the spouse, for women married to citizens of Community Europe and regrouped. Holders of these cards depend on their couple, so if the relationship is broken and they fail to regularize their situation, they may be in an irregular situation.

Before continuing to list factors that produce a greater vulnerability in migrant women, we wanted to point out that, in many countries of origin, sexism and the submission of women have less social and institutional rejection, which can make many foreign women -although aware of the abuse- have more difficulty getting out of the violence cycle. This does in anyway mean that gender violence is only a matter of foreign people; European natives can also become abusers.

- Migratory grief. Migrant women are in an unknown country with difficulties to find a home and a job, her social networks may be precarious, they are far from family and friends, etc. Migratory grief can be exacerbated by loneliness, feelings of failure, and fear, making them more vulnerable.
- Isolation and emotional dependence on the aggressor. Social support is important to face situations of violence, but aggressors often limit contacts with friends. Thus, some only have a relationship with the aggressor, of whom they have a great dependence.
- Economic dependence on the aggressor. Foreign women may have more difficulty finding a job, and it is often precarious if they do. Many are financially dependent on their partners, which prevents them from releasing ties. The opposite can also happen, if they do find a job it can be interpreted by men as a loss of status and power, increasing violence.
- Lack of family support. If the family or social network is larger, they do not always support the woman's decision to break the relationship. Aggressors usually behave well when there are people watching, which can cause no one to believe women when they say he mistreats her. Abusers usually isolate women so nobody believes them.

- Ignorance regarding state law, which on this type of violence is often unknown and uninformed about the problems, consequences, resources, and rights supporting them.

What rights do victims have?

Every victim of gender violence has rights, regardless of the country from which they come.

- Right to appropriate information and advice to your personal situation regarding legal proceedings, rights, financial aid, training, and job placement initiatives, care resources, emergency, support, and recovery.
- Right to comprehensive social assistance for women and her children, through access to care, emergency, support and reception services, and comprehensive recovery.
- Right to immediate legal assistance and free legal assistance (proving insufficient resources). In the case of free justice, the same legal address will assume all the procedures initiated.
- Right to financial aid. The right to specific assistance for victims of gender-based violence and RAI is contemplated, proving to be a victim by means of a conviction, Protection Order or Report of the Fiscal Ministry
- Labor rights for employed persons (reduction of working hours, change of work center, suspension of the employment relationship) and autonomous (exemption from contribution for termination).
- Right to report and request protection. When denouncing (in police station, in the Court of Instruction or before the prosecutor) a procedure will be initiated before the Court of Violence of Women by criminal or civil means.
- Right to protection of the victim's privacy; to the protection of your personal data and those of your descendants, in procedures related to gender violence.
- Right to restitution, to repair the damage and compensation for the damage caused.

What regulatory rights do immigrant victims have?

- Migrant victims have the right to request their regularization due to violence, but they have to resort to judicial proceedings, meaning that they have to denounce the aggressor.
- Right to request the authorization of independent temporary residence (for those who have been regrouped by their spouses) after denouncing and obtaining a protection order or report from the Prosecutor's Office or one with a conviction.

- Right to request the change of community resident family card to residence of foreigners. It allows the submission of the request if the protection order is issued but is granted only if there is a conviction.
- Right to request a temporary residence permit for humanitarian reasons, for irregular victims, after reporting and obtaining a conviction.
- Right to get refugee status for women fleeing their country of origin due to a well-founded fear of persecution due to gender.

Lastly, we wanted to point out some ideas of what one can demand from the institutions, since there is a difference between things that one is entitled to and the real possibilities of making them effective.

You must be the main character of your own life, and to assert your rights through pressure and political influence on the institutions (manifestos, protests, letters to the media, socio-cultural initiatives, etc.). These are only a few of the things that have been considered relevant to demand from institutions, but now is your turn to elaborate and discuss your own demands!

- The risk of expulsion has to disappear in case of denunciation of abuse for foreign women in an irregular situation, specifically instruction 14/2005.
- The protection of the human rights of immigrant victims must be guaranteed, especially in the case of foreigners whose administrative status depends on their spouse and the undocumented.
- The integral protection of the right to health of immigrant victims and their offspring must be guaranteed.
- It is necessary to improve early detection and referral to the healthcare sector for a comprehensive intervention.
- More intercultural interpreters and mediators with gender training are needed.
- Accessibility must be extended to economic benefits for those in an irregular situation, as well as to socio-labor training and insertion programs.
- The times of use of reception and accommodation resources for victims of gender violence must be extended.
- We must work to strengthen and empower women, making them protagonists of their process and avoiding re-victimizing assistance.

- More women in the police field are needed to care for victims.
- The right to free legal assistance must be guaranteed.
- We must reduce the prejudices of social agents and society in general about immigrants and gender violence, which can make women feel judged and questioned for their quality as a foreigner.
- The regularization resources planned for victims must be strengthened. Most women regularize their legal status via rooting.
- It is necessary to think about formulas for the fulfillment of the right to restitution and compensation for the damage caused.





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# **DIDACTIC UNIT 11 LABOR INCLUSION**

COURSE **FOR**  
**MIGRANTS  
& REFUGEES**

As seen throughout the topics of this course, measuring social integration through evaluating how certain circumstances of access and treatment are met, does not provide completely reliable results. It is necessary to consider more immaterial or subjective issues such as participation, the feeling of belonging, or the experience of discrimination. As we know, social integration is not a mathematical equation, so knowledge of the unknown does not solve the formula. The sum of the factors favoring the feeling of integration does not entail certain results, but there is a great difference and variability in the results in most cases.

Despite this, we must mention the importance of certain factors in contributing to the social integration of diverse societies, among which are equal access to decent housing, to the education and health services (among others), or to decent jobs.

As addressed above, we will in these pages talk about labor inclusion and access to employment while considering it as one of the key factors for the integration of the migrant group.

#### 11.1 BASIC NOTIONS – LEVEL 1

In order to place a context in which to introduce the subject, in the case of Spain, it should be remembered that until the 90s, the country had been a country of emigrants. During the first half of the 20<sup>th</sup> century, more than 3 million Spaniards emigrated to Latin America; this trend lasted until the second half of the century. Many Spaniards emigrated to other European countries during the 60s and 70s. Only after the entry into the EU -mid 80s- the trend began to reverse, and from the 90s Spain became a country of destination more than of departure.

The rapid economic growth of the 90s and the first decade of the 21st century attracted many immigrants who easily found work in construction and home services. Between 2000 and 2009, the number of foreign-born residents in Spain increased from 1.5 to more than 6.5 million, bringing the percentage of immigrants from 4 to 14% of the total population.

Migrants were perceived as a positive contribution to the labor market, since Spain suffered an increasing decrease in the number of natives entering the labor market due to the aging population. This resulted in a growing demand for foreign workers, inducing the arrival of young migrants of working age with in most cases low or medium qualifications. Low-skilled sectors, such as construction, real estate, domestic services, restaurants, and personal services experienced some of the highest rates of employment growth before the crisis of 2008.



Subsequently, as is already known history, the beginning of the economic crisis brought high levels of unemployment, and the situation changed drastically.

Once having this brief context, we can delve into the subject with some basic considerations about some of the legislative aspects that regulate the possibilities of obtaining a work permit for visa holders and irregular migrants during their stay.

Foreigners residing in Spain have the possibility of obtaining a temporary residence and employment permit with certain circumstances. Foreign students and foreigners who do research work or wish to train can apply for permits if they meet certain requirements. Foreigners who have been living legally in Spain for at least one year with a temporary residence permit can apply for a work permit. In this case, the future employer is responsible for submitting the work permit application and the same requirements for working in Spain must be met, with the only difference that, in this case, the national labor market situation is not taken into account to determine if a migrant worker can be hired.

In some exceptional circumstances, a foreigner can obtain a stay visa for a period of 3 months to look for a job. This visa is not extensible, and if the person is able to find a job within that period, a temporary residence and employment permit will be granted.

There are also exceptional circumstances under which temporary migrants may obtain a temporary residence and employment permit. This may be due to labor rooting, when the migrant can demonstrate that they have lived in Spain for a minimum of two years, has had an irregular job for more than 6 months, and has no criminal record in any country in which he has lived for the past 5 years.

An irregular migrant but with social rooting in Spain can also apply for a temporary residence and employment permit if they can show that they have lived in Spain for more than 3 years, have no criminal record for the past 5 years, have family ties with others foreigners in Spain, or can show an integration certificate issued by the Autonomous Community in which they reside and can show a signed job contract for a minimum 1 year at the time of applying for the permit.

Similarly, an irregular migrant who is father, mother, or legal guardian of a child under 18 years of age of Spanish nationality can also apply for a temporary residence and employment permit under the category of family rooting. An irregular woman who has been a victim of gender violence, if determined by a court, can also apply for temporary residence and employment permits.

Lastly, an irregular migrant who has been a victim or witness of an act of illicit trafficking of human beings, irregular immigration, labor exploitation, or illicit trafficking in labor or





exploitation in prostitution could be exempt from administrative responsibilities for living in Spain irregularly if they decide to cooperate with the authorities to prosecute the crime. In the event that the migrant is exempt from administrative responsibilities for living irregularly, they may obtain a residence and employment permit.

The initial residence and employment permits are granted for 1 year, with the restriction to work in the geographical area and the specific type of work for which the permit has been issued. Once renewed, the migrant worker is free to change the type of work and is no longer restricted to a geographical area, although geographical limitation is not always strictly controlled. The renewal of the permit is only granted if the initial contract has been renewed or is still in force, or the migrant worker has signed a new contract with another employer, as long as the new one meets the requirements of the initial permission. If the contract ends before the initial period of 1 year, the work permit will continue to be valid and the migrant will be free to change jobs and employers within the limits (geographical and occupational) of the initial permit of 1 year.

Once the initial permit has been renewed, subsequent permits are not subject to the same limitations and can be renewed twice for a period of 2 years at each renewal, after which the migrant worker who has regularly and continuously lived in Spain for 5 years may apply for a long-term residence permit.

Once this long-term residence permit is granted, the migrant has the right to live in Spain indefinitely and work under the same conditions as Spanish natives, without needing to apply for a work permit.

Lastly, we cannot end this section without mentioning the difficulties and problems suffered by migrants in the process of accessing a job.

To do this, it is necessary to cite the report of the UN Committee on Economic, Social, and Cultural Rights, in a specific section on the impact on labor rights and stresses that the context of economic and financial crisis has resulted in an increase in unemployment rates that especially impacts youth, the roma community, and migrants, aggravating their vulnerable situation.

The Group of Studies on Social Trends (GSST) carried out a complete study in 2007 on the working conditions of migrant workers in Spain, stating that being a “foreigner” is a clear discrimination factor: “an important feature characterizing the conditions of migrant workers in Spain is that their job paths show a certain general context of difficulties from the first moment. In fact, in addition to the lack of contracts and work permits, 32.3% of respondents said they had had difficulties finding a job because of their origin. (...) Likewise, the most



discriminated seem to be those under 30 years old (26.7%) and those working in agriculture (42.9%) and transport (40.5%)”.

The 2016 SOS Racism report states “in the workplace, this group is characterized by working in the underground economy. The vast majority of migrant population in a regular administrative situation have temporary contracts, and those who are in an irregular situation are forced to accept exploitation and job insecurity in order to survive. As is known, the economic crisis has impacted a large part of the population, but as always, the migrant population is worse off than the native population. The crisis has been inclement with migrants, whose expectations of social and labor integration have been abruptly curtailed”.

A fact of special relevance is that the majority of cases referred to this area of discrimination are related to a very specific sector: house care, generally covered by women. IOM notes in a study about the employment situation of migrant women in Spain that social status, gender, and ethnicity are factors that significantly impact situations of social, domestic, and labor inequality and vulnerability.

On the other hand, the same study emphasizes the wage gap between the native population and other nationalities, and between men and women for both groups: the average annual salary for women in 2015 was 19.514€, while men’s was 25.675€. In migrant population, including population from the EU, the average yearly income was 15.652€, men’s being 17.325€ and women’s being 13.520€ (annual salary structure survey, INE, 2015).

In macro data, INE offers enlightening figures that speak of origin and income level. In this regard, the 2015 Living Conditions Survey indicates that, according to nationality, the percentage of people below the threshold of poverty risk was 18.8% for Spaniards, 33.3% for migrants of the EU, and 55.3% for non-EU migrants.

In 2009, the unemployment rate of non-EU migrants was already almost 14 points higher than that of nationals, among other reasons because people from non-EU nationalities were the first to be expelled from the labor market.

The access of applicants and beneficiaries of international protection to rights and social integration largely depends on access to the labor market and the guarantee of decent working conditions. CEAR has identified through their social intervention devices that migrant women, asylum seekers, refugees, and stateless persons (especially with dependent children) suffer the most discrimination when accessing the labor market.



11.2 HOW TO WRITE YOUR CURRICULUM VITAE – LEVEL 1

First of all, it is essential to answer the question of What is a CV? There are various definitions:

- The old INEM defined it as: “a brief, written, and orderly presentation of the main achievements and academic and work experiences”.
- Other entities and institutions define it as: “The basic tool for job search”. So, a kind of “life history” of our training and work history, adjusted to the job position of interest.

The curriculum is therefore a document to briefly and orderly reflect your achievements, academic experience, your professional career, and personal data. It is used to:

- Answer to a press ad when looking for a job.
- Spontaneously go to a company looking for a job.
- After having made a personal interview looking for a job, the possibility of being offered the job for which we have interviewed.

Thus, the Curriculum is one of the main tools used so the company knows who we are, how to contact us, and what we can provide, plus our training and experience; i.e. the necessary data of each candidate that may be useful for a specific job in the offer we applied to.

This is the first sample of who we are, then a personal interview will come, to show what we know to do, but before they have to select us, and the curriculum is what will make us pass the first sieve. This is what makes of interest to know the essential contents that cannot be missing in our curriculum, and optional ones to tell depending on the characteristics of the position.

Every curriculum must contain:

- Personal information.
- Training.
- Experience.
- Other data of interest.

However, the way to structure this information, which data we include and don't, may be relevant in each specific case to provide an orderly and useful information about ourselves. Another feature to take into account in the content of the curriculum is that data has to be: concrete, structured, positive, clear, adapted to each individual, and as far as possible also to each position to which one applies.

Some tips to write the Curriculum extracted from *Lanbide* (Basque Employment Service) are:



- Absolute clarity: your CV should be absolutely clear to the person who is going to read it, so they don't have to spend time thinking about what you wanted to say in it.
- Short, clear, and schematic writing. "Don't use two words for what you can say with one".
- Organized and structured information, ordered by sections.
- Send, unless expressly requested, only the CV and the Letter of Presentation.
- A recent picture.
- Highlight in bold what the employer wants to know about you, that you meet the specific required requirements.
- If we know or imagine hidden requirements in a specific job offer, highlight them as well.
- It is necessary that the curriculum is unique and adapted for the specific offer to which we apply, and therefore adapted to it.
- Beware of spelling!
- It must be well written.
- It must be computer written (unless otherwise specified).
- Good quality white paper (Din-A4).
- Blank spaces and proper margins. Highlight in bold, uppercase, or underlining the headlines and what is relevant.
- Extension: Preferably 1 sheet and a maximum of 2 (single sided).
- Preferably in reverse chronological order.
- Indicate, if possible, motivations and interests.
- It should state your achievements and qualities, to convey that you are the ideal candidate.
- It is important to be honest, so don't lie.

Also, if possible, avoid:

- Abusing highlighting sentences or content, and exaggerated or elaborate letters.
- Including irrelevant data.
- Writing behind the page.
- A disorganized or incoherent structure.

We lastly refer to different curriculum models. These show the different existing ways of ordering information to present it in the most appropriate way. We will first highlight the classic Curriculum models and when to opt for each model, to then introduce different possibilities of showing our Curriculum to the company.



### CHRONOLOGICAL MODEL

Classic model par excellence. In this model we detail our training and experiences in an orderly manner, so that when someone reads the curriculum, we see the progress made throughout their professional career both in terms of training and experience. There are 2 versions, the one that shows progress in an ascending way, and in reverse, which is the most used; usually most relevant positions come first, and then older, least relevant ones.

This model can vary its design, start with training instead of experience, ignoring some point such as languages if it is not required, or adding new fields if necessary, while respecting the chronological order, ascending or reverse. It is ideal if the person has had the same type of job throughout their professional career and there has been an evolution. Not recommended if there are gaps throughout your professional career. In reverse curriculum, highlight the last thing done if it is related to the position.

### FUNCTIONAL MODEL

In this model, experience grouped either by function, by achievements obtained, or by sectors you have worked in. It allows to show your acquired abilities over time, sorted according to the positions you choose. Some advantages are: greater clarity for the reader, who can see all the positions one can cover and the areas in which one has worked -recommended that they are related areas-. This structure also allows gaps to go unnoticed and is useful when you have a lot of experience.

These are models can serve as a reference, but each curriculum is unique and personal and for a specific situation, so each individual has to create their own following this only as advice.

Models that we can download on the internet have a clear tendency to focus the CV to a very specific objective, including the capabilities and skills for the specific position, which indicates the idea of developing the CV not in a general way but adapting it to each specific case, showing the training, skills, and abilities interesting to each type of position. We do not want to give a lot of work to the person responsible for the selection, but show that they are facing the ideal candidate for the position by showing the aspects that make us ideal for it.

Another aspect is the choice of language to write the Curriculum. The usual thing is to do it in the official language of the country in which you apply, unless specified by the company.



We cannot finish without naming the European curriculum, **Europass**. As persons belonging to the EU, we have a European Employment Service, the Eures Network, composed of the EU member states and Switzerland. Offers from 29 countries are published in this Employment Service, and we have the opportunity to publish our CV through the Europass CV.

It consists of a dossier of common documents for all EU states, managed by the National Professional Guidance Centers. It is a tool of the European Qualification Framework (EQF) that allows training and mobility of workers. Its purpose is to make working and training mobilities easier.

It serves to show the capabilities and qualifications of the person concerned in a clear and effective way. The Europass CV is structured by competences and with a clear professional objective.

➤ <http://europass.cedefop.europa.eu/es/documents/curriculum-vitae>

#### RESOURCES – LEVEL 1

Entities like CEAR among others provide different support services to applicants for international protection or migrants throughout the integration process, guiding them and providing personal and social tools so that they are the leaders of their own process.

To do this, organizations work from the first aid to newcomers, learning the country's language, the integration stage, mediation to access housing, psychological support, and training for employment until labor insertion.

This last stage of training and employment is aimed at the social and labor integration of the group within the inclusion process. The intervention that takes place in this area is aimed at guaranteeing language learning and enhancing the employability and autonomy of migrants. In turn, equality in the labor market, labor insertion, and social integration of the group is promoted, as well as the awareness of employers and job-oriented entities.

The procedure of intervention with the beneficiaries is carried out through Individualized Insertion Itineraries. These are conceived as a work system in which professionals carry out the tasks of information, advice, monitoring, guidance, evaluation, and intervention with the people benefiting from the project. In this process, the particularities of each individual are taken into account, and the cross-cutting objectives of the European Social Fund (ESF) are



applied: gender mainstreaming; the impulse and transfer of innovative actions; the promotion of ICTs; the promotion of care and respect for the environment and the application of partnership; and the promotion of non-discrimination and social inclusion.

The methodology used during the development of all stages of the project will be consistent with the lines, which in this sense defines the Strategic Plan of CEAR, which highlights the following principles:

- Multidisciplinary intervention; where actions are coordinated and planned from the different intervention areas of the organization.
- Consensus and negotiation of the regulations and participation of the people participating in the actions; within an empowerment that facilitates acquiring personal autonomy.
- Promotion of the active participation of the participants.
- Fight against language discrimination; guaranteeing a translation service as long as the participants do not speak the country's language. This principle is applied by motivating the participants to improve their language skills, always without a paternalistic attitude.

The 4 key pieces in which individualized labor insertion itineraries are developed are those that make up the puzzle, adjusting each piece in such a way and through the work of the technical staff of the service, to design individualized itineraries of quality and success insertion.

- <http://cear.es/empleo/#integracion>

Other additional resources:

- <https://www.cear-euskadi.org/cear-euskadi-y-ner-group-en-colaboracion-para-favorecer-la-insercion-laboral-de-las-personas-refugiadas/>
- [https://www.lanbide.euskadi.eus/contenidos/informacion/videos\\_orientacion/es\\_def/adjuntos/materiales%20de%20consulta/MANUAL%20COMPLETO%20TALLER%20CV.pdf](https://www.lanbide.euskadi.eus/contenidos/informacion/videos_orientacion/es_def/adjuntos/materiales%20de%20consulta/MANUAL%20COMPLETO%20TALLER%20CV.pdf)
- <https://www.fundacionadsis.org/es/araba/noticias/programa-apoyo-la-insercion-laboral-de-personas-inmigrantes-0>
- [https://ec.europa.eu/spain/barcelona/news/migrempower-un-proiecte-europeu-innovador-la-millora-de-la-inserció-laboral-de-persones\\_es](https://ec.europa.eu/spain/barcelona/news/migrempower-un-proiecte-europeu-innovador-la-millora-de-la-inserció-laboral-de-persones_es)
- [https://migrempower.eu/resources/outputs/IO4/ES/Migrempower\\_IO4\\_ES.pdf](https://migrempower.eu/resources/outputs/IO4/ES/Migrempower_IO4_ES.pdf)





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# **DIDACTIC UNIT 12**

## **THE ERASMUS PLUS PROGRAMME**

COURSE **FOR**  
**MIGRANTS**  
**& REFUGEES**



### 12.1 WHAT IS THE ERASMUS PLUS PROGRAMME? – LEVEL 1

Erasmus Plus is EU's program to support education, training, youth, and sports in Europe. Its budget of 14700 million € will provide more than 4 million Europeans the opportunity to study, train, and have new experiences abroad. But Erasmus Plus, which has an expected duration until 2020, is not only aimed at students. As a result of the merging of seven previous programs, it offers opportunities to a wide variety of people and organizations.

The Erasmus Plus Programme Guide contains detailed information on the opportunities and criteria to qualify for it. An indicative funding guide for centralized opportunities is also available.

### 12.2 OBJECTIVES OF THE PROGRAMME – LEVEL 1

Erasmus Plus contributes to the Europe 2020 Strategy for growth, employment, social justice and inclusion, and to the objectives of the strategic framework for European cooperation in the field of education and training (ET 2020). It also wants to promote the sustainable development of partner countries in the field of higher education and contribute to the achievement of the objectives of the EU youth strategy.

The following specific topics are raised within the program:

- Reduce unemployment, especially among youth.
- Promote adult education, especially in the new skills and qualifications required by the labor market.
- Encourage young people to participate in the democratic life of Europe.
- Support innovation, cooperation and reforms.
- Reduce early school leaving.
- Promote cooperation and mobility with EU partner countries.



### 12.3 WHO CAN PARTICIPATE? – LEVEL 2

Erasmus Plus is open to many people and organizations, although admission criteria vary by action and country. Individuals can participate in many Erasmus Plus funded opportunities, although most do so through an organization participating in the program. The admission criteria for individuals and organizations depend on the country where they are located.

The countries that can participate are divided into two groups: program countries and associated countries. Program countries can participate in all Erasmus Plus actions, while partner countries can only participate in some and under certain conditions.

**PROGRAM COUNTRIES:** these are mostly EU countries, to which certain others are incorporated with specific agreements.

#### - EU MEMBER COUNTRIES

- Austria
- Belgium
- Bulgaria
- Cyprus
- Croatia
- Czech Republic
- Denmark
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Ireland
- Italy
- Latvia
- Lithuania
- Luxemburg
- Malta
- The Netherlands
- Poland
- Portugal
- Romania
- Slovakia
- Slovenia
- Spain
- Swizerland
- The UK

(to be defined)

#### - NON EU MEMBER COUNTRIES

- Republic of North Macedonia
- Iceland
- Liechtenstein
- Norway
- Serbia
- Turkey



**ASSOCIATED COUNTRIES:** The following countries can take part in certain actions of the program, as long as they meet the specific conditions and criteria (for more information, see part B of this Guide). Funding will be allocated to organizations in countries, within their territories recognized by international law.

Applicants and participants must respect all restrictions imposed by the European Council on EU foreign aid. Applications must be in line with the EU's global values of respect for human dignity, freedom, democracy, equality, rule of law and respect for Human Rights, including the rights of persons belonging to minorities provided for in art 2 of the Treaty on European Union.

**Western Balkans (Region 1):** Albania, Bosnia and Herzegovina Kosovo and Montenegro.

**Eastern Association countries (Region 2):** Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukrainian territory recognized by international law.

**Southern Mediterranean countries (Region 3):** Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, Palestine, Syria, Tunisia.

**Russian Federation (Region 4):** Territory of Russia recognized by international law.

**Region 5:** Andorra, Monaco, San Marino, State of the Vatican City.

**Region 6:** Afghanistan, Bangladesh, Bhutan, Cambodia, China, North Korea, India, Indonesia, Laos, Malaysia, Maldives, Mongolia, Myanmar / Burma, Nepal, Pakistan, Philippines, Sri Lanka, Thailand, Vietnam.

**Region 7:** Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, Uzbekistan.

**Region 8:** Argentina, Bolivia, Brazil, Colombia, Costa Rica, Cuba, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Venezuela.

**Region 9:** Iraq, Iran, Yemen.

**Region 10:** South Africa.

**Region 11:** Angola, Antigua and Barbuda, Bahamas, Barbados, Belize, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cavo Verde, Central African Republic, Chad, Comoros, Congo (Brazzaville), Congo (Kinshasa), Democratic Republic of the Cook Islands, Djibouti, Dominica, Dominican Republic, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Republic of Guinea, Guinea-Bissau, Guyana, Haiti, Republic of Ivory Coast, Jamaica, Kenya, Kiribati, Lesotho, Liberia, Madagascar, Malawi, Mali, Marshall Islands, Mauritania, Mauritius, Micronesia, Federated States of Mozambique, Namibia, Nauru, Niger, Nigeria, Niue, Palau,



Papua New Guinea, Rwanda, Saint Kitts and Nevis, Saint Lucia , Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Senegal, Seychelles, Sierra Leone, Solomon Islands, Somalia, Sudan, South Sudan, Suriname, Swaziland, Democratic Republic of Tanzania, Togo, Tonga, Trinidad and Tobago, Tuvalu , Uganda, Vanuatu, Zambia, Zimbabwe.

Region 12: Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, United Arab Emirates.

Region 13: Australia, Brunei, Canada, Chile, Hong Kong, Japan, (Republic of) Korea, Macao, New Zealand, Singapore, Taiwan, United States of America, Uruguay.

Region 14: Faroe Islands, Switzerland.

### PARTICIPANTS

The EU has been financing the Erasmus Program for almost 30 years, which has allowed more than three million European students to carry out a part of their studies at other institutions of higher education or with an organization in other European countries.

This is how a person can request personal projects to do mobility activities to other countries or receive specific scholarships to work in entities, companies, or institutions. As a general rule, in the case of foreigners, migrants, or refugees, their participation in these grants can be done through their country of origin or through their host country, provided they have special residence/work/study permits. In this case, a specific consultation on your case should be made to the National Agency of the Erasmus Plus Programme.

Specific opportunities for:

- **Students:** Studies abroad are an essential part of the Erasmus Plus Programme and have shown their positive effects on subsequent employment prospects. They also represent an opportunity to improve language skills, gain independence and self-confidence, and get to know other cultures.
- **Teachers:** Erasmus Plus offers the possibility of teaching in an educational institution abroad, both to teaching staff and others who are invited to share their knowledge and experience.
- **Trainers:** Erasmus Plus offers education opportunities to trainers in both teaching and non-teaching matters. Training abroad may consist of observing professional activities or specific courses.
- **Internships:** Erasmus Plus helps to get valuable work experience through internships abroad. College and VET students, new graduates, and trainees can request Erasmus Plus aids for internships.



- Youth: Erasmus Plus is open to all young people, not only to those signed up in education or training courses. The program allows everyone to volunteer across Europe or participate in youth exchanges.
- Youth animators: Erasmus Plus contributes to the professional development of people working with young people through periods of training or integration in networks abroad. These activities may consist of training courses, study visits, observation of professional activities in organizations, etc.

### ORGANIZATIONS

Organizations wishing to participate in Erasmus Plus can do so through various development and network integration activities, including the strategic improvement of the professional skills of their staff, capability building, and the creation of transnational cooperative partnerships with organizations from other countries to obtain innovative results or exchange good practices. Anyone, including migrants and refugees, can participate through the organizations in which they work or collaborate. Organizations should also facilitate mobility opportunities for student learning, workers, apprentices, volunteers, youth animators, and youth in general.

Among the benefits that the participating organizations get are the greater capability to navigate in the international context, with better management methods, access to more financing and project opportunities, greater capabilities to develop, manage, and follow projects, and a more appealing variety of opportunities for students and staff.

At this level, an organization can participate in the following lines:

- **KEY ACTION 1 (KA1): MOBILITY ACTIVITIES FOR LEARNING REASONS**

Key Action 1 promotes the mobility of students, workers, volunteers, youth animators, and youth in general. Organizations can send students and staff members to participating countries, or host students and staff members from participating countries and organize teaching, training, learning, and volunteer activities.

- **KEY ACTION 2 (KA2): INNOVATION AND GOOD PRACTICES**

Key Action 2 is designed for the development of education, training, and youth sectors through five main activities:



1. Strategic Partnerships that promote innovation in the sector, and joint initiatives to promote cooperation, peer-learning, and experience sharing.
2. Alliances for Knowledge to stimulate innovation in higher education along with companies and contribute to new approaches to teaching and learning, entrepreneurship in education, and the modernization of higher education systems in Europe.
3. Partnerships for Sectorial Competencies to address the lack of professional skills and better adapt professional training to the needs of the labor market. There are opportunities to modernize VET, exchange knowledge and practices, promote work abroad, and expand recognition of qualifications.
4. Development of skills in the field of higher education to promote the modernization, accessibility, and internationalization of higher education in the partner countries.
5. Youth capability development projects to support work with young people, non-formal learning, and volunteering, in addition to non-formal learning opportunities with partner countries.

■ **KEY ACTION 3 (KA3): SUPPORT FOR POLICY REFORM**

Key Action 3 aims to increase the participation of youth in democratic life, especially through discussions with policy makers, and knowledge in the fields of education, training, and youth.

■ **JEAN MONNET**

Teaching, research, and debate opportunities on the EU and its policies.

■ **SPORTS**

Intended to conceive and carry out joint activities to promote sports and physical exercise, and innovative activities in this area, and organize non-profit events aimed at promoting the equal participation of people in sports.

MIGRANTS

Erasmus Plus extends these opportunities to everyone: students, staff, interns, teachers, volunteers, etc., not limiting them to Europe or Europeans; it offers opportunities to interested people from all over the world. Given the current situation regarding young immigrants, refugees, and asylum seekers, a special attention is paid to those projects whose objective is



the training of VET staff in areas such as education of refugee children, intercultural classes, and teaching youth a second language, tolerance, and diversity in the classroom.

Thus, migrants and refugees may participate in projects individually or through partner organizations. This participation however is subject to specific conditions:

- If these are national activities (that do not require to travel to other countries), migrants may participate freely.
- In the case of transnational meetings, mobility activities, or those that take place within other countries, the partner organization must guarantee the return of all participants, and must also comply with the specific regulations of the host country (which may include the need for an invitation letter, embassy procedures, accrediting places of stay, etc.). In the case of migrants, they may participate freely if they have residence and work permits and comply with the specific regulations of the host country.
- In the case of VET, labor, or volunteering mobility activities, the participation of migrants is more difficult, and specific consultations should be made. The law of the host country should be analyzed in addition to the regulations of the Erasmus Plus Programme.

In any case, whenever a foreigner, migrant, or refugee participates, a specific consultation should be made to the National Agency of the Erasmus Plus Programme, but migrants and refugees are key beneficiaries of the project, as they face serious barriers and obstacles.

#### ▪ VISA REQUIREMENTS AND RESIDENCE PERMITS

Participants in Erasmus Plus projects may need a visa to stay abroad, in the country of the program or partner that hosts the activity. Ensuring that the necessary authorizations (short or long-term visas, residence permits) are in order before the planned activity is responsibility of all participating organizations.

It is strongly recommended to request authorizations from relevant authorities well in advance, as the process can last for several weeks. National agencies and the Executive Agency can provide more advice and support regarding visas, residence permits, social security, etc. The EU Immigration Portal has general information on visas and residence permits for short and long stays: <http://ec.europa.eu/immigration> .



12.4 WHO MANAGES THE ERASMUS PLUS PROGRAMME? – LEVEL 2

The Erasmus Plus Programme is managed by the European Commission, the Executive Agency in the Educational, Audiovisual, and Cultural field (EACEA), the National Agencies of all programme countries, and a series of National Offices in some partner countries.

Centralized activities throughout Europe are managed in Brussels, through the European Commission and its Executive Agency in the Educational, Audiovisual, and Cultural field (EACEA), and larger, more strategic, and centralized projects are designed to address specific problems throughout Europe.

Decentralized activities are managed directly by the National Agencies in each country of the program or by the Erasmus Plus National Offices outside the EU. Most of the projects are carried out at the national, regional, or local level, and focus on exchanges between countries.

