

Supporting legal migration for better integration and improved development of relations with third countries.

Experiences and best practices in dialogue.

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Rome, 30th of October 2024



MINISTERO
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Context

✓ Context

Legal framework

Operational pillar

Spain

- Population aged 18-65 will decrease by 1,5 million in the period 2020-2030
- Working-age population will shrink from 59,5% in 2016 to 53,8% in 2029
- Young population is increasingly less interested in certain occupations and less engaged in geographical mobility in comparison with third country nationals

How can migration help?

- As of 30 June 2024, Spain has 7.000000 foreigners with a valid residence permit.
- We must understand migration policy in a way that complements other measures that are being adopted in other areas such as science, education and agriculture, among others. Migration policy is not a watertight policy.



Legal framework



Operational pillar

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Operational pillar

- 1) Legislation for mid- and low- skilled workers.
 - It is migration regulation; Organic law on foreigners and its regulatory development (Royal decree)
 - All kind of categories: students, seasonal workers, family reunification...
- 2) Legislation for high-skilled workers: migration for economic interests
 - It is an economic law
 - Investors, entrepreneurs, researchers, intra-corporate transferees, digital nomads, high skilled workers
 - Migration of special interest groups: Audio-visual and cultural sector

Legal framework

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| Migration regulation | Economic Law |
|---|--|
| The national employment situation applies | The national employment situation does not apply |
| There is geographical or activity limitation | There is no geographical or activity limitation |
| Immigration offices | There is a specialized unit |
| General processing time of applications is three months | 20 days Visas: 10 days |
| The foreign person must always be abroad | The foreign person may be in Spain |
| Family reunification per year | Family reunification at the same time |
| Validity of the authorisation 1+4 | Validity of the authorisation 3+2 |

Legal framework - Economic Law

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Operational pillar

Audiovisual and cultural sector

- **November 2022**: A specific procedure to facilitate the entry and retention of professionals working in the audiovisual and cultural sector was approved.
- This was accompanied by **a plan approved by the Council of Ministers in March 2022** to boost this sector.
- After analysing all the regulations, it was found that the procedures were slow and bureaucratic and did not respond to the needs of the sector.
- How? This procedure provides these professionals with three options depending on their period of stay in Spain:
 - **Option 1**: up to 90 days, they will be exempt from the obligation to obtain a work permit.
 - **Option 2**: for stays in Spain of more than 91 days and a maximum of 180 days. **VISA**
 - **Option 3**: a residence permit is developed for those who will reside and work in the audiovisual sector for more than 180 days.
- The characteristics of the process are the same.

Legal framework – Migration Regulation

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New elements:

- This regulation has been in force for 13 years and has been amended from time to time.
- It improves procedures by clarifying the role of each authority involved at each step.
- It streamlines and homogenize the processing procedures.
- Most of the authorisations allow to work from the beginning.
- It improves the requirements for family reunification.
- The single permit directive is transposed.
- It improves the modification from one migratory status to another.
- A 12-month job-seeker's visa is created.

Circular migration program - GECCO

Context

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- What is GECCO?
 - Programme that allows a high number of workers to come to Spain at the same time TO WORK.
 - These permits allow to work for up to 9 months in one year
 - Focus: Agriculture sector
 - Countries: Morocco, Colombia, Honduras and Senegal
- Improvements introduced in 2022:
 - A 4-year work authorization allowing a maximum of 9 months' work in a single sector.
 - Expanding project possibilities to more sectors with labour shortages
 - Providing more legal certainty to companies and workers

Wafira

Context

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It was launched 2022

Scope: Spain and Morocco

Partners: Moroccan and Spanish authorities, Private Sector, ILO, EU-Commission.

Targets: 250 female seasonal workers and Moroccan authorities

Overall objective : maximize the impact of labour circular migration on the development of the country of origin

How?: By complementing the circular migration program with three additional key components: capacity building, training and funding.



Other projects

Context

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- Migrasafe

- Main goal: providing objective, accurate and reliable information to the main sources of information on migration in eight African countries.
- Target: embassies, consulates, liaison officers of the ILO Network and Civil Society Organisations on legal migration directives.
- State of play: has been finalized

- Wecare

- Pilot project : health sector
- Countries: Colombia

Thank you

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<https://www.emnitalyncp.it/>

https://home-affairs.ec.europa.eu/networks/european-migration-network-emn_en

